FAIRFAX COUNTY
BOARD OF SUPERVISORS
February 16, 2016

AGENDA

9:30	**Done**	Presentations
10:00	**Adopted Report #2**	Report on General Assembly Activities
10:10	**Done**	County Executive's Presentation of the Proposed FY 2017 and FY 2018 Multi-Year Budget Plan
11:10	**Done**	Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups
11:20	**Done**	Items Presented by the County Executive

ADMINISTRATIVE ITEMS

1	**Approved**	Additional Time to Commence Construction for Special Exception SE 2013-LE-014, Hajimohammad Revocable Trust (Lee District)
2	**Approved**	Authorization to Advertise a Public Hearing to Adopt an Ordinance that Would Allow 16 and 17 year Old Students to Participate in the Training Required to be Certified under National Fire Protection Association 1001, Level One, Firefighter Standards, as Administered by the Virginia Department of Fire Programs
3	**Approved**	Authorization for the Fairfax County Fire and Rescue Department to Apply for and Accept Grant Funding from the U.S. Department of Homeland Security, Fire Prevention & Safety (FP&S) Grant Program
4	**Approved**	Authorization to Advertise a Public Hearing on the Proposed Consolidated Plan One-Year Action Plan for FY 2017
5	**Approved**	Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Langley Residential Permit Parking District, District 20 (Dranesville District)

ACTION ITEMS

1	**Approved**	Approval of a Resolution to Authorize the Refunding of Fairfax County Sewer Revenue Bonds

FAIRFAX COUNTY
BOARD OF SUPERVISORS
February 16, 2016

ACTION ITEMS (Continued)

2	**Approved**	Approval of a Resolution Authorizing Execution of a Project Funding Agreement with the Town of Vienna for the Design of Pedestrian Enhancement Improvements along Creek Crossing Road (Hunter Mill District)
3	**Approved**	Board Approval of a Resolution Requesting the Fairfax County Economic Development Authority (EDA) Issue Transportation Improvement District Revenue Refunding Bonds (Silver Line Phase 1 Project) and Other Necessary Documents
4	**Approved**	Approval of an Amended Agreement Between the Town of Vienna and Fairfax County to Design and Construct a Stream Restoration Project on Hunters Branch Stream (Hunter Mill District)

INFORMATION ITEMS

1	**Noted**	2015 Virginia Pollutant Discharge Elimination System Permit Annual Report for Fairfax County, Virginia
2	**Noted**	Contract Award – Professional Auditing Services
11:30	**Done**	Matters Presented by Board Members
12:20	**Done**	Closed Session

PUBLIC HEARINGS

3:30	**Approved**	Decision Only to Approve a Real Estate Exchange Agreement Between the Board of Supervisors and AvalonBay Communities, Inc. (“AvalonBay”) and to Approve the Purchase of Property from 5827 Columbia Pike Associates, LLC, an Affiliate of Landmark Atlantic, Inc. (“Landmark”) (Mason District)
3:30	**Approved**	Decision Only on SE 2015-MV-003 (First Years Learning Center LLC / Claudia Tramontana) (Mount Vernon District)
3:30	**Approved**	Public Hearing on SE 2014-PR-018 (Beyer 1 Limited Liability Company) (Providence District)

FAIRFAX COUNTY
BOARD OF SUPERVISORS
February 16, 2016

PUBLIC HEARINGS
(Continued)

3:30	**Approved**	Public Hearing on RZ 2015-PR-016 (Beyer 1 Limited Liability Company) (Providence District)
3:30	**Public hearing deferred to 3/15/2016 at 3:30 p.m.**	Public Hearing on SE 2015-SP-023 (Cellco Partnership D/B/A Verizon Wireless; Little League Inc. Fairfax) (Springfield District)
3:30	**Approved**	Public Hearing on SE 2015-DR-028 (Metropolitan Washington Airports Authority (MWAA) and the Virginia Department of Rail and Public Transportation on Behalf of the Washington Metropolitan Area Transit Authority and the Board of Supervisor of Fairfax County, Virginia) (Dranesville District)
3:30	**Public hearing deferred to 3/1/2016 at 3:30 p.m.**	Public Hearing on PCA 2011-PR-023/CDPA 2011-PR-023 (Cityline Partners LLC) (Providence District)
3:30	**Approved**	Public Hearing on PCA 2009-HM-017 (Fairfax County Board of Supervisors) (Dranesville District)
4:00	**Approved**	Public Hearing on SE 2015-SU-014 (Debra E. Goodman T/A Wee Tender Care) (Sully District)
4:00	**Approved**	Public Hearing on PCA 78-P-130-02/CDPA 78-P-130-03 (Copt Fairview, LLC) (Providence District)
4:00	**Held**	Public Comment

R E V I S E D

Fairfax County, Virginia

BOARD OF SUPERVISORS AGENDA

Tuesday
February 16, 2016

9:30 a.m.

PRESENTATIONS

RECOGNITIONS

- RESOLUTION – To recognize Autumn Brenner for her athletic, community and scholastic achievements. Requested by Supervisor Foust.

DESIGNATIONS

- PROCLAMATION – To designate February 2016 as Teen Dating Violence Awareness Month in Fairfax County. Requested by Chairman Bulova.

STAFF:
Tony Castrilli, Director, Office of Public Affairs
Bill Miller, Office of Public Affairs

Board Agenda Item
February 16, 2016

10:00 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:
None. Materials to be distributed to the Board of Supervisors on February 16, 2016

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

County of Fairfax, Virginia

MEMORANDUM

DATE: February 16, 2016

TO: Board of Supervisors

FROM: Edward L. Long, Jr., County Executive

SUBJECT: 2016 Legislative Report No. 2—Board Legislative Committee Meeting of February 5, 2016

With crossover upon us, just over three weeks remain in the 2016 General Assembly session. While the vast majority of bills introduced this session have already been acted upon by their respective originating chambers, any outstanding legislation must reach the opposite chamber by midnight today, February 16, or it will not be considered for the remainder of the session.

Following crossover, both houses will continue work on their individual revenue bills, as well as the state budget. The House Appropriations and Senate Finance Committees will report their respective budgets on February 21. As in years past, we expect that each chamber will reject the other's budget and appoint members to a conference committee to resolve these differences.

The Legislative Committee met on February 5 to consider several issues of importance to the County, and the Committee offers the following report and recommendations for action to the Board.

Legislative Committee Actions of February 5, 2016:

Members Present: Legislative Chairman McKay
Chairman Bulova
Supervisor Cook
Supervisor Foust
Supervisor Gross
Supervisor Herrity
Supervisor Hudgins
Supervisor Smith
Supervisor Smyth
Supervisor Storck

Office of the County Executive
12000 Government Center Parkway
Suite 552
Phone: (703) 324-2531, TTY 711
Fax: (703) 324-3956
www.fairfaxcounty.gov

Specific Issues

Pending Proffer Legislation: The Committee discussed pending proffer legislation (see handout on handwritten pages 91-93).

Pending Ethics Legislation: The Committee discussed pending ethics legislation (see handout on handwritten pages 95-100).

Photo ID Only Provisional Ballots Received: The Committee received a handout developed by the Fairfax County Office of Elections (see handwritten pages 101-103).

Priority Principles for Reviewing Legislation

1. **Adequately fund K-12 education.**
2. **The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.**
3. **Restore the funding partnership between the state and localities with adequate state funding.**
4. **Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

Specific Legislation

Historical Positions of the Board

SUPPORT

HB 429 (Villanueva) (HGL)/ **HB 913** (Toscano) (HGL)/ **SB 12** (Ebbin) (Passed Senate; HGL) prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran. Support; Board has historically supported. (16102590D, 16102226D, 16100354D-E)

OPPOSE

SB 208 (Garrett) (SFIN) authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and

transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks, (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property, or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2017. The bill contains technical amendments. Oppose; Board has historically opposed. (16100528D)

SB 768 (Suetterlein) (STRAN) raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit. Oppose; Board has historically opposed. (16104348D) *(The Board took the same position on the companion bill, HB 1043 (Rasoul, which is no longer under consideration.)*

New Bills-2016 General Assembly

HB 1347 (Heretick) (HLC) prohibits a locality from charging an application fee, consulting fee, or other fee associated with the submission, review, processing and approval of an application to construct a new wireless support structure, for the substantial modification of a wireless support structure, or for collocation of a wireless facility or replacement of a wireless facility on an existing structure or utility pole that is not required for similar types of commercial development within the locality's jurisdiction. The measure permits a locality to charge fees for the costs directly incurred by it relating to the granting or processing of an application. Such fees are capped at the lesser of the amount charged by the locality for a building permit for any other type of commercial development or land use development, or $500 for a collocation application, small cell facility or distributed antenna system or $1,000 for a new wireless support structure or for a substantial modification of a wireless support structure. Localities are prohibited from (i) requiring an applicant to submit information about, or evaluate an applicant's business decisions with respect to its designed service, customer demand for service, or quality of its service to or from a particular area or site, or information that concerns the specific need for the wireless support structure; (ii) evaluating an application based on the availability of other potential locations for the placement of wireless support structures or wireless facilities; (iii) dictating the type of wireless facilities, infrastructure or technology to be used by the applicant; and (iv) requiring the removal of existing wireless support structures or wireless facilities, as a condition for approval of an application. The measure grants to any domestic or foreign telecommunications provider or broadband provider to construct, maintain, and operate conduit, poles, cable, switches and related appurtenances and facilities along, across, upon and under any public highway or rights-of-way in the Commonwealth. Localities are barred from (a) imposing certain environmental testing, sampling, or monitoring requirements or (b) instituting any moratorium on the permitting, construction or issuance of approvals of new wireless support structures, substantial modifications of wireless support structures, or collocations. Oppose. (16104657D)

SB 611 (Stanley) (Senate Floor) provides that the bar to a tort claim against the Commonwealth, a transportation district, or a locality for failure to file a written statement of the nature of the claim within one year after the cause of action accrues does not apply where there was actual knowledge of the claim within one year by the Commonwealth, its agency alleged to be liable, the Division of Risk Management, or any insurer or entity providing coverage or indemnification of the claim, the Attorney General, the transportation district, or the locality, as applicable. Oppose. (16103209D)

SB 746 (Wagner) (SCT) provides that a government employee who exceeds the scope of his authority when performing an inspection of a private entity to determine compliance with any law, regulation, or ordinance shall be personally liable for any damages arising from any enforcement action taken against the entity on the basis of the employee's inspection. The provisions of this bill do not apply to law-enforcement officers. Oppose. (16104254D)

Education

HB 547 (Watts) (HED) directs the General Assembly, in apportioning the state and local share of the costs of meeting the Standards of Quality, beginning July 1, 2016, to implement a formula that determines each locality's ability to pay based on the ratios of (i) the reimbursement payment made to the locality for providing tangible personal property tax relief to the reimbursement payments made statewide for providing tangible personal property tax relief; (ii) the total value of real estate in the locality adjusted by the average of the cost of competing index if used for instructional personnel and for support positions to the statewide value of real estate per person; (iii) the local one percent sales tax revenue collected by the locality to the statewide total local sales tax revenue collected; (iv) the assessed value of the personal property taxed by the locality to the statewide assessed value of the local personal property tax; and (v) revenue collected from local lodging, local cigarette, and local meals taxes to the revenue collected statewide from such local lodging, cigarette, and meals taxes.

To determine each locality's composite index of ability to pay, (a) the sum of the ratios calculated on the basis of average daily membership for each locality shall be divided by the sum of the average daily membership ratios for all localities; (b) the sum of the ratios calculated on a per capita basis for each locality shall be divided by the sum of the per capita ratios for all localities; and (c) the locality's ratio calculated on the basis of average daily membership shall be multiplied by 0.66, and the locality's ratio calculated on a per capita basis shall be multiplied by 0.33. The sum of the two adjusted ratios in clause (c) shall be the local composite index of ability to pay. Support. (16102351D)

Elections

HB 1223 (Watts) (HPE) permits a voter to give his full name and current residence address orally or in writing to the officer of election when offering to vote. The bill provides that allowing a voter to give such information in writing shall not be construed as a requirement

that the form of identification presented by the voter contain the voter's current residence address. Support. (16104000D)

HB 1030 (Sickles) (HPE)/ **SB 574** (McEachin) (Senate Floor) requires all officers of election to receive training every two years and whenever a change is made to the election laws or regulations that alters the duties and conduct of the officers. The State Board of Elections is required to develop standardized training programs and provide standardized training materials for use by the electoral boards and general registrars in conducting the training for the officers of election. The bill requires that such materials be reviewed every two years in the year immediately following a general election for federal office. The bill also requires the electoral boards to certify to the State Board that the officers of election have received the required training. Support with amendment to allow County-developed training materials to be used as an alternative or supplement to state-developed materials when appropriate. (16102856D, 16105054D-S1)

Environment

HB 941 (Toscano) (HCCT) expands the scope of clean energy programs by including certain residential properties that are currently excluded from the voluntary special lien assessment provisions. Monitor. (16102233D)

Freedom of Information Act

HB 817 (LeMunyon) (HGL) reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments. Monitor. (16103657D)

SB 494 (Surovell) (SGL) reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety

only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments. Monitor. (16103660D)

Health and Human Services

SB 433 (Favola) (SFIN) creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. Support. (16101539D)

SB 556 (Wexton) (Passed Senate; HHWI) removes certain restrictions for licensure of a provider who provides treatment for persons with opiate addiction using nonmethadone opioid replacements. Such restrictions include the proximity of the provider to a school and community notice requirements. Support. (16101464D)

HB 675 (Peace) (HAPP) extends eligibility for auxiliary grants to include individuals residing in supportive housing, provided that the supportive housing provider has entered into an agreement for the provision of supportive housing with the Department of Behavioral Health and Developmental Services. The bill establishes requirements for providers of supportive housing that enter into agreements with the Department. Support. (16104862D-H1)

Early Education

HB 46 (Greason) (HED) directs the Secretary of Education to establish a 21-member Early Education Workforce Committee with the key goal of ensuring an effective professional development and credentialing system for the early childhood education workforce in the Commonwealth, including the (i) development of a competency-based professional development pathway for practitioners who teach children birth to age five in both public and private early childhood education programs; (ii) consideration of articulation agreements between associate and baccalaureate degree programs; (iii) refinement of teacher licensure and education programs to address competencies specific to early childhood development; (iv) alignment of existing professional development funding streams; and (v) development of innovative approaches to increasing accessibility, availability, affordability, and accountability of the Commonwealth's workforce development system for early childhood education teachers and providers. Support. (16100918D)

HB 47 (Greason) (HED) establishes the Mixed-Delivery Preschool Services Fund and Grant Program for the purpose of awarding grants on a competitive basis to urban, suburban, and

rural community applicants to field-test innovative strategies and evidence-based practices that support a robust system of mixed-delivery preschool services in the Commonwealth. The bill requires the Virginia Early Childhood Foundation to administer a request for proposals process to invite community applicants to respond with localized innovations and approaches to a mixed-delivery preschool services system and a review and selection committee consisting of representatives of the Department of Education, the Virginia Early Childhood Foundation, and the House Appropriations Committee to award two-year grants to six applicants in each year of the 2016-2018 biennium, giving priority to applicants who (i) commit to pursuing models of local governance that promote the successful mixed delivery of preschool services, (ii) compare classroom and child outcomes among teachers with different credentials and qualifications, (iii) utilize incentives to encourage participation, and (iv) utilize strategic assessment to discern outcomes. The bill has an expiration date of July 1, 2019. Support. (16100919D)

Department of Family Services Operations

HB 589 (Campbell) (Passed House; SCT) allows designated nonattorney employees of the Department of Social Services to file petitions relating to child protective services and foster care services without a lawyer's signature. Support. (16104108D-H1)

SB 417 (Vogel) (SRSS) allows designated nonattorney employees of a local department of social services to (i) initiate a case on behalf of the local department by appearing before an intake officer and (ii) complete, sign, and file with the clerk of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, and motions for a rule to show cause. The bill also directs directors of local departments of social services to designate nonattorney employees who are authorized to perform such tasks. Support. (16101307D)

Immigration

SB 270 (Garrett) (Senate Floor) provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. The General Assembly shall reduce state funding to the extent permitted by state and federal law to any locality found to have violated the provisions of the bill. Oppose; scope of bills is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. (16100723D)

SB 705 (Black) (Senate Floor) provides that a sanctuary city, defined in the bill as any locality that adopts any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, shall be responsible for the full amount of any personal injury or property damage caused by an illegal alien within such locality. Oppose; scope of bills is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. (16103669D)

Land Use

SB 735 (Obenshain) (SLG) shortens the period within which a local planning commission or other agent must act on a proposed plat, site plan, or plan of development that solely involves parcels of commercial real estate. The bill shortens from 60 days to 30 days the period within which the commission shall act on a plat that has been officially submitted for approval and reduces from 45 days to 20 days the period for action on a plat that the commission has previously disapproved. The bill reduces from 10 business days to seven business days the period within which the commission is required to forward the plat to a state agency if a review by the agency is required, and the agency's initial review period is reduced from 45 days to 20 days. The agency's second review period, for a plat that has previously been disapproved, is reduced from 45 days to 15 days. Once a plat receives all state agency approvals, the period for planning commission action on it is reduced from 35 days to 15 days. Finally, the bill reduces the periods of time that must pass before the subdivider is allowed to petition the circuit court for a decision on the plat from 60 days to 30 days after official submission for approval, from 45 days to 20 days after official resubmission following a previous disapproval, and from 35 days to 15 days from receipt of any state agency response. The bill also reduces the notice period required for the subdivider's petition to the court from 10 days to five days. Oppose. (16103897D)

Homeowners' Associations

SB 238 (Petersen) (SGL) provides that an association may not prohibit a lot owner from operating a home-based business within his personal residence if the operation of the home-based business is in compliance with all applicable state laws and local ordinances. Under current law, operation of a home-based business is prohibited only to the extent that the declaration is silent on the operation of home-based businesses. The association continues to be authorized to establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the owner's lot related to such home-based business. Oppose. (16102882D).

SB 237 (Petersen) (Senate Floor) provides that in determining the value of an award or payment for the condemnation of any portion of the common area of a property owners' association, the fact finder must consider all relevant circumstances, including the value of those neighboring properties that hold easements. Monitor. (16104518D-S1)

Public Safety

HB 1211 (Leftwich) (House Floor) requires animal control officers hired on or after July 1, 2017, to complete a basic animal control course within one year after the date of hire. Current law requires completion of such training course within two years after the date of hire. Monitor. (16103893D)

Transportation

HB 1359 (Peace) (HTRAN) establishes the Transit Capital Project Revenue Advisory Board (the Board) within the Department of Rail and Public Transit to examine the effects of the loss of state transit capital funds and identify additional sources of revenue. The Advisory Board shall expire on July 1, 2019. Support. (16103888D)

SB 515 (McPike) (Passed Senate; HTRAN) allows mobile food vending units to apply for a permit and pay a fee with the Department of Transportation that would allow them to sell food in commuter lots in Planning District 8. The Department would use the fees to pay for security cameras and increase security in such commuter lots. The bill also requires the Department to publish the permit application on its website and establish a fee for the permit. Monitor. (16104817D-S1)

SB 742 (Wagner) (SFIN) changes the regional gas tax in Hampton Roads to a cents per gallon tax that decreases as the price of gas increases. The tax would be imposed on the basis of the price of gas as determined by the Commissioner of the Department of Motor Vehicles using a prescribed formula to calculate the average wholesale price. Support. (16104266D)

SB 295 (Lucas) (STRAN) lowers the administrative fee that is paid after 30 days of nonpayment of an unpaid toll from $100 to $50 and lengthens such period of nonpayment from 30 days to 60 days. The time period for notice to contest liability for a toll violation is extended from 60 to 90 days. The time period to file an affidavit stating that the owner of the vehicle was not the operator of the vehicle during the unpaid toll violation is extended from 14 to 30 days. Monitor. The Board's position on the companion bill, HB 1069 (Jones), is monitor. 16102028D)

Procurement

HB 449 (Taylor) (HGL) authorizes any locality with a population in excess of 200,000 to enter into contracts using competitive negotiation for nontransportation-related construction valued at more than $500,000 but less than $2 million, provided such locality uses procedures consistent with the VPPA for the procurement of nonprofessional services. Support. (16102051D)

IV. Legislation Provided for Discussion

Land Use

HB 268 (Marshall, Daniel W.) (HCCT) authorizes the establishment of a land bank entity by any locality or two or more localities combined to assist in addressing vacant, abandoned, and tax-delinquent real properties. Under the bill, the locality has the option of (i) creating an authority or a nonprofit, nonstock corporation or (ii) designating an existing nonprofit entity that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code and eligible to receive donations from a locality pursuant to § 15.2-953 to carry out the functions of such land entity. The bill provides that land bank entities may acquire real property within participating

localities or receive transfers and conveyances from the participating localities. Land bank entities are authorized to receive funding through grants and loans from participating localities, the Commonwealth, the federal government, and other public and private sources. In addition, the bill authorizes a locality to deem paid in full all accumulated taxes, penalties, interest, and other costs on any tax-delinquent property in exchange for conveyance of the property by the owner to a land bank entity. The bill also authorizes a participating locality to remit to the land bank entity up to 50 percent of the real property taxes collected on real property conveyed by a land bank entity for up to 10 years after the conveyance. This bill is a recommendation of the Virginia Housing Commission. Support. (16103273D)

SB 578 (Barker) (SRSS) provides that for a limited brewery license, "land zoned agricultural" means land zoned as an agricultural district or classification, but does not include any other zoning classification or designation that permits agricultural uses. Under current law, such license may be granted only if the land is zoned agricultural. Oppose. (16103917D)

SB 579 (Barker) (SRSS) provides that for a limited distiller's license, "land zoned agricultural" means land zoned as an agricultural district or classification, but does not include any other zoning classification or designation that permits agricultural uses. Under current law, such license may be granted only if the land is zoned agricultural. Oppose. (16103933D)

Legislation Requiring Further Review

HB 127 (Knight) (HFIN) clarifies that "killed in action" includes a service member who dies of wounds received in action after reaching a medical treatment center, for purposes of the real property tax exemption on the residence of the surviving spouse. (16100683D)

HB 1345 (Jones) (HAPP) revises the Line of Duty Act (the Act) by codifying revisions to the Act from the appropriation act and, among other changes, transferring overall administration of the Act to the Virginia Retirement System, transferring administration of health insurance benefits under the Act to the Department of Human Resource Management, and creating the Line of Duty Health Benefits Plan, a separate health benefits plan for beneficiaries under the Act. The bill has a delayed effective date of July 1, 2017. (16103506D)

SB 99 (Cosgrove) (SFIN) clarifies that "killed in action" includes a service member who dies of wounds received in action after reaching a medical treatment center, for purposes of the real property tax exemption on the residence of the surviving spouse. (16101278D)

HB 378 (Farrell) (HAPP) directs the Workers' Compensation Commission (the Commission) to adopt regulations establishing fee schedules setting the maximum pecuniary liability of the employer for medical services provided to an injured person pursuant to the Virginia Workers' Compensation Act, in the absence of a contract under which the provider has agreed to accept a specified amount for the medical service. The regulations implementing the fee schedules shall become effective on January 1, 2018. The initial fee schedules will set amounts based on a reimbursement objective, which is the average of all amounts paid to providers in the same category of providers for the medical service in the same medical community. The Commission is required to retain a firm to assist it in establishing the initial fee schedules. The

firm will recommend a methodology that will provide statistically valid estimates of the reimbursement objective for fee scheduled medical services within the medical communities. Reimbursements for medical services provided to treat traumatic injuries and serious burns are excluded from the fee schedules and liability for their treatment costs will be based, absent a contract, on 80 percent of the provider's charges. However, the required reimbursement will be 100 percent of the provider's charges if the employer unsuccessfully contests the compensability of the claim. The Commission is required to review and revise the fee schedules in the year after they become effective and biennially thereafter. The liability of the employer for certain medical services not included in a fee schedule will be set by the Commission. A stop-loss feature allows hospitals to receive payments or reimbursements that exceed the fee schedule amount for certain claims when the total charges exceed a charge outlier threshold, which initially is 150 percent of the maximum fee for the service set forth in the applicable fee schedule. Providers are prohibited from using a different charge master or schedule of fees for any medical service provided for workers' compensation patients than the provider uses for health care services provided to patients who are not claimants. The measure requires the Commission, when determining whether the employee's attorney's work with regard to a contested claim resulted in an award of benefits that inure to the benefit of a third-party insurance carrier or health care provider, and in determining the reasonableness of the amount of any fee awarded to an attorney, to consider only the amount paid by the employer or insurance carrier to the third-party insurance carrier or health care provider for medical services rendered to the employee through a certain date and not to consider additional amounts previously paid to a health care provider or reimbursed to a third-party insurance carrier. The Commission shall have an independent, peer-reviewed study conducted every two years. The regulations setting fee schedules are exempt from the Administrative Process Act if the Commission utilizes a regulatory advisory panel to assist in the development of such regulations and provides an opportunity for public comment on the regulations prior to adoption. The measure prohibits certain practices involving the use by third parties of contracts whereby a provider agrees to accept payment of less than the fee scheduled amount, including restricting the sale, lease, or other dissemination of information regarding the payment amounts or terms of a provider contract without the express written consent and prior notification of all parties to the provider contract and prohibiting an employer from shopping for the lowest discount for a specific provider among the provider contracts held in multiple PPO networks. The regulatory advisory panel is directed to make recommendations to the Commission prior to July 1, 2017, on workers' compensation issues relating to (i) pharmaceutical costs not previously included in the fee schedules; (ii) durable medical equipment costs not previously included in the fee schedules; (iii) certain awards of attorney fees; (iv) peer review of medical costs; (v) prior authorization for medical services; and (vi) other issues that the Commission assigns to it. The existing peer review provisions are repealed. The measure has an emergency clause. (16100358D)

HB 1039 (Pogge) (HCT) provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. (16102952D)

HB 494 (Marshall, Robert G.) (HGL) provides that no agency of the Commonwealth, political subdivision of the Commonwealth, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide any assistance to (i) any agency, department, or other instrumentality of the federal government, or any employee or officer thereof, with the resettlement in the Commonwealth of any refugee from Iraq or Syria or (ii) any such refugee who has been resettled in the Commonwealth on or after January 1, 2016. The bill allows such aid, participation, or assistance if (a) the refugee has been subjected to thorough background investigations sufficient to determine whether the refugee is a threat to the security of the United States conducted by the Secretary of the U.S. Department of Homeland Security (DHS) and the Director of the Federal Bureau of Investigation (FBI) and (b) the Secretary of the DHS, with the concurrence of the Director of the FBI and the Director of National Intelligence, has certified that the refugee is not a threat to the security of the United States. (16101063D)

HB 852 (Hugo) (HGL) provides that no agency of the Commonwealth, political subdivision of the Commonwealth, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide any assistance to (i) any agency, department, or other instrumentality of the federal government, or any employee or officer thereof, with the resettlement in the Commonwealth of any refugee from any country that has been designated a state sponsor of terrorism by the U.S. State Department or (ii) any such refugee who has been resettled in the Commonwealth on or after January 1, 2016. The bill contains an emergency clause and has an expiration date of July 1, 2018. (16100989D)

HB 801 (Morris) (HGL) prohibits the Commonwealth and localities from imposing a charge and calling it a "fee" unless the charge relates to a direct and immediate specific service, good, or permit received by the person paying the charge. (16102277D)

HB 1193 (Carr) (HAPP) expands the definition of a deceased person under the Line of Duty Act to include probation and parole officers whose death occurs as a direct or proximate result of the performance of their duty. (16103563D)

HB 1305 (Miller) (HFIN) provides a sales and use tax exemption for machinery, tools, and equipment of a public service corporation used to generate energy derived from sunlight or wind. The bill also reduces the maximum megawatts, from 20 to one, for projects of solar photovoltaic (electric energy) systems to qualify for real and personal property tax exemptions on photovoltaic equipment and facilities and exempts from such property taxes 80% of the assessed value of such equipment and facilities used in projects equaling more than one megawatt. Under current law, the exemption is only for projects equaling 20 megawatts or less and is based on the total value of the equipment and facilities. The bill has a delayed effective date of January 1, 2017, and does not apply to solar and wind energy equipment, facilities, and devices placed in service on or before December 31, 2016. (16104142D)

SB 736 (Obenshain) (SGL) provides that local government regulation of the installation or use of landscape cover materials shall be deemed to affect the manner of construction or materials to be used in the erection, alteration, repair, or use of a building or structure and shall not be permitted. The bill contains technical amendments. (16103884D)

HJ 1 (Bell, Robert B.) (HPE)/ **SJ 6** (Obenshain) (SPE) grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth. (16100594D, 16100904D)

Courts

HB 537 (Minchew) (HCT) directs the clerk of the circuit court to pay local fees and fines collected by the general district or juvenile and domestic relations district courts directly the local government. (16102991D)

HB 1057 (Bell, Robert B.) (HCT) requires the Supreme Court of Virginia to promulgate guidelines for the establishment of separate dockets by any court in the Commonwealth. The bill provides further that cases heard on a separate docket established by any court shall be treated in the same manner and subject to the same dispositions as cases not heard on such special docket. (16102275D)

Economic Development

HB 834 (Cox) (HAPP)/ **SB 449** (Norment) (SFIN) establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils will be established across the Commonwealth, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis. (16105060D-H1, 16102375D)

HB 846 (Hugo) (HAPP)/ **SB 459** (Ruff) (SFIN) creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 new jobs with average salaries at least 25 percent higher than the average wage and (ii) makes a capital investment of at least $25 million. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 50 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. Of each annual installment of the grant, 85 percent will be distributed to the participating localities in accordance with the terms of the collaborative economic development plan, and 15 percent will be retained by the Virginia

Economic Development Partnership to be used to enhance regional and statewide economic development marketing and promotion. (16105102D-H1, 16102376D)

Elections

HB 832 (Landes) (HPE)/ **SB 308** (Hanger) (SPE) allows the governing body of a county or city in which a vacancy in a constitutional office has occurred to request in its petition for a writ of election that the circuit court order the special election to be held at the next ensuing general election and allows the court to issue such writ. The bill also authorizes the governing body to petition the circuit court to request that no special election be ordered when the vacancy occurs within the 12 months immediately preceding the end of the term of that office and requires the court to grant such a request. The bill also contains technical amendments. (16103844D, 16103711D)

SB 69 (Wexton) (SPE) adds to the list of accepted forms of identification for purposes of voting a valid identification card that contains a photograph of the voter and is issued by any private entity that is licensed or certified, in whole or in part, by the State Department of Health, the Department of Social Services, the Department of Medical Assistance Services, or the Department of Behavioral Health and Developmental Services. An employee of any such private entity is currently permitted to use his employee identification card, provided that the card contains a photograph of the voter, for purposes of voting; the bill allows a resident or other person who receives services from such private entity to use a valid identification card issued by the private entity, provided that the card contains a photograph of the voter. (16101430D)

Environment

SB 443 (Hanger) (Passed Senate; HAG) directs the State Water Control Board (the Board) to establish a system for priority consideration of an application for a land conversion project, with a $10,000 fee. The Department of Environmental Quality will be required to review such a priority application ahead of normal applications and approve it within 30 days. The bill also directs the Board to certify credits that are located in tributaries outside the Chesapeake Bay Watershed. (16102219D-E)

HB 1250 (Wilt) (HAG)/ **SB 673** (Hanger) (Senate Floor) combines existing statutory programs relating to soil erosion and stormwater management and operated by localities, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff. Also, directs depositing charges or penalties to the Stormwater Local Assistance Fund and DEQ to evaluate fees for erosion and stormwater management. (16103814D, 16104330D)

SB 698 (Wexton) (SFIN) authorizes the Director of the Department of Conservation and Recreation to disburse moneys from the Fund in the form of grants to private entities that own dams in order to protect public safety and welfare. The grants can be used for the design, repair, and the safety modifications of dams identified in safety reports. The bill specifies

homeowners' associations and planned unit developments among those private entities owning dams that are eligible to receive grants and loans from the Fund. (16103914D)

SB 720 (Lewis) (SLG) allows localities to establish a voluntary environmental cleanup program to provide recognition to retailers that establish practices such as credit to consumers who use reusable bags or the recycling of plastic bags. The bill allows for imposition of a fee on retailers that do not participate in the program and allows the locality to use collected fees for environmental cleanup. (16104267D)

Freedom of Information Act

HB 334 (Pogge) (HGL) provides that in an enforcement action, if the court finds the public body violated certain meeting notice requirements, the court may invalidate any action of the public body taken at such meeting. (16101035D)

HB 432 (Villanueva) (HGL) limits the application of the exemption for criminal investigative files to active criminal investigative files. As a result, closed or inactive criminal investigative files would be subject to mandatory disclosure, if requested. (16103040D)

HB 818 (LeMunyon) (House Floor) requires certain local public bodies to post a FOIA rights and responsibilities document on its respective public government website. The bill also requires all state public bodies created in the executive branch of state government, including state authorities, and all local public bodies that are subject to FOIA to designate and publicly identify one or more FOIA officers whose responsibility is to serve as a point of contact for members of the public in requesting public records and to oversee the public body's compliance with the provisions of FOIA. The bill sets out where contact information for the designated FOIA officer is to be posted. The bill requires that any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council. (16103655D)

HB 1318 (Fowler) (HGL) clarifies that the FOIA exclusion for noncriminal incidents and reports applies to any public body that engages in criminal law-enforcement activities and does not rely on the definition of "noncriminal incidents records" in § 15.2-1722 of the Code of Virginia. The bill addresses a decision of the Virginia Supreme Court in Fitzgerald v. Loudoun County Sheriff's Office. (16104029D)

Procurement

HB 145 (Webert) (HGL) prohibits states agencies from requiring bidders, offerors, contractors, or subcontractors to pay, or require the payment of, wages, salaries, benefits, or other remuneration to persons employed to perform services in connection with a public works project at a rate that is based on the wages and benefits prevailing for the corresponding classes of labors and mechanics employed. A corresponding prohibition is made applicable to state agencies providing grants or other financial assistance for public works projects, unless

otherwise required under federal law. The measure further states that it is the policy of the Commonwealth not to implement, adopt, enforce, or require any program, policy, or provision that requires a public works contract that requires the payment of wages or other remuneration at a rate based on the prevailing wage, whether modeled on the federal Davis-Bacon Act or similar state law. (16102604D)

HB 578 (Albo) (HGL) provides that for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked. (16101832D)

HB 930 (Davis) (HGL) prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science. (16101931D)

SB 150 (Reeves) (SGL) prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science. (16101094D)

SB 169 (Ruff) (Senate Floor) provides that in the case of the selection process for a Request for Proposals for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked. (16104901D-S1)

SB 586 (Ruff) (SGL) restricts the use of construction management procurements by public bodies unless (i) the total project cost is $50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed $50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b) significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the Director of the Department of General Services in the case of state public bodies, or the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the Director of the Department of General Services or the local governing body, as the case may be, makes a finding that the public body is in compliance with

the requirements of this subsection, which finding shall be on a per project basis and shall be in writing. The findings for state public bodies shall be made by the Director under existing regulations and guidelines established by the Department of General Services. In addition, the bill defines "public body" for the purposes of the use of construction management for construction to include (i) public institutions of higher education that have executed a valid management agreement under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and (ii) localities and school divisions that were previously exempt based on the adoption of alternative policies and procedures based on competitive principles and generally applicable to procurement of goods and services by the locality or school division. (16103754D)

Public Safety

Drones

SB 584 (McEachin) (SCT) creates a civil cause of action for the physical and constructive invasion of privacy where a person uses an unmanned aircraft system to enter into the airspace above the land of another person to capture an image, as specified in the bill, of private property or an individual located on the private property without consent or uses an unmanned aircraft system to capture such an image in lieu of physically entering the land or airspace. The bill allows a plaintiff to recover the greater of actual damages or $1,000, along with reasonable attorney fees and costs. The bill allows a court to award punitive damages when actual damages are awarded. The bill also creates crimes for using an unmanned aircraft for unauthorized surveillance of property and persons on the property, peeping and spying, and for taking photographs after receiving written notice that the landowner or individual objects. (16103144D)

SB 729 (Stuart) (HCT) provides that a person is guilty of a Class 1 misdemeanor if he uses or attempts to use an unmanned aircraft system while committing or attempting to commit a crime or obstructing or attempting to obstruct law-enforcement officers, animal control officers, or emergency medical services agency personnel in the performance of their duties. (16103638D)

Legislation to be Monitored by Staff; State Revenue/Policy Implications

HB 1389 (Robinson) (HGL)/ **SB 706** (Chafin) (SGL) excludes from the mandatory disclosure provisions of FOIA trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted to the Department of Mines, Minerals and Energy as part of the required permit or permit modification to commence ground-disturbing activities. The bill provides that in order for such trade secrets to be excluded, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary. (16104202D, 16104345D)

SB 355 (Deeds) (SCT) creates a 15-member statewide Judicial Nominations Commission (Commission), elected by the General Assembly, to recommend appellate judicial candidates to the General Assembly and the Governor. The bill requires that the Commission include at least one member from each of Virginia's 11 congressional districts, that five members be attorneys, and that 10 members be citizens who have never been licensed to practice law. Initially staggered, the terms of members will be four years. The Commission's recommendations are nonbinding. The local judicial nominations committees are established in each circuit through appointment by the General Assembly members who represent each circuit. The number of attorneys may not exceed 30 percent of the entire panel. The committees are required to maximize public input into their review process. The committees' recommendations of up to three candidates for each vacancy are not binding on the General Assembly. A delegation may opt out of this process by certifying to the clerks of each house that the delegation has in place a process that ensures participation of each delegation member and participation by the general public in the nomination process. (16102036D)

HB 512 (Bulova) (HCCT) provides that a locality's subdivision ordinance shall include the submission of a certification by the developer of a common interest community subject to the Property Owners' Association Act (§ 55-508 et seq.) that the developer has reviewed the best practices developed under subdivision A 8 of § 54.1-2349 of the Code of Virginia and given consideration to the best practices in drafting the declaration. (16102264D)

HB 919 (Mason) (HCCT) shortens from two months to 30 days the period after which a locality providing water or sewer service may shut off service for unpaid charges and shortens from 60 days to 45 days the period during which the locality is required to shut off service to a lessee or tenant if it wishes to place a lien on the property for unpaid charges. (16102730D)

SB 109 (Petersen) (Passed Senate) requires commissioners in eminent domain proceedings to be summoned at least 30 days prior to service. Under current law, such summons is required at least one week prior to service. (16103009D)

Environment

HB 448 (Cox) (HAG) allows a new or expanding facility registered under the Watershed General Permit to acquire nutrient offset credits, on land located in the same tributary as the facility, on which best management practices have been implemented that would achieve reductions greater than those currently required by federal or state law or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill provides that any such acquisition is subject to approval by the State Water Control Board. The bill also enables an applicant under the Watershed General Permit to join the Virginia Nutrient Credit Exchange Association. (16101504D)

SB 37 (Carrico) (Passed Senate; HAG) directs the Board of Game and Inland Fisheries to adopt regulations exempting the black vulture (Coragyps atratus) from the prohibition against taking or possessing a wildlife species that is not classified as game, furbearer, or nuisance. The bill also prohibits the Department of Game and Inland Fisheries (the Department) from

devoting any state resources to the enforcement of provisions of the federal Migratory Bird Treaty Act or the regulations adopted thereunder by the U.S. Fish and Wildlife Service that protect the black vulture. In addition, the bill allows the Department to continue to participate in federally permitted black vulture studies and management programs, including obtaining or supporting the issuance of federal migratory bird depredation permits to allow, in some cases, the killing of black vultures. (16104253D-S1)

SB 314 (Dance) (SACNR) allows a new or expanding facility registered under the Watershed General Permit to acquire nutrient offset credits, on land located in the same tributary as the facility, on which best management practices have been implemented that would achieve reductions greater than those currently required by federal or state law or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill provides that any such acquisition is subject to approval by the State Water Control Board. The bill also enables an applicant under the Watershed General Permit to join the Virginia Nutrient Credit Exchange Association. (16101628D)

SB 558 (DeSteph) (SACNR) requests the Chesapeake Bay Program, a regional partnership directing the restoration of the Chesapeake Bay, to approve a certain type of dredging as a creditable practice for pollutant removal and to assign to it a number of total maximum daily load (TMDL) credits equivalent to those assigned to the removal of pollutants by street sweeping. (16101473D)

Public Safety

HB 73 (O'Bannon) (HTRAN) Increases the fines for texting while driving from $125 to $250 for a first offense and from $250 to $500 for a second or subsequent offense. (16100461D)

HB 1197 (Stolle) (HCT) prohibits the Commonwealth from publishing on a publically accessible website the personal information of any law-enforcement officer without first obtaining written permission from such law-enforcement officer. The bill provides that it is a Class 1 misdemeanor for any person to publish, sell, solicit, or trade on the Internet the personal information of any law-enforcement officer or his immediate family member knowing that he is a law-enforcement officer and with the intent to cause imminent bodily harm or the threat of imminent bodily harm to such individual. The bill contains a technical amendment. (16103488D)

Asset Forfeiture

HB 48 (Cole) (HCT) requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made if (i) the forfeiture is ordered by the court pursuant to a plea agreement or (ii) the owner of the property has not submitted a written demand for the return of the property within one year from the date the property was seized. (16100574D)

SB 108 (Petersen) (SFIN) requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made if (i) the forfeiture is ordered by the court pursuant to a plea agreement or (ii) the owner of the property has not submitted a written demand for the return of the property within one year from the date the property was seized. (16105009D-S1)

HB 771 (Gilbert) (Passed House; SCT)/ **SB 423** (Howell) (Passed Senate; HCT) prohibits a law-enforcement agency from requesting, requiring, or otherwise inducing a person who asserts a lawful right to property seized for the purpose of forfeiture to waive his interest in or rights to the property until an information is filed. The bill allows attorneys for the Commonwealth to electronically notify the Department of Motor Vehicles, in a manner approved by the Commissioner, that a vehicle has been seized. A provision is added allowing a forfeiture proceeding to be stayed if it is also related to a warrant. The Department of Criminal Justice Services will be required to prepare an annual report to the Governor and General Assembly regarding information on all drug and nondrug asset seizures and forfeitures. The report shall be available to the public. This bill is a recommendation of the Virginia State Crime Commission. (16102895D, 16102898D)

SB 457 (Carrico) (SFIN) changes the Commonwealth's burden of proof to clear and convincing evidence from preponderance of the evidence in proving that the property is subject to forfeiture in civil asset forfeiture cases. (16102622D)

Firearms

HB 766 (Gilbert) (Passed House; SCT) authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. The bill provides that if the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a $25 civil penalty. (16100429D-E)

Transportation

HB 1070 (Jones) (HAPP) allows the Commonwealth to enter into agreements with other states to provide for the enforcement of tolling violations occurring in Virginia on out-of-state residents and to enforce tolling violations in other states on Virginia residents. Reciprocity agreements with other states would provide for notification of the Commissioner of the Department of Motor Vehicles (DMV) or other similar entity in another state so that violators who have not paid would have their registration suspended in accordance with the agreement.

The bill allows for agreements between toll operators or high-occupancy toll (HOT) lanes operators and DMV to include necessary information to enforce reciprocity agreements. The bill states that a toll violation on the HOT lanes is a traffic infraction and that a HOT lanes operator shall mail the statutorily required invoice for unpaid tolls, as is the case for other toll violations. The bill clarifies references to the issuance of summonses for toll violations. The bill provides for a two-year statute of limitations for all toll violations. The bill contains technical amendments. (16104954D-H1)

Legislation Provided for Information

HB 336 (Pogge) (HGL) protects from mandatory disclosure library records that can be used to identify any library patron under the age of 18 years. The bill provides that access shall not be denied to the parent, including a noncustodial parent, or guardian of such person, unless the parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For records of persons under the age of 18 years who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person under the age of 18 years who is the subject of the record may waive, in writing, the protections afforded by the bill. If the protections are so waived, the public body shall open such records for inspection and copying. (16101104D)

HB 481 (Marshall, Robert G.) (HMP) requires the Director of the Department of Corrections or other official in charge of the facility in which an alien is incarcerated to comply with any detainer received from U.S. Immigration and Customs Enforcement. The bill provides that no alien subject to the detainer shall be released except to transfer custody of the alien to another facility or to the U.S. Immigration and Customs Enforcement, provided that no alien may be held in custody in excess of the date that he would otherwise be released from custody. The bill also waives sovereign immunity for any tortious injury or act committed by an alien released in violation of this requirement after his release. (16104781D-H1)

HB 781 (Cole) (HGL) requires the Director of the Department of General Services and local school board to develop and implement policies that require, respectively, that every restroom designated for public use in any public building on property that is owned, leased, or controlled by the Commonwealth and every public school restroom, locker room, and shower room designated for student use and accessible by multiple students at the same time be designated for and only used by males or designated for and only used by females on the basis of their biological sex. The bill defines "biological sex" and provides a civil penalty for a willful and knowing violation. (16100575D)

HB 822 (LeMunyon) (HCCT) requires that bills to subscribers from a cable operator include a concise explanation of any itemized charge that the cable operator attributes to taxes, educational fees, or other governmental obligations. The bill provides that in lieu of printing the explanatory text on the bill, the cable operator may include the address of a website that displays the explanation. (16103682D)

HB 1231 (Collins) (HAG) allows the district court to order the confinement indoors or in a securely enclosed and locked structure that prevents escape or direct contact with persons or other animals any dog that has been found to have injured or killed livestock or poultry. The bill requires a dog under such disposition to be leashed and muzzled when off the owner's property. Under current law, the court is required to order that dogs found to be livestock or poultry killers be killed immediately or removed to another state and prohibited from returning to the Commonwealth. (16104040D)

HB 1371 (Miller) (HCCT) provides that a locality shall not enact any policy that requires an employer within the locality to provide an employee with a wage or employment benefit that exceeds the requirements of state or federal law. Any such local policy shall be unenforceable. (16103889D)

SB 78 (Wexton) (Passed Senate; HCCT) allows Loudoun County and any town located within Loudoun County, in adopting a voluntary boundary agreement, to attach to their petitions to the circuit court a Geographic Information System (GIS) map depicting the boundary change. Under current law, such use of a GIS map is permitted only regarding the boundary between the Counties of Louisa and Goochland. The bill contains a technical amendment. (16101904D)

SB 481 (Ebbin) (SLG) requires either that a vacant building be vacant for 12 months or that it meet the definition of "derelict building" under § 15.2-907.1 before cities and certain towns may require the building's owner to register it and pay an annual registration fee. Current law requires that such a building comply with both the vacancy period and the definition of "derelict building." (16102779D)

HJ 112 (Landes) (HRUL)/ **SJ 85** (Deeds) (SEH) establishes a two-year joint committee consisting of seven members of the House Committee on Education and five members of the Senate Committee on Education and Health to study the need for revisions to or reorganization of the standards of quality set forth in Chapter 13.2 (§ 22.1-253.13:1 et seq.) of the Code of Virginia, with a particular emphasis on the role that the effective use of educational technology plays in ensuring that an educational program of high quality that meets the standards of quality is established and continually maintained. (16102865D, 16102585D)

SB 116 (Petersen) (Passed Senate; HGL) establishes the Virginia-Korea Advisory Board to advise the Governor on ways to improve mutually beneficial trade relationships between the Commonwealth and the Republic of Korea (South Korea). The Board would expire on July 1, 2019. (16100875D)

SB 496 (Sturtevant) (SCT) codifies the procedures used by the State Bar to evaluate and recommend candidates for election by the General Assembly to the appellate courts, the federal courts, and the State Corporation Commission. (16100930D)

Education

Miscellaneous

SB 224 (Miller) (SEH) requires each school board, by July 1, 2017, to develop and implement a policy to prohibit the use of tobacco products on a school bus, on school property, or at a school-sponsored activity. The bill also replaces the term "electronic cigarette" with a defined term, "nicotine vapor product." (16101813D)

HB 520 (LeMunyon) (HED) requires each school division that provides for the redistricting of school boundaries to permit any enrolled student who is assigned to a different school in the school division as a result of such redistricting to remain, at the request of his parent, at the school at which he is currently enrolled until he completes the highest grade level at such school. The bill permits each school division to require any parent who makes such a request to provide for the transportation of his child, at the parent's own expense, to the school at which the student remains. The bill specifies that (i) any enrolled elementary school student assigned to a different middle school or high school as a result of the redistricting of school boundaries does not have the right to attend the middle school or high school to which he would have been assigned before such redistricting and (ii) any enrolled middle school student assigned to a different high school as a result of the redistricting of school boundaries does not have the right to attend the high school to which he would have been assigned before such redistricting. (16100173D)

HB 565 (Lingamfelter) (HED) makes several changes to the provisions for the establishment and operation of public charter schools, including (i) requiring public charter schools to be administered and managed by a nonprofit education organization under the control of a governing board in lieu of a management committee and (ii) making changes and providing greater specificity regarding (a) the applicability of various laws, regulations, policies, and procedures to public charter schools; (b) the contents of charter applications; (c) the procedure for executing charter contracts and the contents of such contracts; and (d) the method of funding public charter schools. (16101093D)

SB 360 (Howell) (Passed Senate; HED) requires the Superintendent of Public Instruction to develop and implement a system to track teacher turnover and to annually report his findings to the General Assembly and the Governor. (16101735D)

Physical Education

HB 357 (Loupassi) (Passed House) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2018-2019 school year. The current requirement for a program of physical activity available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year is not changed. (16100009D)

SB 211 (Miller) (Passed Senate; HED) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2018-2019 school year. The current requirement for a program of physical activity available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year is not changed. (16101487D)

School Calendar

HB 93 (Kory) (HED) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments. (16101710D)

HB 788 (Adams) (HED) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments. (16103134D)

SB 340 (Garrett) (SEH) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments. (16100520D)

High School Athletic Programs

HB 131 (Bell, Robert B.) (Passed House; SEH)/ **SB 612** (Garrett) (Passed Senate; HED) prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) receives home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill provides that no local school board is required to establish a policy to permit students who receive home instruction to participate in interscholastic programs. The bill permits reasonable fees to be charged to students who receive home instruction to cover the costs of participation in such interscholastic programs, including the costs of additional insurance, uniforms, and equipment. The bill has an expiration date of July 1, 2021. (16102337D, 16103767D)

Environment

HB 1340 (Hodges) (HAG) requires the Department of Environmental Quality to operate stormwater management programs that regulate land-disturbing activities that disturb from 2,500 square feet to up to one acre in localities east of Interstate 95 that fall under the provisions of the Chesapeake Bay Preservation Act and that elect not to operate such a program. (16104198D)

SB 282 (Lewis) (SFIN) establishes the Virginia Shoreline Resiliency Fund for the purpose of creating a low-interest loan program to help residents and businesses that are subject to recurrent flooding. Moneys from the Fund may be used to mitigate future flood damage. (16104854D-S1)

SB 598 (DeSteph) (Senate Floor) clarifies that certain flow rate capacity and velocity requirements for plans approved on and after July 1, 2014, shall be satisfied by compliance with Virginia Stormwater Management Program (VSMP) Permit Regulations where the land-disturbing activity is conducted in accordance with extended permit coverage regulations. (16102415D)

SB 407 (Wexton) (Passed Senate; HHWI) provides that any locality that has a record of the location of conventional onsite sewage systems and alternative discharging systems and that meet certain other criteria may adopt an ordinance establishing a uniform schedule of civil penalties for violations of specified provisions for the operation and maintenance of such systems. Currently, the provisions apply only to alternative onsite sewage systems. (16101922D-E)

Elections

HB 32 (Sullivan) (HPE) adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting. (16100847D)

HB 104 (O'Bannon) (Passed House; SPE)/ **SB 315** (Dance) (Passed Senate; HPE) provides that if a voting or counting machine secured by removal of a data storage device containing the only record of votes cast for any office or on any question and the machine itself does not contain such a record, that machine is not required to remain locked and sealed until the deadline to request a recount has passed or any contest or recount has been concluded. The sealed envelopes containing the equipment keys for such machines are required to be delivered to the electoral board no later than noon on the day following the election. The bill also provides that the requirements for locking and sealing voting equipment do not apply to any ballot marking device and its data storage device provided to meet accessibility requirements, where the number of persons voting in the election or the number of votes cast for any office or on any question are not recorded by the ballot marking device. All other voting systems are

subject to current provisions for the locking and sealing of equipment. (16101461D, 16101528D)

HB 258 (LaRock) (HPE) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. (16101809D)

HB 806 (Lingamfelter) (HPE) adds political party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2017, will be designated as independent unless they provide a political party affiliation in writing to the general registrar. No more than one change to a voter's party affiliation or independent status on his registration record shall be permitted within a twelve-month period. Voters may change their party affiliation at any time before the registration records are closed prior to an election, except that voters who are designated as independent may change their independent designation to a political party affiliation at any point after registration records are closed prior to a primary election, including on the day of the primary. Only voters who are registered as being affiliated with the political party may participate in that party's primary. (16100762D)

HB 1380 (LeMunyon) (HPE) provides that an application for an absentee ballot that requests that the ballot be sent to an address in the United States must be signed in the applicant's own handwriting. (16104212D)

SB 43 (Carrico) (Passed Senate; HPE) clarifies that a city or town may move the time of its local elections pursuant to statutory authority notwithstanding any contrary provisions of its charter. (16101686D)

SB 89 (Marsden) (Passed Senate; HPE) requires the posting of minutes of the local electoral boards' meetings on the local electoral board's website or the official website of the county or city. Draft meeting minutes are required to be posted no later than 10 days after the meeting and final approved meeting minutes are required to be posted within three working days of approval. (16100826D-E)

SB 664 (Surovell) (Passed Senate; HPE) provides that the names of candidates for school boards shall be listed on the ballot in an order determined by the order of the priority of time of filing for that office. Currently, all candidates not nominated by a political party or a recognized political party are listed on the ballot in alphabetical order. The bill contains technical amendments. (16100725D-E)

SB 686 (Petersen) (SPE) prohibits a political party holding a presidential primary from requiring voters to sign any pledge when offering to vote in that primary. Current law allows the political party to determine the requirements for participation in its primary, including the requirement that a voter sign a pledge of his intention to support the party's candidate. The bill contains an emergency clause. (16104183D)

SB 767 (Suetterlein) (Senate Floor) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. (16103756D)

HB 1003 (Levine) (HPE) requires any electronic voting system approved by the State Board of Elections to retain each paper ballot cast or to produce a voter-verifiable paper record of each ballot cast that is available for inspection and verification by the voter at the time the ballot is cast. The bill defines a "voter-verifiable paper record" to mean a tangible record of the ballot cast by the voter that is printed on paper and is physically separate from any other similar document. For purposes of sealing and delivering to clerks of the circuit courts and retention by the clerks, such paper records are treated in the same manner as counted ballots. (16103155D)

Freedom of Information Act

SB 552 (Cosgrove) (SGL) provides that the provisions of FOIA do not require public access to records of the names, positions, job classifications, or other personal identifying information concerning (i) employees of state or local police departments or sheriff's offices who are responsible for the prevention and detection of crime and the enforcement of the penal, traffic, or highway laws of the Commonwealth; (ii) special agents of the Department of Alcoholic Beverage Control; (iii) officers of the Virginia Marine Police; (iv) conservation police officers who are full-time sworn members of the enforcement division of the Department of Game and Inland Fisheries; (v) investigators who are full-time sworn members of the security division of the Virginia Lottery; (vi) conservation officers of the Department of Conservation and Recreation commissioned pursuant to § 10.1-115; (vii) full-time sworn members of the enforcement division of the Department of Motor Vehicles appointed pursuant to § 46.2-217; or (viii) animal protection police officers employed under § 15.2-632. (16101174D)

SB 645 (McPike) (SGL) defines the terms "critical infrastructure," "government infrastructure," "interdependency," and "security information" for purposes of FOIA and revises the related FOIA public safety record exemption to incorporate those terms. The bill also sets out conditions precedent in cases where a custodian of any public safety records elects to exercise his discretion to release such records. The bill contains technical amendments. (16103916D)

Health and Human Services

HB 312 (Orrock) (Passed House; SEH) directs the Department of Health to work with stakeholders, which shall include representatives of hospitals and other health care providers in the Commonwealth, to (i) evaluate interoperability of electronic health records systems between health systems and health care providers and the ability of health systems and health care providers to share patient records in electronic format and (ii) develop recommendations for improving the ability of health systems and health care providers to share electronic health records with the goal of ensuring that all health care providers in the Commonwealth are able

to share electronic health information to reduce the cost of health care and improve the efficiency of health care services. The Department shall report its findings and recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2016. The bill contains an emergency clause. (16104617D-H1)

HB 314 (Orrock) (Passed House; SEH) provides that a prescriber may authorize an employee of a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or a private school accredited in accordance with standards prescribed by the Board of Education pursuant to § 22.1-19 by a state-recognized accrediting member approved by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia pursuant to a written order or standing protocol and provides immunity from civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment to such employees, provided that the insulin is administered in accordance with the child's medication schedule or such employee has reason to believe the individual receiving the glucagon is suffering or about to suffer life-threatening hypoglycemia. The bill also allows nurse practitioners and physician assistants to provide training programs on the administration of drugs to students of private schools accredited in accordance with standards prescribed by the Board of Education by state-recognized accrediting members approved by the Virginia Council for Private Education. (16104564D-H1)

HB 477 (Cox) (Passed House; SFIN) authorizes the Virginia Public Building Authority to issue bonds in the amount of $29.3 million plus financing costs to construct veterans care centers in Northern Virginia and Hampton Roads. (16102049D)

HB 543 (Watts) (HCT)/ **SB 566** (Barker) (SCT) clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other officer in charge of the local correctional facility where the inmate is incarcerated. (16102369D, 16103564D)

HB 648 (Knight) (Passed House; SEH) provides for the State Health Commissioner to develop a procedure for processing requests to approve an installed treatment works. The bill authorizes the Commissioner or his agent to approve a nonconforming treatment works under certain conditions and for an owner of real property to accept a voluntary upgrade as a condition for the approval of a nonconforming treatment works. In addition, the bill designates persons who may certify that the sewage treatment available for a building is safe, adequate, and proper. (16103556D)

HB 1184 (Krizek) (HHWI) directs the Commissioner of Social Services to increase the amount paid to eligible recipients through the Temporary Assistance for Needy Families program by 10 percent each year for three consecutive years beginning July 1, 2016. (16101856D)

HB 1035 (Rasoul) (HFIN) establishes elderly care savings trust accounts to be administered by the Virginia College Savings Plan to facilitate the saving of private funds to defray the medical and health-related expenses of the elderly. (16100268D)

SB 231 (Miller) (SLG) expands the definition of "smoking" in the Virginia Indoor Clean Air Act to include vapor products. Vapor stores are excluded from the scope of Act. (16101811D)

SB 370 (Wexton) (SEH) requires the Board of Education to include in its standards of learning for family life education standards for age-appropriate instruction in the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation, and child sexual abuse. The bill also requires such standards to be taught in kindergarten through twelfth grade. (16101935D)

Conversion Therapy

SB 262 (Surovell) (SEH) prohibits any health care provider or person who performs counseling as part of his training for any profession licensed by a regulatory board of the Department of Health Professions from engaging in conversion therapy with any person under 18 years of age. The bill defines "conversion therapy" as any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity. The bill provides that no state funds shall be expended for the purpose of conducting conversion therapy, referring a person for conversion therapy, extending health benefits coverage for conversion therapy, or awarding a grant or contract to any entity that conducts conversion therapy or refers individuals for conversion therapy. (16101279D)

SB 267 (Dance) (SEH) prohibits any health care provider or person who performs counseling as part of his training for any profession licensed by a regulatory board of the Department of Health Professions from engaging in conversion therapy with any person under 18 years of age. The bill defines "conversion therapy" as any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity. (16101580D)

Food Safety

HB 62 (Morris) (HAG) exempts persons who own three or fewer milking cows and three or fewer goats from the oversight of the Milk Commission and the Board of Agriculture and Consumer Services' requirements governing the quality, grading, and sanitary standards for milk so long as the milk their cows or goats produce is sold directly to consumers and contains a label stating that the product has not been inspected by the state and the consumer is purchasing the product at his own risk. (16100893D)

HB 619 (Bell, Robert B.) (HAG) exempts food products and food made from milk processed or prepared in private homes or farms from Board of Agriculture and Consumer Services regulations, so long as (i) the sale is made directly to end consumers and (ii) the product is labeled with the producer's name and address, the product's ingredients, and a disclosure statement indicating the product is not for resale and is processed and prepared without state inspection. The bill also exempts private homes or farms that meet the same conditions from examinations conducted by the State Health Commissioner of establishments in which crustacea, finfish, and shellfish are handled. (16102338D)

Public Safety/Criminal Justice

HB 91 (Hope) (HAPP) prohibits entities or agencies of the Commonwealth or political subdivisions thereof from receiving commission payments from companies that provide inmate telephone services. (16101247D)

HB 198 (Lingamfelter) (Passed House; SCT) provides that no official or employee of a school board or locality may apply for the appointment of a special conservator of the peace without attaching a written assessment of the need for such appointment from the sheriff or chief of police to the application. (16100766D-E)

HB 1182 (Aird) (HCCT)/ **SB 266** (Dance) (Passed Senate; HCCT) allows sheriffs' offices to use marked motor vehicles painted in any solid color. Current law requires the sheriff to obtain the concurrence of the local governing body to use any color other than dark brown. (16103368D, 16101480D)

SB 23 (Reeves) (Passed Senate; HCT) increases from $200 to $500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. (16104569D-S1)

SB 128 (Edwards) (SCT) requires an insurance company to disclose the physical address of an alleged tortfeasor upon request of an injured person, personal representative, or attorney in a cause of action for personal injury or wrongful death due to a motor vehicle accident within 30 days of the request. (16104913D-S1)

SB 281 (Wexton) (Passed Senate; HCCT) removes the authority of the mayor to take command of the police during emergencies and deputize assistant policemen to maintain order and enforce laws during such emergency. (16102517D)

SB 651 (Cosgrove) (SACNR) requires animal control officers hired on or after July 1, 2017, to complete a basic animal control course within one year after the date of hire. Current law requires completion of such training course within two years after the date of hire. (16103320D)

Physical Evidence Recovery Kits

HB 655 (Filler-Corn) (HCT) requires the Department of State Police, local law-enforcement agencies, and campus police departments to collect evidence obtained in sexual assault investigations, including physical evidence recovery kits from sexual assault investigations where the victim elects at the time of examination not to report the assault to law enforcement. The bill provides that if the victim elects at the time of examination not to report the assault to law enforcement, the law-enforcement agency shall send the kit to the Division of Consolidated Laboratory Services of the Department of General Services, which shall retain the kit for a minimum of five years from the date of receipt or a minimum of five years after the victim reaches the age of majority, whichever is longer. If the victim elects at the time of examination to report the sexual assault to law enforcement, the kit shall be submitted by the law-enforcement agency to the Department of Forensic Science for analysis, then returned to the submitting law-enforcement agency for storage for the same time frame. (16103683D)

HB 1158 (Watts) (HCT)/ **HB 1160** (Bell, Robert B.) (HCT)/ **SB 291** (Black) (SFIN) establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights. (16102185D, 16104138D, 16104943D-S1)

Fire and Rescue

HB 199 (Boysko (HCCT)/ **SB 79** (Wexton) (Passed Senate; HCCT) allows any locality to fund the cost of participation in mental health treatment and counseling programs by a member of a volunteer fire or rescue company. A mental health program in which such volunteers are eligible to participate must be comparable to an employee assistance program offered to paid employees of the locality. (16101889D, 16104529D-S1)

HB 1104 (Murphy) (HCCT) provides that a firefighter who is the subject of an order of quarantine or an order of isolation as a result of potential exposure that occurred in the line of duty is entitled to the continued payment of compensation from his local employer during the period of such quarantine or isolation. (16103930D)

Law Enforcement

HB 1047 (Rasoul) (HCCT) allows any locality by ordinance to provide that the owner of any property is liable for a civil penalty of $100 for the use of the premises for the illegal consumption of alcohol, provided the owner knew or reasonably should have known that the premises was being used for this purpose. (16103993D)

SB 527 (Stuart) (Senate Floor) authorizes any locality to provide by ordinance that a person convicted of a felony violation of the bomb threat statute or the statute that penalizes the incitement of a bomb threat shall be liable for the reasonable expense, not to exceed $1,000, of an appropriate emergency response to the threat. Current law allows such an ordinance to subject a person to liability for the expense of the emergency response to an imitation version of a weapon of terrorism or fire bomb or other explosive device. (16100380D)

Taxation

HB 1095 (Cline) (HFIN) reduces the top marginal individual income tax rate from 5.75 percent on income in excess of $17,000 to five percent on income in excess of $5,000 beginning with taxable year 2017. (16102774D)

HB 539 (Watts) (HFIN) lowers the corporate income tax rate from six percent to 5.75 percent for taxable years beginning on or after January 1, 2017. (16101906D)

SB 326 (Saslaw) (SFIN) lowers the corporate income tax rate from six percent to 5.75 percent for taxable years beginning on or after January 1, 2017. (16101908D)

SB 244 (Petersen) (SFIN) authorizes localities to impose a local fuels tax, not to exceed five cents per gallon of fuel. The tax would be paid by the distributor at the point of sale to a retail distributor in the same manner as regional fuel taxes. The Commonwealth would make an annual payment to localities for the difference between revenues that were collected from the tangible personal property tax on vehicles, including personal property tax relief, and the amount of revenues collected by a five-cents-per-gallon fuels tax. The bill also repeals the

personal property tax relief program. The bill has a delayed effective date of January 1, 2019, and is contingent on passage of a constitutional amendment making motor vehicles used for nonbusiness purposes exempt from taxation. (16100872D)

SB 400 (Marsden) (SFIN) includes as Virginia taxable income any funds that are contributed to a campaign committee but used by the taxpayer for personal use. (16103600D)

Transportation

Miscellaneous

HB 407 (Bulova) (HTRAN) prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation prior to January 1, 2020. (16102796D)

HB 728 (LeMunyon) (HTRAN) requires that the results of Department of Transportation reviews of proposed local comprehensive plan amendments for issues related to homeland security be provided concurrently to the submitting locality and the Northern Virginia Transportation Authority. (16102290D)

HB 733 (LeMunyon) (HTRAN) requires half of the performance evaluations of Department of Transportation and Department of Rail and Public Transportation employees in Planning District 8 to be based on the extent to which congestion in the planning district has been relieved. (16100369D)

HB 826 (Torian) (HTRAN) creates the Prince William County Metrorail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County. (16102614D)

HB 1157 (Bell, Richard P.) (HCT) provides that a person who commits a third offense of driving while intoxicated within a 20-year period is guilty of a Class 6 felony and the punishment for a person who commits a fourth or subsequent offense within such period must include a mandatory minimum sentence of one year and a mandatory minimum fine of $1,000. Under current law, the relevant time period for applying enhanced penalties for subsequent offenses is 10 years. (16103697D)

HB 1383 (Keam) (HTRAN) requires the Commissioner of Highways to make his annual report public in an accessible format. Currently such report is only provided to the Governor, the General Assembly, the Joint Legislative Audit and Review Commission, and the Commonwealth Transportation Board. The bill requires such report to include all aspects of traffic modeling and any cost-benefit analyses performed. (16103446D)

Transportation Funding

HB 1122 (Bloxom) (HST)/ **SB 46** (Carrico) (SFIN) extends through fiscal year 2020-2021 the annual transfer of $9.5 million from the Transportation Trust Fund to the Commonwealth

Space Flight Fund. Under current law, the transfer would cease in fiscal year 2016-2017. (16102808D, 16102284D-E)

HJ 139 (LaRock) (HPE) requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2017, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years. (16103263D)

SB 33 (Lucas) (SGL) creates the Virginia Casino Gaming Commission as the licensing body for casino gaming, specifies licensing requirements for casino gaming, and imposes penalties for violations of the casino gaming law. Casino gaming shall be limited to localities that have passed a referendum allowing casino gaming in the locality. The distribution of the proceeds of the imposed taxes will be: (i) one percent into the Problem Gambling Treatment and Support Fund, established in the bill, ii) 10 percent to the locality in which the casino gaming operation is located, and (iii) 89 percent into the Toll Mitigation Fund, to be used to mitigate the tolls for the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project. (16100677D)

Hampton Road Transportation Accountability Commission

HB 274 (Yancey) (Passed House; STRAN) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. (16101176D)

HB 275 (Yancey) (HTRAN) allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. (16101178D)

HB 276 (Yancey) (HTRAN) allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. (16101179D)

HB 1111 (Villanueva) (HTRAN) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year. (16103721D)

HB 1208 (Tyler) (HTRAN) allows the chairman of the board of supervisors of a county within Planning District 23 to designate a current elected officer of the same governing body to serve in his place on the Hampton Roads Transportation Accountability Commission. (16103552D)

SB 47 (Lucas) (STRAN) allows the chairman of the board of supervisors of a county within Planning District 23 to designate a current elected officer of the same governing body to serve in his place on the Hampton Roads Transportation Accountability Commission. (16101376D)

SB 470 (Wagner) (SFIN) increases the tax on the sales price charged by a distributor for fuels sold to a retail dealer in Hampton Roads from 2.1% to 5.1%. (16101311D)

SB 472 (Wagner) (SRUL) allows a chief elected officer to designate a current elected officer of the same governing body to serve in his place on the Hampton Roads Transportation Accountability Commission for one meeting if 48-hour notice is provided to the Chairman. (16102175D)

SB 476 (Wagner) (SRUL) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of

2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year. (16103742D)

Tolls

HB 97 (Cole) (HTRAN) directs the Department of Transportation to enter into negotiations with the toll operator of the existing HOT lanes on Interstate 95 to extend the HOT lanes south to U.S. Route 17 in Stafford County by 2020. (16100566D)

HB 1042 (Villanueva) (HTRAN) exempts toll facility operators or their agents from being assessed a charge by the Department of Motor Vehicles for supplying information for official use. (16102630D)

SB 255 (Surovell) (SRUL) requires the Department of Transportation to conduct a survey of other states' toll relief programs and evaluate potential methods of toll relief for citizens of the Commonwealth. The Department shall submit a report of its findings no later than the first day of the 2017 Regular Session of the General Assembly. (16103393D)

SB 256 (Surovell) (SCT) clarifies that the 12-month statute of limitations applies to all unpaid tolls, penalties, administrative fees, and costs from violations on HOT lanes. (16100122D)

SB 257 (Surovell) (STRAN) provides that increased fines for subsequent violations of the high-occupancy requirement on HOV and for driving an unauthorized vehicle on the HOT lanes shall be imposed only after conviction of the prior offense. (16100158D)

SB 334 (Locke) (STRAN) lowers the administrative fee that is paid after 30 days of nonpayment of an unpaid toll from $100 to $50 and lengthens such period of nonpayment from 30 days to 60 days. The time period for notice to contest liability for a toll violation is extended from 60 to 90 days. The time period to file an affidavit stating that the owner of the vehicle was not the operator of the vehicle during the unpaid toll violation is extended from 14 to 30 days. (16102119D)

SB 431 (Ebbin) (STRAN) lengthens the time period to pay an unpaid toll from 30 to 45 days before the administrative fee is increased. The bill decreases the civil penalties for an unpaid toll, making them equal to civil penalties for other toll violations, and makes subsequent increased civil penalties applicable only after conviction of a prior offense and allows for consideration of extenuating circumstances. The bill also places a cap on civil penalties and administrative fees of $2,200 for a driver or owner's first court appearance for unpaid tolls and

requires an annual report by the Department of Transportation on toll violations, penalties, and fees to the Chairmen of the House and Senate Transportation Committees. (16102120D)

SB 514 (McPike) (SFIN) prohibits the Department of Transportation from charging fees for or requiring users to exchange their E-ZPass flex transponder as a result of inactivity. (16101815D)

Towing

HB 1060 (Hugo) (HTRAN) provides that localities in Planning District 8 shall establish by ordinance (i) an initial hookup and towing fee of at least $135; (ii) an additional fee of at least $25 for towing at night, on weekends, or on a holiday; and (iii) that no fee pursuant to clause (ii) shall be charged more than twice for a tow. Under current law, $135 is the maximum hookup and initial towing fee and $25 is the permissible charge for towing at night, on weekends, or on a holiday. (16103047D)

Transportation Studies

HJ 109 (LeMunyon) (HRUL) requests the Governor to review the Washington Metropolitan Area Transit Authority Compact of 1966 and enter into discussions with his counterparts in Washington, D.C., and Maryland to identify possible improvements to the agreement, particularly with regard to the governance, financing, and operation of the Authority. (16100168D)

HJ 171 (Pogge) (HRUL)/ **SJ 107** (Marsden) (SRUL) urges localities to make a collaborative effort to provide affordable cross-jurisdictional public transportation to persons with disabilities by modifying and expanding current transportation routes and services. The resolution urges localities to enter into memoranda of understanding to accomplish this goal and to work with all relevant agencies, organizations, and other stakeholders. The resolution is a recommendation of the Disability Commission. (16103712D, 16103709D)

Attachments: Supplementary documents

cc: Joe Mondoro, Chief Financial Officer
Patricia Harrison, Deputy County Executive
David J. Molchany, Deputy County Executive
Dave Rohrer, Deputy County Executive
Robert A. Stalzer, Deputy County Executive
David P. Bobzien, County Attorney
Catherine A. Chianese, Assistant County Executive and Clerk to the Board
Richmond Team
Tom Biesiadny, Director, Department of Transportation
Gail Langham, Deputy County Attorney

SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 2
February 16, 2016

1.	Fairfax County Legislative Summary	1
2.	HB 770/SB 549—Proffer Legislation	91
3.	Pending Ethics Legislation	95
4.	Photo ID Only Provisional Ballots Received—By Precinct	101

FAIRFAX COUNTY
LEGISLATIVE SUMMARY

2016 GENERAL ASSEMBLY

February 13, 2016

Fairfax County Legislative Summary
2016 General Assembly

Board of Supervisors Report Key

Bold = Date Position taken by full Board of Supervisors
[ ] = Date position taken by BOS Legislative Committee
Italics= Date position recommended by staff

Bill No. – Patron, (District No.)
Bill Title

Committee/Floor Actions

HB 589 - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.	1/10/2006 House: Referred to Committee on Transportation	**12/5/2005**
Initiate (067916260) **Summary:** Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."		

Bold = Board Position, [ ] = BOS Legislative Committee Position, *Italics=Staff Recommended Position Changes* (LD No. is version of bill on which position was taken)
Summary -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

Table of Contents

Bill	Subject
Fairfax County Initiatives (Bills Introduced at County's request) :	***Page 14-15***
HB 541 Watts, V	Juveniles; disclosure of law-enforcement records.
HB 1032 Sickles, M	Vehicle registration; locality may impose penalty on owner annually as long as vehicle unregistered.
Fairfax County Positions (Oppose or Amend) :	***Pages 16-36***
HB 1 LeMunyon, J	Interstate 66; tolls on existing components east of mile marker 67 prohibited.
HB 9 Cole, M	Voter registration; required information on application form.
HB 61 Morris, R	Virginia Freedom of Information Act; misdemeanor violations, penalty.
HB 86 Morris, R	VIEW; pilot program for substance abuse screening and assessment.
HB 99 Cole, M	High-occupancy vehicle (HOV) lanes; certain vehicles use of HOT lanes on Interstate 395, exceptions.
HB 181 Minchew, J	Northern Virginia Transportation Commission; increases membership.
HB 190 Bulova, D	Northern Virginia Transportation Authority; use of population estimate in connection with decisions.
HB 214 LeMunyon, J	Tax reform, state and local; joint subcommittee to study.
HB 224 Marshall, R	Interstate System components; approval of tolls.
HB 225 Albo, D	Interstate System components; approvals of tolls on I-395.
HB 370 Poindexter, C	Elections; run-off elections for statewide offices and United States Senate.
HB 380 Marshall, R	Interstate 66; tolls prohibited from Haymarket to Interstate 495.
HB 495 Simon, M	Synthetic turf; three-year moratorium on installation at schools and parks.
HB 631 Bell, J	Tolling on Interstate 66.
HB 712 Marshall, R	Interstate 66; tolls prohibited from Haymarket to Interstate 495.
HB 713 Marshall, R	Interstate 66; advisory referendum on collection of tolls.

HB 715 LeMunyon, J	Interstate 66; requirements that VDOT must satisfy prior to change in HOV-2 designation.
HB 717 LeMunyon, J	Transportation projects; evaluation of in Northern Virginia.
HB 720 LeMunyon, J	Transportation projects in Planning District 8; public hearings.
HB 721 LeMunyon, J	Toll Facilities Revolving Account; statewide prioritization process.
HB 723 LeMunyon, J	NOVA; transfer of powers and duties to NOVA Authority.
HB 724 LeMunyon, J	Northern Virginia Transportation Commission; quorum and voting procedures.
HB 725 LeMunyon, J	Northern Virginia Transportation Commission; membership.
HB 726 LeMunyon, J	Northern Virginia Excess Toll Revenue Fund; created.
HB 730 LeMunyon, J	Commuter parking; lot signage in Planning District 8.
HB 732 LeMunyon, J	State and local transportation planning; review of proposed rezoning, impact on roads.
HB 770 Gilbert, C	Conditional zoning; provisions applicable to all rezoning proffers, definitions.
HB 774 Gilbert, C	Conditions of release; pretrial services agency.
HB 776 Gilbert, C	Conditions of release; pretrial services agency.
HB 812 Peace, C	Limited Residential Lodging Act; established, penalty.
HB 836 Cline, B	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
HB 841 Webert, M	Interstate 66; prohibits tolls on any component.
HB 883 Habeeb, G	Telecommunications towers; in accordance with comprehensive plan.
HB 901 Marshall, R	Northern Virginia Transportation Authority; use of certain revenues.
HB 910 Minchew, J	Appeal of local tax assessments, confidentiality, trial by jury.
HB 916 Bulova, D	Interstate 66; prohibits imposition or collection of tolls on any component.
HB 960 Carr, B	Fines under certain local ordinances; payment to local school division and Literary Fund.
HB 1043 Rasoul, S	Reckless driving; raises threshold for speeding.
HB 1121 Anderson, R	Absentee voting; verification of signatures by officers of elections.

HB 1164 Morris, R	Local stormwater utility; waiver of charges for church or religious body.
HB 1243 Marshall, R	Interstate 66; referendum for tolling.
HB 1244 Marshall, R	Interstate 66; referendum for tolling.
HB 1268 Taylor, S	Limited Residential Lodging and Short-term Rental Lodging Act; established, penalty.
HB 1293 Hugo, T	Employee grievance procedure, local; impartial panel hearing, etc.
HB 1374 Bulova, D	Interstate 66; Commonwealth Transportation Board may impose tolls to use.
HB 1382 Keam, M	Real property tax; tax on commercial and industrial property in certain localities.
HJ 110 LeMunyon, J	Interstate 66; Secretary of Transportation to study tolling alternatives.
HJ 123 Hugo, T	Constitutional amendment; real property tax exemption.
SB 113 Petersen, J	Northern Virginia Transportation Authority; membership composition.
SB 208 Garrett, T	Statewide Fire Prevention Code; authorizes use of consumer fireworks, penalties.
SB 270 Garrett, T	Sanctuary policies; prohibited.
SB 277 Wexton, J	Northern Virginia Transportation Commission; increases membership.
SB 288 DeSteph, Jr., B	Conflict of Interests Act, State and Local Government; advisory opinions for local officers.
SB 413 Barker, G	Northern Va. Transportation Authority; use of population estimates in connection with decisions.
SB 416 Vogel, J	Limited Residential Lodging Act; established, records available only in response to written request.
SB 468 Wagner, F	Local stormwater utility; waiver of charges to real property, retention of water on site.
SB 478 Obenshain, M	Eminent domain; reimbursement of costs.
SB 549 Obenshain, M	Conditional zoning; provisions applicable to certain rezoning proffers.
SB 578 Barker, G	Alcoholic beverage control; limited brewery licenses.
SB 579 Barker, G	Alcoholic beverage control; limited distiller's licenses, land zoned agricultural.
SB 597 Cosgrove, J	Appeal of local tax assessments; prior to receipt of confidential information.
SB 611 Stanley, Jr., W	Tort claim; notice of claim against the Commonwealth, transportation district, or locality.

SB 705 Black, R	Sanctuary cities; liability for certain injuries and damages caused by an illegal alien.
SB 746 Wagner, F	Governmental entities; liability for certain inspections.
SB 751 DeSteph, Jr., B	Limited Residential Lodging and Short-term Rental Lodging Act; penalty.
SB 768 Suetterlein, D	Reckless driving; exceeding speed limit.

Fairfax County Positions (Support) : ***Pages 37-60***

HB 45 Krizek, P	Payday loan offices and motor vehicle title loan offices; distance from casino facility.
HB 46 Greason, T	Early Education Workforce Committee; Secretary of Education to establish.
HB 47 Greason, T	Mixed-Delivery Preschool Services Fund and Grant Program; established, report.
HB 109 Lingamfelter, L	Secondary state highway system; maintenance or improvement of components within county.
HB 118 Albo, D	Urban county executive form of government; animal protection police officer.
HB 168 LaRock, D	Passing stopped school buses; mailing of summons.
HB 203 Lingamfelter, L	Extended Foster Care Services and Support Program; established.
HB 223 Stolle, C	Courthouse and courtroom security; assessment.
HB 237 Lingamfelter, L	Absentee voting by electronic means; overseas military voters.
HB 268 Marshall, III, D	Land Bank Entities Act; established.
HB 313 Orrock, Sr., R	Immunizations; adds type of health professionals who may administer.
HB 329 Villanueva, R	Amber lights, flashing; allows publicly owner or operated transit buses to use.
HB 354 Greason, T	Lyme disease; prevention pilot program.
HB 369 Bell, R	State Executive Council for Children's Services; state and local advisory team; membership.
HB 391 Krizek, P	Motor vehicle title loan offices; distance from military base.

HB 429 Villanueva, R	Virginia Human Rights Act; public employment, prohibited discrimination.
HB 449 Taylor, S	VPPA; procurement of construction by certain localities using competitive negotiation.
HB 464 Hope, P	Behavioral Health and Developmental Services Trust Fund; use of funds.
HB 546 Watts, V	Certain counties; additional powers.
HB 589 Campbell, J	Social Services, Department of; filing of petitions by designated nonattorney employees.
HB 629 Hodges, M	Prescription drugs; pharmacies may participate in voluntary drug disposal programs.
HB 634 Bell, J	Payday loan offices and motor vehicle title loan offices; distance from military installation.
HB 647 Sullivan, Jr., R	Tree conservation; locality to post signs on private property that is proposed to be redeveloped.
HB 675 Peace, C	Auxiliary grants; extends eligibility, supportive housing.
HB 676 Peace, C	Financial exploitation of adults; DARS work group to study.
HB 727 LeMunyon, J	Northern Virginia Transportation Authority; decision-making procedure.
HB 734 Hope, P	Noxious weeds; advisory committee to evaluate risks of a plant.
HB 764 Yost, J	Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program; created.
HB 828 Torian, L	TANF eligibility; drug-related felonies.
HB 879 Hugo, T	Alcoholic beverage control; farm wineries and limited brewery licenses, "land zoned agricultural."
HB 913 Toscano, D	Discrimination; prohibited in employment and housing.
HB 945 Wilt, T	Annexation; extends current moratorium on city annexations and county immunity actions.
HB 992 Lopez, A	TANF eligibility; drug-related felonies.
HB 1004 Levine, M	Provisional voting; voter photograph taken at polling place.
HB 1030 Sickles, M	Officers of election; required training every two years.
HB 1067 Jones, S	Bonds; tolls on I-66.
HB 1085 Bulova, D	Stormwater Local Assistance Fund; established.

HB 1125 Loupassi, G	Number of judges; general district court; 25th Judicial District.
HB 1140 Ransone, M	Subdivision plats; approval before recordation.
HB 1144 Cole, M	Local taxes; interest on refunds.
HB 1216 Aird, L	Elections; absentee voting by persons age 65 or older.
HB 1223 Watts, V	Polling place; voter may give full name and current address orally or in writing.
HB 1260 Hodges, M	Declaration of local emergency; increases time in which localities call a session.
HB 1337 James, M	Local fiscal stress; task force appointed by Governor to review state mandates imposed on locality.
HB 1359 Peace, C	Transit Capital Project Revenue Advisory Board; established, report, sunset provision.
HJ 124 Hugo, T	Unaccompanied alien minors; reimbursement to Fairfax County for cost.
HJ 136 Sickles, M	United States Constitution; ratifies Equal Rights Amendment that was proposed by Congress in 1972.
HJ 149 Sickles, M	Motor vehicle title loans; Bureau of Financial Inst of State Corporation Commission to study.
SB 12 Ebbin, A	Public employment; prohibited discrimination based on sexual orientation or gender identity.
SB 50 Howell, J	Courthouse and courtroom security; assessment.
SB 56 Locke, M	Grass, weeds, and other foreign growth; local cutting ordinances include overgrown shrubs and trees.
SB 57 Howell, J	Judges; increases number in 19th and 25th Judicial Districts.
SB 60 Hanger, Jr., E	Commonwealth of Virginia Transform I-66 Corridor Outside the Beltway Bond Act of 2016; created.
SB 106 Dance, R	Absentee voting; no-excuse, in-person.
SB 120 Carrico, Sr., C	Passing stopped school buses; mailing of summons, rebutting presumption.
SB 188 Miller, J	Elections; absentee voting by persons age 65 or older.
SB 292 Hanger, Jr., E	Sediment reduction credits.
SB 299 Ebbin, A	Amber lights, flashing; allows publicly owned or operated transit buses to use.
SB 309	Annexation; extends current moratorium on city

Hanger, Jr., E	annexations and county immunity actions.
SB 361 Favola, B	Tree conservation; locality to post signs on private property that is proposed to be redeveloped.
SB 414 Barker, G	Land Bank Entities Act.
SB 417 Vogel, J	Social Services, Department of; unauthorized practice of law.
SB 433 Favola, B	Kinship Guardianship Assistance program; established.
SB 436 Favola, B	Fostering Futures program; established.
SB 535 Deeds, R	Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program.
SB 556 Wexton, J	Opiate addiction treatment; nonmethadone opioid replacements.
SB 574 McEachin, A	Officers of election; required training every two years.
SB 601 Wexton, J	Child care providers; criminal history background checks.
SB 603 Howell, J	Absentee voting; no-excuse in-person available 21 days prior to election.
SB 742 Wagner, F	Motor vehicles; fuels sales tax in certain transportation districts.
SJ 1 Surovell, S	United States Constitution; ratifying the Equal Rights Amendment.

Fairfax County Positions (Monitor) : ***Pages 61-73***

HB 66 Byron, K	New Economy Industry Credential Assistance Training Grants; grants for earning training credentials.
HB 141 Marshall, R	Government Data Collection and Dissemination Practices Act; license plate readers.
HB 213 LeMunyon, J	Motor vehicle inspection; exceptions to inspection requirement.
HB 301 Herring, C	Officer-involved shootings; VSP shall include in annual Crime in Virginia report.
HB 308 Morris, R	Virginia Freedom of Information Act; use of government email accounts required.
HB 367 Davis, G	Nonconforming uses; unlawful use of subject property, etc.
HB 412 Kilgore, T	Aircraft, certain; local regulation.
HB 479 Kory, K	Water pollution; signage notice to public.
HB 636	Clerk of circuit court; recordation of certain deeds.

Marshall, III, D	
HB 650 Marshall, R	Local government; mandatory provisions of a subdivision ordinance, notice to homeowner associations.
HB 665 Howell, W	Employee Retirement Security & Pension Reform, Commission on; established, report, sunset provision.
HB 731 LeMunyon, J	Members of transportation district commissions; compensation.
HB 787 Adams, L	Construction activities; acquisition of nutrient credits.
HB 800 Morris, R	Virginia Freedom of Information Act; audio recording of closed meetings required.
HB 817 LeMunyon, J	Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.
HB 941 Toscano, D	Clean energy programs; expands scope by including certain residential properties.
HB 977 Lopez, A	State waters; unlawful discharge of deleterious substance into waters.
HB 998 Levine, M	Law-enforcement agencies, local; body-worn cameras.
HB 1069 Jones, S	Tolls; period of nonpayment, limitations on tolling, notification of toll violations.
HB 1143 Lindsey, J	Body-worn cameras; required policies.
HB 1206 Greason, T	Comprehensive community colleges; Noncredit Workforce Credentials Act.
HB 1211 Leftwich, J	Animal control officers; training.
HB 1278 Levine, M	Washington Metropolitan Area Transit Authority Compact of 1966; membership.
HB 1327 Davis, G	Local law-enforcement agencies; body-worn cameras.
SB 87 Garrett, T	Circuit court clerks; disaster plan for recovery of any land record maintained electronically.
SB 111 Petersen, J	Punitive damages; raises cap for any action accruing on or after July 1, 2016.
SB 237 Petersen, J	Virginia Property Owners' Association Act; condemnation of common area.
SB 494 Surovell, S	Virginia Freedom of Information Act; record exclusions; rule of redaction.
SB 515 McPike, J	Mobile food vending; allows units in commuter lots in Planning District 8, fees to pay for security.
SB 542 Obenshain, M	Delinquent sewer charges; lien on property, unlimited time.
SB 543	Inverse condemnation proceeding; reimbursement

Obenshain, M	of owner's costs.
SB 547 Edwards, J	Water and sewer service; certain liens for delinquent charges.
SB 576 Ruff, Jr., F	Community College Workforce Training Grant Program; established, Fund created.
SB 629 Stanley, Jr., W	Camping; special use permit.
SB 710 Ebbin, A	Composition of the Washington Metropolitan Area Transit Authority Compact of 1966.

Fairfax County Positions ***Pages 74-80***

** * **

Legislation No Longer Under Consideration (Continued to 2017)

HB 96 Lingamfelter, L	Problem-Solving Court Act; established, report.
HB 461 Anderson, R	Handheld personal communications devices; use while driving, penalty.
HB 500 Filler-Corn, E	Child care providers; criminal history background checks.
HB 545 Watts, V	License tax, local; staffing firm deductions.
HB 1346 Villanueva, R	Commonwealth Transportation Board; regional membership.
HB 1347 Heretick, S	Wireless communications; infrastructure established.
HJ 50 Webert, M	Composite Index of Local Ability to Pay; DOE to study effect of local use value assessment
SB 26 Reeves, B	Problem-Solving Docket Act; established, report.
SB 236 Petersen, J	Government Data Collection & Dissemination Practices Act; collection & use of personal information.
SB 317 Alexander, K	Veterans Docket Act; established, report.
SB 365 Chafin, A	Prioritization of statewide transportation projects; exceptions.
SB 380 Vogel, J	Behavioral Health Docket Act; established, report.

SB 439 Obenshain, M	Voter identification; information contained in electronic pollbook.
SB 644 Alexander, K	Battery; public transportation operators; penalty.
SJ 84 Surovell, S	Public transportation services; DRPT to evaluate study necessary to identify, etc.

Fairfax County Positions ***Pages 81-90***

* * *

Legislation No Longer Under Consideration (Killed, Failed to Report, Tabled, Incorporated into Other Legislation, etc.):

HB 191 Minchew, J	Composite index of local ability-to-pay; use value of real estate in certain localities.
HB 474 Filler-Corn, E	Child-care providers; criminal history background checks.
HB 532 Murphy, K	Composite index of local ability to pay; additional factors to be considered.
HB 544 Watts, V	Retail sales and transient occupancy taxes; taxes on room rentals.
HB 547 Watts, V	Standards of Quality; apportionment of state and local share.
HB 594 Marshall, R	Traffic or motor vehicle laws; enforcement of laws, marked law-enforcement vehicles.
HB 722 LeMunyon, J	Tolls; prohibits imposition or collection of tolls on certain highways in Planning District 8.
HB 792 James, M	Virginia Pathway to Middle Class: Noncredit Workforce Credentials Act; established, report.
HB 853 Cline, B	Traffic lights; use of photo-monitoring systems.
HB 949 Keam, M	Northern Virginia Transportation Authority (NVTA); membership composition.
HB 1008 Levine, M	Motor vehicle fuels; sales tax in certain transportation districts, price floor.
SB 234 Petersen, J	Interstate 66; tolls on existing components east of mile marker 67 prohibited.
SB 238 Petersen, J	Virginia Property Owners' Association Act; home-based businesses.
SB 258 Surovell, S	Commonwealth Transportation Board; voting weighted by population.

SB 295 Lucas, L	Toll violations at all-electronic toll facilities; administrative fees and period of nonpayment.
SB 405 Vogel, J	Tolling additional capacity and designations of HOV and HOT lanes on Interstate 66.
SB 426 Vogel, J	Virginia Community Impact Authority and Fund; created, report.
SB 469 Wagner, F	Local stormwater utility; payment to best management practice (BMP) operator accepting runoff.
SB 471 Wagner, F	Commonwealth Transportation Board; increases regional membership.
SB 477 Wagner, F	Motor vehicle fuels; sales tax in certain transportation districts, price floor.
SB 484 DeSteph, Jr., B	Stormwater management regulations; water quality and quantity design criteria.
SB 490 DeSteph, Jr., B	Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.
SB 516 McPike, J	Tolls; use for additional lanes on interstate highways.
SB 575 Ruff, Jr., F	Comprehensive community colleges; noncredit workforce credentials.
SB 581 McEachin, A	Discharge of deleterious substance into state waters; notice.
SB 681 Vogel, J	Annexation moratorium; extends for city annexations and county immunity actions.
SB 735 Obenshain, M	Local planning commission; action on proposed plat, commercial real estate.
SB 778 Barker, G	Use of handheld personal communications devices while driving; penalty.

Fairfax County Initiatives

Bills Introduced at Fairfax County's Request

Bills	General Assembly Actions	Date of BOS Position
HB 541 - Watts (39) Juveniles; disclosure of law-enforcement records.	1/9/2016 House: Referred to Committee for Courts of Justice 1/27/2016 Criminal Law Subcommittee recommends reporting (8-Y 0-N) 2/3/2016 House: Reported from Courts of Justice (21-Y 0-N) 2/9/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/10/2016 Senate: Referred to Committee for Courts of Justice	**2/2/2016**
Initiate (16101947D) **Summary:** Law-enforcement records concerning juveniles; disclosure. Allows the disclosure of law-enforcement records concerning a juvenile who is referred to a court services unit-authorized diversion program. The bill prohibits further disclosure of such records by the diversion program or participants in the program. Law-enforcement officers may prohibit disclosure to protect a criminal investigation or intelligence information.		
HB 1032 - Sickles (43) Vehicle registration; locality may impose penalty on owner annually as long as vehicle unregistered.	1/13/2016 House: Referred to Committee on Transportation 1/28/2016 House: Reported from Transportation (21-Y 0-N) 2/2/2016 House: VOTE: PASSAGE (89-Y 8-N) 2/3/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Initiate (16103965D) **Summary:** Vehicle registration. Clarifies that a locality may impose a penalty of up to $250 upon the resident owner annually for as long as the motor vehicle remains unregistered in Virginia.		

Fairfax County Positions

(Oppose or Amend)

* * *

Bills	General Assembly Actions	Date of BOS Position
HB 1 - LeMunyon (67) Interstate 66; tolls on existing components east of mile marker 67 prohibited.	11/16/2015 House: Referred to Committee on Transportation 2/4/2016 Subcommittee recommends reporting with amendment(s) (6-Y 2-N) 2/9/2016 House: Reported from Transportation with substitute (15-Y 7-N) 2/9/2016 House: Referred to Committee on Appropriations 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16100913D) - See also HB 631 (Bell, John J.). **Summary:** Tolling on Interstate 66. Prohibits tolls on existing components of Interstate 66 inside the Beltway. This bill contains a technical amendment.		
HB 9 - Cole (88) Voter registration; required information on application form.	11/16/2015 House: Referred to Committee on Privileges and Elections 2/2/2016 House: Subcommittee recommends reporting with amendment(s) (5-Y 2-N) 2/5/2016 House: Reported from Privileges and Elections with amendments (14-Y 7-N) 2/9/2016 House: Committee amendments agreed to 2/10/2016 House: VOTE: PASSAGE (64-Y 31-N) 2/11/2016 Senate: Referred to Committee on Privileges and Elections 2/11/2016 Referred to Committee on Privileges and Elections	**2/2/2016**
Oppose (16100569D) - Could create additional burden for voters. **Summary:** Voter registration; application; form and required information. Specifies in greater detail the information that applicants for voter registration are required to provide on the voter registration application form. The bill also requires the general registrars to deny the application of any applicant who fails to provide his full name or indicate that he does not have a middle name; fails to provide his gender, date of birth, or social security number or indicate that he does not have a social security number; fails to provide his citizenship status or provides that he is not a U.S. citizen; fails to provide his residence address or indicate rural residence location or homelessness; fails to provide information regarding the circumstances of restoration of his voting rights after felony convictions, if any, or adjudications of mental incapacity, if any; fails to provide previous voter registration information or indicate lack thereof; or fails to indicate that he will be, or indicates that he will not be, at least 18 years of age on or before the date of the next general election.		
HB 61 - Morris (64) Virginia Freedom of Information Act; misdemeanor violations, penalty.	12/4/2015 House: Referred to Committee on General Laws 2/11/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16100894D) - Board has historically opposed. **Summary:** Virginia Freedom of Information Act; misdemeanor violations; penalty. Provides that in addition to the civil enforcement provisions of the Virginia Freedom of Information Act (FOIA), any officer, employee, or		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
member of a public body who, without legal excuse or justification, deliberately, willfully, and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor.		
HB 86 - Morris (64) VIEW; pilot program for substance abuse screening and assessment.	12/10/2015 House: Referred to Committee on Health, Welfare and Institutions	**2/2/2016**
Oppose Unless Amended (16100987D) - Oppose unless amended to provide that added costs for additional drug testing will be paid by the state; Board has historically opposed similar bills unless amended. **Summary:** Department of Social Services; pilot program for substance abuse screening and assessment for VIEW; report. Requires the Department of Social Services to develop a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare program for use of illegal substances. The bill requires the Department to provide an interim report on implementation of the pilot program to the Governor and the General Assembly no later than December 1, 2016, and a final report on the results of the pilot program no later than December 1, 2017.		
HB 99 - Cole (88) High-occupancy vehicle (HOV) lanes; certain vehicles use of HOT lanes on Interstate 395, exceptions.	12/14/2015 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16100671D) **Summary:** Use of HOV lanes; exceptions. Allows vehicles that have fewer than three occupants that display an installed E-ZPASS transponder and have paid the toll on the Interstate 95 HOT lanes to use HOV lanes of Interstate 395 during peak traffic periods.		
HB 181 - Minchew (10) Northern Virginia Transportation Commission; increases membership.	12/23/2015 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Oppose (16102789D) - Membership should be addressed holistically instead of piecemeal. See also SB 277 (Wexton). **Summary:** Northern Virginia Transportation Commission; membership. Increases the number of nonlegislative citizen members of the Northern Virginia Transportation Commission from 13 to 14 by increasing from one to two the members who represent Loudoun County.		
HB 190 - Bulova (37) Northern Virginia Transportation Authority; use of population estimate in connection with decisions.	12/26/2015 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation (21-Y 0-N) 1/29/2016 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Oppose (16102274D) - Oppose if amended to broaden intent. See also SB 413 (Barker). **Summary:** Northern Virginia Transportation Authority. Provides that the population criterion required for decisions of the Northern Virginia Transportation Authority shall be the estimates, not the projections, made by the Weldon Cooper Center for Public Service of the University of Virginia.		
HB 214 - LeMunyon (67) Tax reform, state and local; joint subcommittee to study.	12/28/2015 House: Referred to Committee on Rules 2/4/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Amend (16103343D) - Amend to provide representation from local government on the study panel. **Summary:** Study; state and local tax reform; report. Creates a joint subcommittee to perform a one-year study on reforming state and local taxes. The joint subcommittee will assume the tasks of the Joint Subcommittee to Evaluate Tax Preferences, which the bill dissolves.		
HB 224 - Marshall (13) Interstate System components; approval of tolls.	12/29/2015 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16101289D) **Summary:** Tolls for use of Interstate System components. Requires prior approval by the General Assembly before any tolls may be imposed or collected for the use of any component of the Interstate System.		
HB 225 - Albo (42) Interstate System components; approvals of tolls on I-395.	12/29/2015 House: Referred to Committee on Transportation 2/2/2016 Subcommittee failed to recommend reporting (2-Y 4-N)	**2/2/2016**
Oppose (16101375D) **Summary:** Tolls for use of Interstate System components. Requires approval of the General Assembly prior to the imposition and collection of tolls for the use of Interstate 395. The bill contains a technical amendment. The bill contains an emergency clause.		
HB 370 - Poindexter (9) Elections; run-off elections for statewide offices and United States Senate.	1/6/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16102393D) **Summary:** Elections; run-off elections. Provides that no candidate shall be deemed to have been elected at a general election to any statewide office or to the United States Senate unless such candidate receives more than 50 percent of the total votes cast for that office. The bill requires that when no candidate for an office receives more than 50 percent of the total votes cast at the general election for that office, a run-off election between the candidates receiving the highest and next-highest number of votes for that office shall be held. However, no		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
run-off election shall be held if the total number of write-in votes cast for an office and the total number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office. The bill requires run-off elections to be held on the fourth Tuesday following the date of the certification of the results of the general election or, if a recount is conducted after the general election, on the fourth Tuesday following the date of the certification of the results of the recount, unless the fourth Tuesday falls on a legal holiday, in which case the run-off election will be held on the sixth Tuesday. The bill provides that in all other elections, including a general election of electors for the President and Vice-President of the United States, the person having the highest number of votes for an office shall be deemed to have been elected to such office and shall receive the certificate of election. Under current law, except in the case of a recount, the person having the highest number of votes cast at any election is deemed to have been elected to that office.		
HB 380 - Marshall (13) Interstate 66; tolls prohibited from Haymarket to Interstate 495.	1/6/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16101826D) **Summary:** Tolls for use of Interstate 66. Prohibits the imposition or collection of any toll on Interstate 66 from Haymarket to Interstate 495.		
HB 495 - Simon (53) Synthetic turf; three-year moratorium on installation at schools and parks.	1/8/2016 House: Referred to Committee on Education 2/8/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Amend (16100846D) - Amend to remove moratorium on installation of synthetic turf while a comprehensive study is conducted. **Summary:** Three-year moratorium on installation of synthetic turf that contains recycled crumb rubber from waste tires at schools and recreational parks. Places a three-year moratorium on the installation of synthetic turf that contains recycled crumb rubber from waste tires within the boundaries of a public or private elementary or secondary school, public or private preschool, or recreational park by any (i) public or private elementary or secondary school, (ii) public or private preschool, or (iii) local governing body. The bill also requires the Virginia Department of Health, in coordination with the Virginia Department of Conservation and Recreation and the Virginia Department of Education, to analyze the potential adverse health effects of synthetic turf that contains recycled crumb rubber from waste tires and report its findings to the General Assembly no later than July 1, 2017.		
HB 631 - Bell (87) Tolling on Interstate 66.	1/11/2016 House: Referred to Committee on Transportation 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16102609D) - See also HB 1 (LeMunyon). **Summary:** Prohibits tolls on existing components of Interstate 66 east of mile marker 67. The bill contains a technical amendment.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 712 - Marshall (13) Interstate 66; tolls prohibited from Haymarket to Interstate 495.	1/11/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16100730D) **Summary:** Interstate 66. Prohibits the imposition or collection of any toll on Interstate 66 from Haymarket to Interstate 495 and requires the same portion of Interstate 66 to include not less than four lanes in each direction.		
HB 713 - Marshall (13) Interstate 66; advisory referendum on collection of tolls.	1/11/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16103503D) **Summary:** Voter referendum; tolling on I-66. Provides for an advisory referendum in each county and city in Planning District 8 on the questions of whether tolls should be imposed and collected on Interstate 66 inside the Capital Beltway and whether tolls should be imposed and collected on Interstate 66 outside the Capital Beltway. The results of the referendum would be advisory only and are intended to demonstrate the preference of the qualified voters in those counties and cities that would be affected by tolling on Interstate 66.		
HB 715 - LeMunyon (67) Interstate 66; requirements that VDOT must satisfy prior to change in HOV-2 designation.	1/11/2016 House: Referred to Committee on Transportation 2/2/2016 Subcommittee recommends reporting (5-Y 1-N) 2/11/2016 House: Reported from Transportation with substitute (21-Y 0-N)	**2/2/2016**
Oppose (16100367D) **Summary:** HOV designation in Planning District 8. Applies the minimum requirements that the Department of Transportation (the Department) must satisfy prior to a change in HOV-2 designation to a more restrictive designation on Interstate 66 to all interstate highways in Planning District 8. The bill adds to the criteria on which the Commonwealth Transportation Board must base its decision whether the change in designation has been screened and evaluated by the Department in accordance with its responsibilities for analysis of transportation projects in the Northern Virginia Transportation District.		
HB 717 - LeMunyon (67) Transportation projects; evaluation of in Northern Virginia.	1/11/2016 House: Referred to Committee on Transportation 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16100543D) **Summary:** Evaluation of significant transportation projects in Northern Virginia. Directs the Department of Transportation to complete evaluations of certain significant transportation projects in the Northern Virginia Transportation District by December 31, 2016.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 720 - LeMunyon (67) Transportation projects in Planning District 8; public hearings.	1/11/2016 House: Referred to Committee on Transportation 2/8/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16103849D) **Summary:** Department of Transportation; transportation projects in Planning District 8. Requires the Department of Transportation (VDOT) or the Department of Rail and Public Transportation to hold a public hearing regarding any transportation project valued in excess of $10 million in Planning District 8 at the conclusion of the project's preliminary design phase but before the detailed design phase begins and requires VDOT to evaluate such projects and make public the results of such evaluations not less than 14 days prior to such hearing.		
HB 721 - LeMunyon (67) Toll Facilities Revolving Account; statewide prioritization process.	1/11/2016 House: Referred to Committee on Transportation 2/4/2016 Subcommittee failed to recommend reporting (3-Y 3-N)	**2/2/2016**
Oppose (16101248D) **Summary:** Requires funds allocated from the Toll Facilities Revolving Account to be evaluated using the statewide prioritization process.		
HB 723 - LeMunyon (67) NOVA; transfer of powers and duties to NOVA Authority.	1/11/2016 House: Referred to Committee on Transportation 2/11/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16101990D) - Board has historically opposed. **Summary:** Northern Virginia Transportation Commission; Northern Virginia Transportation Authority. Transfers the powers and duties of the Northern Virginia Transportation Commission to the Northern Virginia Transportation Authority.		
HB 724 - LeMunyon (67) Northern Virginia Transportation Commission; quorum and voting procedures.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with substitute (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Oppose (16101437D) **Summary:** Quorum and action by the Northern Virginia Transportation Commission. Provides quorum and voting procedures for the Northern Virginia Transportation Commission that are analogous to those followed by the Northern Virginia Transportation Authority.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 725 - LeMunyon (67) Northern Virginia Transportation Commission; membership.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with amendment (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Rules	**2/2/2016**
Oppose (16101103D) **Summary:** Allows the governing body of each participating county and city in the Northern Virginia Transportation Commission (NVTC) to appoint commissioners to the NVTC who are not members of the governing body.		
HB 726 - LeMunyon (67) Northern Virginia Excess Toll Revenue Fund; created.	1/11/2016 House: Referred to Committee on Transportation 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16100314D) **Summary:** Northern Virginia Excess Toll Revenue Fund. Establishes the Northern Virginia Excess Toll Revenue Fund into which all moneys collected by a toll facility in Planning District 8 that exceed amounts necessary for the design, development, operation, maintenance, or financing of the highway where the toll is collected will be deposited. Moneys in the Northern Virginia Excess Toll Revenue Fund will be distributed to the Northern Virginia Transportation Authority and used for alleviating highway congestion.		
HB 730 - LeMunyon (67) Commuter parking; lot signage in Planning District 8.	1/11/2016 House: Referred to Committee on Transportation 2/1/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/4/2016 House: Reported from Transportation with amendment (18-Y 3-N) 2/4/2016 House: Referred to Committee on Appropriations 2/10/2016 Subcommittee recommends reporting (5-Y 0-N) 2/12/2016 House: Reported from Appropriations (22-Y 0-N)	**2/2/2016**
Oppose (16102700D) **Summary:** Commuter parking lot signage. Requires that signage in commuter parking lots owned by the Virginia Department of Transportation in Planning District 8 clearly indicate that parking in such lots is only for commuters using mass transit or who are car pool riders.		
HB 732 - LeMunyon (67) State and local transportation planning; review of proposed rezoning, impact on roads.	1/11/2016 House: Referred to Committee on Transportation 2/8/2016 Subcommittee recommends continuing to 2017 by voice vote	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Oppose (16102707D) **Summary:** State and local transportation planning. Provides that in Planning District 8 (Northern Virginia) the Department of Transportation's review of a proposed rezoning shall consider the transportation impact of the proposed rezoning on all interstate, primary, and secondary roads within a five-mile radius of the proposed rezoning.		
HB 770 - Gilbert (15) Conditional zoning; provisions applicable to all rezoning proffers, definitions.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 1/29/2016 House: Reported from Counties, Cities and Towns with substitute (19-Y 2-N) 2/4/2016 House: VOTE: PASSAGE (68-Y 27-N 2-A) 2/5/2016 Senate: Referred to Committee on Local Government	**2/2/2016**
Oppose (16103862D) - See also SB 549 (Obenshain). **Summary:** Conditional zoning. Provides that no locality shall (i) request or accept any unreasonable proffer in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application, including an application for amendment to an existing proffer, for a new residential development or new residential use where such denial is based on an applicantÂ¿s failure or refusal to submit, or remain subject to, an unreasonable proffer. A proffer shall be deemed unreasonable unless it addresses an impact that is specifically and uniquely attributable to a proposed new residential development or other new residential use applied for. An off-site proffer shall be deemed unreasonable pursuant to the above unless it addresses an impact to an off-site public facility, such that, (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment, and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit, or remain subject to, an unreasonable proffer that it has proven was suggested, requested, or required, formally or informally, by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial. The bill also provides that certain conditional rezoning proffers related to building materials, finishes, methods of construction, or design features on a new residential development are prohibited.		
HB 774 - Gilbert (15) Conditions of release; pretrial services agency.	1/12/2016 House: Referred to Committee for Courts of Justice 2/1/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16102820D) - Board has historically opposed. **Summary:** Provides that no person arrested for a felony or misdemeanor may be released into the custody of a pretrial services agency without a secured bond unless he is determined by a court to be indigent.		
HB 776 - Gilbert (15) Conditions of release; pretrial services agency.	1/12/2016 House: Referred to Committee for Courts of Justice 2/1/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16102826D) **Summary:** Provides that a person may be released into the custody of a pretrial services agency only if he has been arrested (i) for a felony or certain misdemeanors involving acts or threats of violence, sexual offenses, or		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
driving under the influence or (ii) if he has been determined to be indigent and incapable of executing a secure bond, for any other misdemeanor.		
HB 812 - Peace (97) Limited Residential Lodging Act; established, penalty.	1/12/2016 House: Referred to Committee on General Laws 1/28/2016 House: Reported from General Laws with substitute (18-Y 3-N) 2/2/2016 Committee substitute agreed to and Amendments by Delegate Peace agreed to 2/4/2016 House: VOTE: PASSAGE (75-Y 22-N) 2/5/2016 Senate: Referred to Committee on General Laws and Technology	**2/2/2016**
Oppose (16103926D) - See also SB 416 (Vogel). **Summary:** Limited Residential Lodging Act; penalty. Establishes the Limited Residential Lodging Act (the Act), which allows property owners to rent out their homes or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform, under certain circumstances. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill defines "limited residential lodging," "booking transaction," and "hosting platform" and provides for penalties for violations of the Act.		
HB 836 - Cline (24) VIEW; substance abuse screening and assessment of public assistance applicants and recipients.	1/12/2016 House: Referred to Committee on Health, Welfare and Institutions	**2/2/2016**
Oppose Unless Amended (16102825D) - Oppose unless amended to provide that added costs for additional drug testing will be paid by the state; Board has historically opposed similar bills unless amended **Summary:** Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.		
HB 841 - Webert (18) Interstate 66; prohibits tolls on any component.	1/12/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16101320D) **Summary:** Tolling additional capacity and designations of HOV and HOT lanes on Interstate 66. Prohibits tolls on any component of Interstate 66 outside the Capital Beltway existing prior to July 1, 2016. The bill provides that if additional lanes are added to an interstate highway, those additional lanes may be tolled. The bill prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
and prohibits a HOT lane occupancy requirement of more than two. The bill allows vehicles bearing clean special fuel vehicle license plates to use HOT lanes; such vehicles may currently use HOV lanes. The bill contains a technical amendment.		
HB 883 - Habeeb (8) Telecommunications towers; in accordance with comprehensive plan.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/12/2016 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N)	[2/5/2016] ~~**2/2/2016**~~
[Amend] (16102883D) - Amend to exclude Planning District 8. ~~**Oppose** (16102883D)~~ **Summary:** Comprehensive plan; telecommunications towers. Provides that a proposed telecommunications tower shall be deemed to be substantially in accord with the comprehensive plan and planning commission approval shall not be required if the proposed telecommunications tower is located in a zoning district that allows such telecommunications towers by right.		
HB 901 - Marshall (13) Northern Virginia Transportation Authority; use of certain revenues.	1/12/2016 House: Referred to Committee on Transportation	**2/2/2016**
Oppose (16100729D) **Summary:** Use of certain revenues by the Northern Virginia Transportation Authority. Requires that 50% of the funds the Northern Virginia Transportation Authority has remaining after distribution to localities be used for bus rapid transit on Interstate 66 or expansion of Virginia Railway Express that benefit the Interstate 66 corridor from Haymarket to Interstate 495, or Interstate 66 construction outside the Capital Beltway until July 1, 2031.		
HB 910 - Minchew (10) Appeal of local tax assessments, confidentiality, trial by jury.	1/12/2016 House: Referred to Committee for Courts of Justice 1/20/2016 Subcommittee failed to recommend reporting (4-Y 6-N) 2/3/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/10/2016 House: Reported from Courts of Justice with substitute (21-Y 0-N)	**2/2/2016**
Oppose (16102860D) - See also SB 597 (Cosgrove). **Summary:** Appeal of local tax assessments; confidentiality; trial by jury. Provides that an appeal to the circuit court for correction of an erroneous local tax assessment filed on or after July 1, 2016, may be conducted as a jury trial, at the discretion of the taxpayer, and prescribes the process for selecting jurors for such a proceeding. Additionally, the bill requires that prior to the release of confidential tax information in the course of such appeal, the court order the parties not to disclose such information to anyone not entitled to receive it and inform the parties that a violation of such an order is punishable as a Class 1 misdemeanor. Finally, the bill requires such a proceeding to follow the Uniform Pretrial Schedule Order provided in the Rules of Supreme Court unless the parties agree otherwise.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 916 - Bulova (37) Interstate 66; prohibits imposition or collection of tolls on any component.	1/12/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16102207D) **Summary:** Tolling on interstate highways. Prohibits the imposition or collection of tolls on any component of Interstate 66 existing prior to July 1, 2016.		
HB 960 - Carr (69) Fines under certain local ordinances; payment to local school division and Literary Fund.	1/12/2016 House: Referred to Committee on Appropriations 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16101595D) - Potential loss of revenue. **Summary:** Fines under certain local ordinances paid to local school division and Literary Fund. Provides that fines imposed under certain local ordinances dealing with DUI, disposition of children in juvenile and domestic relations district courts, and appropriate provisions of Title 46.2 (Motor Vehicles) of the Code of Virginia, when those ordinances incorporate Code of Virginia provisions, are to be paid in the following proportions: 50 percent to the school division of the locality in which the fines were imposed and 50 percent into the state treasury to the credit of the Literary Fund.		
HB 1043 - Rasoul (11) Reckless driving; raises threshold for speeding.	1/13/2016 House: Referred to Committee for Courts of Justice 1/29/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16102108D) - Board has historically opposed. **Summary:** Speeding; reckless driving. Raises the threshold for per se reckless driving for speeding from driving in excess of 80 miles per hour to driving in excess of 85 miles per hour. The threshold for per se reckless driving for speeding for driving at or more than 20 miles per hour in excess of the speed limit remains unchanged.		
HB 1121 - Anderson (51) Absentee voting; verification of signatures by officers of elections.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/9/2016 Subcommittee recommends reporting with amendment(s) (5-Y 2-N)	**2/2/2016**
Oppose (16103099D) **Summary:** Absentee voting; signature requirement; verification of signatures by officers of elections. Requires the officers of elections to compare the signature on an absentee ballot envelope with the signature on that voter's voter registration application. Three officers, including one representative of each political party, are required to agree that the signatures match in order for the absentee ballot to be accepted. If less than three agree, the ballot is given provisional status and the electoral board makes the final determination of its validity. Notice by certified mail is required to be given to the voter. The bill also requires absentee ballot applications to		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
be signed by the applicant's own handwriting or by electronic means, if such electronic signature is created by using a cursor, stylus, or similar device moved by the applicant to capture his signature. Any application signed by any other means shall be rejected.		
HB 1164 - Morris (64) Local stormwater utility; waiver of charges for church or religious body.	1/14/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16103512D) - Board has historically opposed. Stormwater management is a shared responsibility for all members of the community. Waiving charges for some entities will require others to bear a disproportionate burden of the costs. **Summary:** Local stormwater utility; waiver of charges; religious body. Requires any locality establishing a stormwater management utility to waive charges for real estate exclusively occupied or used by a church or religious body for religious worship or for the residence of its minister.		
HB 1243 - Marshall (13) Interstate 66; referendum for tolling.	1/19/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16104445D) **Summary:** Referendum for tolling Interstate 66. Requires that localities in Planning District 8 that are located wholly or partially inside the Capital Beltway have voter approval by referendum before the imposition and collection of tolls for the use of Interstate 66 inside the Capital Beltway.		
HB 1244 - Marshall (13) Interstate 66; referendum for tolling.	1/19/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16104460D) **Summary:** Referendum for tolling Interstate 66. Requires that localities in Planning District 8 that are located wholly or partially outside the Capital Beltway have voter approval by referendum before the imposition and collection of tolls for the use of Interstate 66 outside the Capital Beltway.		
HB 1268 - Taylor (85) Limited Residential Lodging and Short-term Rental Lodging Act; established, penalty.	1/20/2016 House: Referred to Committee on General Laws 2/9/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16104250D) - See also SB 751 (DeSteph). **Summary:** Limited Residential Lodging and Short-term Rental Lodging Act; penalty. Establishes the Limited Residential Lodging and Short-term Rental Lodging Act (the Act), which allows (i) property owners to rent out their homes or portions thereof for a charge for periods of less than 30 consecutive days or (ii) short-term rentals of residential or commercial units; both of which may be transacted through a hosting platform, under		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
certain circumstances. The bill requires an operator of either limited residential lodging or short-term rental lodging to register with the Department of Taxation. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill provides for the amount of license tax on such operators. The bill provides that any local ordinance requiring the use of the special exception, special use, or conditional use permit for short-term rental lodging contain specific provisions relating to noise, trash or recycling collection, and the posting of emergency information. The bill defines "limited residential lodging," "booking transaction," "hosting platform," "short-term lodger," short-term lodging operator," and "short-term rental lodging," and provides for penalties for violations of the Act.		
HB 1293 - Hugo (40) Employee grievance procedure, local; impartial panel hearing, etc.	1/21/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting (9-Y 1-N)	**2/2/2016**
Oppose (16104131D) - Board has historically opposed. **Summary:** Local employee grievance procedure. Provides that qualifying grievances shall advance to either an impartial panel hearing or a hearing before an administrative hearing officer as agreed upon by both parties, as set forth in the locality's grievance procedure; however, if both parties cannot come to an agreement, an impartial panel shall be used. The bill contains technical amendments.		
HB 1374 - Bulova (37) Interstate 66; Commonwealth Transportation Board may impose tolls to use.	1/22/2016 House: Referred to Committee on Transportation 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16103824D) **Summary:** Tolls for use of Interstate 66. Provides that the Commonwealth Transportation Board may impose tolls for the use of Interstate 66 from Interstate 495 to Route 29 in Rosslyn only if such tolls are collected at the same time Interstate 66 eastbound is being widened from the Dulles Connector Road to Ballston.		
HB 1382 - Keam (35) Real property tax; tax on commercial and industrial property in certain localities.	1/22/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Oppose (16103084D) - Board has historically opposed. **Summary:** Real property tax on commercial and industrial property. Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.		
HJ 110 - LeMunyon (67) Interstate 66; Secretary of Transportation to study tolling alternatives.	1/11/2016 House: Referred to Committee on Rules	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Oppose (16102491D) **Summary:** Study; Secretary of Transportation; tolling alternatives on Interstate 66; report. Requests the Secretary of Transportation to study alternatives to add vehicle capacity to Interstate 66 inside the Capital Beltway.		
HJ 123 - Hugo (40) Constitutional amendment; real property tax exemption.	1/12/2016 House: Referred to Committee on Privileges and Elections 1/29/2016 House: Reported from Privileges and Elections (21-Y 0-N) 2/2/2016 House: VOTE: ADOPTION (98-Y 0-N) 2/3/2016 Senate: Referred to Committee on Privileges and Elections 2/9/2016 Senate: Reported from Privileges and Elections (13-Y 0-N)	**2/2/2016**
Amend (16101303D) - Amend to provide state funding for this initiative. **Summary:** Constitutional amendment (second resolution); real property tax exemption. Provides that the General Assembly may provide for a local option to exempt from taxation the real property that is the primary residence of the surviving spouse of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel killed in the line of duty. Such tax exemption may not be claimed by a surviving spouse who has remarried.		
SB 113 - Petersen (34) Northern Virginia Transportation Authority; membership composition.	12/28/2015 Senate: Referred to Committee on Rules 2/3/2016 Senate: Rereferred to Transportation 2/3/2016 Rereferred from Rules (14-Y 0-N) 2/10/2016 Senate: Reported from Transportation (11-Y 1-N 1-A)	**2/2/2016**
Oppose (16100883D) - Board has historically opposed. See also HB 949 (Keam). **Summary:** Northern Virginia Transportation Authority (NVTA); membership composition. Increases from 17 to 18 the membership of the NVTA and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.		
SB 208 - Garrett (22) Statewide Fire Prevention Code; authorizes use of consumer fireworks, penalties.	1/5/2016 Senate: Referred to Committee on General Laws and Technology 1/18/2016 Senate: Reported from General Laws and Technology (8-Y 5-N 2-A) 1/27/2016 Senate: Rereferred to Finance	[2/5/2016]
[Oppose] (16100528D) - Board has historically opposed. **Summary:** Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks, (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property, or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2017. The bill contains technical amendments.		
SB 270 - Garrett (22) Sanctuary policies; prohibited.	1/7/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government (7-Y 5-N 1-A) 2/9/2016 Passed Senate (21-Y 19-N) 2/11/2016 House: Referred to Committee for Courts of Justice	[2/5/2016]
[Oppose] (16100723D) - Scope of bills is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. **Summary:** Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. The General Assembly shall reduce state funding to the extent permitted by state and federal law to any locality found to have violated the provisions of the bill.		
SB 277 - Wexton (33) Northern Virginia Transportation Commission; increases membership.	1/7/2016 Senate: Referred to Committee on Rules 1/29/2016 Senate: Rereferred to Transportation 1/29/2016 Rereferred from Rules (14-Y 0-N) 2/10/2016 Senate: Reported from Transportation (12-Y 0-N)	**2/2/2016**
Oppose (16102452D) - Membership should be addressed holistically instead of piecemeal. See also HB 181 (Minchew). **Summary:** Northern Virginia Transportation Commission; membership. Increases the membership of the Northern Virginia Transportation Commission from 14 to 15 by increasing the members from Loudoun County from one to two.		
SB 288 - DeSteph, Jr. (8) Conflict of Interests Act, State and Local Government; advisory opinions for local officers.	1/7/2016 Senate: Referred to Committee on Rules 2/11/2016 Senate: Reported from Rules (14-Y 1-N)	**2/2/2016**
Oppose (16101519D) **Summary:** State and Local Government Conflict of Interests Act; advisory opinions for local officers and employees. Removes the provision that allows a county, city, or town attorney to issue to a local officer or employee an advisory opinion that would shield that officer or employee from future prosecution for knowing violations of the State and Local Government Conflict of Interests Act. An advisory opinion issued by the		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
attorney for the Commonwealth or the Virginia Conflict of Interest and Ethics Advisory Council will still shield the officer or employee from such prosecution. The bill provides that an advisory opinion issued to a local officer or employee by his county, city, or town attorney may be introduced at a trial for a knowing violation as evidence that he did not knowingly violate the Act.		
SB 413 - Barker (39) Northern Va. Transportation Authority; use of population estimates in connection with decisions.	1/12/2016 Senate: Referred to Committee on Transportation 1/27/2016 Senate: Reported from Transportation (13-Y 0-N) 2/2/2016 Read third time and passed Senate (39-Y 0-N) 2/5/2016 House: Referred to Committee on Transportation	**2/2/2016**
Oppose (16102469D) - Oppose if amended to broaden intent. See also HB 190 (Bulova). **Summary:** Northern Virginia Transportation Authority. Provides that the population criterion required for decisions of the Northern Virginia Transportation Authority shall be the estimates, not the projections, made by the Weldon Cooper Center for Public Service of the University of Virginia and provides that the population estimates shall be adjusted once the estimates are available for July 1 of the fifth year after the decennial census. Under current law the population estimates are adjusted on July 1 of the fifth year, which requires them to use the previous year's data.		
SB 416 - Vogel (27) Limited Residential Lodging Act; established, records available only in response to written request.	1/12/2016 Senate: Referred to Committee for Courts of Justice 1/18/2016 Rereferred from Courts of Justice (14-Y 0-N) 1/18/2016 Senate: Rereferred to General Laws and Technology 1/25/2016 Senate: Reported from General Laws and Technology with substitute (12-Y 2-N) 1/25/2016 Senate: Rereferred to Finance	**2/2/2016**
Oppose (16101163D) - See also HB 812 (Peace). **Summary:** Limited Residential Lodging Act; penalty. Establishes the Limited Residential Lodging Act (the Act), which allows property owners to rent out their homes or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform, under certain circumstances. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill defines "limited residential lodging," "booking transaction," and "hosting platform" and provides for penalties for violations of the Act.		
SB 468 - Wagner (7) Local stormwater utility; waiver of charges to real property, retention of water on site.	1/12/2016 Senate: Referred to Committee on Local Government 2/9/2016 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/12/2016 Committee substitute agreed to 16105352D-S1	**2/2/2016**
Oppose (16101308D) **Summary:** Local stormwater utility; waiver of charges; retention of water on site. Provides that a locality establishing a stormwater utility or service charge system shall waive charges to any real property that retains its stormwater on site and thereby permanently produces no stormwater flow or pollutant loading.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SB 478 - Obenshain (26) Eminent domain; reimbursement of costs.	1/12/2016 Senate: Referred to Committee for Courts of Justice 2/10/2016 Senate: Reported from Courts of Justice with substitute (14-Y 0-N)	**2/2/2016**
Oppose (16102425D) **Summary:** Provides that costs and fees may be awarded in condemnation actions where the amount the owner is awarded at trial as compensation for the taking of or damage to his property is 20 percent or more greater than the amount of the condemnor's initial written offer. Under current law, such costs and fees may be awarded if the amount awarded as compensation at trial is 30 percent or more greater than the petitioner's final offer. The bill removes an exception for meeting the requirements for payment of costs and fees for condemnation actions involving easements valued at less than $10,000.		
SB 549 - Obenshain (26) Conditional zoning; provisions applicable to certain rezoning proffers.	1/13/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government with substitute (10-Y 2-N 1-A) 2/5/2016 Substitute by Senator Obenshain agreed to 16105216D-S2 2/9/2016 Read third time and passed Senate (29-Y 8-N 2-A) 2/11/2016 House: Referred to Committee on Counties, Cities and Towns	**2/2/2016**
Oppose (16103808D) - See also HB 770 (Gilbert). **Summary:** Conditional zoning. Provides that no locality shall (i) request or accept any unreasonable proffer in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application, including an application for amendment to an existing proffer, for a new residential development or new residential use where such denial is based on an applicant's failure or refusal to submit, or remain subject to, an unreasonable proffer. A proffer shall be deemed unreasonable unless it addresses an impact that is specifically and uniquely attributable to a proposed new residential development or other new residential use applied for. An off-site proffer shall be deemed unreasonable pursuant to the above unless it addresses an impact to an off-site public facility, such that, (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment, and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit, or remain subject to, an unreasonable proffer that it has proven was suggested, requested, or required, formally or informally, by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial. The bill also provides that certain conditional rezoning proffers related to building materials, finishes, methods of construction, or design features on a new residential development are prohibited.		
SB 578 - Barker (39) Alcoholic beverage control; limited brewery licenses.	1/13/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/12/2016 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N 1-A)	[2/5/2016]

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
[Oppose] (16103917D) **Summary:** Provides that for a limited brewery license, "land zoned agricultural" means land zoned as an agricultural district or classification, but does not include any other zoning classification or designation that permits agricultural uses. Under current law, such license may be granted only if the land is zoned agricultural.		
SB 579 - Barker (39) Alcoholic beverage control; limited distiller's licenses, land zoned agricultural.	1/13/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/12/2016 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N 1-A)	[2/5/2016]
[Oppose] (16103933D) **Summary:** Alcoholic beverage control; limited distiller's licenses. Provides that for a limited distiller's license, "land zoned agricultural" means land zoned as an agricultural district or classification, but does not include any other zoning classification or designation that permits agricultural uses. Under current law, such license may be granted only if the land is zoned agricultural.		
SB 597 - Cosgrove (14) Appeal of local tax assessments; prior to receipt of confidential information.	1/13/2016 Senate: Referred to Committee on Finance 2/3/2016 Senate: Reported from Finance with substitute (15-Y 0-N) 2/8/2016 Engrossed by Senate - committee substitute with amendment SB597ES1 2/9/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on Finance	**2/2/2016**
Oppose (16101076D) - See also HB 910 (Minchew). **Summary:** Appeal of local tax assessments; confidentiality; trial by jury. Provides that an appeal to the circuit court for correction of an erroneous local tax assessment filed on or after July 1, 2016, may be conducted as a jury trial, at the discretion of the taxpayer, and prescribes the process for selecting jurors for such a proceeding. Additionally, the bill requires that prior to the release of confidential tax information in the course of such appeal, the court order the parties not to disclose such information to anyone not entitled to receive it and inform the parties that a violation of such an order is punishable as a Class 1 misdemeanor. Finally, the bill requires such a proceeding to follow the Uniform Pretrial Schedule Order provided in the Rules of Supreme Court unless the parties agree otherwise.		
SB 611 - Stanley, Jr. (20) Tort claim; notice of claim against the Commonwealth, transportation district, or locality.	1/13/2016 Senate: Referred to Committee for Courts of Justice 2/3/2016 Senate: Reported from Courts of Justice (8-Y 5-N 1-A) 2/10/2016 Passed Senate (25-Y 14-N) 2/12/2016 House: Referred to Committee for Courts of Justice	[2/5/2016]
[Oppose] (16103209D) **Summary:** Notice of tort claim against the Commonwealth, transportation district, or locality. Provides that the bar to a tort claim against the Commonwealth, a transportation district, or a locality for failure to file a written statement of the nature of the claim within one year after the cause of action accrues does not apply where there		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
was actual knowledge of the claim within one year by the Commonwealth, its agency alleged to be liable, the Division of Risk Management, or any insurer or entity providing coverage or indemnification of the claim, the Attorney General, the transportation district, or the locality, as applicable.		
SB 705 - Black (13) Sanctuary cities; liability for certain injuries and damages caused by an illegal alien.	1/21/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government (7-Y 6-N) 2/9/2016 Substitute by Senator Black agreed to 16105360D-S1 2/9/2016 Passed Senate (21-Y 19-N) 2/11/2016 House: Referred to Committee for Courts of Justice	[2/5/2016]
[Oppose] (16103669D) - Scope of bills is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. **Summary:** Liability of sanctuary cities for certain injuries and damages. Provides that a sanctuary city, defined in the bill as any locality that adopts any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, shall be responsible for the full amount of any personal injury or property damage caused by an illegal alien within such locality.		
SB 746 - Wagner (7) Governmental entities; liability for certain inspections.	1/22/2016 Senate: Referred to Committee for Courts of Justice 2/8/2016 Senate: Reported from Courts of Justice with substitute (14-Y 1-N) 2/11/2016 Read third time and passed Senate (24-Y 16-N) 2/15/2016 House: Referred to Committee for Courts of Justice	[2/5/2016]
[Oppose] (16104254D) **Summary:** Liability of governmental entity for certain inspections. Provides that a governmental entity employing a person who exceeds the scope of his authority when performing an inspection of a private entity to determine compliance with any law, regulation, or ordinance shall be liable for any damages arising from any enforcement action taken against the entity on the basis of the employee's inspection. The provisions of this bill do not apply to law-enforcement officers or fire marshals.		
SB 751 - DeSteph, Jr. (8) Limited Residential Lodging and Short-term Rental Lodging Act; penalty.	1/22/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Rereferred to Finance 2/2/2016 Rereferred from Local Government (11-Y 0-N)	**2/2/2016**
Oppose (16104260D) - See also HB 1268 (Taylor). **Summary:** Establishes the Limited Residential Lodging and Short-term Rental Lodging Act (the Act), which allows (i) property owners to rent out their homes or portions thereof for a charge for periods of less than 30 consecutive days or (ii) short-term rentals of residential or commercial units; both of which may be transacted through a hosting platform, under certain circumstances. The bill requires an operator of either limited residential lodging or short-term rental lodging to register with the Department of Taxation. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill provides for the amount of license tax on such operators. The bill provides that any local ordinance requiring the use of the special exception, special use, or conditional use permit for short-term rental lodging contain specific provisions		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
relating to noise, trash or recycling collection, and the posting of emergency information. The bill defines "limited residential lodging," "booking transaction," "hosting platform," "short-term lodger," short-term lodging operator," and "short-term rental lodging," and provides for penalties for violations of the Act.		
SB 768 - Suetterlein (19) Reckless driving; exceeding speed limit.	1/22/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Reported from Transportation (7-Y 3-N 1-A) 2/10/2016 Read third time and passed Senate (26-Y 14-N) 2/12/2016 House: Referred to Committee on Transportation	[2/5/2016]
[Oppose] (16104348D) - Board has historically opposed. See also HB 1043 (Rasoul). **Summary:** Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Fairfax County Positions

(Support)

* * *

Bills	General Assembly Actions	Date of BOS Position
HB 45 - Krizek (44) Payday loan offices and motor vehicle title loan offices; distance from casino facility.	11/24/2015 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N)	**2/2/2016**
Support (16101091D) **Summary:** Prohibits the State Corporation Commission (SCC) from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within 20 miles of a casino facility located in any state. Casino facilities include Indian gaming operations conducted pursuant to the federal Indian Gaming Regulatory Act. The measure includes limitations on the SCC's authority to revoke or suspend an existing license when a violation of the 20-mile provision exists on July 1, 2016, or when a violation would be created by the opening of a casino facility after a license was issued.		
HB 46 - Greason (32) Early Education Workforce Committee; Secretary of Education to establish.	11/25/2015 House: Referred to Committee on Education 2/9/2016 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/10/2016 House: Reported from Education with substitute (19-Y 3-N) 2/10/2016 Committee substitute agreed to 16103691D-H1	[2/5/2016]
[Support] (16100918D) **Summary:** Secretary of Education; establishment of Early Education Workforce Committee. Directs the Secretary of Education to establish a 21-member Early Education Workforce Committee with the key goal of ensuring an effective professional development and credentialing system for the early childhood education workforce in the Commonwealth, including the (i) development of a competency-based professional development pathway for practitioners who teach children birth to age five in both public and private early childhood education programs; (ii) consideration of articulation agreements between associate and baccalaureate degree programs; (iii) refinement of teacher licensure and education programs to address competencies specific to early childhood development; (iv) alignment of existing professional development funding streams; and (v) development of innovative approaches to increasing accessibility, availability, affordability, and accountability of the Commonwealth's workforce development system for early childhood education teachers and providers.		
HB 47 - Greason (32) Mixed-Delivery Preschool Services Fund and Grant Program; established, report.	11/25/2015 House: Referred to Committee on Education 2/10/2016 Subcommittee recommends reporting (6-Y 0-N) 2/10/2016 House: Reported from Education (18-Y 4-N) 2/10/2016 House: Referred to Committee on Appropriations 2/12/2016 House: Reported from Appropriations (22-Y 0-N)	[2/5/2016]
[Support] (16100919D) **Summary:** Mixed-Delivery Preschool Services Fund and Grant Program established. Establishes the Mixed-Delivery Preschool Services Fund and Grant Program for the purpose of awarding grants on a competitive basis to urban, suburban, and rural community applicants to field-test innovative strategies and evidence-based practices that support a robust system of mixed-delivery preschool services in the Commonwealth. The bill requires the Virginia Early Childhood Foundation to administer a request for proposals process to invite community applicants to respond with localized innovations and approaches to a mixed-delivery preschool		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
services system and a review and selection committee consisting of representatives of the Department of Education, the Virginia Early Childhood Foundation, and the House Appropriations Committee to award two-year grants to six applicants in each year of the 2016-2018 biennium, giving priority to applicants who (i) commit to pursuing models of local governance that promote the successful mixed delivery of preschool services, (ii) compare classroom and child outcomes among teachers with different credentials and qualifications, (iii) utilize incentives to encourage participation, and (iv) utilize strategic assessment to discern outcomes. The bill has an expiration date of July 1, 2019.		
HB 109 - Lingamfelter (31) Secondary state highway system; maintenance or improvement of components within county.	12/15/2015 House: Referred to Committee on Transportation 2/1/2016 House: Subcommittee recommends striking from docket by voice vote	**2/2/2016**
Support (16100755D) **Summary:** Program Recognition of Maintenance Priorities in Transportation. Allows counties that have not withdrawn from the state secondary highway system to submit requests for maintenance and improvement of components of the state secondary highway system to the Department of Transportation (VDOT) and requires VDOT to take such requests into consideration when establishing priority in expending funds allocated for maintenance or improvement of the state secondary highway system. The bill requires the Department of Transportation and the Virginia Information and Technology Agency to develop a website on which (i) such counties may electronically submit such requests and (ii) the Commonwealth's secondary state highway maintenance and improvement plan is available to the public.		
HB 118 - Albo (42) Urban county executive form of government; animal protection police officer.	12/16/2015 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/10/2016 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N) 2/12/2016 Committee substitute agreed to 16105328D-H1	[2/5/2016] ~~**2/2/2016**~~
[Support] (16105328D-H1) ~~**Support w/ Amend.** (16101373D) - Support with amendment to address technical issue with legislation.~~ **Summary:** Amends the form of government applicable to Fairfax County by providing that the division of police may include an animal protection police officer who shall have all of the powers of an animal control officer conferred by general law. In addition, the animal protection police officer and his deputies shall have all of the powers vested in law-enforcement officers, provided that they have met the minimum qualifications and have been certified.		
HB 168 - LaRock (33) Passing stopped school buses; mailing of summons.	12/23/2015 House: Referred to Committee on Transportation 1/26/2016 House: Referred from Transportation by voice vote 1/26/2016 House: Referred to Committee for Courts of Justice 2/3/2016 Subcommittee recommends reporting (8-Y 0-N) 2/10/2016 House: Reported from Courts of Justice (21-Y 0-N)	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Support (16103068D) **Summary:** Provides that a locality that has authorized by ordinance the installation and operation of a video-monitoring system on school buses for recording violations of unlawfully passing a stopped school bus may execute a summons for such violation by mailing a copy of the summons to the owner of a vehicle that unlawfully passed a stopped school bus.		
HB 203 - Lingamfelter (31) Extended Foster Care Services and Support Program; established.	12/28/2015 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/28/2016 House: Referred to Committee on Appropriations	**2/2/2016**
Support (16104060D-H1) **Summary:** Extended foster care services and support. Creates the Extended Foster Care Services and Support Program to provide foster care services and support, including foster care maintenance payments, to qualifying individuals age 18 to 21 who were formerly in the custody of a local board of social services.		
HB 223 - Stolle (83) Courthouse and courtroom security; assessment.	12/29/2015 House: Referred to Committee for Courts of Justice 1/27/2016 House: Reported from Courts of Justice (15-Y 7-N) 1/27/2016 House: Referred to Committee on Appropriations 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16101144D) - Board has historically supported. See also SB 50 (Howell). **Summary:** Increases from $10 to $20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.		
HB 237 - Lingamfelter (31) Absentee voting by electronic means; overseas military voters.	12/29/2015 House: Referred to Committee on Privileges and Elections 2/9/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16100759D) - Support concept; implementation issues need to be resolved. **Summary:** Provides that a person qualified to vote by absentee ballot because of his status as a member of a uniformed service on active duty may choose to receive and return his absentee ballot by electronic means. The bill requires the State Board of Elections to develop standards for the secure transmission and return, storage, and processing of these ballots, including methods for authentication and the encryption of ballots. The bill has a delayed effective date of January 1, 2017.		
HB 268 - Marshall, III (14) Land Bank Entities Act; established.	12/31/2015 House: Referred to Committee on Counties, Cities and Towns 2/5/2016 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 2/9/2016 Committee amendments agreed to 2/10/2016 House: VOTE: PASSAGE (80-Y 19-N) 2/11/2016 Senate: Referred to Committee on Finance	[2/5/2016]

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
[Support] (16103273D) - See also SB 414 (Barker). **Summary:** Land Bank Entities Act. Authorizes the establishment of a land bank entity by any locality or two or more localities combined to assist in addressing vacant, abandoned, and tax-delinquentreal properties. Under the bill, the locality has the option of (i) creating an authority or a nonprofit, nonstock corporation or (ii) designating an existing nonprofit entity that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code and eligible to receive donations from a locality pursuant to § 15.2-953 to carry out the functions of such land entity. The bill provides that land bank entities may acquire real property within participating localities or receive transfers and conveyances from the participating localities. Land bank entities are authorized to receive funding through grants and loans from participating localities, the Commonwealth, the federal government, and other public and private sources. In addition, the bill authorizes a locality to deem paid in full all accumulated taxes, penalties, interest, and other costs on any tax-delinquent property in exchange for conveyance of the property by the owner to a land bank entity. The bill also authorizes a participating locality to remit to the land bank entity up to 50 percent of the real property taxes collected on real property conveyed by a land bank entity for up to 10 years after the conveyance. This bill is a recommendation of the Virginia Housing Commission.		
HB 313 - Orrock, Sr. (54) Immunizations; adds type of health professionals who may administer.	1/5/2016 House: Referred to Committee on Health, Welfare and Institutions 1/21/2016 House: Reported from Health, Welfare and Institutions with amendments (21-Y 1-N) 1/27/2016 House: VOTE: PASSAGE (99-Y 0-N) 1/28/2016 Senate: Referred to Committee on Education and Health	**2/2/2016**
Support (16101493D-E) **Summary:** Administration of immunizations. Adds physician assistants, nurse practitioners, and licensed practical nurses to the types of health professionals who may administer vaccinations to children and may provide to the person who presents the child for immunizations a certificate stating that such immunizations have been administered. Under current law, physicians and registered nurses are authorized to administer vaccinations and provide such certificates.		
HB 329 - Villanueva (21) Amber lights, flashing; allows publicly owner or operated transit buses to use.	1/5/2016 House: Referred to Committee on Transportation 1/21/2016 House: Reported from Transportation (20-Y 0-N) 1/27/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 1/28/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Support (16102601D) **Summary:** Amber lights on public transit buses. Allows publicly owned or operated transit buses to use flashing amber lights.		
HB 354 - Greason (32) Lyme disease; prevention pilot program.	1/5/2016 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/1/2016 House: Referred to Committee on Appropriations 2/9/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Support (16104466D-H1) **Summary:** Directs the Department of Health to conduct a two-year point of disease Lyme disease prevention pilot program.		
HB 369 - Bell (20) State Executive Council for Children's Services; state and local advisory team; membership.	1/5/2016 House: Referred to Committee on General Laws 1/26/2016 House: Reported from General Laws (21-Y 0-N) 2/1/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/2/2016 Senate: Referred to Committee on General Laws and Technology	**2/2/2016**
Support (16101738D) **Summary:** Adds to the membership of the State Executive Council for Children's Services (the Council)(i) the chairman of the state and local advisory team and (ii) a representative who has previously received services through the Children's Services Act, to be appointed by the Governor with recommendations from certain entities. The bill also adds to the membership of the state and local advisory team a representative who has previously received services through the Children's Services Act, to be appointed by the Council with recommendations from certain entities.		
HB 391 - Krizek (44) Motor vehicle title loan offices; distance from military base.	1/6/2016 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N)	**2/2/2016**
Support (16100125D) **Summary:** Prohibits the State Corporation Commission from issuing a license for the operation of a motor vehicle title loan office if such office is within 10 miles of a military base.		
HB 429 - Villanueva (21) Virginia Human Rights Act; public employment, prohibited discrimination.	1/7/2016 House: Referred to Committee on General Laws 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	[2/5/2016]
[Support] (16102590D) - Board has historically supported. See also HB 913 (Toscano) and SB 12 (Ebbin). **Summary:** Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. Prohibits discrimination in employment on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 449 - Taylor (85) VPPA; procurement of construction by certain localities using competitive negotiation.	1/7/2016 House: Referred to Committee on General Laws 2/11/2016 House: Subcommittee recommends striking from docket by voice vote 2/11/2016 House: Stricken from docket by General Laws by voice vote	[2/5/2016]
[Support] (16102051D) **Summary:** Virginia Public Procurement Act (VPPA); procurement of construction by certain localities using competitive negotiation. Authorizes any locality with a population in excess of 200,000 to enter into contracts using competitive negotiation for nontransportation-related construction valued at more than $500,000 but less than $2 million, provided such locality uses procedures consistent with the VPPA for the procurement of nonprofessional services.		
HB 464 - Hope (47) Behavioral Health and Developmental Services Trust Fund; use of funds.	1/8/2016 House: Referred to Committee on Appropriations	**2/2/2016**
Support (16103534D) **Summary:** Provides that the proceeds from the sale of vacant buildings and land resulting from the closure or downsizing of any state training center that are deposited in the Behavioral Health and Developmental Services Trust Fund shall be used only for the purpose of providing community-based services to individuals with intellectual and developmental disabilities.		
HB 546 - Watts (39) Certain counties; additional powers.	1/9/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16102064D) - Support concept of equalizing taxing authority between counties and cities, although the County has historically opposed any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties. **Summary:** Additional powers of certain counties. Grants counties with a population density greater than 2,000 persons per square mile certain powers related to taxation, borrowing and payments for highway maintenance. Such powers currently are generally granted to cities and towns.		
HB 589 - Campbell (6) Social Services, Department of; filing of petitions by designated nonattorney employees.	1/11/2016 House: Referred to Committee for Courts of Justice 1/27/2016 House: Reported from Courts of Justice with substitute (22-Y 0-N) 2/2/2016 House: VOTE: PASSAGE (93-Y 4-N) 2/3/2016 Senate: Referred to Committee for Courts of Justice	[2/5/2016]
[Support] (16104108D-H1) **Summary:** Filing of petitions by designated nonattorney Department of Social Services employees. Allows designated nonattorney employees of the Department of Social Services to file petitions relating to child protective services and foster care services without a lawyer's signature.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 629 - Hodges (98) Prescription drugs; pharmacies may participate in voluntary drug disposal programs.	1/11/2016 House: Referred to Committee on Health, Welfare and Institutions 1/26/2016 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/29/2016 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Education and Health	**2/2/2016**
Support (16102708D-E) **Summary:** Prescription drug disposal. Provides that pharmacies may participate in voluntary drug disposal programs, provided that such programs are operated in accordance with state and federal law, and requires the Board of Pharmacy to maintain a list of such pharmacies on a website maintained by the Board. The bill also provides that a pharmacy that participates in a drug disposal program shall not be liable for any theft, robbery, or other criminal act related to its participation in the pharmacy drug disposal program or the collection, storage, or destruction of prescription drugs collected through such pharmacy drug disposal program, provided that the pharmacy practice site is acting in good faith and in accordance with applicable state and federal law and regulations.		
HB 634 - Bell (87) Payday loan offices and motor vehicle title loan offices; distance from military installation.	1/11/2016 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N)	**2/2/2016**
Support (16102668D) **Summary:** Payday loan offices and motor vehicle titleloan offices; distance from military installation. Prohibits the State Corporation Commission (SCC) from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within five miles of a military installation. The measure includes limitations on the SCC's authority to revoke or suspend an existing license when a violation of the five-mile provision exists on July 1, 2016, or when a violation would be created by the opening of a military installation after a license was issued.		
HB 647 - Sullivan, Jr. (48) Tree conservation; locality to post signs on private property that is proposed to be redeveloped.	1/11/2016 House: Referred to Committee on Counties, Cities and Towns 1/20/2016 Subcommittee recommends reporting with amendment(s) (8-Y 1-N) 2/3/2016 Reconsidered by Counties, Cities and Towns Subcommittee #2 2/3/2016 Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/5/2016 House: Reported from Counties, Cities and Towns with substitute (20-Y 2-N) 2/9/2016 Committee substitute agreed to 16104912D-H1 2/10/2016 House: VOTE: PASSAGE (83-Y 16-N) 2/11/2016 Senate: Referred to Committee on Local Government	[2/5/2016] ~~**2/2/2016**~~

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
[Support] (16104912D-H1) - The bill has been amended to address concern. See also SB 361 (Favola). ~~**Support w/ Amend.** (16103958D) - Support with amendment to clarify that an infill lot grading plan can be approved by a county agency.~~ **Summary:** Tree conservation ordinance. Provides that the ordinance may allow a locality to post signs on private property that is proposed to be redeveloped with a single family home that notifies the public that an infill lot grading plan is pending for review before the governing body.		
HB 675 - Peace (97) Auxiliary grants; extends eligibility, supportive housing.	1/11/2016 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/28/2016 House: Referred to Committee on Appropriations 2/12/2016 House: Reported from Appropriations with substitute (21-Y 1-N)	[2/5/2016]
[Support] (16104862D-H1) **Summary:** Auxiliary grants; supportive housing. Extends eligibility for auxiliary grants to include individuals residing in supportive housing, provided that the supportive housing provider has entered into an agreement for the provision of supportive housing with the Department of Behavioral Health and Developmental Services. The bill establishes requirements for providers of supportive housing that enter into agreements with the Department.		
HB 676 - Peace (97) Financial exploitation of adults; DARS work group to study.	1/11/2016 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/2/2016 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/2016 Senate: Referred to Committee on Rehabilitation and Social Services	**2/2/2016**
Support (16104738D-H1) **Summary:** DARS; work group to study financial exploitation of adults in the Commonwealth. Directs the Commissioner of the Department for Aging and Rehabilitative Services to convene a work group composed of the Director of the Department for Planning and Budget or his designee, representatives of the Department of Social Services' Adult Protective Services unit and local department of social services' adult protective services units, law-enforcement agencies, and financial institutions in the Commonwealth to review founded cases of financial exploitation of adults and (i) determine the cost of financial exploitation of adults in the Commonwealth and (ii) develop recommendations for improving the ability of financial institutions to identify financial exploitation of adults, the process by which financial institutions report suspected financial exploitation of adults, and interactions between financial institutions and local adult protective services units investigating reports of suspected financial exploitation of adults. The work group shall also develop recommendations for a plan to educate adults regarding financial exploitation, including common methods of exploitation and warning signs that exploitation may be occurring, and shall report to the Governor and the General Assembly regarding its activities and recommendations by December 1, 2016.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 727 - LeMunyon (67) Northern Virginia Transportation Authority; decision-making procedure.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with amendment (21-Y 0-N) 1/29/2016 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Support (16102294D) - Support as amended in House Transportation Subcommittee #3. **Summary:** Requires the Northern Virginia Transportation Authority to make certain information concerning projects in its regional transportation plan publicly available at least 30 days prior to any decision for the expenditure of funds to create or improve a transportation facility.		
HB 734 - Hope (47) Noxious weeds; advisory committee to evaluate risks of a plant.	1/12/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/20/2016 House: Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N) 1/26/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 1/27/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources	**2/2/2016**
Support (16102674D) **Summary:** Noxious weeds. Establishes an advisory committee to evaluate the risks of a plant or part thereof that is being considered for designation as a noxious weed. The bill requires the advisory committee to assess the plant's (i) impact on water bodies, other plants, livestock, land, public health, the environment, and the economy and (ii) current and potential in-state commercial viability. The bill exempts from the definition of noxious weed any plant whose in-state production is commercially viable.		
HB 764 - Yost (12) Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program; created.	1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 1/26/2016 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/26/2016 House: Referred to Committee on Appropriations	**2/2/2016**
Support (16102766D) - See also SB 535 (Deeds). **Summary:** Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program. Establishes the Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program to provide student loan repayment grants to eligible behavioral health practitioners who agree to a 12-month employment obligation with a community services board, behavioral health authority, or Department of Behavioral Health and Developmental Services facility or with an entity that has entered into a contract with a community services board, behavioral health authority or Department of Behavioral Health and Developmental Services facility to provide behavioral health services. Grants may be up to $10,000 per recipient per year, and the Department of Behavioral Health and Developmental Services may award up to 250 grants per year.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 828 - Torian (52) TANF eligibility; drug-related felonies.	1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 2/3/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16103602D) - Board has historically supported. **Summary:** Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families benefits shall not be denied such benefits solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he is not using illegal drugs, complies with all obligations imposed by the criminal court and the Department of Social Services, and is actively engaged in or has completed substance abuse treatment.		
HB 879 - Hugo (40) Alcoholic beverage control; farm wineries and limited brewery licenses, "land zoned agricultural."	1/12/2016 House: Referred to Committee on General Laws 2/2/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/4/2016 House: Reported from General Laws with substitute (15-Y 2-N) 2/9/2016 Committee substitute agreed to 16105111D-H1 2/10/2016 House: VOTE: PASSAGE (86-Y 10-N 1-A) 2/11/2016 Senate: Referred to Committee on Rehabilitation and Social Services	[2/5/2016] ~~**2/2/2016**~~
[Support w/ Amend.] (16105111D-H1) - Support with amendment to allow local regulation and to clarify the applicable local zoning districts. ~~**Amend** (16102102D) - Amend to allow local regulation and to clarify the applicable local zoning districts.~~ **Summary:** Alcoholic beverage control; farm wineries and limited brewery licenses; land zoned agricultural. Clarifies that for farm wineries or limited breweries "on land zoned agricultural" means land zoned as an agricultural district or classification and does not include any other zoning classification or designation that permits agricultural uses. The bill provides that it does not apply to any farm winery or limited brewery holding a valid license granted by the Alcoholic Beverage Control Board before July 1, 2016.		
HB 913 - Toscano (57) Discrimination; prohibited in employment and housing.	1/12/2016 House: Referred to Committee on General Laws 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	[2/5/2016]
[Support] (16102226D) - Board has historically supported. See also HB 429 (Villanueva) and SB 12 (Ebbin). **Summary:** Prohibited discrimination in employment and housing. Prohibits discrimination in private or public employment on the basis of sexual orientation or gender identity. The bill also adds discrimination on the basis of sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill defines "sexual orientation" and "gender identity." The bill also conforms various provisions prohibiting discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, or disability.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 945 - Wilt (26) Annexation; extends current moratorium on city annexations and county immunity actions.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 2/3/2016 Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/5/2016 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/9/2016 Committee substitute agreed to 16105251D-H1 2/10/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee on Local Government	**2/2/2016**
Support (16103789D) - Board has historically supported. See also SB 309 (Hanger). **Summary:** Annexation. Extends the current moratorium on city annexations and county immunity actions by 10 years to 2028. Provisions that would trigger the early expiration of the moratorium if the General Assembly fails to appropriate certain amounts for local law-enforcement expenditures are exempted through the 2026-2028 biennium. The Commission on Local Government is directed to evaluate the structure of cities and counties in the Commonwealth and the impact of annexation upon localities. In doing so, the Commission shall consider alternatives to the current moratorium on annexation by cities. The Commission shall issue its findings and recommended policy changes to the General Assembly no later than December 1, 2025.		
HB 992 - Lopez (49) TANF eligibility; drug-related felonies.	1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 2/9/2016 House: Reported from Health, Welfare and Institutions (15-Y 7-N) 2/9/2016 House: Referred to Committee on Appropriations 2/9/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16103802D) - Board has historically supported. **Summary:** Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families (TANF) shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed a substance abuse treatment program, and participates in drug screenings. The bill provides that a person who fails or refuses to participate in periodic drug testing or who tests positive for the use of illegal substances shall be ineligible to receive TANF benefits for a period of 12 months; however, such person is given one opportunity during the 12-month period to comply with the testing requirement and be reinstated to eligibility for TANF benefits.		
HB 1004 - Levine (45) Provisional voting; voter photograph taken at polling place.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/2/2016 House: Subcommittee recommends passing by indefinitely by voice vote	**2/2/2016**
Support (16103105D) - Support concept of enabling provisional voters to meet voter ID requirements on Election Day rather than supplying a form of identification to the electoral board after Election Day. Support		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
the state Department of Elections working with localities to develop a procedure to allow voter ID requirements to be met by provisional voters. Amend to retain current procedure for provisional voting to provide identification as an option for voters until an alternative is fully developed. **Summary:** Provides that a voter who does not have one of the forms of identification required by law shall be permitted to vote provisionally, in which case he shall have his photograph taken by an officer of election. That photograph shall be transmitted to the electoral board, and no further action by the voter is required. If the electoral board determines that the voter was a qualified voter in the precinct in which he cast the provisional vote and confirms that a photograph of him taken by an officer of election has been received, the voter's provisional vote is required to be counted.		
HB 1030 - Sickles (43) Officers of election; required training every two years.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/5/2016 House: Reported from Privileges and Elections with substitute (21-Y 0-N) 2/9/2016 Committee substitute agreed to 16105049D-H1 2/10/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee on Privileges and Elections	[2/5/2016]
[Support w/ Amend.] (16102856D) - Support with amendment to allow County-developed training materials to be used as an alternative or supplement to state-developed materials when appropriate. See also SB 574 (McEachin). **Summary:** Officers of election; required training. Requires all officers of election to receive training every two years and whenever a change is made to the election laws or regulations that alters the duties and conduct of the officers. The State Board of Elections is required to develop standardized training programs and provide standardized training materials for use by the electoral boards and general registrars in conducting the training for the officers of election. The bill requires that such materials be reviewed every two years in the year immediately following a general election for federal office. The bill also requires the electoral boards to certify to the State Board that the officers of election have received the required training.		
HB 1067 - Jones (76) Bonds; tolls on I-66.	1/13/2016 House: Referred to Committee on Appropriations 2/12/2016 House: Continued to 2017 in Appropriations by voice vote	**2/2/2016**
Support (16103031D) - See also SB 60 (Hanger). **Summary:** Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to $1.5 billion plus financing costs to finance the costs of acquiring, constructing, and equipping dynamically tolled lanes on a portion of Interstate 66. Issuance of the bonds is contingent on the Transportation Public-Private Partnership Advisory Committee, prior to January 1, 2018, finding that the issuance is necessary due to the inability of private parties to meet the term sheet published by the Department of Transportation in September 2015 pursuant to the procurement initiated under the Public-Private Transportation Act of 1995.		
HB 1085 - Bulova (37) Stormwater Local Assistance Fund; established.	1/13/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Support (16102371D) **Summary:** Stormwater Local Assistance Fund. Establishes the Stormwater Local Assistance Fund to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads.		
HB 1125 - Loupassi (68) Number of judges; general district court; 25th Judicial District.	1/13/2016 House: Referred to Committee for Courts of Justice 1/27/2016 House: Reported from Courts of Justice (22-Y 0-N) 1/27/2016 House: Referred to Committee on Appropriations 2/11/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16102150D) - See also SB 57 (Howell). **Summary:** Adds a fourth judge to the maximum number allowed in the 25th Judicial District, general district court (Alleghany, Augusta, Bath, Botetourt, Buena Vista, Covington, Craig, Highland, Lexington, Rockbridge, Staunton, and Waynesboro) and adds one juvenile and domestic relations district court judge to the 19th Judicial District (Fairfax, Fairfax County). This is a recommendation of the Committee on District Courts.		
HB 1140 - Ransone (99) Subdivision plats; approval before recordation.	1/13/2016 House: Referred to Committee on Counties, Cities and Towns 2/3/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16100838D) **Summary:** Prohibits a circuit court clerk from recording a subdivision plat unless the plat is approved by the local planning commission and meets other requirements.		
HB 1144 - Cole (88) Local taxes; interest on refunds.	1/13/2016 House: Referred to Committee on Finance	**2/2/2016**
Support (16100738D) **Summary:** Permits localities to not pay interest on tax refunds caused by erroneous assessments that are due to the failure of taxpayers to file timely tax returns.		
HB 1216 - Aird (63) Elections; absentee voting by persons age 65 or older.	1/18/2016 House: Referred to Committee on Privileges and Elections 2/9/2016 Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16102488D) - Board has historically supported. See also SB 188 (Miller). **Summary:** Entitles persons who will be age 65 or older on the date of an election for which an absentee ballot is requested to vote absentee.		
HB 1223 - Watts (39) Polling place; voter may give full name and current address orally or	1/18/2016 House: Referred to Committee on Privileges and Elections 2/5/2016 House: Reported from Privileges and Elections with amendment (21-Y 0-N)	[2/5/2016]

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
in writing.	2/9/2016 Committee amendment agreed to 2/10/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/10/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee on Privileges and Elections	
[Support] (16104000D) **Summary:** Procedures at polling place; provision of voter's full name and current residence address. Permits a voter to give his full name and current residence address orally or in writing to the officer of election when offering to vote. The bill provides that allowing a voter to give such information in writing shall not be construed as a requirement that the form of identification presented by the voter contain the voter's current residence address.		
HB 1260 - Hodges (98) Declaration of local emergency; increases time in which localities call a session.	1/20/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting (9-Y 0-N) 2/12/2016 House: Reported from Counties, Cities and Towns (21-Y 0-N)	**2/2/2016**
Support (16103664D) **Summary:** Declaration of local emergency. Increases from 14 days to 45 days the time in which a local governing body shall call a special session, if a regularly scheduled session is not held, in order to confirm the declaration of a local emergency.		
HB 1337 - James (80) Local fiscal stress; task force appointed by Governor to review state mandates imposed on locality.	1/21/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16103020D) **Summary:** Local fiscal stress. Provides that a task force appointed by the Governor to review state mandates imposed on localities and to recommend temporary suspension or permanent repeal of such mandates, in making its recommendations, shall consider the measure for Fiscal Stress published by the Commission on Local Government of the Department of Housing and Community Development and the impact of such fiscal stress upon the ability of certain localities to meet state mandates. In addition to its other responsibilities, the task force shall consider and recommend possible state incentives to encourage those localities that are designated by the Commission on Local Government as having above average fiscal stress to take actions or adopt procedures that may help alleviate such fiscal stress.		
HB 1359 - Peace (97) Transit Capital Project Revenue Advisory Board; established, report, sunset provision.	1/22/2016 House: Referred to Committee on Transportation 2/3/2016 Subcommittee recommends reporting (7-Y 0-N) 2/9/2016 House: Reported from Transportation (22-Y 0-N) 2/12/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)	[2/5/2016]

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
[Support] (16103888D) **Summary:** Transit Capital Project Revenue Advisory Committee. Establishes the Transit Capital Project Revenue Advisory Board (the Board) within the Department of Rail and Public Transit to examine the effects of the loss of state transit capital funds and identify additional sources of revenue. The Advisory Board shall expire on July 1, 2019.		
HJ 124 - Hugo (40) Unaccompanied alien minors; reimbursement to Fairfax County for cost.	1/12/2016 House: Referred to Committee on Rules 2/11/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Support (16102152D) - Support concept; the County's federal legislative package includes support for federal funding for federally-connected children, including reimbursement for costs associated with unaccompanied minors placed in Fairfax County through the Office of Refugee Resettlement, and full funding of the federal Impact Aid program. **Summary:** Memorializing Congress regarding unaccompanied alien minors in Fairfax County. Memorializes the Congress of the United States to reimburse Fairfax County for the cost of resettling and providing services to unaccompanied alien minors.		
HJ 136 - Sickles (43) United States Constitution; ratifies Equal Rights Amendment that was proposed by Congress in 1972.	1/13/2016 House: Referred to Committee on Privileges and Elections	**2/2/2016**
Support (16101109D) - Board has historically supported. See also SJ 1 (Surovell). **Summary:** United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.		
HJ 149 - Sickles (43) Motor vehicle title loans; Bureau of Financial Inst of State Corporation Commission to study.	1/13/2016 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N)	**2/2/2016**
Support (16101587D) **Summary:** Study; reasonableness of interest rates on motor vehicle title loans; report. Requests the Bureau of Financial Institutions of the State Corporation Commission to study the reasonableness of interest rates on motor vehicle title loans, including the profitability of such loans and how such rates and profit levels compare with those for alternative types of loans. The Bureau is directed to report its findings to the Governor and the General Assembly by the 2017 Regular Session of the General Assembly.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SB 12 - Ebbin (30) Public employment; prohibited discrimination based on sexual orientation or gender identity.	12/2/2015 Senate: Referred to Committee on General Laws and Technology 1/25/2016 Senate: Reported from General Laws and Technology with amendment (9-Y 4-N 1-A) 1/29/2016 Read third time and passed Senate (25-Y 15-N) 2/3/2016 House: Referred to Committee on General Laws	[2/5/2016]
[Support] (16100354D-E) - Board has historically supported. See also HB 429 (Villanueva) and HB 913 (Toscano). **Summary:** Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran.		
SB 50 - Howell (32) Courthouse and courtroom security; assessment.	12/16/2015 Senate: Referred to Committee for Courts of Justice 1/18/2016 Senate: Reported from Courts of Justice (10-Y 5-N) 1/18/2016 Senate: Rereferred to Finance 2/3/2016 Senate: Reported from Finance (12-Y 3-N) 2/9/2016 Read third time and passed Senate (30-Y 9-N 1-A) 2/11/2016 House: Referred to Committee for Courts of Justice	**2/2/2016**
Support (16101096D) - Board has historically supported. See also HB 223 (Stolle). **Summary:** Increases from $10 to $20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.		
SB 56 - Locke (2) Grass, weeds, and other foreign growth; local cutting ordinances include overgrown shrubs and trees.	12/16/2015 Senate: Referred to Committee on Local Government 1/19/2016 Senate: Reported from Local Government with amendments (12-Y 1-N) 1/26/2016 Read third time and passed Senate (27-Y 11-N) 2/3/2016 House: Referred to Committee on Counties, Cities and Towns	**2/2/2016**
Support (16101344D-E) **Summary:** Cutting of grass, weeds, and other foreign growth. Provides that in local grass cutting ordinances as applied to vacant developed property, foreign growth includes overgrown shrubs and trees.		
SB 57 - Howell (32) Judges; increases number in 19th and 25th Judicial Districts.	12/16/2015 Senate: Referred to Committee for Courts of Justice 1/18/2016 Senate: Reported from Courts of Justice with substitute (10-Y 5-N) 1/18/2016 Senate: Rereferred to Finance 1/18/2016 Senate: Incorporates SB347 2/3/2016 Reported from Finance (15-Y 0-N) 2/3/2016 Senate: Reported from Finance (15-Y 0-N) 2/8/2016 Read third time and passed Senate (39-Y 1-N) 2/11/2016 House: Referred to Committee for Courts of Justice	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Support (16104448D-S1) - See also HB 1125 (Loupassi). **Summary:** Number of district court judges. Increases from seven to eight the number of juvenile and domestic relations district court judges in the 19th Judicial District (Fairfax, Fairfax County) and increases from three to four the number of general district court judges in the 25th Judicial District (Covington, Lexington, Staunton, Buena Vista, Waynesboro, Highland, Augusta, Rockbridge, Bath, Alleghany, Botetourt, and Craig). This bill is a recommendation of the Committee on District Courts. This bill incorporates SB 347.		
SB 60 - Hanger, Jr. (24) Commonwealth of Virginia Transform I-66 Corridor Outside the Beltway Bond Act of 2016; created.	12/17/2015 Senate: Referred to Committee on Finance 2/9/2016 Senate: Reported from Finance with substitute (15-Y 0-N) 2/11/2016 Committee substitute agreed to 16104967D-S1	**2/2/2016**
Support (16103324D) - See also HB 1067 (Jones). **Summary:** Bonds; tolls on I-66. Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to $1.5 billion plus financing costs to finance the costs of acquiring, constructing, and equipping dynamically tolled lanes on a portion of Interstate 66. Issuance of the bonds is contingent on the Transportation Public-Private Partnership Advisory Committee, prior to January 1, 2018, finding that the issuance is necessary due to the inability of private parties to meet the term sheet published by the Department of Transportation in September 2015 pursuant to the procurement initiated under the Public-Private Transportation Act of 1995.		
SB 106 - Dance (16) Absentee voting; no-excuse, in-person.	12/28/2015 Senate: Referred to Committee on Privileges and Elections 1/26/2016 Senate: Reported from Privileges and Elections (7-Y 6-N) 2/1/2016 Passed Senate (21-Y 19-N) 2/3/2016 House: Referred to Committee on Privileges and Elections	**2/2/2016**
Support (16101476D) - Board has historically supported. **Summary:** Elections; absentee voting; no-excuse, in-person. Allows qualified voters to vote absentee in person without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.		
SB 120 - Carrico, Sr. (40) Passing stopped school buses; mailing of summons, rebutting presumption.	12/28/2015 Senate: Referred to Committee on Transportation 1/20/2016 Senate: Reported from Transportation with substitute (10-Y 1-N 1-A) 1/20/2016 Senate: Rereferred to Courts of Justice 1/20/2016 Incorporates SB 16 and SB 74 2/8/2016 Senate: Reported from Courts of Justice with amendment (12-Y 3-N) 2/11/2016 Read third time and passed Senate (35-Y 5-N) 2/15/2016 House: Referred to Committee for Courts of Justice	**2/2/2016**
Support (16104540D-S1)		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Summary: Passing stopped school buses; mailing of summons; rebutting presumption. Provides that a locality that has authorized by ordinance the installation and operation of a video-monitoring system on school buses for recording violations of unlawfully passing a stopped school bus may execute a summons for such violation by mailing a copy of the summons to the owner of a vehicle that unlawfully passed a stopped school bus. The bill also provides a means by which the existing presumption that the registered owner of the vehicle was the vehicle operator at the time of the violation can be rebutted and requires that this information be included with the mailing of the summons. The bill gives the summoned person 30 business days from the mailing of the summons to inspect information collected by a video-monitoring system in connection with the violation. The bill incorporates SB 16 and SB 74.		
SB 188 - Miller (1) Elections; absentee voting by persons age 65 or older.	1/4/2016 Senate: Referred to Committee on Privileges and Elections 1/26/2016 Senate: Reported from Privileges and Elections with substitute (12-Y 1-N) 1/26/2016 Incorporates SB 68, SB 143, and SB 320 2/1/2016 Senate: Read third time and passed Senate (33-Y 7-N) 2/3/2016 House: Referred to Committee on Privileges and Elections	**2/2/2016**
Support (16104805D-S1) - Board has historically supported. See also HB 1216 (Aird). **Summary:** Entitles persons who will be age 65 or older on the date of an election for which an absentee ballot is requested to vote absentee.		
SB 292 - Hanger, Jr. (24) Sediment reduction credits.	1/7/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/28/2016 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/2/2016 Senate: Committee substitute agreed to 16104664D-S1 2/3/2016 Read third time and passed Senate (40-Y 0-N) 2/5/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/10/2016 House: Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N) 2/12/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)	**2/2/2016**
Support (16101611D) **Summary:** Authorizes Municipal Separate Storm Sewer Systems (MS4) permittees to acquire and use sediment reduction credits as part of a compliance strategy for implementing the Chesapeake Bay TMDL. Currently, MS4s have similar authority for nitrogen and phosphorus; the bill adds a third pollutant, sediment. The sediment credits cannot be used if they are associated with phosphorous credits used in stormwater nonpoint nutrient runoff water quality criteria.		
SB 299 - Ebbin (30) Amber lights, flashing; allows publicly owned or operated transit buses to use.	1/8/2016 Senate: Referred to Committee on Transportation 1/20/2016 Senate: Reported from Transportation with amendment (12-Y 0-N) 1/27/2016 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2016 House: Referred to Committee on Transportation	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Support (16100712D-E) **Summary:** Amber lights on public transit buses. Allows publicly owned or operated transit buses to use flashing amber lights.		
SB 309 - Hanger, Jr. (24) Annexation; extends current moratorium on city annexations and county immunity actions.	1/8/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/5/2016 Committee substitute agreed to 16105140D-S1 2/8/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on Counties, Cities and Towns	**2/2/2016**
Support (16103788D) - Board has historically supported. See also HB 945 (Wilt). **Summary:** Annexation. Extends the current moratorium on city annexations and county immunity actions by six years to 2024. Provisions that would trigger the early expiration of the moratorium if the General Assembly fails to appropriate certain amounts for local law-enforcement expenditures are exempted through the 2022-2024 biennium. The Commission on Local Government is directed to evaluate the structure of cities and counties in the Commonwealth and the impact of annexation upon localities. In doing so, the Commission shall consider alternatives to the current moratorium on annexation by cities. The Commission shall issue its findings and recommended policy changes to the General Assembly no later than December 1, 2018.		
SB 361 - Favola (31) Tree conservation; locality to post signs on private property that is proposed to be redeveloped.	1/11/2016 Senate: Referred to Committee on Local Government 1/19/2016 Senate: Reported from Local Government with substitute (7-Y 3-N) 1/26/2016 Senate: Passed Senate (25-Y 15-N) 2/3/2016 House: Referred to Committee on Counties, Cities and Towns	**2/2/2016**
Support w/ Amend. (16104480D-S1) - Support with amendment to clarify that an infill lot grading plan can be approved by a county agency. See also HB 647 (Sullivan). **Summary:** Tree conservation ordinance. Provides that the ordinance may allow a locality to post signs on private property that is proposed to be redeveloped with a single family home that notifies the public that an infill lot grading plan is pending for review before the governing body.		
SB 414 - Barker (39) Land Bank Entities Act.	1/12/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government with amendments (11-Y 0-N) 2/5/2016 Committee amendments agreed to 2/8/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on Counties, Cities and Towns	[2/5/2016] ~~**2/2/2016**~~
[Support] (16103380D) - See also HB 268 (Marshall, D.W.) ~~**Monitor** (16103380D)~~ **Summary:** Authorizes the establishment of a land bank entity by any locality or two or more localities combined to assist in addressing vacant, abandoned, and tax-delinquent real properties. Under the bill, after a		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
referendum has been held on the question of creating a land bank entity, the locality has the option of (i) creating an authority or a nonprofit, nonstock corporation or (ii) designating an existing nonprofit entity that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code and eligible to receive donations from a locality pursuant to § 15.2-953 to carry out the functions of such land entity. The bill provides that land bank entities may acquire real property within participating localities or receive transfers and conveyances from the participating localities. Land bank entities are authorized to receive funding through grants and loans from participating localities, the Commonwealth, the federal government, and other public and private sources. In addition, the bill authorizes a locality to deem paid in full all accumulated taxes, penalties, interest, and other costs on any tax-delinquent property in exchange for conveyance of the property by the owner to a land bank entity. The bill also authorizes a participating locality to remit to the land bank entity up to 50 percent of the real property taxes collected on real property conveyed by a land bank entity for up to 10 years after the conveyance. This bill is a recommendation of the Virginia Housing Commission.		
SB 417 - Vogel (27) Social Services, Department of; unauthorized practice of law.	1/12/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/5/2016 Senate: Reported from Rehabilitation and Social Services (8-Y 6-N 1-A) 2/10/2016 Read third time and passed Senate (20-Y 17-N 1-A) 2/12/2016 House: Referred to Committee on Health, Welfare and Institutions	[2/5/2016]
[Support] (16101307D) **Summary:** Department of Social Services; unauthorized practice of law. Allows designated nonattorney employees of a local department of social services to (i) initiate a case on behalf of the local department by appearing before an intake officer and (ii) complete, sign, and file with the clerk of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, and motions for a rule to show cause. The bill also directs directors of local departments of social services to designate nonattorney employees who are authorized to perform such tasks.		
SB 433 - Favola (31) Kinship Guardianship Assistance program; established.	1/12/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/29/2016 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 1/29/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance with amendment (15-Y 0-N) 2/12/2016 Engrossed by Senate as amended SB433E 2/12/2016 Passed Senate (39-Y 0-N)	[2/5/2016]
[Support] (16101539D) **Summary:** Kinship Guardianship Assistance program. Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program.		
SB 436 - Favola (31) Fostering Futures program; established.	1/12/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/29/2016 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 1/29/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance (15-Y 0-N) 2/12/2016 Passed Senate (39-Y 0-N)	**2/2/2016**
Support (16101846D) **Summary:** Fostering Futures program. Establishes the Foster Futures program to provide services and support to individuals between the ages of 18 and 21 who were formerly in foster care as a minor and are transitioning to full adulthood and self-sufficiency.		
SB 535 - Deeds (25) Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program.	1/13/2016 Senate: Referred to Committee on Education and Health 1/21/2016 Senate: Reported from Education and Health (15-Y 0-N) 1/21/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance with amendments (15-Y 0-N) 2/12/2016 Engrossed by Senate as amended SB535E 2/12/2016 Passed Senate (39-Y 0-N)	**2/2/2016**
Support (16100825D) - See also HB 764 (Yost). **Summary:** Establishes the Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program to provide student loan repayment grants to eligible behavioral health practitioners who agree to a 12-month employment obligation with a community services board, behavioral health authority, or Department of Behavioral Health and Developmental Services facility or with an entity that has entered into a contract with a community services board, behavioral health authority or Department of Behavioral Health and Developmental Services facility to provide behavioral health services. Grants may be up to $10,000 per recipient per year, and the Department of Behavioral Health and Developmental Services may award up to 250 grants per year.		
SB 556 - Wexton (33) Opiate addiction treatment; nonmethadone opioid replacements.	1/13/2016 Senate: Referred to Committee on Education and Health 1/28/2016 Senate: Reported from Education and Health (12-Y 3-N) 2/2/2016 Read third time and passed Senate (34-Y 4-N) 2/5/2016 House: Referred to Committee on Health, Welfare and Institutions	[2/5/2016]
[Support] (16101464D) **Summary:** Removes certain restrictions for licensure of a provider who provides treatment for persons with opiate addiction using nonmethadone opioid replacements. Such restrictions include the proximity of the provider to a school and community notice requirements.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SB 574 - McEachin (9) Officers of election; required training every two years.	1/13/2016 Senate: Referred to Committee on Privileges and Elections 2/2/2016 Senate: Reported from Privileges and Elections with substitute (12-Y 1-N) 2/2/2016 Incorporates SB 772 2/5/2016 Committee substitute agreed to 16105054D-S1 2/9/2016 Passed Senate (39-Y 1-N) 2/11/2016 House: Referred to Committee on Privileges and Elections	[2/5/2016]
[Support w/ Amend.] (16105054D-S1) - Support with amendment to allow County-developed training materials to be used as an alternative or supplement to state-developed materials when appropriate. See also HB 1030 (Sickles). **Summary:** Officers of election; required training. Requires all officers of election to receive training every two years and whenever a change is made to the election laws or regulations that alters the duties and conduct of the officers. The State Board of Elections is required to develop standardized training programs and provide standardized training materials for use by the electoral boards and general registrars in conducting the training for the officers of election. The bill requires that such materials be reviewed every two years in the year immediately following a general election for federal office. The bill also requires the electoral boards to certify to the State Board that the officers of election have received the required training and that such information be made available on the Department of Elections website.		
SB 601 - Wexton (33) Child care providers; criminal history background checks.	1/13/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/29/2016 Senate: Reported from Rehabilitation and Social Services with amendments (14-Y 0-N) 1/29/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance (15-Y 0-N) 2/12/2016 Engrossed by Senate as amended SB601E 2/12/2016 Passed Senate (38-Y 0-N)	**2/2/2016**
Support (16103633D) - See also HB 500 (Filler-Corn). **Summary:** Requires all applicants for licensure as a family day system, registration as a family day home, and approval as a family day home by a family day system, all child day centers that are exempt from licensure by the Department of Social Services, and all child day centers and family day homes that enter into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant, as well as all applicants for employment, employees, applicants to volunteer, and volunteers at such child day centers, family day homes, and family day systems, to undergo fingerprint-based national criminal history background checks beginning July 1, 2017. The bill also requires individuals currently employed by or serving as volunteers at a licensed child day center, family day home, or family day system, child day center exempt from licensure pursuant to Â¿ 63.2-1716, registered family day home, family day home approved by a family day system, or child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant to undergo a national background check to be completed by July 1, 2017. In addition, every (i) person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system; (ii) agent of a person who is licensed as a child day center, family day home, or		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
family day system, registered as a family day home, or approved as a family day home by a family day system or who will be involved in the day-to-day operations of the child day center, family day home, or family day system or who is or will be alone with, in control of, or supervising one or more children in a child day center, family day home, or family day system; and (iii) adult living in a licensed child day center or family day home, registered family day home, or family day home approved by a family day system, shall undergo a national background check to be completed by July 1, 2017.		
SB 603 - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.	1/13/2016 Senate: Referred to Committee on Privileges and Elections 1/26/2016 Senate: Reported from Privileges and Elections (12-Y 1-N) 2/1/2016 Read third time and passed Senate (27-Y 13-N) 2/3/2016 House: Referred to Committee on Privileges and Elections	**2/2/2016**
Support (16103418D) **Summary:** Allows for any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning the twenty-first day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons.		
SB 742 - Wagner (7) Motor vehicles; fuels sales tax in certain transportation districts.	1/22/2016 Senate: Referred to Committee on Finance 2/9/2016 Senate: Reported from Finance with substitute (12-Y 3-N) 2/11/2016 Committee substitute agreed to 16104968D-S1 2/12/2016 Read third time and passed Senate (23-Y 11-N)	[2/5/2016]
[Support] (16104266D) **Summary:** Motor vehicle fuels sales tax in certain transportation districts. Changes the regional gas tax in Hampton Roads to a cents per gallon tax that decreases as the price of gas increases. The tax would be imposed on the basis of the price of gas as determined by the Commissioner of the Department of Motor Vehicles using a prescribed formula to calculate the average wholesale price.		
SJ 1 - Surovell (36) United States Constitution; ratifying the Equal Rights Amendment.	11/22/2015 Senate: Referred to Committee on Privileges and Elections 1/19/2016 Senate: Reported from Privileges and Elections with substitute (7-Y 6-N) 1/26/2016 Read third time and agreed to by Senate (21-Y 19-N) 2/3/2016 House: Referred to Committee on Privileges and Elections	**2/2/2016**
Support (16100133D) - Board has historically supported. See also HJ 136 (Sickles). **Summary:** United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Fairfax County Positions

(Monitor)

* * *

Bills	General Assembly Actions	Date of BOS Position
HB 66 - Byron (22) New Economy Industry Credential Assistance Training Grants; grants for earning training credentials.	12/4/2015 House: Referred to Committee on Education 2/9/2016 Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/10/2016 House: Reported from Education with substitute (21-Y 1-N) 2/12/2016 Engrossed by House - committee substitute with amendments HB66EH1	**2/2/2016**
Monitor (16101082D) - Monitor legislation; support associated funding in Governor's budget. **Summary:** Grants for earning workforce training credentials; New Economy Industry Credential Assistance Training Grants. Establishes a grant program that would pay grants to certain individuals who complete eight hours of community service and who subsequently complete a noncredit workforce training program and earn the related credential in a high-demand field. The grant, in an aggregate amount of $2,000, would be limited to payment of tuition charged for the training program, the cost of any required textbooks, and the cost of any examination required to earn the credential. The noncredit workforce training program must be provided or sponsored by (i) a Virginia community college, (ii) a private institution certified to operate in Virginia by the State Council of Higher Education for Virginia that has elected to participate in the grant program, or (iii) the Institute for Advanced Learning and Research, New College Institute, Roanoke Higher Education Center, Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, or Eastern Virginia Medical School. Individuals would apply for grants directly to the school that provided or sponsored the workforce training program. The bill requires the Virginia Board of Workforce Development to maintain on its website a list of high-demand fields and industry certifications that qualify as credentials. The bill has a delayed effective date of January 1, 2017.		
HB 141 - Marshall (13) Government Data Collection and Dissemination Practices Act; license plate readers.	12/21/2015 House: Referred to Committee on Militia, Police and Public Safety	**2/2/2016**
Monitor (16100776D) - Board has historically monitored. Retention period in bill may be insufficient. **Summary:** Codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act by limiting the ability of law-enforcement and regulatory agencies to use license plate readers to collect and maintain personal information on individuals where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individuals. The bill provides that information collected by a license plate reader without a warrant shall only be retained for seven days and shall only be used for the investigation of a crime or a report of a missing person. The bill also prohibits an agency from acquiring personal information collected from license plate readers from a third-party private vendor if the agency would not have been permitted to collect or retain the information on its own.		
HB 213 - LeMunyon (67) Motor vehicle inspection; exceptions to inspection requirement.	12/28/2015 House: Referred to Committee on Transportation 1/21/2016 House: Reported from Transportation (20-Y 0-N) 1/27/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 1/28/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Monitor (16100509D) **Summary:** Exceptions to motor vehicle inspection requirement. Exempts from the motor vehicle inspection requirement vehicles that are parked in the designated parking area of an official inspection station. The bill contains technical amendments.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 301 - Herring (46) Officer-involved shootings; VSP shall include in annual Crime in Virginia report.	1/4/2016 House: Referred to Committee on Militia, Police and Public Safety 2/1/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/5/2016 House: Reported from Militia, Police and Public Safety with substitute (22-Y 0-N) 2/9/2016 Committee substitute agreed to 16104964D-H1 2/10/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee for Courts of Justice	**2/2/2016**
Monitor (16102619D) **Summary:** Justifiable homicide; reporting requirement. Requires the State Police to include justifiable homicides involving a law-enforcement officer in the annual Crime in Virginia report. The bill requires any law-enforcement or public safety officer required to report such homicides to receive training concerning such reporting requirement.		
HB 308 - Morris (64) Virginia Freedom of Information Act; use of government email accounts required.	1/4/2016 House: Referred to Committee on General Laws	**2/2/2016**
Monitor (16101186D) **Summary:** Requires that any person elected, reelected, appointed or reappointed to any public body not excepted from FOIA must use only official government-provided email accounts to conduct public business The bill also provides that public officers, appointees, and employees shall use only official government-provided email accounts to conduct public business. However, if a public officer, appointee, or employee inadvertently uses a nongovernment email account to conduct public business, then the email and email address shall be forwarded to the appropriate official for retention as designated by the public body. The bill contains a technical amendment.		
HB 367 - Davis (84) Nonconforming uses; unlawful use of subject property, etc.	1/5/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting with amendment(s) (7-Y 3-N) 2/12/2016 House: Reported from Counties, Cities and Towns with substitute (19-Y 2-N)	**2/2/2016**
Monitor (16102442D) **Summary:** Nonconforming uses. Provides that a locality may by ordinance provide that an otherwise unlawful use of a subject property shall be a lawful nonconforming use if (i) the land use on a subject property has operated continuously for at least 15 years, (ii) there have been no building code or other local code violations or complaints arising out of the land use from neighboring property owners or other impacted parties, and (iii) all local taxes related to the property and business have been paid in a timely manner.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 412 - Kilgore (1) Aircraft, certain; local regulation.	1/7/2016 House: Referred to Committee for Courts of Justice 1/27/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/3/2016 House: Reported from Courts of Justice with amendments (21-Y 0-N) 2/9/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/9/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/10/2016 Senate: Referred to Committee on Local Government	**2/2/2016**
Monitor (16101685D) **Summary:** Local regulation of certain aircraft. Provides that no locality may regulate the use of privately owned, unmanned, autonomous aircraft within its boundaries. The provisions of the bill expire on July 1, 2019.		
HB 479 - Kory (38) Water pollution; signage notice to public.	1/8/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16101024D) **Summary:** Posting notice of possible water pollution. Requires a locality, upon receipt of notification from the Department of Environmental Quality that a water quality violation has occurred that poses an imminent threat to the health, safety, or welfare of the public, to post signage at public access points to affected waters warning residents that the water body may be polluted.		
HB 636 - Marshall, III (14) Clerk of circuit court; recordation of certain deeds.	1/11/2016 House: Referred to Committee for Courts of Justice 2/3/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16102854D) **Summary:** Provides that the governing body of a county or city may by ordinance require the clerk of the circuit court not to accept any deed transferring real property for recordation unless the locality has certified that no delinquent county or city taxes, fines, or similar charges or taxes are a lien on the property described in the deed. The ordinance shall provide that the clerk of the circuit court shall accept without certification certain deeds submitted for recordation under the supervision of a closing attorney.		
HB 650 - Marshall (13) Local government; mandatory provisions of a subdivision ordinance, notice to homeowner associations.	1/11/2016 House: Referred to Committee on Counties, Cities and Towns 2/3/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16103677D) **Summary:** Local government; mandatory provisions of a subdivision ordinance; notice to homeowner		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
associations. Requires a locality to include in its subdivision ordinance a provision requiring a developer of property to give written notice to incorporated property owners' associations within a planned unit development at such time as prescribed in the ordinance under certain circumstances.		
HB 665 - Howell (28) Employee Retirement Security & Pension Reform, Commission on; established, report, sunset provision.	1/11/2016 House: Referred to Committee on Rules 2/4/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/4/2016 Subcommittee recommends referring to Committee on Appropriations 2/9/2016 House: Referred from Rules by voice vote 2/9/2016 House: Referred to Committee on Appropriations 2/11/2016 Subcommittee recommends reporting (6-Y 0-N) 2/12/2016 House: Reported from Appropriations with substitute (22-Y 0-N)	**2/2/2016**
Monitor (16103269D) **Summary:** Creates the Commission on Employee Retirement Security and Pension Reform in the legislative branch to study and make recommendations relating to the financial soundness of retirement plans covering state and local government employees; the suitability of retirement plans offered or maintained for current state and local government employees and the attributes of retirement plans that will be suitable for future employees; the impact on state and local governments of the anticipated retirement of experienced employees between 2016 and 2026 and strategies for replacing such employees; and the elements of compensation and benefits packages that are essential to attracting and retaining a highly productive state and local government workforce.		
HB 731 - LeMunyon (67) Members of transportation district commissions; compensation.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with substitute (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation	**2/2/2016**
Monitor (16100791D) **Summary:** Allows the Northern Virginia Transportation Commission to reimburse its members appointed to the board of directors of the Washington Metropolitan Area Transit Authority for expenses incurred and compensate them in the amount of $200 per day for attending WMATA meetings.		
HB 787 - Adams (16) Construction activities; acquisition of nutrient credits.	1/12/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	[2/5/2016] ~~**2/2/2016**~~
[Monitor] (as amended by HAG subcommittee) - Bill has been amended to address concerns. ~~**Oppose** (16100968D)~~ **Summary:** Acquisition of nutrient credits for construction activities. Allows persons applying for a stormwater permit to acquire nutrient credits for construction activities from credit providers located outside the tributary where the construction activity is occurring. Currently, the acquisition of such credits is generally limited to the same or adjacent eight-digit hydrologic code as defined by the U.S. Geological Survey.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 800 - Morris (64) Virginia Freedom of Information Act; audio recording of closed meetings required.	1/12/2016 House: Referred to Committee on General Laws 1/28/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/9/2016 House: Reported from General Laws with substitute (11-Y 10-N) 2/9/2016 House: Referred to Committee on Appropriations	**2/2/2016**
Monitor (16101188D) **Summary:** Virginia Freedom of Information Act (FOIA); audio recording of closed meetings required. Provides that a public body shall (i) make an audio recording of the entirety of every meeting that is closed to the public; (ii) use a means of recording that fully captures and can clearly reproduce all statements made during a closed meeting; and (iii) preserve the recording for a period of no less than two years. The bill provides that a recording made shall not be subject to the disclosure provisions of FOIA, but its production may be compelled, and the recording used as evidence, in a proceeding to enforce the provisions of FOIA.		
HB 817 - LeMunyon (67) Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.	1/12/2016 House: Referred to Committee on General Laws 2/4/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/11/2016 House: Reported from General Laws with substitute (22-Y 0-N)	[2/5/2016]
[Monitor] (16103657D) - See also SB 494 (Surovell). **Summary:** Virginia Freedom of Information Act; record exclusions; rule of redaction; no weight accorded to public body's determination. Reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.		
HB 941 - Toscano (57) Clean energy programs; expands scope by including certain residential properties.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends laying on the table by voice vote	[2/5/2016]
[Monitor] (16102233D) **Summary:** Financing of clean energy programs. Expands the scope of clean energy programs by including certain residential properties that are currently excluded from the voluntary special lien assessment provisions.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 977 - Lopez (49) State waters; unlawful discharge of deleterious substance into waters.	1/12/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 Subcommittee recommends reporting with amendment(s) (4-Y 1-N) 2/10/2016 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (14-Y 8-N)	[2/5/2016] ~~**2/2/2016**~~
[Monitor] (as amended by HAG subcommittee) - Bill has been amended to satisfy concerns. See also SB 581 (McEachin). ~~**Amend** (16102493D) - Amend to remove reduced notification time due to potential impossibility.~~ **Summary:** Discharge of deleterious substance into state waters; notice. Requires any person who unlawfully discharges any deleterious substance into state waters to notify the State Water Control Board (the Board), the Department of Environmental Quality (the Department), or the coordinator of emergency services of the affected locality within 12 hours. Current law allows such a person 24 hours to give notice. The bill also requires that written notice follow to the Board, in addition to the Department, and specifies that the required report of potentially detrimental discharges by the Board or the Department to local newspapers, television stations, and radio stations be provided to such media outlets as soon as practicable after receiving it.		
HB 998 - Levine (45) Law-enforcement agencies, local; body-worn cameras.	1/13/2016 House: Referred to Committee for Courts of Justice 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16102838D) - See also HB 1327 (Davis). **Summary:** Local law-enforcement agencies; body-worn cameras. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.		
HB 1069 - Jones (76) Tolls; period of nonpayment, limitations on tolling, notification of toll violations.	1/13/2016 House: Referred to Committee on Transportation 2/2/2016 Subcommittee recommends reporting with amendment(s) (6-Y 1-N) 2/4/2016 House: Reported from Transportation with substitute (17-Y 4-N) 2/4/2016 House: Referred to Committee on Appropriations 2/10/2016 Subcommittee recommends reporting with amendment(s) (5-Y 1-N) 2/12/2016 House: Reported from Appropriations with substitute (22-Y 0-N)	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Monitor (16103861D) - See also SB 295 (Lucas). **Summary:** Tolling civil penalties; period of nonpayment; limitations on tolling; notification of toll violations. The bill prohibits tolling any highway, bridge, or tunnel without approval of the General Assembly except in limited circumstances. The bill requires the Department of Transportation to allow E-ZPass account holders to provide an email or phone number and to electronically notify account holders of a toll violation and further requires toll operators to notify the Department of such toll violations. The bill amends the definition of high-occupancy toll (HOT) lanes to ensure that mass transit vehicles and commuter buses meet the high-occupancy requirement. The bill lengthens from 30 to 60 days the period following notification of an unpaid toll on HOT lanes after which, if the toll is still unpaid, the owner or operator of the vehicle is in violation. The bill decreases the civil penalties for an unpaid toll violation on the HOT lanes, making them equal to civil penalties for other toll violations, and allows the HOT lanes operator to offer reduced civil penalties if the owner of the vehicle pays within 14 days prior to the hearing date, which is also permitted for other toll operators. For violations on any toll road, the bill provides that for a first court appearance there are reduced civil penalties and places a cap of $2,200 on civil penalties and administrative fees. Finally, the bill provides for a 10-day grace period for unpaid tolls and requires toll operators to attempt to process and collect unpaid tolls twice during such period.		
HB 1143 - Lindsey (90) Body-worn cameras; required policies.	1/13/2016 House: Referred to Committee for Courts of Justice 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16104109D) **Summary:** Law-enforcement agencies; body-worn cameras; required policies. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to review any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 30 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias.		
HB 1206 - Greason (32) Comprehensive community colleges; Noncredit Workforce Credentials Act.	1/18/2016 House: Referred to Committee on Education 2/2/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16104243D) - Monitor legislation; support associated funding in Governor's budget. See also HB 792 (James) and SB 575 (Ruff). **Summary:** Comprehensive community colleges; noncredit workforce credentials; Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Act. Establishes the Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Program (Program), to be administered by the Virginia Community College System (System). The bill requires the System to approve (i) a plan and funding formula to support capacity building for and development and expansion of noncredit workforce credential programs at comprehensive community colleges that prepare students for in-demand noncredit workforce credentials that are aligned with the knowledge and skill sets that are required for the available occupations in each region, (ii) a plan for providing financial incentives to comprehensive community colleges that demonstrate exceptional performance or improvement in the development and expansion of such noncredit workforce credential		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
programs, and (iii) a plan and timeline for assessing the impact of a pilot set of noncredit workforce credentials on short-term and long-term job attainment and wages. The bill requires the System to submit a report to the General Assembly and the Virginia Board of Workforce Development no later than January 1 of each year with certain data from the previous fiscal year on noncredit workforce credential attainment by students at comprehensive community colleges.		
HB 1211 - Leftwich (78) Animal control officers; training.	1/18/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2016 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (22-Y 0-N) 2/8/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/8/2016 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/9/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources	[2/5/2016]
[Monitor] (16103893D) **Summary:** Requires animal control officers hired on or after July 1, 2017, to complete a basic animal control course within one year after the date of hire, or within two years of the date of hire if the officer is attending a law enforcement academy. Current law requires completion of such training course within two years after the date of hire.		
HB 1278 - Levine (45) Washington Metropolitan Area Transit Authority Compact of 1966; membership.	1/20/2016 House: Referred to Committee on Transportation 2/11/2016 Subcommittee failed to recommend reporting (2-Y 4-N)	**2/2/2016**
Monitor (16104205D) - See also SB 710 (Ebbin). **Summary:** Appointing authority for Board of Directors of Washington Metropolitan Area Transit Authority. Changes from the U.S. Administrator of General Services to the Secretary of the U.S. Department of Transportation the appointing authority for the two federal members of the Board of Directors of the Authority and their alternates. The change is made in the WMATA Compact found in Title 33.2 of the Code of Virginia in order to conform with federal law. The bill contains an emergency clause.		
HB 1327 - Davis (84) Local law-enforcement agencies; body-worn cameras.	1/21/2016 House: Referred to Committee for Courts of Justice 2/10/2016 House: Subcommittee recommends laying on the table by voice vote	**2/2/2016**
Monitor (16104389D) - See also HB 998 (Levine). **Summary:** Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.		
SB 87 - Garrett (22) Circuit court clerks; disaster plan for recovery of any land record maintained electronically.	12/22/2015 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/4/2016 Read third time and passed Senate (40-Y 0-N) 2/8/2016 House: Referred to Committee for Courts of Justice	**2/2/2016**
Monitor (16100681D) **Summary:** Circuit court clerks; disaster recovery plan for electronic land records. Requires circuit court clerks to maintain a disaster plan for recovery of any land record in possession of the clerk that is maintained as an electronic record. The bill has a delayed effective date of July 1, 2017.		
SB 111 - Petersen (34) Punitive damages; raises cap for any action accruing on or after July 1, 2016.	12/28/2015 Senate: Referred to Committee for Courts of Justice 1/27/2016 Senate: Reported from Courts of Justice (11-Y 4-N) 2/2/2016 Read third time and passed Senate (26-Y 14-N) 2/5/2016 House: Referred to Committee for Courts of Justice	**2/2/2016**
Monitor (16101414D) **Summary:** Punitive damages cap. Raises the punitive damages cap from $350,000 to $500,000 for any action accruing on or after July 1, 2016.		
SB 237 - Petersen (34) Virginia Property Owners' Association Act; condemnation of common area.	1/6/2016 Senate: Referred to Committee on General Laws and Technology 1/18/2016 Senate: Rereferred to Courts of Justice 1/18/2016 Rereferred from General Laws and Technology (15-Y 0-N) 2/3/2016 Senate: Reported from Courts of Justice with substitute (14-Y 0-N) 2/8/2016 Committee substitute agreed to 16104518D-S1 2/9/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on General Laws	[2/5/2016]
[Monitor] (16104518D-S1) **Summary:** Virginia Property Owners' Association Act; condemnation of common area; valuation. Provides that, for the purposes of condemnation, the value of a portion of a common area of a property owners' association shall be based on the common area's highest and best use as though it were free from restriction to sole use as a common area.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SB 494 - Surovell (36) Virginia Freedom of Information Act; record exclusions; rule of redaction.	1/12/2016 Senate: Referred to Committee on General Laws and Technology	[2/5/2016]
[Monitor] (16103660D) - See also HB 817 (LeMunyon). **Summary:** Virginia Freedom of Information Act; record exclusions; rule of redaction; no weight accorded to public body's determination. Reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.		
SB 515 - McPike (29) Mobile food vending; allows units in commuter lots in Planning District 8, fees to pay for security.	1/13/2016 Senate: Referred to Committee on Transportation 1/27/2016 Senate: Reported from Transportation with substitute (11-Y 0-N) 2/2/2016 Read third time and passed Senate (38-Y 2-N) 2/5/2016 House: Referred to Committee on Transportation	[2/5/2016]
[Monitor] (16104817D-S1) **Summary:** Mobile food vending in commuter lots in Planning District 8; fees; security cameras. Allows mobile food vending units to apply for a permit and pay a fee with the Department of Transportation that would allow them to sell food in commuter lots in Planning District 8. The Department would use the fees to pay for security cameras and increase security in such commuter lots. The bill also requires the Department to publish the permit application on its website and establish a fee for the permit.		
SB 542 - Obenshain (26) Delinquent sewer charges; lien on property, unlimited time.	1/13/2016 Senate: Referred to Committee on Local Government 2/9/2016 Senate: Reported from Local Government with amendments (9-Y 4-N) 2/12/2016 Engrossed by Senate as amended SB542E	**2/2/2016**
Monitor (16102424D) **Summary:** Delinquent sewer charges; lien; unlimited time. Allows a sewer authority that provides only sewer service to place a lien on the property receiving the service in the amount of any number of months of delinquent charges. Current law allows the placement of liens in the amount of up to three months of delinquent water and sewer charges.		
SB 543 - Obenshain (26) Inverse condemnation proceeding; reimbursement of owner's costs.	1/13/2016 Senate: Referred to Committee for Courts of Justice 2/10/2016 Senate: Reported from Courts of Justice (14-Y 0-N)	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Monitor (16102426D) **Summary:** Directs the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding for "damaging" property if a judgment is entered for the plaintiff. Under current law, the court is directed to award costs only for the "taking" of property. The change made in this bill corresponds with the language of amendments to Article 1, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013		
SB 547 - Edwards (21) Water and sewer service; certain liens for delinquent charges.	1/13/2016 Senate: Referred to Committee on Local Government	**2/2/2016**
Monitor (16103511D) **Summary:** Water and sewer service provided by locality. Provides that certain liens for the unpaid fees and charges of a lessee or tenant shall be placed only if the owner of the property has agreed in writing at the time service is initiated to be responsible for such unpaid fees and charges.		
SB 576 - Ruff, Jr. (61) Community College Workforce Training Grant Program; established, Fund created.	1/13/2016 Senate: Referred to Committee on Education and Health 2/11/2016 Senate: Reported from Education and Health with substitute (15-Y 0-N)	**2/2/2016**
Monitor (16103188D) - Monitor legislation; support associated funding in Governor's budget. **Summary:** Community colleges; workforce training. Establishes the Community College Workforce Training Grant Program to provide a $1,000 incentive payment to a community college for each student who (i) has successfully completed a noncredit workforce training program at the community college and (ii) subsequently obtains an industry-recognized certification or license in a high employer demand field in the region served by the community college, with such fields to be identified by the State Board for Community Colleges.		
SB 629 - Stanley, Jr. (20) Camping; special use permit.	1/15/2016 Senate: Referred to Committee on Local Government 1/26/2016 Senate: Reported from Local Government (12-Y 1-N) 2/1/2016 Read third time and passed Senate (40-Y 0-N) 2/3/2016 House: Referred to Committee on Counties, Cities and Towns	**2/2/2016**
Monitor (16103257D) **Summary:** Special use permit; camping in tent or recreational vehicle. Prohibits any locality from barring or requiring a special use permit for camping by a landowner and his family or nonpaying guests in a tent or recreational vehicle on the landowner's property for a total of no more than two months per year.		
SB 710 - Ebbin (30) Composition of the Washington Metropolitan Area Transit Authority Compact of 1966.	1/21/2016 Senate: Referred to Committee on Rules 2/3/2016 Rereferred from Rules (14-Y 0-N) 2/3/2016 Senate: Rereferred to Transportation 2/10/2016 Senate: Reported from Transportation with amendment (13-Y 0-N)	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position

Monitor (16104585D) - See also HB 1278 (Levine).
Summary: Appointing authority for Board of Directors of Washington Metropolitan Area Transit Authority. Changes from the U.S. Administrator of General Services to the Secretary of the U.S. Department of Transportation the appointing authority for the two federal members of the Board of Directors of the Authority and their alternates. The change is made in the WMATA Compact found in Title 33.2 of the Code of Virginia in order to conform with federal law. The bill contains an emergency clause.

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Fairfax County Positions

* * *

Legislation
No Longer Under Consideration

(Continued to 2017)

Bills	General Assembly Actions	Date of BOS Position
HB 96 - Lingamfelter (31) Problem-Solving Court Act; established, report.	12/14/2015 House: Referred to Committee for Courts of Justice 2/10/2016 House: Continued to 2017 in Courts of Justice by voice vote	**2/2/2016**
Support (16101603D) - Board has historically supported. **Summary:** Problem-Solving Courts; established. Establishes the Problem-Solving Court Act (the Act). The bill allows the establishment of problem-solving courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service, mental illness, or societal reentry. The bill establishes a state problem-solving court docket advisory committee and requires localities intending to establish such courts to establish local advisory committees. The Supreme Court of Virginia is given administrative oversight for the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).		
HB 461 - Anderson (51) Handheld personal communications devices; use while driving, penalty.	1/8/2016 House: Referred to Committee on Militia, Police and Public Safety 1/15/2016 House: Referred from Militia, Police and Public Safety by voice vote 1/15/2016 House: Referred to Committee on Transportation 2/8/2016 Subcommittee recommends reporting (6-Y 1-N) 2/11/2016 House: Continued to 2017 in Transportation by voice vote	**2/2/2016**
Support (16100911D) **Summary:** Use of handheld personal communications devices while driving; penalty. Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global position system for the purposes of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.		
HB 500 - Filler-Corn (41) Child care providers; criminal history background checks.	1/8/2016 House: Referred to Committee on Health, Welfare and Institutions 2/3/2016 House: Subcommittee recommends continuing to 2017 by voice vote 2/9/2016 House: Continued to 2017 in Health, Welfare and Institutions by voice vote	**2/2/2016**
Support (16103492D) - See also SB 601 (Wexton). **Summary:** Requires all applicants for licensure as a family day system, registration as a family day home, and approval as a family day home by a family day system, all child day centers that are exempt from licensure by the Department of Social Services, and all child day centers and family day homes that enter into a contract		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant, as well as all applicants for employment, employees, applicants to volunteer, and volunteers at such child day centers, family day homes, and family day systems, to undergo fingerprint-based national criminal history background checks beginning July 1, 2017. The bill also requires individuals currently employed by or serving as volunteers at a licensed child day center, family day home, or family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, family day home approved by a family day system, or child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant to undergo a national background check to be completed by July 1, 2017. In addition, every (i) person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system; (ii) agent of a person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system or who will be involved in the day-to-day operations of the child day center, family day home, or family day system or who is or will be alone with, in control of, or supervising one or more children in a child day center, family day home, or family day system; and (iii) adult living in a licensed child day center or family day home, registered family day home, or family day home approved by a family day system, shall undergo a national background check to be completed by July 1, 2017.		
HB 545 - Watts (39) License tax, local; staffing firm deductions.	1/9/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends continuing to 2017 by voice vote 2/8/2016 House: Continued to 2017 in Finance by voice vote	**2/2/2016**
Oppose (16102363D) **Summary:** Local license tax; staffing firms. Provides that a staffing firm may deduct from otherwise taxable gross receipts salaries, wages, and other benefits it pays to independent contractors hired to provide professional employer organization services or temporary help services on behalf of or for the benefit of the staffing firm's clients.		
HB 1346 - Villanueva (21) Commonwealth Transportation Board; regional membership.	1/21/2016 House: Referred to Committee on Transportation 2/4/2016 Subcommittee recommends reporting (4-Y 3-N) 2/9/2016 House: Continued to 2017 in Transportation by voice vote	**2/2/2016**
Support (16103803D) - See also SB 471 (Wagner). **Summary:** Increases from 17 to 19 the membership of the Commonwealth Transportation Board by the addition of two nonlegislative citizen members: one from the Hampton Roads Transportation Accountability Commission and one from the Northern Virginia Transportation Authority. The terms of the new nonlegislative citizen members begin July 1, 2016.		
HB 1347 - Heretick (79) Wireless communications; infrastructure established.	1/21/2016 House: Referred to Committee on Commerce and Labor 2/11/2016 House: Continued to 2017 in Commerce and Labor by voice vote	[2/5/2016]
[Oppose] (16104657D) **Summary:** Wireless communications infrastructure. Prohibits a locality from charging an application fee,		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
consulting fee, or other fee associated with the submission, review, processing and approval of an application to construct a new wireless support structure, for the substantial modification of a wireless support structure, or for collocation of a wireless facility or replacement of a wireless facility on an existing structure or utility pole that is not required for similar types of commercial development within the locality's jurisdiction. The measure permits a locality to charge fees for the costs directly incurred by it relating to the granting or processing of an application. Such fees are capped at the lesser of the amount charged by the locality for a building permit for any other type of commercial development or land use development, or $500 for a collocation application, small cell facility or distributed antenna system or $1,000 for a new wireless support structure or for a substantial modification of a wireless support structure. Localities are prohibited from (i) requiring an applicant to submit information about, or evaluate an applicant's business decisions with respect to its designed service, customer demand for service, or quality of its service to or from a particular area or site, or information that concerns the specific need for the wireless support structure; (ii) evaluating an application based on the availability of other potential locations for the placement of wireless support structures or wireless facilities; (iii) dictating the type of wireless facilities, infrastructure or technology to be used by the applicant; and (iv) requiring the removal of existing wireless support structures or wireless facilities, as a condition for approval of an application. The measure grants to any domestic or foreign telecommunications provider or broadband provider to construct, maintain, and operate conduit, poles, cable, switches and related appurtenances and facilities along, across, upon and under any public highway or rights-of-way in the Commonwealth. Localities are barred from (a) imposing certain environmental testing, sampling, or monitoring requirements or (b) instituting any moratorium on the permitting, construction or issuance of approvals of new wireless support structures, substantial modifications of wireless support structures, or collocations.		
HJ 50 - Webert (18) Composite Index of Local Ability to Pay; DOE to study effect of local use value assessment	12/28/2015 House: Referred to Committee on Rules 1/28/2016 Subcommittee recommends reporting (3-Y 1-N) 2/9/2016 House: Continued to 2017 in Rules by voice vote	**2/2/2016**
Oppose (16101687D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. **Summary:** Study; Department of Education; effect of local use value assessment of certain real estate on the Composite Index of Local Ability to Pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable (a) real estate devoted to agricultural use, (b) real estate devoted to horticultural use, (c) real estate devoted to forest use, and (d) real estate devoted to open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the Composite Index of Local Ability to Pay for each locality after taking into consideration such use values.		
SB 26 - Reeves (17) Problem-Solving Docket Act; established, report.	12/10/2015 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)	**2/2/2016**
Support (16100297D) - Board has historically supported. **Summary:** Problem-Solving Dockets; established. Establishes, by the Problem-Solving Docket Act (the Act), problem-solving courts as specialized court dockets within the existing structure of Virginia's court system,		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service, mental illness, or societal reentry. The bill establishes a state problem-solving docket advisory committee and requires localities intending to establish such dockets to establish local problem-solving docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).		
SB 236 - Petersen (34) Government Data Collection & Dissemination Practices Act; collection & use of personal information.	1/6/2016 Senate: Referred to Committee on General Laws and Technology 2/8/2016 Senate: Continued to 2017 in General Laws and Technology (15-Y 0-N)	**2/2/2016**
Monitor (16102870D) - Board has historically monitored. Retention period in bill may be insufficient. **Summary:** Government Data Collection and Dissemination Practices Act; collection and use of personal information by law-enforcement agencies. Provides that, unless a criminal or administrative warrant has been issued, law-enforcement and regulatory agencies shall not use surveillance technology to collect or maintain personal information where such data is of unknown relevance and is not intended for prompt evaluation and potential use regarding suspected criminal activity or terrorism by any individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided that such information is held for no more than seven days and is not subject to any outside inquiries or internal usage, except in the investigation of a crime or a missing persons report. After seven days, such collected information must be purged from the system unless it is being utilized in an ongoing investigation. The bill also adds to the definition of "personal information," for the purposes of government data collection and dissemination practices, vehicle license plate numbers and information that affords a basis for inferring an individual's presence at any place.		
SB 317 - Alexander (5) Veterans Docket Act; established, report.	1/8/2016 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)	**2/2/2016**
Support (16101974D) - Board has historically supported. **Summary:** Veterans Dockets; established. Establishes, by the Veterans Docket Act (the Act), problem-solving courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service. The bill establishes a state veterans docket advisory committee and requires localities intending to establish such dockets to establish local veterans docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).		
SB 365 - Chafin (38) Prioritization of statewide transportation projects; exceptions.	1/11/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Reported from Transportation with amendments (7-Y 5-N 1-A) 2/3/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Continued to 2017 in Finance (12-Y 3-N)	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Oppose (16102524D) **Summary:** Provides that projects on U.S. Route 460 and U.S. Route 121 are not subject to the prioritization process that the Commonwealth Transportation Board applies to projects eligible for state funding.		
SB 380 - Vogel (27) Behavioral Health Docket Act; established, report.	1/11/2016 Senate: Referred to Committee for Courts of Justice 2/3/2016 Senate: Continued to 2017 in Courts of Justice (14-Y 1-N)	**2/2/2016**
Support (16103760D) - Board has historically supported. **Summary:** Behavioral Health Dockets; established. Establishes, by the Behavioral Health Docket Act (the Act), behavioral health courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have mental illness and co-occurring substance abuse issues. The bill establishes a state behavioral health docket advisory committee and requires localities intending to establish such dockets to establish local behavioral health docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).		
SB 439 - Obenshain (26) Voter identification; information contained in electronic pollbook.	1/12/2016 Senate: Referred to Committee on Privileges and Elections 2/2/2016 Senate: Continued to 2017 in Privileges and Elections (13-Y 0-N)	**2/2/2016**
Oppose (16101744D) - Board has historically opposed. **Summary:** Voter identification; photograph and identifying information contained in electronic pollbook; challenge of voter. Requires electronic pollbooks to contain a photograph and identifying information received by the Department of Elections from the Department of Motor Vehicles for each registered voter for whom the Department of Motor Vehicles has such a photograph and identifying information. The bill prohibits lists of voters furnished pursuant to current law from containing any voter's photograph or identifying physical information. The bill also provides that if the electronic pollbook contains the voter's photograph and identifying information, the officer of election is required to access that photograph and identifying information and the voter is not required to present one of the statutorily required forms of identification. However, the bill requires the officer of election to challenge the voter's vote if the voter does not appear to be the same person depicted in the photograph or in the pollbook. The bill has a delayed effective date of July 1, 2017.		
SB 644 - Alexander (5) Battery; public transportation operators; penalty.	1/18/2016 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)	**2/2/2016**
Support (16103746D) **Summary:** Provides that the punishment for battery of a person who is the operator of a vehicle operated by a public transportation service who is engaged in the performance of his duties is a Class 1 misdemeanor, including a term of confinement of 15 days in jail, two days of which shall be a mandatory minimum term of confinement.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SJ 84 - Surovell (36) Public transportation services; DRPT to evaluate study necessary to identify, etc.	1/13/2016 Senate: Referred to Committee on Rules 2/11/2016 Senate: Continued to 2017 in Rules by voice vote	**2/2/2016**

Monitor (16102006D)
Summary: Study; Department of Rail and Public Transportation; improved transportation services; report. Requests that the Department of Rail and Public Transportation (the Department) evaluate the level of study necessary to identify and advance potential public transportation services from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William and Stafford Counties, including the feasibility of extending the Blue Line and other multimodal options such as bus rapid transit along Interstate 95 and U.S. Route 1. Following the evaluation, the Department shall proceed to the recommended level of study for improved public transportation services along the U.S. Route 1 corridor. The Department shall report on its findings and recommendations on the first day of the 2017 and 2018 Regular Sessions of the General Assembly.

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Fairfax County Positions

* * *

Legislation
No Longer Under Consideration

(Failed to Report, Incorporated into other Legislation, Tabled, etc.)

Bills	General Assembly Actions	Date of BOS Position
HB 191 - Minchew (10) Composite index of local ability-to-pay; use value of real estate in certain localities.	12/27/2015 House: Referred to Committee on Education 2/3/2016 Subcommittee recommends referring to Committee on Appropriations 2/10/2016 House: Tabled in Education by voice vote	**2/2/2016**
Oppose (16102974D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. **Summary:** Requires, for the purpose of determining the state and local shares of basic aid funding, that the composite index of local ability-to-pay or "local composite index" utilize the use value of all applicable real estate (i) devoted to agricultural use, horticultural use, forest use, and open-space use in each locality that has adopted an ordinance by which it provides for the use valuation and taxation of such real estate and (ii) used in agricultural and forestal production within an agricultural district, forestal district, agricultural and forestal district, or agricultural and forestal district of local significance in each locality that provides for the use valuation and taxation of such real estate, regardless of whether it has adopted a local land-use plan or local ordinance for such valuation and taxation.		
HB 474 - Filler-Corn (41) Child-care providers; criminal history background checks.	1/8/2016 House: Referred to Committee on Health, Welfare and Institutions 2/9/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/9/2016 House: Referred to Committee on Rules 2/11/2016 House: Tabled in Rules by voice vote	**2/2/2016**
Support (16103491D) **Summary:** Secretary of Health and Human Resources; task force to study requirements for criminal history background checks for child-care providers; report. Directs the Secretary of Health and Human Resources to convene a task force composed of child-care providers and other stakeholders to review requirements for certain categories of child-care providers, including those exempt from licensure pursuant to Â¿ 63.2-1715, and to develop recommendations to promote the health, safety, and development of children in child-care settings. The task force shall submit a report on its activities, findings, and conclusions to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Rehabilitation and Social Services by November 1, 2016.		
HB 532 - Murphy (34) Composite index of local ability to pay; additional factors to be considered.	1/9/2016 House: Referred to Committee on Education 2/3/2016 Subcommittee recommends referring to Committee on Appropriations 2/10/2016 House: Tabled in Education by voice vote	**2/2/2016**
Support (16101018D) **Summary:** Composite index of local ability to pay; additional factors. Requires the state and local funding share formula, the composite index of local ability to pay, to take into consideration the population of the relevant locality, the number of enrolled English-language learners, and the number of enrolled students who are eligible to receive free or reduced-price lunch.		
HB 544 - Watts (39) Retail sales and transient occupancy taxes; taxes on room rentals.	1/9/2016 House: Referred to Committee on Finance 2/1/2016 House: Stricken from docket by Finance by voice vote	**2/2/2016**

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Support (16102062D) **Summary:** Retail sales and transient occupancy taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.		
HB 547 - Watts (39) Standards of Quality; apportionment of state and local share.	1/9/2016 House: Referred to Committee on Education 2/3/2016 Subcommittee recommends referring to Committee on Appropriations 2/10/2016 House: Tabled in Education by voice vote	[2/5/2016]
[Support] (16102351D) **Summary:** Directs the General Assembly, in apportioning the state and local share of the costs of meeting the Standards of Quality, beginning July 1, 2016, to implement a formula that determines each locality's ability to pay based on the ratios of (i) the reimbursement payment made to the locality for providing tangible personal property tax relief to the reimbursement payments made statewide for providing tangible personal property tax relief; (ii) the total value of real estate in the locality adjusted by the average of the cost of competing index if used for instructional personnel and for support positions to the statewide value of real estate per person; (iii) the local one percent sales tax revenue collected by the locality to the statewide total local sales tax revenue collected; (iv) the assessed value of the personal property taxed by the locality to the statewide assessed value of the local personal property tax; and (v) revenue collected from local lodging, local cigarette, and local meals taxes to the revenue collected statewide from such local lodging, cigarette, and meals taxes. To determine each locality's composite index of ability to pay, (a) the sum of the ratios calculated on the basis of average daily membership for each locality shall be divided by the sum of the average daily membership ratios for all localities; (b) the sum of the ratios calculated on a per capita basis for each locality shall be divided by the sum of the per capita ratios for all localities; and (c) the locality's ratio calculated on the basis of average daily membership shall be multiplied by 0.66, and the locality's ratio calculated on a per capita basis shall be multiplied by 0.33. The sum of the two adjusted ratios in clause (c) shall be the local composite index of ability to pay.		
HB 594 - Marshall (13) Traffic or motor vehicle laws; enforcement of laws, marked law-enforcement vehicles.	1/11/2016 House: Referred to Committee on Transportation 1/19/2016 House: Referred from Transportation by voice vote 1/19/2016 House: Referred to Committee on Militia, Police and Public Safety 2/5/2016 House: Tabled in Militia, Police and Public Safety by voice vote	**2/2/2016**
Oppose (16103547D) **Summary:** Enforcement of traffic or motor vehicle laws; marked law-enforcement vehicles. Requires that any law-enforcement vehicle used by an officer for enforcing traffic or motor vehicle laws be (i) marked in some distinctive manner that identifies the law-enforcement agency employing such officer and (ii) equipped with		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
warning lights. The bill provides exceptions for an officer who (a) stops at the scene of an accident or to assist a disabled motor vehicle, (b) has probable cause to believe the operator of a motor vehicle has committed a felony or is driving under the influence, or (iii) stops the operator of a motor vehicle who the officer reasonably believes constitutes a risk of causing imminent and serious bodily injury to any person.		
HB 722 - LeMunyon (67) Tolls; prohibits imposition or collection of tolls on certain highways in Planning District 8.	1/11/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/4/2016 Subcommittee failed to recommend reporting (3-Y 3-N)	**2/2/2016**
Oppose (16101113D) **Summary:** Tolling on highway systems. Prohibits the imposition or collection of tolls on primary, secondary, or urban highways in Planning District 8 not tolled as of January 1, 2016.		
HB 792 - James (80) Virginia Pathway to Middle Class: Noncredit Workforce Credentials Act; established, report.	1/12/2016 House: Referred to Committee on Commerce and Labor 2/9/2016 House: Tabled in Commerce and Labor by voice vote	**2/2/2016**
Monitor (16102554D) - Monitor legislation; support associated funding in Governor's budget. See also HB 1206 (Greason) and SB 575 (Ruff). **Summary:** Comprehensive community colleges; noncredit workforce credentials; Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Act. Establishes the Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Program (Program), to be administered by the Virginia Community College System (System). The bill requires the System to approve (i) a plan and funding formula to support capacity building for and development and expansion of noncredit workforce credential programs at comprehensive community colleges that prepare students for in-demand noncredit workforce credentials that are aligned with the knowledge and skill sets that are required for the available occupations in each region, (ii) a plan for providing financial incentives to comprehensive community colleges that demonstrate exceptional performance or improvement in the development and expansion of such noncredit workforce credential programs, and (iii) a plan and timeline for assessing the impact of a pilot set of noncredit workforce credentials on short-term and long-term job attainment and wages. The bill requires the System to submit a report to the General Assembly and the Virginia Board of Workforce Development no later than January 1 of each year with certain data from the previous fiscal year on noncredit workforce credential attainment by students at comprehensive community colleges.		
HB 853 - Cline (24) Traffic lights; use of photo-monitoring systems.	1/12/2016 House: Referred to Committee on Militia, Police and Public Safety 1/29/2016 House: Passed by indefinitely in Militia, Police and Public Safety (12-Y 9-N)	**2/2/2016**
Oppose (16102829D) - Board has historically opposed. **Summary:** Use of photo-monitoring systems for traffic lights; repeal. Repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
HB 949 - Keam (35) Northern Virginia Transportation Authority (NVTA); membership composition.	1/12/2016 House: Referred to Committee on Transportation 2/11/2016 Subcommittee failed to recommend reporting (2-Y 3-N)	**2/2/2016**
Oppose (16103101D) - Board has historically opposed. See also SB 113 (Petersen). **Summary:** Increases from 17 to 18 the membership of the NVTA and provides that the additional non-legislative citizen member represent towns that receive funds for urban highway systems.		
HB 1008 - Levine (45) Motor vehicle fuels; sales tax in certain transportation districts, price floor.	1/13/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends striking from docket by voice vote 2/8/2016 House: Stricken from docket by Finance by voice vote	**2/2/2016**
Support (16101983D) **Summary:** Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the average sales price be no less than the statewide average sales price on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax.		
SB 234 - Petersen (34) Interstate 66; tolls on existing components east of mile marker 67 prohibited.	1/6/2016 Senate: Referred to Committee on Transportation 2/10/2016 Senate: Passed by indefinitely in Transportation (13-Y 0-N)	**2/2/2016**
Oppose (16100868D) **Summary:** Tolling on Interstate 66. Prohibits tolls on existing components of Interstate 66 east of mile marker 67. The bill provides that if additional lanes are added after January 1, 2017, toll revenues from use of the additional lanes shall be used only for the construction and maintenance of such additional lanes.		
SB 238 - Petersen (34) Virginia Property Owners' Association Act; home-based businesses.	1/6/2016 Senate: Referred to Committee on General Laws and Technology 2/8/2016 Senate: Passed by indefinitely in General Laws and Technology with letter (15-Y 0-N)	[2/5/2016]
[Oppose] (16102882D) **Summary:** Virginia Property Owner's Association Act; home-based businesses. Provides that an association may not prohibit a lot owner from operating a home-based business within his personal residence if the operation of the home-based business is in compliance with all applicable state laws and local ordinances. Under current law, operation of a home-based business is prohibited only to the extent that the declaration is silent on the operation of home-based businesses. The association continues to be authorized to establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the owner's lot related to such home-based business.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
SB 258 - Surovell (36) Commonwealth Transportation Board; voting weighted by population.	1/6/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Passed by indefinitely in Transportation (13-Y 0-N)	**2/2/2016**
Support (16100159D) - Board has historically supported. **Summary:** CTB; voting weighted by population. Provides that the votes of the nine nonlegislative citizen members of the Commonwealth Transportation Board who represent the nine highway construction districts shall be weighted on the basis of the population of each member's district as a percentage of the total population of the Commonwealth.		
SB 295 - Lucas (18) Toll violations at all-electronic toll facilities; administrative fees and period of nonpayment.	1/8/2016 Senate: Referred to Committee on Transportation 2/10/2016 Senate: Passed by indefinitely in Transportation with letter (13-Y 0-N) 2/10/2016 Incorporates SB 334 (Locke), SB 405 (Vogel), and SB 516 (McPike).	[2/5/2016]
[Monitor] (16102028D) - See also HB 1069 (Jones). **Summary:** Lowers the administrative fee that is paid after 30 days of nonpayment of an unpaid toll from $100 to $50 and lengthens such period of nonpayment from 30 days to 60 days. The time period for notice to contest liability for a toll violation is extended from 60 to 90 days. The time period to file an affidavit stating that the owner of the vehicle was not the operator of the vehicle during the unpaid toll violation is extended from 14 to 30 days.		
SB 405 - Vogel (27) Tolling additional capacity and designations of HOV and HOT lanes on Interstate 66.	1/12/2016 Senate: Referred to Committee on Transportation 2/10/2016 Incorporated by Transportation (SB295-Lucas) (13-Y 0-N)	**2/2/2016**
Oppose (16103688D) **Summary:** Prohibits tolls on any component of Interstate 66 outside the Capital Beltway existing prior to July 1, 2016. The bill provides that if additional lanes are added to an interstate highway, those additional lanes may be tolled. The bill prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation and prohibits a HOT lane occupancy requirement of more than two. The bill allows vehicles bearing clean special fuel vehicle license plates to use HOT lanes; such vehicles may currently use HOV lanes. The bill contains a technical amendment.		
SB 426 - Vogel (27) Virginia Community Impact Authority and Fund; created, report.	1/12/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Passed by indefinitely in Local Government with letter (13-Y 0-N)	**2/2/2016**
Monitor (16100552D) **Summary:** Virginia Community Impact Authority and Fund. Establishes the Virginia Community Impact Authority with the authority to (i) provide grants, investments, and loans to support job training programs, health care delivery systems, and affordable housing programs and initiatives; (ii) provide start-up capital and loans to assist private enterprises; (iii) provide grants to local community impact funds; (iv) support clean and		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
energy-efficient programs and initiatives; and (v) support other initiatives that are determined by the Authority to have a meaningful community impact. The grants, investments, and loans are to be made from the Virginia Community Impact Fund, established by the bill, which is to be funded by allocation of one percent of the total consideration paid by state public bodies in state procurement contracts valued at more than $300,000.		
SB 469 - Wagner (7) Local stormwater utility; payment to best management practice (BMP) operator accepting runoff.	1/12/2016 Senate: Referred to Committee on Local Government 2/9/2016 Stricken at request of Patron in Local Government (13-Y 0-N)	**2/2/2016**
Oppose (16101309D) **Summary:** Local stormwater utility; payment to BMP operator accepting runoff. Requires any locality that operates a local stormwater management program to pay the private operator of a nutrient-reducing best management practice (BMP) if it requires such operator to accept stormwater runoff from an upstream property. The BMP operator is to be paid 50 percent of the stormwater utility charge assessed to the upstream owner.		
SB 471 - Wagner (7) Commonwealth Transportation Board; increases regional membership.	1/12/2016 Senate: Referred to Committee on Rules 2/3/2016 Rereferred from Rules (14-Y 0-N) and Rereferred to Transportation 2/3/2016 Senate: Rereferred to Transportation 2/10/2016 Stricken at request of Patron in Transportation (13-Y 0-N)	**2/2/2016**
Support (16101332D) - See also HB 1346 (Villanueva). **Summary:** Commonwealth Transportation Board; regional membership. Increases from 17 to 19 the membership of the Commonwealth Transportation Board by the addition of two nonlegislative citizen members: one from the Hampton Roads Transportation Accountability Commission and one from the Northern Virginia Transportation Authority. The terms of the new nonlegislative citizen members begin July 1, 2016.		
SB 477 - Wagner (7) Motor vehicle fuels; sales tax in certain transportation districts, price floor.	1/12/2016 Senate: Referred to Committee on Finance 2/9/2016 Stricken at request of Patron in Finance (15-Y 0-N)	**2/2/2016**
Support (16103951D) **Summary:** Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the tax is not imposed on a sales price less than the statewide average sales price on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax.		
SB 484 - DeSteph, Jr. (8) Stormwater management regulations; water quality and quantity design criteria.	1/12/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2016 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources with letter (11-Y 4-N)	**2/2/2016**
Oppose (16102418D)		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Summary: Stormwater management regulations; water quality and quantity design criteria; unenforceable unless amended. Prohibits the enforcement of any design criterion concerning water quality or quantity contained in Part II B of the stormwater management regulations until the State Water Control Board amends the design criteria to bring them up to date, correct the errors they contain, and coordinate them with the rest of the stormwater management regulations. Until the regulations are reissued, the design criteria contained in Part II C shall apply instead.		
SB 490 - DeSteph, Jr. (8) Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.	1/12/2016 Senate: Referred to Committee on Privileges and Elections 2/2/2016 Failed to report (defeated) in Privileges and Elections (6-Y 6-N)	**2/2/2016**
Support (16103934D) - Support concept; implementation issues need to be resolved. **Summary:** Provides that any active duty member of a uniformed service who has been called to duty for deployment to a combat zone shall be permitted to use his digital signature associated with his Common Access Card issued by the U.S. Department of Defense to sign his application for a military-overseas ballot, the statement of voter accompanying his cast military-overseas ballot, and any other related documents. The bill also requires the system through which a covered voter may apply for and receive voter registration materials, military-overseas ballots, and other information to be capable of accepting the submission of voted military-overseas ballots cast by active duty member of a uniformed service who has been called to duty for deployment to a combat zone.		
SB 516 - McPike (29) Tolls; use for additional lanes on interstate highways.	1/13/2016 Senate: Referred to Committee on Transportation 2/10/2016 Incorporated by Transportation (SB295-Lucas) (13-Y 0-N)	**2/2/2016**
Oppose (16101817D) **Summary:** Tolling on interstate highways. Prohibits tolls on any component of interstate highways existing prior to July 1, 2016. The bill provides that if additional lanes are added to an interstate highway, those additional lanes may be tolled. The bill contains a technical amendment.		
SB 575 - Ruff, Jr. (61) Comprehensive community colleges; noncredit workforce credentials.	1/13/2016 Senate: Referred to Committee on Education and Health 2/11/2016 Stricken at request of patron in Education and Health (13-Y 0-N)	**2/2/2016**
Monitor (16102555D) - Monitor legislation; support associated funding in Governor's budget. See also HB 792 (James) and HB 1206 (Greason). **Summary:** Comprehensive community colleges; noncredit workforce credentials; Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Act. Establishes the Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Program (Program), to be administered by the Virginia Community College System (System). The bill requires the System to approve (i) a plan and funding formula to support capacity building for and development and expansion of noncredit workforce credential programs at comprehensive community colleges that prepare students for in-demand noncredit workforce credentials that are aligned with the knowledge and skill sets that are required for the available occupations in each region, (ii) a plan for		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
providing financial incentives to comprehensive community colleges that demonstrate exceptional performance or improvement in the development and expansion of such noncredit workforce credential programs, and (iii) a plan and timeline for assessing the impact of a pilot set of noncredit workforce credentials on short-term and long-term job attainment and wages. The bill requires the System to submit a report to the General Assembly and the Virginia Board of Workforce Development no later than January 1 of each year with certain data from the previous fiscal year on noncredit workforce credential attainment by students at comprehensive community colleges.		
SB 581 - McEachin (9) Discharge of deleterious substance into state waters; notice.	1/13/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2016 Failed to report (defeated) in Agriculture, Conservation and Natural Resources (7-Y 7-N)	**2/2/2016**
Amend (16102719D) - Amend to remove reduced notification time due to potential impossibility. See also HB 977 (Lopez). **Summary:** Requires any person who unlawfully discharges any deleterious substance into state waters to notify the State Water Control Board (the Board), the Department of Environmental Quality (the Department), or the coordinator of emergency services of the affected locality within 12 hours. Current law allows such a person 24 hours to give notice. The bill also requires that written notice follow to the Board, in addition to the Department, and specifies that the required report of potentially detrimental discharges by the Board or the Department to local newspapers, television stations, and radio stations be provided to such media outlets as soon as practicable after receiving it.		
SB 681 - Vogel (27) Annexation moratorium; extends for city annexations and county immunity actions.	1/20/2016 Senate: Referred to Committee on Local Government 2/2/2016 Incorporated by Local Government (SB309-Hanger) (13-Y 0-N)	**2/2/2016**
Support (16104027D) - Board has historically supported. **Summary:** Annexation moratorium. Extends the current moratorium on city annexations and county immunity actions by two years to 2020. Provisions that would trigger the early expiration of the moratorium if the General Assembly fails to appropriate certain amounts for local law-enforcement expenditures are exempted through the 2016-2018 biennium.		
SB 735 - Obenshain (26) Local planning commission; action on proposed plat, commercial real estate.	1/22/2016 Senate: Referred to Committee on Local Government 2/9/2016 Senate: Passed by indefinitely in Local Government (9-Y 3-N 1-A)	[2/5/2016]
[Oppose] (16103897D) **Summary:** Local planning commission; action on proposed plat; commercial real estate. Shortens the period within which a local planning commission or other agent must act on a proposed plat, site plan, or plan of development that solely involves parcels of commercial real estate. The bill shortens from 60 days to 30 days the period within which the commission shall act on a plat that has been officially submitted for approval and reduces from 45 days to 20 days the period for action on a plat that the commission has previously disapproved. The bill reduces from 10 business days to seven business days the period within which the commission is required to forward the plat to a state agency if a review by the agency is required, and the agency's initial		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
review period is reduced from 45 days to 20 days. The agency's second review period, for a plat that has previously been disapproved, is reduced from 45 days to 15 days. Once a plat receives all state agency approvals, the period for planning commission action on it is reduced from 35 days to 15 days. Finally, the bill reduces the periods of time that must pass before the subdivider is allowed to petition the circuit court for a decision on the plat from 60 days to 30 days after official submission for approval, from 45 days to 20 days after official resubmission following a previous disapproval, and from 35 days to 15 days from receipt of any state agency response. The bill also reduces the notice period required for the subdivider's petition to the court from 10 days to five days.		
SB 778 - Barker (39) Use of handheld personal communications devices while driving; penalty.	1/25/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Reported from Transportation (10-Y 3-N) 2/9/2016 Read third time and defeated by Senate (18-Y 22-N)	**2/2/2016**
Support (16104156D) **Summary:** Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global positioning system for the purposes of navigation.		

Bold – Indicates BOS formal action
[ ] Indicates BOS Legislative Committee Action

HB 770/SB 549 – Proffer Legislation

HB 770 (Gilbert) is expected to be conformed to
SB 549 (Obenshain, Saslaw, Chafin, Reeves)

Status of HB 770/SB 549

HB 770 passed the House (68-27) with amendments. On the floor, the patron said it would be conformed to the Senate bill (which includes amendments made in Senate committee), and would also remove the provisions relating to building materials, finishes, methods of construction, or design features (striking new Va. Code § 15.2-2303.5). SB 549 is on the Senate floor.

Summary of HB 770/SB 549

(The summary includes all amendments made to both bills to date)

HB 770/SB 549 would:

- Regulate rezonings and proffered condition amendment applications only for residential development, including multifamily housing and any residential component of a mixed-use development.
- Apply to cash and non-cash proffers.
- Require all proffers for such residential development to only address impacts that are "specifically attributable" to the proposed development.
- Further restrict off-site proffers to only address needs created by the development to expand existing capacity of transportation facilities (including transit); public safety facilities; public school facilities; and parks. Cash and other proffers for off-site affordable housing (including the housing trust fund), libraries, or other items could no longer be offered by developers or be accepted by the County.
- Define "transportation facilities" as: new roads (but not necessarily appurtenances like sidewalks); improvement or expansion of existing roads and appurtenances; and structures (including parking) related to transit. This definition does not include stand-alone pedestrian and bicycle projects, or transit operating assistance (for example, proffered shuttles that run to Metrorail and other transit stations).
- Only allow off-site proffers that provide a "direct and material benefit" to the development. If the development creates some negative effect on the community, a proffer could not address the issue beyond the public facilities above, and only if it confers a benefit back to the development.
- Allow only applicants and property owners to challenge the grant or denial of a rezoning in circuit court.

- Increase the burden of proof on a locality that denies a rezoning or a proffered condition amendment application if the applicant proves that it failed to submit or refused to remain subject to a proffer that would not have been allowed by this section. The applicant only has to show that such a proffer was "suggested, requested, or required, formally or informally." The locality has to prove it complied with this statute by "clear and convincing evidence," the highest standard of proof in civil cases.
- Allow future owners of a property that has proffer conditions (agreed to by a previous owner) to seek proffer amendments and challenge existing proffers. Proffers accepted before enactment of the bill are grandfathered.
- Allow the court to grant attorney fees and costs to a successful court challenge against a locality.
- Allow the court to remand the case to the locality, ordering it to approve the rezoning without a proffer that violates this statute. The locality would have 90 days to act, and if it does not, it would be prohibited from interfering with the proposed use without the illegal proffer (in such a case, the Board would not be required to again provide public notice and conduct additional public hearings on the case).

Exemptions Included in HB 770/SB 549

HB 770/SB 549 would not apply to the following:

- any residential development in an approved area comprehensive plan, if a portion of that plan allows a density of at least 4.0 floor area ratio (FAR) in a revitalization area that encompasses mass transit and mixed-use development;
- an approved area comprehensive plan that allows additional density within one-quarter mile of an existing or planned Metrorail station or;
- an approved area of a service district created pursuant to § 15.2-2400, if that area encompasses an existing or planned Metrorail station.

Areas of Fairfax County that are Likely Exempt from HB 770/SB 549
(This analysis is still in progress, and these are not final determinations)

- All approved area comprehensive plans for Transit Station Areas (including Tysons, Portions of Reston Town Center, and Wiehle)
- Beacon Groveton
- Annandale

Areas of Fairfax County Likely Included in the Restrictions of HB 770/SB 549

1. The following Suburban Centers:
    - Centreville
    - Fairfax Center
    - Dulles Sub Center
    - Flint Hill
    - Lorton-South Route 1
    - Merrifield

2. The following Community Business Centers:
    - Baileys
    - Seven Corners
    - Kingstowne
    - McLean
    - Springfield
    - Richmond Highway, North Gateway
    - Richmond Highway, Penn Daw
    - Richmond Highway, Hybla Valley/Gum Springs
    - Richmond Highway, South County Center
    - Richmond Highway, Woodlawn

This page intentionally left blank.

94

Pending Ethics Legislation

Bills with substantive amendments that affect the County as written		
Bill No/Patron	**Bill Summary**	**Comments**
HB 154 (Simon) (HCT) (16100914D)	Provides that the aggregated value of a bundled gift is subject to the $100 limitation on certain gifts and is to be attributed to each person contributing to the bundled gift. The bill also requires lobbyists to disclose any gift or entertainment event with a value greater than $50 to which the lobbyist or lobbyist's principal contributed, regardless of the value of the lobbyist's or principal's share. The bill defines a bundled gift to mean separate gifts that are paid for or otherwise provided by multiple sources but delivered to the recipient by a single source.	For purposes of the prohibition applicable to certain gift givers and the disclosure requirements, the total aggregated value of a bundled gift shall be attributed to each person contributing to the bundled gift.
HB 779 (Gilbert) (HCT) (16101930D)	Provides that the filing of a single current statement of economic interests by an individual required to file such form shall satisfy the filing requirement for all positions or offices held or sought by such individual during a single reporting period. Additionally, the filing of a single current financial disclosure statement by an individual required to file such form shall satisfy the filing requirement for all positions or offices held or sought by such individual. Currently, this exemption for duplicative filing applies only to state officers and employees holding or seeking multiple state positions or offices.	Eliminates duplicate filings for individuals who hold more than one position at the local level that requires filing.
HB 780 (Gilbert) (HCT) (16100698D)	Makes technical amendments to reflect the change in filing cycles and the role of the Council in receiving certain disclosures and to "clarify" the time period for aggregation for purposes of the prohibited gift cap.	Simplifies record- keeping by changing the time period for aggregation for purposes of the prohibited gift cap from "calendar year" to "reporting year" and defines "reporting year" as November 1 to October 31.
HB 860 (McClellan) (HCT) (16100707D)	Provides that records relating to formal advisory opinions or informal advice of the Council or its designee, including records of requests, notes, correspondence, and draft versions of such opinions or advice	Broadens the confidentiality provision to encompass documents related to the

96

Pending Ethics Legislation

	shall be confidential and excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act.	request for an opinion from the Council.
HB 862 (McClellan) (HCT) (16102562D)	"Clarifies" that for purposes of the gift limitations, gifts shall be aggregated by reporting year, defined as the period beginning November 1 and ending October 31. Current law requires aggregation of gifts by calendar year.	Simplifies record- keeping by changing the time period for aggregation for purposes of the prohibited gift cap from "calendar year" to "reporting year" and defines "reporting year" as November 1 to October 31.
HB 892 (Gilbert) (HCT) (16101366D)	Removes from the Code the formatted forms of the lobbyist disclosure statement, the Statement of Economic Interests for state and local government officers and employees and members of the General Assembly, and the financial interests form for citizen members of certain governmental boards, commissions, and councils. The Council is required to prescribe the forms to be used to comply with disclosure requirements. The bill has a delayed effective date of January 1, 2017.	Gives the Council the authority to prescribe the disclosure forms, which may result in more user-friendly forms.
HB 1362 (Gilbert) (HCT) (6104043D)	Requires the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts to be filed annually. Lobbyists are required to file by July 1 for the preceding 12-month period complete through the last day of April. Persons subject to the conflict of interests acts are required to file on or before January 15. The bill contains technical amendments to reflect the change in filing cycles. The bill also requires the Governor, Lieutenant Governor, Attorney General, members of the Governor's Cabinet, and members of the General Assembly to file on or before May 1 a separate report of gifts received during the regular session of the General Assembly.	Returns to annual disclosure filings, due in January of each year, instead of semiannual.
SB 213 (Black) (SRUL) (16100211D)	Exempts food and beverages from the definition of a gift for purposes of the gift cap and disclosure.	Provides that "food and beverages" are not "gifts."
SB 539 (Surovell) (SRUL) (16103157D)	Requires the members of local electoral boards and general registrars to file, as a condition of assuming office or employment and semiannually	

Pending Ethics Legislation

	thereafter, the statement of economic interests disclosure prescribed by §2.2-3117.	
SB 692 (Norment) (SRUL) (16104228D)	Requires the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts to be filed annually. Lobbyists are required to file by July 1 for the preceding 12-month period complete through the last day of April. Persons subject to the conflict of interests acts are required to file on or before January 15. The bill contains technical amendments to reflect the change in filing cycles. The bill also requires the Governor, Lieutenant Governor, Attorney General, members of the Governor's Cabinet, and members of the General Assembly to file on or before May 1 a separate report of gifts received during the regular session of the General Assembly.	Returns to annual disclosure filings, due in January of each year, instead of semiannual.
Bills that only affect the authority of the Conflict of Interests and Ethics Advisory Council		
Bill No/Patron	**Bill Summary**	**Comments**
HB 152 (Simon) (HCT) (16100854D)	Authorizes the Virginia Conflict of Interest and Ethics Advisory Council to investigate alleged violations of the State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act (the Acts). The Council may initiate an investigation upon its own motion or in response to a citizen complaint. Before beginning an investigation in response to a citizen complaint, the Council is required to conduct a preliminary inquiry to determine whether the facts stated in the complaint, when taken as true, are sufficient to show a violation of the Acts warrants an investigation. The bill details (i) the authority of the Council to issue subpoenas and the rights of the subject of an investigation; (ii) prerequisites for a finding of a violation of the Acts, including the conduct of a public hearing; and (iii) the requirements for referral of a violation of the Acts to appropriate authorities.	
HB 153 (Simon) (HCT) (16100886D)	Requires the Virginia Conflict of Interest and Ethics Advisory Council to conduct a semiannual inspection of a random sample of disclosure	

Pending Ethics Legislation

	statements filed with the Council to determine compliance with applicable disclosure requirements and limitations on gifts, the accuracy of information disclosed, and whether filing deadlines were met.	
Bills that do not apply to the County as written		
Bill No/Patron	**Bill Summary**	**Comments**
HB 155 (Simon) (HCT) (16100916D)	Requires the disclosure on the General Assembly Conflicts of Interests Act Statement of Economic Interests form of any tax credit allowed under the Code of Virginia that (i) the filer, (ii) a member of the filer's immediate family, (iii) a business owned by the filer or a member of the filer's immediate family, or (iv) a business in which the filer or a member of the filer's immediate family owns or controls an interest in excess of $5,000 claimed during the previous tax year, when the amount claimed is $1,000 or more. Disclosure of certain tax credits is not required. Disclosure is required only on the semiannual statement that is filed in June.	
HB 857 (McClellan) (HCT) (16102553D)	Clarifies that gifts [from lobbyists] to certain members of an individual's family are not considered gifts. Currently, the definition of gift says that gifts from certain members of an individual's family are not considered gifts.	
HB 868 (McClellan) (HCT) (16100708D)	Provides that for purposes of the laws governing lobbyists and lobbyist disclosure, the definition of procurement transaction is limited to those in which the stated or expected value of the contract is equal to $5 million or more. The bill contains an emergency clause.	Lobbyists are required to report executive and legislative actions (with as much specificity as possible) for which they lobbied and a description of activities conducted. Effective 1/1/2016, "executive action" includes procurement transactions.

Pending Ethics Legislation

HB 889 (Gilbert) (HCT) (16102556D)	Clarifies that lobbying disclosure reports are filed with the Virginia Conflict of Interest and Ethics Advisory Council and are open to public inspection and copying in the office of the Council. Currently, language still provides for filing and inspection of such reports with the Secretary of the Commonwealth.	
HB 890 (Gilbert) (HCT) (16102571D)	Clarifies that candidates for statewide office, the General Assembly, and constitutional office are required to file a statement of economic interests with the Virginia Conflict of Interest and Ethics Advisory Council. The bill also requires the Council to transmit certain information related to such candidates to the State Board of Elections and updates language to reflect the change from annual to semiannual disclosures.	
HB 891 (Gilbert) (HCT) (16102587D)	Clarifies that travel provided to facilitate attendance by a legislator at certain meetings where attendance is approved by the House or Senate Committee on Rules or the Chairman of either committee is not a gift. Currently, such travel is deemed not a gift only when approved by the House or Senate Committee on Rules.	
HB 1361 (Gilbert) (HCT) (16104044D)	Prohibits the name of a legislative or executive official, or a member of his immediate family, who attends a reportable entertainment event from being disclosed by the principal if that legislative or executive official reimburses the principal for, or otherwise pays for, his attendance, or the attendance of a member of his immediate family, at the entertainment event. Reimbursement shall be calculated using the average value for each person attending the event.	
SB 652 (Lewis) (SRUL) (16104370D)	Provides an exception to the prohibition against officers and employees having contracts with their employing agencies for contracts by an officer or employee of a soil and water conservation district to participate in the Virginia Agricultural Best Management Practices Cost-Share Program. The exception does not apply to subcontracts or other agreements entered into to provide services for implementation of a cost-share contract established under the Program. Under the bill, the exception applies to contracts entered into prior to July 1, 2016.	

100

Pending Ethics Legislation

SB 657 (Newman) (SRUL) (16104081D)	Prohibits the name of a legislative or executive official, or a member of his immediate family, who attends a reportable entertainment event from being disclosed by the principal if that legislative or executive official reimburses the principal for, or otherwise pays for, his attendance, or the attendance of a member of his immediate family, at the entertainment event. Reimbursement shall be calculated using the average value for each person attending the event.	Same as HB 1361.

Fairfax County Office of Elections

Photo ID Only Provisional Ballots Received - By Precinct

November 2014 General Election

Braddock District

Precinct	110	120	125	128	130	134	Total	
Total	1	2	1	1	1	1	7	
Accepted		1	1		1		3	43%
Rejected	1	1		1		1	4	57%

Hunter Mill District

Precinct	208	209	221	227	229	234	238	Total	
Total	1	3	2	1	1	1	1	10	
Accepted		1	2			1	1	5	50%
Rejected	1	2		1	1			5	50%

Dranesville District

Precinct	301	310	311	312	314	315	320	321	322	331	333	Total	
Total	1	1	2	2	1	1	1	1	1	1	1	13	
Accepted			1	1					1	1	1	5	38%
Rejected	1	1	1	1	1	1	1	1				8	62%

Lee District

Precinct	401	404	408	411	423	424	426	427	Total	
Total	1	1	1	1	3	1	5	1	14	
Accepted		1	1			1		1	4	29%
Rejected	1			1	3		5		10	71%

Mason District

Precinct	504	513	516	520	525	Total	
Total	1	1	1	2	1	6	
Accepted					1	1	17%
Rejected	1	1	1	2		5	83%

Mount Vernon District

Precinct	602	614	615	618	618	621	628	Total	
Total	1	1	1	1	1	1	1	7	
Accepted		1			1			2	29%
Rejected	1		1	1		1	1	5	71%

Providence District

Precinct	708	709	712	713	721	727	729	732	733	Total	
Total	1	2	1	1	2	1	1	1	1	11	
Accepted								1		1	9%
Rejected	1	2	1	1	2	1	1		1	10	91%

Springfield District

Precinct	806	812	815	Total	
Total	1	1	1	3	
Accepted	1	1	1	3	100%
Rejected				0	0%

Sully District

Precinct	901	902	905	911	916	918	920	923	928	Total	
Total	1	1	1	1	1	2	1	1	1	10	
Accepted			1			2	1		1	5	50%
Rejected	1	1		1	1			1		5	50%

Countywide Totals

Precinct	Total	%
Total	81	
Accepted	29	36%
Rejected	52	64%

101

Fairfax County Office of Elections

Photo ID Only Provisional Ballots Received - By Precinct

November 2015 General Election

Braddock District

Precinct	127	131	133	134	Total	
Total	1	1	1	1	4	
Accepted		1			1	25%
Rejected	1		1	1	3	75%

Hunter Mill District

Precinct	209	238	Total	
Total	1	1	2	
Accepted	1	1	2	100%
Rejected			0	0%

Dranesville District

Precinct	301	307	309	311	312	315	319	324	Total	
Total	1	1	1	1	1	1	1	1	8	
Accepted	1	1	1			1			4	50%
Rejected				1	1		1	1	4	50%

Lee District

Precinct	426	429	Total	
Total	4	1	5	
Accepted	1	1	2	40%
Rejected	3		3	60%

Mason District

Precinct	507	508	520	523	Total	
Total	2	1	1	2	6	
Accepted				1	1	17%
Rejected	2	1	1	1	5	83%

Mount Vernon District

Precinct	618	619	625	Total	
Total	1	1	1	3	
Accepted	1			1	33%
Rejected		1	1	2	67%

Providence District

Precinct	720	Total	
Total	1	1	
Accepted		0	0%
Rejected	1	1	100%

Springfield District

Precinct	804	838	850	854	Total	
Total	1	1	1	1	4	
Accepted		1			1	25%
Rejected	1		1	1	3	75%

Sully District

Precinct	905	915	916	924	929	931	932	Total	
Total	1	1	1	2	2	1	1	9	
Accepted			1		1		1	3	33%
Rejected	1	1		2	1	1		6	67%

Countywide Totals

Precinct	Total	%
Total	42	
Accepted	15	36%
Rejected	27	64%

102

Fairfax County Office of Elections

Free VA Voter Photo IDs Issued - By Precinct

July 1, 2014 to January 31, 2016

Braddock District

Precinct	105	106	108	119	121	123	125	129	130	131	Total
Issued	3	1	1	2	1	2	1	1	1	6	19

Hunter Mill District

Precinct	201	208	209	213	214	216	218	220	221	223	224	229	234	Total
Total	2	7	14	1	1	1	5	1	3	3	1	1	2	42

Dranesville District

Precinct	301	302	309	312	317	319	320	321	322	324	327	328	Total
Total	2	2	1	3	1	1	2	1	2	1	1	1	18

Lee District

Precinct	401	402	404	408	410	413	415	418	419	423	424	426*	Total
Total	1	1	1	3	1	1	2	4	1	1	1	127	144

Mason District

Precinct	501	505	507	510	512	513	516	517	518	522	523	525	526	527	Total
Total	1	1	2	1	1	2	2	2	1	1	1	4	1	1	21

Mount Vernon District

Precinct	604	606	608	609	610	613	615	616	617	621	626	629	Total
Total	4	1	1	15	1	3	3	3	1	1	1	1	35

Providence District

Precinct	701	703	704	705	707	708	710	711	718	720	721	726	729	730	731	732	Total
Total	2	1	1	2	1	1	1	1	1	1	1	2	1	1	1	2	20

Springfield District

Precinct	801	802	803	806	811	812	815	824	827	833	838	839	841	844	846	847	848	Total
Total	2	1	2	2	1	1	2	2	1	2	2	1	1	1	1	1	1	24

Sully District

Precinct	902	903	905	913	911	914	915	916	918	919	923	926	928	931	Total
Total	1	1	1	1	1	1	1	2	6	1	1	4	1	1	23

Countywide Totals

Precincts	Total
120	346

* Greenspring Retirement Community outreach event netted over 100 voter photo IDs produced.

103

Board Agenda Item
February 16, 2016

10:10 a.m.

County Executive's Presentation of the Proposed FY 2017 and FY 2018 Multi-Year Budget Plan

ENCLOSED DOCUMENTS:
None. Materials to be distributed on February 16, 2016.

PRESENTED BY:
Edward L. Long Jr., County Executive

Board Agenda Item
February 16, 2016

11:10 a.m.

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

ENCLOSED DOCUMENTS:
Attachment 1: Appointments to be heard February 16, 2016
(An updated list will be distributed at the Board meeting.)

STAFF:
Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors

February 16, 2016

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

APPOINTMENTS TO BE HEARD FEBRUARY 16, 2016

(ENCOMPASSING VACANCIES PROJECTED THROUGH FEBRUARY 29, 2016)

(Unless otherwise noted, members are eligible for reappointment)

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

Incumbent History	Requirement	Nominee	Supervisor	District
Eileen J. Garnett (Appointed 1/03-1/15 by Gross) Term exp. 1/16	Mason District Representative	**Eileen J. Garnett**	Gross	Mason
VACANT (Formerly held by Charles T. Coyle; appointed 2/13-6/14 by Hyland) Term exp. 1/15 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon
Ernestine Heastie (Appointed 2/04-1/15 by Smyth) Term exp. 1/16	Providence District Representative		Smyth	Providence
VACANT (Formerly held by John Shughrue; appointed 1/93-1/03) Term exp. 1/04 *Resigned*	Sully District Representative		Smith	Sully

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

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Elizabeth D'Alelio; appointed 12/09-9/13 by Cook) Term exp. 9/17 *Resigned*	Braddock District Representative		Cook	Braddock
VACANT (Formerly held by Margaret Osborne; appointed 12/14 by McKay) Term exp. 9/16 *Resigned*	Lee District Representative		McKay	Lee
VACANT (Formerly held by Sydney Stakley; appointed 6/07-9/13 by Smyth) Term exp. 9/17 *Resigned*	Providence District Representative	**Francine Ronis**	Smyth	Providence

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Arthur R. Genuario; appointed 4/96-5/12 by Hyland) Term exp. 9/13 *Resigned*	Builder (Single Family) Representative		By Any Supervisor	At-Large

Continued on next page

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)
continued

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by James Francis Carey; appointed 2/95-5/02 by Hanley; 5/06 by Connolly) Term exp. 5/10 *Resigned*	Lending Institution Representative		By Any Supervisor	At-Large

AIRPORTS ADVISORY COMMITTEE (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Joshua D. Foley (Appointed 2/13 by Cook) Term exp. 1/16	Braddock District Representative		Cook	Braddock
Francine De. Ferreire Kemp (Appointed 1/13 by Foust) Term exp. 1/16	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Brian Elson; appointed 7/13-1/15 by Hyland) Term exp. 1/18 *Resigned*	Mount Vernon District Business Representative		Storck	Mount Vernon
VACANT (Formerly held by Robert A. Peter; appointed 2/09-1/13 by Smyth) Term exp. 1/16 *Resigned*	Providence District Representative		Smyth	Providence

CONFIRMATION NEEDED:

- Ms. Karen Keys-Gamarra as the Planning Commission Representative

ANIMAL SERVICES ADVISORY COMMISSION (2 years)
[Note: In addition to attendance at Commission meetings, members shall volunteer at least 24 hours per year in some capacity for the Animal Services Division.]

Incumbent History	Requirement	Nominee	Supervisor	District
Philip S. Church (Appointed 6/01-2/02 by Hanley; 2/04-2/08 by Connolly; 2/10-2/14 by Bulova) Term exp. 2/16	At-Large Chairman's Representative	**Philip S. Church**	Bulova	At-Large Chairman's
Linda L. Bartlett (Appointed 3/10-2/14 by Cook) Term exp. 2/16	Braddock District Representative	**Linda L. Bartlett**	Cook	Braddock
Diane D'Arcy (Appointed 3/08-3/14 by Foust) Term exp. 2/16	Dranesville District Representative		Foust	Dranesville
Lucinda Stewart (Appointed 9/06-2/14 by Hudgins) Term exp. 2/16	Hunter Mill District Representative	**Lucinda Stewart**	Hudgins	Hunter Mill
Larry A. Jackson (Appointed 2/10-2/14 by McKay) Term exp. 2/16	Lee District Representative	**Larry A. Jackson**	McKay	Lee
VACANT (Formerly held by Barbara Hyde; appointed 9/13-9/14 by Gross) Term exp. 2/16 *Resigned*	Mason District Representative		Gross	Mason
Gina Marie Lynch (Appointed 11/97-3/14 by Hyland) Term exp. 2/16	Mount Vernon District Representative		Storck	Mount Vernon

Continued on next page

ANIMAL SERVICES ADVISORY COMMISSION (2 years)
continued

Incumbent History	Requirement	Nominee	Supervisor	District
Allison Volpert (Appointed 1/05-2/14 by Smyth) Term exp. 2/16	Providence District Representative		Smyth	Providence
Harley Methfessel (Appointed 2/12-2/14 by Herrity) Term exp. 2/16	Springfield District Representative	**Harley Methfessel**	Herrity	Springfield
Robin Kasten-Daryanani (Appointed 8/04-2/14 by Frey) Term exp. 2/16	Sully District Representative		Smith	Sully

ARCHITECTURAL REVIEW BOARD (3 years)
[NOTE: Members shall be appointed by the Board of Supervisors as follows: at least two (2) members shall be certified architects; one (1) landscape architect authorized to practice in Virginia; one (1) lawyer with membership in the Virginia Bar; six (6) other members shall be drawn from the ranks of related professional groups such as archaeologists, historians, lawyers, and real estate brokers.]

Incumbent History	Requirement	Nominee	Supervisor	District
Susan W. Notkins (Appointed 11/96-9/03 by Hanley; 9/06 by Connolly; 10/09-10/12 by Bulova) Term exp. 9/15 *Architect*	Related Professional Group #3 Representative		By Any Supervisor	At-Large

ATHLETIC COUNCIL (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Terry Adams (Appointed 11/11-7/13 by Gross) Term exp. 6/15	Mason District Alternate Representative		Gross	Mason
VACANT (Formerly held by David Lacey; appointed 2/99-3/15 by Frey) Term exp. 3/17 *Resigned*	Sully District Principal Representative		Smith	Sully

CONFIRMATION NEEDED:

- Ms. Nichole Lopes as the Town of Herndon Principal Representative

AUDIT COMMITTEE (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Christopher Wade (Appointed 1/12-1/14 by Bulova) Term exp. 1/16	At-Large #1 Representative		By Any Supervisor	At-Large
Michael J. Hershman (Appointed 1/96-1/02 by Hanley; 1/04-1/08 by Connolly; 1/10-1/14 by Bulova) Term exp. 1/16	At-Large #2 Representative		By Any Supervisor	At-Large

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS (4 years)
(No official, technical assistant, inspector or other employee of the DPWES, DPZ, or FR shall serve as a member of the board.)

Incumbent History	Requirement	Nominee	Supervisor	District
John B. Scott (Appointed 2/08-2/11 by Frey) Term exp. 2/15	Alternate #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Susan Kim Harris; appointed 5/09-2/11 by Hudgins) Term exp. 2/15 *Resigned*	Alternate #4 Representative		By Any Supervisor	At-Large
J. Christopher Fox (Appointed 6/93-3/12 by Gross) Term exp. 2/16	Design Professional #5 Representative	**Daren Shumate** (Gross)	By Any Supervisor	At-Large

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS
(2 years – limited to 3 consecutive terms)

Incumbent History	Requirement	Nominee	Supervisor	District
Jill Patrick (Appointed 9/09-9/14 by Gross) Term exp. 9/15 ***Not eligible for reappointment***	At-Large #3 Representative		By Any Supervisor	At-Large

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE (4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Stephen Kirby; appointed 12/03-1/08 by Kauffman; 9/11 by McKay) Term exp. 9/15 *Resigned*	Lee District Representative		McKay	Lee
VACANT (Formerly held by Brian Loo; appointed 7/12 by Smyth) Term exp. 9/15 *Resigned*	Providence District Representative		Smyth	Providence
VACANT (Formerly held by Kanthan Siva; appointed 1/13 by Frey) Term exp. 9/15 *Resigned*	Sully District Representative	**Chris Koerner**	Smith	Sully

CHILD CARE ADVISORY COUNCIL (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Pamela Nilsen; appointed 6/13-9/13 by McKay) Term exp. 9/15 *Resigned*	Lee District Representative		McKay	Lee
VACANT (Formerly held by Eric Rardin; appointed 4/13 by Hyland) Term exp. 9/15 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY
(2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Andrew Levy; appointed 10/09-5/14 by Bulova) Term exp. 5/16 *Resigned*	At-Large Chairman's Representative		Bulova	At-Large Chairman's

CIVIL SERVICE COMMISSION (2 years)
[NOTE: The Commission shall include at least 3 members who are male, 3 members who are female, and 3 members who are from a member of a minority group.]

Current Membership: Males - 9 Females – 3 Minorities: 5

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Audrey F. Morton; appointed 2/94 by Davis; 11/97-12/13 by Frey) Term exp. 12/15 *Resigned*	At-Large #1 Representative	**Nancy Rice**	By Any Supervisor	At-Large
VACANT (Formerly held by Robert E. Frye, Sr.; appointed 1/05-1/08 by Connolly; 12/09-11/13 by Bulova) Term exp. 12/15 *Resigned*	At-Large #5 Representative		By Any Supervisor	At-Large
Patrick Morrison (Appointed 10/05-11/13 by Bulova) Term exp. 12/15	At-Large #7 Representative		By Any Supervisor	At-Large

COMMISSION FOR WOMEN (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Julia Boone; appointed 2/13 by Hudgins) Term exp. 10/15 *Resigned*	Hunter Mill District Representative		Hudgins	Hunter Mill

COMMISSION ON AGING (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Denton Urban Kent; Appointed 9/14 by Gross) Term exp. 5/16 *Resigned*	Mason District Representative		Gross	Mason

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

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Charles Dane; appointed 7/02-1/06 by Bulova; 1/10-1/14 by Cook) Term exp. 1/18 *Deceased*	Braddock District Representative		Cook	Braddock
Karl J. Simon (Appointed 1/97 by Dix; 1/00-1/12 by Hudgins) Term exp. 1/16	Hunter Mill District Representative	**Karl J. Simon**	Hudgins	Hunter Mill

Continued on next page

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

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Benjamin Gibson; appointed 4/11 by McKay) Term exp. 1/15 *Resigned*	Lee District Representative		McKay	Lee
VACANT (Formerly held by Carmen A. Cintron; appointed 2/13 by Hyland) Term exp. 1/15 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by William Stephens; appointed 9/02-1/03 by McConnell; 1/07-1/11 by Herrity) Term exp. 1/15 *Resigned*	Springfield District Representative		Herrity	Springfield
Dorothy O'Rourke (Appointed 10/06-1/12 by Frey) Term exp. 1/16	Sully District Representative	**Dorothy O'Rourke**	Smith	Sully

COMMUNITY ACTION ADVISORY BOARD (CAAB)
(3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Gregory W. Packer (Appointed 9/10-2/13 by Hyland) Term exp. 2/16	Mount Vernon District Representative		Storck	Mount Vernon
Linda W. Thomas (Appointed 7/12-2/13 by Smyth) Term exp. 2/16	Providence District Representative		Smyth	Providence
VACANT (Formerly held by Jay Hilbert; appointed 7/12-2/13 by Frey) Term exp. 2/15 *Resigned*	Sully District Representative		Smith	Sully

CONSUMER PROTECTION COMMISSION (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Jason M. Chung; appointed 2/13 by Frey) Term exp. 7/15 *Resigned*	Fairfax County Resident #7 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Leah Durant; appointed 6/13 by Herrity) Term exp. 7/15 *Resigned*	Fairfax County Resident #12 Representative		By Any Supervisor	At-Large

CRIMINAL JUSTICE ADVISORY BOARD (CJAB) (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Justin Fairfax; appointed 1/13-2/15 by Gross) Term exp. 2/18 *Resigned*	Mason District Representative		Gross	Mason
VACANT (Formerly held by Joseph A. Jay, appointed 11/06 by McConnell; 9/09-9/12 by Herrity) Term exp. 8/15 *Resigned*	Springfield District Representative		Herrity	Springfield
VACANT (Formerly held by Janice Shafer; appointed 9/14 by Frey) Term exp. 4/16 *Resigned*	Sully District Representative		Smith	Sully

ECONOMIC ADVISORY COMMISSION (3 years)

CONFIRMATION NEEDED:

- Ms. Janyce N. Hedetniemi as Planning Commission Representative

ENGINEERING STANDARDS REVIEW COMMITTEE (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by James M. Dougherty; appointed 9/10-3/12 by Smyth) Term exp. 3/15 *Resigned*	Citizen #2 Representative		By Any Supervisor	At-Large

CONFIRMATIONS NEEDED:

- Mr. Robert Meredith as the League of Women Voters Representative
- Mr. Michael S. Kitchen as the NAIOP Representative

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Robert A. Robbins (Appointed 12/13 by Smyth) Term exp. 1/16	Providence District Representative		Smyth	Providence

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

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Petra Osborne; appointed 5/12 by Bulova) Term exp. 11/15 *Resigned*	At-Large Fairfax County Representative		By Any Supervisor	At-Large
Tapan Banerjee (Appointed 2/07-11/12 by Foust) Term exp. 11/15	Dranesville District Representative		Foust	Dranesville
Michele Hymer Blitz (Appointed 6/06-11/12 by Hudgins) Term exp. 11/15	Hunter Mill District Representative		Hudgins	Hunter Mill
Jacqueline Browne (Appointed 9/08-12/11 by Gross) Term exp. 11/14	Mason District Representative		Gross	Mason
VACANT (Formerly held by Kelly Greenwood; appointed 4/09-11/13 by Hyland) Term exp. 11/16 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Ann Pimley; appointed 9/03-11/6 by Frey) Term exp. 11/09 *Resigned*	Sully District Representative		Smith	Sully

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

Incumbent History	Requirement	Nominee	Supervisor	District
Pamela Barrett (Appointed 9/09-6/12 by Bulova) Term exp. 6/15	At-Large #1 Chairman's Representative		Bulova	At-Large Chairman's
VACANT (Formerly held by Susan Beeman; appointed 9/06-9/13 by Gross) Term exp. 6/16 *Resigned*	Mason District Representative		Gross	Mason

HEALTH CARE ADVISORY BOARD (4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Judith Beattie; appointed 6/96-9/12 by Frey) Term exp. 6/16 *Resigned*	Sully District Representative		Smith	Sully

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

Incumbent History	Requirement	Nominee	Supervisor	District
Sally Patterson (Appointed 7/12 by Bulova) Term exp. 6/15 ***Not eligible for reappointment*** (need 1 year lapse)	Consumer #3 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Carol Ann Coryell; appointed 6/05-6/08 by Frey) Term exp. 6/11 *Resigned*	Consumer #6 Representative		By Any Supervisor	At-Large

HISTORY COMMISSION (3 years)
[NOTE: The Commission shall include at least one member who is a resident from each supervisor district.] Current Membership:

Braddock - 3	Lee - 2	Providence - 1
Dranesville - 2	Mason - 2	Springfield - 2
Hunter Mill - 3	Mt. Vernon - 3	Sully - 2

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Jack Hiller; appointed 3/81-12/82 by Travesky; 11/85 by Herrity; 12/88-12/06 by McConnell; 12/09-1/16 by Herrity) Term exp. 12/18 *Deceased*	Citizen #1 Representative	**Jordan E. Tannenbaum** (Herrity)	By Any Supervisor	At-Large

Continued on next page

HISTORY COMMISSION (3 years)
continued

Incumbent History	Requirement	Nominee	Supervisor	District
Sallie Lyons (Appointed 3/05-12/12 by Hyland) Term exp. 12/15 *Mt. Vernon District*	Citizen #2 Representative		By Any Supervisor	At-Large
Michael Irwin (Appointed 12/05-12/06 by Connolly; 1/10-11/12 by Smyth) Term exp. 12/15 *Providence District*	Citizen #8 Representative		By Any Supervisor	At-Large
Anne M. Barnes (Appointed 9/03-12/12 by Hyland) Term exp. 12/15 *Mt. Vernon District*	Citizen/Minority Representative		By Any Supervisor	At-Large

HUMAN RIGHTS COMMISSION (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Amy Sanborn Owen (Appointed 5/09-9/12 by Cook) Term exp. 9/15	At-Large #10 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Myra Herbert; appointed 7/10-7/12 by Bulova) Term exp. 7/16 *Resigned*	At-Large #2 Chairman's Representative		Bulova	At-Large Chairman's
VACANT (Formerly held by Mark K. Deal; appointed 11/11-7/13 by Gross) Term exp. 7/17 *Resigned*	Mason District #2 Representative		Gross	Mason
VACANT (Formerly held by Robert Gaudian; appointed 6/04-11/04 by McConnell; 11/08-11/12 by Herrity) Term exp. 11/16 *Resigned*	Springfield District #2 Representative		Herrity	Springfield
VACANT (Formerly held by Carol Hawn; appointed 9/07-6/15 by Frey) Term exp. 7/19 *Resigned*	Sully District #2 Representative	**Audrey F. Morton**	Smith	Sully

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC) (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by John K. Kidwell; appointed 7/12-11/16 by Frey) Term exp. 12/16 *Resigned*	Sully District Representative	**Dennis Carlton**	Smith	Sully

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

Incumbent History	Requirement	Nominee	Supervisor	District
Debra Kathman (Appointed 3/15 by Cook) Term exp. 1/16	Braddock District Representative		Cook	Braddock
Robert J. Marro (Appointed 4/08-1/14 by Foust) Term exp. 1/16	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Brian Murray; appointed 3/08-1/14 by McKay) Term exp. 1/16 *Resigned*	Lee District Representative		McKay	Lee
Michael J. Beattie (Appointed 7/11-1/14 by Smyth) Term exp. 1/16	Providence District Representative		Smyth	Providence

LIBRARY BOARD
(4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Donald F. Heinrichs; appointed 6/12-7/13 by Hyland) Term exp. 7/17 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Joseph Sirh; appointed 9/92-6/05 by McConnell; 6/09-6/13 by Herrity) Term exp. 6/17 *Resigned*	Springfield District Representative		Herrity	Springfield

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY
(4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
John W. Foust (Appointed 1/12 by Supervisor Smyth) Term exp. 1/16	A District Supervisor Representative	**John W. Foust** (Smyth)	By Any Supervisor	At-Large
Gary Hurst (appointed 1//10-1/12 by Smyth) Term exp. 1/16	Developer Representative	**Gary Hurst** (Smyth)	By Any Supervisor	At-Large

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by William Uehling; appointed 3/10-7/12 by Bulova) Term exp. 6/15 *Resigned*	Braddock District Representative		Cook	Braddock
VACANT (Formerly held by Amy K. Reif; appointed 8/09-6/12 by Foust) Term exp. 6/15 *Resigned*	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Adam Parnes; appointed 9/03-6/12 by Hudgins) Term exp. 6/15 *Resigned*	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Richard Nilsen; appointed 3/10-6/10 by McKay) Term exp. 6/13 *Resigned*	Lee District Representative		McKay	Lee
VACANT (Formerly held by Jeffrey Levy; Appointed 7/02-6/13 by Hyland) Term exp. 6/16 *Resigned*	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Tina Montgomery; appointed 9/10-6/11 by Smyth) Term exp. 6/14 *Resigned*	Providence District Representative		Smyth	Providence

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES (4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Craig Dyson; appointed 1/06-11/13 by Hyland) Term exp. 12/17 *Resigned*	Citizen At-Large Representative		By Any Supervisor	At-Large

ROAD VIEWERS BOARD (1 year)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Joseph Bunnell; appointed 9/05-12/06 by McConnell; 2/08-11/13 by Herrity) Term exp. 12/14 *Resigned*	At-Large #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Stephen E. Still; appointed 6/06-12/11 by Smyth) Term exp. 12/12 *Resigned*	At-Large #4 Representative		By Any Supervisor	At-Large
Micah D. Himmel (Appointed 12/11-1/15 by Smyth) Term exp. 12/15	At-Large #5 Representative		By Any Supervisor	At-Large

SMALL BUSINESS COMMISSION, FAIRFAX COUNTY (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Tracey Wood (Appointed 6/13 by Bulova) Term exp. 12/15	At-Large #3 Representative		By Any Supervisor	At-Large

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Robert Dim; appointed 3/05-3/12 by Hudgins) Term exp. 3/14 *Resigned*	Fairfax County #5 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Cleveland Williams; appointed 12/11-3/13 by Hudgins) Term exp. 3/15 *Resigned*	Fairfax County #7 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Linda Diamond; appointed 3/07-4/13 by Hudgins) Term exp. 3/15 *Resigned*	Fairfax County #8 Representative		By Any Supervisor	At-Large

TENANT LANDLORD COMMISSION (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Sally D. Liff; appointed 8/04-1/11 by Smyth) Term exp. 1/14 *Deceased*	Condo Owner Representative		By Any Supervisor	At-Large
Karen Geier-Smith (Appointed 6/06-12/12 by Bulova) Term exp. 12/15	Landlord Member #1 Representative	**Karen Geier-Smith** (Gross)	By Any Supervisor	At-Large
VACANT (Formerly held by Evelyn McRae; appointed 6/98-8/01 by Hanley; 12/04-1/08 by Connolly; 4/11 by Bulova) Term exp. 1/14 *Resigned*	Tenant Member #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Kevin Denton; appointed 4/10&1/11 by Smyth) Term exp. 1/14 *Resigned*	Tenant Member #3 Representative		By Any Supervisor	At-Large

TRAILS AND SIDEWALKS COMMITTEE (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Kenneth Comer (Appointed 2/12-2/14 by Bulova) Term exp. 1/16	At-Large Chairman's Representative	**Kenneth Comer**	Bulova	At-Large Chairman's
Thomas F. Kennedy (Appointed 6/09-1/14 by Cook) Term exp. 1/16	Braddock District Representative		Cook	Braddock
Robert Michie (Appointed 1/02-1/08 by Kauffman; 1/10-1/14 by McKay) Term exp. 1/16	Lee District Representative	**Robert Michie**	McKay	Lee
Roger A. Wilson (Appointed 3/14 by Smyth) Term exp. 1/16	Providence District Representative		Smyth	Providence
Alan G. Young (Appointed 3/12-1/14 by Herrity) Term exp. 1/16	Springfield District Representative	**Alan G. Young**	Herrity	Springfield
Paul Kent (Appointed 1/10-1/14 by Frey) Term exp. 1/16	Sully District Representative		Smith	Sully

TREE COMMISSION (3 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Scott J. Pearson; appointed 3/11-10/13 by Gross) Term exp. 10/16 *Resigned*	Mason District Representative		Gross	Mason
VACANT (Formerly held by Dean Dastvar; appointed 11/13 by Herrity) Term exp. 10/16 *Resigned*	Springfield District Representative		Herrity	Springfield
VACANT (Formerly held by James Schoonmaker; appointed 9/12-6/13 by Frey) Term exp. 6/16 *Resigned*	Sully District Representative	**Karen Campblin**	Smith	Sully

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (2 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Michael Bogasky; appointed 2/13 by Smyth) Term exp. 2/15 *Resigned*	Residential Owners and HOA/Civic Association Representative #1		Smyth	Providence

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES (4 years)

Incumbent History	Requirement	Nominee	Supervisor	District
VACANT (Formerly held by Daniel Duncan; appointed 10/13 by Bulova) Term exp. 10/17 *Resigned*	Citizen appointed by BOS #2 Representative		By Any Supervisor	At-Large

WETLANDS BOARD (5 years)

Incumbent History	Requirement	Nominee	Supervisor	District
Elizabeth Martin (Appointed 11/09 by Gross) Term exp. 12/13	At-Large #1 Representative		By Any Supervisor	At-Large
Anita Van Breda (Appointed 12/13 by Bulova) Term exp. 12/15	At-Large #2 Representative	**Anita Van Breda** (Bulova)	By Any Supervisor	At-Large
VACANT (Formerly held by Gavin Carter; appointed 1/13-11/14 by Hyland) Term exp. 12/19 *Resigned*	Mount Vernon District #3 Representative		Storck	Mount Vernon

Board Agenda Item
February 16, 2016

11:20 a.m.

Items Presented by the County Executive

Board Agenda Item
February 16, 2016

ADMINISTRATIVE - 1

Additional Time to Commence Construction for Special Exception SE 2013-LE-014, Hajimohammad Revocable Trust (Lee District)

ISSUE:
Board consideration of additional time to commence construction for SE 2013-LE-014, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

RECOMMENDATION:
The County Executive recommends that the Board approve twelve (12) months additional time for SE 2013-LE-014 to November 13, 2016.

TIMING:
Routine.

BACKGROUND:
Under Sect. 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time specified by the Board of Supervisors, an approved special exception shall automatically expire without notice unless the Board approves additional time. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On May 13, 2014, the Board of Supervisors approved SE 2013-LE-014, subject to development conditions. The application was filed in the name Hajimohammad Revocable Trust for the purpose of permitting a vehicle sales, rental and ancillary service establishment within the C-6 zoning district for property located at 5630 South Van Dorn Street, Tax Map 81-2 ((3)) 8A (see Locator Map in Attachment 1). SE 2013-LE-014 was submitted in response to the issuance of a Notice of Violation for the operation of a vehicle sales establishment without a valid special exception. The vehicle sales, rental and ancillary service establishment, a Category 5 Commercial and Industrial Use of Special Impact, is permitted pursuant to Section 4-604 4.U. and is subject to the use limitations of Section 9-518 of the Zoning Ordinance. SE 2013-LE-014 was approved with a condition that the use be established or construction commenced and diligently prosecuted within eighteen (18) months of the approval date unless the Board grants

additional time. The development conditions for SE 2013-LE-014 are included as part of the Clerk to the Board's letter contained in Attachment 2.

On October 30, 2015, the Department of Planning and Zoning (DPZ) received a letter dated October 27, 2015, from Lynne J. Strobel, agent for the Applicant, requesting twelve (12) months of additional time (see Attachment 3). The approved Special Exception will not expire pending the Board's action on the request for additional time.

The vehicle sales, rental and ancillary service establishment is currently in operation and doing business as Select Auto Imports. The development conditions require the submission of a site plan, and the issuance of all applicable permits, as a means to bring the property into compliance. Ms. Strobel states existing site conditions and financial considerations delayed the preparation of the site plan. A site plan was submitted to the Department of Public Works and Environmental Services (DPWES) on June 30, 2015, and review comments were subsequently transmitted to the Applicant. Ms. Strobel states that it will take several months for the civil engineer to address DPWES review comments. The request for twelve (12) months of additional time is intended to allow for the approval of the site plan, the posting of bonds, obtaining building permits, and ultimately the issuance of a non-residential use permit (Non-RUP).

Staff would also note the property subject to SE 2013-LE-014 is ultimately intended to accommodate improvements to the South Van Dorn Street/Capital Beltway interchange. These intersection improvements are noted within the Fairfax County Comprehensive Plan. To facilitate these improvements, Development Condition # 5 stipulates the Special Exception shall remain valid for five years from the date of issuance of a Non-RUP. Extensions in increments of two years may be approved by the Zoning Administrator if such does not interfere with noted transportation improvements. The request for twelve (12) months of additional time would delay the implementation of Development Condition # 5 by one year. At this time, according to the Fairfax County Department of Transportation (FCDOT), the noted transportation improvements have not been funded, and there is no timeframe identified for funding. As such, FCDOT indicates that the status of this road improvement would not preclude the granting of the requested additional time.

Staff has reviewed Special Exception SE 2013-LE-014 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to permit a vehicle sales, rental and ancillary service establishment within the C-6 zoning district. Further, staff knows of no other changes in land use circumstances that would affect compliance of SE 2013-LE-014 with the special exception standards applicable to this use, or which should cause the filing of a new special exception application and review through the public hearing process. The

Comprehensive Plan recommendation for the property has not changed since approval of the Special Exception. Finally, the conditions associated with the Board's approval of SE 2013-LE-014 are still appropriate and remain in full force and effect. Staff believes that approval of the request for twelve (12) months of additional time is in the public interest and recommends that it be approved.

FISCAL IMPACT:
None

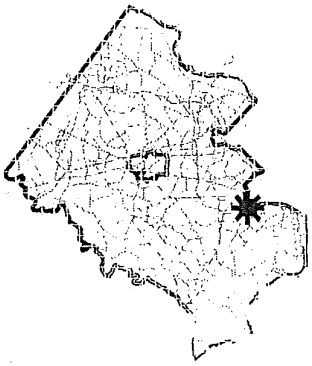
ENCLOSED DOCUMENTS:
Attachment 1: Locator Map
Attachment 2: Letter dated May 14, 2014, to Lynne J. Strobel
Attachment 3: Letter dated October 27, 2015, to Leslie B. Johnson

STAFF:
Robert A. Stalzer, Deputy County Executive
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Barbara C. Berlin, Director, Zoning Evaluation Division (ZED), DPZ
Kevin J. Guinaw, Chief, Special Projects/Applications/Management Branch, ZED, DPZ
Denise James, Chief, Environment and Development Review Branch, Planning Division, DPZ
Stephen Gardner, Staff Coordinator, ZED, DPZ

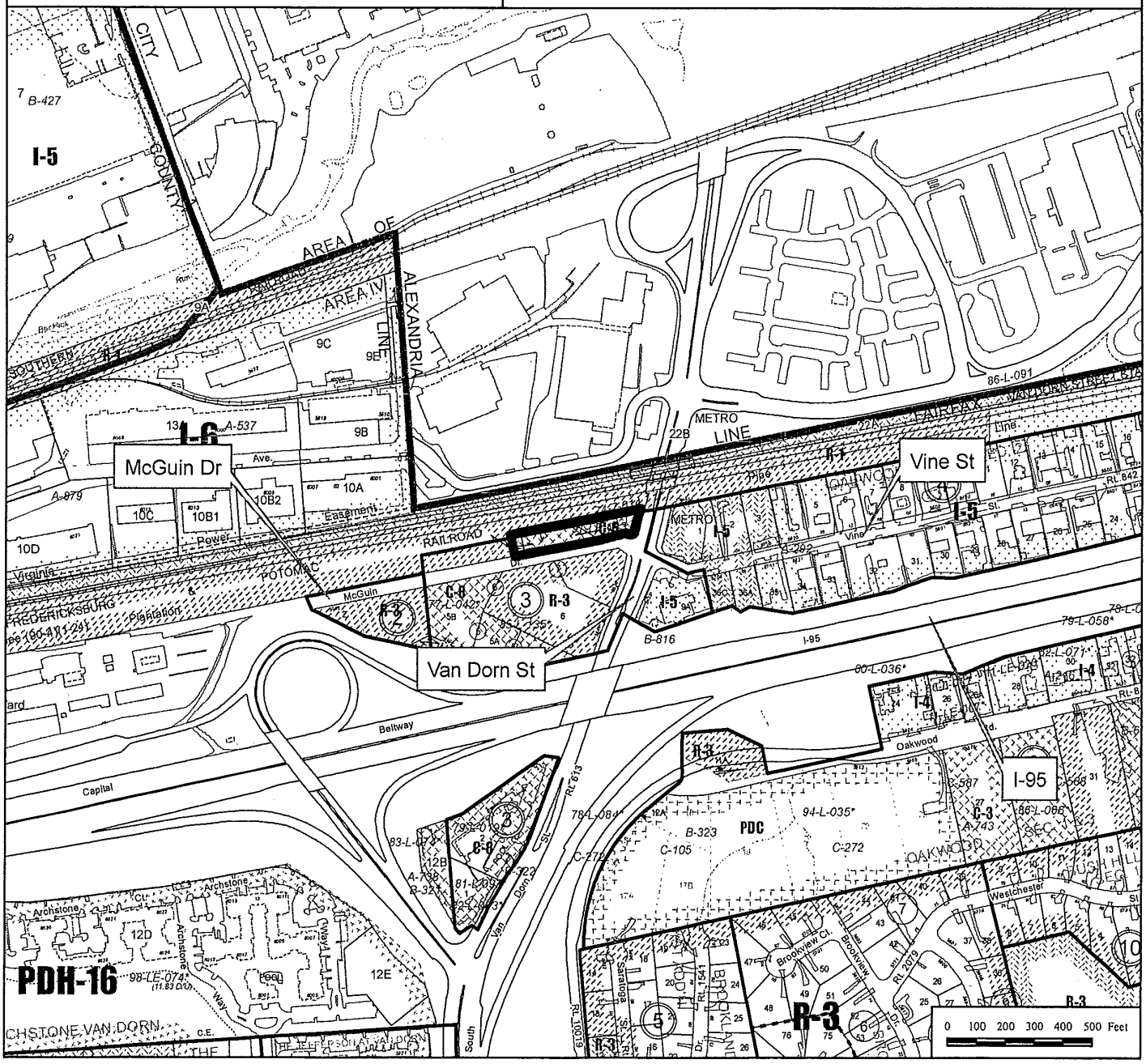
ATTACHMENT 1

Special Exception

SE 2013-LE-014



Applicant:	MOHAMMAD HAJIMOHAM[illegible] FLORA HAJIMOHAMMAD, TRUSTEE OF THE HAJIMOHAMMAD REVOCABLE TR
Accepted:	08/28/2013
Proposed:	VEHICLE SALES, RENTAL AND ANCILLARY SERVICE ESTABLISHMENT, WAIVER OF THE MINIMUM LOT SIZE, LOT WIDTH AND OPEN SPACE REQUIREMENTS
Area:	31451 SF OF LAND; DISTRICT - LEE
Zoning Dist Sect:	09-061009-061204-0604
Art 9 Group and Use:	6-06 6-09 5-25
Located:	5630 SOUTH VAN DORN STREET, ALEXANDRIA, VA 22310
Zoning:	C- 6
Plan Area:	4,
Map Ref Num:	081-2- /03/ /0008A



ATTACHMENT 2

County of Fairfax, Virginia

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

May 14, 2014

Lynne J. Strobel
Walsh, Colucci, Lubeley & Walsh, P.C.
2200 Clarendon Blvd., 13th Floor
Arlington, VA 22201

Re: Special Exception Application SE 2013-LE-014

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on May 13, 2014, the Board approved Special Exception Application SE 2013-LE-014 in the name of Mohammad Hajimohammad, Trustee, And Flora Hajimohammad, Trustee, of the Hajimohammad Revocable Trust. The subject property is located 5630 South Van Dorn Street, on 31,451 square feet, zoned C-6 in the Lee District [Tax Map 81-2 ((3)) 8A]. The Board's action permits a vehicle sales, rental and ancillary service establishment, waiver of minimum lot size and lot width and waiver of open space requirement, pursuant to Section 4-604, 9-518, 9-610 and 9-612 of the Fairfax County Zoning, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. A copy of the Special Exception conditions and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

3. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035
Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
http://www.fairfaxcounty.gov/bosclerk

4. This Special Exception is subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to the special exception shall be in substantial conformance with the approved Special Exception (SE) Plat entitled "Select Auto Imports," consisting of five sheets, prepared by Tri-Tek Engineering, dated March 19, 2013, as revised through February 25, 2014, and these conditions. Minor modifications to the approved special exception may be permitted as determined by the Zoning Administrator.

5. This Special Exception shall remain valid for five years from the date of issuance of a Non-RUP. Extensions beyond that time may be granted by the Zoning Administrator for two-year increments only if the continuation of the use would not interfere with the Van Dorn Street and Capital Beltway transportation improvements. Any request for such extension shall be submitted by the applicants to the Zoning Administrator in writing.

6. Within 120 days of approval of the Special Exception and prior to the issuance of a Non-RUP, the applicants shall demonstrate through the submission of an approved Virginia Department of Transportation (VDOT) permit to the Fairfax County Department of Transportation (FCDOT) that they have obtained written permission from VDOT to allow the private features within the right-of-way to remain, such as aluminum fencing, columns, stone walls, and gates. A one-time extension of 60 days beyond the 120 days may be granted by the Zoning Administrator if the applicants can demonstrate they have diligently pursued such permission from VDOT. If any or all private features in the right-of-way are not permitted by VDOT, the applicants shall remove these features outside the right-of-way or relocate them on the property as generally shown in Attachment A of these conditions, provided this relocation does not interfere with sight distance. The applicants shall complete removal or relocation within six months of denial of a permit by VDOT. If the applicants remove or relocate the private objects in a manner that is not in substantial conformance with the SE/SP Plat or Attachment A, a Special Exception Amendment and/or a Special Permit Application will be required, as determined by the Zoning Administrator.

7. The applicants shall provide wheel stops for the vehicle storage and display area on the application property along McGuin Drive as generally shown on the SE/SP Plat for the purpose of ensuring that no portion of any vehicle for sale is located or overhanging within the right-of-way. The final location of the wheel stops shall be determined by VDOT and the Department of Public Works and Environmental Services (DPWES) at the time of site plan. The final location of the wheel stops shall allow for adequate circulation on the site, as determined by DPWES at the time of site plan. If the applicants must reconfigure this parking area in a manner that is not in substantial conformance with the SE/SP Plat in order to provide for such adequate circulation, a Special Exception Amendment and/or a Special Permit Amendment will be required, as determined by the Zoning Administrator.

8. Within 90 days of approval of the Special Exception, the applicants shall remove any signs prohibited by the Zoning Ordinance and any signs that have been installed without permit approval. The applicants shall obtain permits for all signs located on

the subject property. The applicants may install up to one building-mounted sign and one freestanding sign in accordance with Article 12 of the Zoning Ordinance prior to the issuance of a Non-RUP.

9. All freestanding signs shall be located in conformance with Section 2-505 of the Zoning Ordinance and shall not conflict with vehicle sight distance.

10. Prior to the issuance of a Non-RUP and if requested by VDOT at the time of site plan, the applicants shall install signs along the McGuin Drive frontage to ensure that vehicles are not parked in this area.

11. Prior to site plan approval, the applicants shall demonstrate that any existing or proposed fences and columns do not interfere with sight distance, as determined by VDOT.

12. The area devoted to vehicle storage and display shall be limited to that area so designated on the SE/SP Plat. Such areas shall not be used for the storage or display of vehicles that are not in operating condition. No parking shall be permitted within the adjacent right-of-way.

13. The applicants shall extend the existing curb and gutter from the intersection of South Van Dorn Street and McGuin Drive to the easternmost entrance along McGuin Drive. The applicants shall upgrade the existing rolled asphalt curb from the easternmost entrance along McGuin Drive to the western property line to meet the standards of the Public Facilities Manual (PFM), as determined by DPWES at the time of site plan.

14. Prior to site plan approval, the applicants shall provide a detailed comparison of existing versus proposed impervious area tabulation/map. The existing impervious area shall be established based on Special Exception SE 87-L-002, which was approved on September 14, 1997. Based on this, stormwater detention requirements and Best Management Practices shall be met pursuant to the Public Facilities Manual, unless waived by DPWES.

15. The applicants shall submit a site plan within 120 days of approval of this application. The applicants shall obtain site plan approval within eight months of the approval of this application. Extensions of up to 90 days may be granted by the Zoning Administrator if the applicants can demonstrate they have diligently pursued site plan approval.

16. All applicable permits and final inspections shall be obtained for the existing building within 120 days of site plan approval.

17. Within 120 days of site plan approval and prior to the issuance of a Non-RUP, the applicants shall remove the portion of the building that encroaches onto the adjacent property to the north.

18. The applicants shall obtain the necessary approvals from the adjacent property owner to the north (Tax map 90-4 ((1)) 24) prior to the removal of the portion of the structure that encroaches onto that property.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, eighteen (18) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted for one of the proposed buildings. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also:

- Modified the minimum lot size and lot width requirements in accordance with Sect. 9-610 of the Zoning Ordinance to permit a 31,451 square foot lot with a width of 82 feet

- Modified the open space requirements in accordance with Sect. 9-612 of the Zoning Ordinance to allow 13.4% open space

- Modified the transitional screening requirements to the south and west and the barrier requirements to the south pursuant to Sect. 13-305 of the Zoning Ordinance in favor of that shown on the SE/SP Plat

- Modified the peripheral parking lot landscaping requirements along the eastern boundary of the property in accordance with Sect. 13-203 of the Zoning Ordinance in favor of that shown on the SE/SP Plat

- Increased the height of the fence, walls, gates, and gate posts to that shown on the SE/SP Plat in accordance with Par. 3.H of Sect. 10-104 of the Zoning Ordinance.

Sincerely,

Catherine A. Chianese

Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Jeffrey McKay, Lee District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Donald Stephens, Transportation Planning Division
Ken Williams, Plans & Document Control, ESRD, DPWES
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

ATTACHMENT 3

Lynne J. Strobel
(703) 528-4700 Ext. 5418
lstrobel@thelandlawyers.com

WALSH COLUCCI
LUBELEY & WALSH PC

RECEIVED
OCT 27 2015
DIVISION OF
ZONING ADMINISTRATION
2015 - 1421

October 27, 2015

Via Hand Delivery

RECEIVED
Department of Planning & Zoning
OCT 30 2015
Zoning Evaluation Division

Leslie B. Johnson, Zoning Administrator
Zoning Administration Division
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 807
Fairfax, Virginia 22035

Re: SE 2013-LE-014
Applicants: Hajimohammad Revocable Trust, Mohammad Hajimohammad, Trustee and Flora Hajimohammad, Trustee
Fairfax County Tax Map Reference: 81-2 ((3)) 8A
Address: 5630 South Van Dorn Street

Dear Ms. Johnson:

Please accept this letter as a request for additional time to commence construction in accordance with Section 9-015 of the Fairfax County Zoning Ordinance (the "Zoning Ordinance").

The referenced application was approved by the Board of Supervisors (the "Board") at its hearing held on May 13, 2014. The Board granted SE 2013-LE-014 subject to development conditions, including a requirement that the use be established or construction commenced and diligently prosecuted within 18 months of the approval. In accordance with this condition, SE 2013-LE-014 will expire on November 13, 2015 unless this requirement is met or additional time is granted to commence construction. Please accept this letter as a request for twelve (12) months of additional time to commence construction of the improvements approved in conjunction with SE 2013-LE-014.

The approval granted by the Board permits a vehicle sales, rental, and ancillary service establishment to be located on property identified among the Fairfax County tax assessment records as 81-2 ((3)) 8A (the "Subject Property"). Upon approval of SE 2013-LE-014, the Applicants began the process to prepare a site plan. Due to existing conditions, the Applicants experienced a number of challenges, and consequently delays, in the preparation of a site plan for the Subject Property. The Applicants have made significant progress in the preparation, submission, and diligent prosecution of a site plan, which is referenced by Fairfax County as 1292-SP-002-1 (the "Site Plan").

The following is a brief chronology of the submitted Site Plan:

- June 17, 2015 – the Site Plan was initially submitted to ESI, which reviews site plans prior to formal submission.

- June 30, 2015 – the Site Plan was approved by ESI and formally submitted to the Department of Public Works and Environmental Services.

- July 1, 2015 – the Site Plan was accepted and distributed to reviewing agencies.

- September 11, 2015 – the Site Plan is listed as returned, but was not available for pick up by the civil engineer for several weeks.

- October 14, 2015 – notice from Plan Control of the returned first submission from staff received by the civil engineer.

Since the first submission of the Site Plan, four (4) agencies have approved the submission. Specifically, the Fire Marshal, Address Review, Street Lights and Waste Water Planning have all approved the Site Plan. Comments have been received from the Fairfax County Water Authority, Stormwater Management, Urban Forestry and VDOT. In addition, four (4) waivers were submitted with the Site Plan. Two of the waivers, for street lights and sight distance, have been withdrawn as the civil engineer has been able to resolve the issues associated with the requested waivers. In addition, a waiver of frontage improvements was approved. The stormwater management waiver was disapproved and the civil engineer will address the comments with a second submission of the Site Plan.

The civil engineer has received all final comments from Fairfax County and the Site Plan has been returned. The civil engineer will begin to address the comments and schedule a post submission conference with staff prior to the second submission. In addition, the Applicants will process a geotechnical report which will be completed once stormwater comments have been resolved and a final stormwater design is selected.

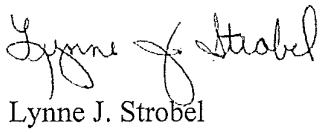
It will take several months for the civil engineer to address Fairfax County's comments to the Site Plan and to prepare a second submission. Hopefully, the Site Plan will be approved with the second submission. Upon approval of the Site Plan, it will be necessary to satisfy any required conditions, post bonds for public improvements, obtain building permits, construct improvements, and ultimately request a non-residential use permit (Non-RUP). I anticipate that all of these actions will take a number of months.

In accordance with Section 9-015 of the Zoning Ordinance, I would appreciate the acceptance of this letter as a request for twelve (12) months of additional time to commence construction of the improvements approved with SE 2013-LE-014. While the Applicants have faced a number of challenges regarding the preparation and submission of a site plan, including financial, they have diligently pursued its preparation and processing with Fairfax County. There have been no changes in circumstances that would render the prior approval inconsistent with the Comprehensive Plan or the public interest.

Should you have any questions regarding this request, or require additional information, please do not hesitate to contact me. As always, I appreciate your cooperation and assistance.

Very truly yours,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.



Lynne J. Strobel

LJS/kae
cc: Mike Hajimohammad
Ted Britt
{A0683285.DOCX / 1 Johnson ltr re: additional time request 007719 000002}

Board Agenda Item
February 16, 2016

ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing to Adopt an Ordinance that Would Allow 16 and 17 Year Old Students to Participate in the Training Required to be Certified under National Fire Protection Association 1001, Level One, Firefighter Standards, as Administered by the Virginia Department of Fire Programs

ISSUE:
Authorization to advertise a public hearing on a proposed amendment to Chapter 62 – Fire Protection, of the Code of the County of Fairfax, Virginia, to allow 16 and 17 year olds, with parental or guardian approval, to participate in training required to be certified under National Fire Protection Association (NFPA) 1001, level one, firefighter standards, as administered by the Virginia Department of Fire Programs (VDFP).

RECOMMENDATION:
The County Executive recommends that the Board authorize advertisement of a public hearing for March 15, 2016, at 4:00 p.m. to consider adoption of Fairfax County Code Section 62-3-1 (Attachment 1) that would allow 16 and 17 year olds, with parental or guardian approval, to participate in the training required to be certified as a NFPA 1001 firefighter and thereafter participate in fire activities with Fairfax County volunteer for companies.

TIMING:
Board Action is requested on February 16, 2016, to provide sufficient time to advertise the proposed public hearing on March 15, 2016, at 4:00 p.m.

BACKGROUND:
The Fairfax County Public Schools (FCPS), in conjunction with the Fairfax County Fire and Rescue Department (FRD), would like to offer firefighter I and II training as part of the FCPS curriculum. This will be a one-year program offered to students ages 16 and older during the school year. The training would take place at the FRD's fire academy. Upon successful completion, a student would be a certified NFPA 1001 firefighter.

In order to provide this training to 16 and 17 year olds, the County must adopt an ordinance consistent with Va. Code Ann. § 40.1-79.1 because the Virginia Commissioner of Labor and Industry has declared firefighting to be a hazardous occupation. In general, teenagers under the age of eighteen years of age may not work in an occupation that has been declared hazardous. In addition to the occupations that have been declared hazardous, child labor laws specifically prohibit teenagers under the age of eighteen from many other activities that are considered hazardous. The

prohibited activities include activities that may be involved in firefighting, including some of the training that is required for certification as a firefighter under NFPA 1001. There is an exception to the child labor laws if a locality adopts an ordinance pursuant to Va. Code Ann. § 40.1-79.1. That code section provides:

> A. Any county, city or town may authorize by ordinance any person residing anywhere in the Commonwealth, aged 16 years or older, who is a member of a volunteer fire company within such county, city, or town with parental or guardian approval, (i) to seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and (ii) to work with or participate fully in all activities of such volunteer fire company, provided such person has attained certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs.
>
> B. Any trainer or instructor of such persons mentioned in subsection A of this section and any member of a paid or volunteer fire company who supervises any such persons shall be exempt from the provisions of § 40.1-103, provided that the provisions of § 40.1-100 have not been violated, when engaged in activities of a volunteer fire company, and provided that the volunteer fire company or the governing body of such county, city or town has purchased insurance which provides coverage for injuries to or the death of such persons in their performance of activities under this section.

If a locality adopts such an ordinance, 16 and 17 year olds are allowed, with a parent's or guardian's permission, to participate in the firefighter I and II training that is required to be certified as a NFPA 1001 firefighter and after obtaining such certification, to work with or fully participate in all activities of a volunteer fire company within the locality.

VDFP regulates firefighter training in Virginia. VDFP has mandated the following policy for 16 and 17 year olds attending VDFP training:

> 1. Local jurisdiction shall have adopted an ordinance consistent with Code § 40.1-79.1.
>
> 2. The Junior Firefighter shall reside in the Commonwealth of Virginia. Evidence of residency shall be provided by the junior fire fighter.
>
> 3. The Junior Firefighter shall present a letter (original, not a copy) of parental (or legal guardian) consent that permits Junior Firefighter participation.

4. The Junior Fire fighter shall have a copy of the locality/department current liability insurance for Junior Firefighters.

FCPS students enrolled in the training will be covered by the County's insurance carrier that provides coverage to the County's volunteer public safety personnel at an annual cost of $1,000 which will be covered by FCPS.

The adoption of the proposed ordinance will allow FCPS to enroll students for classes starting with 2016-2017 school year.

FISCAL IMPACT:
In order to participate in firefighter I and II training, a full ensemble of structural firefighting protective gear must be purchased for each student. The present cost to the FRD for the required gear is $2,600 per student, not to exceed 24 students per school year. The maximum amount of $62,400 will be covered within FRD's Protective Gear and Air Shop budget. All other costs associated with operating this program will be covered by the Fairfax County Public Schools.

ENCLOSED DOCUMENTS:
Attachment I - Proposed Fairfax County Code Section 62-3-1

STAFF:
David M. Rohrer, Deputy County Executive
Fire Chief Richard R. Bowers, Chief, Fire and Rescue
Assistant Chief John J. Caussin, Jr., Fire and Rescue Department
Assistant Chief Garrett A. Dyer, Fire and Rescue Department
Assistant Chief Reginald T. Johnson, Fire and Rescue Department
Karen L. Gibbons, Senior Assistant County Attorney

Attachment I

PROPOSED AMENDMENT TO CHAPTER 62. – Fire Protection

Article 3. – Junior Firefighters

Section 62-3-1

Any person residing in the County of Fairfax, the City of Fairfax, or the towns of Vienna, Herndon or Clifton, aged 16 years or older, who is a member of a Fairfax County volunteer fire company, with parental or guardian approval, is authorized to (i) seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and (ii) work with or participate fully in all activities of such volunteer fire company, provided such person has attained certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs, subject to the following conditions:

(1) Evidence of residency in the Commonwealth shall be provided by the junior firefighter.

(2) The junior firefighter shall present an original letter by a parent or legal guardian that permits junior firefighter participation.

(3) The junior firefighter shall provide an original consent form signed by a parent or legal guardian allowing participation in Virginia Department of Fire Programs training courses.

(4) The junior firefighter shall be provided with a copy of the County's liability insurance coverage applicable to junior firefighters.

Board Agenda Item
February 16, 2016

ADMINISTRATIVE - 3

Authorization for the Fairfax County Fire and Rescue Department to Apply for and Accept Grant Funding from the U.S. Department of Homeland Security, Fire Prevention & Safety (FP&S) Grant Program

ISSUE:
Board of Supervisors' authorization is requested for the Fairfax County Fire and Rescue Department (FRD) to apply for and accept grant funding, if received, from the U.S. Department of Homeland Security, Fire Prevention & Safety (FP&S) Grant in the amount of $291,681, including $13,890 in Local Cash Match. Funding will support the purchase of a 3D Scanner to enhance fire investigation capabilities and provide funding for the Safety in Our Community Program (SIOC), which will work to ensure that Fairfax County residents have functioning smoke and carbon monoxide (CO) alarms in their homes. It is anticipated that awards will be received in August of 2016 with a grant period of one year. The required Local Cash Match is available from the Federal-State Grant fund. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy.

RECOMMENDATION:
The County Executive recommends that the Board of Supervisors authorize the Fire and Rescue Department to apply for and accept grant funding, if received, from the Department of Homeland Security, Fire Prevention & Safety Grant. Funding in the amount of $291,681, including $13,890 in Local Cash Match will support the purchase of a 3D Scanner to enhance fire investigation capabilities and provide funding for the Safety in Our Community Program, which will work to ensure that Fairfax County residents have functioning smoke and carbon monoxide alarms in their homes. There are no grant positions associated with this award.

TIMING:
Board approval is requested on February 16, 2016. It is anticipated that the application period will close April 4, 2016.

Board Agenda Item
February 16, 2016

BACKGROUND:
The Fire Prevention & Safety Grants Program is part of the Assistance to Firefighters Grant Program and supports projects that enhance the safety of the public and firefighters from fire and related hazards. The primary goal is to reduce injury and prevent death among high-risk populations.

FRD emphasizes the importance of accurately investigating every fire. The 3D scanner will allow investigators to safely capture data and maintain scene preservation. Having this scanner will allow the investigator to revisit the scene and evidence multiple times without leaving the office, leading to more efficient investigations. It will also provide the ability to create compelling investigative and courtroom presentations so that qualified personnel can conduct virtual walk-throughs of the fire scenes and enhance FRD's investigation and witness testimony during arson prosecutions. FRD also emphasizes the importance of safety in the community and has administered programs to install smoke alarms for more than ten years. Through the adoption of the SIOC program, on-duty firefighters canvass residential neighborhoods to offer home safety inspections and ensure all homes have working and properly installed smoke alarms. This funding will enhance the current program by allowing the FRD to check for and replace CO alarms as well, which will help to further ensure the safety of the community. All non-working smoke alarms and CO alarms will be replaced, and homes with no smoke alarm or CO alarm will have one installed. The program is anticipated to go through the spring, summer, and fall months; a total of 40 weeks. Residents who are not home will be left a door hangar supplying them with contact information to request a smoke alarm, CO alarm, or home safety inspection.

FISCAL IMPACT:
Grant funding in the amount of $291,681, including $13,890 in Local Cash Match is being requested from the Department of Homeland Security, Fire Prevention and Safety Grant Program to support the purchase of a 3D Scanner to enhance fire investigation capabilities and provide funding for the Safety in Our Community Program, which will work to ensure that Fairfax County residents have functioning smoke and carbon monoxide alarms in their homes. This action does not increase the expenditure level of the Federal-State Grant Fund, as funds are held in reserve for unanticipated grant awards and the Local Cash Match of $13,890 is available from the Local Cash Match Reserve. This grant does allow for the recovery of indirect costs; however, because of the highly competitive nature of the award, the Fire and Rescue Department did not include indirect costs as part of the application in order to increase the proposal's competitive position.

Board Agenda Item
February 16, 2016

CREATION OF NEW POSITIONS:
There are no grant positions associated with this award.

ENCLOSED DOCUMENTS:
Attachment 1 – Summary of Grant Proposal

STAFF:
David M. Rohrer, Deputy County Executive
Chief Richard R. Bowers, Fire and Rescue Department
Assistant Chief John J. Caussin, Jr., Fire and Rescue Department
Assistant Chief Garret A. Dyer, Fire and Rescue Department
Assistant Chief Reginald T. Johnson, Fire and Rescue Department
Chinaka A. Barbour, Grants Coordinator, Fire and Rescue Department

FIRE PREVENTION AND SAFETY (FPS)
SUMMARY OF GRANT PROPOSAL

Please note, the actual grant application is completed online; therefore, this summary has been provided detailing the specifics of the application.

Grant Title: Fire Prevention and Safety

Funding Agency: Department of Homeland Security, Federal Emergency Management Agency

Applicant: Fairfax County Fire and Rescue Department

Purpose of Grant: If awarded, these funds will be used to purchase a FARO 3D Scanner to enhance fire investigation capabilities and allow FRD fire investigators to investigate all fires in a more efficient and effective manner. Funds will also be used to purchase smoke alarms, CO alarms, and door hangers to provide continued support to the Safety In Our Community (SIOC) Program. On-duty firefighters canvass residential neighborhoods to offer safety inspections and ensure that homeowners have working smoke and CO alarms.

Funding Amount: $291,681, including $13,890 in Local Cash Match

Proposed Use of Funds: $291,681 for equipment and supplies to include:

- $92,823 for 3D Scanner
- $68,808 for CO alarms
- $128,000 for smoke alarms
- $2,050 for door hangers

Target Population: Fairfax County residents are the target population.

Performance Measures: The success of this project will be based on four outcomes:

1) Increased accuracy and offer better forensic understanding of the fire scene
2) Eliminate legal challenges of re-entering the fire scene and the possibility of evidence being challenged or lost
3) More residents will have working smoke alarms and CO alarms in their home
4) More residents will receive door hangers with fire and life safety information

Grant Period: Estimate: August 19, 2016 – August 18, 2017

Board Agenda Item
February 16, 2016

ADMINISTRATIVE – 4

Authorization to Advertise a Public Hearing on the Proposed Consolidated Plan One-Year Action Plan for FY 2017

ISSUE:
Board of Supervisors' authorization to advertise a public hearing on the *Proposed Consolidated Plan One-Year Action Plan for FY 2017* 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 2017* to be held at 4:00 p.m. on Tuesday, March 15, 2016. 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 2017* in accordance with U.S. 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 2015.

TIMING:
Board authorization is requested on February 16, 2016, to provide sufficient time to advertise the proposed public hearing on March 15, 2016, at 4:00 p.m.

BACKGROUND:
The *Proposed One-Year Action Plan for FY 2017* (Attachment 1) presents the proposed uses of funding for programs to be implemented in the second year of the Five-Year Consolidated Plan for FY 2016 - 2020. An annual action plan is required by HUD. These programs include: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grants (ESG). The *Proposed Consolidated Plan One-Year Action Plan for FY 2017* includes the first year of the two-year (FY 2017-2018) funding cycle for the Consolidated Community Funding Pool (CCFP). Although the CCFP FY 2017 funding awards will be made by the Board in April 2016, 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 2017* 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 presented to the FCRHA and presented to the CCFAC. The final recommendations contained in the *Proposed Consolidated Plan One-Year Action Plan for FY 2017* are consistent with what the WAG and subsequently the CCFAC recommended.

Estimated allocations for FY 2017 are based on the current funding levels. The County's FY 2016 CDBG entitlement grant is currently $4,873,926. The HOME entitlement grant is currently $1,431,830. The Emergency Solutions Grant (ESG) is currently $431,214. With the approval of this item, anticipated FY 2016 balances that total $3,529,641 from CDBG ($2,164,551) and HOME ($1,365,090) funds will be carried forward. Total estimated CDBG program income of $290,000 and HOME program income of $45,000 will also be programmed through this action.

It should be noted that the anticipated HOME and CDBG FY 2017 allocations may be subject to reductions or increases depending on the final formula allocation provided by HUD. Based on available information, it is anticipated that Fairfax County's CDBG, HOME and ESG allocations would remain at levels similar to those in FY 2016. HUD mandated contingency language regarding actual allocation amounts has been added to the *Proposed Consolidated Plan One-Year Action Plan for FY 2017* and approved by the WAG and the CCFAC.

The *Proposed Consolidated Plan One-Year Action Plan for FY 2017* 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 15, 2016, 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 adoption on April 26, 2016. The *One-Year Action Plan for FY 2017* will include the first year of the two-year (FY 2017-2018) 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 2017-2018.

The Fairfax County Citizen Participation Plan and HUD regulations require advertisement of the public hearing 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 2017* will be scheduled for

Tuesday, March 15, 2016 at 4:00 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.

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 2017* include CDBG ($4,873,926), HOME ($1,431,830), and ESG ($431,214). In addition, a total of $3,529,641 in CDBG and HOME funds is recommended to be carried forward at this time ($2,164,551 CDBG and $1,365,090 HOME). Total estimated CDBG program income of $290,000 and HOME program income of $45,000 will also be programmed through this action.

ENCLOSED DOCUMENTS:
The *Proposed Consolidated One-Year Action Plan for FY 2017* is available on line at http://www.fairfaxcounty.gov/rha.

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

Board Agenda Item
February 16, 2016

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Consider Adopting an Ordinance Expanding the Langley Residential Permit Parking District, District 20 (Dranesville 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* (Fairfax County Code), to expand the Langley Residential Permit Parking District (RPPD), District 20.

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

TIMING:
The Board should take action on February 16, 2016, to advertise a public hearing for March 15, 2016, 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 Dogue Hill Lane is within 2,000 feet walking distance from a pedestrian entrance of Langley High School, and all other requirements to expand the RPPD have been met.

FISCAL IMPACT:
The cost of sign installation is estimated at $375 to be paid from Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:
Attachment I: Proposed Amendment to the Fairfax County Code
Attachment II: Map Depicting Proposed Limits of RPPD Expansion

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

Attachment I

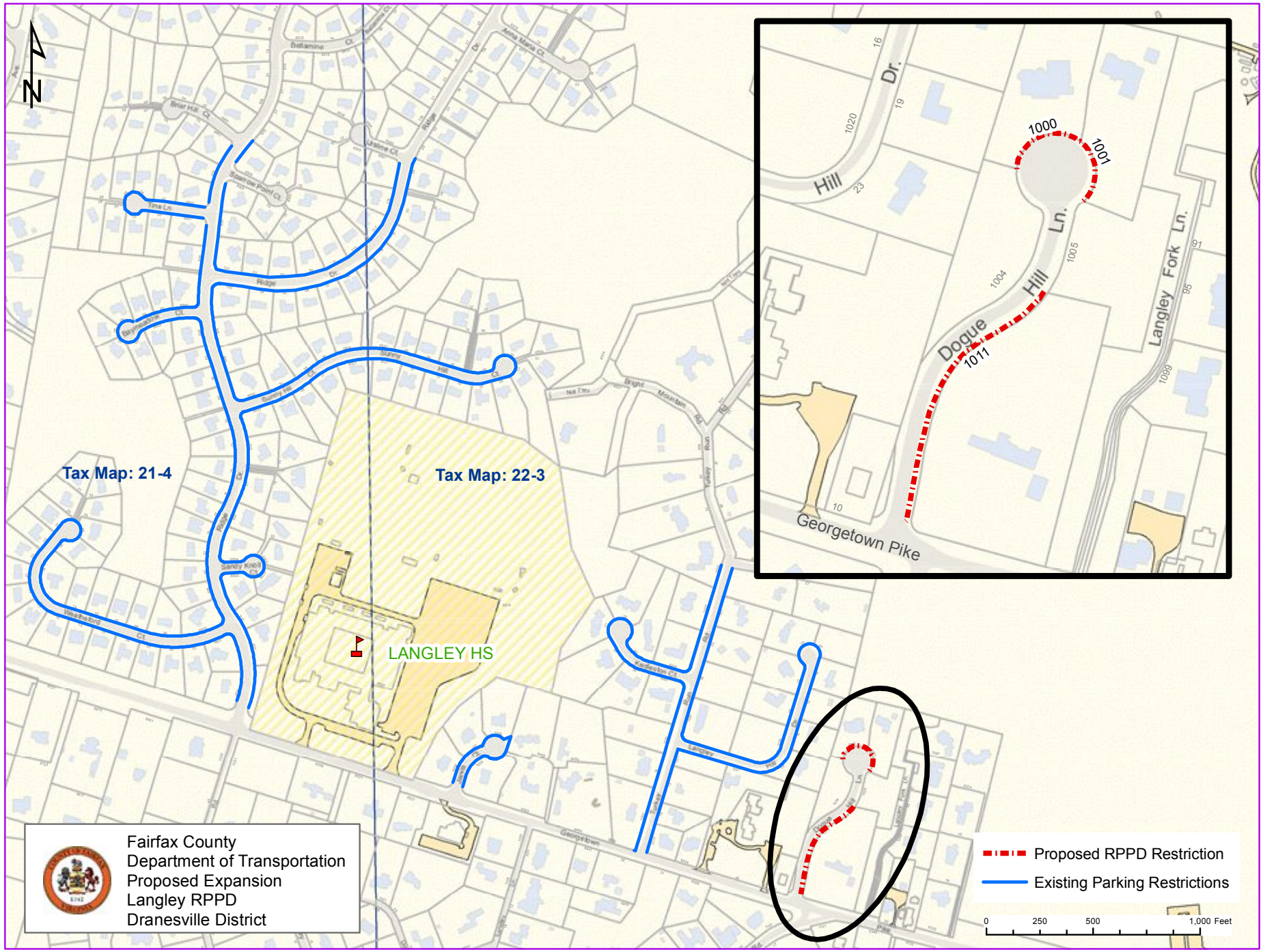
Proposed Amendment

Amend *The Code of the County of Fairfax*, *Virginia*, by amending the following streets in Appendix G-20, Section (b), (2), Langley Residential Permit Parking District, in accordance with Article 5A of Chapter 82:

Dogue Hill Lane (Route 10500):

From Georgetown Pike to the northern property boundary of 1011 Dogue Hill Lane, east side only; and along the entire road frontage of 1000 and 1001 Dogue Hill Lane.

Attachment II



Board Agenda Item
February 16, 2016

ACTION – 1

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

ISSUE:
Board approval of a resolution to authorize the sale of Fairfax County Sewer Revenue Refunding Bonds.

RECOMMENDATION:
The County Executive recommends approval of the authorization of the sale of Sewer Revenue Refunding Bonds.

TIMING:
Board action is requested on February 16, 2016.

BACKGROUND:
In June 2009, Fairfax County issued $152,255,000 of Sewer Revenue Bonds (Series 2009) and in July 2012, Fairfax County issued $90,710,000 of Sewer Revenue Bonds (Series 2012). The Series 2009 and Series 2012 were 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.

In 2001 and 2002, the County obtained loans from the Virginia Water Facilities Revolving Fund administered by the Virginia Resources Authority (VRA) in the amounts of $40 million and $50 million, respectively, to pay its 60% share of the capital costs associated with certain improvements being made by Alexandria Renew Enterprises to its wastewater treatment plant in Alexandria, Virginia. Debt service on the VRA loans are also paid from revenues collected by the County's Integrated Sewer System.

Staff is presenting the Board with the necessary documents to authorize a refunding sale of the Series 2009 and Series 2012, 2001 and 2002 VRA loans for the purpose of reducing debt service payments through lower interest rates. There is no extension of the original maturity date for any of the potential refunding candidates. Per the bond

sale schedule of events (Attachment 1), a refunding bond sale is planned for the week of April 4, 2016.

FISCAL IMPACT:
Based on market conditions as of January 2015, a refunding bond sale of $148 million of the existing debt is estimated to generate a net present value savings of $15.5 million or 10.5% of the refunded bonds.

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

ENCLOSED DOCUMENT:
Attachment 1: Bond Sale Schedule of Events
Attachment 2: Resolution of Approval
Attachment 3: Preliminary Official Statement
Attachment 4: Bond Purchase Agreement
Attachment 5: Continuing Disclosure Agreement
Attachment 6: Escrow Deposit Agreement

STAFF:
Edward L. Long, Jr., County Executive
Joseph Mondoro, Chief Financial Officer
Robert A. Stalzer, Jr. Deputy County Executive
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
Joseph LaHait, Debt Coordinator, Department of Management and Budget

Attachment 1

***DRAFT* Critical Path Events**
Fairfax County, Virginia
Sewer Revenue Refunding Bonds, Series 2016

January 2016						
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 2016						
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					

March 2016						
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 2016						
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 and Event	Responsible Party
Jan 4th		
	First draft of Series Resolution, POS, Escrow Agreement & BPA ("Bond Documents") distributed	SA
Jan 11th		
	Comments due on Bond Documents	PFM, FX
	Underwriter selection letter sent to County's pool	PFM
Jan 18th		
	Monday, Jan 18th – Martin Luther King Jr. Day (Federal Holiday)	-
	Wednesday, Jan 20th – Bond Documents and Board Item needed for Board package	SA, FX
Jan 25th		
	Underwriter proposals due	-
	Ratings Prep Meeting	PFM, FX
Feb 1st		
	Underwriter selected	FX, PFM
Feb 8th		
	First draft of ratings presentation sent to County	PFM
Feb 15th		
	Monday, Feb 15th – President's Day (Federal Holiday)	-
	Tuesday, Feb 16th – County Board considers Bond Documents	FX
Feb 22nd		
	Comments due on ratings presentation	FX
Feb 29th		
	Send draft documents to rating agencies	PFM
	Finalize ratings presentation	PFM, FX
March 7th		
	Rating agency discussions	FX, PFM
	Call to review POS	SA, FX, PFM
March 14th		
	Revised draft of POS & BPA distributed	SA
	Due Diligence Call	UWC
March 21st		
	Receive bond ratings	-
	Comments due on POS & BPA	All

Prepared by Public Financial Management

Attachment 1

***DRAFT* Critical Path Events**
Fairfax County, Virginia
Sewer Revenue Refunding Bonds, Series 2016

January 2016							February 2016							March 2016							April 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6			1	2	3	4	5						1	2
3	4	5	6	7	8	9	7	8	9	10	11	12	13	6	7	8	9	10	11	12	3	4	5	6	7	8	9
10	11	12	13	14	15	16	14	15	16	17	18	19	20	13	14	15	16	17	18	19	10	11	12	13	14	15	16
17	18	19	20	21	22	23	21	22	23	24	25	26	27	20	21	22	23	24	25	26	17	18	19	20	21	22	23
24	25	26	27	28	29	30	28	29						27	28	29	30	31			24	25	26	27	28	29	30
31																											

Week Of	Activity and Event	Responsible Party
March 28th		
	POS Finalized & Posted	SA
April 4th		
	Bond Pricing	UW, PFM, FX
	Sign BPA	UWC
April 11th		
	Finalize & Post OS	SA
	Finalize Closing Documents	SA
April 18th		
	Wednesday, April 20th – Closing & escrow funding	All

Legend:
FX = Fairfax County
PFM = Public Financial Management, Financial Advisor
SA = Sidley Austin, Bond Counsel
UW = Underwriter, TBD
UWC = Underwriter's Counsel, TBD

Prepared by Public Financial Management

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 February 16, 2016, 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 $265,000,000 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 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, or a portion, of its outstanding Sewer Revenue Bonds, Series 2009 (the "2009 Bonds") stated to mature on or after July 15, 2020, that are subject to optional redemption by the County; and

WHEREAS, 2009 Bonds in the aggregate principal amount of $123,065,000 stated to mature on and after July 15, 2020 (the "2009 Refunding Candidates"), are subject to redemption at the option of the County on their July 15, 2019 redemption date at the redemption price of 100% thereof; 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, or a portion of, its outstanding Sewer Revenue Bonds, Series 2012 (the "2012 Bonds") stated to mature on or after July 15, 2022, that are subject to optional redemption by the County; and

WHEREAS, 2012 Bonds in the aggregate principal amount of $75,345,000 stated to mature on and after July 15, 2022 (the "2012 Refunding Candidates" and together with the 2009 Refunding Candidates, the "Refunding Candidates"), are subject to redemption at the option of the County on their July 15, 2021 redemption date at the redemption price of 100% thereof; and

WHEREAS, the County in 2001 and 2002 issued Subordinate Obligations (the "VRA Bonds") under the General Bond Resolution to Virginia Resources Authority ("VRA") to evidence repayment loan received from VRA to pay a portion of capital improvements being made by Alexandria Renew Enterprises to its wastewater treatment plan; 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 the VRA Bonds with bonds to be issued as Subordinate Obligations or to otherwise refinance the VRA Bonds with VRA; 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 (the "2016 A Refunding Bonds") 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 "2016 A Refunded Bonds"), including the payment of the redemption price thereon and interest that will accrue on the 2016 A Refunded Bonds to their respective redemption dates and the expenses in connection with such refunding; and

WHEREAS, the County has determined to provide for the issuance of subordinate obligations pursuant to Section 507 of the General Bond Resolution (the "2016 B Subordinate Refunding Bonds" and together with the 2016 A Refunding Bonds, the "Refunding Bonds") for the purpose of providing funds, with any other available funds, for refunding all or any of the VRA Bonds (the "2016 B Subordinate Refunded Bonds" and together with the 2016 A Refunded Bonds, the "Refunded Bonds") or in the alternative to refinance the VRA Bonds with VRA; 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 make certain determinations for such obligations to be issued pursuant to this Series Resolution that are 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 2016 A Refunding 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 an aggregate principal amount not to exceed $230,000,000 to provide funds, with any other available funds, for refunding the 2016 A Refunded Bonds, including the payment of the redemption price thereon and interest that will accrue on such 2016 A 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 2016[A]" (the "2016 A Refunding Bonds"). The definitive 2016 A 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 2016 A 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 2016 A 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 3(d) and (h) hereof.

Section 2. Authorization of 2016 B Subordinate Refunding Bonds or Refinancing with VRA. Pursuant to Section 507 of the General Bond Resolution, Subordinate Indebtedness of Fairfax County, Virginia, in one or more series, in the aggregate principal amount of not to exceed $35,000,000 to provide funds, with any other available funds, for refunding the VRA Bonds, including the payment of the redemption price thereon and any interest that will accrue on the VRA 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 Subordinate Bonds, Series 2016[B]" (the "2016 B Subordinate Refunding Bonds" and together with the 2016 A Refunding Bonds, the "Refunding Bonds"). The definitive 2016 B

Subordinate 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 2016 B Subordinate 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.

In the alternative subject to provisions of Sections 3 and 6 hereof each Delegate is hereby directed to determine to refinance the VRA Bonds with VRA and is authorized to take the necessary steps to effectuate such refinancing including, but not limited to, the execution and delivery of allonges to the VRA Bonds and amendments to financing agreements relating to the VRA Bonds.

Section 3. 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 of the 2016 A Refunding Bonds, such amount not to exceed the amount required to fund a sufficient escrow to defease the 2016 A Refunded Bonds in accordance with the General Bond Resolution and pay the costs of issuance of the 2016 A Refunding Bonds and defeasing the 2016 A Refunded Bonds;

(b) Subject to the provisions of Section 6 hereof, whether the VRA Bonds shall be refunded by 2016 B Subordinate Refunding Bonds or shall be refinanced with VRA;

(c) If VRA Bonds shall be refunded by the 2016 B Subordinate Refunding Bonds, the aggregate principal amount of the 2016 B Subordinate Refunding Bonds, such amount not to exceed the amount required to defease the VRA Bonds in accordance with the General Bond Resolution and pay the costs of issuance of the 2016 B Subordinate Refunding Bonds and defeasing the VRA Bonds;

(d) The respective annual maturity dates and any mandatory redemption dates of the 2016 A Refunding Bonds, and the respective principal amounts of the 2016 A Refunding Bonds to mature or be redeemed on such dates, provided that the final maturity date shall not be later than December 31, 2042;

(e) The respective annual maturity dates and any mandatory redemption dates of the 2016 B Subordinate Refunding Bonds, and the respective principal amounts of the 2016 B Subordinate Refunding Bonds to mature or be redeemed on such dates, provided that the final maturity date shall not be later than December 31, 2022;

(f) Subject to the provisions of Section 6 hereof, whether the Refunding Bonds shall be sold in a competitive sale process or in a negotiated sale to one or more underwriters;

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

(h) The Refunding 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 Refunding Bonds;

(i) 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;

(j) The status of the Refunding Bonds as Serial Bonds or Term Bonds or a combination thereof;

(k) The amount to release from the Debt Service Subfund and Reserve Subfund, if any, as an additional source of funds to defease the 2016 A Refunded Bonds; provided that the amount on deposit in the Reserve Subfund after such release shall not be less than the Reserve Subfund Requirement;

(l) The optional redemption provisions of the 2016 A Refunding Bonds and the 2016 B Subordinate Refunding Bonds, if applicable, 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;

(m) 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 2016 A Refunded Bonds and the 2016 B Subordinate Refunded Bonds, if applicable; and

(n) The particular Refunding Candidates or VRA Bonds to be refunded if less than all of the Refunding Candidates or VRA Bonds are selected to be refunded. Provided, however, that the present value of the debt service savings to be obtained from the refunding of the Refunded Bonds shall not be less than 3.0% of the principal amount of such Refunded Bonds.

Section 4. 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 5. Redemption Provisions. (a) When the Refunding Bonds become subject to redemption as determined in accordance with Section 3(l), 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 any of the Refunding Bonds will be a Term Bond or Bonds, then the following provisions shall apply to such Term Bond or Bonds:

Any Term Bond or Bonds shall be called for redemption, in part, on July 15, or date determined pursuant to the delegation in Section 3 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 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 6. Sale of the Refunding Bonds.

(a) Sale. The Refunding Bonds shall be offered in a negotiated sale or for competitive bidding 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, 2016. Any refinancing of the VRA Bonds with VRA shall be effectuated on such dates determined by a Delegate and VRA.

(b) (i) Negotiated Sale Delegation. Each Delegate, is hereby authorized to sell the Refunding Bonds in a negotiated sale to one or more underwriters through the execution of a bond purchase agreement on one or more dates not later than December 31, 2016, subject to the following conditions: (A) the true interest cost of the Refunding Bonds sold shall not exceed 5.0%, (B) the underwriter(s) of the Refunding Bonds shall have been chosen pursuant to County guidelines and (C) 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) Competitive Sale Delegation. Each Delegate, is hereby authorized to accept the lowest bid (determined in accordance with the Notice of Sale (described herein)) 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, 2016, subject to the following conditions: (A) the Financial Advisor to the County shall have recommended that due to financial market conditions such a competitive sale best serves the interest of the County, (B) a Delegate shall have determined that the bid conforms in all material respects to the requirements of the Notice of Sale, (C) a Delegate shall have determined that the bid to be accepted is the lowest bid conforming to the terms of the Notice of Sale, (D) the Financial Advisor to the County shall have recommended that the lowest conforming bid be accepted, (E) the true interest cost of such bid shall not exceed 5.0% and (F) 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 competitive sale by the County the distribution of an Official Notice of Sale (the "Notice of Sale"), substantially in the form previously used for County bond sales, 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 6(b)(ii) of this Series Resolution shall be conclusive evidence of the approval of the terms of the Notice of Sale.

(c) Bond Purchase Agreement. The form of Bond Purchase Agreement presented to this meeting providing for the purchase of the Refunding Bonds, is hereby approved and the Chairman or Vice Chairman of the Board or a Delegate, as appropriate, be, and they hereby are, authorized, directed and empowered to execute and deliver in the name and on behalf of the County a Bond Purchase Agreement in such form and containing substantially the terms and provisions therein contained, with such additions and modifications as shall be approved by those executing a Bond Purchase Agreement, their execution thereof being conclusive evidence of such approval.

Section 7. Official Statement. A Preliminary Official Statement of the County relating to the Refunding 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 underwriter(s) 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 8. 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 9. 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 10. 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 11. Application of Proceeds of Bonds. (a) The proceeds of the 2016 A Refunding Bonds shall be deposited in accordance with the provisions of the General Bond Resolution as follows:

(1) the accrued interest on the 2016 A Refunding Bonds shall be paid to the Depositary thereof for deposit to the Debt Service Subfund;

(2) 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 2016 A 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;

(3) to the credit of a separate account within the Revenue Subfund, the estimated amount of the cost of issuing such 2016 A Refunding Bonds; and

(4) 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 2016 A Refunding Bonds, such excess shall be paid to the Escrow Agent for deposit to the credit of the escrow for the 2016 A Refunded Bonds or for any other purpose allowed by the General Bond Resolution.

(b) The proceeds of the 2016 B Subordinate Refunding Bonds shall be deposited in accordance with the provisions of the General Bond Resolution as follows:

(1) the accrued interest on the 2016 B Subordinate Refunding Bonds shall be paid to the Depositary thereof for deposit to the Subordinate Obligations Subfund;

(2) an amount that taking into account the amount described in the following paragraph, shall be sufficient to pay the principal of and redemption premium, if any, and the interest on the VRA Bonds to their redemption date shall be paid to VRA;

(3) to the credit of a separate account within the Subordinate Obligations Subfund, the estimated amount of the cost of issuing such 2016 B Subordinate Refunding Bonds; and

(4) any balance of such proceeds shall be paid to the Depositary for deposit to the credit of the Subordinate Obligations Subfund.

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

Section 12. 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 13. Definitions. All terms not otherwise defined herein shall have the meanings ascribed thereto by the General Bond Resolution.

Section 14. 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 15. 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.

PRELIMINARY OFFICIAL STATEMENT DATED _____ __, 2016

NEW ISSUE **RATINGS: Fitch..... "____"**
Moody's..... "___"
Full Book-Entry **Standard & Poor's ..... "____"**

In the opinion of Bond Counsel, under current law and assuming continuing compliance with the certain tax covenants and requirements of the Internal Revenue Code of 1986, as amended, as described herein, interest on the 2016 [A] Bonds will not be includable in the gross income of the owners thereof for federal income tax purposes. Under existing law, the interest on the 2016 [A] Bonds is excluded from Virginia taxable income for purposes of the individual income tax and the income taxation of corporations by the Commonwealth of Virginia under Sections 58.1-322 and 58.1-402 of the Code of Virginia of 1950, as amended, to the extent that such interest is excludable from gross income for federal income tax purposes. See "TAX MATTERS" herein for further information.

$_____*

FAIRFAX COUNTY, VIRGINIA

SEWER REVENUE REFUNDING BONDS, SERIES 2016 [A]

Dated: Date of Delivery **Due: July 15, as shown below**

Interest on the 2016 [A] Bonds will be payable on each January 15 and July 15, commencing _____, 20__. The 2016 [A] Bonds will be issuable in denominations of $5,000 and any integral multiple thereof.

The 2016 [A] Bonds maturing after [_____, 20__], are subject to redemption prior to maturity as a whole or in part at any time on or after ____, 20__, at a redemption price equal to the principal amount thereof plus accrued interest.

The 2016 [A] Bonds are being issued to refund certain of the outstanding sewer revenue bonds issued by the County in 2009 and 2012 under the General Bond Resolution.

Payment of the principal of and redemption premium, if any, and the interest on the 2016 [A] Bonds is secured by a pledge of Gross Revenues derived by the County from the ownership and the operation of the County's sewage collection, treatment and disposal systems (the "System"), after provision for payment of the operating expenses of the System. **The 2016 [A] Bonds shall not be deemed to constitute a pledge of the full faith and credit of the Commonwealth of Virginia (the "Commonwealth") or of any political subdivision thereof, including the County. Neither the full faith and credit of the Commonwealth nor the full faith and credit of the County are pledged to the payment of the principal of or premium, if any, or interest on the 2016 [A] Bonds, and the issuance of the 2016 [A] Bonds shall not directly or indirectly or contingently obligate the Commonwealth or the County to levy any taxes whatever therefor or to make any appropriation for their payment except from the revenues and receipts provided for their payment under the Bond Resolution (defined herein).**

MATURITY DATES, PRINCIPAL AMOUNTS, INTEREST RATES AND PRICES/YIELDS

Maturity Date (July 15)	Principal Amount*	Interest Rate	Price or Yield	CUSIP†
[2017	$	%	%	
2018				
2019				
2020				
2021				
2022				
2023				
2024				
2025				
2026				
2027				
2028				
2029				
2030]				

† CUSIP® is a registered trademark of the American Bankers Association. The CUSIP numbers listed above are being provided solely for the convenience of bondholders only, and the County does not make any representation with respect to such numbers or undertake any responsibility for their accuracy.

The 2016 [A] Bonds are offered for delivery when, as and if issued, subject to the approving opinion of Sidley Austin LLP, Washington, D.C., Bond Counsel. Certain legal matters will be passed upon for the County by David P. Bobzien, Esquire, County Attorney, and for the Underwriters by _____. The 2016 [A] Bonds will be available for delivery in New York, New York, through the facilities of DTC on or about _____, 2016.

This cover page contains certain information for quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to making an informed investment decision.

____ __, 2016

* Preliminary, subject to change.

This Preliminary Official Statement and the information contained herein are subject to completion or amendment

Fairfax County, Virginia

BOARD OF SUPERVISORS
Sharon Bulova, *Chairman*
Penelope A. Gross, *Vice Chairman*
John C. Cook
John W. Foust
Patrick S. Herrity
Catherine M. Hudgins
Jeffrey C. McKay
Kathy L. Smith
Linda Q. Smyth
Daniel G. Storck

COUNTY OFFICIALS
Edward L. Long Jr., *County Executive*
Robert A. Stalzer, *Deputy County Executive*
David P. Bobzien, *County Attorney*
David J. Molchany, *Deputy County Executive*
David M. Rohrer, *Deputy County Executive*
Patricia D. Harrison, *Deputy County Executive*
Christopher J. Pietsch, Director, *Department of Finance*
Joseph M. Mondoro, *Chief Financial Officer*
James W. Patteson, P.E., *Director, Department of Public Works and Environmental Services*
Randolph W. Bartlett, P.E., *Deputy Public Works Director for Wastewater and Stormwater Management Programs*
Shahram Mohsenin, P.E., *Director, Wastewater Planning and Monitoring Division*
Jeffrey Kent, *Financial Manager, Wastewater Management Program*

FINANCIAL ADVISOR
Public Financial Management, Inc.
4350 North Fairfax Drive
Suite 580
Arlington, Virginia 22203-1547
(703) 741-0175

BOND COUNSEL
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8350

DEPOSITARY AND BOND REGISTRAR
U.S. Bank National Association
1021 E. Cary Street, Suite 1850
Richmond, Virginia 23219
(804) 771-7932

No person has been authorized by the County to give any information or to make any representations with respect to the County or the 2016 [A] Bonds other than those contained in this Official Statement, and, if given or made, such other information or representations may not be relied upon as having been authorized by the County. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the 2016 [A] Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information herein is subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the County since the date hereof. This Official Statement is not to be construed as a contract or agreement between the County and the purchasers or owners of any of the 2016 [A] Bonds. Any electronic reproduction of this Official Statement may contain computer generated errors or other deviations from the printed Official Statement. In any such case, the printed version controls.

Forward–Looking Statements. **Certain statements contained in this Official Statement that are not historical facts are forward looking statements, which are based on the County's beliefs, as well as assumptions made by, and information currently available to, its officers and personnel. Because the statements are based on expectations about future events and economic performance and are not statements of fact, actual results may differ materially from those projected. The words "anticipate," "assume," "estimate," "expect," "objective," "projection," "forecast," "goal," "budget," or similar words are intended to identify forward looking statements. The words or phrases "to date," "now," "currently," and the like are intended to mean as of the date of the Official Statement.**

TABLE OF CONTENTS

	Page
INTRODUCTION	1
Authorization	1
Purpose	1
Existing Indebtedness	2
Refunding Plan	2
SOURCES AND USES OF FUNDS	4
DESCRIPTION OF THE 2016 [A] BONDS	4
General	4
Book-Entry-Only System	4
Redemption Provisions	6
SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 [A] BONDS	7
Pledge by Bond Resolution	7
Flow of Funds	8
Reserve Subfund	9
Rate Covenant	10
Additional Parity Debt	10
Subordinate Obligations	12
DEBT SERVICE REQUIREMENTS	13
FAIRFAX COUNTY	14
Overview	14
Certain County Administrative and Financial Staff Members [update]	14
County Employees	17
THE SYSTEM	17
Introduction	17
System Organizational Structure	17
System Characteristics	18
System Wastewater Flows	18
Interjurisdictional Service Contracts	20
County Commitments at Treatment Facilities by Interjurisdictional Service Contracts	23
Rates and Charges	31
Rate Development	32
Rate Comparison	32
Existing Customer Base	34
LITIGATION	35
APPROVAL OF LEGAL PROCEEDINGS	35
TAX MATTERS	36
Opinion of Bond Counsel [to be updated]	36
Original Issue Discount	36
Bond Premium	37
Backup Withholding	37
Other Tax Consequences	37
Future Tax Developments	38
RATINGS	38
FINANCIAL ADVISOR	39
VERIFICATION OF CERTAIN MATHEMATICAL COMPUTATIONS	39
UNDERWRITING	39
CERTIFICATE CONCERNING OFFICIAL STATEMENT	39
FUTURE FINANCIAL INFORMATION	39
MISCELLANEOUS	41
PRELIMINARY OFFICIAL STATEMENT DEEMED FINAL	S-1
APPENDIX A - COUNTY OF FAIRFAX, VIRGINIA, INTEGRATED SEWER SYSTEM COMPREHENSIVE ANNUAL FINANCIAL REPORT	
APPENDIX B - FAIRFAX COUNTY INFORMATION	
APPENDIX C - SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION	
APPENDIX D - FORM OF BOND COUNSEL OPINION	
APPENDIX E - CONTINUING DISCLOSURE AGREEMENT	

(This Page Intentionally Left Blank)

OFFICIAL STATEMENT

FAIRFAX COUNTY, VIRGINIA

Regarding

$_____*
Sewer Revenue Refunding Bonds, Series 2016 [A]

INTRODUCTION

The purpose of this Official Statement, which includes the cover and inside cover pages and the appendices hereto, is to furnish information in connection with the sale by Fairfax County, Virginia (the "County"), of its $_____* Sewer Revenue Refunding Bonds, Series 2016 [A] (the "2016 [A] Bonds").

Authorization

The 2016 [A] Bonds will be issued pursuant to, and secured 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, as supplemented by a Series Resolution adopted by the Board of Supervisors on February 16, 2016 (the "2016 Series Resolution"), provides for the issuance of the 2016 [A] Bonds.

The General Bond Resolution, as supplemented, is hereinafter referred to as the "Bond Resolution." The General Bond Resolution was adopted pursuant to Article 3, Chapter 21, Title 15.2, Code of Virginia, 1950, as amended, and Chapter 26, Title 15.2, Code of Virginia, 1950, as amended (collectively, the "Act").

Capitalized terms used in this Official Statement and not otherwise defined herein have the meanings ascribed to such terms in Appendix C - "SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION—Definitions of Certain Terms."

Purpose

The 2016 [A] Bonds are being issued to provide funds, with other available funds, to refund all or a portion of the County's outstanding Sewer Revenue Bonds, Series 2009 that mature on July 15, 20__, through July 15, 20__* (the "2009 Refunding Candidates") and Sewer Revenue Bonds, Series 2012 that mature on July 15, 20__, through July 15, 20__* (the "2012 Refunding Candidates" and together with the 2009 Refunding Candidates, the "Refunding Candidates"), which were issued and are outstanding under the General Bond Resolution. The purpose of the refunding is to achieve present value debt service savings. The County's decision whether to refund any given maturity of the Refunding Candidates is subject to prevailing market conditions at the time of the sale of the 2016 [A] Bonds. The County may refund only certain maturities of the Refunding Candidates if such refunding permits the County to meet certain savings targets. The 2009 Refunding Candidates, if any, that are refunded with proceeds of the Bonds are referred to as the "2009 Refunded Bonds" and the 2012 Refunding Candidates, if any, that are

* Preliminary, subject to change

refunded with proceeds of the Bonds are referred to as the "2012 Refunded Bonds" and together with the 2009 Refunded Bonds are referred to as the "Refunded Bonds." See "Refunding Plan."

Existing Indebtedness

Beginning in 1986, the County has issued several series of bonds under the General Bond Resolution for the benefit of the County's sewage collection, treatment and disposal systems (the "System"), including $104,000,000 Sewer Revenue Bonds, Series 1996 (the "1996 Bonds") issued to provide funds for (i) paying a portion of the costs of certain additions, extensions and improvements to the System, (ii) making a deposit to the Reserve Subfund, and (iii) paying the costs of issuing the 1996 Bonds. The County also issued $94,005,000 Sewer Revenue Refunding Bonds, Series 2004 (the "2004 Bonds") on October 14, 2004, to provide funds, with other available funds, to refund the $91,430,000 of the County's outstanding 1996 Bonds that were scheduled to mature on and after July 15, 2007. On June 17, 2009, the County issued $152,255,000 Sewer Revenue Bonds, Series 2009 (the "2009 Bonds") to provide funds to finance capital improvements for the benefit of the System as well as for the purchase of additional wastewater capacity for the benefit of the County. In addition, on August 8, 2012, the County issued $90,710,000 Sewer Revenue Bonds, Series 2012 (the "2012 Bonds") to provide funds, for paying a portion of capital improvement costs allocable to the County at certain wastewater treatment facilities that are owned by, or that provide service to, the County, which are required by the Commonwealth of Virginia Department of Environmental Quality to reduce total nitrogen discharge to required limits, 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. On April 16, 2014 the County issued $61,755,000 Sewer Revenue Refunding Bonds, Series 2014 (the "2014 Bonds") to refund the 2004 Bonds that matured on or after July 15, 2015.

The outstanding 2009 Bonds, 2012 Bonds, 2014 Bonds, the 2016[A] Bonds and any Additional Bonds and any Refunding Bonds issued on a parity under the General Bond Resolution are herein referred to as "Bonds." As of April 1, 2016, there will be outstanding under the General Bond Resolution, $136,465,000 aggregate principal amount of 2009 Bonds, $86,265,000 aggregate principal amount of 2012 Bonds, $58,580,000 aggregate principal amount of 2014 Bonds and certain other Subordinate Indebtedness. As of the date of issuance of the 2016 [A] Bonds, the 2009 Bonds, the 2012 Bonds, the 2014 Bonds and the 2016 [A] Bonds will be the only Bonds outstanding under the General Bond Resolution. See "THE SYSTEM—Sewer Revenue Bonds, Debt Service Payments and Other Debt Obligations."

The County may also incur additional "Parity Indebtedness," payable on a parity with, and "Subordinate Obligations," payable on a subordinated basis to, its Bonds. Any Parity Indebtedness would be payable on a parity with Bonds from Gross Revenues after provision for Operating Expenses but has no claim on the Reserve Subfund established for Bonds. See "DEBT SERVICE REQUIREMENTS" and "THE SYSTEM—Sewer Revenue Bonds, Debt Service Payments, and Other Debt Obligations." See also "SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 [A] BONDS—Additional Parity Debt" and "—Subordinate Obligations" and APPENDIX C - "SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION—Additional Indebtedness."

Refunding Plan

The County will use the proceeds of the 2016 [A] Bonds to pay certain costs in connection with the issuance of the 2016 [A] Bonds and to provide for the redemption of the Refunded Bonds by depositing with U.S. Bank National Association, Richmond, Virginia, as escrow agent, pursuant to an escrow deposit agreement, cash and non-callable, direct obligations of the United States of America, the maturing principal of and interest on which, together with such cash, will be sufficient to pay all principal,

applicable redemption premium, and interest on the Refunded Bonds to their redemption date. The 2009 Refunded Bonds will be called for redemption on their July 15, 2019 redemption date at the redemption price of 100% of their principal amount and the 2012 Refunded Bonds will be called for redemption on their [July 15, 2021] redemption date at the redemption price of 100% of their principal amount. The sufficiency of the cash and securities deposited with the escrow agent to pay the principal of and interest on the Refunded Bonds will be verified by Robert Thomas CPA, LLC. Set forth below are the Refunded Bonds and their original CUSIP numbers.

Refunding Candidates*

Refunded Bonds	Maturities	Amount	Redemption Date	Redemption Price	CUSIP Number†
2009 Bonds	July 15, 20__	$	July 15, 2019	100%	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
	July 15, 20__		July 15, 2019	100	303867
2012 Bonds	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867
	July 15, 20__		July 15, 2021	100	303867

† CUSIP® is a registered trademark of the American Bankers Association. The CUSIP numbers listed above are being provided solely for the convenience of bondholders only, and the County does not make any representation with respect to such numbers or undertake any responsibility for their accuracy. The CUSIP numbers are subject to being changed after the issuance of the 2016 [A] Bonds.

* Preliminary, subject to change

SOURCES AND USES OF FUNDS

The estimated sources and uses of the proceeds of the 2016 [A] Bonds are set forth below.

Sources	
Par Amount of 2016 [A] Bonds	$
Net Offering Premium/Discount	
[Release from Debt Service Subfund/Reserve Subfund]	
Total Sources	$

Uses	
Deposit in Escrow Account	$
Underwriters' Discount	
Issuance Expenses	
Total Uses	$

DESCRIPTION OF THE 2016 [A] BONDS

General

The 2016 [A] Bonds will be dated their date of delivery, will be issued in the respective aggregate principal amounts and will bear interest at the rates and will mature on _____, in the years and in the principal amounts as set forth on the cover page of this Official Statement. U.S. Bank National Association will act as Bond Registrar for the 2016 [A] Bonds.

Interest on the 2016 [A] Bonds will be payable on each _____ ___ and _____ __, commencing _____ __, 20__. The 2016 [A] Bonds will be issuable in denominations of $5,000 and any integral multiple thereof under the book-entry system of The Depository Trust Company, and principal and interest on the 2016 [A] Bonds will be payable, in the manner described below under "Book-Entry-Only System."

Book-Entry-Only System

The description which follows of the procedures and recordkeeping with respect to beneficial ownership interests in the 2016 [A] Bonds, payments of principal of and interest on the 2016 [A] Bonds to The Depository Trust Company, New York, New York ("DTC"), its nominee, Direct Participants (as defined below) or Beneficial Owners (as defined below), confirmation and transfer of beneficial ownership interests in the 2016 [A] Bonds and other bond-related transactions by and between DTC, the Direct Participants and Beneficial Owners is based solely on information furnished by DTC.

The Depository Trust Company ("DTC"), New York, New York, will act as securities depository for the 2016 [A] Bonds. The 2016 [A] Bonds will be issued as fully registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully registered 2016 [A] Bond certificate will be issued for each maturity of 2016 [A] Bonds, each in the aggregate principal amount of such quantity of 2016 [A] Bonds.

DTC, the world's largest depository, is a limited purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A

of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of the 2016 [A] Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the 2016 [A] Bonds on DTC's records. The ownership interest of each actual purchaser of the 2016 [A] Bonds ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interest in the 2016 [A] Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive bond certificates representing their ownership interests in the 2016 [A] Bonds, except in the event that use of the book entry system for the 2016 [A] Bonds is discontinued.

To facilitate subsequent transfers, all 2016 [A] Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the 2016 [A] Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the 2016 [A] Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such 2016 [A] Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of 2016 [A] Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the 2016 [A] Bonds, such as redemptions, tenders, defaults, and proposed amendments to the 2016 [A] Bond documents. For example, Beneficial Owners of the 2016 [A] Bonds may wish to ascertain that the nominee holding the 2016 [A] Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the 2016 [A] Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the 2016 [A] Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the County as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the 2016 [A] Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal, premium, if any, and interest payments on the 2016 [A] Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detailed information from the County or Depositary (defined herein) or the Trustee, on a payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC or the County or Depositary, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, premium, if any, and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC), is the responsibility of the County or Depositary, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners shall be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the 2016 [A] Bonds at any time by giving reasonable notice to the County or Depositary. Under such circumstances, in the event that a successor depository is not obtained, certificates for the 2016 [A] Bonds are required to be printed and delivered.

The County may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, certificates for the 2016 [A] Bonds will be printed and delivered.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the County believes to be reliable, but the County takes no responsibility for the accuracy thereof.

The County may enter into amendments to the agreement with DTC, or successor agreements with a successor securities depository, relating to the book-entry system to be maintained with respect to the 2016 [A] Bonds without the consent of Beneficial Owners.

Redemption Provisions

Optional Redemption

The 2016 [A] Bonds that mature on or before ____, 20__*, are not subject to redemption before maturity. The 2016 [A] Bonds that mature after ____ __, 20__*, may be redeemed, at the option of the County, before their respective maturities on any date not earlier than ____ __, 20__, as a whole or in part

* Preliminary, subject to change

(in integral multiples of $5,000), upon payment of the redemption price of the principal amount thereof plus accrued interest to the redemption date.

Selection of 2016 [A] Bonds for Redemption

The 2016 [A] Bonds shall be redeemed only in denominations of $5,000 and in whole multiples of $5,000. In selecting 2016 [A] Bonds for redemption, the County shall treat each 2016 [A] Bond as representing the number of 2016 [A] Bonds that is obtained by dividing the principal amount of such 2016 [A] Bond by $5,000. If less than all of the 2016 [A] Bonds of any maturity shall be called for redemption, the particular 2016 [A] Bonds or portions thereof to be redeemed shall be selected by the County by such method as the County in its sole discretion deems fair and appropriate.

Notice of Redemption

Each notice of redemption of 2016 [A] Bonds shall set forth the 2016 [A] Bonds or portions thereof to be redeemed, the date fixed for redemption, the Redemption Price to be paid, and, if less than all the 2016 [A] Bonds shall be called for redemption, the maturities of the 2016 [A] Bonds to be redeemed. If less than all of the 2016 [A] Bonds of any one maturity then outstanding shall be called for redemption, such notice shall also set forth the distinctive numbers and letters, if any, of such 2016 [A] Bonds to be redeemed and, in the case of 2016 [A] Bonds to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any 2016 [A] Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such 2016 [A] Bond, a new 2016 [A] Bond in principal amount equal to the unredeemed portion of such 2016 [A] Bond and of the same maturity will be issued.

Such notice shall be given by mail at least 30 days prior to the date fixed for redemption to the owners of 2016 [A] Bonds to be redeemed; provided, however, that any defect in such notice or the failure to mail such notice to any owner owning any 2016 [A] Bonds to be redeemed shall not affect the validity of the proceedings for the redemption of any other 2016 [A] Bonds.

Any notice of optional redemption of the 2016 [A] Bonds may state that it is conditioned upon there being available on the redemption date 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 of 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.

SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 [A] BONDS

Pledge by Bond Resolution

The 2016 [A] Bonds, the 2014 Bonds, the 2012 Bonds, the 2009 Bonds and any Additional Bonds and Refunding Bonds issued, and any Parity Indebtedness incurred, under the General Bond Resolution will be secured as to the payment of the principal thereof and redemption premium, if any, and the interest thereon by a pledge of the Gross Revenues derived by the County from the ownership and operation of the System, subject to the prior provision for the payment of the Operating Expenses of the System ("Net Revenues"), as provided in the Bond Resolution. See Appendix C - "SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION - Definitions of Certain Terms" and "- Collection and Disposition of Revenues."

The 2016 [A] Bonds shall not be deemed to constitute a pledge of the full faith and credit of the Commonwealth of Virginia (the "Commonwealth") or of any political subdivision thereof, including the County. Neither the full faith and credit of the Commonwealth nor the full faith and credit of the County are pledged to the payment of the principal of or premium, if any, or interest on the 2016 [A] Bonds, and the issuance of the 2016 [A] Bonds shall not directly or indirectly or contingently obligate the Commonwealth or the County to levy any taxes whatever therefor or to make any appropriation for their payment except from the revenues and receipts provided for their payment under the Bond Resolution.

Flow of Funds

The County has established, under the Bond Resolution, the following subfunds and accounts within the Integrated Sewer System Fund of the County, to be held either by the County or by a Depositary, currently U.S. Bank National Association, Richmond, Virginia, for the application of proceeds of Additional Bonds and the application of Gross Revenues:

Subfunds	Held By
Construction Subfund	County
Revenue Subfund	County
Debt Service Subfund	
Bond Interest and Principal Accounts	Depositary
Accounts for Parity Debt Service Components	County
Reserve Subfund	Depositary
Subordinate Obligations Subfund	County
Extension and Improvement Subfund	County

Pursuant to the Bond Resolution, all Gross Revenues received by the County are to be deposited in the Revenue Subfund. The money to the credit of the Revenue Subfund following the withdrawal of money from such Subfund and the payment of Operating Expenses and the application of such money, as described herein, may be used by the County for any lawful purpose of the System. After an amount equal to the Operating Expenses (excluding expenses for extraordinary repairs or maintenance) due and payable in such month has been paid or set aside for payment, amounts in the Revenue Subfund are to be deposited on or before the 25th day of each month (a "Deposit Day"), except as described below, in the following subfunds and accounts in the following order:

First, to the Debt Service Subfund, including the 2009, 2012, 2014 and 2016 Interest and Principal Accounts, or, in the case of Parity Indebtedness, to the credit of a special account in the Debt Service Subfund, after first taking into account any accrued interest deposited from the proceeds of any Bonds and any transfers from the Construction Subfund pursuant to the Bond Resolution, the sum of (i) so much of the Interest Requirement for the Bonds as would accrue during such month, (ii) so much of the Principal Requirement for such Bonds as would accrue during such month, and (iii) such amount of the Debt Service Requirements for Parity Indebtedness as the Chief Financial Officer determines is necessary to accrue in equal monthly installments to ensure the sufficiency of deposits to make timely payment of any Parity Indebtedness.

Second, to the Reserve Subfund, beginning on the Deposit Day of the month next succeeding the month in which an amount is transferred from the Reserve Subfund to the Debt Service Subfund to cure a deficiency therein pursuant to the terms of the Bond Resolution, an amount that, taking into account any gain or loss in a subsequent valuation and together with investment income credited to such Subfund during such month, is equal to one thirty-fifth (1/35th) of the amount or amounts so transferred until the

amount then on deposit in the Reserve Subfund is equal to the current Reserve Subfund Requirement for the Bonds secured thereby.

Third, to the Subordinate Obligations Subfund, an amount that, together with funds then held to the credit of the Subordinate Obligations Subfund, will make the total amount then to the credit of the Subordinate Obligations Subfund equal to the entire aggregate amount of the Subordinate Obligations due and payable prior to the Deposit Day of the next succeeding month.

Fourth, to the Extension and Improvement Subfund, an amount that, together with funds then held to the credit of the Extension and Improvement Subfund, will make the total amount then to the credit of the Extension and Improvement Subfund equal to the amount, if any, budgeted for expenditure therefrom by the County in its Annual Budget.

The payments and deposits so required are to be cumulative, and the amount of any deficiency in any month is to be added to the amount otherwise required to be paid or deposited in each month thereafter until such time as such deficiency has been made up. Notwithstanding the foregoing clauses *First, Second* and *Third,* if there is to the credit of any of such Subfunds on a Deposit Day the amount required to be on deposit to the credit of such Subfund on the next Interest Payment Date or the next Principal Payment Date or the next Parity Indebtedness payment date or Subordinate Obligations payment date, no further deposit into such Subfund on account of the requirements of such clauses will then be required.

Reserve Subfund

Pursuant to the General Bond Resolution, the County is required to maintain with a Depositary, for the benefit of the Bonds, including the 2016 [A] Bonds, the Reserve Subfund. The Reserve Subfund Requirement with respect to Bonds is equal to the lesser of (i) the maximum Principal and Interest Requirements of the Outstanding Bonds for any Bond Year and (ii) 125% of the average annual Principal and Interest Requirements of the Outstanding Bonds for any Bond Year. On the date of delivery of the 2016 [A] Bonds, $_____, an amount equal to the Reserve Subfund Requirement for the 2016 [A] Bonds, 2014 Bonds, the outstanding 2012 Bonds that are not Refunded Bonds, the outstanding 2009 Bonds that are not Refunded Bonds (collectively, the "Outstanding Bonds"), will be on deposit in the Reserve Subfund.

The Depositary is to transfer money from the Reserve Subfund to the related Interest and Principal Account in the Debt Service Subfund for the purpose of paying the interest on and principal of (whether at maturity, by acceleration or in satisfaction of a Sinking Fund Requirement) the Outstanding Bonds, whenever and to the extent that the money on deposit in such Interest and Principal Account is insufficient for such purposes.

If on the Business Day next preceding an Interest Payment Date or a Principal Payment Date money to the credit of the applicable Interest and Principal Account in the Debt Service Subfund is not sufficient to pay the principal and interest due and payable on the Outstanding Bonds on such Interest Payment Date or Principal Payment Date, the County, before any transfer is made from the Reserve Subfund, is to transfer from the Revenue Subfund, if and to the extent money in the Revenue Subfund is legally available for such purpose, an amount equal to the deficiency in such Interest and Principal Account.

In the event the County determines to provide for deposits to a separate account within the Reserve Subfund in respect of any Parity Indebtedness, the term "Reserve Subfund Requirement" may be amended to include such additional deposits. No money to the credit of the Reserve Subfund may be

withdrawn and applied to the payment of Parity Indebtedness unless the County has first provided for deposits to a separate account within the Reserve Subfund with respect to such Parity Indebtedness.

See Appendix C - "SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION—Collection and Disposition of Revenues—*Reserve Subfund.*"

Rate Covenant

The County has covenanted in the General Bond Resolution that it will at all times fix, charge and collect reasonable rates and charges for the use of, and for the services and facilities furnished by, the System and that from time to time, and as often as it shall appear necessary, it will adjust such rates and charges so that in each Bond Year both:

(A) the Net Revenues, excluding, for purposes of the calculation set forth in this clause (A) certain non-recurring revenue such as availability charges, and income previously received and then held by the County under the Bond Resolution, will be sufficient to provide at least 125% of the sum of (i) the Principal and Interest Requirements in such Bond Year on account of all the Bonds then outstanding under the Bond Resolution in such Bond Year and (ii) the Debt Service Requirements of Parity Indebtedness in such Bond Year, and

(B) the Net Revenues, including, for purposes of the calculation set forth in this clause (B) certain non-recurring revenue such as availability charges, and income previously received and then held by the County under the Bond Resolution, will be sufficient to provide at least 100% of the sum of the amounts described in sub-clauses (A)(i) and (ii) above and the debt service requirements of Subordinate Obligations in such Bond Year.

Under the Act and other applicable laws, the Board of Supervisors of the County is authorized to fix and revise the rates and charges for the services and facilities of the System, and such rates and charges are not subject to regulation by any federal, state or other local entity.

Additional Parity Debt

The 2016 [A] Bonds are secured on a parity as to their lien on Gross Revenues after provisions for Operating Expenses with the Outstanding Bonds and certain Parity Indebtedness (collectively, "Parity Debt"). No Bonds may be issued, or Parity Indebtedness incurred, under the General Bond Resolution except upon compliance with the requirements described below.

Additional Bonds. Additional Bonds, as described in the General Bond Resolution, in excess of such amount initially authorized in the Bond Resolution, may be issued under and secured by the Bond Resolution for such purpose or for paying all or any portion of the cost of projects, including any future additions, enlargements, improvements, extensions, alterations, fixtures, equipment, land, appurtenances and other facilities to or for the System, or the undivided ownership interest of the County therein, or any entitlement to capacity or service, or any obligations of the County under any Service Contract.

The County has covenanted in the General Bond Resolution that in order to issue Additional Bonds the County must meet certain historical and projected tests that show both:

(A) the Net Revenues, excluding, for purposes of the calculation set forth in this clause (A) certain non recurring revenue such as availability charges, and income previously received and then held by the County under the Bond Resolution, will be sufficient to provide at least 125% of the sum of (i) the Principal and Interest Requirements in such applicable time period on account of all the Bonds then

outstanding under the Bond Resolution in such Bond Year and (ii) the Debt Service Requirements of Parity Indebtedness in such applicable time period, and

(B) the Net Revenues, including, for purposes of the calculation set forth in this clause (B) certain non recurring revenue such as availability charges, and income previously received and then held by the County under the Bond Resolution, will be sufficient to provide at least 100% of the sum of the amounts described in sub-clauses (A)(i) and (ii) above and the debt service requirements of Subordinate Obligations in such applicable time period. See Appendix C - "SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION—Additional Indebtedness."

Refunding Bonds. Refunding Bonds may be issued from time to time under and secured pursuant to the General Bond Resolution, subject to the conditions provided in the General Bond Resolution, for the purpose of providing funds, with any other available funds, for refunding all or any part of any Indebtedness then outstanding (including, without limitation, Bonds, Parity Indebtedness and Subordinate Obligations that may have been issued or incurred under the provisions of the Act and whether or not under the provisions of the Bond Resolution), including the payment of any redemption premium thereon and interest that will accrue on such Indebtedness to the redemption date or stated maturity date or dates and any expenses in connection with such refunding. The General Bond Resolution requires, among other things, in connection with the issuance of Refunding Bonds that either (A) during the years in which any of the Bonds and Parity Indebtedness not so refunded are outstanding, the maximum Debt Service Requirements on account of all Bonds and Parity Indebtedness outstanding (after the issuance of such Refunding Bonds and after the redemption or provision for payment of the Indebtedness to be refunded) for any Bond Year following the Bond Year in which provision for the payment of the Indebtedness to be refunded is effected shall not exceed the maximum Debt Service Requirements on account of all the Bonds and Parity Indebtedness outstanding (including the Indebtedness to be refunded) immediately prior to the issuance of such Refunding Bonds for any Bond Year following the Bond Year in which provision for payment of the Bonds to be refunded is effected or (B) the County shall demonstrate satisfaction of the tests for the issuance of Additional Bonds as applied mutatis mutandis to the Refunding Bonds to be issued and the project financed from the proceeds of the Indebtedness to be paid or redeemed.

Parity Indebtedness. The County has no outstanding Parity Indebtedness.

The General Bond Resolution permits the County to enter into additional Service Contracts for the benefit of the System provided that any such Service Contract shall specify the items payable as the Debt Service Component of the Cost of Contracted Services and provided further that except in the case of Service Contracts that by their terms do not permit payments from Gross Revenues, the County shall not enter into such additional Service Contracts that would create additional Parity Debt Service Components unless the Chief Financial Officer of the County determines in writing that the requirements for the issuance of Additional Bonds are met. The Chief Financial Officer of the County is to determine in writing on or before the effective date of any new Service Contract the amounts and due dates of any Debt Service Components of the Cost of Contracted Services and any Parity Debt Service Components payable by the County under such Service Contract and the interest and principal portions of such Components.

The County may incur and refund Parity Indebtedness other than Parity Debt Service Components, provided that the documents providing for such Parity Indebtedness are to specify the amounts and due dates of the Debt Service Requirements of such Parity Indebtedness and the principal and interest components of such Debt Service Requirements and that the Bond Registrar is to determine that all the requirements for the issuance of Additional Bonds or Refunding Bonds, as appropriate, have been met as if such Parity Indebtedness to be incurred were an additional Series of Bonds to be issued under the provisions of the Bond Resolution.

See Appendix C - "SUMMARY OF CERTAIN PROVISIONS OF THE GENERAL BOND RESOLUTION—Additional Indebtedness—*Other Parity Indebtedness*."

Subordinate Obligations

Substantial portions of the County lie in watersheds that flow naturally to other jurisdictions. Consequently, the County has contracts with wastewater systems in neighboring jurisdictions for the treatment of wastewater flows emanating from the County. In two cases, the County has incurred Subordinate Obligations with respect to the capital improvements made by these wastewater systems.

ARE. In 2001 and 2002, the County obtained loans from the Virginia Water Facilities Revolving Fund (the "Fund") administered by the Virginia Resources Authority in the amounts of $40 million and $50 million, respectively, to pay its 60% share of the capital costs associated with certain improvements being made by Alexandria Renew Enterprises ("ARE") to its wastewater treatment plant in Alexandria, Virginia. The County issued to the Fund "local bonds" as Subordinate Obligations, payable from money in the Subordinate Obligations Subfund under the General Bond Resolution, in evidence of its obligation to repay the 20-year loans. In 2012 the loans were modified to bear interest at the rates of 2.35% and are payable in equal semi-annual installments of principal and interest. The holder of the local bonds may accelerate the maturity thereof in the event of a default thereon. See "DEBT SERVICE REQUIREMENTS" and "THE SYSTEM—Interjurisdictional Service Contracts—*Wastewater Treatment Services Provided by Other Entities*" and "—County Commitments at Treatment Facilities by Interjurisdictional Service Contracts—*Alexandria Renew Enterprises (ARE)*."

UOSA. Under its contract with the Upper Occoquan Service Authority ("UOSA") for wastewater treatment services, the County is obligated for a portion of the debt service on bonds issued by UOSA for capital improvements to its wastewater treatment facilities located in Prince William County. Such obligation is expressly made a Subordinate Obligation under the General Bond Resolution. As of June 30, 2015, the County's obligation for UOSA outstanding debt totaled [$265,680,621] in principal amount. The contract makes no provision for the acceleration of the County's obligations under the contract were the County to default thereon. See "DEBT SERVICE REQUIREMENTS" and "THE SYSTEM—Interjurisdictional Service Contracts—*Wastewater Treatment Services Provided by Other Entities*" and "—County Commitments at Treatment Facilities by Interjurisdictional Service Contracts—*Upper Occoquan Service Authority (UOSA)*."

Additional Subordinate Debt. The County may issue additional Subordinate Obligations in accordance with and as provided in the General Bond Resolution.

DEBT SERVICE REQUIREMENTS

The following table shows total debt service requirements[1] for all Indebtedness of the County relating to the System and payable from the Gross Revenues of the System, prior to the issuance of the 2016 [A] Bonds. – **need to update**]

	Parity Debt[2]					Subordinate Debt[3]		
	2016 [A] Bonds							
Fiscal Year Ending June 30	Principal	Interest	Total	Outstanding Bonds Debt Service[4]	Total Senior Debt Service	Total VRA Debt	Total UOSA Debt[5]	Total Debt Service
2016				$20,896,350	$20,896,350	$6,203,277	$18,669,606	$45,769,234
2017				20,918,500	20,918,500	6,203,277	18,667,796	45,789,574
2018				20,927,625	20,927,625	6,203,277	18,659,549	45,790,452
2019				20,943,250	20,943,250	6,203,277	18,646,441	45,792,969
2020				20,975,625	20,975,625	6,203,277	18,636,693	45,815,596
2021				20,983,750	20,983,750	6,203,278	18,278,363	45,465,391
2022				20,996,875	20,996,875	3,412,199	21,251,686	45,660,760
2023				21,008,625	21,008,625		18,804,455	39,813,080
2024				21,027,500	21,027,500		18,789,845	39,817,345
2025				21,040,650	21,040,650		18,776,091	39,816,741
2026				21,052,325	21,052,325		21,376,155	42,428,480
2027				21,078,950	21,078,950		14,682,038	35,760,988
2028				21,078,713	21,078,713		14,660,598	35,739,310
2029				21,083,138	21,083,138		14,642,820	35,725,958
2030				15,205,338	15,205,338		7,368,164	22,573,502
2031				15,208,188	15,208,188		7,351,129	22,559,316
2032				15,204,625	15,204,625		7,322,537	22,527,162
2033				15,208,563	15,208,563		7,214,325	22,422,888
2034				15,208,788	15,208,788		6,914,692	22,123,480
2035				15,209,200	15,209,200		2,746,154	17,955,354
2036				15,208,588	15,208,588		2,718,495	17,927,083
2037				15,210,625	15,210,625		2,689,960	17,900,585
2038				15,208,975	15,208,975		2,658,802	17,867,777
2039				15,207,300	15,207,300		7,378,453	22,585,753
2040 – 2044				31,877,838	$31,877,838		17,475,903	49,353,741
Total[6]				$	$	$	$	$

1 Cash basis. Amounts shown are due on payment dates in the indicated fiscal years.
2 The County's only outstanding Parity Debt are the 2014, 2012 and 2009 Bonds.
3 See "SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 A BONDS—Subordinate Obligations" and "THE SYSTEM—Interjurisdictional Service Contracts—County Commitments at Treatment Facilities by Interjurisdictional Service Contracts."
4 Reflects principal and interest payable July 15 of the calendar year prior to the fiscal year shown and interest payable January 15 of the same calendar year as the fiscal year shown. Includes the 2009 and 2012 Bonds that will be refunded with the 2016 [A] Bonds.
5 Does not reflect anticipated payments by the United States Treasury with respect to UOSA Build America Bonds.
6 Columns may not add due to rounding.

FAIRFAX COUNTY

Overview

The County is located in the northeastern corner of the Commonwealth of Virginia (the "Commonwealth") and encompasses an area of 407 square miles. Its current estimated population is approximately one million. The County is part of the Washington, D.C. metropolitan area, which includes jurisdictions in Maryland, the District of Columbia, and Northern Virginia.

The Fairfax County government is organized under the Urban County Executive form of government (as defined under Virginia law). The governing body of the County is the Board of Supervisors, which makes policies for the administration of the County. The Board of Supervisors is comprised of ten members: the Chairman, elected at large for a four-year term, and one member from each of nine districts, each elected for a four-year term by the voters of the district in which the member resides. The Board of Supervisors appoints a County Executive to act as the administrative head of the County. The County Executive serves at the pleasure of the Board of Supervisors, carries out the policies established by the Board of Supervisors, directs business and administrative procedures, and recommends officers and personnel to be appointed by the Board of Supervisors.

In Virginia, cities and counties are discrete units of government and do not overlap. Fairfax County completely surrounds the City of Fairfax and is adjacent to the City of Falls Church and the City of Alexandria. Property within these cities is not subject to taxation by Fairfax County, and the County generally is not required to provide governmental services to their residents. The County does, however, provide certain services to the residents of certain of these cities pursuant to agreements with such cities.

In the County there are located three incorporated towns, Clifton, Herndon, and Vienna, which are underlying units of government within the County, and the ordinances and regulations of the County are, with certain limitations prescribed by Virginia law, generally effective in them. Property in these towns is subject to County taxation, and the County provides certain services to their residents. These towns may incur general obligation bonded indebtedness without the prior approval of the County.

Certain County Administrative and Financial Staff Members

Edward L. Long Jr., County Executive, joined the County in 1977 as a Budget Analyst. He served as a Senior Budget Analyst from 1980 to 1983 and as Assistant Director from 1983 to 1989. He was appointed Director of the Office of Management and Budget in October 1989 and Deputy County Executive-Chief Financial Officer ("DCE-CFO") in 1997. Mr. Long retired as DCE-CFO in May, 2011. Mr. Long was appointed County Executive effective April 25, 2012. Mr. Long has a Bachelor's Degree in Political Science from Emory & Henry College, Emory, Virginia and a Master's Degree in Urban Studies from the University of Maryland at College Park. He has served on the Fairfax-Falls Church Community Services Board and is active and has held offices in numerous professional organizations in the Northern Virginia region. Mr. Long serves as an adjunct professor at George Mason University and American University. He served on the Government Finance Officers Association ("GFOA") Standards Committee on Governmental Budgeting and Management. In 1993 Mr. Long was recognized by the Washington Metropolitan GFOA with the Anna Lee Berman Award for Outstanding Leadership in Governmental Finance. In 2006, Mr. Long was awarded the A. Heath Onthank Award, the County's highest employee award, in recognition of his achievements in advancing and improving public service in Fairfax County. In 2012, Mr. Long received the 2012 Distinguished Local Government Leadership Award from the Association of Government Accountants.

Patricia D. Harrison, Deputy County Executive, has worked in the field of human services since her graduation from Slippery Rock University, Slippery Rock, Pennsylvania in 1980 where she obtained a Bachelor's Degree in Therapeutic Recreation. She joined Fairfax County Government in 1986 and directed the creation of inclusive and therapeutic recreation services for people with disabilities. Prior to joining the County Executive's office, she served as Director for the Department of Community and Recreation Services for ten years. Ms. Harrison also holds a Master's Degree with a concentration in Therapeutic Recreation Administration from University of Maryland, College Park campus and obtained a Certificate of Public Management from George Washington University. She maintains her credentials as a Certified Therapeutic Recreation Specialist.

David J. Molchany, Deputy County Executive, joined the County in 1995. In 2003 Mr. Molchany was recognized by Governing magazine as one of the top ten Public Officials of the Year. He is also active in professional organizations at the international, national, state, and local levels of government. Previous employers have included Sallie Mae, American Management Systems, and Electronic Data Systems. Mr. Molchany is a 1983 graduate of Juniata College and holds a Bachelor of Science degree in Marketing and Computer Science.

David M. Rohrer, Deputy County Executive, has worked with the Fairfax County Police Department for almost 32 years and was appointed chief in 2004. In addition, Mr. Rohrer has also served as deputy chief for investigations and operations support; Patrol Bureau commander; Special Operations Division and district commander; SWAT first-line supervisor; and first-line patrol supervisor. Mr. Rohrer has served two terms as chairman of the Metropolitan Washington Council of Governments Police Chiefs' Committee, and he is a member of numerous organizations, including the International Association of Chiefs of Police; the Major Cities Chiefs' Association; the Police Executive Research Forum; and the Virginia Association of Chiefs of Police. Mr. Rohrer holds a bachelor's degree in administration of justice from George Mason University.

Robert A. Stalzer, Deputy County Executive, joined Fairfax County Government on June 5, 2000. Mr. Stalzer previously served as Town Manager for the Town of Herndon, Virginia from 1988 until June 2000. He was Director of Planning and Zoning for Roanoke County, Virginia from 1983 until 1988. Mr. Stalzer holds a Bachelor of Arts degree from Clark University, Worcester, Massachusetts, a Master of Regional and City Planning degree from the University of Oklahoma, and a Master of Business Administration degree from Syracuse University. Mr. Stalzer is a past president of the Virginia Local Government Management Association and recognized as a credentialed manager by the International City/County Management Association. Mr. Stalzer has served as an adjunct professor at Virginia Polytechnic Institute and State University, Roanoke College, and George Mason University.

David P. Bobzien was appointed County Attorney by the Fairfax County Board of Supervisors effective January 1993, after serving as a member of the Fairfax County Planning Commission and as the Chairman of the Fairfax County Goals Advisory Commission. He is a past chair of the Local Government Law Section of the Virginia State Bar, a past president of the Local Government Attorneys of Virginia, a past president of Lawyers Helping Lawyers, the organization that assists lawyers in Virginia suffering from substance abuse or mental illness, and a past president of the Virginia Law Foundation. In 2004-2005 he served as the president of the Virginia State Bar. Mr. Bobzien is the current Chairman of the Virginia Continuing Legal Education Committee of the Virginia Law Foundation and a board member of the Fairfax Law Foundation. He also serves as a liaison to the American Bar Association's Commission on Domestic and Sexual Violence and as a Virginia State Bar delegate in the American Bar Association's House of Delegates. Mr. Bobzien is a fellow of both the Virginia Law Foundation, the American Bar Foundation and the Fairfax Law Foundation. Prior to assuming his present County position, he served as an assistant counsel in the Office of Professional Responsibility of the United States Department of Justice. From 1975 to 1979 Mr. Bobzien was an associate in the Fairfax law

firm of Fitzgerald and Smith. He served as a captain in the Judge Advocate General's Corps in the United States Army from 1971 to 1975. Mr. Bobzien is a graduate of Holy Cross College and holds a J.D. from the University of Virginia and an LL.M. in Taxation from George Washington University.

Christopher J. Pietsch was appointed Director of Finance for Fairfax County effective December 30, 2013. From 2003 until his appointment as Director of Finance, Mr. Pietsch served as the Director of the Fairfax County Internal Audit Office. Prior to that, Mr. Pietsch spent 16 years working in bank auditing as well as governmental auditing with the Commonwealth of Virginia. Mr. Pietsch is a graduate of James Madison University, Harrisonburg, Virginia, with a degree in Finance. In addition, he is a Certified Internal Auditor and a Certified Bank Auditor.

Joseph M. Mondoro is the Chief Financial Officer/Director of the Department of Management and Budget of the County effective September 2015. Mr. Mondoro had been Acting Chief Financial Officer/Director of the Department of Management and Budget of the County effective April 2015. From February 2004 until his appointment as Chief Financial Officer/Director of the Department of Management and Budget of the County, Mr. Mondoro served as Deputy Director of the Department of Management and Budget. Mr. Mondoro received his Bachelor's Degree in History and Government and a Masters of Public Policy from the College of William and Mary. Mr. Mondoro worked as an analyst in the Financial Planning Bureau of the City of Norfolk, Virginia from 1993 to 1995. He joined the Fairfax County Department of Management and Budget in July 1995 as a budget analyst.

James W. Patteson, P.E., was appointed the Director of Public Works and Environmental Services in December 2009. He began his career with Fairfax County in 1985 and has worked in a variety of agencies including the Department of Housing and Community Development, the Office of the County Executive, various DPWES divisions, and Facilities Management Division where he served as director. He is on the advisory board of the Virginia Tech Land Development Design Initiative and the executive board of the Engineers and Surveyors Institute. Mr. Patteson has a Bachelor's Degree in Civil and Environmental Engineering from Virginia Polytechnic Institute and State University and a Master's Degree in Public Administration from George Mason University. He also participated in the Senior Executive Institute at the University of Virginia Weldon Cooper Center.

Randolph W. Bartlett, P.E., Deputy Public Works Director for Wastewater and Stormwater Management Programs, joined the County in December 2005. He originally was hired to manage the County Stormwater Management Program, but effective September 16, 2008, was given responsibility to oversee the operations, maintenance, and planning functions for both Wastewater and Stormwater Management Programs. Prior to joining the County, he held a series of responsible positions in Arlington County, most recently as the Department of Environmental Services Director from May 2003 to December 2005; Division Director for Water, Sewer, and Streets from January 1991 through May 2003; and Division Director, Street Operations, from January 1989 to 1991. From October 1983 to January 1989, Mr. Bartlett was Director of Public Works for the Town of Blacksburg, Virginia, and from October 1981 to October 1983, he was Public Works Administrator for the Town of Bedford, Virginia. For a time, from June 1980 to October 1981, he was a design engineer with a consultant firm. From July 1976 to June 1980, he was an engineer with the City of Norfolk, Virginia, first as a civil engineer, than as Director for the Planning and Engineering Division. Mr. Bartlett graduated from Virginia Polytechnic Institute and State University with a Bachelor of Science Degree in Civil Engineering.

Shahram Mohsenin, P.E., Director, Wastewater Planning and Monitoring Division of the Fairfax County Wastewater Management Program, joined the County in August 2002. Prior to joining the County, Mr. Mohsenin was the Director of the Department of Utilities in the City of Fairfax, Virginia from March 1997 to August 2002. From September 1993 to March 1997 he served as a senior engineer in the Planning and Development Engineering Division of the Loudoun County Sanitation Authority in

Loudoun County, Virginia. From February 1984 to September 1993 he served as District Engineer with the Office of Water Programs of the Virginia Department of Health regulating the design and operation of water and wastewater facilities in Virginia. From April 1981 to February 1984 he served as Assistant District Engineer with the Office of Water Programs of the Virginia Department of Health. In December 1980 he received a Bachelor of Science Degree in Civil Engineering from Old Dominion University in Norfolk, Virginia. He has completed an extensive number of graduate level courses in the Sanitary Engineering field at Old Dominion University.

Jeffrey Kent, Financial Manager, Wastewater Planning and Monitoring Division of the Fairfax County Wastewater Management Program, has served in his current position since January 2010. He joined the County in July 1987 as a Management Analyst with the Solid Waste Program, and moved to the Wastewater Management Program in February 1989. Mr. Kent received his Bachelor's Degree in Political Science with a minor in Economics from Northeastern University and a Master's of Public Administration from the University of North Carolina at Greensboro.

County Employees

As of July 2015, the School Board supported 23,868.8 full time equivalent positions. The County supported 10,951.14 full time equivalent positions in activities funded directly or supported by the General Fund and 1,253.18 full time equivalent positions employed in activities not supported by the General Fund, principally the County's Integrated Sewer System (the "Integrated Sewer System"). Fairfax County employees are not represented by unions. Fairfax County public school employees have, however, organized the Fairfax Education Association and the Fairfax County Federation of Teachers to represent the interests of its members at public hearings and meetings before the School Board and the Board of Supervisors. General County employees' interests are represented at these types of meetings by the Employees Advisory Council and other groups such as police, fire, and sheriff employee organizations. None of these organizations is empowered to serve as negotiating agent for its members for collective bargaining purposes. Collective bargaining by public employees in Virginia is prohibited by law, a restriction upheld by the Supreme Court of Virginia.

See Appendix B - "FAIRFAX COUNTY" for additional general information respecting the County.

THE SYSTEM

Introduction

The following is organizational, operational, and financial information pertaining to the Fairfax County sanitary sewer system. The System information was compiled by the County's Wastewater Planning and Monitoring Division (the "Division") in the Department of Public Works and Environmental Services.

System Organizational Structure

In Fairfax County, essential management, engineering, design, and construction services in support of the System are provided through the Department of Public Works and Environmental Services. Public Works and Environmental Services is under the general supervision of the County Executive and the Deputy County Executive for Planning and Development. The Wastewater Management Program is one of five Business Areas within the Department of Public Works and Environmental Services and is responsible for the administration and management of the System.

With oversight through a Deputy Public Works Director, the Wastewater Management Program consists of three agencies: the Wastewater Planning and Monitoring Division, the Wastewater Collection Division and the Wastewater Treatment Division.

The Wastewater Planning and Monitoring Division (1) reviews the need for System development and additional treatment capacity, (2) administers and manages the System's billing operations, (3) administers the contract capacity at treatment plants providing wastewater treatment under contract, (4) manages the environmental monitoring of the County's collection and pumping system and the County treatment facility, (5) reviews development plans for the construction of new sewer lines and (6) manages the Wastewater Management Program's finances. The Wastewater Collection Division is responsible for the operation, maintenance, and repair of the System sewer lines, pumping stations, and metering stations. The Wastewater Treatment Division is responsible for the operation, maintenance, and repair of the County-owned treatment facility.

System Characteristics

Approximately 98 million gallons of wastewater are generated daily in the System. Almost 40 percent of the System wastewater flow is treated at the Noman M. Cole, Jr., Pollution Control Plant (NMCPCP) (formerly the Lower Potomac Pollution Control Plant) near Lorton, Virginia. The rest of the flow is distributed between one privately operated plant and four other regional treatment facilities operated and maintained by Arlington County, the DCWater (Blue Plains), Alexandria Renew Enterprises (ARE), and the Upper Occoquan Service Authority (UOSA) pursuant to contract agreements with the System. In addition, the System has purchased 1.0 million gallons per day (mgd) of capacity in the Loudoun Water's Broad Run Water Reclamation Facility for flow capacity in the northern portion of the County, and 0.1 million gallons per day (mgd) of capacity in the Prince William County Service Authority (PWCSA) for flow generated in the southern portion of the County.

The System consists of approximately 3,400 miles of sewer lines ranging in size from 8 inches to 72 inches; 59 wastewater pump stations ranging in capacity from 0.1 to 37 mgd; and 54 metering stations. NMCPCP, the County treatment plant, has a capacity of 67 million gallons per day (mgd). Capacity entitlement at the other treatment facilities totals 90 mgd. The System has a staff of 315 employees and for FY 2015, had an operation outlay of $92.3 million (NMCPCP, $18.4 million; ARE, $13.4 million; Blue Plains, $15.0 million; UOSA, $12.7 million; Arlington, $2.7 million; Falls Church 0.7 million; collections and pumping, $13.8 million; billing administration, $5.8 million; planning and administration, $9.8 million).

Approximately 85% of the 410,000 households and virtually all businesses in the County are connected to the System. The sewer service area covers approximately 234 square miles, nearly 60% of the County's 407 square mile land mass. Under separate service agreements, sewer service is provided to nearby Arlington and Loudoun Counties, Fort Belvoir, the Cities of Fairfax and Falls Church, and the Towns of Herndon and Vienna.

System Wastewater Flows

System wastewater flows from County and non-County sources are collected in a network of sewer lines, pumping stations, and interceptors. The flows are conveyed to wastewater treatment plants where greases, solids, nutrients and other oxygen demanding wastes are removed. Treated effluent flows are also disinfected before being discharged into various tributaries leading to the Upper Potomac River Estuary. The resultant sludge streams are collected, conditioned, and disposed of separately.

Wastewater sources and the distribution of flow between wastewater treatment plants in the System are shown in the following tables.

FAIRFAX COUNTY SANITARY SEWER SYSTEM
(Million Gallons per Day, mgd)

Wastewater Source	Fiscal Year (Ended June 30)					Current Capacity Allocation
	2011	2012	2013	2014	2015	
County Households and Businesses	90.85	92.75	88.72	92.26	87.93	141.93
Other (Sale of Service) Entities:						
City of Fairfax	3.00	3.15	2.63	3.20	2.84	4.20
Town of Herndon	2.47	2.46	2.27	2.66	2.46	3.00
Arlington County	1.32	1.36	1.21	1.39	1.37	1.80
Fort Belvoir	0.90	1.05	1.30	2.70	1.13	3.00
City of Falls Church	0.93	0.99	0.94	0.98	0.89	1.00
Town of Vienna	0.73	0.82	0.73	0.86	0.77	1.25
Loudoun Water	0.08	0.09	0.10	0.11	0.12	1.0
Fairfax Water	0.03	0.03	0.04	0.05	0.06	- (a) -
Covanta/ERR Facility	0.09	0.09	0.15	0.13	0.18	- (a) -
Subtotal, Other Entities	9.55	10.04	9.37	12.08	9.82	15.25
Total (b)	100.40	102.79	98.09	104.34	97.75	157.18

(a) No capacity allocated; capacity included in allocation for County households and businesses.
(b) Due to rounding, columns may not total to the amounts indicated.

DISTRIBUTION OF FLOW TO WASTEWATER TREATMENT PLANTS
FAIRFAX COUNTY SANITARY SEWER SYSTEM
(Million Gallons per Day, mgd)

Wastewater Treatment Plant (WWTP)	Fiscal Year (Ended June 30)					Current Capacity Allocation
	2011	2012	2013	2014	2015	
County WWTP, Noman M. Cole	38.59	39.91	37.56	39.77	38.36	67.00
Blue Plains (DC Water)	28.65	29.31	28.39	29.98	28.17	31.00
Alexandria Renew Enterprises	18.57	18.93	17.66	19.07	16.39	32.40
Upper Occoquan Service Authority	12.54	12.60	12.50	13.53	12.76	22.60
Arlington County	2.02	2.00	1.96	1.96	2.04	3.00
Colchester (Private)	0.03	0.04	0.02	.02	0.02	0.08
Loudoun Water (a)	-	-	-	-	-	1.00
Prince William Co. Service Auth. (b)	-	-	-	0.01	0.01	0.10
Subtotal, Non-County WWTPs	61.81	62.88	60.53	64.57	59.39	90.18
Total (c)	100.40	102.79	98.09	104.34	97.75	157.18

(a) Capacity in Loudoun Water was purchased in March 2011.
(b) Capacity in the Prince William County Service Authority system was purchased in FY 2001.
(c) Due to rounding, columns may not total to the amounts indicated.

Interjurisdictional Service Contracts

Wastewater Treatment Services Provided for Other Entities

Sewer services are provided to other jurisdictional entities through "Sale of Service" agreements between the County and the entities. As prescribed by each Sale of Service agreement, each entity shares in the operating, debt and capital costs of the System. Each entity's share is determined on the basis of actual wastewater flow or reserved treatment capacity. The County currently has Sale of Service Agreements with Arlington County, Fort Belvoir, the Cities of Fairfax and Falls Church, the Towns of Herndon and Vienna and Loudoun Water. The following table summarizes service charge revenues from the Sale of Service entities for Fiscal Years 2011 through 2015.

SALE OF SERVICE REVENUES
FAIRFAX COUNTY SANITARY SEWER SYSTEM
(in thousands)

ENTITY	Fiscal Year (Ended June 30)				
	2011	**2012**	**2013**	**2014**	**2015**
Arlington County	$632	$567	$538	$540	$705
City of Fairfax	1,767	3,162	1,702	2,158	1,668
City of Falls Church	1,056	1,030	922	1,023	1,039
Fort Belvoir	1,440	1,843	2,430	2,431	2,190
Town of Herndon	2,797	3,193	2,993	3,758	3,230
Town of Vienna	453	452	651	456	468
Loudoun Water	158	113	192	129	163
Other (a)	232	236	459	435	602
Total (b)	$8,535	$10,596	$9,887	$10,930	$10,065

(a) Includes Fairfax Water and the I-95 Energy Resource Recovery Facility operated by Covanta, a private company.

(b) Due to rounding, columns may not total to the amounts indicated.

Wastewater Treatment Services Provided by Other Entities

The System supplements the capacity of its own collection and treatment facilities through "Treatment by Contract" agreements with the DC Water, Alexandria Renew Enterprises, the Upper Occoquan Service Authority and Arlington County. As prescribed in individual agreements, the County pays its share of the capital and operating and/or debt costs of each entity's system based on allocated capacity and actual wastewater flows, respectively. Following are amounts paid by the County to the four entities shown as operating expenses, parity indebtedness, or subordinate obligations for Fiscal Years 2011 through 2015.

TREATMENT BY CONTRACT OPERATING EXPENSES AND INDEBTEDNESS
FAIRFAX COUNTY SANITARY SEWER SYSTEM
(in thousands)

ENTITY	Fiscal Year (Ended June 30)				
	2011	**2012**	**2013**	**2014**	**2015**
DC Water:					
Operating Expenses	$13,493	$13,257	$13,214	$11,816	$15,017
Alexandria Renew Enterprises:					
Operating Expenses	13,222	12,837	12,786	13,134	13,381
Parity Indebtedness	-	-	-	-	-
Arlington County:					
Operating Expenses (a)	1,701	2,225	2,174	2,225	2,712
UOSA: (b)					
Operating Expenses	13,188	12,045	12,635	12,276	12,688
Subordinate Debt Obligations	18,274	18,891	19,735	19,704	20,036
Other Operating Expenses (c)	608	498	531	496	496
Total (d)	$60,486	$59,753	$61,075	$59,651	$64,330

(a) An annual debt payment (not related to a bond issue) is included in the operating expenses.

(b) Debt payments reflect UOSA's bond issues, which constitute Subordinate Obligations under the General Bond Resolution.

(c) Includes City of Falls Church and Colchester Utilities Inc. operating expenses.

(d) Due to rounding, columns may not total to the amounts indicated.

Capital costs paid to Treatment by Contract entities are classified as "Purchased Capacity" expenses in the financial statements and amortized with other System capital expenses. Summarized below are the annual purchased capacity expenditures for Fiscal Years 2011 through 2015.

PURCHASED CAPACITY ADDITIONS - AMORTIZED CAPITAL EXPENDITURES
FAIRFAX COUNTY SANITARY SEWER SYSTEM
(in thousands)

ENTITY	Fiscal Year (Ended June 30)				
	2011	**2012**	**2013**	**2014**	**2015**
DC Water (a)	$9,356	$24,399	$27,685	$31,359	$26,230
Alexandria Renew Enterprises (b)	468	7,952	9,758	32,916	23,491
Arlington County (c)	3,547	2,251	3,107	1,022	34
UOSA	248	3,973	4,887	0	0
Loudoun Water	20,942	0	0	0	0
Total (d)	$34,561	$38,575	$45,437	$65,297	$49,755

(a) County pays 31/370 or 8.38% of the expansion and upgrade expenses at the DC Water's Blue Plains Advanced Waste treatment (AWT) Plant.

(b) County pays 32.4/54 or 60% of ARE plant improvement expenses. The County issued $40 million in 2001 and $50 million in 2002 in subordinated debt to Virginia Resources Authority to finance its share of certain plant improvements.

(c) County pays 3.0/40 or 7.5% of Arlington County WWTP upgrade expenses.

(d) Due to rounding, columns may not total the amount indicated.

[County Commitments at Treatment Facilities by Interjurisdictional Service Contracts – make consistent with Annual Disclosure?]

Blue Plains

In September 1985, the users of the Blue Plains plant (Fairfax County, the District of Columbia (District), Montgomery and Prince George's Counties in Maryland, and the Washington Suburban Sanitary Commission (WSSC)) entered into the Blue Plains Intermunicipal Agreement (1985 IMA). Under the terms of the 1985 IMA, the County's capacity entitlement was increased to 31 mgd in February 1997 when the Blue Plains plant was fully upgraded and expanded to 370 mgd. Although the County has a representative on the eleven-member District of Columbia Water and Sewer Authority (described herein) which runs the Blue Plains plant, the County has no significant control over plant operation or construction activity and therefore, retained no ongoing equity interest in the assets or liabilities of the facility under the IMA.

In April 1996, the District established an independent Water and Sewer Authority (DC Water) to operate the District of Columbia's water and sewer systems including the Blue Plains plant. DC Water has a Board of Directors comprised of six members from the District, two each from Montgomery County and Prince George's County, and one from Fairfax County. DC Water honored the capacity entitlement assigned to Blue Plains plant users under the 1985 IMA.

In 2012, the parties to the 1985 IMA, together with DC Water, entered into a new IMA (the 2012 IMA) which replaced the 1985 IMA. The 2012 IMA updates the 1985 IMA to reflect changes since 1985 and recognizes the dynamic nature of regulations and regional needs. Fairfax County's flow capacity at Blue Plains remains at 31 MGD in the 2012 IMA as it was in the 1985 IMA.

Alexandria Renew Enterprises (ARE)

Under a service agreement amended and restated as of October 1, 1998, the County has a capacity entitlement of 32.4 mgd of ARE's 54 mgd treatment facility. Currently, the County has a substantial financial responsibility for its share of operating costs, construction costs and annual debt service expenses. Although the County is allowed one non-voting representative at the Authority's Board of Directors meetings, the County has no significant influence in the management of the plant and has no direct ongoing equity interest in the assets or liabilities of the Authority. As mentioned above, the County issued $40 million in 2001 and $50 million in 2002 in Subordinated Obligations to Virginia Resources Authority as administrator to the Virginia Water Facilities Revolving Fund to finance its share of certain plant improvements. See "SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 [A] BONDS—Subordinate Obligations—*ARE*."

Arlington County

Fairfax County is a minor user of the Arlington County wastewater treatment plant. Based on the most recent service agreement dated January 9, 1989, the County has a capacity entitlement of 3.0 mgd of the plant's 40 mgd treatment capacity. Although the County had a measurable responsibility for its share of operating and construction costs, the County has no influence in the management of the plant and has no direct equity interest in the assets or liabilities of the plant.

Upper Occoquan Service Authority (UOSA)

UOSA, a joint venture formed on March 3, 1971, serves portions of Fairfax County, Prince William County, and the Cities of Manassas and Manassas Park. UOSA is governed by an eight-member board of directors consisting of two members each from the four participating jurisdictions. Effective May 1995, the County had a capacity entitlement of 13.19 mgd of the plant's 32 mgd treatment capacity. Based on a February 1991 restated service agreement, the County's capacity entitlement increased to 27.6 mgd when the UOSA facility expanded to 54 mgd in FY 2003. In 2008, County capacity entitlement was reduced to 24.6 mgd with the sale of 3.0 mgd of capacity; 2.0 mgd of capacity to the Prince William County Service Authority and 1.0 mgd of capacity to the City of Manassas. In fiscal year 2011, the County sold an additional 2.0 mgd of its capacity to Prince William County Service Authority, reducing its entitlement to 22.6 mgd. The sale was based on updated build-out flow projections indicating that the County will not need the extra 2.0 mgd capacity. The County has no explicit and measurable interest in UOSA but does have an ongoing financial responsibility for its share of operating, construction and debt service expenses. See "SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 [A] BONDS—Subordinate Obligations—*UOSA*."

Summary of Financial Activity

SEWER FUND FINANCIAL ACTIVITY
FAIRFAX COUNTY SANITARY SEWER SYSTEM
(in thousands)

(As reported in Budget Documents)	Fiscal Year (Ended June 30)				
	2011	**2012**	**2013**	**2014**	**2015**
BEGINNING FUND BALANCE	$212,629	$204,097	$192,163	$272,069	$223,289
Sources (Inflows) of Funds:					
Service Charges	142,929	159,436	173,554	188,169	187,539
Availability Fees	11,189	28,960	20,477	24,007	21,689
Interest Earnings	1,084	521	1,409	484	780
Sale of Purchased Capacity (c)	39,808	0	0	0	0
Grant Revenue	8,225	10,270	1,107	592	901
Bond Proceeds	0	0	100,694	69,118	0
Other	14	560	188	127	77
Subtotal, Inflows	203,249	199,747	297,429	282,497	210,986
Funds Available	$415,878	$403,844	$489,592	$554,566	$434,275
Uses (Outflows) of Funds:					
O&M Expenses	84,757	85,454	86,441	91,111	92,312
Capital Expenses	85,862	84,315	89,326	120,786	92,977
Debt Service (a)	41,096	41,863	44,309	47,998	46,764
Redemption of Sewer Bonds	0	0	0	71,382	0
Other	66	49	65	0	0
Subtotal, Outflows	$211,781	$211,681	$220,141	$331,276	$232,052
ENDING FUND BALANCE	$204,097	$192,163	$269,451	$223,289	$202,223
Less Investments	(27,442)	(27,590)	(36,956)	(34,335)	(35,678)
Less Receivables	(37,824)	(45,624)	(45,521)	(52,799)	(52,029)
Less Inventory and other	(1,223)	(581)	(611)	(112)	(1,327)
Plus Payables	18,199	19,160	20,861	22,895	16,381
POOLED CASH BALANCE (b)	$155,807	$137,528	$207,224	$158,938	$129,570

(a) Includes County debt on Bonds and Subordinate Obligations for UOSA and VRA Indebtedness.
(b) Due to rounding, columns may not total to the amounts indicated.
(c) Does not include depreciation.

Sewer Revenue Bonds, Debt Service Payments, and Other Debt Obligations

History and Description of Bonds and Other Debt Obligations

[On July 29, 1985, the Board of Supervisors adopted the General Bond Resolution authorizing the issuance of sewer revenue bonds. The bond proceeds were to be used to finance improvements to the System, primarily at the Noman M. Cole, Jr., Pollution Control Plant. The bond resolution was restated on July 21, 1986, in advance of the initial $75 million bond sale on August 6, 1986. These bonds were variable rate demand sewer revenue bonds, backed by a letter of credit. On May 18, 1993, the County issued $72.1 million in sewer revenue refunding bonds to advance-refund all callable 1986 revenue bonds. The remaining $104 million in sewer revenue bonds initially authorized by the Board of Supervisors were issued on July 15, 1996. The County also issued $94,005,000 sewer revenue refunding bonds on October 14, 2004, to refund certain of the outstanding bonds issued in 1996. On June 17, 2009, the County issued $152,255,000 sewer revenue bonds to provide funds to finance capital improvements for the benefit of the System as well as for the purchase of additional wastewater capacity for the benefit of the County. In addition on August 8, 2012, the County issued $90,710,000 sewer revenue bonds to provide funds, for paying a portion of capital improvement costs allocable to the County at certain wastewater treatment facilities that are owned by, or that provide service to, the County, which are required by the Commonwealth of Virginia Department of Environmental Quality to reduce total nitrogen discharge to required limits, 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. On April 16, 2014 the County issued $61,755,000 Sewer Revenue Refunding Bonds, Series 2014 to refund the Series 2004 that matured on July 15, 2015 through July 15, 2028.]

[The proceeds of the sewer revenue bonds issued in 1996 were used to finance improvements and expansion of treatment facilities at the County's Noman M. Cole, Jr., Pollution Control Plant from 54 mgd to 67 mgd. The treatment capacity of the Blue Plains Plant has been expanded from 309 mgd to 370 mgd, with the County's capacity entitlement being expanded in phases from 16.02 mgd to an interim capacity of 24.6 mgd, and then to a final capacity of 31.0 mgd. The revenue bonds issued in 2004 were issued to refund the remaining 1996 revenue bonds. The revenue bonds issued in 2009 financed capital improvements for the benefit of the System as well as for the purchase of additional wastewater capacity for the benefit of the County. The revenue bonds issued in 2012 financed capital improvements relating to meeting environmental standards for the benefit of the System. The revenue bonds issued in 2014 were issued to refund the callable 2004 revenue refunding bonds.]

Under the General Bond Resolution, the County is required to establish rates and fees for connection to and use of the System sufficient to pay operating expenses, System debt service, and other obligations payable from the revenues of the System. As described previously under the subcaption, "Interjurisdictional Service Contracts," the County has classified as indebtedness under the Bond Resolution certain fixed payments owed to UOSA as shares of their debt service costs (such shares derived from the County's capacity rights in their treatment facilities).

As defined in the General Bond Resolution, the County prioritizes its payment obligations under Treatment by Contract agreements as follows: (first) operating expenses, payable on par with operating expenses of the County's System; (second) debt service on the County's outstanding Sewer Revenue Bonds and parity indebtedness, payable on parity with the debt service on the County's outstanding Sewer Revenue Bonds; and (third) subordinate obligations, payable after provision is made for operating expenses, debt service on Sewer Revenue Bonds and parity indebtedness, and debt service reserve deficiencies. The County retired the last sewer parity indebtedness in 1999.

In addition the County has borrowed money for the System from the Virginia Water Facilities Revolving Fund (the "Revolving Fund"), acting by and through the Virginia Resources Authority ("VRA"). In 2001, the County received financing approval for $40 million from the Revolving Fund for a period of 20 years. Additional financing of $50 million was approved in FY 2002. Debt service on these loans, refinanced in 2012 and administered through VRA, is subordinate to the debt service on the Outstanding Bonds.

Debt Service Coverage Ratio

DEBT SERVICE COVERAGE
FAIRFAX COUNTY SANITARY SEWER SYSTEM
($ in thousands)

The following table shows the coverage of Debt Service on System indebtedness for Fiscal Years 2011 through 2015.

	Fiscal Year (Ending June 30)				
	2011	**2012**	**2013**	**2014**	**2015**
System Revenue:					
User Service Charges	$134,051	$148,892	$163,052	$176,471	$176,642
Sales of Service	8,535	10,544	9,887	10,930	10,065
Availability Fees	11,189	28,960	20,477	24,007	21,689
Interest Income	1,085	521	1,409	484	780
Other	358	530	803	890	880
Total System Revenue	$144,218	$189,447	$195,628	$212,782	$210,056
System O&M Expenses	(84,757)	(85,454)	(86,441)	(91,111)	(92,312)
Revenue Available for Paying Debt	$70,461	$103,993	$109,187	$121,671	$117,744
Debt Service:					
2004 Bonds	6,670	6,684	6,700	6,682	3,418
2009 Bonds	9,652	9,651	9,652	9,652	9,650
2012 Bonds	0	0	1,801	5,556	5,555
2014 Bonds	0	0	0	0	1,902
Subtotal, Senior Debt Service	16,322	16,335	18,153	21,890	20,525
Subordinate Obligations:					
UOSA	18,274	18,891	19,735	19,904	20,036
Virginia Resources Authority	6,637	6,637	6,420	6,203	6,203
Total Debt Service	$41,233	$41,863	$44,308	$47,997	$46,764
Revenue Available after Paying Debt	$37,452	$62,130	$64,879	$73,674	$70,980
Senior Debt Service Coverage (a)	4.32x	6.37x	6.01x	5.56x	5.74x
Total Debt Service Coverage (b)(c)	1.71x	2.48x	2.46x	2.53x	2.52x

(a) Revenue available for paying debt divided by Senior Debt Service. Shows 1.25x or greater coverage as required by the General Bond Resolution rate covenant. Revenue does not include non-recurring revenues (availability fees) or income previously received and held by the County derived from the System.

(b) Revenue available for paying debt divided by Total Debt Service.

(c) Due to rounding columns may not total to the amounts indicated.

As shown in the previous table, System revenue includes current year revenue from availability fees, service charges and interest income. System revenue does not include available fund balance reserves; i.e., income received in previous years and currently held by the County in reserve in the Revenue Subfund. To maintain a debt service coverage ratio greater than one and to generate sufficient revenues to meet the System's funding needs, the County's Office of Waste Management annually evaluates the need for, and the timing of implementing, increases in the availability fees and sewer service charge rates.

The following table provides projected debt service coverage for Fiscal Years 2015 through 2019. Such projections are based on revenue projections derived from the expected rates for such time period. System Operating Expenses have been projected to increase an average of 3.7% in each year. In addition to the 2016 [A] Bonds the County expects to issue $90 million in Sewer Revenue Bonds in 2017 (the "2017 Bonds").

PROJECTED DEBT SERVICE COVERAGE
FAIRFAX COUNTY SANITARY SEWER SYSTEM
($ in thousands)

	Fiscal Year (Ending June 30)				
	2016	**2017**	**2018**	**2019**	**2020**
System Revenue:					
User Service Charges	$186,435	$194,078	$201,001	$208,054	$217,419
Sales of Service	10,252	10,376	10,487	10,598	10,708
Availability Fees (a)	18,853	18,618	18,384	18,150	17,916
Interest Income	658	773	957	1,139	1,270
Other	250	250	250	250	250
Total System Revenue	216,448	224,096	231,080	238,192	247,563
System O&M Expenses	(100,523)	(104,021)	(107,659)	(110,974)	(114,336)
Revenue Available for Paying Debt	115,925	120,075	123,421	127,218	133,227
Debt Service:					
[2004 Bonds	0	0	0	0	0
2009 Bonds	9,726	9,726	9,732	9,735	9,739
2012 Bonds	5,593	5,593	5,598	5,600	5,602
2014 Bonds	5,751	5,800	5,814	5,851	5,866
[2016 [A] Bonds				]	
2017 Bonds	0	7,593	7,593	7,593	7,593
2019 Bonds	0	0	0	7,821	7,821
Subtotal, Senior Debt Service	21,070	28,712	28,737	36,599	36,621
Subordinate Obligations:					
UOSA	20,189	20,208	20,215	20,226	19,892
Virginia Resources Authority	6,203	6,203	6,203	6,203	6,203
Total Debt Service (d)	47,462	55,123	55,155	63,029	62,716
Revenue Available after Paying Debt	68,463	64,952	68,266	64,189	70,511
Senior Debt Service Coverage (b)	4.62x	3.55x	3.67x	2.99x	3.16x
Total Debt Service Coverage (c)	2.44x	2.18x	2.24x	2.02x	2.12x

(a) Includes spur fees.

(b) Revenue available for paying debt divided by Senior Debt Service. Shows 1.25x or greater coverage as required by the General Bond Resolution rate covenant. Revenue does not include non-recurring revenues (availability fees) or income previously received and held by the County derived from the System.

(c) Revenue available for paying debt divided by Total Debt Service.

(d) Due to rounding columns may not total to the amounts indicated.

Capital Improvement Program

As shown on the table below it is anticipated there will be approximately $710,447 Million in System related capital funding to be performed over the next six years ending Fiscal Year 2021.

Summary of System Capital Costs for the Forecast Period (in $000s) [1]

	Fiscal Year Ending June 30,						6-Year
	2016	2017	2018	2019	2020	2021	Total
Pump Station & Collection	$37,794	$39,451	$36,816	$34,954	$33,953	$39,044	$222,012
Noman Cole PCP	26,060	26,987	57,512	71,853	77,140	72,242	$331,794
TbC Partners' Plants	40,610	27,746	27,747	24,252	17,080	11,755	$149,190
Subtotal System Capital Cost	$104,464	$94,184	$122,075	$131,059	$128,173	$123,041	$702,996
UOSA Capital Cost	16,000	0	10,000	12532	12,391	8,578	$59,501
Total System Capital Cost	$120,464	$94,184	$132,075	$143,592	$140,565	$131,620	$762,500

[1] Amounts shown include miscellaneous departmental capital expenditures (such as vehicles and small equipment) included in the System's operating budget and not included in the System's adopted 5-year capital improvement program.

The sources of funds for the capital financing plan include (i) available funds to be accrued during normal operations of the System by the County (e.g., receipt of System availability fees, deposits made to the Extension and Improvement Subfund from rates, etc.), (ii) bond proceeds to be derived from the 2017 Bonds and which are allocable to the above referenced projects, (iii) Subordinate Obligations incurred for capital improvements directly financed by UOSA, and (iv) additional bonds assumed to be issued by the County during the forecast period. A summary of the funding sources assumed for the System capital improvement plan for the forecast period is presented below.

Capital Improvement Program Funding Plan – For the Forecast Period – (in $000s)

	Fiscal Year Ending June 30 [1]						
	2016	2017	2018	2019	2020	2021	6-Year Total
Total System Capital Projects	$120,464	$94,184	$132,075	$143,592	$40,565	$131,620	$762,500
Funding Sources:							
Operating Reserves/Extension and Improvement Subfund	$115,464	$44,184	$67,075	$98,592	$82,565	$81,620	$489,500
Wastewater Service Availability Fees	0	0	0	0	0	0	0
Series 2012 Bonds (Senior)	0	0	0	0	0	0	0
Series 2017 Bonds (Senior)	0	40,000	60,000	0	0	0	100,000
Series 2019 Bonds (Senior)	0	0	0	42,000	58,000	0	100,000
Series 2021 Bonds (Senior)	0	0	0	0	0	50,000	50,000
Grants	5,000	10,000	5,000	3,000	0	0	23,000
UOSA Bonds (Subordinate)	0	0	0	0	0	0	0
Total Funding Sources	$120,464	$94,184	$132,075	$143,592	$140,565	$131,620	$762,500

[1] Amounts shown reflect when funding projected to be required and may be vary from when funds are actually expended through project completion. Amounts may not add up to Table 6 due to rounding.

Rates and Charges

Rate Structure

[The County adopts a sewer rate structure designed to satisfy all System revenue requirements. The rate structure is also designed to derive revenues from customers equitably. The sewer rates and availability and other fees for the last five fiscal years and the adopted rate structure, as of July 1, 2015, are summarized below. [**any update**]

SEWER RATE STRUCTURE
FAIRFAX COUNTY SANITARY SEWER SYSTEM

Description of Rate	Fiscal Year (Ending June 30)								
	2011	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**
Sewer Service Charge, $/Thousand Gallons (TG)	5.27	6.01	6.55	6.55	6.62	6.65	6.68	6.75	6.82
Base Charges, $/Bill	5.00	5.00	5.50	12.79	15.86	20.15	24.68	27.62	29.83
Availability Fee, $/Unit: Single Family Dwelling	7,750	7,750	7,750	7,750	7,750	7,750	7,750	7,750	7,750
Apartment or Townhouse	6,200	6,200	6,200	6,200	6,200	6,200	6,200	6,200	6,200
Dorm Unit	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938	1,938
Fixture Unit, (Commercial)	401	401	401	401	401	401	401	401	401
Connection Charge, $/Foot	6.00	6.00	152.50	152.50	152.50	152.50	152.50	152.50	152.50

Sewer Service Charges are based on water consumption, in 1,000 gallons (TG), as measured by a water service meter(s). For single family dwellings and townhouses, water consumption for sewer billing is based on the previous winter quarter consumption. For apartment or multifamily complexes and nonresidential connections, billing is based on actual water used for the quarter. Sewer billings are included in quarterly water and sewer bills issued by the water billing agents.

Base Charges are per bill charges assessed quarterly, in addition to the Sewer Service Charge, to partially recover fixed expenses for billing, wastewater collection, engineering, planning, and administrative expenses.

Availability Fees are one-time charges collected from new sewer customers prior to connection to the system. These fees cover in part the applicants' proportional share of costs for facilities required beyond the collector system; i.e., sub-trunk sewers, pumping stations, and treatment facilities. For nonresidential units, the minimum availability fee is equal to a single family dwelling rate. The minimum nonresidential rate provides for approximately 20 fixture units. Fixture units in excess of the minimum rate are charged at the prevailing fixture unit rate. The fixture unit rate and the minimum fixture unit count were adjusted in FY 1995 and FY 1996 to reflect higher water usage, per fixture unit, by nonresidential users.

Connection Charges are one-time front footage charges used to offset the cost of installing County-built sewers adjacent to the property. The residential minimum is $7,625; the nonresidential minimum is $15,250. The residential maximum is $15,250; for commercial customers, there is no maximum. An additional lateral spur charge of $600 is charged for connecting to a County built sewer spur.

Rate Development

Sewer service charge and availability fee rates are reviewed annually by County staff and an outside consultant as part of the County's annual budget process. Each year, the Board of Supervisors adopts charges and rates for the following three fiscal years. These fees are analyzed and evaluated, adjusted as necessary, and adopted annually by the Board of Supervisors to ensure that rates are priced accurately. The County allocates operating revenues and expenses, interest income, bond proceeds, debt service payments, and capital improvement expenses between existing and new users of the System based on cost causive relationship analyses.

Separate accounting of revenues and expenses for existing and new customers along with analyses to determine the adequacy of sewer service charges and availability fees are conducted annually by the County. The purpose of these analyses is to allocate System revenues and expenses between existing and new customers such that growth pays for growth.

Sewer service charges are adjusted to maintain minimum reserves in the existing customer portion of the fund balance. The availability fee calculation is based on a "growth related" or marginal-incremental cost method whereby new customers are responsible for the next increment of System expansion costs incurred.

Rate Comparison

The table below compares FY 2015 average annual sewer service revenues per Single Family Residential Equivalent (SFRE) for Fairfax County with selected other regional jurisdictions. Representative average sewer service revenues for the other jurisdictions have been developed by applying each jurisdiction's sewer service rate schedule to appropriate SFRE usage determined from an analysis of Fairfax Water's (FW) historical average water usage records for SFREs.

As the table illustrates, the County's estimated average sewer service revenues per SFRE are less than all but one of the estimated equivalent revenues of other jurisdictions. Management anticipates other jurisdictions' sewer service revenues will also be significantly affected by the Virginia Department of Environmental Quality's adoption of more stringent discharge standards. Such effects may not be reflected in current revenue levels of the other jurisdictions.

Comparison of Fiscal Year 2016
Average Monthly Sewer Service Revenues for Single Family Residential Equivalents (SFREs)

Jurisdiction	Average Monthly Sewer Service Revenue (a) ($/SFRE)
WSSC, MD (b)	$568
Loudoun County (c)	438
Fairfax County (c)	559
Prince William County (b)	570
DCWater	821
City of Alexandria (c)	678
Arlington County (b)	652

(a) Each jurisdiction's sewer service rate schedule is applied to the average usage as specified in the respective additional footnotes.

(b) Average billed quarterly usage of 18,000 gallons is based on an analysis of FCWA annual usage reports.

(c) These jurisdictions use a winter quarter billing method for residential customers, eliminating billing of water usage such as lawn irrigation, which does not enter the sewer system. The average winter quarter usage of 18,000 gallons is based on an analysis of FCWA's annual usage reports.

As the following table illustrates, the County's availability fees are competitive with charges of other regional jurisdictions. Management anticipates other jurisdictions' availability fees will also be significantly affected by adoption of more stringent discharge standards. Such effects may not be reflected in current fees of the other jurisdictions.

Comparison of Fiscal Year 2016 Single Family Availability Fees

Jurisdiction	Availability Fees ($/SFRE)
Arlington County (a)	$2,760
WSSC, MD	10,750
Fairfax County	7,750
Loudoun County	7,896
Prince William County	10,800
City of Alexandria	8,404

(a) The availability fee for an SFRE is based on the Fairfax County Department of Public Works and Environmental Service's evaluation of Arlington County's drainage fixture unit (FU) charge of $115/FU. The calculated fee is based on Fairfax County's assumption of 24 FU's per SFRE.

Existing Customer Base

Approximately 345,000 households in the County are served by the System. That represents approximately 935,000 County residents. Another 60,000 non-County residents are served through Sale of Service contracts. More than 27,000 nonresidential connections are served by the System. The floor area of the nonresidential customers is approximately 224 million square feet. The following table summarizes the County's sewer customer base in terms of County residential connections and population during Fiscal Years 2011 through 2015. County nonresidential connections and square footage are also shown for the same period.

RESIDENTIAL AND NONRESIDENTIAL CUSTOMER BASE
FAIRFAX COUNTY SANITARY SEWER SYSTEM

Service Class	**Fiscal Year** (Ended June 30)				
	2011	**2012**	**2013**	**2014**	**2015**
Residential Connections:					
Single Family Dwellings	162,264	162,671	163,266	164,021	164,418
Townhouses	76,885	77,019	77,301	77,469	77,549
Apartments	95,649	96,177	96,207	96,212	96,226
Total Residential Connections	334,798	335,867	336,774	337,702	338,193
Connected County Population	930,350	932,864	935,390	935,435	938,245
Annual Growth of residential connections, %	0.2%	0.3%	0.3%	0.3%	0.1%
Nonresidential Connections	27,411	27,676	28,092	28,136	28,164
Nonresidential Square Feet, MSF (million square feet)	222.5	223.4	223.9	224.2	224.4
Annual Growth of Nonresidential Connections, %	4.4%	1.0%	1.5%	1.5%	0.1%

The following is a summary of the top ten utility retail customers (does not include sales of service customers that receive bulk wastewater service on a contractual basis) for the System for Fiscal Year 2015.

[Retail Wastewater Top Ten Utility Customers – Fiscal Year 2014 (Based on Sales Revenue) [1]
[UPDATE]

Retail Account[2]	Service Class	Total Revenues	% of Total System Rate Revenues
Fairfax Hospital	Commercial	$619,911	0.33%
Greenspring Village	Commercial	466,938	0.25
Reston Hospital Center	Commercial	234,339	0.12
Montebello Condo Unit	Commercial	228,350	0.12
Homart Development Corp.	Commercial	203,416	0.11
Ritz-Carlton Hotel Co.	Commercial	167,853	0.09
McLean Hilton Hotel Assoc.	Commercial	146,292	0.08
INOVA Health Systems – Fair Oaks Hospital	Commercial	145,961	0.08
BECO Management	Commercial	141,232	0.08
Hyatt Regency Reston	Commercial	140,239	0.07
Totals		$2,494,531	1.33%
Total Retail Wastewater Rate Revenues[3]		$176,558,827	100.00%

[1] Based on information provided by the County and includes only retail sales information; does not reflect customers that receive wastewater service on a bulk or wholesale basis. Amounts reflect information for the Fiscal Year ended June 30, 2015, the most recently completed fiscal year.
[2] Represents the sum of all meters (accounts) which are considered as service to an individual customer, where applicable.
[3] Amount reflects revenues derived from the application of retail wastewater service charges and does not include bulk or wholesale service revenues or any other operating revenues received by the System for the respective Fiscal Year. – **update**]

LITIGATION

To the County's knowledge, no litigation is pending or threatened, (a) to restrain or enjoin the issuance, sale or delivery of any of the 2016 [A] Bonds, the application of the proceeds thereof as provided in the Bond Resolution or the collection of revenues pledged under the Bond Resolution, (b) in any way contesting or affecting any authority for the issuance or validity of the 2016 [A] Bonds or the validity of the Bond Resolution, (c) in any way contesting the creation, existence or powers of the County or (d) that, if determined adversely against the County, would have a material adverse effect on the County.

APPROVAL OF LEGAL PROCEEDINGS

Certain legal matters relating to the authorization and issuance of the 2016 [A] Bonds are subject to the approval of Sidley Austin LLP, Washington D.C., Bond Counsel, the proposed form of whose opinion is included herein as Appendix D.

Certain legal matters will be passed upon for the County by David Bobzien, Esquire, Fairfax County Attorney.

TAX MATTERS

Opinion of Bond Counsel [to be updated]

The County has covenanted to comply with applicable provisions of the Internal Revenue Code of 1986, as amended (the "Code"), relating to the exclusion from gross income of the interest on the Series 2016 [A] Bonds for purposes of federal income taxation. In the opinion of Sidley Austin LLP, Bond Counsel, under current law and assuming continuing compliance by the County with such covenants and requirements of the Code regarding, among other matters, the use, expenditure and investment of Series 2016 [A] Bond proceeds and the timely payment of certain investment earnings to the United States Treasury, interest on the Series 2016 [A] Bonds will not be included in the gross income of the owners thereof for federal income tax purposes. Failure by the County to comply with such covenants and requirements may cause interest on the Series 2016 [A] Bonds to be includable in the gross income of the owners thereof retroactive to the date of issue of the Series 2016 [A] Bonds; and no opinion is rendered by Bond Counsel as to the effect on the exclusion from gross income of the interest on the 2016 [A] Bonds for federal income tax purposes of any action taken or not taken without the approval of Bond Counsel or upon the advice or approval of counsel other than Bond Counsel.

Interest on the 2016 [A] Bonds will not be an item of tax preference for purposes of the federal individual or corporate alternative minimum tax under the Code. Interest on the 2016 [A] Bonds will, however, be included in the calculation of alternative minimum tax liability imposed on corporations under the Code. The Code contains other provisions (some of which are noted below) that could result in tax consequences, as to which no opinion will be rendered by Bond Counsel, as a result of (i) ownership of the Bonds or (ii) inclusion in certain computations of interest that is excluded from gross income.

Original Issue Discount

The excess, if any, of the amount payable at maturity of any maturity of the 2016 [A] Bonds purchased as part of the initial public offering over the issue price thereof constitutes original issue discount. The amount of original issue discount that has accrued and is properly allocable to an owner of any maturity of the 2016 [A] Bonds with original issue discount (a "Discount Bond") will be excluded from gross income for federal income tax purposes to the same extent as interest on the 2016 [A] Bonds. In general, the issue price of a maturity of the 2016 [A] Bonds is the first price at which a substantial amount of 2016 [A] Bonds of that maturity was sold (excluding sales to bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents, or wholesalers) and the amount of original issue discount accrues in accordance with a constant yield method based on the compounding of interest. A purchaser's adjusted basis in a Discount Bond is to be increased by the amount of such accruing discount for purposes of determining taxable gain or loss on the sale or other disposition of such Discount Bonds for federal income tax purposes.

A portion of the original issue discount that accrues in each year to an owner of a Discount Bond which is a corporation will be included in the calculation of the corporation's federal alternative minimum tax liability. In addition, original issue discount that accrues in each year to an owner of a Discount Bond is included in the calculation of the distribution requirements of certain regulated investment companies and may result in some of the collateral federal income tax consequences discussed herein. Consequently, an owner of a Discount Bond should be aware that the accrual of original issue discount in each year may result in an alternative minimum tax liability, additional distribution requirements or other collateral federal income tax consequences although the owner of such Discount Bond has not received cash attributable to such original issue discount in such year.

The accrual of original issue discount and its effect on the redemption, sale, or other disposition of a Discount Bond that is not purchased in the initial offering at the first price at which a substantial amount of such 2016 [A] Bonds is sold to the public may be determined according to rules that differ from those described above. Owners of a Discount Bond should consult their tax advisors with respect to the determination for federal income tax purposes of the amount of original issue discount with respect to such Discount Bond and with respect to state and local tax consequences of owning and disposing of such Discount Bond.

Bond Premium

The excess, if any, of the tax basis of 2016 [A] Bonds purchased as part of the initial public offering to a purchaser (other than a purchaser who holds such 2016 [A] Bonds as inventory, stock in trade, or for sale to customers in the ordinary course of business) over the amount payable at maturity is "Bond Premium." Bond Premium is amortized over the term of such 2016 [A] Bonds for federal income tax purposes (or, in the case of a bond with bond premium callable prior to its stated maturity, the amortization period and yield may be required to be determined on the basis of an earlier call date that results in the lowest yield on such bond). Owners of such 2016 [A] Bonds are required to decrease their adjusted basis in such 2016 [A] Bonds by the amount of amortizable Bond Premium attributable to each taxable year such 2016 [A] Bonds are held. The amortizable bond premium on such 2016 [A] Bonds attributable to a taxable year is not deductible for federal income tax purposes; however Bond Premium on such 2016 [A] Bonds is treated as an offset to qualified stated interest received on such 2016 [A] Bonds. Owners of such 2016 [A] Bonds should consult their tax advisors with respect to the determination for federal income tax purposes of the treatment of Bond Premium upon sale, redemption or other disposition of such 2016 [A] Bonds and with respect to state and local income tax consequences of owning and disposing of such 2016 [A] Bonds.

Backup Withholding

Interest paid on the 2016 [A] Bonds is subject to information reporting in a manner similar to interest paid on taxable obligations. While this reporting requirement does not by itself, affect the excludability of interest on the 2016 [A] Bonds from gross income for federal income tax purposes, the reporting requirement causes the payment of interest on the 2016 [A] Bonds to be subject to backup withholding if such interest is paid to beneficial owners who (i) are not "exempt recipients," and (ii) either fail to provide certain identifying information (such as the beneficial owner's taxpayer identification number) in the required manner or have been identified by the Internal Revenue Service as having failed to report all interest and dividends required to be shown on their income tax returns. Generally, individuals are not exempt recipients, whereas corporations and certain other entities generally are exempt recipients. Amounts withheld under the backup withholding rules from a payment to a beneficial owner would be allowed as a refund or a credit against such beneficial owner's federal income tax liability provided the required information is furnished to the Internal Revenue Service.

Other Tax Consequences

Under existing law, the interest on the 2016 [A] Bonds is excluded from Virginia taxable income for purposes of the individual income tax and the income taxation of corporations by the Commonwealth of Virginia under Sections 58.1-322 and 58.1-402 of the Code of Virginia of 1950, as amended (the "Virginia Code"), to the extent that such interest is excludable from gross income for federal income tax purposes.

The Code and the Virginia Code contain other provisions (some of which are noted below) that could result in tax consequences, upon which Bond Counsel expresses no opinion, as a result of

ownership of the 2016 [A] Bonds or the inclusion in certain computations of interest on the Bonds that is excluded from gross income for purposes of federal income taxation.

PROSPECTIVE PURCHASERS OF THE 2016 [A] BONDS SHOULD CONSULT THEIR TAX ADVISORS AS TO THE APPLICABILITY AND IMPACT OF ANY SUCH COLLATERAL TAX CONSEQUENCES.

Ownership of tax-exempt obligations may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, certain foreign corporations doing business in the United States, certain S Corporations with excess passive income, individual recipients of Social Security or Railroad Retirement benefits, taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations and taxpayers who may be eligible for the earned income tax credit.

Future Tax Developments

Future or pending legislative proposals, if enacted, regulations, rulings or court decisions may cause interest on the 2016 [A] Bonds to be subject, directly or indirectly, to federal income taxation or to state or local income taxation, or may otherwise prevent beneficial owners from realizing the full current benefit of the tax status of such interest. Legislation or regulatory actions and future or pending proposals may also affect the economic value of the federal or state tax exemption or the market value of the 2016 [A] Bonds. Prospective purchasers of the 2016 [A] Bonds should consult their tax advisors regarding any future, pending or proposed federal or state tax legislation, regulations, rulings or litigation as to which Bond Counsel expresses no opinion.

For example, various proposals have been made in Congress and by the President (the "Proposed Legislation") which, if enacted, would subject interest on bonds that is otherwise excludable from gross income for federal income tax purposes, including interest on the 2016 [A] Bonds, to a tax payable by certain bondholders with adjusted gross income in excess of thresholds specified in the Proposed Legislation. It is unclear if the Proposed Legislation will be enacted, whether in its current or an amended form, or if other legislation that would subject interest on the 2016 [A] Bonds to a tax or cause interest on the 2016 [A] Bonds to be included in the computation of a tax, will be introduced or enacted. Prospective purchasers should consult their tax advisors as to the effect of the Proposed Legislation, if enacted, in its current form or as it may be amended, or such other legislation on their individual situations.

RATINGS

The 2016 [A] Bonds have been rated "____" by Fitch Ratings ("Fitch"), "___" by Moody's Investors Service, Inc. ("Moody's"), and "___" by Standard & Poor's Ratings Services, a division of The McGraw-Hill Companies, Inc. ("Standard & Poor's"). The County requested that the 2016 [A] Bonds be rated and furnished certain information to Fitch, Moody's and Standard & Poor's, including certain information that is not included in this Official Statement.

These ratings are not a recommendation to buy, sell or hold the 2016 [A] Bonds. Generally, rating agencies base their ratings on such materials and information, as well as investigations, studies and assumptions of the rating agencies. Such ratings may be changed at any time and no assurance can be given that they will not be revised downward or withdrawn entirely by any or all of such rating agencies, if, in the judgment of any or all, circumstances so warrant. Such circumstances may include, without limitation, change in or unavailability of information relating to the County. Any such downward revision or withdrawal of any of such ratings may have an adverse effect on the market price of the 2016 [A] Bonds.

FINANCIAL ADVISOR

The County has retained Public Financial Management, Inc., Arlington, Virginia, as financial advisor (the "Financial Advisor") in connection with the issuance of the 2016 [A] Bonds. Although the Financial Advisor assisted in the preparation and review of this Official Statement, the Financial Advisor is not obligated to undertake, and has not undertaken to make, an independent verification or to assume responsibility for the accuracy, completeness, or fairness of the information contained in the Official Statement. The Financial Advisor is a financial advisory, investment management, and consulting organization and is not engaged in the business of underwriting municipal securities.

VERIFICATION OF CERTAIN MATHEMATICAL COMPUTATIONS

The accuracy of (i) the arithmetical computations of the cash and the maturing principal and interest earned on investments, if any, in the escrow accounts established in the escrow agreements relating to the Refunded Bonds to pay when due or at their respective redemption dates, the principal of, premium, if any, and interest on such Refunded Bonds and (ii) the mathematical computations supporting the conclusion that the Bonds are not "arbitrage bonds" within the meaning of Section 148 of the Code, have been verified by Robert Thomas CPA, LLC. Such verifications have been based upon information supplied by the Financial Advisor.

UNDERWRITING

The 2016 [A] Bonds are being purchased by the Underwriters. The Underwriters will agree to purchase the 2016 [A] Bonds at a purchase price equal to $_____ (representing the principal amount of the 2016[A] Bonds plus the net original issue premium less an underwriters' discount in the amount of $_____), and to reoffer such 2016 [A] Bonds at the initial reoffering yields set forth on the inside cover page hereof. The Underwriters will agree to accept delivery of and pay for all of the 2016 [A] Bonds if any are delivered. The obligations of the Underwriters will be subject to certain terms and conditions set forth in a purchase contracts relating to the 2016 [A] Bonds. The Underwriters may offer and sell the 2016 [A] Bonds to certain dealers (including dealers depositing the 2016 [A] Bonds into investment trusts) and others at prices different from the public offering prices stated on the cover page of this Official Statement. The public offering prices may be changed from time to time at the discretion of the Underwriters.

CERTIFICATE CONCERNING OFFICIAL STATEMENT

Concurrently with the delivery of the 2016 [A] Bonds, the Chairman of the Board of Supervisors and the County Executive of the County will certify that, to the best of their knowledge, the Official Statement did not as of its date, and does not as of the date of delivery of the 2016 [A] Bonds, contain any untrue statement of a material fact or omit to state a material fact that should be included therein for the purpose for which the Official Statement is to be used, or that is necessary in order to make the statements contained therein, in the light of the circumstances under which they were made, not misleading. Such certificate will also state, however, that the Chairman of the Board of Supervisors and the County Executive of the County did not independently verify the information indicated in this Official Statement as having been obtained or derived from sources other than the County and its officers but that they have no reason to believe that such information is not accurate.

FUTURE FINANCIAL INFORMATION

The Securities and Exchange Commission has 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 2016 [A] Bonds, unless it has determined that the issuer of such securities or other persons deemed to be material "obligated persons" have committed to provide to The Electronic Municipal Market Access ("EMMA") system administered by the Municipal Securities Rulemaking Board (i) on an annual basis, certain financial information and operating data ("Annual Reports"), and, if available, audited financial statements, and (ii) notice of various events described in the Rule, if material ("Event Notices").

The County will covenant in the Continuing Disclosure Agreement (the form of which appears in Appendix E), to be dated the date of delivery of the 2016 [A] Bonds, for the benefit of the holders of the 2016 [A] Bonds, to provide to EMMA, annually, not later than March 31 of each year, commencing March 31, 2017, Annual Reports with respect to itself, as issuer. Similarly, the County will provide Event Notices with respect to the Bonds to EMMA.

In accordance with continuing disclosure undertakings (the "Sewer Undertakings") relating to the County's sewer revenue bonds, the County agreed to provide and file certain annual financial and statistical information ("Sewer System Annual Disclosure Reports") relating to the County's sanitary sewer system (the "System") as well as the County's audited financial statements for the System ("Sewer System Annual Financial Statements"). [For the Fiscal Years ended June 30, 2009, and June 30, 2010, the County prepared and filed the Sewer System Annual Disclosure Reports for each year. Such filings, however, inadvertently did not include the prepared Sewer System Annual Financial Statements (the "2009 and 2010 Sewer System Annual Financial Statements") required to be included in such filings pursuant to the terms of the Continuing Disclosure Undertakings, although the 2009 and 2010 Sewer System Annual Financial Statements were timely posted to the County's website. As of June 5, 2014, the County has filed the 2009 and 2010 Sewer System Annual Financial Statements. In addition, as a condition to the issuance of various series of revenue bonds ("UOSA Bonds") issued by the Upper Occoquan Service Authority for the benefit of the County and other jurisdictions, the County has agreed pursuant to continuing disclosure undertakings (the "UOSA Undertakings") to provide and file the Sewer System Annual Disclosure Reports and Sewer System Annual Financial Statements. The 2009 and 2010 Sewer System Annual Financial Statements were filed pursuant to the UOSA Undertakings but not in a timely manner and other filings were complete and timely but were not correctly cross-referenced to the UOSA Bonds. The County has implemented procedures to ensure the inclusion of necessary information in a timely manner in future filings required by the Sewer Undertakings and the UOSA Undertakings.]

Pursuant to several continuing disclosure undertakings entered into relating to the Fairfax County Economic Development Authority's Transportation Contract Revenue Bonds (Route 28 Project), the County provided all required information, except that it inadvertently did not include in its annual information required under such undertakings a description of the twenty largest owners of real property by assessed value in the State Route 28 Highway Transportation Improvement District. The County has implemented procedures to ensure the inclusion of such information in future filings.

It should be noted, however, that while the County has timely filed each annual financial report required by its continuing disclosure undertakings (except as described under this caption), the filings with respect to certain bond issues were not cross-referenced to such bonds. Although such cross-references are not specifically required by the undertakings, the County has implemented procedures to ensure such cross-references in future filings.

Except as described under this caption, in the five years preceding the date of this Official Statement, the County has materially complied with its undertakings under the Rule.

Any failure by the County to perform its obligations under the Continuing Disclosure Agreement shall not constitute an Event of Default under the Bond Resolution or the 2016 [A] Bonds; rather, the

right to enforce the provisions of the Continuing Disclosure Agreement is limited to the right to compel performance. The Underwriter's obligations to purchase the 2016 [A] Bonds shall be conditioned upon receipt, at or prior to the delivery of the 2016 [A] Bonds, of an executed copy of the Continuing Disclosure Agreement.

MISCELLANEOUS

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact. No representation is made that any of the estimates will be realized.

The distribution of this Official Statement has been duly authorized by the Board of Supervisors of the County.

PRELIMINARY OFFICIAL STATEMENT DEEMED FINAL

The distribution of this Preliminary Official Statement has been duly authorized by the Board of Supervisors of the County. The County deems this Preliminary Official Statement final as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission except for the omission of certain pricing and other information permitted to be omitted by Rule 15c2-12.

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

By: , Chairman

Attachment 4

BOND PURCHASE AGREEMENT

$___,000,000
FAIRFAX COUNTY, VIRGINIA
SEWER REVENUE REFUNDING BONDS, SERIES 2016 A

_____ __, 2016

Fairfax County, Virginia
12000 Government Center Pkwy, Suite 561
Fairfax, VA 22035

The undersigned, _____ (the "Representative"), on its own behalf and on behalf of _____ (collectively, the "Underwriters"), hereby agrees to purchase the above-captioned bonds (the "Bonds") from Fairfax County, Virginia (the "County") pursuant to the terms and conditions of this Bond Purchase Agreement (this "Agreement").

The Bonds will be issued pursuant to, and secured 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, as supplemented by a Series Resolution adopted by the Board of Supervisors on February 16, 2016 (the "2016 A Series Resolution" and together with the General Bond Resolution, the "Resolution"), provides for the issuance of the Bonds. The General Bond Resolution was adopted pursuant to Article 3, Chapter 21, Title 15.2, Code of Virginia, 1950, as amended, and Chapter 26, Title 15.2, Code of Virginia, 1950, as amended (collectively, the "Act").

This offer is made subject to the acceptance hereof by the County evidenced by such party's execution and delivery (manually or by facsimile or electronic (PDF) transmission) of this Agreement (or the signature page) to the Underwriters or their counsel, at or prior to 5:00 p.m., Eastern Time, today. If not so accepted, this offer shall expire upon written notice sent by the Underwriters to the County at any time prior to acceptance.

Capitalized terms used in this Agreement and not otherwise defined shall have the meanings ascribed to them in the Preliminary Official Statement (as defined herein).

Section 1. Offer and Sale of the Bonds; Good Faith Deposit

(a) On the basis of the representations, warranties, covenants and agreements contained in this Agreement, and in the other agreements referred to herein, and subject to the terms and conditions described in this Agreement, the Underwriters, jointly and severally, agree to purchase the Bonds for the purchase price of $_____, representing the par amount of the Bonds of $_____, plus net original issue premium of $_____, less an underwriting discount of $_____.

The Bonds shall be dated their date of issuance and shall be payable as to principal and interest in years and amounts and at rates as shown on Exhibit A.

(b) The Underwriters acknowledge that the County has not authorized or consented to any of the following:

(i) the sale of the Bonds to any purchaser in connection with the initial public offering of the Bonds unless the Underwriters have complied with Rule G-32 of the Municipal Securities Rulemaking Board;

(ii) the offer or sale of Bonds in any jurisdiction where any such offer or sale would be in violation of the jurisdiction's securities laws;

(iii) making any representations or providing any information to prospective purchasers of the Bonds in connection with the public offering and sale of the Bonds other than the information set forth in the Preliminary Official Statement (as defined herein), the Official Statement and any amendment thereto approved in writing by the County; or

(iv) any actions in connection with the offering and sale of the Bonds in violation of applicable requirements of federal and state securities laws and any applicable requirements of the Municipal Securities Rulemaking Board or the National Association of Securities Dealers, Inc. The Underwriters agree that in their offering of the Bonds they will comply with the applicable rules of the Municipal Securities Rulemaking Board.

(c) On the date hereof, $_____ which amount is the payment in good faith on account of the purchase price of the Bonds (the "Good Faith Deposit"), shall be delivered by wire transfer of immediately available funds from the Underwriters to the account identified in writing by the County. In the event the County does not accept this offer, such Good Faith Deposit shall be immediately returned to the Underwriters by wire transfer to the account designated in writing by the Representative. In the event that the Underwriters fail (other than for a reason permitted herein) to accept and pay for the Bonds on the Closing Date (as defined herein) as herein provided, the amount of such Good Faith Deposit plus any interest earned thereon shall be retained by the County as and for liquidated damages for such failure and for any defaults hereunder on the part of the Underwriters, and such retention shall constitute a full release and discharge of all claims by the County against the Underwriters arising out of the transactions contemplated hereby. In the event of the County's failure to deliver the Bonds on the Closing Date, or if the County shall be unable to satisfy the conditions to the obligations of the Underwriters contained herein (unless such conditions are waived by the Underwriters), or if the obligations of the Underwriters shall be terminated for any reason permitted herein, the County shall immediately return to the Underwriters the Good Faith Deposit, plus any interest earned by the County on said sum from the date hereof to the date of return of the Good Faith Deposit, by wire transfer of immediately available funds to the account designated in writing by the Representative.

Section 2. Official Statement

The County hereby deems the Preliminary Official Statement to be final as of its date within the meaning of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended ("Rule 15c-2-12"), except for the omission of pricing and other information allowed to be omitted pursuant to such Rule 15c2-12. The County will prepare the Official Statement in final form, including the completion of all information required pursuant to such Rule 15c2-12. The execution of the Official Statement in final form by the [County's Chairman of the Board of Supervisors] shall be conclusive evidence that the County has deemed it final as of its date. The County shall arrange for the delivery within seven business days of the date hereof, and in any event in sufficient time to accompany customer confirms requesting payment, of a reasonable number of copies of the Official Statement in final form (which need not be manually executed) to the Underwriters for delivery to each potential investor requesting a copy of the Official Statement and to each purchaser to which the Underwriters initially sells Bonds.

The Underwriters represent that a copy of the Official Statement will be deposited before the "end of the underwriting period" (as defined herein) with the Municipal Securities Rulemaking Board.

Section 3. County's Representations, Warranties, Covenants and Agreements

The County hereby represents, warrants, covenants and agrees as follows:

(a) The County is, and will be at the Closing Time (as defined herein), (i) duly organized in the urban county executive form of government, a political subdivision of the Commonwealth of Virginia (the "Commonwealth") possessing all power and authority granted to counties so organized under the Constitution and laws of the Commonwealth, and (ii) authorized to enter into and adopt and perform its obligations under the Resolution, this Agreement, a Continuing Disclosure Agreement delivered by the County, dated the Closing Date (the "Continuing Disclosure Agreement) and an escrow deposit agreement between the County and U.S. Bank National Association (the "Escrow Agreement") (collectively, the "County Documents").

(b) The County has complied with all provisions of the Commonwealth's constitution and laws pertaining to the County's adopting or entering into the County Documents and has full power and authority to consummate all transactions contemplated by the County Documents and the Official Statement and any and all other agreements relating thereto to which the County is a party.

(c) At the time of the County's delivery of this Agreement and (unless an event occurs of the nature described in Section 3(i) below) at all subsequent times up to and including the Closing Time, the information contained in the Preliminary Official Statement and the Official Statement, excluding the information under the headings "DESCRIPTION OF THE 2016 [A] BONDS – Book-Entry-Only System," "FINANCIAL ADVISOR" and "UNDERWRITING", and in any amendment or supplement to the Official Statement that the County may authorize for use with respect to the Bonds is and will be true and correct and does not contain and will not contain any untrue statement of a material fact and does not omit and will not omit to state a material fact necessary to make the statements in such document, in the light of the circumstances under which they were made, not misleading. If the Official Statement is supplemented or amended pursuant to Section 3(i) below, at the time of each supplement or amendment thereto and (unless subsequently again supplemented or amended pursuant to Section 3(i) below) at all times subsequent thereto up to and including the Closing Time, the County shall take all steps necessary to ensure that the Official Statement as so supplemented or amended does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

(d) The County has duly adopted and authorized, at one or more public meetings duly called and held at which quorums were present and acting throughout, (i) the distribution and use of the Official Statement, (ii) the adoption, execution, delivery and due performance of the County Documents and any and all such other agreements and documents as may be required to be executed and delivered by the County in order to carry out, give effect to and consummate the transactions contemplated by the County Documents and by the Official Statement, and (iii) the carrying out, giving effect to and consummation of the transactions contemplated by the County Documents and the Official Statement. Upon the Closing Date, the County shall have duly adopted or authorized, executed and delivered each County Document, if applicable and the Official Statement.

(e) Except as and to the extent described in the Preliminary Official Statement and the Official Statement, to the County's knowledge, there is no action, proceeding or investigation before or by any court or other public body pending or, threatened against or affecting the County or any County officer or employee in an official capacity (or, to the County's knowledge, any basis therefor), with respect to the completeness or accuracy of the Preliminary Official Statement or the Official Statement, or wherein an unfavorable decision, ruling or finding would materially adversely affect the transactions contemplated or

described herein or in the Official Statement, or the validity of the County Documents or of any other agreement or instrument to which the County is or is expected to be a party and which is used or contemplated for use in the consummation of the transactions contemplated or described herein or in or by the Official Statement, or the ability of the County to perform its obligations under any of the County Documents.

(f) The County's adoption or execution and delivery of the County Documents and other agreements contemplated by the County Documents and by the Official Statement, and compliance with the provisions thereof, will not constitute on the County's part a material breach of or a default under any existing law, court or administrative regulation, decree or order or any material contract, agreement, loan or other instrument to which the County is subject or by which the County is or may be bound. No event has occurred or is continuing that, with the lapse of time or the giving of notice, or both, would constitute an event of default under any such agreement, including the County Documents.

(g) The County will not take or omit to take any action the taking or omission of which will in any way cause the proceeds from the sale of the Bonds to be applied in a manner other than as described in the Official Statement and as permitted by the Resolution and which would cause the interest on the Bonds to be includable in the gross income of the recipients thereof for federal or Commonwealth income tax purposes.

(h) The audited financial statements of the County's Integrated Sewer System (the "Sewer System) for the fiscal year ended June 30, 2015, set forth as Appendix A to the Official Statement, present fairly the Sewer System's financial position as of June 30, 2015, and such statements have been prepared in conformity with generally accepted accounting principles applied on a consistent basis. The Official Statement presents fairly the financial information purported to be shown as of the indicated dates. There has been no material adverse change in the financial condition of the Sewer System as a whole since June 30, 2015.

(i) If between the date of this Agreement and the date that is 25 days after the "end of the underwriting period," as defined below, any event shall occur that might or would cause the Official Statement, as then supplemented or amended, to contain any untrue statement of a material fact or to omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, the County shall promptly notify the Underwriters. If, in the opinion of the Underwriters, such event requires the preparation and publication of a supplement or amendment to the Official Statement, the County will, at the County's expense, supplement or amend the Official Statement in a form and in a manner approved by the Underwriters.

The "end of the underwriting period" is the time that is the later of (i) the Closing Time and (ii) the time the Underwriters do not retain, directly or as members of an underwriting syndicate, an unsold balance of the Bonds for sale to the public. Unless the Underwriters shall otherwise advise the County in writing prior to the Closing Date, the County may assume that the end of the underwriting period is the Closing Time.

(j) The County is not required to obtain any further consent, approval, authorization or order of any governmental or regulatory authority as a condition precedent to its adoption or authorization, execution and delivery of the County Documents or the Official Statement, or the County's performance hereunder and thereunder (provided no representation or warranty is expressed as to any action required under federal or state securities or Blue Sky laws in connection with the Underwriters' offers or sales of the Bonds).

(k) The County agrees to take all reasonable steps as requested to cooperate with the Underwriters and their counsel in order to qualify the Bonds for offering and sale under the securities or "Blue Sky" laws of such jurisdictions of the United States as the Underwriters may request, provided that the County need not consent to jurisdiction or service of process in any state other than the Commonwealth.

(l) The County has never defaulted in the payment of principal or interest on any general obligation indebtedness, has not exercised any rights of nonappropriation or similar rights, and has not borrowed for general fund cash-flow purposes. No proceedings have ever been taken, are being taken, or are contemplated by the County under the United States Bankruptcy Code or under any similar law or statute of the United States or the Commonwealth.

(m) The County will comply timely with the provisions of the Continuing Disclosure Agreement.

Section 4. Delivery of Bonds

The Bonds shall be delivered through The Depository Trust Company in New York, New York, by 12:00 noon, Eastern Time, on _____, 20__, or such other place, time or date as shall be mutually agreed on in writing by the County and the Underwriters. Simultaneously, the Underwriters shall make the payment required pursuant to Section 1 above, in immediately available funds, to the County or at its direction. In this Agreement, the date of such delivery and payment is called the "Closing Date," and the hour and date of such delivery and payment is called the "Closing Time."

The Bonds shall be delivered in fully registered form, in the form of one Bond for each maturity, bearing CUSIP numbers (provided neither the inclusion of a wrong number on any Bond nor the failure to include a number thereon shall constitute cause to refuse delivery of any Bond).

Section 5. Conditions to Underwriters' Obligations

The Underwriters' obligations hereunder are subject to the following conditions:

(a) The County Documents and the Official Statement shall have been duly authorized or adopted and, if applicable, executed and delivered in the forms heretofore approved by the Underwriters with only such changes as are mutually agreed on by the County and the Underwriters.

(b) The performance by the County of its obligations and adherence to its covenants hereunder to have been performed at or prior to the Closing Time.

(c) The representations and warranties contained in this Agreement by the County are true and correct today and as of the Closing Time as if made at the Closing Time.

(d) There has been no material change in the County's condition (financial or otherwise) between the most recent dates as to which information is given in the Official Statement and the Closing Time, other than as reflected in or contemplated by the Official Statement, and there are at the Closing Time no material transactions or obligations (not in the ordinary course of business) entered into by the County subsequent to the date of the Official Statement, other than as reflected in or contemplated by the Official Statement.

(e) All necessary approvals, whether legal or administrative, have been obtained from such federal, state and local entities or agencies as are appropriate and are required in connection with the financing.

(f) At the Closing Time, the Underwriters shall have received:

(i) Opinions dated the Closing Date of (A) Sidley Austin LLP, Bond Counsel, in substantially the form of Appendix VI to the Official Statement, and (B) _____., counsel to the Underwriters, in form and substance acceptable to the Underwriters.

(ii) An opinion of David P. Bobzien, Esq., County Attorney, dated the Closing Date and addressed to the Underwriters, to the effect that (A) the County is a political subdivision of the Commonwealth, duly organized and validly existing under the Constitution and laws of the Commonwealth and vested

with all the rights, powers and privileges conferred upon it by the Constitution and laws of the Commonwealth, (B) the Resolution was duly adopted by the Board of Supervisors of the County and is in full force and effect, (C) the County has all necessary power and authority (1) to adopt or execute and deliver, as applicable, the County Documents and (2) to consummate all of the actions contemplated by the County Documents, (D) the County Documents have been duly authorized and, if applicable, executed and delivered by the County and constitute valid and legally binding obligations of the County, enforceable (subject to customary exceptions) against the County in accordance with their terms, (E) no further approval, consent of withholding of objection on the part of any regulatory body, federal, Commonwealth or local, is required for the County to execute and deliver and perform its obligations under the County Documents, (F) the adoption by the Board of Supervisors of the Resolution and the execution and delivery by the County of the other County Documents and the consummation by the County of the transactions contemplated by them are not prohibited by, and do not violate any provision of and will not result in the breach of any law, rule, regulation, judgment, decree, order or other requirement applicable to the County, any ordinance or resolution of the County, or any material contract, indenture or agreement to which the County is a party or by which the County is bound, and have not resulted, and will not result, in the creation or imposition of any lien, encumbrance, mortgage or other similar conflicting ownership or security interest in favor of any third person in or to the County's revenues, assets, properties or funds except as contemplated in the County Documents, and (G) to the County's knowledge there is no legal action or other proceeding, or any investigation or inquiry (before any court, agency, arbitrator or otherwise), pending or threatened against the County or any of its officials, in their respective capacities, (1) to restrain or enjoin the issuance, sale or delivery of the Bonds or the application of proceeds of the Bonds as provided in the Official Statement or (2) which may reasonably be expected to have a material and adverse effect upon the due performance by the County of the transactions contemplated by the County Documents and the Official Statement or the validity or enforceability of the Bonds or the County Documents.

(iii) A supplemental opinion of Bond Counsel, dated the Closing Date and in form and substance acceptable to the Underwriters, that authorizes the Underwriters to rely on the approving opinion of Bond Counsel and, additionally, is to the effect that

(A) the information contained in those portions of the Official Statement entitled **"DESCRIPTION OF THE 2016 [A] BONDS (excluding Book-Entry-Only System)," "SECURITY FOR AND SOURCES OF PAYMENT OF THE 2016 [A] BONDS," "APPROVAL OF LEGAL PROCEEDINGS", "TAX MATTERS,"** and **"FUTURE FINANCIAL INFORMATION,"** insofar as such information summarizes provisions of the County Documents or is a description of opinions rendered by Bond Counsel, is a fair and accurate summary of the information purported to be summarized, and such statements, as summaries, do not contain an untrue statement of a material fact or omit to state a material fact necessary to make such statements, as summaries, in the light of the circumstances under which they were made, not misleading.

(B) the Bonds do not require registration under the Securities Act of 1933, as amended (the "Securities Act"); and

(C) the Trust Indenture Act of 1939, as amended (the "Trust Indenture Act"), does not require the qualification of the Resolution thereunder.

(iv) Evidence satisfactory to the Underwriters that the Bonds have received ratings of "___" from Moody's Investors Service, Inc., "____" from Fitch Ratings and "___" from Standard & Poor's Ratings Services, a division of The McGraw-Hill Companies, Inc., and that such ratings are in effect at the Closing Time.

(v) Certified copies of all relevant proceedings of the Board of Supervisors of the County.

(vi) Original executed or certified copies of the County Documents.

(vii) Signed copies of a certificate or certificates, dated the Closing Date, signed by the County Executive to the effect that (1) the representations and warranties of the County contained herein are true and correct in all material respects on and as of the Closing Date as if made on the Closing Date; (2) to the best of the knowledge of such officer, the Official Statement does not contain any untrue statement of material fact or omit any statement of a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading; (3) to the knowledge of such officer no litigation is pending against the County or pending against any other entity or person or threatened in any court in any way adversely affecting the legal existence of the County or seeking to restrain or enjoin the issuance, sale, execution or delivery of the Bonds, or materially and adversely affecting the ability of the County to pay principal and interest on the Bonds, or in any way materially and adversely contesting or affecting the validity or enforceability of the Bonds, the Resolution or this Agreement, or contesting the completeness or accuracy of the Preliminary Official Statement or the Official Statement, or contesting the power of the County or its authority with respect to the County Documents; (4) to the best of the knowledge of such officer, no event materially and adversely affecting the County or the transactions contemplated by the Official Statement has occurred since the date of the Official Statement which, in the reasonable opinion of the County, is required to be set forth in an amendment or supplement to the Official Statement (whether or not the Official Statement shall have been amended or supplemented to set forth such event); (5) the County has the full legal right, power and authority to carry out and consummate the transactions contemplated to be carried out by the County by the Official Statement; and (6) the County has complied with all the requirements and satisfied all the conditions on its part to be performed or satisfied at or prior to the Closing Date.

(viii) Receipt by the Underwriters and Bond Counsel of a tax certificate of the County which includes the issue price certificate for the Bonds of the Underwriters the form of which appears as Exhibit B to this Agreement.

(ix) A letter in form and substance satisfactory to the Representative of Robert Thomas, CPA, LLC, the Verification Agent, dated no later than the Closing Date and addressed to the County and the Underwriters (the "Verification Report") (A) verifying the accuracy of the mathematical computations of the adequacy of the maturing principal of, premium, if any, and interest earned on the obligations to be held pursuant to the Escrow Agreement together with cash deposited thereunder, if any, to provide for the payment of the principal of and interest on the bonds to be refunded when due, and (B) consenting to the reference to them and to their Verification Report under the caption of the Official Statement entitled "VERIFICATION OF MATHEMATICAL COMPUTATIONS;"

(x) Such additional certificates and other documents in such form and substance as the Underwriters, their counsel or Bond Counsel may request to evidence performance of or compliance with the provisions of the County Documents or the Official Statement and the transactions contemplated hereby and thereby, the truth and accuracy as of the Closing Time of the County's representations herein and in the Official Statement, and the County's due performance at or prior to the Closing Time of all agreements then to be performed by the County.

The delivery of the above documents shall be made on the Closing Date, at or prior to the Closing Time, at the offices of Sidley Austin LLP, Washington, D.C., or at such other place as the County and the Underwriters may hereafter determine.

The County shall exercise its reasonable best efforts to fulfill such of the foregoing conditions as may be under their control or direction. In no event shall the failure of any such condition to be met constitute a default on the part of any party (except any party who had such condition under its control or direction).

The provisions of Section l(c) shall apply whether or not the failure of any such condition to be met constitutes a default on the part of any party.

Section 6. Underwriters' Right to Cancel

The Underwriters have the right to cancel their obligations hereunder by written notification from the Representative to the County of the Underwriters election to do so between today and the Closing Time, if at any time before the Closing Time:

(a) legislation shall have been enacted or introduced by the Congress of the United States or the legislature of the Commonwealth or legislation shall have been reported out of committee of either body or be pending in committee of either body, or a decision shall have been rendered by a court of the United States or the Commonwealth or the Tax Court of the United States, or a ruling, resolution, regulation, or temporary regulation, release, or announcement shall have been made or shall have been proposed to be made by the Treasury Department of the United States or the Internal Revenue Service, or other federal or Commonwealth authority, with respect to federal or Commonwealth taxation upon revenues or other income of the general character of that to be derived by the County from its operations, or upon interest received on obligations of the general character of the Bonds that, in the Underwriters' reasonable judgment, materially adversely affects the market for the Bonds, or the market price generally of obligations of the general character of the Bonds; or

(b) there shall exist any event or circumstance that in the Underwriters' reasonable judgment either makes untrue or incorrect in any material respect any statement or information in the Official Statement or is not reflected in the Official Statement but should be reflected therein in order to make any statement of material fact therein not misleading in any material respect; or

(c) there shall have occurred (a) an outbreak or escalation of hostilities involving the United States or the declaration by the United States of a national emergency or war occurs; or (b) the occurrence of any other calamity or crisis or any change in the financial, political, or economic conditions in the United States or elsewhere, if the effect of any such event specified in clause (a) or (b), in the judgment of the Underwriters, materially adversely affects the market for the Bonds; or

(d) there shall be in force a general suspension of trading on the New York Stock Exchange, or minimum or maximum prices for trading shall have been fixed and be in force, or maximum ranges for prices for securities shall have been required and be in force on the New York Stock Exchange, whether by virtue of a determination by that Exchange or by an order of the Securities and Exchange Commission (the "SEC") or any other governmental authority having jurisdiction that, in the Underwriters' reasonable judgment, materially adversely affects the market for the Bonds; or

(e) a general banking moratorium shall have been declared by federal or state authorities having jurisdiction and be in force that, in the Underwriters' reasonable judgment, materially adversely affects the market for the Bonds; or

(f) legislation shall be enacted or be proposed or actively considered for enactment, or a decision by a court of the United States shall be rendered, or a ruling, regulation, proposed regulation, or statement by or on behalf of the SEC or other governmental agency having jurisdiction of the subject matter shall be made, to the effect that the Bonds or any comparable securities of the County, or any obligations of the general character of the Bonds are not exempt from the registration, qualification or other requirements of the Securities Act, or otherwise, or would be in violation of any provision of the federal securities laws; or

(g) there shall be established any new restriction on transactions in securities materially affecting (a) the free market for securities (including the imposition of any limitation on interest rates) or (b) the extension of credit by, or a change to the net capital requirements of, the Underwriters established by the

New York Stock Exchange, the SEC, any other federal or state agency or the Congress of the United States, or by Executive Order; or

(h) a stop order, release, regulation, or no-action letter by or on behalf of the SEC or any other governmental agency having jurisdiction of the subject matter shall have been issued or made to the effect that the issuance, offering or sale of the Bonds, including all underlying obligations as contemplated hereby or by the Official Statement, or any County Documents or other documents relating to the issuance, offering or sale of the Bonds, is or would be in violation of any provision of the federal securities laws; or

(i) there shall have been any material adverse change in the affairs of the County's Wastewater System that in the Underwriters' reasonable judgment will materially adversely affect the market price for the Bonds; or

(j) there shall have occurred, after the signing hereof, either a financial crisis or a default with respect to the debt obligations of the County or the Commonwealth (which, in the case of a financial crisis or default of the Commonwealth, causes a material adverse change in the affairs of the County) or proceedings under the bankruptcy laws of the United States or insolvency laws of the Commonwealth shall have been instituted by the County in either case the effect of which, in the reasonable judgment of the Underwriters, is such as to materially and adversely affect the market price or the marketability of the Bonds.

Section 7. Representations, Warranties, Covenants and Agreements to Survive Delivery

All of the County's representations, warranties, covenants and agreements in this Agreement shall remain operative and in effect, regardless of any investigation made by the Underwriters on their own behalf, after delivery of and payment for any Bonds or of termination or cancellation of this Agreement.

Section 8. Expenses

The County and the Underwriters acknowledge that the underwriting fee provided for in Section 1 represents compensation and reimbursement to the Underwriters for expenses; provided, however, that nothing in this acknowledgement shall be deemed to make the Underwriters agents of the County.

The Underwriters shall pay their out-of-pocket expenses, including the fees and expenses of Underwriters' counsel (including the cost of performing any blue sky and legal investment surveys), including advertising expenses in connection with a public offering of the Bonds, fees of the CUSIP Bureau and any fees of the Municipal Securities Rulemaking Board or the Securities Industry and Financial Markets Association.

The County shall pay all expenses and costs to effect the authorization, preparation, execution, delivery and sale of the Bonds, including, without limitation, the fees and expenses of Bond Counsel, rating agency fees and expenses, the fees and expenses of the bond registrar and paying agent, any registration or similar fees for qualifying the Bonds for sale in various jurisdictions chosen by the Underwriters and agreed to by the County and the expenses and costs for the preparation, printing, photocopying, execution and delivery of the Bonds and the Official Statement and all other agreements and documents contemplated by this Agreement. The County shall also pay all meal, travel and lodging, expenses of its own officials and employees.

Section 9. Miscellaneous

(a) Any notice or other communication to be given hereunder may be given by mailing or delivering the same in writing as follows:

If to the Underwriters:

Attention: _____

If to the County: Fairfax County, Virginia
Attention: Chief Financial Officer
12000 Government Center Parkway
Fairfax, Virginia 22035

(b) The parties intend that this Agreement shall be governed by the laws of the Commonwealth.

(c) This Agreement may be executed in several counterparts (including separate counterparts), each of which shall be regarded as an original and all of which shall constitute one and the same document.

(d) This Agreement will inure to the benefit of and be binding on the County and the Underwriters and their respective successors and assigns, but will not confer any rights on any other person, partnership, association or corporation other than persons, if any, controlling the County and the Underwriters within the meaning of the Securities Act or the Securities Exchange Act of 1934, as amended. The terms "successors" and "assigns" shall not include any purchaser of any Bond from the Underwriters merely because of such purchase.

(e) No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the County in such person's individual capacity, and no officer, member, employee or agent of the County shall be liable personally for the performance of any obligation under this Agreement. No recourse shall be had by the Underwriters for any claim based on this Agreement or otherwise against any officer, member, employee or agent of the County in his or her individual capacity, provided such person acts in good faith, all such liabilities, if any, being hereby expressly waived and released by the Underwriters.

(f) Section headings in this Agreement are a matter of convenience of reference only, and such section headings are not part of this Agreement and shall not be used in the interpretation of any provisions of this Agreement. Terms of any gender used herein shall include the masculine, feminine and neuter.

(g) Notwithstanding any provision herein to the contrary, the Underwriters, in their sole discretion, may waive the performance of any and all obligations of the County hereunder and the performance of any and all conditions contained herein for the Underwriters' benefit, and the Underwriters' approval when required hereunder or the determination of their satisfaction as to any document referred to herein shall be in writing signed by an appropriate officer or officers of the Representative, on the Underwriters' behalf, and delivered to the County.

(h) This Agreement is the entire agreement of the parties, superseding all prior agreements, and may not be modified except in writing signed by the parties hereto.

(i) The County acknowledges and agrees that: (i) the primary role of the Underwriters, as underwriters, is to purchase securities for resale to investors, in an arm's-length commercial transaction

between the County and the Underwriters and that the Underwriters have financial and other interests that differ from those of the County.; (ii) the Underwriters are not acting as a municipal advisor, financial advisor, or fiduciary to the County and have not assumed any advisory or fiduciary responsibility to the County with respect to the transaction contemplated hereby and the discussions, undertakings and procedures leading thereto (irrespective of whether the Underwriters have provided other services or are currently providing other services to the County on other matters); (iii) the only obligations the Underwriters have to the County with respect to the transaction contemplated hereby expressly are set forth in this Agreement; and (iv) the County has consulted its own financial or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it deems appropriate.

(j) This Agreement is effective on its acceptance by the County.

_____,
On behalf of the Underwriters, including itself

By _____

[Signature Continued on Following Page]

Attachment 4

[Counterpart Signature Page to Bond Purchase Agreement]

Accepted and agreed to:

_____

By:_____

ACTIVE 207425106v.4

EXHIBIT A

$_____
FAIRFAX COUNTY, VIRGINIA
SEWER REVENUE REFUNDING BONDS, SERIES 2016 A

SERIES 2016 A BONDS
RATE AND MATURITY SCHEDULE

Maturity (July 15)	Amount	Interest Rate	Yield	Maturity (July 15)	Amount	Interest Rate	Yield
20__	$	%	%	20__	$	%	%
20__				20__			
20__				20__			
20__				20__			
20__				20__			

SERIES 2016 A BONDS REDEMPTION PROVISIONS

[To Come]

EXHIBIT B

$_____
FAIRFAX COUNTY, VIRGINIA
SEWER REVENUE REFUNDING BONDS, SERIES 2016 A

CERTIFICATE OF _____

$_____
Fairfax County, Virginia
Sewer Revenue Refunding Bonds, Series 2016 A

This Certificate is furnished by _____, as representative of the underwriters of the above-referenced Bonds (the "Underwriters"), to establish the initial offering prices of the Bonds for purposes of determining the "issue price" of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended (the "Code") and certain other matters relating to the Bonds.

Capitalized terms used and not defined herein are as defined in the Tax Certificate to which this certification is attached as Exhibit __.

Based on the foregoing, the undersigned DOES HEREBY CERTIFY as follows:

A. Issue Price

1. The Underwriters reasonably expected on _____, 2016, which is the date on which a written binding agreement to purchase the Bonds was entered into (the "Sale Date"), to sell all of the Bonds for cash to the "General Public" (as defined below) at the respective initial public offering prices for each maturity of substantially identical Bonds, as set forth in Schedule I hereto (each an "Initial Public Offering Price" and, collectively, the "Initial Public Offering Prices").

2. The Underwriters made a bona fide offering of each maturity of the Bonds to the General Public at its respective Initial Public Offering Price.

3. Except as provided in paragraph 4 below, with respect to each maturity of substantially identical Bonds, the Underwriters first sold for cash at least 10% of such maturity of the Bonds to the General Public at a price equal to its Initial Public Offering Price.

4. In the case of the Bonds maturing on _____, 20__, ___, 20___ and _____, 20__ (the "Unsold Bonds"), although the Underwriters made a bona fide public offering of all of the Unsold Bonds to the General Public at their Initial Public Offering Prices, and reasonably expected on the Sale Date to sell all of the Unsold Bonds to the General Public for cash at their Initial Public Offering Prices, the Underwriters have not sold at least ten percent (10%) of the Unsold Bonds and have temporarily retained them in inventory. While it can be reasonably expected that (i) such Unsold Bonds will be held as inventory until sold to the General Public (as opposed to being held

for the Underwriter's own account), and (ii) such sale to the General Public may be at prices higher than the Initial Public Offering Prices, the Underwriters' reasonable expectations regarding the fair market value of the Bonds, as of the Sale Date, are those reflected as the Initial Public Offering Prices.

4. The aggregate Initial Public Offering Prices of all of the Bonds is $_____.

5. We have no reason to believe that any of the Initial Public Offering Prices is more than a fair market value of the Bonds as of the Sale Date.

6. For purposes of this certificate, the term "General Public" means the general public of investors who are purchasing for their own account as ultimate purchasers and does not include bond houses, brokers and similar persons acting in the capacity of underwriters or wholesalers.

We understand that the foregoing information may, among other things, be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate and by the Issuer's Bond Counsel, Sidley Austin LLP, in connection with its opinion as to the exclusion from gross income of the interest on the Bonds for federal income tax purposes.

Dated: _____, 20__ _____

_____
By:
Title:

Schedule I of Exhibit __

Initial Public Offering Prices

Maturity Date	Principal Amount ($)	Interest Rate (%)	Price (% of Par)
07/15/20__		%	
07/15/20__			
07/15/20__			
07/15/20__			
07/15/20__			
07/15/20__			
07/15/20__			
07/15/20__			
07/15/20__			
Total	$		

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 2016 [A] (the "Bonds" or "2016 A 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, 2014, further supplemented by the Series Resolution adopted by the Board of Supervisors on February 16, 2016, providing for the issuance of the 2016 A Bonds (the "2016 A Series Resolution"). The 2016 A Bonds are being issued to provide funds for (i) refunding certain of the outstanding Sewer Revenue Bonds, Series 2009, (ii) refunding certain of the outstanding Sewer Revenue Bonds, Series 2012 and (iii) paying the costs of issuing the 2016 A 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 2016 A 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 2016 A 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 the tax-exempt status of the 2016 A Bonds or other material events affecting the tax-exempt status of the 2016 A 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 or 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 2016 A 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, 2016). 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 2016 A 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 2016 A Series Resolution or the 2016 A 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: _____, 2016

FAIRFAX COUNTY, VIRGINIA

By: _____
Joseph M. Mondoro
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 REFUNDING BONDS,
SERIES 2016 A

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 February 16, 2016, by the Board of Supervisors of the County, the proceeds of which were used to refund certain of outstanding sewer revenue bonds issued by the County and to pay the costs of issuing the 2016 A Bonds. [The County anticipates that the Annual Report [Audited Annual Financial Statements] will be filed by _____.]

Dated: _____

FAIRFAX COUNTY, VIRGINIA

By _____

ESCROW DEPOSIT AGREEMENT

THIS ESCROW DEPOSIT AGREEMENT, dated as of _____, 2016, 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 its Sewer Revenue Bonds, Series 2009, in the aggregate principal amount of $152,255,000 dated and issued on June 17, 2009, maturing July 15, 2010 to 2039, inclusive, and first subject to optional redemption on July 15, 2019 (the "2009 Bonds") pursuant to the provisions of a General Bond Resolution and a Series Resolution duly adopted by the Board of Supervisors of the County 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"), as supplemented by a Series Resolution adopted by the Board of Supervisors on May 18, 2009 (the "2009 Series Resolution"); and

WHEREAS, the County has issued its Sewer Revenue Bonds, Series 2012, in the aggregate principal amount of $90,710,000 dated and issued on August 8, 2012, maturing July 15, 2013 to 2042, inclusive, and first subject to optional redemption on July 15, 2021 (the "2012 Bonds") pursuant to the provisions of the General Bond Resolution, as supplemented by a Series Resolution adopted by the Board of Supervisors on June 19, 2012 (the "2012 Series Resolution" and together with the 2009 Series Resolution, the "Series Resolutions"); and

WHEREAS, the County has determined to refund for debt service savings [all] the outstanding portions of each of the July, 20__ through 20__ maturities, inclusive, of the 2009 Bonds (the "2009 Refunded Bonds") and to give U.S. Bank National Association, as bond registrar and paying agent for the 2009 Refunded Bonds (the "2009 Refunded Bonds Paying Agent") irrevocable instructions to call such 2009 Refunded Bonds for redemption on July 15, 2019, at the applicable redemption price of 100% of the principal amount of each 2009 Refunded Bond plus accrued interest to the redemption date; and

WHEREAS, the County has determined to refund for debt service savings [all] the outstanding portions of each of the July, 20__ through 20__ maturities, inclusive, of the 2012 Bonds (the "2012 Refunded Bonds" and together with the 2009 Refunded Bonds, the "Refunded Bonds") and to give U.S. Bank National Association, as bond registrar and paying agent for the 2012 Refunded Bonds (the "2012 Refunded Bonds Paying Agent" and together with the 2009 Refunded Bonds Paying Agent, the "Refunded Bonds Paying Agent") irrevocable instructions to call such 2012 Refunded Bonds for redemption on July 15, 2021, at the applicable redemption price of 100% of the principal amount of each 2012 Refunded Bond plus accrued interest to the redemption date; and

WHEREAS, the County has deposited with the Escrow Agent $_____ (the "Deposit") which consists of (i) $_____ derived from a portion of the proceeds of the $_____ Fairfax County, Virginia, Sewer Revenue Refunding Bonds, Series 2016 [A] (the "Refunding Bonds"), [(ii) $_____ released from the Reserve Subfund established under the [General] Bond Resolution and (iii) $_____ released from the Debt Service Subfund established under the General Bond Resolution,] and has made arrangements for and has directed the Escrow Agent to purchase from the Deposit the securities listed in Appendix A, that, without consideration of any reinvestment of the maturing principal and interest on such escrow securities, will provide sufficient money, 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) (i) the principal of the 2009 Refunded Bonds on July 15, 2019, (the "2009 Refunded Bonds Redemption Date") and (ii) when due and payable the interest to accrue on the 2009 Refunded Bonds to and including the 2009 Refunded Bonds Redemption Date all as set forth in Appendix B-1; and

(b) (i) the principal of the 2012 Refunded Bonds on July 15, 2021, (the "2012 Refunded Bonds Redemption Date") and (ii) when due and payable the interest to accrue on the 2012 Refunded Bonds to and including the 2012 Refunded Bonds Redemption Date all as set forth in Appendix B-2; and

WHEREAS, in order to ensure 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 Robert Thomas, CPA, LLC dated _____, 2016 (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 Sewer Revenue Refunding Bonds 2016 [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 $___ 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 money will be available to the Escrow Agent in the amounts and on the dates required to pay (i) the principal of the Refunded Bonds on their respective 2009 Refunded Bonds Redemption Date and 2012 Refunded Bonds Redemption Date (collectively, the "Redemption Dates") and (ii) when due and payable, the interest to accrue on the Refunded Bonds, to the respective Redemption Dates, all as described in Appendices B-1 and B-2. If the Escrow Securities (hereinafter defined) shall be insufficient to make such payments as they become due and payable, the County shall, from available money, 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 amounts and on the dates set forth in Appendices B-1 and B-2. 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 Appendices B-1 and B-2 to this Agreement.

The County, hereby irrevocably instructs the Escrow Agent, in its capacity as the Refunded Bonds Paying 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 Appendices B-1 and B-2.

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 money, 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 a firm of independent certified public accountants 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 money cannot be identified, the Escrow Agent shall proceed

as promptly as possible to make such identification. The money 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 money 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 substantially the form set forth in Appendices C-1 and C-2.

(b1) The County hereby specifically and irrevocably elects to redeem on the 2009 Refunded Bonds Redemption Date the 2009 Refunded Bonds at the applicable redemption price of 100% of the principal amount of each 2009 Refunded Bond plus accrued interest to the 2009 Refunded Bonds Redemption Date, as set forth in Appendix C-1.

(b2) The County hereby specifically and irrevocably elects to redeem on the 2012 Refunded Bonds Redemption Date the 2012 Refunded Bonds at the applicable redemption price of 100% of the principal amount of each 2012 Refunded Bond plus accrued interest to the 2012 Refunded Bonds Redemption Date, as set forth in Appendix C-2.

(c) The County directs the Escrow Agent, and the Escrow Agent agrees, to cause the notices of redemption, to be sent by certified mail, postage prepaid to the registered owners of the Refunded Bonds at least 30 but not more than 60 days prior to the applicable Refunded Bonds Redemption Dates. 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 General Bond Resolution and Series Resolutions. Notice of such redemptions shall be in substantially the form set forth in Appendices D-1 and D-2.

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

Not less than thirty-five (35) days prior to the days of redemption, 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: Stephanie E. Haysley

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 money 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: Joseph M. Mondoro
Title: Chief Financial Officer

U.S. Bank National Association

By: _____
Name: Stephanie E. Haysley
Title: Vice President

APPENDIX A

ESCROW SECURITIES: SLGS AND OPEN MARKETS

Type	Maturity Date	Par Amount	Coupon	Price	Accrued Interest	Total Cost
SLG Certificate						$
SLG Certificate						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Treasury Note						
Total						

APPENDIX B-1

Fairfax County, Virginia
Sewer Revenue Bonds,
Series 2009

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

Schedule of Debt Service

Period Ending	Principal	Interest	Total Debt Service
07/15/2016	$	$	$
01/15/2017			
07/15/2017			
01/15/2018			
07/15/2018			
01/15/2019			
07/15/2019	$0	0	0
Total	$0	$0	$0

APPENDIX B-2

Fairfax County, Virginia
Sewer Revenue Bonds,
Series 2012

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

Schedule of Debt Service

Period Ending	Principal	Interest	Total Debt Service
07/15/2016	$	$	$
01/15/2017			
07/15/2017			
01/15/2018			
07/15/2018			
01/15/2019			
07/15/2019			
01/15/2020			
07/15/2020			
01/15/2021			
07/15/2021	$0	0	0
Total	$0	$0	$0

APPENDIX C-1

NOTICE OF DEFEASANCE

AND ESTABLISHMENT OF ESCROW FUND

NOTICE TO OWNERS OF
Fairfax County, Virginia Sewer Revenue Bonds Series 2009, Dated June 17, 2009, and Maturing July 15 of each of the years 2010 through 2039, inclusive

NOTICE IS HEREBY GIVEN to the owners of the Fairfax County, Virginia Sewer Revenue Bonds, Series 2009 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.

REFUNDED BONDS
Redemption Date: July 15, 2019

Maturity Date	Principal Amount	Redemption Price	CUSIP Numbers[1]
July 15, 20__	$	100%	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867

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

[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. This column indicates the CUSIP numbers that were assigned upon the original issuance of the Refunded Bonds and does not reflect subsequent changes, if any.

at the office of U.S. Bank National Association, Richmond, Virginia, as the Refunded Bonds Paying Agent.

U.S. Bank National Association

Dated: _____, 2016

APPENDIX C-2

NOTICE OF DEFEASANCE

AND ESTABLISHMENT OF ESCROW FUND

NOTICE TO OWNERS OF
Fairfax County, Virginia Sewer Revenue Bonds Series 2012, Dated August 8, 2012, and Maturing July 15 of each of the years 2013 through 2042, inclusive

NOTICE IS HEREBY GIVEN to the owners of the Fairfax County, Virginia Sewer Revenue Bonds, Series 2012 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.

REFUNDED BONDS
Redemption Date: July 15, 2021

Maturity Date	Principal Amount	Redemption Price	CUSIP Numbers[1]
July 15, 20__	$	100%	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867

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

[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. This column indicates the CUSIP numbers that were assigned upon the original issuance of the Refunded Bonds and does not reflect subsequent changes, if any.

at the office of U.S. Bank National Association, Richmond, Virginia, as the Refunded Bonds Paying Agent.

U.S. Bank National Association

Dated: _____, 2016

APPENDIX D-1

NOTICE OF REDEMPTION

Fairfax County, Virginia

SEWER REVENUE BONDS, SERIES 2009, Dated June 17, 2009, and Maturing July 15 of each of the years 2010 through 2039 inclusive

NOTICE IS HEREBY GIVEN to the owners of the following outstanding Fairfax County, Virginia Sewer Revenue Bonds, Series 2009 (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: July 15, 2019

Maturity Date	Principal Amount	Redemption Price	CUSIP Numbers[1]
July 15, 20__	$0	100%	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867

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.

[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. This column indicates the CUSIP numbers that were assigned upon the original issuance of the Refunded Bonds and does not reflect subsequent changes, if any.

Payment of the Redemption Price will be made upon presentation and surrender of the Refunded Bonds, on or after July 15, 2019, at the office of the Director, as provided below.

The Refunded Bonds should be presented for payment as follows:

If mailed:

U.S. Bank
Corporate Trust Services
PO Box 64111
St. Paul, MN 55164-0111

If hand delivered:

U.S. Bank
Corporate Trust Services
60 Livingston Ave.
1st Fl – Bond Drop Window
St. Paul, MN 55107

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.

U.S. Bank National Association

Dated: _____, 2019

APPENDIX D-2

NOTICE OF REDEMPTION

Fairfax County, Virginia

SEWER REVENUE BONDS, SERIES 2012, Dated August 8, 2012, and Maturing July 15 of each of the years 2013 through 2042 inclusive

NOTICE IS HEREBY GIVEN to the owners of the following outstanding Fairfax County, Virginia Sewer Revenue Bonds, Series 2012 (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: July 15, 2021

Maturity Date	Principal Amount	Redemption Price	CUSIP Numbers[1]
July 15, 20__	$0	100%	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867
July 15, 20__		100	303867

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.

[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. This column indicates the CUSIP numbers that were assigned upon the original issuance of the Refunded Bonds and does not reflect subsequent changes, if any.

Payment of the Redemption Price will be made upon presentation and surrender of the Refunded Bonds, on or after July 15, 2021, at the office of the Director, as provided below.

The Refunded Bonds should be presented for payment as follows:

If mailed:

U.S. Bank
Corporate Trust Services
PO Box 64111
St. Paul, MN 55164-0111

If hand delivered:

U.S. Bank
Corporate Trust Services
60 Livingston Ave.
1st Fl – Bond Drop Window
St. Paul, MN 55107

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.

U.S. Bank National Association

Dated: _____, 2021

Attachment 6

Appendix E

VERIFICATION REPORT

Board Agenda Item
February 16, 2016

ACTION – 2

Approval of a Resolution Authorizing Execution of a Project Funding Agreement with the Town of Vienna for the Design of Pedestrian Enhancement Improvements along Creek Crossing Road (Hunter Mill District)

ISSUE:
Board approval of a resolution authorizing the Director of the Department of Transportation to execute a project funding agreement, in substantial form, with the Town of Vienna for the design of pedestrian improvements along Creek Crossing Road in the Town of Vienna and Fairfax County.

RECOMMENDATION:
The County Executive recommends that the Board approve the attached resolution and project funding agreement, in substantial form, with the Town of Vienna to administer design of the project.

TIMING:
Board action is requested on February 16, 2016, to ensure that the project moves forward expeditiously to design pedestrian improvements that would enhance pedestrian and bicycle connectivity along Creek Crossing Road.

BACKGROUND:
Fairfax County Department of Transportation staff has been working in coordination with staff from the Town of Vienna to advance projects in both the County and the Town that the Board approved January 28, 2014, as part of its Transportation Priorities Plan (TPP). Two such projects were scheduled to begin implementation in Fall 2015: the Creek Crossing Pedestrian Enhancements, and the Old Courthouse Road Pedestrian Enhancements. On July 28, 2015, the Board approved a project funding agreement with the Town of Vienna for the design of pedestrian improvements on Old Courthouse Road in the amount of $200,000. The attached agreement is for the Town of Vienna to administer design of Creek Crossing Road pedestrian improvements from Beulah Road to Fairway Drive and from Miller Lane to Old Courthouse Road in an amount not to exceed $400,000. The Vienna Town Council considered this agreement at its February 1, 2016, Council meeting.

The addition of the segment between Beulah Road and Fairway Drive is within town limits, and expands the scope of the project previously approved by the Board in the

TPP. On May 1, 2015, the County and Town met to discuss several projects in the Town of Vienna and whether or not some town projects, complementing County projects, could be included in the County's TPP. Creek Crossing Road pedestrian improvements, and the Old Courthouse Road pedestrian improvements are two projects for which scopes have been expanded to include portions in the town.

The existing sidewalk does not meet current Americans with Disabilities Act (ADA) standards. The width of the sidewalk varies and is in poor condition. In addition, there are sight-distance issues that are safety concerns for both drivers and pedestrians. County staff decided to adjust the limits of the project (originally, the project extended from Old Courthouse Road to Fairway Drive) due to adequate existing sidewalks from Miller Lane to Fairway Drive. Town staff noted that they would like to add updated sidewalks and an improved asphalt trail from Beulah Road to Fairway Drive. This would connect both projects and bring the sidewalk to current standards. Since a large portion of the project site lies within the Town of Vienna, the County and the Town agreed to have the project managed by the Town and implemented in two phases: Phase I: design of pedestrian improvements, and Phase II: land acquisition, utilities, and construction.

An agreement for Phase II of the project will be submitted to the Board for consideration following the completion of Phase I. Staff anticipates bringing a similar agreement to the Board for consideration for the Old Courthouse Road pedestrian project.

FISCAL IMPACT:
On January 28, 2014, the Board approved $1.4 billion for its TPP. This plan included $2 million for pedestrian enhancement improvements along Creek Crossing Road. County and Town staffs have estimated the cost of the design of the Creek Crossing Road project to be $400,000, and will determine the total cost of any land acquisition and construction during the design process. Funding for the design of this project comes from Fund 40010 (County and Regional Transportation Projects).

The Town bears cost overruns, unanticipated expenses, or funding shortages, if any, under this agreement (Attachment II). Any unexpended funds from the $400,000 will be returned to the County no later than 90 days after design of the project has been completed and final expenses have been paid in full. There is no impact to the General Fund.

ENCLOSED DOCUMENTS:
Attachment I – Resolution to Execute Agreement
Attachment II – Project Funding Agreement with the Town of Vienna

Board Agenda Item
February 16, 2016

STAFF:
Robert A. Stalzer, Deputy County Executive
Susan Cooke, Office of the County Attorney
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Eric M. Teitelman, P.E., Chief, Capital Projects and Traffic Engineering Division (CPTED), FCDOT
Todd Wigglesworth, Chief, Coordination and Funding Division (CFD), FCDOT
Audra Bandy, CPTED, FCDOT
Ray Johnson, CFD, FCDOT

Attachment I

Fairfax County Board of Supervisors Resolution

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia on Tuesday, February 16, 2016, at which meeting a quorum was present and voting, the following resolution was adopted.

AGREEMENT EXECUTION RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Fairfax County, Virginia, authorizes the Director of Fairfax County's Department of Transportation to execute, on behalf of the County of Fairfax, a Project Funding Agreement in the amount of $400,000 with the Town of Vienna for the design of pedestrian improvements on Creek Crossing Road to be administered by the Town of Vienna.

Adopted this 16th day of February 2016, Fairfax, Virginia

ATTEST _____
Catherine A. Chianese
Clerk to the Board of Supervisors

PROJECT DESIGN ADMINISTRATION AGREEMENT

BETWEEN FAIRFAX COUNTY and the TOWN OF VIENNA

for the design of pedestrian enhancement improvements on Creek Crossing Road in the Town of Vienna, Virginia and the County of Fairfax, Virginia.

THIS AGREEMENT, made and executed in duplicate on this the ____ day of _____, 2016, ("Effective Date") between the COUNTY OF FAIRFAX, VIRGINIA (the "COUNTY"), and the TOWN OF VIENNA, VIRGINIA (the "TOWN").

WITNESSETH

WHEREAS, the COUNTY's Transportation Priorities Plan, approved on January 28, 2014, includes funding for the design, construction, and implementation of pedestrian enhancement improvements on Creek Crossing Road, located in the TOWN and the COUNTY; and

WHEREAS, the COUNTY and TOWN have agreed that the TOWN will perform, or will engage third parties to perform, the design for the pedestrian enhancement improvements on Creek Crossing Road, including but not limited to, administration, scoping, surveying, preliminary engineering, and layout) (the "PROJECT), substantially in accordance with the narrative scope and conceptual layout shown in Appendices A and B; and

WHEREAS, the COUNTY and the TOWN enter into this Agreement to set forth their respective obligations regarding the PROJECT; and

WHEREAS, funds in the amount of $400,000 have been allocated by the COUNTY to finance the PROJECT and constitute the maximum amount the COUNTY will contribute to the PROJECT (the COUNTY Contribution); and

WHEREAS, the pedestrian enhancement improvements are located on Creek Crossing Road, running along Creek Crossing Road from Old Courthouse Road to Miller Lane and along Creek Crossing Road from Beulah Road to Fairway Drive.

WHEREAS, the COUNTY's and TOWN's governing bodies, by resolutions attached hereto as Appendices C and D, respectively, have authorized their respective designees to execute this Agreement; and

WHEREAS, Section 15.2-1108 and Section 15.2-1202 of the Code of Virginia authorizes both the COUNTY and the TOWN to enter into this agreement;

NOW THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties hereto agree as follows:

A. The TOWN shall:

1. Complete the work identified in Appendix A. All work shall be completed in accordance to scheduled activities established by both parties, and all applicable federal, state, and local laws and regulations, including the Virginia Public Procurement Act.

2. Prepare all design aspects for the portion of the PROJECT located within the COUNTY in accordance with all applicable design standards of the Virginia Department of Transportation (VDOT), and the COUNTY.

3. Work with the County in good faith to resolve any feasibility issues that may develop.

4. Provide a monthly summary of progress and project expenditures to the COUNTY in addition to, as needed, meetings with the designated COUNTY project manager, to discuss design issues and PROJECT progress. The COUNTY reserves the right to request that the TOWN provide to the COUNTY additional information and/or documentation to substantiate the monthly summary.

5. Obtain COUNTY approval before modifying the scope of the PROJECT as described in Appendix A. Prior to approval for such modification, the COUNTY will work with the TOWN to obtain any required approvals as appropriate. The TOWN understands that if the TOWN takes any step to construct or implement a design that, in the COUNTY'S sole discretion, significantly deviates from the scope described in Appendix A, the COUNTY shall withdraw from the PROJECT and notify the TOWN of its decision. Within 30 days after the COUNTY's notification, the TOWN shall reimburse to the COUNTY all monies provided to the PROJECT by the COUNTY.

6. Prior to incurring any amount in excess of the COUNTY Contribution, notify the COUNTY of additional PROJECT expenses, whether resulting from unanticipated circumstances or other causes, and provide the COUNTY with detailed estimates of the additional costs.

7. Be responsible for all PROJECT cost overruns that exceed the COUNTY Contribution of $400,000 for the PROJECT. The TOWN, in its sole discretion, may expend more than the COUNTY's Contribution for the PROJECT, but the TOWN is responsible for all expenses above the COUNTY

Contribution for the PROJECT, whether such additional expenses are the result of cost overruns or TOWN enhancements or modifications.

8. Provide the COUNTY with 30 days' prior notice of its intent to enter into a contract for the design of the PROJECT.

9. Provide to the COUNTY a copy of the final site plan for the PROJECT upon completion of final design.

10. Perform, or engage third parties to perform, and remit all payments for all work associated with the PROJECT, to include administration costs and inspection services and activities for the PROJECT as required.

11. Return any unexpended portion of the COUNTY Contribution to the COUNTY no later than 90 days after the PROJECT has been completed and final expenses have been paid in full.

12. Retain all invoices and all records of payments for any and all materials and services rendered for the PROJECT, and any related expenses for completion of the PROJECT, and provide copies of any such invoices and records of payments to the COUNTY within three business days after such request.

13. Submit monthly summaries as referenced in Section A, Paragraph 4. Failure to submit a monthly summary for three consecutive months shall constitute the TOWN's abandonment of its obligations under this Agreement. Upon notification by the COUNTY to the TOWN of such abandonment, the TOWN will immediately return any amount of the COUNTY Contribution not expended in accordance with this Agreement and, within 14 days of such abandonment or cessation, transmit all invoices and records of payments related to the PROJECT to the COUNTY.

B. The COUNTY shall:

1. Provide to the TOWN for the PROJECT in accordance with this Agreement the payment outlined in Appendix A.

2. Review design plans and cost estimates and provide comments to the TOWN within 30 days after the receipt of the plans and cost estimates.

3. Fifteen days prior to the TOWN's letting of the design contract for the PROJECT, remit the COUNTY Contribution to the TOWN.

4. Participate in monthly, or as needed, meetings with the designated TOWN project manager to discuss project progress.

C. Both parties shall:

1. Maintain all records for the PROJECT for a period of not less than three years from PROJECT completion. All such records shall be subject to audit by either party.

2. Work cooperatively to complete the PROJECT in a timely and expeditious manner.

3. Upon notification of discovery of any hazardous substances in or on the property, immediately confer to determine the scope of any investigation and the requisite response action.

4. Meet and confer to resolve any dispute that may arise between the parties. Nothing herein limits the rights of either party to resolve disputes by means not described or provided for in this Agreement.

D. All requirements for funds to be borne by the COUNTY shall be subject to annual appropriations by the Fairfax County Board of Supervisors.

E. Either party may terminate this Agreement prior to construction award upon 30 days' advance written notice. Any portion of the COUNTY Contribution not spent or incurred as a debt to a third party prior to termination shall be returned to the COUNTY within 90 days of termination.

F. THIS AGREEMENT shall not be construed as a waiver of the sovereign immunity of Fairfax County.

G. All notices under this Agreement shall be sent via U.S. Mail, postage prepaid, and email for

Fairfax County to:

Tom Biesiadny
Director
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Tom.biesiadny@fairfaxcounty.gov

Audra Bandy, P.E.
Transportation Planner
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Audra.Bandy@fairfaxcounty.gov

and for the Town of Vienna to:

Dennis Johnson, P.E.
Director
Department of Public Works
127 Center Street S.
Vienna, VA 22180
djohnson@viennava.gov

Michael J. Gallagher, PE
Deputy Director of Public Works
Town of Vienna
127 Center Street S.
Vienna, VA 22180
Michael.Gallagher@viennava.gov

H. THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors and assigns.

I. THIS AGREEMENT may be modified in writing upon mutual agreement of both parties.

J. THIS AGREEMENT shall not be construed as creating any personal liability on the part of any officer, employee, agent of the parties, nor shall it be construed as giving any rights or benefits to anyone other than the parties hereto.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

COUNTY OF FAIRFAX, VIRGINIA:

_____ _____
Date

Tom Biesiadny_____ _____
Typed or Printed Name of Signatory Date

Director, Department of Transportation_____ _____
Title Date

_____ _____
Signature of Witness Date

TOWN OF VIENNA, VIRGINIA:

_____ _____
Date

_____ _____
Typed or Printed Name of Signatory Date

_____ _____
Title Date

_____ _____
Signature of Witness Date

Board Agenda Item
February 16, 2016

ACTION – 3

Board Approval of a Resolution Requesting the Fairfax County Economic Development Authority (EDA) Issue Transportation Improvement District Revenue Refunding Bonds (Silver Line Phase 1 Project) and Other Necessary Documents

ISSUE:
Board approval of a resolution requesting the Fairfax County Economic Development Authority (EDA) issue Transportation Improvement District Revenue Refunding Bonds (Silver Line Phase 1 Project) and other necessary documents.

RECOMMENDATION:
The County Executive recommends approval of a resolution (Attachment 2) which:

1. Requests the Fairfax County Economic Development Authority (EDA) to issue Transportation Improvement District Revenue Refunding Bonds (Silver Line Phase 1 Project), Series 2016;
2. Approves a form of a Third Supplemental Trust Agreement between the EDA and a trustee, a preliminary official statement and a final official statement;
3. Approves the form of a Bond Purchase Agreement and authorizes the approval of the County to such agreement;
4. Makes a continuing disclosure undertaking; and
5. Authorizes the execution and delivery of such other documents and agreements relating to such transactions as may be necessary or required.

TIMING:
Board action is requested on February 16, 2016.

BACKGROUND:
The County's Phase 1 Transportation Improvement District was approved and established by the Board of Supervisors on February 23, 2004. The boundaries, as recommended by the Petitioners (e.g. landowners), encompass most if not all of the Tysons Corner Urban Center, commercial and industrial properties near the Wiehle-Reston East Metrorail station, and the necessary Dulles Airport Access Road (DAAR) right-of-way. The Petitioners agreed to contribute $400 million toward the County's Silver Line Phase 1 capital costs through the imposition of a voluntary tax on commercial and industrial properties within the Phase 1 Transportation Improvement District. Tax revenues generated annually have been used toward repayment of debt

service for financings incurred on behalf of the Phase 1 Transportation Improvement District, cash contributions toward the County's share of Phase 1 capital project costs, and funding of debt service reserves.

On May 26, 2011, the EDA issued the Series 2011 bonds which provided $220.1 million in funding towards the County's share of construction for Phase 1 of the project. On October 10, 2012, the EDA issued the Series 2012 bonds which provided $48.4 million in funding towards the County's share of construction for Phase 1 of the project. The Series 2011 and Series 2012 together with $131.5 million in cash contributions from taxes collected fully funded the $400 million obligation for Phase 1 of the project.

Staff is presenting the Board with the necessary documents to authorize a refinancing of the Series 2011 bonds and Series 2012 bonds for the purpose of reducing debt service payments and generating savings. Current market conditions offer lower interest rates compared to when the Series 2011 bonds and Series 2012 bonds were initially sold. There is no extension of the original maturity date for any of the potential refunding candidates. Per the bond sale schedule of events (Attachment 1), a refunding bond sale is planned for the week of February 29, 2016.

The Series 2016 bonds are recommended to be sold on a negotiated basis, which is consistent with the approach taken for the Series 2011 bonds and Series 2012 bonds. A negotiated sale permits more in-depth and targeted marketing of investors prior to the sale of the bonds. Investor scrutiny of relatively new credits such as these bonds is heightened in the aftermath of the financial crisis. The negotiated sale process will allow investors more time to ask questions of the underwriter prior to sale as they perform their credit due diligence.

Under the proposed resolution, the underwriter for this transaction will be selected pursuant to County guidelines and subject to County approval. Specifically, the underwriter will be selected from the County's pre-qualified pool of underwriters that was established in December 2015 following a competitive solicitation. Staff has sent each of the pre-qualified underwriters a brief request to formally compete to serve as the senior managing underwriter on this bond sale. In accordance with the delegation of authority provided for this resolution, staff will evaluate and select pre-qualified firms with the assistance of the County's Financial Advisor and execute the Bond Purchase Agreement (Attachment 4).

FISCAL IMPACT:
Based on market conditions as of January 2016, a refunding bond sale of $189.4 million of the existing debt is estimated to generate a net present value savings of $14.1 million or 7.4% of the refunded bonds Series 2011 bonds and Series 2012 bonds. Financial

results from this bond sale will be reflected in Fund 40110, Dulles Rail Phase 1 Transportation Improvement District.

ENCLOSED DOCUMENT:
Attachment 1: Bond Sale Schedule of Events
Attachment 2: Resolution of Approval
Attachment 3: Preliminary Official Statement
Attachment 4: Bond Purchase Agreement
Attachment 5: Continuing Disclosure Agreement
Attachment 6: Third Supplemental Trust Agreement

STAFF:
Joseph Mondoro, Chief Financial Officer
Joseph LaHait, Debt Coordinator, Department of Management and Budget
Patricia Moody McCay, Assistant County Attorney

Draft Critical Path Schedule
Fairfax County Economic Development Authority, VA
Transportation District Improvement Revenue Refunding Bonds, Series 2016 (Silver Line Phase 1 Project)

January 2016						
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 2016						
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					

March 2016						
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		

Week Of	Activity & Event	Responsible Party
December 28th		
Fri, January 1st	*New Year's Day holiday (Markets Closed)*	-
January 4th		
	Draft Underwriter selection letters	PFM
	Review and Comment on Underwriter Selection Letters	FFX
January 11th		
	Release Underwriter selection letters	PFM
	First Draft of the County Resolution, EDA Resolution, POS, Supplemental Trust Agreement, and Bond Purchase Agreement (BPA) collectively "Bond Documents" distibuted.	SID
	First Draft of POS Appendix A distributed	FFX
	First Draft of Rating Agency Materials distributed	PFM
Fri, January 15th	Titles of items to be considered by Fairfax Board on Feb. 16th due Board	FFX
January 18th		
Mon, January 18th	*Martin Luther King, Jr. Day Holiday (Markets Closed)*	-
Wed, January 20th	Items to be considered by Fairfax Board on Feb. 16th due to Board	FFX
	Comments due on All draft documents	ALL
	Second Draft of Bond Documents distibuted	SID
	Second Draft of POS Appendix A distributed	FFX
	Second Draft of Rating Agency Materials distributed	PFM
January 25th		
	Underwriter Responses Due	-
	Underwriter Selected	FFX, PFM
	Finalize Rating Agency Presentation	FFX, PFM
February 1st		
	Underwriter Counsel Circulates 2nd draft of BPA	UWC
	Draft Rating Agency Presentation distributed	PFM
	Rating Agency Calls	FFX, PFM
February 8th		
Mon, February 8th	Items to be considered by EDA Board on Feb. 16th due to Board	FFX
February 15th		
Mon, February 15th	*President's Day Holiday (Markets Closed)*	FFX
Tues, February 16th	Board meeting to consider bond documents	FFX
Tues, February 16th	EDA Board meeting to consider bond documents	FFX
	Receive bond ratings	-
	Finalize POS	SID, FFX
	Due Diligence Call	UW, UWC, FFX, SID, PFM
February 22nd		
	POS posted	SID
	Pre-Market Bonds	UW
	Draft of Closing Documents Distributed	SID,UWC
February 29th		
Wed, March 2nd	**Bond Pricing and Signing of BPA**	**ALL**
March 7th		
	Finalize Closing Documents	SID
	Post Final OS	SID
March 14th		
Wed, March 16th	**Closing**	**ALL**

Key:
FFX = Fairfax County
FFX EDA = Fairfax County Economic Development Authority
PFM = Public Financial Management, County's Financial Advisor
SID = Sidley Austin, County's Bond Counsel
UW = Selected Underwriter
UWC = Selected Underwriter's Counsel

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 February 16, 2016, at which meeting a quorum was present and voting, the following resolution was adopted:

RESOLUTION REQUESTING THAT THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY ISSUE ITS TRANSPORTATION DISTRICT IMPROVEMENT REVENUE REFUNDING BONDS (SILVER LINE PHASE I PROJECT) SERIES 2016, APPROVING A FORM OF A THIRD SUPPLEMENTAL TRUST AGREEMENT BETWEEN THE AUTHORITY AND A TRUSTEE, A PRELIMINARY OFFICIAL STATEMENT AND A FINAL OFFICIAL STATEMENT; APPROVING THE FORM OF A BOND PURCHASE AGREEMENT AND AUTHORIZING THE APPROVAL OF THE COUNTY TO SUCH AGREEMENT; MAKING A CONTINUING DISCLOSURE UNDERTAKING AND; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS AND AGREEMENTS RELATING TO SUCH TRANSACTIONS AS MAY BE NECESSARY OR REQUIRED

WHEREAS, the Board of Supervisors (the "Board") of Fairfax County (the "County") approved and established on February 23, 2004, following a public hearing and petition filed with the Board (the "Petition"), the Phase I Dulles Rail Transportation Improvement District (the "District") for the purpose of providing transportation improvements to the Washington Metropolitan Area Transit Authority's ("WMATA") transportation system, known as Metrorail, in the District; and

WHEREAS, the County made a $400,000,000 financial commitment (the "Commitment") for a portion of the cost of an extension of WMATA's Metrorail of approximately 11 miles, from the Orange Line between East and West Falls Church stations to Wiehle-Reston East Avenue in Reston, including four stations in Tysons (the "Phase I Project") pursuant to the terms of the Agreement to Fund the Capital Cost of Construction of Metrorail in the Dulles Corridor entered into as of July 19, 2007 (the "Funding Agreement"), by and among the County, Loudoun County, Virginia, and the Metropolitan Washington Airports Authority; and

WHEREAS, the County fulfilled its Commitment under the Funding Agreement from special tax revenues (the "Special Tax Revenues") that result from a levy of a special improvement tax in the District (the "Special Improvements Tax") and from proceeds of the $205,705,000 Fairfax County Economic Development Authority ("EDA") Transportation Improvement District Revenue Bonds (Silver Line Phase I Project) Series 2011 (the "Series 2011 Bonds") and the $42,390,000 Transportation District Improvement Revenue Bonds (Silver Line Phase I Project) Series 2012 (the "Series 2012 Bonds") secured by the Special Tax Revenues; and

WHEREAS, the EDA issued the Series 2011 Bonds and Series 2012 Bonds under a Trust Agreement, dated as of May 1, 2011, as supplemented (the "Trust Agreement"); and

WHEREAS, the Board, on June 22, 2009 passed a resolution (the "2009 Resolution") which approved a form of a Project Agreement -- Phase I Dulles Rail by and among the Board, the District and EDA are parties to a Project Agreement (the "Project Agreement"), which sets forth, among other things, the agreement and respective responsibilities of the County, EDA and

the District regarding the method of financing a portion of the cost of the Phase I Project, including (a) the request by the District to the County to levy the Special Improvements Tax and collect the Special Tax Revenues in an amount sufficient for the District or the County, as the agent of the District, to make debt service payments on the bonds issued by EDA and secured by Special Tax Revenues (the "EDA Bonds"), (b) the request by the District and the County to EDA to issue the EDA Bonds for the purpose of providing financing for a portion of the cost of the Phase I Project, (c) EDA's agreement to make available the proceeds of EDA Bonds for financing a portion of the cost of the Phase I Project and (d) the District's undertaking to request the Board to make payments from the Special Tax Revenues collected, in an amount sufficient to pay debt service on EDA's Bonds, directly to the Trustee (as defined below) for the Bonds; and

WHEREAS, the County has determined to request EDA to consider a resolution authorizing the refunding of certain of the Series 2011 Bonds and Series 2012 Bonds (the "Bonds to be Refunded") by issuing "Fairfax County Economic Development Authority Transportation District Improvement Revenue Refunding Bonds (Silver Line Phase I Project) Series 2016 (the "Series 2016 Bonds"), pursuant to the Trust Agreement and the necessary documents to effect such financing and related transactions; and

WHEREAS, the Board has determined to approve the form of a third supplemental trust agreement (the "Third Supplemental Agreement") between EDA and the Trustee, that will set forth details of the Series 2016 Bonds; and

WHEREAS, there has been presented to the Board a proposed form of a bond purchase agreement (including a letter of representation of the County), between EDA and the underwriters for the Series 2016 Bonds to be chosen pursuant to County guidelines and regulations (the "Underwriters") and approved by the County, which provides for the sale of the Series 2016 Bonds to the Underwriters (the "Bond Purchase Agreement"); and

WHEREAS, there has been presented to the Board a proposed Preliminary Official Statement describing the Series 2016 Bonds, EDA, the County, the District, the Phase I Project and the Bonds to be Refunded (the "Preliminary Official Statement"); and

WHEREAS, the County will undertake primary responsibility on behalf of itself, the EDA and the District for any annual and other reports, notices or disclosures that may be required under Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, and make a continuing disclosure undertaking in the form of the continuing disclosure agreement presented to the Board (the "Continuing Disclosure Agreement"); and

WHEREAS, the Board has duly reviewed and considered the forms of the Third Supplemental Agreement, the Bond Purchase Agreement, the Preliminary Official Statement and the Continuing Disclosure Agreement and has determined that each is in acceptable form; and

WHEREAS, the Board has determined that it is necessary to delegate to the Chairman and Vice Chairman of the Board, the County Executive and the Chief Financial Officer of the County (each, a "Delegate") the power to approve the sale of the Series 2016 Bonds and the details of these transactions but subject to the guidelines and standards established hereby; now, therefore,

BE IT RESOLVED by the Board as follows:

SECTION 1. EDA is hereby requested to authorize and issue the Series 2016 Bonds in an aggregate principal amount that will not exceed the sum of $220,000,000 for the purpose, along with the use of certain Special Tax Revenues on deposit, if any, of refunding the Bonds to be Refunded as provided in the Trust Agreement and Supplemental Agreement on a date no later than December 31, 2016; such Series 2016 Bonds are requested to be sold to the Underwriters pursuant to the terms of the Bond Purchase Agreement.

SECTION 2. The form of the Third Supplemental Trust Agreement presented to this meeting, providing details for the custody, investment and disbursement of the proceeds of the Series 2016 Bonds, is hereby approved in such form and containing substantially the terms and provisions therein set forth with such additions and modifications as shall be approved by a Delegate.

SECTION 3. The form of Bond Purchase Agreement presented to this meeting providing for the purchase of the Series 2016 Bonds, is hereby approved and a Delegate, as appropriate, be, and the same is hereby authorized, directed and empowered to execute an approval to such Bond Purchase Agreement and the related letter of representation with such additions and modifications as shall be approved by a Delegate, such execution thereof being conclusive evidence of such approval.

SECTION 4. The form of the Preliminary Official Statement is hereby approved and deemed "final" for purposes of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, with such additions and modifications as shall be approved by a Delegate. The distribution and use by the Underwriters of the Series 2016 Bonds of a final Official Statement relating to the Series 2016 Bonds (the "Official Statement") is hereby approved. The Official Statement shall be completed with the pricing and other information in substantially the form of the Preliminary Official Statement approved this day with such changes, insertions and omissions as may be approved by a Delegate.

SECTION 5. The form of the Continuing Disclosure Agreement presented to this meeting is hereby approved, and a Delegate, as appropriate, be, and the same is hereby authorized, directed and empowered to execute and deliver, under seal, in the name and on behalf of the County, the Continuing Disclosure Agreement in such form and containing substantially the terms and provisions therein contained, with such additions and modifications as shall be approved by the person executing the Continuing Disclosure Agreement, such execution thereof being conclusive evidence of such approval.

SECTION 6. The execution and delivery by a Delegate of the Continuing Disclosure Agreement and the Bond Purchase Agreement and any other agreements, documents, closing papers and certificates executed and delivered pursuant to this Resolution shall be conclusive evidence of their approval of the changes, if any, in the forms thereof and of their authority to execute and deliver such agreements, documents, certificates and closing papers on behalf of the Board.

SECTION 7. The members, officers, legal counsel, agents and employees of the Board, the County and the Commission, and the officers and agents of EDA, the District and the Trustee are hereby authorized and directed to do all acts and things required of them by the provisions of the Series 2016 Bonds, the Third Supplemental Agreement, the Bond Purchase Agreement and all other documents relating to the issuance of the Series 2016 Bonds for the full, punctual and

complete performance of all the terms, covenants, provisions and agreements of the Series 2016 Bonds, the Third Supplemental Agreement, the Bond Purchase Agreement, the Official Statement and all other documents relating to the issuance of the Series 2016 Bonds, and, also, to do all acts and things required of them by the provisions of this Resolution.

SECTION 8. Each Delegate is authorized to execute one or more certificates, evidencing the determinations made or other actions carried out pursuant to the authority granted in this Resolution, and any such certificates, documents or agreements shall be conclusive evidence of the actions or determinations as stated therein.

SECTION 9. All actions taken by the Board and the members, officers and employees of the Board in connection with this Resolution, and the authorization, execution and delivery of the agreements, certificates and other documents to be executed by the Board and delivered in connection with this Resolution are hereby ratified and confirmed.

SECTION 10. Any and all resolutions of the Board or portions thereof in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict. All capitalized terms not defined herein shall have the meanings as set forth in the Trust Agreement or the Project Agreement.

SECTION 11. This Resolution shall take effect immediately upon its adoption.

A Copy - Teste:

_____

Catherine A. Chianese
Clerk to the Board of Supervisors.

This is a Preliminary Official Statement subject to completion and amendment or supplement and is not yet fully adopted. Under no circumstances will the Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy the Series 2016 Bonds, nor will there be any sale of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

PRELIMINARY OFFICIAL STATEMENT DATED _____ __, 2016

NEW ISSUE -- BOOK-ENTRY-ONLY

Ratings: Fitch: __
Moody's: __
S&P: __
(See "RATINGS" herein)

[In the opinion of Bond Counsel, assuming compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), as described herein, and subject to conditions described in "TAX MATTERS" herein, interest on the Series 2016 Bonds will not be included in the gross income of the owners thereof for federal income tax purposes. Under the Authority Act (as defined herein), the income on the Series 2016 Bonds, including any profit made on the sale thereof, is exempt from all taxation by the Commonwealth of Virginia or any political subdivision thereof. See "TAX MATTERS" herein for certain provisions regarding the Code that may affect the tax treatment of interest on the Series 2016 Bonds for certain bondholders.]

$_____*
FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY
Transportation District Improvement Revenue Refunding Bonds
(Silver Line Phase I Project)
Series 2016

Dated: Date of Delivery **Due: [April 1], as shown on the inside cover**

The Fairfax County Economic Development Authority (the "Authority") will issue its Transportation District Improvement Revenue Refunding Bonds (Silver Line Phase I Project) Series 2016 (the "Series 2016 Bonds") for the purpose of refunding certain outstanding maturities of the Authority's Transportation District Improvement Revenue Bonds (Silver Line Phase I Project), Series 2011 and Transportation District Improvement Revenue Bonds (Silver Line Phase I Project), Series 2012 previously issued to finance a portion of the costs of the construction of the first phase of an extension of the Washington Metropolitan Area Transit Authority's mass transit system in Fairfax County, Virginia (the "County").

The Series 2016 Bonds will be limited obligations of the Authority, payable primarily from proceeds (the "Special Tax Revenues") of a limited ad valorem real property tax (the "Special Improvements Tax") levied by the County in the Phase I Dulles Rail Transportation Improvement District (the "District") at the request of the District's governing body. The Series 2016 Bonds will also be secured by a Reserve Subfund [and a Revenue Stabilization Subfund].

THE COUNTY IS NOT LEGALLY OBLIGATED TO LEVY THE SPECIAL IMPROVEMENTS TAX, AND ITS OBLIGATION TO PAY THE SPECIAL TAX REVENUES IT COLLECTS TO OR FOR THE ACCOUNT OF THE DISTRICT IS CONTINGENT UPON APPROPRIATIONS FOR SUCH FISCAL YEAR BY THE COUNTY FOR SUCH PURPOSE. NEITHER THE FULL FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA NOR THE FULL FAITH AND CREDIT OF ANY POLITICAL SUBDIVISION THEREOF (INCLUDING THE DISTRICT OR THE COUNTY) ARE PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR THE INTEREST OR PREMIUM, IF ANY, ON THE SERIES 2016 BONDS. THE SERIES 2016 BONDS SHALL NOT BE A DEBT OF THE COMMONWEALTH OF VIRGINIA (THE "COMMONWEALTH") OR ANY POLITICAL SUBDIVISION THEREOF (INCLUDING THE DISTRICT OR THE COUNTY), AND NEITHER THE COMMONWEALTH NOR ANY SUCH POLITICAL SUBDIVISION (INCLUDING THE DISTRICT OR THE COUNTY), OTHER THAN THE AUTHORITY, SHALL BE LIABLE THEREON. THE SERIES 2016 BONDS DO NOT DIRECTLY, INDIRECTLY OR CONTINGENTLY OBLIGATE THE COMMONWEALTH OR ANY OF ITS POLITICAL SUBDIVISIONS (INCLUDING THE DISTRICT OR THE COUNTY) TO LEVY TAXES OR MAKE APPROPRIATIONS FOR THE PAYMENT OF THE SERIES 2016 BONDS.

Interest on the Series 2016 Bonds will accrue from the date of delivery and will be payable on ___ 1, 20__, and semiannually thereafter on April 1 and October 1 of each year to and including their respective dates of maturity or redemption. The Series 2016 Bonds will be issued in book-entry form registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"). Individual purchases will be made in book-entry form, in the denominations of $5,000 and integral multiples thereof. Payments of principal, sinking fund installments, if any, and interest on, and the redemption price of, the Series 2016 Bonds will be made when due to DTC in accordance with the Trust Agreement, dated as of May 1, 2011 (the "Original Trust Agreement), and as supplemented by a Third Supplemental Trust Agreement, dated as of _____ 1, 2016 (the "Supplemental Trust Agreement," and collectively with the Original Trust Agreement, the "Trust Agreement"), each between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"). See "The Series 2016 Bonds—Book-Entry Only System" herein.

The Series 2016 Bonds are subject to optional redemption prior to maturity, and any term bonds will be subject to mandatory sinking fund redemption prior to maturity, each as described herein under "THE SERIES 2016 BONDS——Redemption of Series 2016 Bonds."

The Series 2016 Bonds are offered when, as and if executed and delivered and received by the Underwriters, subject to the approval of legality by Sidley Austin LLP, Washington, D.C., Bond Counsel. Certain legal matters will be passed upon for Fairfax County and the District by David P. Bobzien, Esquire, County Attorney; for the Authority by Thomas O. Lawson, P.L.C., Fairfax, Virginia, and for the Underwriters by _____, _____, ____. It is expected that the Series 2016 Bonds will be available for delivery through the DTC book-entry system on or about _____ __, 2016.

_____

_____ _____

* Preliminary, subject to change.

_____ _, 2016

FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY
Transportation District Improvement Revenue Refunding Bonds
(Silver Line Phase I Project)
Series 2016

MATURITY SCHEDULE

Base CUSIP† Number 30383

$_____* Serial Bonds

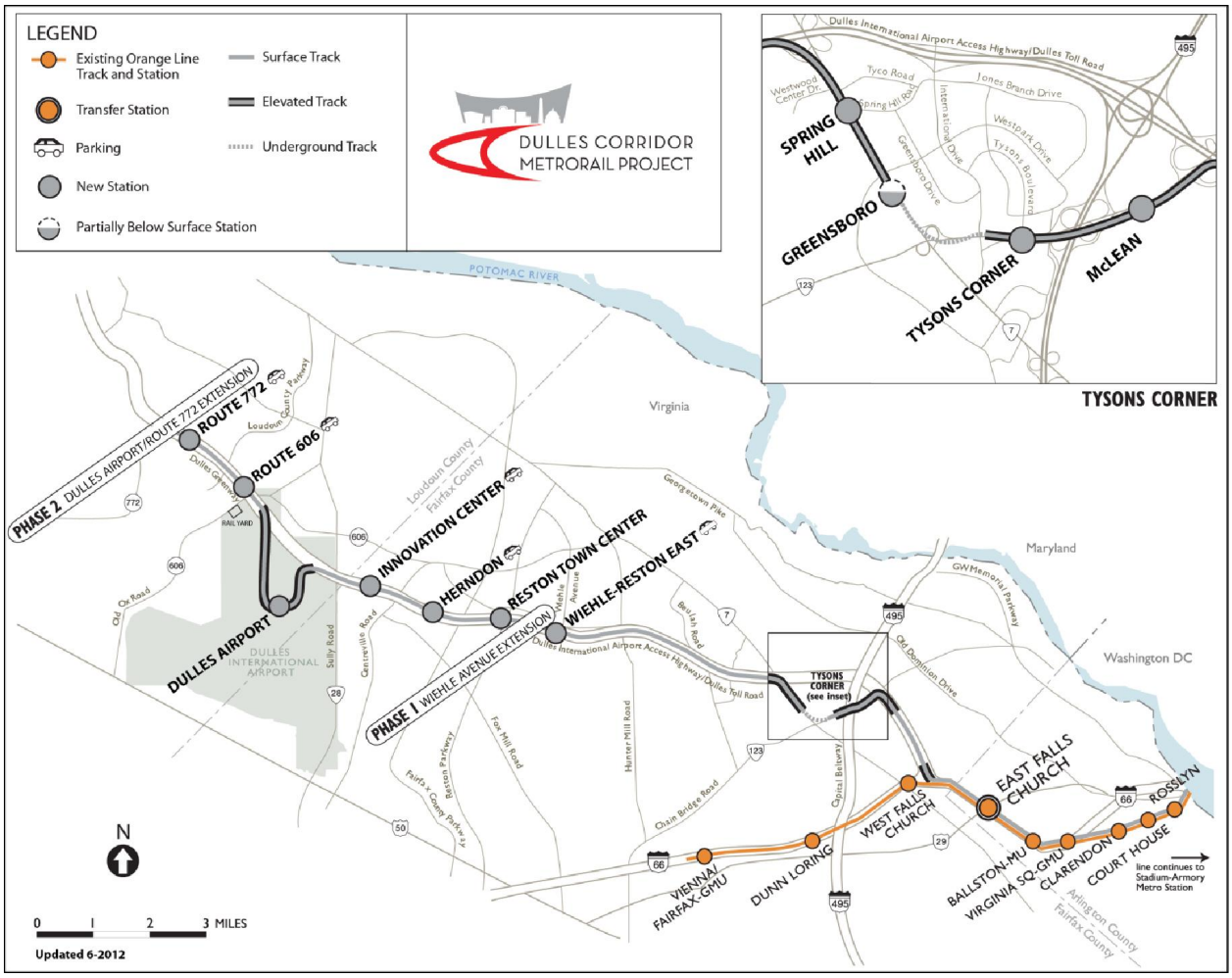
Maturity Date* (April 1)	Principal Amount*	Interest Rate	Price or Yield	CUSIP† Suffix
20__	$			
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				
20__				

$_____* ___% Term Bonds Due ____ 1, 20__*; Priced at _____% to Yield ___%

† CUSIP® is a registered trademark of the American Bankers Association. The CUSIP numbers listed above are being provided solely for the convenience of bondholders only, and the Authority does not make any representation with respect to such numbers or undertake any responsibility for their accuracy. The CUSIP numbers are subject to change after the issuance of the Bonds.

* Preliminary, subject to change.

Map of Dulles Metrorail Project*



* Map shows Phase I Dulles Rail Project (defined herein) and Phase II Dulles Rail Project (defined herein). The Phase I Dulles Rail Project begins between the East Falls Church station and West Falls Church station shown on the map above and concludes at the new Wiehle Avenue station. The Series 2016 Bonds are being issued solely to refinance bonds issued for the Phase I Dulles Rail Project and to pay related costs of issuance.

No dealer, salesman or other person has been authorized to give any information or to make any representations, other than the information contained in this Official Statement, in connection with the offering of the Series 2016 Bonds, and, if given or made, such information or representations must not be relied upon as having been authorized by the Authority, the County, the District, or the Underwriters. The information in this Official Statement is subject to change without notice, and neither the delivery of this Official Statement nor any sale hereunder will, under any circumstances, create any implication that there has been no change in the affairs of the Authority, the County, or the District since the date hereof. This Official Statement does not constitute an offer or solicitation in any jurisdiction in which such offer or solicitation is not authorized, or in which any person making such offer or solicitation is not qualified to do so, or to any person to whom it is unlawful to make such offer or solicitation. The information set forth herein has been obtained from the Authority, the County, or the District and other sources which are believed to be reliable.

Forward looking statements. Certain statements contained in this Official Statement that are not historical facts are forward looking statements, which are based on the Authority's or the County's beliefs, as well as assumptions made by, and information currently available to, them. Because the statements are based on expectations about future events and economic performance and are not statements of fact, actual results may differ materially from those projected. The words "anticipate," "assume," "estimate," "expect," "objective," "projection," "forecast," "goal," "budget," or similar words are intended to identify forward looking statements. The words "now," "to date," "currently" and the like are intended to mean as of the date of this Official Statement.

The Authority has provided the following sentence for inclusion in this Official Statement. The Authority does not assume any responsibility as to the accuracy or completeness of the information contained in this Official Statement, other than that contained under the captions "**THE AUTHORITY,**" [**"VALIDATION"]** and the first paragraph under "**LITIGATION.**"

The Underwriters have provided the following sentence for inclusion in this Official Statement. The Underwriters have reviewed the information in this Official Statement in accordance with, and as part of, their responsibility to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriters do not guarantee the accuracy or completeness of such information.

The registration or qualification of the offer and sale of the Series 2016 Bonds (as distinguished from registration of the ownership of the Series 2016 Bonds) is not required under the federal Securities Act of 1933, as amended, or the Virginia Uniform Securities Act, as amended. THE AUTHORITY ASSUMES NO RESPONSIBILITY FOR QUALIFICATION OR REGISTRATION OF THE SERIES 2016 BONDS FOR SALE UNDER THE SECURITIES LAWS OF ANY JURISDICTION IN WHICH THE SERIES 2016 BONDS MAY BE SOLD, ASSIGNED, PLEDGED, HYPOTHECATED OR OTHERWISE TRANSFERRED.

The cover and inside cover pages hereof, this page and the appendices attached hereto are integral parts of this Official Statement.

FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY

Steven L. Davis, *Chairman*
Michael J. Lewis, *Vice Chairman, Treasurer*
Ronald C. Johnson, *Secretary*
Catherine Lange, *Assistant Secretary*
Mark Lowham
Arthur E. (Bud) Morrissette IV
Sudhakar Shenoy

COUNSEL FOR AUTHORITY
Thomas O. Lawson, P.L.C.

FAIRFAX COUNTY, VIRGINIA

BOARD OF SUPERVISORS

Sharon Bulova, *Chairman*
Penelope A. Gross, *Vice Chairman*
John C. Cook
John W. Foust
Patrick S. Herrity
Catherine M. Hudgins
Jeffrey C. McKay
Kathy L. Smith
Linda Q. Smyth
Daniel G. Storc

COUNTY OFFICIALS

Edward L. Long Jr., *County Executive*
Robert A. Stalzer, *Deputy County Executive*
David P. Bobzien, *County Attorney*
David J. Molchany, *Deputy County Executive*
David M. Rohrer, *Deputy County Executive*
Patricia D. Harrison, *Deputy County Executive*
Joseph M. Mondoro, *Chief Financial Officer*
Christopher J. Pietsch, Director, *Department of Finance*

COUNTY ATTORNEY
David P. Bobzien, Esquire, *County Attorney*

FINANCIAL ADVISOR

Public Financial Management, Inc.
Arlington, Virginia

BOND COUNSEL

Sidley Austin LLP
Washington, D.C.

TABLE OF CONTENTS

Page

INTRODUCTION **1**

PHASE I DULLES RAIL PROJECT FINANCINGS **2**
Prior Financings 2
Current Plan of Refunding 2

THE DULLES METRORAIL PROJECT **3**
History and Background of the Dulles Metrorail Project 4
Construction and Financing of the Phase I Dulles Rail Project 4
Phase II Dulles Rail Project 5

THE AUTHORITY **6**

THE COUNTY **6**

THE DISTRICT **7**
District Tax Base Data 7
Adopted Financial Policies 10
District History and Development 12
Phase I Dulles Rail Transportation Improvement District Map 15

ESTIMATED SOURCES AND USES OF FUNDS **16**

THE SERIES 2016 BONDS **16**
Description of Series 2016 Bonds 16
Redemption of Series 2016 Bonds 16
Selection of Series 2016 Bonds for Redemption 17
Notice of Redemption 18
Book-Entry Only System 18

SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2016 BONDS **20**
General 20
No County Obligation 20
Reserve Subfund 21
Revenue Stabilization Subfund 21
Additional Bonds Test 22
Special Improvements Tax 22
Application of Special Tax Revenues 23
Future Financings 25
Summary of Trust Agreement 26

ANNUAL DEBT SERVICE PAYABLE ON OUTSTANDING BONDS **27**

LITIGATION **28**

VALIDATION **28**

CERTAIN INVESTMENT CONSIDERATIONS **28**
Amount of Tax Levy and Risk of Non-Appropriation 29

CERTAIN LEGAL MATTERS **29**

TAX MATTERS **29**

Opinion of Bond Counsel 29
Original Issue Discount 30
Bond Premium 30
Backup Withholding 31
Other Tax Consequences 31
Future Tax Developments 31

UNDERWRITING 32

CONTINUING DISCLOSURE 32

RATINGS 33

MISCELLANEOUS 33
Financial Advisor 33
Certain Relationships 33
Official Statement Certification 34

Appendix A Demographic and Other Economic Information for Fairfax County, Virginia
Appendix B Form of Continuing Disclosure Agreement
Appendix C Definitions of Certain Terms
Appendix D Summary of Certain Provisions of the Trust Agreement
Appendix E Form of Bond Counsel Opinion

OFFICIAL STATEMENT

$_____*
FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY
Transportation District Improvement Revenue Refunding Bonds
(Silver Line Phase I Project)
Series 2016

INTRODUCTION

This Official Statement, which includes the cover and inside cover pages and the appendices attached hereto, is furnished in connection with the issuance by the Fairfax County Economic Development Authority (the "Authority") of its $_____* Transportation District Improvement Revenue Refunding Bonds (Silver Line Phase I Project) Series 2016 (the "Series 2016 Bonds"). The Series 2016 Bonds are being issued pursuant to the Constitution and laws of the Commonwealth of Virginia (the "Commonwealth"), including Chapter 643 of the 1964 Acts of the General Assembly of the Commonwealth of Virginia, as amended, and other applicable law (collectively, the "Authority Act"). The Series 2016 Bonds will be secured under a Trust Agreement (the "Original Trust Agreement"), dated as of May 1, 2011, as supplemented by a Third Supplemental Trust Agreement (the "Supplemental Trust Agreement" and, collectively with the Original Trust Agreement, the "Trust Agreement"), dated as of _____ 1, 2016, and each between the Authority and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"). The Series 2016 Bonds are being issued for the purpose of (i) refunding certain maturities of the Authority's $205,705,000 Transportation District Improvement Revenue Bonds (Silver Line Phase I Project), Series 2011 (the "Series 2011 Bonds") and $42,390,000 Transportation District Improvement Revenue Bonds (Silver Line Phase I Project), Series 2012 (the "Series 2012 Bonds") previously issued to provide funds to enable the County of Fairfax, Virginia (the "County"), to meet its obligation to the Metropolitan Washington Airports Authority ("MWAA") to fund a portion of the cost of the construction of an 11-mile expansion in Fairfax County (the "Phase I Dulles Rail Project") of the regional mass transit system ("Metrorail") of the Washington Metropolitan Area Transit Authority ("WMATA") and (ii) pay costs associated with the issuance of the Series 2016 Bonds. The Phase I Dulles Rail Project extended the Metrorail from WMATA's Orange Line, between WMATA's East and West Falls Church stations, to Wiehle Avenue in Reston and includes five stations, four of which serve Tysons Corner.

Capitalized terms and phrases that are used herein but not defined in the body of this Official Statement have the meanings set forth in Appendix C.

Brief descriptions of the Phase I Dulles Rail Project, the Authority, the Phase I Dulles Rail Transportation Improvement District (the "District"), the Project Agreement (defined below) and the Trust Agreement, the estimated sources and uses of Series 2016 Bond proceeds, the security for the Series 2016 Bonds and the terms and provisions of the Series 2016 Bonds are provided below. Such descriptions do not purport to be comprehensive or definitive.

Chapter 15 of Title 33.1, Code of Virginia, Sections 33.1-430 through 33.1-446, entitled "Transportation Districts Within Certain Counties" (the "District Act"), confers power upon the County to create one or more transportation districts within the County and to levy annually a limited ad valorem tax on taxable real estate zoned for commercial and industrial use (the "Special Improvements Tax") located in such districts. The County created the District pursuant to the District Act and has levied a Special Improvements Tax annually beginning in 2004. Under a Project Agreement, dated as of May 1, 2011 (the "Project Agreement"), by and among the County, the Authority and the District, the District agrees to request that the County levy the Special Improvements Tax and collect the proceeds of such tax (the "Special Tax Revenues"), and the County agrees, subject to appropriation, to pay to the Trustee the Special Tax Revenues on the dates required in the Trust Agreement. The County is not legally obligated to impose the Special Improvements Tax in any Fiscal Year, and its obligations to collect and pay to the Trustee the Special Tax Revenues are contingent upon the levy of the Special Improvements Tax and the

* Preliminary, subject to change.

appropriation of the Special Tax Revenues for any such Fiscal Year by the Board of Supervisors of the County (the "Board of Supervisors"). Special Tax Revenues previously collected and currently held by the County are used, among other purposes, if necessary to make a deposit to the Reserve Subfund and the Revenue Stabilization Subfund.

[The County, MWAA and Loudoun County, Virginia, entered into an Agreement to Fund the Capital Cost of Construction of Metrorail in the Dulles Corridor, dated as of July 19, 2007 (the "Funding Agreement"). Pursuant to the Funding Agreement, the County made a commitment to MWAA to provide $400 million for purposes of financing costs of the Phase I Dulles Rail Project. To finance the County's agreed upon share of the Phase I Dulles Rail Project, the Authority in June 2009, at the request of the County and the District, authorized the issuance of bonds (the "Phase I Authority Bonds") in an aggregate amount sufficient to provide funds not to exceed $400 million for the Phase I Dulles Rail Project plus the amount of any debt service reserves.

On July 21, 2009, the Authority filed a complaint and motion for judgment with the Fairfax County Circuit Court requesting an order validating the Phase I Authority Bonds. On August 28, 2009, the Fairfax County Circuit Court issued a final order (the "Final Order") (i) validating the Phase I Authority Bonds, (ii) holding that Project Agreement constitutes a valid, legal and binding agreement of the County, the District and the Authority and (iii) holding that the levy by the County of the Special Improvements Tax upon commercial and industrial property located in the District and collection of the Special Tax Revenues by the County are authorized by Commonwealth law. Subsequent to the Final Order, two petitions of appeal were filed with the Supreme Court of Virginia, which affirmed the Final Order on November 4, 2010, and denied a petition for rehearing on January 21, 2011. See "**VALIDATION**" herein. –]

PHASE I DULLES RAIL PROJECT FINANCINGS

Prior Financings

On May 26, 2011, the Authority issued its $205,705,000 Series 2011 Bonds and on October 10, 2012 its $42,390,000 Series 2012 Bonds to provide collectively approximately $268.5 million for costs associated with the Phase I Dulles Rail Project. In addition the County provided, on a pay-as-you-go basis, approximately $____ million to MWAA from Special Tax Revenues to fulfill its commitment for the Phase I Dulles Rail Project under the Funding Agreement. Another $_____ of Special Tax Revenues were used to fund various costs of issuance and/or reserves associated with the Series 2011 Bonds and the Series 2012 Bonds.

Current Plan of Refunding

The Series 2016 Bonds are authorized to be issued to provide funds, [with other available funds including Special Tax Revenues], to refund and to redeem prior to their respective maturities all or a portion of the following outstanding maturities of the Series 2011 Bonds and Series 2012 Bonds referred to hereafter as the "Refunding Candidates"

Series 2011 Bonds

Maturity*	Principal Amount*	Redemption Date	Redemption Price	CUSIP Nos. 30383†
April 1, 20__		April 1, 2020	100%	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	

Series 2012 Bonds

Maturity*	Principal Amount*	Redemption Date	Redemption Price	CUSIP Nos. 30383†
April 1, 20__		April 1, 2020	100%	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	
April 1, 20__		April 1, 2020	100	

The purpose of the refunding is to achieve present value debt service savings. The Authority's decision whether to refund any given Refunding Candidates is subject to prevailing market conditions at the time of the sale of the Series 2016 Bonds. The Authority may refund only certain Refunding Candidates if refunding such Refunding Candidates permits the Authority to meet certain savings targets. The Refunding Candidates, if any, that are refunded with proceeds of the Series 2016 Bonds are referred to as the "Refunded Bonds." The final Refunded Bonds will be described in the final Official Statement relating to the Series 2016 Bonds.

Upon delivery and issuance of the Series 2016 Bonds by the Authority, proceeds thereof will be used to provide for the payment and redemption of the Refunded Bonds by depositing with The Bank of New York Trust Company, N.A. pursuant to an escrow deposit agreement, cash and non-callable, direct obligations of the United States of America the maturing principal of and interest on which, together with such cash, will be sufficient to pay all principal, applicable redemption premiums, and interest on the Refunded Bonds to their respective redemption dates. The arithmetical computations of the sufficiency of the cash and securities deposited with The Bank of New York Trust Company, N.A. to pay the principal of and interest on the Refunded Bonds will be verified by Robert Thomas CPA, LLC.

* Preliminary, subject to change.

THE DULLES METRORAIL PROJECT

History and Background of the Dulles Metrorail Project

The District Act enables the County to create one or more special transportation taxing districts in accordance with its terms. The County to date has created two such districts to provide a means of financing its share of the cost of an extension of rail service from near WMATA's existing West Falls Church Metrorail station to the Washington Dulles International Airport ("Dulles Airport") and beyond into Loudoun County. The District is one such district; the other, the "Phase II District," is described hereinafter under "—Phase II Dulles Rail Project."

The District was created by the Board of Supervisors of the County on February 24, 2004, in response to a petition (the "Petition") submitted to the County on December 19, 2003, by landowners in the District. The petitioning landowners represented a majority of the assessed value of property zoned for commercial or industrial use in the Tysons Corner and Reston/Herndon commercial areas in the District as required under the District Act.

Funding for the County's share of the Phase I Dulles Rail Project is being provided from a real estate tax levy on all property zoned for commercial and industrial use in the District. The District Act permits the levy of a special improvements tax of up to $0.40 per $100 of the assessed fair market value of any taxable commercial and industrial real estate in the District. Under the terms of the Petition, however, the Board of Supervisors may not adopt a plan of finance that would be reasonably anticipated to require a tax greater than $0.29 per $100 of assessed value, assuming growth in assessed value of 1.5% per year. However, the Board of Supervisors is bound only by the statutory limit of a tax rate not greater than $0.40 per $100 of assessed value. The Petition allowed for a tax levy prior to the issuance of the Series 2011 Bonds to provide funding for the Revenue Stabilization Subfund, the Reserve Subfund and Phase I Dulles Rail Project costs on a pay-as-you-go-basis. On June 21, 2004, the Board of Supervisors approved a Special Improvements Tax at a rate of $0.22 per $100 of assessed value, effective July 1, 2004. [The tax rate for the District from FY 05 through FY 2015 remained at $0.22 per $100 of assessed value. The tax rate for FY 2014 and FY 2015 was set by the Board of Supervisors at $0.21 per $100 of assessed value. For FY 2016 the Board of Supervisors set and approved the tax rate at $0.19 per $100 of assessed value and the proposed FY 2017 Budget recommends that the rate be set at $0.__ per $100 of assessed value.]

Construction and Financing of the Phase I Dulles Rail Project

[On December 20, 2005, MWAA proposed to the Commonwealth that MWAA (i) assume the responsibility for (a) operating the Dulles Toll Road an eight lane tolled roadway that is approximately 13.4 miles in length, between I-495 and Virginia Route 28 in eastern Loudoun County (the "Dulles Toll Road") and (b) constructing the Dulles Metrorail Project and (ii) use revenues from the Dulles Toll Road to fund a portion of the cost of construction of the Dulles Metrorail Project. In accordance with the Master Transfer Agreement relating to the Dulles Toll Road and the Dulles Metrorail Project, dated December 29, 2006 (the "Transfer Agreement), and the Permit and Operating Agreement, dated December 29, 2006, as amended (the "Permit and Operating Agreement") each by and between MWAA and Virginia Department of Transportation ("VDOT"), on November 1, 2008, VDOT (i) granted MWAA a permit to operate the Dulles Toll Road, to set and collect the tolls on the Dulles Toll Road and to receive and use the revenues generated from such tolls ("Toll Revenues"), and (ii) assigned to MWAA, for the 50 year term of the Permit and Operating Agreement, substantially all of the rights and interest of VDOT in and to the Dulles Toll Road.]

Pursuant to the Funding Agreement, MWAA has agreed to design and construct, in two phases, the Dulles Metrorail Project, a 23.1 mile extension of WMATA's 106 mile Metrorail system (the "Dulles Metrorail Project") that will connect by rail (i) the corridor (the "Dulles Corridor") that straddles the Dulles Toll Road (defined herein) (which straddles the toll-free Dulles International Airport Access Highway (the "Dulles Access Road")) with (ii) the greater Washington D.C. metropolitan area. The Dulles Metrorail Project will branch off from the existing Metrorail Orange Line near the West Falls Church Station in the County, proceed along the median of the Dulles Access Road, depart from the median to run through Tysons Corner via Virginia State Route 7, then proceed west again on such median to Dulles Airport and beyond to Route 772 in Loudoun County. See "**Map of Dulles Metrorail Project**."

[In July 2014 the Phase I Dulles Rail Project was deemed complete and WMATA accepted such phase in the Metrorail System. WMATA has assumed the role as owner and operator of the Phase I Dulles Rail Project extension of the Metrorail System. Upon completion of the Phase II Dulles Rail Project (described below) and WMATA's acceptance of such phase into the Metrorail System, WMATA will assume the role of the owner and operator of the Phase II Dulles Rail Project.]

As of _____, 2016, MWAA has issued bonds and notes in the aggregate amount of $_____ secured by the Toll Revenues to finance costs of the Phase I Dulles Rail Project. The Toll Revenues and other MWAA funds are not available to pay and do not secure the Series 2016 Bonds.

[Toll Revenue litigation favorably decided for MWAA]

[Pursuant to the Funding Agreement, the County agreed to provide $400 million toward the costs of the Phase I Dulles Rail Project. By December 2013 had met its $400 million funding requirement, by providing, on a pay-as-you-go basis, approximately $_____ million to MWAA from Special Tax Revenues collected and $_____ through the issuance of the Series 2011 Bonds and the Series 2012 Bonds. Pursuant to the Petition, the Special Tax Revenues to be collected are limited to the amount required to provide $400 million for costs of the Phase I Dulles Rail Project plus the amount required to fund debt service reserves.

[In addition to MWAA and the County's contributions to the financing of the Phase I Dulles Rail Project, the federal government agreed to provide $900 million of the funding through federal New Starts legislation. The Secretary of the United States Department of Transportation, after obtaining approval from the Office of Management and Budget, executed the Full Funding Grant Agreement (the "FFGA") for $900 million with MWAA on March 10, 2009. By _____, 2014, the United States Congress had appropriated $_____ under the FFGA.

[The total cost of the Phase I Dulles Rail Project was approximately $2.9 billion.].

Phase II Dulles Rail Project

[The "Phase II Dulles Rail Project" will complete the 23-mile line to Dulles Airport and beyond into Loudoun County. The Phase II Dulles Rail Project will run from Wiehle Avenue (the western terminus of the Phase I Dulles Rail Project) in Reston through Dulles Airport to Route 772 in Loudoun County. The funding for the Phase II Dulles Rail Project will be shared among Fairfax County, Loudoun County and MWAA. As a result of a Memorandum of Agreement approved in late 2011 by Fairfax County, Loudoun County and MWAA, as well as the U.S. Department of Transportation and the Commonwealth of Virginia, federal financial assistance in the form of one or more loans through the Transportation Infrastructure Finance and Innovation Act (TIFIA) was approved, as is state assistance in an amount up to $150 million. On May 9, 2014, the United States Department of Transportation ("USDOT") approved an application of the County to receive loans in the aggregate principal amount of up to $403,274,894 plus capitalized interest to fund County obligated Phase II Dulles Rail Project costs (the "TIFIA Loan"). The TIFIA Loan closed on December 17, 2014. **The TIFIA Loan and any bonds or other obligations issued to finance the Phase II Dulles Rail Project will not be secured by the Special Tax Revenues.]**

In October 2009, the County received a valid petition (the "Phase II District Petition") to form another special tax district comprised of the Reston-Herndon-Dulles commercial districts in order to provide funds for Phase II Dulles Rail Project financing. The Phase II Dulles Rail Transportation Improvement District (the "Phase II District") was approved by the Herndon Town Council in November 2009, and created by the Fairfax County Board of Supervisors on December 21, 2009. The Phase II District Petition calls for an initial tax rate of $0.05 per $100 of assessed value, increasing in $0.05 increments on an annual basis up to $0.20/$100 of assessed value. When Phase II Dulles Rail Project passenger service begins, the tax rate can rise to $0.25/$100 of assessed value depending on the financing needs of the district. Since the incurrence of the TIFIA Loan, the Board of Supervisors is bound only by the statutory tax rate limit of $0.40 per $100 of assessed value. The tax levy in the Phase II District for FY 2014, FY 2015 and FY 2016 was $.20 per $100 on property zoned for commercial or industrial use in the Phase II District. In addition to the County's contribution from the special tax revenues generated from the Phase II District, the Phase II Dulles Rail Project will be financed from funds provided by Loudoun County, by MWAA from Dulles Toll Road Toll Revenues and from funds received by the Northern Virginia Transportation Authority. Phase II Dulles Rail Project is not expected to receive any direct cash financing from the federal government. The Phase II District does not include any taxable property zoned for commercial and industrial use found in the District.]

[On April 10, 2012 the Fairfax County Board of Supervisors confirmed the County's participation in the Phase II Dulles Rail Project. [As part of the financial deal, Fairfax County agreed to make its best efforts to pay for building the Route 28 Station, along with the parking garage at this station and at Herndon Monroe, outside of the Phase II Dulles Rail Project.] [In addition as part of the TIFIA Loan transaction the County agreed to finance and construct such parking garages.] The County is looking at several options that include using a public-private partnership, developer contributions, parking revenue, and federal and state grants. If the County is not successful in funding the two garages and station outside of the Phase II Dulles Rail Project, Fairfax will only pay for 16.1 percent of the cost for these facilities. On July 3, 2012 the Loudoun County Board of Supervisors also confirmed Loudoun County's participation in the Phase II Dulles Rail Project. MWAA has initiated construction of the Phase II Dulles project in _____ and the Phase II Dulles Rail Project is currently estimated to be completed in _____.

THE AUTHORITY

The Authority was created in 1964 pursuant to the Authority Act to foster and stimulate the development of industry within Fairfax County and is a political subdivision of the Commonwealth. It is governed by seven commissioners appointed by the Board of Supervisors. The Authority is empowered by the Authority Act to, among other things, acquire, construct, own, lease and dispose of various types of facilities, including facilities for use by a county, a municipality, the Commonwealth and its agencies, or other governmental organization, and to finance the same by the issuance of its revenue bonds for such purposes. The Authority has no taxing power. The power of the Authority to issue its revenue bonds for the purposes set forth in the Authority Act was upheld by the Supreme Court of Virginia in *Fairfax County Industrial Development Authority v. Coyner*, 207 Va. 351, 120 S.E. 2d 817 (1966).

The members of the Board of Commissioners of the Authority and the expiration dates of their respective terms in office are set forth below:

Member	Term Expires
Steven L. Davis, Chairman	July 1, 20__
Michael J. Lewis, Vice Chairman, Treasurer	July 1, 20__
Ronald C. Johnson, Secretary	July 1, 20__
Catherine Lange, Assistant Secretary	July 1, 20__
Mark Lowham	July 1, 20__
Arthur E. Morrissette IV	July 1, 20__
Sudhakar Shenoy	July 1, 20__

Gerald L. Gordon serves as President of the Authority.

The Authority has acted as a conduit issuer of bonds other than the Series 2016 Bonds. Only Indebtedness outstanding under the Trust Agreement, including the Series 2011 Bonds, the Series 2012 Bonds and Series 2016 Bonds, is payable from payments made under the Project Agreement.

THE COUNTY

The County is located in the northeastern corner of Virginia and encompasses a net land area of 407 square miles. The County is part of the Washington, D.C. metropolitan area, which includes jurisdictions in Maryland, the District of Columbia and Northern Virginia.

The Fairfax County government is organized under the Urban County Executive form of government (as defined under Virginia law). The governing body of the County is the Board of Supervisors, which makes policies for the administration of the County. The Board of Supervisors is comprised of ten members: the Chairman, elected at large for a four-year term, and one member from each of nine districts, each elected for a four-year term by the voters of the district in which the member resides. The Board of Supervisors appoints a County Executive to act as the administrative head of the County. The County Executive serves at the pleasure of the Board of Supervisors, carries out the policies established by the Board of Supervisors, directs business and administrative procedures and recommends officers and personnel to be appointed by the Board of Supervisors.

In Virginia, cities and counties are discrete units of government and do not overlap. Fairfax County completely surrounds the City of Fairfax and is adjacent to the City of Falls Church and the City of Alexandria. Property within these cities is not subject to taxation by the County, and the County generally is not required to provide governmental services to their residents. The County, does, however, provide certain services to the residents of certain of these cities pursuant to agreements with such cities.

In the County, there are located three incorporated towns, Clifton, Herndon and Vienna, which are underlying units of government within the County, and ordinances and regulations of the County are, with certain limitations prescribed by Virginia law, generally effective in them. Property in these towns is subject to County taxation, and the County provides certain services to their residents. These towns may incur general obligation bonded indebtedness without the prior approval of the County.

See Appendix A for further information regarding the County.

THE DISTRICT

The District was created by resolution of the Board of Supervisors pursuant to the District Act. The District boundaries are in the County, located generally along Tysons Corner and Reston/Herndon commercial areas, and located along the Dulles Airport Access Road/Toll Road corridor between the existing Metro Orange Line and Dulles Airport in the County. See "**Phase I Dulles Rail Transportation Improvement District Map**" herein. The District is governed by a commission of five members, four of whom are members of the Board of Supervisors of Fairfax County and one of whom is the Chairman of the Commonwealth Transportation Board or his or her designee. The Chairman of the District Commission is elected by and from among its members.

The District is empowered, among other things, to undertake to assist in the providing of funding for the Phase I Dulles Rail Project. Upon the request of the District, the Board of Supervisors has the power to levy the Special Improvements Tax and to collect the Special Tax Revenues. The District itself has no taxing power. For accounting purposes the District is classified as a special revenue fund within the County's financial statements, and information concerning the District's financial status is found within the County's Comprehensive Annual Financial Report.

In furtherance of the purposes of the District Act, the District entered into the Project Agreement. See "**SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2016 BONDS**" herein.

District Tax Base Data

The Special Improvements Tax is a current surcharge (as of Tax Year 2015) of [$0.19/$100] assessed fair market value on the general real estate property tax levied on commercial and industrial properties within the District's boundaries, and, in the Project Agreement, the County agrees that the billing, collection, penalties and tax-sales procedures with respect to the Special Improvements Tax will be the same as those with respect to the County's general real estate property tax. The owners of the commercial and industrial properties in the District are obligated to make Special Improvements Tax payments to the County at the end of July and the beginning of December. The Special Improvements Tax may be raised to as high as $.40 per $100 of assessed value on commercial and industrial properties within the District's boundaries. The following data have been provided by the County.

Assessed Value of Taxable Commercial/Industrial Property in the District[1]

Fiscal Year	Amount	% Change	Tax rate (per $100 of Assessed Value
1985	$3,084,000,000	N/A	N/A
1990	4,112,000,000	33.34%	N/A
1995	3,444,000,000	(16.25)	N/A
2000	5,012,000,000	45.53	N/A
2001	5,632,000,000	12.37	N/A
2002	6,338,000,000	12.54	N/A
2003	6,651,000,000	4.94	N/A
2004	6,612,000,000	(0.58)	N/A
2005	6,830,000,000	3.30	[0.22]
2006	8,076,000,000	18.25	[0.22]
2007	9,991,000,000	23.72	[0.22]
2008	11,634,000,000	16.45	[0.22]
2009	12,817,000,000	10.17	[0.22]
2010	12,434,000,000	(2.98)	[0.22]
			[0.22]
2011	9,998,000,000	(19.59)	[0.22]
2012	10,171,000,000	1.73	[0.22]
2013	11,135,000,000	9.48	[0.22]
2014			0.21
2015			0.21
2016			0.19

Source: Fairfax County Department of Tax Administration

[1] The District was established in February 2004. The above table provides information in prior years for property that now falls within the District's boundaries.

The increase in the assessed value of the taxable commercial/industrial property in most of the last 25 years in District is due to the significant commercial, retail and residential development in the County's primary urban centers, Tysons Corner and Reston. See "**THE DISTRICT—District History and Development.**"

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Historical Special Tax Revenues Collected in the District

Fiscal Year	Total
2005	$ 7,512,571
2006	18,673,668
2007	24,478,904
2008	28,792,097
2009	30,131,737
2010	28,017,357
2011	22,592,524
2012	
2013	
2014	
2015	

Source: Fairfax County Department of Tax Administration
Note: Since the inception of the District the tax levied on the assessed fair market value of the commercial and industrial properties within the District's boundaries has been set at the rates as described under the table "Assessed Value of Taxable Commercial/Industrial Property in the District". This rate may be increased (up to $.40 per $100 of assessed value) or decreased at the discretion of the Board of Supervisors. Figures also include interest earned on investments.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Adopted Financial Policies

[In March, 2013, the County and the District adopted financial management policies to guide its annual budgetary decision-making regarding the setting of the tax rate and establishment of reserves for the District. Such policies establish targets for reserve levels and debt service coverage in excess of the legal minimums established by the Trust Agreement and Project Agreement. Among other parameters, the financial management policy targets annual debt service coverage of 150% and seeks a minimum of 150% annual debt service coverage for two consecutive years prior to a lowering of the tax rate. Such tax rate reductions are limited to not more than $0.02 per year. The financial management policy also targets an aggregate balance of 2.5 times maximum annual debt service in the Reserve Subfund, Revenue Stabilization Subfund and Residual Subfund.]

The following table indicates the expenditures of collected Special Tax Revenues for purposes of the Phase I Dulles Rail Project since the inception of the District.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Expenditures of Special Tax Revenues

Fiscal Year	Amount
2005	$ 0
2006	0
2007	0
2008	0
2009	25,015,000
2010	22,491,341
2011	47,300,851
2012	
2013	
2014	
2015	
Total	$

Source: Fairfax County Department of Management and Budget
Note: Of the total amount of Special Tax Revenues collected that have already been expended, $_____ has been provided to MWAA to pay construction costs of the Phase I Dulles Rail Project and the remaining amount of Special Tax Revenues expended was used to pay debt service, legal and other related fees.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Twenty Largest Owners of Real Property in the District
(as of January 1, 2016) -- update

Property Owner*	Assessed Value	Type of Business
Macerich	$	Real Estate and Rental and Leasing
Lerner		Real Estate and Rental and Leasing
Quadrangle Development/AEW Capital		Real Estate and Rental and Leasing
Freddie Mac		Finance and Insurance
Beacon Capital		Real Estate and Rental and Leasing
SAIC		Professional, Scientific, and Technical Services
Mitre Corporation		Professional, Scientific, and Technical Services
BF Saul		Real Estate and Rental and Leasing
Brandywine		Real Estate and Rental and Leasing
PS Business Parks		Real Estate and Rental and Leasing
CESmith/Vornado		Real Estate and Rental and Leasing
Capital One Bank		Finance and Insurance
General Growth Properties		Real Estate and Rental and Leasing
Aavalon Bay Communities		Real Estate and Rental and Leasing
Dividend Capital		Real Estate and Rental and Leasing
Washington Real Estate Investment Trust		Real Estate and Rental and Leasing
Corporate Office Properties Trust		Real Estate and Rental and Leasing
Gannett Company		Information / Newspaper Publishers
Northwestern Mutual Life insurance Company		Finance and Insurance
Georgelas Family		Real Estate and Rental and Leasing

Source: Fairfax County Department of Tax Administration
*Real property owned by various subsidiaries of one company has been consolidated under the name of the parent company.

District History and Development

[The District is located along the Dulles Toll Road corridor and includes the Tysons Corner area of the County. Within the last three decades, the area encompassing the District has grown from a largely rural area to a vibrant commercial and retail region. Tysons Corner currently has over _____ million square feet of office, retail, and other commercial space and is behind only downtown D.C.'s Central Business District and the East End submarkets in the entire Washington D.C. metro area in total office inventory, and has ___ million square feet of residential space. It is expected that the Phase I District will continue to have significant growth in population, employment and commercial, retail and residential space over the next several decades.

Several years ago, the County's Board of Supervisors began implementing initiatives to transform Tysons Corner, including the adoption of a new Comprehensive Plan for Tysons Corner on June 22, 2010 (the "Comprehensive Plan"). Prior to the Comprehensive Plan's adoption, several transportation studies were completed, which included conceptual design and engineering for Boone Boulevard and Greensboro Drive extensions, cost estimates for transportation projects serving Tysons Corner from 2010-2030 and 2030-2050 and a short-term Transit Development Plan, which provides a plan to have circulator and shuttle bus service to each station within Tysons Corner from surrounding communities. Many transportation initiatives are currently underway and include a circulator study to look at the long-term evolution of Tysons Corner bus service to street car or other urban fixed guideway service, and design and engineering of the Comprehensive Plan's envisioned urban street grid.

Concurrently with the Comprehensive Plan's adoption, the Board of Supervisors adopted a Zoning Ordinance amendment that establishes a new zoning district, called the Planned Tysons Corner (PTC) Urban District. The County has dedicated additional staff to review the rezoning applications submitted with the major redevelopment proposals for Tysons Corner.

County staff continues to evaluate potential arrangements for financing the public share of Tysons Corner infrastructure improvements and to facilitate co-operative funding agreements with the private sector. County staff, in cooperation with private participants, created a new 501(c)(6) membership organization known as the Tysons Partnership on January 25, 2011. Tysons Partnership will provide a comprehensive approach to tasks that include marketing and branding, transportation, urban design/planning, public facilities and community amenities and finance.

The County continues to refine and identify additional initiatives to manage future growth, maintain a healthy tax base, and manage future transportation and other infrastructure investments to ensure Tysons Corner will be a thriving community well into the future. The Board of Supervisors meets routinely to assess progress on the Comprehensive Plan implementation.

Since the adoption of the Tysons Comprehensive Plan in June 2010, fifteen major redevelopment proposals are approved or pending approval within Tysons Corner: Spring Hill Station (Georgelas Group), Capital One Corporate Headquarters Expansion, Solutions Plaza (SAIC/Dittmar), MITRE Corporate Headquarters Expansion, Tysons Central (NV Commercial/Clyde's Restaurant), Scotts Run Station South (Cityline Partners), Scotts Run Station North (Cityline Partners), Arbor Row (Cityline Partners), The Commons (LCOR), Dominion Square East (Capital Automotive REIT), Dominion Square West (Capital Automotive REIT), Spring Hill Place (Sunburst Hospitality), 1577 Spring Hill Road Redevelopment (Perseus Realty), Tysons West (JBG Rosenfeld) and Greensboro Park (Beacon Capital). These projects, coupled with over 13 million square feet of additional development that has been previously approved in Tysons or pending approval in Reston's portion of the tax district cover approximately 238 acres, most of which are located within 1/4 mile of a future Metrorail station. The total commercial development proposed for these projects is 54 million square feet.]

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

The following are 10 major private employers in the County that have a major presence in the District.

Ten Major Private Employers in the District
(as of _____, 2015) –

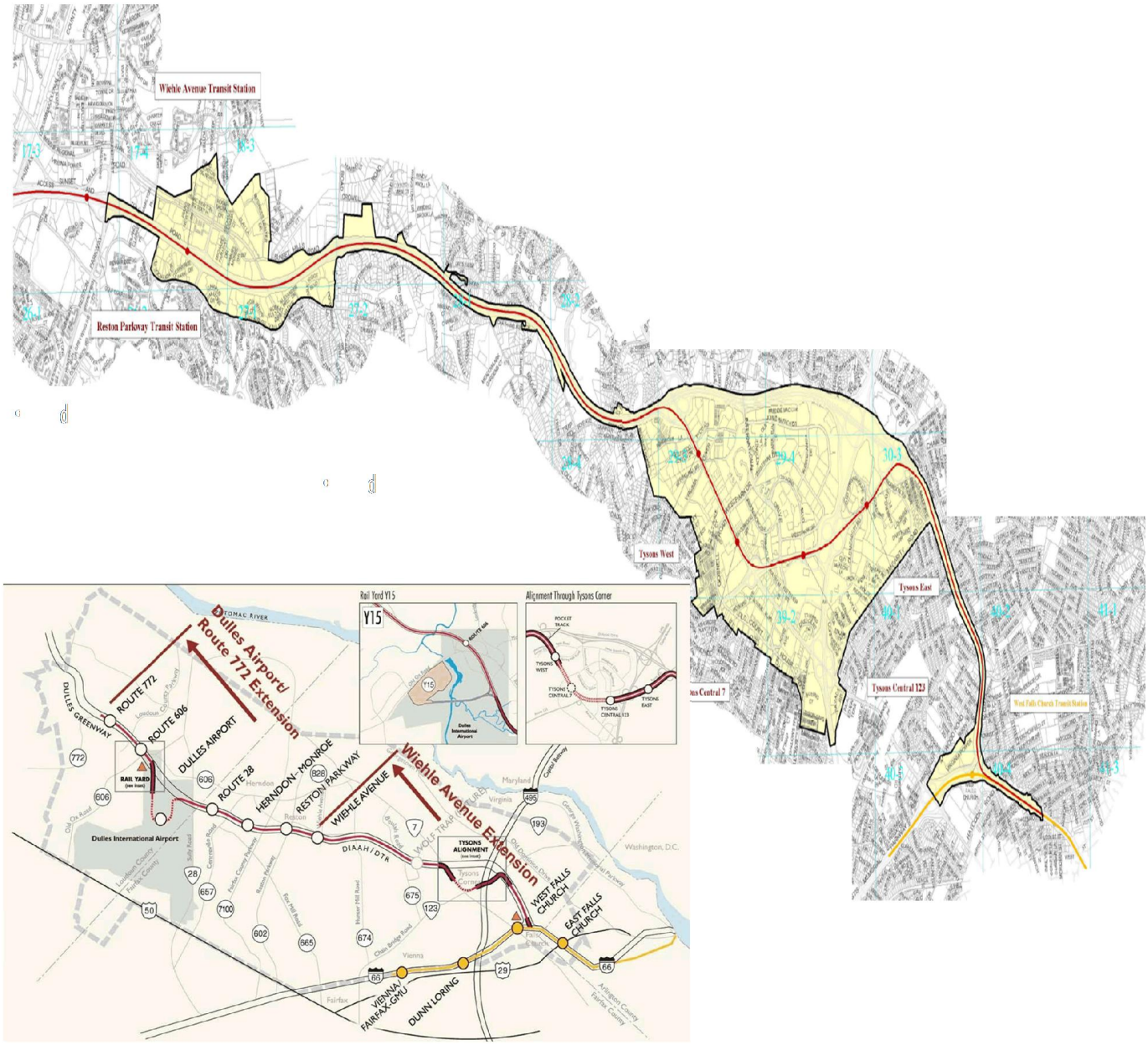
Company Name	Type of Business	County Employment Range*
Booz Allen Hamilton, Inc.	Professional, Scientific, and Technical Services	
Freddie Mac	Finance and Insurance	
Northrop Grumman	Professional, Scientific, and Technical Services	
SAIC	Professional, Scientific, and Technical Services	
AT&T	Professional, Scientific, and Technical Services	
BAE Systems	Professional, Scientific, and Technical Services/Transportation Equipment	
Capital One	Finance and Insurance	
Deloitte	Professional, Scientific, and Technical Services	
Gannett Company	Information/Newspaper Publishers	
HP Enterprise Services	Professional, Scientific, and Technical Services	

Sources: Fairfax County Economic Development Authority and the Virginia Employment Commission.

* Note: Employment range indicates total County-wide employment. Employment estimates for separate facilities of the same firm have been combined. Broad employment ranges are given to ensure confidentiality and are based on quarterly employer reports to the Virginia Employment Commission. Type of Business is based on two-digit North American Industry Classification System (NAICS) codes.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Phase I Dulles Rail Transportation Improvement District Map



ESTIMATED SOURCES AND USES OF FUNDS

The estimated sources and uses of Series 2016 Bonds proceeds and other available funds are as follows:

SOURCES	
Principal of Series 2016 Bonds	$
Net Original Issue Premium	
Collected Special Tax Revenues	
[Release of money in Reserve Subfund]	
[Release of money in Revenue Stabilization Subfund]	
Other Available Revenues	
Total	$
USES	
Deposit to Escrow Fund for Refunded Bonds	$
Underwriters' Discount	
Costs of Issuance*	
Total	$

*Includes legal fees, ratings and other costs of issuance.

THE SERIES 2016 BONDS

Description of Series 2016 Bonds

The Series 2016 Bonds will be issued as fully registered bonds in book-entry form, dated their date of delivery, and will be issued in denominations of $5,000 and integral multiples thereof. The Series 2016 Bonds will bear interest from their date of delivery payable on each April 1 and October 1, beginning [_____ 1, 2016], at the rates and will mature on the dates set forth on the inside cover of this Official Statement. If any payment of the principal of or interest on, or redemption price of, the Series 2016 Bonds is due on a date that is not a Business Day, such payment will be made on the next succeeding Business Day, and no interest will accrue on the amount of such payment during the intervening period. As used herein, "Business Day" means any day other than a Saturday, Sunday or other day on which The New York Stock Exchange or banks are authorized or required to close in New York, New York, or Richmond, Virginia.

The Series 2016 Bonds are being issued pursuant to a resolution adopted by the Authority on _____, 2016, and pursuant to the Trust Agreement. [The Trustee is also the Paying Agent for the Series 2016 Bonds and escrow agent for the Refunded Bonds].

Redemption of Series 2016 Bonds

Optional Redemption. The Series 2016 Bonds are subject to redemption at the option of the Authority, as directed by the County and the District, in whole or in part, at any time on or after April 1, 20_, at a Redemption Price equal to ___% of the principal amount of the Series 2016 Bonds to be redeemed plus interest accrued thereon to the Redemption Date.

Mandatory Redemption.

The Series 2016 Bonds maturing April 1, 20__*, are subject to mandatory redemption in part at a price equal to the principal amount thereof, together with interest thereon accrued to the date of redemption, in accordance with the following Sinking Fund Requirements:

Series 2016 Bonds Maturing
April 1, 20__*

Year	Principal Amount*
2033	$
2034	
2035	
2036	
2037	(final maturity)

Series 2016 Bonds purchased, delivered or redeemed, other than those redeemed by a mandatory sinking fund redemption, will be credited by the Trustee at 100% of the principal amount thereof against the current Sinking Fund Requirement with respect to the Series 2016 Bonds due on the same date as the Term Bonds so purchased, delivered or previously redeemed and cancelled. Any excess over such current Sinking Fund Requirement will be credited against the future Sinking Fund Requirements of Term Bonds with the same maturity date in such manner as the Authority determines, and the principal amount of such Series 2016 Bonds with such maturity date to be redeemed by mandatory sinking fund redemption will be redeemed accordingly.

At the Authority's option, to be exercised not less than forty-five (45) days prior to each such applicable Interest Payment Date on which Series 2016 Bonds are subject to call for redemption under the provisions of the Trust Agreement except from moneys other than money set aside or deposited for the redemption of the Series 2016 Bonds, the Authority may (a) deposit money with the Trustee to be used to purchase Series 2016 Bonds, or direct the Trustee in writing to cause money in the Debt Service Subfund (only to the extent such money is in excess of the amount required for payment of the Series 2016 Bonds theretofore matured or called for redemption and the total amount of interest and principal scheduled to become due on the next succeeding Interest Payment Date or Principal Payment Date) to be used for such purchases, at a price not exceeding the principal amount thereof plus accrued interest to such applicable Interest Payment Date, or (b) receive a credit against the Sinking Fund Requirements for Series 2016 Bonds which prior to such date have been purchased by the Authority and presented to the Trustee for cancellation or redeemed (otherwise than in satisfaction of prior Sinking Fund Requirements) and canceled by the Trustee and, in either case, not theretofore applied as a credit against any Sinking Fund Requirement. Each such Series 2016 Term Bond so purchased, delivered or previously redeemed will be credited by the Trustee at 100% of the principal amount thereof against the current Sinking Fund Requirement with respect to Series 2016 Bonds due on the same date as the Term Bond so purchased, delivered or previously redeemed and canceled. Any excess over such current Sinking Fund Requirement will be credited against the future Sinking Fund Requirements of Term Bonds with the same maturity date in such manner as the Authority shall determine, and the principal amount of such Series 2016 Bonds with such maturity date to be redeemed by mandatory sinking fund redemption will be reduced accordingly.

Selection of Series 2016 Bonds for Redemption

The Series 2016 Bonds will be redeemed only in the minimum denomination authorized by the Trust Agreement or in whole multiples of such minimum denomination. If less than all of the Series 2016 Bonds of a particular maturity of a Series is called for redemption, the particular Series 2016 Bonds or portions of Series 2016 Bonds to be redeemed will be selected by the Trustee by lot while held by the securities depository or through such other method as the Trustee in its sole discretion shall determine.

* Preliminary, subject to change.

Notice of Redemption

At least 30 but not more than 90 days before the redemption date of any Series 2016 Bonds, whether such redemption be in whole or in part, the Trustee is to cause a notice of any such redemption to be provided to all Owners owning Series 2016 Bonds to be redeemed in whole or in part, but any defect in such notice or the failure to mail any such notice to any Owner owning any Series 2016 Bonds shall not affect the validity of the proceedings for the redemption of any other Series 2016 Bonds. Each such notice will set forth the Series 2016 Bonds or portions thereof to be redeemed, the date fixed for redemption, the redemption price to be paid, and if less than all the Series 2016 Bonds are called for redemption, the maturities of the Series 2016 Bonds to be redeemed and, if less than all of the Series 2016 Bonds of any one maturity then outstanding are called for redemption, the distinctive numbers and letters, if any, of such Series 2016 Bonds to be redeemed and, in the case of Series 2016 Bonds to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Series 2016 Bond is to be redeemed in part only, the notice of redemption will also state that on or after the redemption date, upon surrender of such Series 2016 Bond, a new Series 2016 Bond in principal amount equal to the unredeemed portion of such Series 2016 Bond and of the same maturity will be issued.

Any notice of optional redemption of the Series 2016 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 Authority, the corresponding notice of redemption will be deemed to be revoked.

Book-Entry Only System

The description which follows of the procedures and recordkeeping with respect to beneficial ownership interests in the Series 2016 Bonds, payments of principal of and interest on the Series 2016 Bonds to The Depository Trust Company, New York, New York ("DTC"), its nominee, Direct Participants (as defined below) or Beneficial Owners (as defined below), confirmation and transfer of beneficial ownership interests in the Series 2016 Bonds and other bond-related transactions by and between DTC, the Direct Participants and Beneficial Owners is based solely on information furnished by DTC.

DTC will act as securities depository for the Series 2016 Bonds. The Series 2016 Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee), or such other name as may be requested by an authorized representative of DTC. One fully-registered Series 2016 Bond certificate will be issued for each maturity of Series 2016 Bonds, as set forth on the inside cover page hereof, and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants (the "Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (the "Indirect Participants"). The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com and dtc.org.

Purchases of the Series 2016 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Series 2016 Bonds on DTC's records. The ownership interest of the actual purchasers of the Series 2016 Bonds (the "Beneficial Owners") is in turn recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmations from DTC of their purchases. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owners entered into the transaction. Transfers of ownership interests in the Series 2016 Bonds are to be accomplished by entries made on the books of Direct or Indirect Participants acting on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Series 2016 Bonds, except in the event that use of the book-entry system for the Series 2016 Bonds is discontinued.

To facilitate subsequent transfers, the Series 2016 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Series 2016 Bonds with DTC and registration in the name of Cede & Co. or such other nominee does not effect any change in beneficial ownership. DTC has no knowledge of the identities of the actual Beneficial Owners of the Series 2016 Bonds; DTC's records reflect only the identities the Direct Participants to whose accounts the Series 2016 Bonds are credited, which may or may not be the Beneficial Owners. The Direct or Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Series 2016 Bonds may wish to take certain steps to augment transmission to them of notices of significant events with respect to the Series 2016 Bonds, such as redemptions, tenders, defaults and proposed amendments to the security documents. For example, Beneficial Owners of the Series 2016 Bonds may wish to ascertain that the nominee holding the Series 2016 Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of the notices be provided directly to them.

Redemption notices will be sent to DTC. If less than all of the Series 2016 Bonds within a maturity are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in maturity to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Series 2016 Bonds unless authorized by a Direct Participant in accordance with DTC's Operational Arrangements and the Issuing/Paying Agent General Operating Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Authority as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Series 2016 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds and payments of principal of and interest on the Series 2016 Bonds will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Trustee and Paying Agent on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Direct or Indirect Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Direct or Indirect Participant and not of DTC (or its nominee), the Authority or the Trustee and Paying Agent, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds and principal and interest to Cede & Co (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Trustee and Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as securities depository with respect to the Series 2016 Bonds at any time by giving reasonable notice to the Authority and the Trustee and Paying Agent. Under such circumstances, in the event that a successor securities depository is not obtained, Series 2016 Bond certificates will be printed and delivered.

The Authority may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Series 2016 Bond certificates will be printed and delivered to DTC.

Neither the Authority nor the Trustee and Paying Agent has any responsibility or obligation to the Direct or Indirect Participants or the Beneficial Owners with respect to (a) the accuracy of any records maintained by DTC or any Direct or Indirect Participant; (b) the payment by any Direct or Indirect Participant of any amount due to any Beneficial Owner in respect of the principal of, premium, if any and interest on the Series 2016 Bonds; (c) the delivery or timeliness of delivery by any Direct or Indirect Participant of any notice to any Beneficial Owner that is required or permitted to be given to holders; or (d) any other action taken by DTC, or its nominee, Cede & Co., as holder, including the effectiveness of any action taken pursuant to an Omnibus Proxy.

So long as Cede & Co. is the registered owner of the Series 2016 Bonds, as nominee of DTC, references in this Official Statement to the holders of the Series 2016 Bonds mean Cede & Co. and not the Beneficial Owners, and Cede & Co. will be treated as the only holder of Series 2016 Bonds.

The Authority may enter into amendments to the agreement with DTC or successor agreements with a successor securities depository, relating to the book-entry system to be maintained with respect to the Series 2016 Bonds without the consent of Beneficial Owners or holders.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Authority believes to be reliable, but the Authority takes no responsibility for the accuracy thereof.

The Authority may enter into amendments to the agreement with DTC, or successor agreements with a successor securities depository, relating to the book-entry system to be maintained with respect to the Series 2016 Bonds without the consent of Beneficial Owners.

SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2016 BONDS

General

[The Series 2016 Bonds, the premium, if any, and the interest thereon are limited obligations of the Authority payable solely from the revenues and receipts received by the Authority from the County for the account of the District under the Project Agreement, on a parity with any other series of Bonds issued (including the Series 2011 Bonds) for purposes of the County fulfilling its requirement under the Funding Agreement to provide MWAA with a total of $400 million to fund the Phase I Dulles Rail Project with Initial Bonds, any Additional Bonds and any Refunding Bonds (collectively, the "Bonds"). See "**Additional Bonds Test**" below.]

Neither the faith and credit of the Commonwealth nor the faith and credit of any political subdivision thereof (including the District or the County) are pledged to the payment of the principal of or the interest or premium, if any, on Series 2016 Bonds. The Series 2016 Bonds shall not be a debt of the Commonwealth or any political subdivision thereof (including the District or the County), and neither the Commonwealth nor any such political subdivision (including the District or the County), other than the Authority, shall be liable thereon. The Series 2016 Bonds do not directly, indirectly or contingently obligate the Commonwealth or any of its political subdivisions (including the District or the County) to levy taxes or make appropriations for the payment of the Series 2016 Bonds.

No County Obligation

The County is not legally obligated to impose the annual Special Improvements Tax in any Fiscal Year, and its obligation to collect and pay to the Trustee Special Tax Revenues is contingent upon the levy of the Special

Improvements Tax and appropriation of the Special Tax Revenues for any such Fiscal Year by the Board of Supervisors.

See "**Special Improvements Taxes**" and "**Application of Special Tax Revenues**" herein for a description of the levy, collection, appropriation, payment and application of the Special Improvement Taxes as addressed in the Project Agreement.

Reserve Subfund

The Trust Agreement establishes with the Trustee the Reserve Subfund and requires that, in connection with the issuance of the Series 2016 Bonds, the amount to the credit thereof equal the Reserve Subfund Requirement for all Bonds outstanding. The Reserve Subfund Requirement is equal to the least of (i) maximum amount of principal and interest scheduled to become due on the outstanding Bonds in any Fiscal Year ("MADS"), (ii) 125% of the average annual Principal and Interest Requirements on Bonds outstanding and (iii) 10% of the original stated principal amount of all Bonds. Upon the issuance of the Series 2016 Bonds, the Reserve Subfund Requirement which is equal to MADS on the aggregate of the Series 2011 Bonds, the Series 2012 Bonds and the Series 2016 Bonds (in Fiscal Year ____; see the table under "**ANNUAL DEBT SERVICE PAYABLE ON OUTSTANDING BONDS**") is estimated to be approximately $_____*. The Reserve Subfund will be held as a reserve for the payment of principal and interest on the Bonds to the extent other funds on deposit in the Debt Service Subfund are not sufficient for such purposes. [The Reserve Subfund will be funded to the Reserve Subfund Requirement on the date of issuance of the Series 2016 Bonds with Special Tax Revenues currently held by the County.]

The Trust Agreement provides that in lieu of the required deposits or transfers to the Reserve Subfund, or from time to time after any such deposits and transfers have been made, the Authority may cause to be deposited into the Reserve Subfund for the benefit of the holders of the Bonds a Reserve Subfund Insurance Policy in an amount equal to (1) the difference between the Reserve Subfund Requirement and the sums, if any, then on deposit in the Reserve Subfund or being deposited in the Reserve Subfund concurrently with such Reserve Subfund Insurance Policy, or (2) any amount up to the Reserve Subfund Requirement.

Revenue Stabilization Subfund

[As contemplated in the Project Agreement and the Trust Agreement, a Revenue Stabilization Subfund has been established to provide additional security for Indebtedness. The Trust Agreement provides that on or after April 1 of each year (after provision for the principal and interest payment due on the Bonds), the Trustee will deposit to the Revenue Stabilization Subfund any remaining Special Tax Revenues transferred to the Trustee from the District Project General Fund held by the County until the balance in the Revenue Stabilization Subfund equals the Revenue Stabilization Subfund Requirement which currently is equal to maximum annual debt service of outstanding Indebtedness.

If on the last Business Day of any March or September (a "Deposit Day") after the Trustee has deposited to the credit of the Debt Service Subfund the amounts transferred by the County to the Trustee from the District Project General Fund and, if necessary, by the Trustee from the Residual Fund, there remains a deficiency in the amount credited to the Debt Service Subfund or Subordinate Indebtedness Subfund and available to pay debt service due on outstanding Indebtedness on the next April 1 or October 1, the Trustee is to withdraw from the Revenue Stabilization Subfund (prior to making any withdrawal from the Reserve Subfund) for purposes of paying debt service on Bonds the amount required and transfer the amount so withdrawn to the Debt Service Subfund or Subordinate Indebtedness Subfund, as applicable. If such amount is insufficient for such purpose the Trustee is to withdraw the entire balance of the Revenue Stabilization Subfund.

Except as provided in a Supplemental Trust Agreement and consistent with the provisions with respect to Excess Earnings in the Trust Agreement, if the amount of money held for the credit of the Revenue Stabilization Subfund exceeds the Revenue Stabilization Subfund Requirement as then calculated, the Trustee is to transfer from the Revenue Stabilization Subfund the amount of such excess that does not consist of Excess Earnings to the Debt Service Subfund or the Residual Fund as directed by the District.

---

* Preliminary, subject to change.

Pursuant to the Project Agreement upon the issuance of the Series 2016 Bonds, the Revenue Stabilization Subfund Requirement is equal to maximum annual debt service in the aggregate for the Series 2011 Bonds, the Series 2012 Bonds and the 2016 Bonds. On the date of issuance of the Series 2016 Bonds, the amount deposited in the Revenue Stabilization Subfund will be equal to the current Revenue Stabilization Subfund Requirement, which is estimated to be $_____*. If upon the issuance of additional Indebtedness, the Revenue Stabilization Subfund is not funded at the Revenue Stabilization Subfund Requirement, under the Trust Agreement, the Trustee will deposit on each Deposit Day any Special Tax Revenues remaining after the provision for debt service on the outstanding Bonds or Parity Indebtedness due on such Deposit Day to the credit of the Revenue Stabilization Subfund until the amount to the credit thereof equals the Revenue Stabilization Subfund Requirement. In addition, if the rate covenant set forth in Trust Agreement relating to all Indebtedness exceeds 150% for three consecutive fiscal years and construction of the Phase I Dulles Rail Project is complete, upon the request of the District the amount in the Revenue Stabilization Subfund may be released to the Residual Fund.**]**

Additional Bonds Test

[Prior to the issuance of the Series 2016 Bonds, or any other Refunding Bonds, the Trust Agreement requires a certificate of the Authority setting forth the following have been met (the "Additional Bonds Test"):

- For 12 consecutive months in the prior 24 month period, the Special Tax Revenues collected shall not be less than 120% of the aggregate amount of the Principal and Interest Requirements on Bonds and any Parity Indebtedness required payments for such twelve month period; and

- For each of the five complete Bond Years following the issuance of such Bonds, an estimate of the Special Tax Revenues collected for each such Bond Year shall not be less than 120% of the aggregate amount of the Principal and Interest Requirements on Bonds and any Parity Indebtedness required payments outstanding for each such Bond Year; and

- For 12 consecutive months in the prior 24 month period, the Special Tax Revenues collected shall not be less than 100% of the aggregate amount of the Principal and Interest Requirements on Bonds, any Parity Indebtedness required payments and any Subordinate Indebtedness required payments for such twelve month period; and

- For each of the five complete Bond Years following the issuance of such Bonds, an estimate of the Special Tax Revenues collected for each such Bond Year shall not be less than 100% of the aggregate amount of the Principal and Interest Requirements on Bonds, any Parity Indebtedness required payments and any Subordinate Indebtedness required payments for each such Bond Year.

For the purpose of calculating compliance with each component of the Additional Bonds Test, amounts on deposit or amounts estimated to be on deposit, as applicable, in both the Revenue Stabilization Subfund and the Residual Fund on the last day of each Bond Year (or other testing period) may account for up to 20% of the Special Tax Revenues used in the calculations.

The Series 2016 Bonds will be issued in compliance with the tests set forth above.]

Special Improvements Tax

Pursuant to the District Act, the District is provided the power to request the County to levy and collect an annual special improvements tax on taxable real estate zoned for commercial or industrial use or used for such purposes and taxable leasehold interests in that portion of the improvement district within its jurisdiction for purposes of providing financing for the Phase I Dulles Rail Project. Pursuant to the Project Agreement, the District has agreed to request that the County levy and collect the Special Improvements Tax at a rate, not in excess of the rate permitted by the District Act, sufficient for the District or the County as agent of the District to make timely and

* Preliminary, subject to change.

sufficient transfers of Special Tax Revenues to or for the account of the Authority to meet the Principal and Interest Requirements of any outstanding Bonds. [Currently the Special Tax Rate is set and approved by the Board of Supervisors at a rate **of $0.19 per** $100 assessed value.] The maximum rate permissible under the District Act is $0.40 per $100 assessed value on taxable real estate zoned for commercial or industrial use.

The Project Agreement requires the District to request the County to set the Special Improvements Tax Rate at a rate that provides at least the minimum debt service coverage required by the Trust Agreement. The Trust Agreement requires that the Special Improvements Tax rate requested be such an amount that will be sufficient so that the Special Tax Revenues collected in an applicable Bond Year plus the amounts on deposit in the Revenue Stabilization Subfund and the Residual Fund (such amounts shall count only in an amount not to exceed 20% of the total amount tested) shall provide in each Bond Year an amount at least equal to the following two independent tests:

(i) one hundred twenty percent (120%) of the sum of:

(a) the Principal and Interest Requirements on Bonds of all Series then outstanding for such Bond Year, and

(b) the payments required to be made in respect of Parity Indebtedness for such Bond Year; and

(ii) one hundred percent (100%) of the sum of:

(a) the Principal and Interest Requirements on Bonds of all Series then outstanding for such Bond Year, and

(b) the payments required to be made in respect of Parity Indebtedness for such Bond Year, and

(c) the payments required to be made in respect of Subordinate Indebtedness within such Bond Year.

Currently the Special Improvements Tax rate is set at **$0.19** per $100. [For Bond Year 2015 Special Tax Revenues collected were ___x the amount of debt service described in both paragraphs (i) and (ii) above. Pursuant to the District's request the County has set the tax rate at $0.19 for Fiscal Year 2016, which is estimated to provide Special Tax Revenues in amounts sufficient to comply with the debt service coverage tests set forth under paragraphs (i) and (ii) above. The District in the Project Agreement agrees to request the County to set the Special Improvements Tax rate at a rate that will provide sufficient Special Tax Revenues to meet the debt service coverage tests. Pursuant to the Project Agreement, the District will not request a reduction in the Special Improvements Tax rate unless (x) available Special Tax Revenues in each of the two Fiscal Years immediately preceding the Fiscal Year in which the tax rate reduction is proposed has provided for debt service coverage amounts greater than the debt service coverage requirements set forth in the Trust Agreement and (y) it is reasonably anticipated by the District that available Special Tax Revenues in each subsequent Fiscal Year will provide for debt service coverage amounts greater than the debt service coverage requirements set forth in the Trust Agreement for each subsequent Fiscal Year. Any Special Improvements Tax rate reduction is to be modified to the extent necessary to meet the required debt service coverage ratios set forth in the Trust Agreement.

Application of Special Tax Revenues

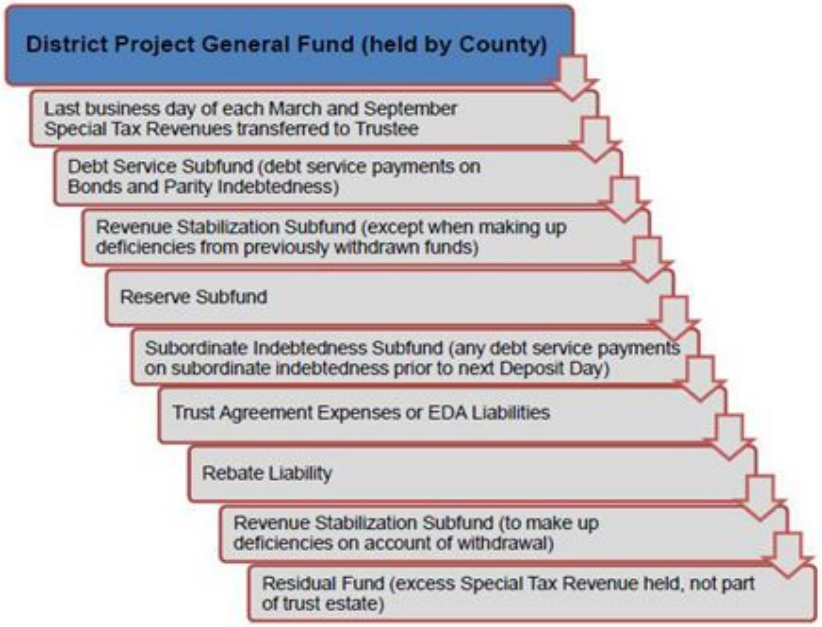
Pursuant to the requirements of the Project Agreement and the Trust Agreement, the County is to deposit or cause to be deposited in the District Project General Fund all Special Tax Revenues received and appropriated during such Fiscal Year and on each Deposit Day such Special Tax Revenues (along with any interest earnings) are to be transferred to the Trustee (subject to appropriation by the County) and applied pursuant to the provisions of the Trust Agreement. Such Special Tax Revenues are to be applied as follows: first, deposit to the Debt Service Subfund in an amount equal to the interest due on outstanding Bonds plus an amount equal to one-half the Principal Requirement of any Serial Bonds and one-half of the Sinking Fund Requirement for any Term Bonds coming due on the next Principal Payment Date and any payments to be made on Parity Indebtedness prior to the next deposit day of Special Tax Revenues; second, deposit to the Revenue Stabilization Subfund so long as funds from the Revenue

Stabilization Subfund have not been previously withdrawn, an amount that, together with the amount currently on deposit in the Revenue Stabilization Subfund, is equal to the current Revenue Stabilization Subfund Requirement; third, deposit to the Reserve Subfund, an amount that, together with the amount on deposit in the Reserve Subfund is equal to the Reserve Subfund Requirement; fourth, deposit to the Subordinate Indebtedness Subfund an amount that, together with funds then held to the credit of the Subordinate Indebtedness Subfund, equals the entire aggregate amount of Subordinate Indebtedness then due and payable prior to the next succeeding Deposit Day; fifth, pay any Trust Agreement Expenses or EDA Liabilities for which other funds are not available; sixth, deposit to the Rebate Subfund in respect of any Rebate Liability for which other funds are not available; seventh, deposit in the Revenue Stabilization Subfund, an amount to the extent of any deficiency on account of a withdrawal therefrom that, together with the amount currently on deposit in the Revenue Stabilization Subfund, is equal to the current Revenue Stabilization Subfund Requirement; and eighth, any amount remaining is to be deposited to the Residual Fund. The Residual Fund is not held in trust and is not pledged as security for the Series 2016 Bonds.

As set forth in the Project Agreement and Trust Agreement, money on deposit in the Residual Fund may be used, if necessary, to pay debt service on any outstanding Bonds or Parity Indebtedness; pay costs of the Phase I Dulles Rail Project; fund the Revenue Stabilization Subfund upon a deficiency thereon; purchase, redeem or defease outstanding Indebtedness; make required debt service payments on Subordinated Indebtedness; or be released to the District under applicable law.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Set forth below is a chart setting forth generally the application of Special Tax Revenues collected by the County, subject to the more detailed description above.



Future Financings

[Additional Bonds. Pursuant to the Trust Agreement upon the County's fulfillment in [FY 2014] of its requirement to provide MWAA $400 million to fund the Phase I Dulles Rail Project and WMATA's acceptance of the Phase I Dulles Rail Project into the Metrorail system no more Additional Bonds may be issued under the Trust Agreement to fund the Phase I Dulles Rail Project.]

Refunding Bonds. The Authority may, upon the request of the County and the District, issue one or more series of refunding bonds (the "Refunding Bonds") under the Trust Agreement to refund any Indebtedness contingent upon satisfaction of the conditions set forth in the Trust Agreement providing for the issuance of such Refunding Bonds. Such Refunding Bonds will be issued pursuant to Supplemental Trust Agreements and will be equally and ratably secured with outstanding Bonds and Parity Indebtedness.

Subordinate Indebtedness. [Pursuant to the Trust Agreement upon the County's fulfillment in [FY 2014] of its requirement to provide MWAA $400 million to fund the Phase I Dulles Rail Project and WMATA's acceptance of the Phase I Dulles Rail Project into the Metrorail system no Subordinate Indebtedness may be issued under the Trust Agreement to fund the Phase I Dulles Rail Project.]

Parity Indebtedness. [The Authority may, upon the request of the County and the District, incur one or more series of Parity Indebtedness under the Trust Agreement, in addition to Bonds and Subordinate Indebtedness, to refund Bonds or Parity Indebtedness. The incurrence of any such Parity Indebtedness is contingent upon a determination by the Trustee that the requirements required for the issuance of Refunding Bonds, have been met the same as if such Parity Indebtedness to be incurred were an additional Series of Bonds to be issued. Such Parity Indebtedness will be incurred pursuant to supplements to the Trust Agreement and will be equally and ratably secured with the Bonds outstanding as to their lien on the Debt Service Subfund and the Revenue Stabilization Subfund but will have no lien on the Reserve Subfund.]

Summary of Trust Agreement

For a more complete summary of the provisions of the Trust Agreement, including the funds and accounts established thereby, the investment of such funds, covenants and representations of the Authority, the priority of payments into and from such funds, events of defaults and remedies, the duties of the Trustee, amendments to the Trust Agreement and related agreements, and the satisfaction and discharge of the Trust Agreement, see **Appendix D** - "**SUMMARY OF CERTAIN PROVISIONS OF THE TRUST AGREEMENT**."

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

ANNUAL DEBT SERVICE PAYABLE ON OUTSTANDING BONDS

The following table shows, for each Fiscal Year (ending June 30), the principal and interest on the Authority's Series 2011 Bonds, Series 2012 Bonds and Series 2016 Bonds. On such Bonds, interest only is payable on October 1 of the calendar year preceding the Fiscal Year shown and principal and interest are payable on April 1 of the same calendar year as the indicated Fiscal Year.

		Debt Service on Series 2016 Bonds		
Fiscal Year Ending June 30	Debt Service on Series 2011 and Series 2012 Bonds*	Principal	Interest	Total Debt Service
2013	$14,369,313	**$**	**$**	**$**
2014	14,367,513			
2015	14,368,813			
2016	14,367,063			
2017	14,367,113			
2018	14,367,613			
2019	14,369,563			
2020	14,368,313			
2021	14,367,063			
2022	14,368,538			
2023	14,367,788			
2024	14,369,788			
2025	14,368,538			
2026	14,368,288			
2027	14,368,038			
2028	14,366,788			
2029	14,368,538			
2030	14,367,038			
2031	14,366,288			
2032	14,370,250			
2033	14,367,250			
2034	14,366,250			
2035	14,365,750			
2036	14,369,250			
2037	-			
Total	$344,830,738			

* [Includes debt service on Refunding Candidates.]

LITIGATION

There is no litigation of any nature against the Authority pending or, to the best of the knowledge of the Authority, threatened against the Authority that would (a) restrain or enjoin the issuance, sale, execution or delivery of the Series 2016 Bonds, or the application of proceeds of the Series 2016 Bonds as provided in the Trust Agreement or the collection of revenues pledged under the Trust Agreement, (b) in any way contest or affect the issuance or validity of the Series 2016 Bonds or the validity of the Trust Agreement or the Project Agreement, or (c) in any way contest the creation, existence, powers or authority of the Authority.

There is no litigation pending against the County or, to the best of the knowledge of the County, threatened against the County that would (a) materially adversely affect the County's financial positions, (b) restrain or enjoin the issuance, sale or delivery of the Series 2016 Bonds, or the application of proceeds of the Series 2016 Bonds as provided in the Trust Agreement or the collection of revenues pledged under the Trust Agreement, (c) in any way contest or affect any authority for the issuance or validity of the Series 2016 Bonds or the validity of the Trust Agreement or the Project Agreement, or (d) in any way contest the creation, existence, powers or authority of the County.

There is no litigation pending against the District or, to the best of the knowledge of the District, threatened against the District that would (a) materially adversely affect the District's financial positions, (b) restrain or enjoin the issuance, sale or delivery of the Series 2016 Bonds, or the application of proceeds of the Series 2016 Bonds as provided in the Trust Agreement or the collection of revenues pledged under the Trust Agreement, (c) in any way contest or affect any authority for the issuance or validity of the Series 2016 Bonds or the validity of the Trust Agreement or the Project Agreement, or (d) in any way contest the creation, existence, powers or authority of the District.

VALIDATION

[The Bonds, the Trust Agreement and the Project Agreement were validated by a judgment rendered in favor of the Authority, the County and the District by the Circuit Court of Fairfax, Virginia, on August 28, 2009. In addition, the Circuit Court held that (i) the imposition of the Special Improvements Tax in the manner as set forth in District Act, and the levy, collection and expenditure of the Special Tax Revenues as permitted by the District Act comply with all relevant requirements of the Constitution of Virginia and (ii) the levy by the County of the Special Improvements Tax upon commercial and industrial property located in the District and collection of the Special Tax Revenues by the County are authorized by applicable Commonwealth law. Subsequent to the Final Order, two petitions of appeal were filed with the Supreme Court of Virginia, which affirmed the Final Order on November 4, 2010, and denied a petition for rehearing on January 21, 2011.

Virginia law provides that the judgment of the Circuit Court of Fairfax, Virginia, is now forever binding and conclusive as to the validity of the Bonds, the validity of the imposition Special Improvements Tax and the collection of the Special Tax Revenues, the validity of all pledges and revenues and of all covenants and provisions contained in the Trust Agreement, the legality of the proceedings taken in connection with the issuance of the Bonds, and all matters adjudicated and all objections presented or that might have been presented in the validation proceedings. Virginia law also provides that such judgment shall constitute a permanent injunction against the institution by any person of any action or proceeding contesting the validity of the Bonds or any other matter adjudicated or that might have been adjudicated or called into question in such hearings.]

CERTAIN INVESTMENT CONSIDERATIONS

The following is a summary of certain risk factors attendant to investment in the Series 2016 Bonds. In order to identify risk factors and make an informed investment decision, investors should review thoroughly all the information contained in this Official Statement.

Amount of Tax Levy and Risk of Non-Appropriation

The County is not obligated to levy the Special Improvements Tax, and the obligation of the County to provide the Special Tax Revenues to the Trustee is subject to appropriation of funds for that purpose. The likelihood that the Board of Supervisors will continue to levy the Special Improvements Tax and appropriate the Special Tax Revenues collected for purposes of providing the Trustee with the Special Tax Revenues in the amounts necessary for making debt service payments on the Series 2016 Bonds and for the other purposes set forth in the Trust Agreement during each fiscal year may depend on a number of factors, including, but not limited to (a) the continuing need of the County for the Phase I Dulles Rail Project, (b) political, economic and other factors affecting County government, (c) general fund revenues and expenditures, (d) economic conditions in the County including the commercial and industrial real estate market in the District, (e) the usefulness or value of the Phase I Dulles Rail Project and (f) the availability of alternatives to the Phase I Dulles Rail Project.

Further, there is no assurance that the amount of Special Tax Revenues collected and appropriated by the County will be sufficient to pay debt service on the Series 2016 Bonds in any particular year. The actual amount of Special Tax Revenues collected will depend upon a combination of factors, including, the assessed values of real property zoned commercial and industrial within the District (which may fluctuate), the ability of the County to collect the Special Tax Revenues, and the rate of the Special Improvements Tax actually levied by the Board of Supervisors (which rate is set at the discretion of the Board of Supervisors but may not exceed $0.40 per $100 of assessed value). To the extent Special Tax Revenues are insufficient to pay debt service on the Series 2016 Bonds in any particular year, the County has no legal or moral obligation to cure such deficiency from any other available funds. Only the Special Tax Revenues actually collected and appropriated in any particular year, together with any money then on deposit in the Reserve Subfund, the Revenue Stabilization Subfund or the Residual Fund, will be available to pay debt service on the Series 2016 Bonds.

CERTAIN LEGAL MATTERS

All legal matters incident to the authorization, issuance, sale and delivery of the Series 2016 Bonds are subject to the approval of Sidley Austin LLP, Washington, D.C., Bond Counsel, whose approving opinion in substantially the form attached hereto as Appendix E will be delivered with such Series 2016 Bonds. Certain legal matters will be passed upon for the Authority by its counsel, Thomas O. Lawson, P.L.C., Fairfax, Virginia, for the County and the District by David P. Bobzien, Esq., the Fairfax County Attorney, and for the Underwriters by _____.

TAX MATTERS [update]

Opinion of Bond Counsel

The Authority, the County and the District with their respective covenants to comply have covenanted to comply with applicable provisions of the Internal Revenue Code of 1986, as amended (the "Code"), relating to the exclusion from gross income of the interest on the Series 2016 Bonds for purposes of federal income taxation. In the opinion of Sidley Austin LLP, Bond Counsel, under current law and assuming continuing compliance by the County, the Authority and the District with such covenants and requirements of the Code regarding, among other matters, the use, expenditure and investment of Series 2016 Bond proceeds and the timely payment of certain investment earnings to the United States Treasury, interest on the Series 2016 Bonds will not be included in the gross income of the owners thereof for federal income tax purposes. Failure by the County, the Authority or the District to comply with such covenants and requirements may cause interest on the Series 2016 Bonds to be includable in the gross income of the owners thereof retroactive to the date of issue of the Series 2016 Bonds. No opinion is rendered by Bond Counsel as to the effect on the exclusion from gross income of the interest on the Series 2016 Bonds for federal income tax purposes of any action taken or not taken without the approval of Bond Counsel or in reliance upon the advice or opinion of counsel other than Bond Counsel.

Interest on the Series 2016 Bonds will not be an item of tax preference for purposes of the federal individual or corporate alternative minimum tax under the Code. Interest on the Series 2016 Bonds will, however, be included in the calculation of alternative minimum tax liability imposed on corporations by the Code. The Code contains other provisions (some of which are noted below) that could result in tax consequences, as to which no

opinion will be rendered by Bond Counsel, as a result of ownership of the Bonds or the inclusion in certain computations of interest that is excluded from gross income.

Ownership of tax-exempt obligations may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, certain foreign corporations doing business in the United States, certain S Corporations with excess passive income, individual recipients of Social Security or Railroad Retirement benefits, taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations and taxpayers who may be eligible for the earned income tax credit.

Under the Enabling Act, the income, including any profit made on the sale thereof, from the Series 2016 Bonds shall be exempt from all taxation by the Commonwealth or any political subdivision thereof.

Original Issue Discount

The excess, if any, of the amount payable at maturity of any maturity of the Series 2016 Bonds purchased as part of the initial public offering over the issue price thereof constitutes original issue discount. The amount of original issue discount that has accrued and is properly allocable to an owner of any maturity of the Series 2016 Bonds with original issue discount (a "Discount Bond") will be excluded from gross income for federal income tax purposes to the same extent as interest on the Series 2016 Bonds. In general, the issue price of a maturity of the Series 2016 Bonds is the first price at which a substantial amount of Series 2016 Bonds of that maturity was sold (excluding sales to bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents, or wholesalers) and the amount of original issue discount accrues in accordance with a constant yield method based on the compounding of interest. A purchaser's adjusted basis in a Discount Bond is to be increased by the amount of such accruing discount for purposes of determining taxable gain or loss on the sale or other disposition of such Discount Bonds for federal income tax purposes.

A portion of the original issue discount that accrues in each year to an owner of a Discount Bond which is a corporation will be included in the calculation of the corporation's federal alternative minimum tax liability. In addition, original issue discount that accrues in each year to an owner of a Discount Bond is included in the calculation of the distribution requirements of certain regulated investment companies and may result in some of the collateral federal income tax consequences discussed herein. Consequently, an owner of a Discount Bond should be aware that the accrual of original issue discount in each year may result in an alternative minimum tax liability, additional distribution requirements or other collateral federal income tax consequences although the owner of such Discount Bond has not received cash attributable to such original issue discount in such year.

The accrual of original issue discount and its effect on the redemption, sale, or other disposition of a Discount Bond that is not purchased in the initial offering at the first price at which a substantial amount of such Series 2016 Bonds is sold to the public may be determined according to rules that differ from those described above. Owners of Discount Bonds should consult their tax advisors with respect to the determination for federal income tax purposes of the amount of original issue discount with respect to such Discount Bonds and with respect to state and local tax consequences of owning and disposing of such Discount Bonds.

Bond Premium

The excess, if any, of the tax basis of Series 2016 Bonds purchased as part of the initial public offering to a purchaser (other than a purchaser who holds such Series 2016 Bonds as inventory, stock in trade, or for sale to customers in the ordinary course of business) over the amount payable at maturity is "Bond Premium." Bond Premium is amortized over the term of such Series 2016 Bonds for federal income tax purposes (or, in the case of a bond with bond premium callable prior to its stated maturity, the amortization period and yield may be required to be determined on the basis of an earlier call date that results in the lowest yield on such bond). Owners of such Series 2016 Bonds are required to decrease their adjusted basis in such Series 2016 Bonds by the amount of amortizable Bond Premium attributable to each taxable year such Series 2016 Bonds are held. The amortizable bond premium on such Series 2016 Bonds attributable to a taxable year is not deductible for federal income tax purposes; however Bond Premium on such Series 2016 Bonds is treated as an offset to qualified stated interest received on such Series 2016 Bonds. Owners of such Series 2016 Bonds should consult their tax advisors with

respect to the determination for federal income tax purposes of the treatment of Bond Premium upon sale, redemption or other disposition of such Series 2016 Bonds and with respect to state and local income tax consequences of owning and disposing of such Series 2016 Bonds.

Backup Withholding

Interest paid on the Series 2016 Bonds is subject to information reporting in a manner similar to interest paid on taxable obligations. While this reporting requirement does not by itself, affect the excludability of interest on the Series 2016 Bonds from gross income for federal income tax purposes, the reporting requirement causes the payment of interest on the Series 2016 Bonds to be subject to backup withholding if such interest is paid to beneficial owners who (i) are not "exempt recipients," and (ii) either fail to provide certain identifying information (such as the beneficial owner's taxpayer identification number) in the required manner or have been identified by the Internal Revenue Service as having failed to report all interest and dividends required to be shown on their income tax returns. Generally, individuals are not exempt recipients, whereas corporations and certain other entities generally are exempt recipients. Amounts withheld under the backup withholding rules from a payment to a beneficial owner would be allowed as a refund or a credit against such beneficial owner's federal income tax liability provided the required information is furnished to the Internal Revenue Service.

Other Tax Consequences

Under the Authority Act, the income on the Series 2016 Bonds, including any profit made on the sale thereof, is exempt from all taxation by the Commonwealth or any political subdivision thereof.

The Code contains other provisions (some of which are noted below) that could result in tax consequences, upon which Bond Counsel expresses no opinion, as a result of ownership of the Series 2016 Bonds or the inclusion in certain computations of interest on the Series 2016 Bonds that is excluded from gross income for purposes of federal income taxation.

PROSPECTIVE PURCHASERS OF THE SERIES 2016 BONDS SHOULD CONSULT THEIR TAX ADVISORS AS TO THE APPLICABILITY AND IMPACT OF ANY SUCH COLLATERAL TAX CONSEQUENCES.

Ownership of tax-exempt obligations may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, certain foreign corporations doing business in the United States, certain S Corporations with excess passive income, individual recipients of Social Security or Railroad Retirement benefits, taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations and taxpayers who may be eligible for the earned income tax credit.

Future Tax Developments

Future or pending legislative proposals, if enacted, regulations, rulings or court decisions may cause interest on the Series 2016 Bonds to be subject, directly or indirectly, to federal income taxation or to state or local income taxation, or may otherwise prevent beneficial owners from realizing the full current benefit of the tax status of such interest. Legislation or regulatory actions and future or pending proposals may also affect the economic value of the federal or state tax exemption or the market value of the Series 2016 Bonds. Prospective purchasers of the Series 2016 Bonds should consult their tax advisors regarding any future, pending or proposed federal or state tax legislation, regulations, rulings or litigation as to which Bond Counsel expresses no opinion.

For example, various proposals have been made in Congress and by the President (the "Proposed Legislation") which, if enacted, would subject interest on bonds that is otherwise excludable from gross income for federal income tax purposes, including interest on the Series 2016 Bonds, to a tax payable by certain bondholders with adjusted gross income in excess of thresholds specified in the Proposed Legislation. It is unclear if the Proposed Legislation will be enacted, whether in its current or an amended form, or if other legislation that would subject interest on the Series 2016 Bonds to a tax or cause interest on the Series 2016 Bonds to be included in the computation of a tax, will be introduced or enacted. Prospective purchasers should consult their tax advisors as to

the effect of the Proposed Legislation, if enacted, in its current form or as it may be amended, or such other legislation on their individual situations.

UNDERWRITING

The Series 2016 Bonds are being purchased for reoffering by _____, as representative of the underwriters (the "Underwriters") at a purchase price of $_____ (which reflects the par amount of the Series 2016 Bonds less $_____ Underwriters' discount and [plus/less] $_____ net original issue premium/discount). The Underwriters intend to offer the Series 2016 Bonds to the public at the offering prices set forth on the inside cover page of this Official Statement. The Underwriters may allow concessions to certain dealers (including dealers in a selling group and the Underwriters and other dealers depositing Series 2016 Bonds into investments trusts), which may reallow concessions to other dealers. After the initial public offering, the public offering price may be varied from time to time by the Underwriters.

CONTINUING DISCLOSURE

The Authority has determined that no financial or operating data concerning the Authority is material to any decision to purchase, hold or sell the Series 2016 Bonds, and the Authority will not provide any such information. The County has undertaken all responsibilities for continuing disclosure for the benefit of the Owners, and the Authority shall have no liability to the Owners or any other person with respect to such disclosures.

The Securities and Exchange Commission has 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 2016 Bonds, unless it has determined that the issuer of such securities or other persons deemed to be material "obligated persons" have committed to provide to The Electronic Municipal Market Access ("EMMA") system administered by the Municipal Securities Rulemaking Board (i) on an annual basis, certain financial information and operating data ("Annual Reports"), and, if available, audited financial statements, and (ii) notice of various events described in the Rule ("Event Notices").

The County will covenant in the Continuing Disclosure Agreement (the form of which appears in Appendix E), to be dated the date of delivery of the Series 2016 Bonds, for the benefit of the holders of the Series 2016 Bonds, to provide Annual Reports to EMMA, annually, not later than March 31 of each year, commencing March 31, 2017. Similarly, the County will provide Event Notices with respect to the Series 2016 Bonds to EMMA.

In accordance with continuing disclosure undertakings (the "Sewer Undertakings") relating to the County's sewer revenue bonds, the County agreed to provide and file certain annual financial and statistical information ("Sewer System Annual Disclosure Reports") relating to the County's sanitary sewer system (the "System") as well as the County's audited financial statements for the System ("Sewer System Annual Financial Statements"). For the Fiscal Years ended June 30, 2009 and June 30, 2010, the County prepared and filed the Sewer System Annual Disclosure Reports for each year. Such filings, however, inadvertently did not include the prepared Sewer System Annual Financial Statements (the "2009 and 2010 Sewer System Annual Financial Statements") required to be included in such filings pursuant to the terms of the Continuing Disclosure Undertakings, although the 2009 and 2010 Sewer System Annual Financial Statements were timely posted to the County's website. As of June 5, 2014, the County has filed the 2009 and 2010 Sewer System Annual Financial Statements. In addition, as a condition to the issuance of various series of revenue bonds ("UOSA Bonds") issued by the Upper Occoquan Service Authority for the benefit of the County and other jurisdictions, the County has agreed pursuant to continuing disclosure undertakings (the "UOSA Undertakings") to provide and file the Sewer System Annual Disclosure Reports and Sewer System Annual Financial Statements. The 2009 and 2010 Sewer System Annual Financial Statements were filed pursuant to the UOSA Undertakings but not in a timely manner and other filings were complete and timely but were not correctly cross-referenced to the UOSA Bonds. The County has implemented procedures to ensure the inclusion of necessary information in a timely manner in future filings required by the Sewer Undertakings and the UOSA Undertakings.

Pursuant to several continuing disclosure undertakings entered into relating to the Fairfax County Economic Development Authority's Transportation Contract Revenue Bonds (Route 28 Project), the County provided all required information, except that it inadvertently did not include in its annual information required

under such undertakings a description of the twenty largest owners of real property by assessed value in the State Route 28 Highway Transportation Improvement District. The County has implemented procedures to ensure the inclusion of such information in future filings.

It should be noted, however, that while the County has timely filed each annual financial report required by its continuing disclosure undertakings (except as described under this caption), the filings with respect to certain bond issues were not cross-referenced to such bonds. Although such cross-references are not specifically required by the undertakings, the County has implemented procedures to ensure such cross-references in future filings.

Except as described under this caption, the County is currently in compliance with all of its previous undertakings with regard to Rule 15c-2-12.

Any failure by the County to perform its obligations under the Continuing Disclosure Agreement will not constitute an Event of Default under the Trust Agreement or the Series 2016 Bonds; rather, the right to enforce the provisions of the Continuing Disclosure Agreement is limited to the right to compel performance. The Underwriters' obligations to purchase the Series 2016 Bonds shall be conditioned upon receipt, at or prior to the delivery of the Series 2016 Bonds, of an executed copy of the Continuing Disclosure Agreement.

RATINGS

Fitch, Inc. ("Fitch"), Moody's Investors Service ("Moody's"), and Standard & Poor's Rating Services, a division of McGraw Hill Corporation Inc. ("S&P"), have assigned to the Series 2016 Bonds ratings of "__," "__" and "__", respectively. An explanation of the significance of each rating may be obtained from the appropriate rating agency.

Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. The County, the District and the Authority have furnished information to the rating agencies, including information not contained in this Official Statement. There is no assurance that a rating on the Series 2016 Bonds will continue for any given period of time or that such rating will not be revised downward or withdrawn entirely by the rating agency if in its judgment circumstances so warrant. Any downward revision or withdrawal of any such rating could have an adverse effect on the market price of the Series 2016 Bonds. Such ratings should not be taken as a recommendation to buy, sell or hold the Series 2016 Bonds.

MISCELLANEOUS

Financial Advisor

Public Financial Management, Inc., Arlington, Virginia, is serving as financial advisor to the County (the "Financial Advisor") in connection with the issuance of the Series 2016 Bonds. Although the Financial Advisor assisted in the preparation and review of this Official Statement, the Financial Advisor is not obligated to undertake, and has not undertaken to make, an independent verification or to assume responsibility for the accuracy, completeness, or fairness of the information contained in the Official Statement. The Financial Advisor is a financial advisory, investment management and consulting organization and is not engaged in the business of underwriting municipal securities.

Certain Relationships

[Sidley Austin LLP is serving as bond counsel and has represented the Underwriters and the Trustee on certain matters unrelated to the Series 2016 Bonds. _____ is serving as counsel to the Underwriters and represents or has represented the Trustee on certain matters unrelated to the Series 2016 Bonds. – **discuss if needed**]

Official Statement Certification

This Official Statement includes brief summaries of certain provisions of the Trust Agreement, the Project Agreement, the Series 2016 Bonds and other materials. Such summaries do not purport to be complete and for full and complete statements of such provisions, reference is made to such instruments, documents and other materials, copies of which may be obtained from the Trustee.

Any statements made in this Official Statement involving matters of opinion, whether or not expressly so stated, are set forth as such and not as representation of fact.

The distribution of this Preliminary Official Statement has been duly authorized by the Authority's Board of Commissioners. The Authority deems this Preliminary Official Statement final as of its date within the meaning of the Rule except for the omission of certain pricing and other information permitted to be omitted by the Rule.

FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY

_____

Chairman

[THIS PAGE INTENTIONALLY LEFT BLANK]

BOND PURCHASE AGREEMENT

$_____
FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY
TRANSPORTATION DISTRICT IMPROVEMENT REVENUE REFUNDING BONDS
(SILVER LINE PHASE I PROJECT)
SERIES 2016

_____ __, 2016

Fairfax County Economic Development Authority
8300 Boone Boulevard, Suite 450
Vienna, Virginia 22182

The undersigned, _____, as representative of the underwriters (collectively, the "Underwriters"), hereby agrees to purchase the above-captioned bonds (the "Series 2016 Bonds") from the Fairfax County Economic Development Authority (the "Authority") pursuant to the terms and conditions of this Bond Purchase Agreement (this "Agreement").

The Series 2016 Bonds are to be authorized and issued pursuant to the Constitution and laws of the Commonwealth of Virginia (the "Commonwealth"), including Chapter 643 of the 1964 Acts of the General Assembly of Virginia, as amended (the "Enabling Act"), and a resolution duly adopted by the Authority on February 16, 2016 (the "Resolution").

This offer is made subject to (i) the acceptance hereof by the Authority and the approval hereof by Fairfax County, Virginia (the "County"), evidenced by each party's execution and delivery (manually or by facsimile or electronic (PDF) transmission) of this Agreement (or the signature page) to the Underwriters or their counsel, at or prior to 5:00 p.m., Eastern Time, today, and (ii) receipt by the Underwriters at or prior to 5:00 p.m., Eastern Time, today, of the Letter of Representation of the County (the "Letter of Representation") substantially in the form attached hereto as Exhibit B, which must be duly executed and delivered by an authorized official of the County, evidenced as in the case of the execution and delivery of the Agreement. If not so accepted, this offer shall expire upon written notice sent by the Underwriters to the Authority or the County at any time prior to acceptance.

Capitalized terms used in this Agreement and not otherwise defined shall have the meanings ascribed to them in the Preliminary Official Statement (as defined herein).

Section 1. Offer and Sale of Series 2016 Bonds; Good Faith Deposit

(a) On the basis of the representations, warranties, covenants and agreements contained in this Agreement (including the Letter of Representation), and in the other agreements referred to herein, and subject to the terms and conditions described in this Agreement, the Underwriters agree to purchase all the Series 2016 Bonds for the sum of $_____, representing the par amount of the Series 2016 Bonds ($_____), plus original issue premium of $_____, less an underwriting discount of $_____.

The Series 2016 Bonds shall be dated their date of issuance and shall be payable as to principal and interest in years and amounts and at rates as shown on Exhibit A.

(b) The Underwriters acknowledge that neither the County nor the Authority has authorized or consented to any of the following:

(i) the sale of the Series 2016 Bonds to any purchaser in connection with the initial public offering of the Series 2016 Bonds unless a copy of the Official Statement (as defined herein) is delivered to such purchaser not later than the settlement of such transaction;

(ii) the offer or sale of Series 2016 Bonds in any jurisdiction where any such offer or sale would be in violation of such jurisdiction's securities or "Blue Sky" laws;

(iii) making any representations or providing any information to prospective purchasers of the Series 2016 Bonds in connection with the public offering and sale of the Series 2016 Bonds other than the information set forth in the Preliminary Official Statement (as defined herein), the Official Statement and any amendment thereto approved in writing by the County and the Authority; or

(iv) any actions in connection with the offering and sale of the Series 2016 Bonds in violation of applicable requirements of federal and state securities laws and any applicable requirements of the Municipal Securities Rulemaking Board or the Financial Industry Regulatory Authority. The Underwriters agree that in its offering of the Series 2016 Bonds it will comply with the applicable rules of the Municipal Securities Rulemaking Board.

(c) On the date hereof, the sum of $_____ being payment in good faith on account of the purchase price of the Series 2016 Bonds (the "Good Faith Deposit"), shall be delivered by wire transfer from the Underwriters to the account identified by the Authority. The Good Faith Deposit represents approximately 1% of the aggregate principal amount of the Series 2016 Bonds provided in the Preliminary Official Statement (defined herein). In the event the Authority does not accept this offer, such Good Faith Deposit shall be immediately returned to the Underwriters by wire transfer to the account designated by the Underwriters. In the event that the Underwriters fail (other than for a reason permitted herein) to accept and pay for the Series 2016 Bonds on the Closing Date (as defined herein) as herein provided, the amount of such Good Faith Deposit plus any interest earned thereon shall be retained by the Authority as and for liquidated damages for such failure and for any defaults hereunder on the part of the Underwriters, and such retention shall constitute a full release and discharge of all claims by the Authority and the County against the Underwriters arising out of the transactions contemplated hereby. In the event of the Authority's failure to tender delivery of the Series 2016 Bonds on the Closing Date, or if the Authority or the County shall be unable to satisfy the conditions to the obligations of the Underwriters contained herein (unless such conditions are waived by the Underwriter), or if the obligations of the Underwriters shall be terminated for any reason permitted herein, the Authority shall immediately return to the Underwriters the Good Faith Deposit, plus any interest earned by the Authority on said sum from the date hereof to the date of return of the Good Faith Deposit, by wire transfer of immediately available funds.

Section 2. Official Statement

The Authority hereby deems the Preliminary Official Statement, dated _____, 2016, relating to the Series 2016 Bonds (the "Preliminary Official Statement") to be final as of its date within the meaning of Rule 15c2-12 ("Rule 15c2-12") of the Securities and Exchange Commission (the "SEC"), except for the omission of pricing and other information allowed to be omitted pursuant to Rule 15c2-12. The Authority will take all proper steps to complete the Preliminary Official Statement as an Official Statement in final form, including the completion of all information required pursuant to Rule 15c2-12 (the "Official Statement"). The execution of the Official Statement in final form by the Authority's Chairman or Vice Chairman shall be conclusive evidence that the Authority has deemed it final as of its date. The Authority shall arrange for the delivery within seven business days of today of a reasonable number of printed copies of the Official Statement in final form (which need not be manually executed) to

the Underwriters for delivery to each potential investor requesting a copy of the Official Statement and to each purchaser to which the Underwriters initially sells Series 2016 Bonds.

The Underwriters represents that a copy of the Official Statement will be deposited before the "end of the underwriting period" (as defined herein) with the Municipal Securities Rulemaking Board.

Section 3. Authority's Representations, Warranties, Covenants and Agreements

The Authority hereby represents, warrants, covenants and agrees as follows:

(a) The Authority is, and will be at the Closing Time (as defined herein), (i) a political subdivision of the Commonwealth of Virginia created by the Enabling Act and (ii) authorized to adopt the Resolution and to perform its obligations under the Series 2016 Bonds, the Trust Agreement dated as of May 1, 2011, and Third Supplemental Trust Agreement, dated as of _____, 2016, each between the Authority and The Bank of New York Mellon Trust Company, N.A., as Trustee (collectively, the "Trust Agreement"), the Project Agreement, dated as of May 1, 2011, by and among the Authority, the County and the Phase I Dulles Rail Transportation Improvement District (the "District") (the "Project Agreement") and this Agreement (collectively, the "Documents").

(b) The Authority has complied with all provisions of the Commonwealth's constitution and laws pertaining to the Authority's issuing, adopting or entering into the Documents and has full power and authority to consummate all transactions contemplated by the Documents and the Official Statement and any and all other agreements relating thereto to which the Authority is a party.

(c) At the time of the Authority's acceptance of this Agreement and (unless an event occurs of the nature described in Section 3(h) below) at all subsequent times up to and including the Closing Time, the information contained in the Preliminary Official Statement and the Official Statement (except for the information contained under the headings "**THE COUNTY," "THE DISTRICT," "THE SERIES 2016 BONDS – Book-Entry Only System"** and "**TAX MATTERS"** and Appendices A and B) and in any amendment or supplement thereto that the Authority may authorize for use with respect to the Series 2016 Bonds is and will be true and correct and does not contain and will not contain any untrue statement of a material fact and does not omit and will not omit to state a material fact necessary to make the statements in such document, in the light of the circumstances under which they were made, not misleading. If the Official Statement is supplemented or amended pursuant to Section 3(h) below, at the time of each supplement or amendment thereto and (unless subsequently again supplemented or amended pursuant to such Section 3(h)) at all times subsequent thereto up to and including the Closing Time, the Authority shall take all steps necessary to ensure that the Official Statement (under the headings **"THE COUNTY," "THE SERIES 2016 BONDS – Book-Entry Only System" and "TAX MATTERS"** and Appendices A and B) as so supplemented or amended does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

(d) The Authority has duly adopted and authorized, at one or more public meetings duly called and held at which quorums were present and acting throughout, (i) the distribution and use of the Official Statement; (ii) the adoption or the execution, delivery and due performance of the Documents and any and all such other agreements and documents as may be required to be executed and delivered by the Authority in order to carry out, give effect to and consummate the transactions contemplated by the Documents and by the Official Statement; and (iii) the carrying out, giving effect to and consummation of the transactions contemplated by the Documents and the Official Statement. Upon the Closing Date, the Authority shall have duly adopted or authorized, executed and delivered each Document and the Official Statement.

(e) Except as and to the extent described in the Preliminary Official Statement and the Official Statement, there is no action, proceeding or investigation before or by any court or other public body pending or, to the Authority's knowledge, threatened against or affecting the Authority or any Authority officer or employee in an official capacity (or, to the Authority's knowledge, any basis therefor), wherein an unfavorable decision, ruling or finding would materially adversely affect (i) the transactions contemplated or described herein or in the Official Statement, or the validity of the Documents or of any other agreement or instrument to which the Authority is or is expected to be a party and which is used or contemplated for use in the consummation of the transactions contemplated or described herein or in or by the Official Statement, or (ii) the condition of the Authority, financial or otherwise.

(f) The Authority's adoption or execution and delivery of the Documents and other agreements contemplated by the Documents and by the Official Statement, and compliance with the provisions thereof, will not constitute on the Authority's part a breach of or a default under any existing law, court or administrative regulation, decree or order or any contract, agreement, loan or other instrument to which the Authority is subject or by which the Authority is or may be bound. No event has occurred or is continuing that, with the lapse of time or the giving of notice, or both, would constitute an event of default under any such agreement, including the Documents.

(g) The Authority will not take or omit to take any action the taking or omission of which will in any way cause the proceeds from the sale of the Series 2016 Bonds to be applied in a manner other than as described in the Official Statement and as permitted by the Resolution or which would cause the interest on the Series 2016 Bonds to be includable in the gross income of the recipients thereof for federal or Commonwealth income tax purposes.

(h) If between the date of this Agreement and the date that is 25 days after the "end of the underwriting period," as defined below, any event shall occur that might or would cause the Official Statement, as then supplemented or amended (except for the information related to book-entry only), to contain any untrue statement of a material fact or to omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, the Authority shall promptly notify the Underwriters and the County. If, in the opinion of the Underwriters, such event requires the preparation and publication of a supplement or amendment to the Official Statement, the Authority shall at its expense supplement or amend the Official Statement in a form and in a manner approved by the Underwriters.

The "end of the underwriting period" is the time that is the later of (i) the Closing Time (as defined herein) and (ii) the time the Underwriters do not retain, directly or as members of an underwriting syndicate, an unsold balance of the Series 2016 Bonds for sale to the public. Unless the Underwriters shall otherwise advise the Authority in writing prior to the Closing Date, the Authority may assume that the end of the underwriting period is the Closing Time.

(i) The Authority is not required to obtain any further consent, approval, authorization or order of any governmental or regulatory authority as a condition precedent to its adoption or authorization, execution and delivery of the Series 2016 Bonds, the Documents or the Official Statement, or the Authority's performance hereunder and thereunder (provided no representation or warranty is expressed as to any action required under federal or state securities or Blue Sky laws in connection with the Underwriters' offers or sales of the Series 2016 Bonds).

(j) Any certificate signed by any Authority officer and delivered to the Underwriters shall be deemed a representation and warranty by the Authority to the Underwriters as to the statements made therein.

(k) The Authority agrees to take all reasonable steps as requested to cooperate with the Underwriters and its counsel in order to qualify the Series 2016 Bonds for offering and sale under the securities or "Blue Sky" laws of such jurisdictions of the United States as the Underwriters may request, provided that

the Authority need not consent to jurisdiction or service of process in any jurisdiction other than the Commonwealth.

(l) The Authority has never defaulted in the payment of the principal of or interest on any indebtedness, has not exercised any rights of nonappropriation or similar rights. No proceedings have ever been taken, are being taken, or are contemplated by the Authority under the United States Bankruptcy Code or under any similar law or statute of the United States or the Commonwealth.

(m) Other than as described in the Official Statement, the Authority has not entered into any contract or arrangement of any kind that might give rise to any lien or encumbrance on the payments to be received by the Authority from the County pursuant to the Project Agreement.

Section 4. Delivery of Series 2016 Bonds

The Series 2016 Bonds shall be delivered to the order of the Underwriters through The Depository Trust Company in New York, New York, by 12:00 noon, Eastern Time, on _____, 2016, or such other place, time or date as shall be mutually agreed on in writing by the Authority and the Underwriters. Simultaneously, the Underwriters shall make the payment required pursuant to Section 1 above, in immediately available funds, to the County or at its direction. In this Agreement, the date of such delivery and payment is called the "Closing Date," and the time and date of such delivery and payment is called the "Closing Time."

The Series 2016 Bonds shall be delivered in fully registered form, in the form of one Series 2016 Bond for each maturity, bearing CUSIP numbers (provided neither the inclusion of a wrong CUSIP number on any Series 2016 Bond nor the failure to include a number thereon shall constitute cause to refuse delivery of any Series 2016 Bond).

Section 5. Conditions to Underwriters' Obligations

The Underwriters' obligation hereunder is subject to the following conditions:

(a) The Documents, the County Documents (as defined in the Letter of Representation) and the Official Statement shall have been duly authorized or adopted and, if applicable, executed and delivered in the forms heretofore approved by the Underwriters with only such changes as are mutually agreed on by the Authority or the County, as applicable, and the Underwriters.

(b) The performance by the Authority of its obligations and adherence to its covenants hereunder and the performance by the County of its obligations and adherence to its covenants under the Letter of Representation, to have been performed at or prior to the Closing Time.

(c) The representations and warranties contained in this Agreement by the Authority, and the representations and warranties contained in the Letter of Representation by the County, are true, complete and correct today and as of the Closing Time as if made at the Closing Time.

(d) There is no material change in the County's, District's or the Authority's condition (financial or otherwise) between the most recent dates as to which information is given in the Official Statement and the Closing Time, other than as reflected in or contemplated by the Official Statement, and there are at the Closing Time no material transactions or obligations (not in the ordinary course of business) entered into by the Authority or the County after the date of the Official Statement, other than as reflected in or contemplated by the Official Statement.

(e) All necessary approvals, whether legal or administrative, have been obtained from such federal, state and local entities or agencies as are appropriate and are required in connection with the financing.

(f) At the Closing Time, the Underwriters must receive:

(i) Opinions dated the Closing Date of (A) Sidley Austin LLP, Bond Counsel, in substantially the form of Appendix E to the Official Statement, and (B) _____, counsel to the Underwriters, in form and substance acceptable to the Underwriters.

(ii) An opinion of David P. Bobzien, Esq., County Attorney, dated the Closing Date and addressed to the Underwriters, to the effect that (A) the County is a political subdivision of the Commonwealth, duly organized and validly existing under the Constitution and laws of the Commonwealth and vested with all the rights, powers and privileges conferred upon it by the Constitution and laws of the Commonwealth, (B) the County Resolution (as defined herein) was duly adopted by the Board of Supervisors of the County and is in full force and effect, (C) the County has all the necessary power and authority (1) to execute and deliver, if applicable, the County Documents and (2) to consummate all of the actions contemplated by the County Documents, (D) the County Documents have been duly authorized and, if applicable, executed and delivered by the County and constitute valid and legally binding obligations of the County, enforceable (subject to customary exceptions) against the County in accordance with their terms, (E) no further approval, consent or withholding of objection on the part of any regulatory body, federal, Commonwealth or local, is required for the County to execute and deliver and perform its obligations under the County Documents, (F) the adoption by the Board of Supervisors of the County Resolution and the execution and delivery by the County of the other County Documents and the consummation by the County of the transactions contemplated by them are not prohibited by, and do not violate any provision of and will not result in the breach of any law, rule, regulation, judgment, decree, order or other requirement applicable to the County, any ordinance or resolution of the County, or any material contract, indenture or agreement to which the County is a party or by which the County is bound, and have not resulted, and will not result, in the creation or imposition of any lien, encumbrance, mortgage or other similar conflicting ownership or security interest in favor of any third person in or to the County's revenues, assets, properties or funds except as contemplated in the County Documents, and (G) there is no legal action or other proceeding, or any investigation or inquiry (before any court, agency, arbitrator or otherwise), pending or threatened against the County or any of their officials, in their respective capacities, (1) to restrain or enjoin the issuance, sale or delivery of the Series 2016 Bonds or the application of proceeds of the Series 2016 Bonds as provided in the Official Statement or (2) which may reasonably be expected to have a material and adverse effect upon the due performance by the County of the transactions contemplated by the County Documents and the Official Statement or the validity or enforceability of the Series 2016 Bonds or the County Documents.

(iii) An opinion of the Office of the County Attorney dated the Closing Date and addressed to the Underwriters to the effect that (A) the District is a local transportation district within the Commonwealth, duly organized and validly existing under the Constitution and laws of the Commonwealth and vested with all the rights, powers and privileges conferred upon it by the Constitution and laws of the Commonwealth, (B) the resolutions adopted by the District Commission of the District on [June 22, 2009 and _____, 2016], relating to the issuance of bonds and the Project Agreement among other items, were duly adopted by the District Commission of the District and is in full force and effect, (B) the District has all the necessary power and authority (1) to execute and deliver the Project Agreement and (2) to consummate all of the actions contemplated by the Project Agreement, (C) the Project Agreement has been duly authorized executed and delivered by the District and constitutes a valid and legally binding obligation of the District, enforceable (subject to customary exceptions) against the District in accordance with its terms, (D) no further approval, consent or withholding of objection on the part of any regulatory body, federal, Commonwealth or local, is required for the District to execute and deliver and perform its obligations under the Project Agreement, (E) the execution and delivery by the District of the Project Agreement and the consummation by the District of the transactions contemplated thereby are not prohibited by, and do not violate any provision of and will not result in the breach of any law, rule, regulation, judgment,

decree, order or other requirement applicable to the District, any ordinance or resolution of the District, or any material contract, indenture or agreement to which the District is a party or by which the District is bound, and have not resulted, and will not result, in the creation or imposition of any lien, encumbrance, mortgage or other similar conflicting ownership or security interest in favor of any third person in or to the District's revenues, assets, properties or funds except as contemplated in the Project Agreement, and (F) there is no legal action or other proceeding, or any investigation or inquiry (before any court, agency, arbitrator or otherwise), pending or threatened against the District or any of its officials, in their respective capacities, (1) to restrain or enjoin the issuance, sale or delivery of the Series 2016 Bonds or the application of proceeds of the Series 2016 Bonds as provided in the Official Statement or (2) which may reasonably be expected to have a material and adverse effect upon the due performance by the District of the transactions contemplated by the Project Agreement and the Official Statement or the validity or enforceability of the Series 2016 Bonds or the Project Agreement.

(iv) An opinion of Thomas O. Lawson, Esq., PLC, dated the Closing Date and addressed to the Underwriters, to the effect that (A) the Authority is a political subdivision of the Commonwealth, duly organized and validly existing under the Constitution and laws of the Commonwealth and vested with all the rights, powers and privileges conferred upon it by the Constitution and laws of the Commonwealth, (B) the Resolution was duly adopted by the Authority and are in full force and effect, (C) the Authority has all necessary power and authority (1) to execute and deliver, if applicable, the Documents and (2) to consummate all of the actions contemplated by the Documents, (D) the Documents have been duly authorized and, if applicable, executed and delivered by the Authority and constitute valid and legally binding obligations of the Authority, enforceable (subject to customary exceptions) against the Authority in accordance with their terms, (E) no further approval, consent or withholding of objection on the part of any regulatory body, federal, Commonwealth or local, is required for the Authority to execute and deliver and perform its obligations under the Documents, (F) the adoption by the Authority of the Resolution and the execution and delivery by the Authority of the other Documents and the consummation by the Authority of the transactions contemplated by them are not prohibited by, and do not violate any provision of and will not result in the breach of any law, rule, regulation, judgment, decree, order or other requirement applicable to the Authority, any ordinance or resolution of the Authority, or any material contract, indenture or agreement to which the Authority is a party or by which the Authority is bound, and have not resulted, and will not result, in the creation or imposition of any lien, encumbrance, mortgage or other similar conflicting ownership or security interest in favor of any third person in or to the Authority's revenues, assets, properties or funds except as contemplated in the Documents, and (G) there is no legal action or other proceeding, or any investigation or inquiry (before any court, agency, arbitrator or otherwise), pending or threatened against the Authority or any of its officials, in their respective capacities, (1) to restrain or enjoin the issuance, sale or delivery of the Series 2016 Bonds or the application of proceeds of the Series 2016 Bonds as provided in the Official Statement or (2) which may reasonably be expected to have a material and adverse effect upon the due performance by the Authority of the transactions contemplated by the Documents and the Official Statement or the validity or enforceability of the Documents.

(v) A supplemental opinion of Bond Counsel, dated the Closing Date and in form and substance acceptable to the Underwriters to the effect that

[(A) the information contained in those portions of the Official Statement entitled **"ESTIMATED SOURCES AND USES OF FUNDS," "THE SERIES 2016 BONDS, (excluding Book-Entry Only System)" "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2016 BONDS," "VALIDATION," "CERTAIN LEGAL MATTERS," "TAX MATTERS"** and **"CONTINUING DISCLOSURE," and Appendices C, D and E,]** insofar as such information summarizes provisions of the Documents or the County Documents or is a description of opinions rendered by Bond Counsel, is a fair and accurate summary of the information purported to be summarized.

(B) the Series 2016 Bonds do not require registration under the Securities Act of 1933, as amended (the "Securities Act"); and

(C) the Trust Indenture Act of 1939, as amended (the "Trust Indenture Act"), does not require the qualification of the Resolution and Trust Agreement thereunder.

(D) this Bond Purchase Agreement has been duly authorized, executed and delivered and constitutes a valid and legal obligation of the Authority.

(vi) A certificate signed by the Authority's Chairman or Vice Chairman, dated the Closing Date and in form and substance acceptable to the Underwriters, stating that (A) such officer has reviewed the Preliminary Official Statement and the Official Statement and that, as of the dates of such documents and as of the Closing Date, such documents do not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements in such documents, in the light of the circumstances under which they were made, not misleading, and (B) such officer has reviewed the Authority's covenants, agreements, representations and warranties hereunder, and further confirming the Authority's compliance with such covenants and agreements and the accuracy of such representations and warranties.

(vii) Evidence satisfactory to the Underwriters that the Series 2016 Bonds have received a rating of "__" from Fitch, Inc., "__" from Moody's Investors Service, Inc., and "__" Standard & Poor's Rating Services, a division of The McGraw Hill Companies ("S&P") and that each such rating is in effect at the Closing Time.

(viii) Certified copies of all relevant proceedings of the Board of Commissioners of the Authority, the Board of Supervisors of the County and the District Commission of the District.

(ix) Original executed or certified copies of the Documents and the County Documents.

(x) Evidence satisfactory to the Underwriters that the Authority's issuance of the Series 2016 Bonds has received the County's required approval and that such approval remains in effect.

(xi) Signed copies of a certificate or certificates, dated the Closing Date, signed by the Authority's Chairman or Vice Chairman to the effect that (1) the representations and warranties of the Authority contained herein are true and correct in all material respects on and as of the Closing Date as if made on the Closing Date; (2) to the best of the knowledge of such officer, the information in the Official Statement, excluding the information under the captions **"THE COUNTY," "THE DISTRICT," "THE SERIES 2016 BONDS – Book-Entry Only System"** and **"TAX MATTERS"** and Appendices A and B (the "Authority Information"), does not contain any untrue statement of material fact or omit any statement of a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading; (3) no litigation is pending against the Authority or, to the knowledge of such officer, pending against any other entity or person or threatened in any court in any way adversely affecting the legal existence of the Authority or seeking to restrain or enjoin the issuance, sale, execution or delivery of the Series 2016 Bonds, or materially and adversely affecting the right of the Authority to collect revenues and other moneys pledged or to pledged to pay the principal of and interest on the Series 2016 Bonds, or the pledge thereof, or in any way materially and adversely contesting or affecting the validity or enforceability of the Documents or this Agreement, or contesting the completeness or accuracy of the Preliminary Official Statement or the Official Statement, or contesting the power of the Authority or its authority with respect to the Documents or this Agreement; (4) to the best of the knowledge of such officer, no event materially and adversely affecting the Authority or the transactions contemplated by the Official Statement has occurred since the date of the Official Statement which, in the reasonable opinion of the Authority, is required to be set forth in an amendment or supplement to the Official Statement (whether or not the

Official Statement shall have been amended or supplemented to set forth such event); (5) the Authority has the full legal right, power and authority to carry out and consummate the transactions contemplated to be carried out by the Authority by the Official Statement; and (6) the Authority has complied with all the requirements and satisfied all the conditions on its part to be performed or satisfied at or prior to the Closing Date.

(xii) Signed copies of a certificate or certificates, dated the Closing Date, signed by the County Executive to the effect that (1) the representations and warranties of the County contained herein are true and correct in all material respects on and as of the Closing Date as if made on the Closing Date; (2) to the best of the knowledge of such officer, the information in the Official Statement, excluding the Authority Information and Appendices C, D and E (the "County Information"), does not contain any untrue statement of material fact or omit any statement of a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading; (3) no litigation is pending against the County or, to the knowledge of such officer pending against any other entity or person or threatened in any court in any way adversely affecting the legal existence of the County or seeking to restrain or enjoin the issuance, sale, execution or delivery of the Series 2016 Bonds, or materially and adversely affecting the ability of the County to make payments under the Project Agreement, or in any way materially and adversely contesting or affecting the validity or enforceability of the Series 2016 Bonds, the resolution duly adopted by the Fairfax County Board of Supervisors on February 16, 2016 (the "County Resolution"), this Agreement or the Letter of Representation, or contesting the completeness or accuracy of the Preliminary Official Statement or the Official Statement, or contesting the power of the County or its authority with respect to the County Documents or the Letter of Representation; (4) to the best of the knowledge of such officer, no event materially and adversely affecting the County or the transactions contemplated by the Official Statement has occurred since the date of the Official Statement which, in the reasonable opinion of the County, is required to be set forth in an amendment or supplement to the Official Statement (whether or not the Official Statement shall have been amended or supplemented to set forth such event); (5) the County has the full legal right, power and authority to carry out and consummate the transactions contemplated to be carried out by the County by the Official Statement; and (6) the County has complied with all the requirements and satisfied all the conditions on its part to be performed or satisfied at or prior to the Closing Date.

(xiii) Signed copies of a certificate or certificates, dated the Closing Date, signed by the Chairman or Vice Chairman of the District Commission to the effect that (1) to the best of the knowledge of such officer, the information in the Official Statement, under the heading "**THE DISTRICT,**" does not contain any untrue statement of material fact or omit any statement of a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading; (2) no litigation is pending against the District or, to the knowledge of such officer pending against any other entity or person or threatened in any court in any way adversely affecting the legal existence of the District or seeking to restrain or enjoin the issuance, sale, execution or delivery of the Series 2016 Bonds, or in any way materially and adversely contesting or affecting the validity or enforceability of the Series 2016 Bonds, the resolutions duly adopted by the District Commission on [June 22, 2009 and _____, 2016], or contesting the completeness or accuracy of the Preliminary Official Statement or the Official Statement, or contesting the power of the District or its authority with respect to the Project Agreement; (3) to the best of the knowledge of such officer, no event materially and adversely affecting the District or the transactions contemplated by the Official Statement has occurred since the date of the Official Statement which, in the reasonable opinion of the District, is required to be set forth in an amendment or supplement to the Official Statement (whether or not the Official Statement shall have been amended or supplemented to set forth such event); (5) the District has the full legal right, power and authority to carry out and consummate the transactions contemplated to be carried out by the District by the Official Statement; and (6) the District has complied with all the requirements and satisfied all the conditions on its part to be performed or satisfied at or prior to the Closing Date.

(xiv) Such additional certificates and other documents in such form and substance as the Underwriters, their counsel or Bond Counsel may request to evidence performance of or compliance with the provisions of the Documents or the Official Statement and the transactions contemplated hereby and thereby, the truth and accuracy as of the Closing Time of the Authority's and the County's representations herein and in the Official Statement, and the Authority's and the County's due performance at or prior to the Closing Time of all agreements then to be performed by the Authority or the County, as applicable.

The delivery of the above documents shall be made on the Closing Date, at or prior to the Closing Time, at Sidley Austin LLP's Washington D.C. office, or at such other place as the Authority and the Underwriters may hereafter determine.

The Authority and the County shall exercise their reasonable best efforts to fulfill such of the foregoing conditions as may be under their control or direction. In no event shall the failure of any such condition to be met constitute a default on the part of any party (except any party who had such condition under its control or direction). The provisions of Section l(c) shall apply whether or not the failure of any such condition to be met constitutes a default on the part of any party.

Section 6. Underwriters' Right to Cancel

The Underwriters have the right to cancel its obligations hereunder by notifying the Authority or the County in writing of its election to do so between today and the Closing Time, if at any time before the Closing Time:

(a) legislation shall have been enacted by the Congress of the United States, or a decision shall have been rendered by a court of the United States or the Commonwealth, or a ruling, resolution, regulation, or temporary regulation, release, or announcement shall have been made or shall have been proposed to be made by the Treasury Department of the United States or the Internal Revenue Service, or other federal or Commonwealth authority, with respect to federal or Commonwealth taxation upon revenues or other income of the general character of that to be derived by the Authority or the County from its operations, or upon interest received on obligations of the general character of the Series 2016 Bonds that, in the Underwriters' reasonable judgment, materially adversely affects the market for the Series 2016 Bonds, or the market price generally of obligations of the general character of the Series 2016 Bonds; or

(b) there shall exist any event or circumstance that in the Underwriters' reasonable judgment either makes untrue or incorrect in any material respect any statement or information in the Official Statement or is not reflected in the Official Statement but should be reflected therein in order to make any statement of material fact therein not misleading in any material respect; or

(c) there shall have occurred (a) an outbreak or escalation of hostilities involving the United States or the declaration by the United States of a national emergency or war occurs, or (b) the occurrence of any other calamity or crisis or any change in the financial, political, or economic conditions in the United States or elsewhere, if the effect of any such event specified in clause (a) or (b), in the judgment of the Underwriters, materially adversely affects the market for the Series 2016 Bonds; or

(d) there shall be in force a general suspension of trading on the New York Stock Exchange, or minimum or maximum prices for trading shall have been fixed and be in force, or maximum ranges for prices for securities shall have been required and be in force on the New York Stock Exchange, whether by virtue of a determination by that Exchange or by an order of the United States Securities and Exchange Commission (the "SEC") or any other governmental authority having jurisdiction that, in the Underwriters' reasonable judgment, materially adversely affects the market for the Series 2016 Bonds; or

(e) a general banking moratorium shall have been declared by federal or state authorities having jurisdiction and be in force that, in the Underwriters' reasonable judgment, materially adversely affects the market for the Series 2016 Bonds; or

(f) legislation shall be enacted or be proposed or actively considered for enactment, or a decision by a court of the United States shall be rendered, or a ruling, regulation, proposed regulation, or statement by or on behalf of the SEC or other governmental agency having jurisdiction of the subject matter shall be made, to the effect that the Series 2016 Bonds or any comparable securities of the Authority, or any obligations of the general character of the Series 2016 Bonds are not exempt from the registration, qualification or other requirements of the Securities Act, or otherwise, or would be in violation of any provision of the federal securities laws or that the Trust Agreement is not exempt from the qualification requirements of the Trust Indenture Act; or

(g) there shall be established any new restriction on transactions in securities materially affecting the free market for securities (including the imposition of any limitation on interest rates) or the extension of credit by, or a change to the net capital requirements of, the Underwriters established by the New York Stock Exchange, the SEC, any other federal or state agency or the Congress of the United States, or by Executive Order; or

(h) a stop order, release, regulation, or no-action letter by or on behalf of the SEC or any other governmental agency having jurisdiction of the subject matter shall have been issued or made to the effect that the issuance, offering or sale of the Series 2016 Bonds, including all underlying obligations as contemplated hereby or by the Official Statement, or any Documents, County Documents or other documents relating to the issuance, offering or sale of the Series 2016 Bonds, is or would be in violation of any provision of the federal securities laws; or

(i) there shall have been any material adverse change in the affairs of the Authority or the County that in the Underwriters' reasonable judgment will materially adversely affect the market for the Series 2016 Bonds; or

(j) there shall have occurred, after the signing hereof, either a financial crisis or a default with respect to the debt obligations of the Authority, the County or the Commonwealth (which, in the case of a financial crisis or default of the Commonwealth, causes a material adverse change in the affairs of the Authority or the County) or proceedings under the bankruptcy laws of the United States or of the Commonwealth shall have been instituted by the Authority, the County or the Commonwealth (which, in the case of a bankruptcy proceeding with respect to the Commonwealth, causes a material adverse change in the affairs of the Authority or the County), in either case the effect of which, in the reasonable judgment of the Underwriters, is such as to materially and adversely affect the market price or the marketability of the Series 2016 Bonds; or

(k) any downgrading (including being placed on "Credit watch" or "negative watch") or withdrawal of a rating of the Series 2016 Bonds by a nationally recognized rating service, which downgrading, suspension or withdrawal, in the reasonable judgment of the Underwriter, materially adversely affects the marketability of the Series 2016 Bonds.

Section 7. Representations, Warranties, Covenants and Agreements to Survive Delivery

All of the Authority's representations, warranties, covenants and agreements in this Agreement shall remain operative and in effect, regardless of any investigation made by the Underwriter on its own behalf, after delivery of and payment for any Series 2016 Bonds or of termination or cancellation of this Agreement.

Section 8. Expenses

The Authority acknowledges that the underwriting fee provided for in Section 1 represents compensation and reimbursement to the Underwriters for its professional services and direct expenses (for such items as travel and postage); provided, however, that nothing in this acknowledgement shall be deemed to make the Underwriters an agent of the Authority.

The Underwriters shall pay its out-of-pocket expenses, including the fees and expenses of Underwriter's counsel (including the cost of performing any blue sky and legal investment surveys), including advertising expenses in connection with a public offering of the Series 2016 Bonds, fees of the CUSIP Bureau and any fees of the Municipal Securities Rulemaking Board or the Securities Industry and Financial Markets Association.

The County shall pay, from District funds on hand and proceeds of the Series 2016 Bonds], all expenses and costs to effect the authorization, preparation, execution, delivery and sale of the Series 2016 Bonds, including, without limitation, the County's and Authority's fees and expenses (at or prior to closing), the incidental expenses of the employees of the Authority and the County incurred in connection with this financing, the fees and expenses of Bond Counsel, rating agency fees and expenses, the fees and expenses of the bond registrar and paying agent, any registration or similar fees for qualifying the Series 2016 Bonds for sale in various jurisdictions chosen by the Underwriters and the expenses and costs for the preparation, printing, photocopying, execution and delivery of the Series 2016 Bonds and the Official Statement and all other agreements and documents contemplated by this Agreement.

Section 9. Use of Official Statement

The Authority hereby ratifies and confirms the use of the Preliminary Official Statement by the Underwriters. The Authority authorizes the use of, and will make available, the Official Statement for use by the Underwriters in connection with the offer and sale of the Series 2016 Bonds.

Section 10. Miscellaneous

(a) Any notice or other communication to be given hereunder may be given by mailing or delivering the same in writing as follows:

If to the Underwriters:

If to the Authority: Fairfax County Economic Development Authority
8300 Boone Boulevard, Suite 450
Vienna, Virginia 22182
Attention: Executive Director

With a copy thereof sent to:
Thomas O. Lawson, Esq.
Lawson & Silek, PLC
10810 Main Street, Suite 200
Fairfax, Virginia 22030

If to the County: Fairfax County

12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Attention: Department of Management and Budget

(b) The Authority represents and warrants that there are no fees payable by it or on its behalf, other than as described in this Agreement, to any person or party for brokering or arranging (or providing any similar services related to) the transactions contemplated by this Agreement.

(c) This Agreement shall be governed by the laws of the Commonwealth of Virginia, without regard to conflict of law principles.

(d) This Agreement may be executed in several counterparts (including separate counterparts), each of which shall be regarded as an original and all of which shall constitute one and the same document.

(e) This Agreement will inure to the benefit of and be binding on the Authority, the Underwriters and the County and their respective successors and assigns, but will not confer any rights on any other person, partnership, association or corporation other than persons, if any, controlling the Authority and the Underwriters within the meaning of the Securities Act or the Securities Exchange Act of 1934, as amended. The terms "successors" and "assigns" shall not include any purchaser of any Series 2016 Bond from the Underwriters merely because of such purchase.

(f) No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the Authority or the County in such person's individual capacity, and no officer, member, employee or agent of the Authority or the County shall be liable personally for the performance of any obligation under this Agreement. No recourse shall be had by the Underwriters for any claim based on this Agreement or otherwise against any officer, member, employee or agent of the Authority or the County in his or her individual capacity, provided such person acts in good faith, all such liabilities, if any, being hereby expressly waived and released by the Underwriters.

(g) The Authority acknowledges and agrees that (i) the purchase and sale of the Series 2016 Bonds pursuant to this Agreement is an arm's-length commercial transaction between the Authority and the Underwriters, (ii) in connection with such transaction, the Underwriters are acting solely as a principal and not as an agent or a fiduciary of the Authority, (iii) the Underwriters have not assumed (individually or collectively) a fiduciary responsibility in favor of the Authority with respect to the offering of the Series 2016 Bonds or the process leading thereto (whether or not the Underwriters, or any affiliate of any Underwriters, have advised or is currently advising the Authority on other matters) or any other obligation to the Authority except the obligations expressly set forth in this Agreement, (iv) the Authority has consulted with its own legal and financial advisors to the extent it deemed appropriate in connection with the offering of the Series 2016 Bonds and (v) the Underwriters have financial and other interests that differ from those of the County and the Authority.

(h) Section headings in this Agreement are a matter of convenience of reference only, and such section headings are not part of this Agreement and shall not be used in the interpretation of any provisions of this Agreement. Terms of any gender used herein shall include the masculine, feminine and neuter.

(i) Notwithstanding any provision herein to the contrary, the Underwriters, in its sole discretion, may waive the performance of any and all obligations of the Authority hereunder and the performance of any and all conditions contained herein for the Underwriters' benefit, and the Underwriters' approval when required hereunder or the determination of its satisfaction as to any document referred to herein shall be

in writing signed by an appropriate officer or officers of the Underwriters, on the Underwriters' behalf, and delivered to the Authority.

(j) This Agreement is the entire agreement of the parties, superseding all prior agreements, and may not be modified except in writing signed by the parties hereto.

(k) This Agreement is effective on its acceptance by the Authority and approval by the County.

Attachment 4

[Counterpart Signature Page to Bond Purchase Agreement]

_____

By _____

[Signatures Continued on Following Pages]

ACTIVE 212044891

[Counterpart Signature Page to Bond Purchase Agreement]

Accepted and agreed to:

FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY

By:_____

[Signatures Continued on Following Pages]

[Counterpart Signature Page to Bond Purchase Agreement]

Approved by:

FAIRFAX COUNTY, VIRGINIA

By:_____
Joseph M. Mondoro
Chief Financial Officer

EXHIBIT A

RATE AND MATURITY SCHEDULE

Maturity (April 1)	Principal Amount	Interest Rate	Yield
2017	$		
2018			
2019			
2020			
2021			
2022			
2023			
2024			
2025			
2026			
2027			
2028			
2029			
2030			
2031			
2032			
2033			
2034			
2035			
2036			
2037			

*[Term bond with the following sinking fund installments: April 1, 20__ $_____, April 1, 20__ $_____, April 1, 20__ $_____, April 1, 20__ $_____ and April 1, 20__ $_____.

** Yield to first par call on April 1, 20__.

EXHIBIT B

LETTER OF REPRESENTATION

LETTER OF REPRESENTATION

FAIRFAX COUNTY, VIRGINIA

I am an authorized official of Fairfax County, Virginia (the "County"), and am hereby executing and delivering this Letter of Representation as required under the terms of that certain Bond Purchase Agreement of even date herewith (the "Bond Purchase Agreement") between _____ (the "Underwriters") and Fairfax County Economic Development Authority (the "Authority"), and approved by the County. Terms not otherwise defined in this Letter of Representation shall have the meanings assigned to them in the Bond Purchase Agreement.

Section 1. ***County's Representations, Warranties, Covenants and Agreements***

The County hereby represents, warrants, covenants and agrees as follows:

(a) The County is, and will be at the Closing Time, (i) duly organized in the county executive form of government, a political subdivision of the Commonwealth of Virginia (the "Commonwealth") with all power and authority granted to counties so organized under the Constitution and laws of the Commonwealth, and (ii) authorized to enter into and adopt and perform its obligations under a resolution duly adopted by the Fairfax County Board of Supervisors on February 16, 2016 (the "County Resolution"), the Bond Purchase Agreement, the Project Agreement, a Continuing Disclosure Agreement delivered by the County, dated the Closing Date (the "Continuing Disclosure Agreement"), and this Letter of Representation (collectively, the "County Documents") to have been performed at or prior to the Closing Time.

(b) The County has complied with all provisions of the Commonwealth's constitution and laws pertaining to the County's adopting or entering into the County Documents and has full power and authority to consummate all transactions contemplated by the County Documents and the Official Statement and any and all other agreements relating thereto to which the County is a party.

(c) At the time of the County's delivery of this Letter of Representation and (unless an event occurs of the nature described in Section 1(i) below) at all subsequent times up to and including the Closing Time, the County Information contained in the Preliminary Official Statement and the Official Statement and in any amendment or supplement thereto that the County may authorize for use with respect to the Series 2016 Bonds is and will be true and correct and does not contain and will not contain any untrue statement of a material fact and does not omit and will not omit to state a material fact necessary to make the statements in such document, in the light of the circumstances under which they were made, not misleading. If the Official Statement is supplemented or amended pursuant to Section 1(i) below, at the time of each supplement or amendment thereto and (unless subsequently again supplemented or amended pursuant to Section 1(i) below) at all times subsequent thereto up to and including the Closing Time, the County shall take all steps necessary to ensure that the County Information in the Official Statement as so supplemented or amended does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading. Except as otherwise described in the Preliminary Official Statement and the Official Statement, the County has complied in all material respects during the last five years with its prior continuing disclosure undertakings with respect to Rule 15c2-12.

(d) The County has duly adopted and authorized, at one or more public meetings duly called and held at which quorums were present and acting throughout, (i) the distribution and use of the Official Statement; (ii) the adoption, execution, delivery and due performance of the County Documents and any

and all such other agreements and documents as may be required to be executed and delivered by the County in order to carry out, give effect to and consummate the transactions contemplated by the County Documents and by the Official Statement; and (iii) the carrying out, giving effect to and consummation of the transactions contemplated by the County Documents and the Official Statement. Upon the Closing Date, the County shall have duly adopted or authorized, executed and delivered each County Document and the Official Statement.

(e) Except as and to the extent described in the Preliminary Official Statement and the Official Statement, there is no action, proceeding or investigation before or by any court or other public body pending or, to the County's knowledge, threatened against or affecting the County or any County officer or employee in an official capacity (or, to the County's knowledge, any basis therefor), wherein an unfavorable decision, ruling or finding would materially adversely affect (i) the transactions contemplated or described herein or in the Official Statement, or the validity of the County Documents or of any other agreement or instrument to which the County is or is expected to be a party and which is used or contemplated for use in the consummation of the transactions contemplated or described herein or in or by the Official Statement, or (ii) the condition of the County, financial or otherwise.

(f) The County's adoption or execution and delivery of the County Documents and other agreements contemplated by the County Documents and by the Official Statement, and compliance with the provisions thereof, will not constitute on the County's part a breach of or a default under any existing law, court or administrative regulation, decree or order or any contract, agreement, loan or other instrument to which the County is subject or by which the County is or may be bound. No event has occurred or is continuing that, with the lapse of time or the giving of notice, or both, would constitute an event of default under any such agreement, including the County Documents.

(g) The County will not take or omit to take any action the taking or omission of which will in any way cause the proceeds from the sale of the Series 2016 Bonds to be applied in a manner other than as described in the Official Statement and as permitted by the Resolution and the County Resolution and which would cause the interest on the Series 2016 Bonds to be includable in the gross income of the recipients thereof for federal or Commonwealth income tax purposes.

(h) The County Information included in the Official Statement presents fairly the financial information purported to be shown as of the indicated dates. There has been no material adverse change in the financial condition of the County as a whole since June 30, 2015. The County is not a party to any contract or agreement or subject to any statutory or other restriction not disclosed in the Official Statement, the performance of or compliance with which may have a material, adverse effect on the County's or the Authority's financial condition or operations.

(i) If between the date of this Agreement and the date that is 25 days after the "end of the underwriting period," as defined below, any event shall occur that might or would cause the County Information included in the Official Statement, as then supplemented or amended, to contain any untrue statement of a material fact or to omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, the County shall promptly notify the Underwriters. If, in the opinion of the Underwriters, such event requires the preparation and publication of a supplement or amendment to the Official Statement, the County will cooperate with the Authority and at the County's expense supplement or amend the Official Statement in a form and in a manner approved by the Underwriters.

The "end of the underwriting period" is the time that is the later of (i) the Closing Time and (ii) the time the Underwriters do not retain, directly or as a member of an underwriting syndicate, an unsold balance of the Series 2016 Bonds for sale to the public. Unless the Underwriters shall otherwise advise

the County in writing prior to the Closing Date, the County may assume that the end of the underwriting period is the Closing Time.

(j) The County is not required to obtain any further consent, approval, authorization or order of any governmental or regulatory authority as a condition precedent to its adoption or authorization, execution and delivery of the County Documents or the Official Statement, or the County's performance hereunder and thereunder (provided no representation or warranty is expressed as to any action required under federal or state securities or Blue Sky laws in connection with the Underwriters' offer or sale of the Series 2016 Bonds).

(k) Any certificate signed by any County officer and delivered to the Underwriters shall be deemed a representation and warranty by the County to the Underwriters as to the statements made therein.

(l) The County agrees to take all reasonable steps as requested to cooperate with the Underwriters and its counsel in order to qualify the Series 2016 Bonds for offering and sale under the securities or "Blue Sky" laws of such jurisdictions of the United States as the Underwriter may request, provided that the County need not consent to jurisdiction or service of process in any state other than the Commonwealth.

(m) The County has never defaulted in the payment of principal or interest on any indebtedness, has not exercised any rights of nonappropriation or similar rights with respect to such indebtedness, and has not borrowed for general fund cash-flow purposes. No proceedings have ever been taken, are being taken, or are contemplated by the County under the United States Bankruptcy Code or under any similar law or statute of the United States or the Commonwealth.

(n) The County will comply with the information reporting requirements adopted by the SEC or the Municipal Securities Rulemaking Board with respect to tax-exempt obligations such as the Series 2016 Bonds as provided in the Continuing Disclosure Agreement. The County has not defaulted in the prior five years under any continuing disclosure undertaking made under the Rule.

Section 2. ***Representations, Warranties, Covenants and Agreements to Survive Delivery***

All of the County's representations, warranties, covenants and agreements in this Letter of Representation shall remain operative and in effect, regardless of any investigation made by the Underwriters on their own behalf, after delivery of and payment for any Series 2016 Bonds or of termination or cancellation of the Bond Purchase Agreement or this Letter of Representation.

Section 3. ***Official Statement***

The County authorizes the use and distribution of, and will cooperate with the Authority to make available, the Preliminary Official Statement and the Official Statement for the use and distribution by the Underwriters in connection with the sale of the Series 2016 Bonds.

The County shall cooperate with the Authority to deliver, or cause to be delivered, to the Underwriter copies of the final Official Statement in sufficient quantity in order for the Underwriter to comply with Rule 15c2-12(b)(2) promulgated under the Securities Exchange Act of 1934, as amended.

Section 4. ***Continuing Disclosure Undertaking***

The County will undertake, pursuant to the Continuing Disclosure Agreement, to provide annual reports and notices to certain events.

Section 5. ***Notice***

Any notice or other communication to be given to the County under the Bond Purchase Agreement or this Letter of Representation may be given by mailing or delivering the same in writing to 12000 Government Center Parkway**,** Fairfax, Virginia 22035-0064, Attention: Department of Management and Budget.

This Letter of Representation is delivered this ___ day of _____, 2016.

FAIRFAX COUNTY, VIRGINIA

By:_____
Joseph M. Mondoro
Chief Financial Officer

FORM OF 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 Fairfax Economic Development Authority (the "Authority") of its $_____ Transportation District Improvement Revenue Refunding Bonds (Silver Line Phase I Project) Series 2016 (the "Series 2016 Bonds") pursuant to the provisions of a resolution (the "Authorizing Resolution") adopted by the Authority on February 16, 2016, and under a Trust Agreement, dated as of May 1, 2011, and as supplemented by a Third Supplemental Trust Agreement, dated as of _____ 1, 2016 (collectively the "Trust Agreement"), each between the Authority and The Bank of New York Mellon, N.A., as trustee (the "Trustee").

SECTION 1. Purpose of the Disclosure Agreement. This Disclosure Agreement is being executed and delivered by the County acting on behalf of itself, the Authority, and the Phase I Dulles Rail Transportation Improvement District, for the benefit of the holders of the Series 2016 Bonds and in order to assist the Participating Underwriters (defined below) in complying with the Rule (defined below). Under the Rule, the County is an "obligated person." The County acknowledges that it is undertaking primary responsibility for any reports, notices or disclosures that may be required under this Disclosure Agreement.

SECTION 2. Definitions. In addition to the definitions set forth in the Trust Agreement, 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 the Series 2016 Bonds.

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

(1) principal and interest payment delinquencies;

(2) non-payment related defaults; if material;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on credit enhancements reflecting financial difficulties;

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

(6) 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 status of the Series 2016 Bonds;

(7) modifications to rights of holders, if material;

(8) bond calls, if material, and tender offers;

(9) defeasances;

(10) release, substitution, or sale of property securing repayment of the Series 2016 Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar event of the County;

(13) 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

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

"Participating Underwriters" shall mean any of the original underwriters of the Series 2016 Bonds required to comply with the Rule in connection with the offering of such Series 2016 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 the 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 ended June 30, 2016). 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 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 of the County must be submitted, if and when available, together with or separately from the Annual Report.

B. The annual financial statements of the County 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 with the Repository when they become publicly available, the County shall send a notice in a timely manner to the Repository in substantially the form attached hereto as Exhibit B.

SECTION 4. Content of Annual Reports. Any Annual Report required to be filed hereunder shall contain or incorporate by reference, at a minimum, the following: (i) audited financial statements of the County [and of the District]; (ii) updated operating data, as described in Exhibit A, (iii) updates of the information in the Official Statement dated _____ _, 2016 relating to the Series 2016 Bonds (the "Official Statement") under the heading "THE DISTRICT – District Tax Base Data" and (iv) calculations showing the rate covenant required under the Trust Agreement and set forth in the Official Statement "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2016 BONDS – Special Improvements Tax," 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 EMMA. 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 Series 2016 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 Dissemination 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 Disclosure 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 Series 2016 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 Authorizing Resolutions, the Trust Agreement or the Series 2016 Bonds, 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 notes, and shall create no rights in any other person or entity.

Date: _____ _, 2016

FAIRFAX COUNTY, VIRGINIA

By: _____

EXHIBIT A

CONTENT OF ANNUAL REPORT

Respecting Fairfax County, Virginia

(a) audited financial statements of the County;

(b) Economic Information. Updated economic information respecting the County such as income, employment, unemployment, building permits and taxable sales data,

(c) updates of the information in the Official Statement dated _____ __, 2016 relating to the Series 2016 Bonds (the "Official Statement") under the heading "THE DISTRICT – District Tax Base Data" and

(d) calculations showing the rate covenant required under the Trust Agreement and set forth in the Official Statement "SECURITY AND SOURCES OF PAYMENT FOR THE SERIES 2016 BONDS – Special Improvements Tax"

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 comparative demographic or economic information for the County and the United States as a whole is contemporaneously available and, in the judgment of the County, informative, such information may be included. 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 ECONOMIC DEVELOPMENT AUTHORITY
TRANSPORTATION DISTRICT IMPROVEMENT REVENUE BONDS
(SILVER LINE PHASE I PROJECT)
SERIES 2016

CUSIP NOS. ___-___

Dated: _____ __, 20__

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, the proceeds of which were to pay a portion of the principal amount of an outstanding note. [The County anticipates that the Annual Report [Audited Annual Financial Statements] will be filed by _____.]

Dated: _____

FAIRFAX COUNTY, VIRGINIA

By: _____

Attachment 6

FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY

to

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,

Trustee

_____

THIRD SUPPLEMENTAL TRUST AGREEMENT

_____

Dated as of _____ 1, 2016

ACTIVE 212032703v.2

Table of Contents

Page

Parties and Preamble....1

Section 1. Terms of the Series 2016 Bonds....2

Section 2. Redemption Provisions of the Series 2016 Bonds....4

Section 3. Authentication of Series 2016 Bonds....5

Section 4. Sale and Application of Proceeds of the Series 2016 Bonds....5

Section 5. Tax Covenants....6

Section 6. Recitals, Statements and Representations made by Authority, not Trustee....7

Section 7. Third Supplemental Trust Agreement as supplemental agreement....7

Section 8. Authority, County, Trustee and Bondholders Alone to Have Rights....7

Section 9. Trustee to Perform Duties of Bond Registrar....7

Section 10. Identifying Information....7

Section 11. Headings Not Part of Agreement; Certain Definitions....8

Section 12. Covenants to Bind Successors....8

Attachment 6

THIRD SUPPLEMENTAL TRUST AGREEMENT

This **THIRD SUPPLEMENTAL TRUST AGREEMENT**, dated as of _____ 1, 2016, by and between **FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY**, a political subdivision of the Commonwealth of Virginia (the "Authority"), and The Bank of New York Mellon Trust Company, N.A., a national banking association duly organized and existing under the laws of the United States of America which is authorized under such laws to exercise corporate trust powers and is subject to examination by state authority, trustee under the Trust Agreement hereinafter mentioned (the "Trustee"):

W I T N E S S E T H:

WHEREAS, the Authority has executed and delivered a Trust Agreement, dated as of May 1, 2011 (the "Trust Agreement"), by and between the Authority and the Trustee, for the purpose of fixing and declaring the conditions upon which bonds are to be issued, authenticated, delivered, secured and accepted by all persons who shall from time to time be or become holders thereof, and in order to secure the payment of all bonds at any time issued and outstanding thereunder, and the interest thereon, according to their tenor, purport and effect; and

WHEREAS, in accordance with the provisions of Section 208 of Trust Agreement, the Authority by resolution, adopted on June 24, 2009 (the "2009 authorizing resolution"), authorized the issuance in one or more series of Transportation District Improvement Revenue Bonds, as senior lien or subordinate lien bonds, bearing interest at fixed or variable interest rates, to finance the costs of the extension of the existing Washington Metropolitan Area Transportation Authority's Metrorail transportation system by approximately 11 miles, from the Metrorail Orange Line between East and West Falls Church stations to Wiehle Avenue in Reston, including four stations in Tyson's Corner (the "Phase I Project"), in an amount to provide proceeds that, together with other Phase I Dulles Rail Transportation District (the "District") funds will not to exceed the sum of $400,000,000 plus the amount of any debt service reserves (including a revenue stabilization fund); and

WHEREAS, on May 26, 2011 the Authority issued $205,705,000 Transportation Improvement District Revenue Bonds (Silver Line Phase I Project) Series 2011 (the "Series 2011 Bonds") to finance a portion of the costs of the Phase I Project; and

WHEREAS, on October 10, 2012 the Authority issued $42,390,000 Transportation District Improvement Revenue Bonds (Silver Line Phase I Project) Series 2012 (the "Series 2012 Bonds") to finance a portion of the costs of the Phase I Project; and

WHEREAS, in accordance with the provisions of Section 210 of the Trust Agreement, the Authority has by resolution, adopted on _____ __, 2016 (the "2016 authorizing resolution") determined to authorize the issuance of the Authority's Transportation Improvement District Revenue Refunding Bonds (Silver Line Phase I Project) Series 2016 (the "Series 2016 Bonds") in aggregate principal amount that will provide an amount not to exceed $__,000,000, together with other District funds, to refund all or a portion of certain outstanding maturities of the Series 2011 Bonds and Series 2012 Bonds; and

WHEREAS, Section 1101(e) of the Trust Agreement provides that the Authority may enter into a supplement to the Trust Agreement, in form satisfactory to the Trustee, as shall not be inconsistent with the terms and provisions of the Trust Agreement, to provide for the issuance and to fix the details of bonds to be issued under Section 210 of the Trust Agreement; and

WHEREAS, the execution and delivery of this Third Supplemental Trust Agreement have been duly authorized by the 2016 authorizing resolution, and the Authority has requested the Trustee to join with it in the execution of this Third Supplemental Trust Agreement; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia and by the resolutions of the Authority to happen, exist and be performed precedent to and in the execution of this Third Supplemental Trust Agreement have happened, exist and have been performed as so required; and

WHEREAS, the Trustee has accepted the trusts created by this Third Supplemental Trust Agreement and in evidence thereof has joined in the execution hereof;

NOW, THEREFORE, THIS THIRD SUPPLEMENTAL TRUST AGREEMENT WITNESSETH, that in consideration of the premises and of the acceptance by the Trustee of the trusts created hereby and by the Trust Agreement, and also for and in consideration of the sum of One Dollar to the Authority in hand paid by the Trustee at or before the execution and delivery of this Third Supplemental Trust Agreement, the receipt and sufficiency of which is hereby acknowledged, it is mutually agreed and covenanted by and between the parties hereto, as follows:

Section 1. [Terms of the Series 2016 Bonds. The Series 2016 Bonds shall be designated "Fairfax County Economic Development Authority Transportation District Improvement Revenue Refunding Bonds (Silver Line Phase I Project) Series 2016". The Series 2016 Bonds shall be issued in registered form without coupons, registered in the name of CEDE & Co., as nominee of The Depository Trust Company, and numbered R-1 and upward. The definitive Series 2016 Bonds issued under the provisions of the Trust Agreement as supplemented by this Third Supplemental Agreement shall be in substantially the form set forth in the Trust Agreement. The Series 2016 Bonds shall be issued in the aggregate principal amount of $_____, shall be dated the date of their delivery and shall be issued in denominations of $5,000 or any multiple thereof. All of the Series 2016 Bonds shall be Current Interest Bonds. $_____ of the Series 2016 Bonds shall be Serial Bonds maturing in the years, in the principal amounts and bearing interest at the rates per annum (based upon a 360-day year of twelve 30 day months), as follows:

Maturity (April 1)	Principal Amount	Interest Rate
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		
2029		
2030		
2031		
2032		
2033		
2034		
2035		
2036		
2037		

$_____ of the Series 2016 Bonds shall be Term Bonds maturing on [April 1, 2037] bearing interest at the rate of ____% per annum. Interest on the Series 2016 Bonds shall be payable semiannually on the 1st day of April 1 and October 1 in each year to maturity, commencing [October 1, 2016.] The record date for the Series 2016 Bonds shall be the 15th day (whether or not a business day) of the calendar month next preceding the applicable Interest Payment Date.

The Sinking Fund Requirements, defined and referred to in Sections 101 and 301 of the Trust Agreement, for the Term Bonds maturing April 1, 20__, shall be the following amounts on April 1 of the following years:

Year	Principal Amount
20__	$
20__	
20__	
20__	
20__*	

* Final maturity

At its option, to be exercised not less than forty-five (45) days prior to each such applicable Interest Payment Date on which Series 2016 Bonds are subject to call for redemption under the provisions of the Trust Agreement except from monies other than monies set aside or deposited for the redemption of the Series 2016 Bonds, the Authority may (a) deposit money with the Trustee to be used to purchase Series 2016 Bonds, or direct the Trustee in writing to cause money in the Debt Service Subfund (only to the extent said money is in excess of the amount required for payment of the Series 2016 Bonds theretofore matured or called for redemption and the total amount of interest and principal scheduled to become due on the next succeeding Interest Payment Date or Principal Payment Date) to be used for such purchases, at a price not exceeding the principal amount thereof plus accrued interest to such applicable Interest Payment Date, or (b) receive a credit against the Sinking Fund Requirements for Series 2016 Bonds which prior to such date have been purchased by the Authority and presented to the Trustee for cancellation or redeemed (otherwise than in satisfaction of prior Sinking Fund Requirements) and canceled by the Trustee and, in either case, not theretofore applied as a credit against any Sinking Fund Requirement. Each such Series 2016 Term Bond so purchased, delivered or previously redeemed will be credited by the Trustee at 100% of the principal amount thereof against the current Sinking Fund Requirement with respect to Series 2016 Bonds due on the same date as the Term Bond so purchased, delivered or previously redeemed and canceled. Any excess over such current Sinking Fund Requirement will be credited against the future Sinking Fund Requirements of Term Bonds with the same maturity date in such manner as the Authority shall determine, and the principal amount of such Series 2016 Bonds with such maturity date to be redeemed by mandatory sinking fund redemption will be reduced accordingly.

Section 2. Redemption Provisions of the Series 2016 Bonds.

Mandatory Redemption. The Series 2016 Term Bonds stated to mature on [April 1, 20__] shall be called for redemption, in the manner and under the terms and conditions provided in the Trust Agreement and in this Section 2 hereof, in part, on each April 1 in the principal amounts equal to the respective Sinking Fund Requirements for said Term Bonds set forth in Section 1 (less the principal amount of any such Term Bonds retired by purchase and otherwise subject to adjustment as provided in the Trust Agreement) from moneys in the Debt Service Subfund at a Redemption Price equal to par plus accrued interest thereon to the date fixed for redemption.

Optional Redemption. The Series 2016 Bonds maturing on or before April 1, 20__, are not subject to redemption prior to their stated date of maturity. The Series 2016 Bonds maturing after April 1, 20__, are subject to redemption at the option of the Authority, as directed by Fairfax County, Virginia and the District, in whole or in part, at any time on or after April 1, 20__, at a Redemption Price equal to 100% of the principal amount of the Series 2016 Bonds to be redeemed plus interest accrued thereon to the Redemption Date.

Notice of Redemption. At least 30 but not more than 90 days before the Redemption Date of any Series 2016 Bonds, whether in whole or in part, the Trustee upon the written request of the Authority will cause notice of any such redemption to be mailed by certified mail, return receipt requested, to all holders of Series 2016 Bonds to be redeemed in whole or in part. Any defect in such notice or the failure to mail such notice, shall not affect the validity of the proceedings for the redemption of any other Series 2016 Bonds. While the Series 2016 Bonds

are held in the name of DTC or its nominee, such redemption notices will be sent to Cede & Co., not to the beneficial owners of the Series 2016 Bonds.

Any notice of optional redemption of the Series 2016 Bonds may state that it is conditioned upon there being available on the redemption date 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 Authority, the corresponding notice of redemption shall be deemed to be revoked.

If the Authority gives an unconditional notice of redemption, then on the redemption date the Series 2016 Bonds called for redemption will become due and payable. If the Authority gives a conditional notice of redemption and if on the redemption date money to pay the Redemption Price of the affected Series 2016 Bonds shall have been set aside in escrow with the Trustee or a depositary (either, a "depositary") for the purpose of paying such Series 2016 Bonds, then on the redemption date the Series 2016 Bonds will become due and payable. In either case, if on the redemption date Authority holds money to pay the Series 2016 Bonds called for redemption, thereafter, no interest will accrue on those Series 2016 Bonds, and a bondholder's only right will be to receive payment of the redemption price upon surrender of those Series 2016 Bonds.

Section 3. Authentication of Series 2016 Bonds. Upon their execution in the form and manner set forth in the Trust Agreement and this Third Supplemental Trust Agreement, the Series 2016 Bonds shall be deposited with the Bond Registrar for authentication, and the Bond Registrar is hereby authorized and directed to authenticate and the Trustee shall cause the Bond Registrar to deliver the Series 2016 Bonds for the account of _____ as representative of the underwriters (the "Underwriters"), at The Depository Trust Company, New York, New York, against payment therefor in accordance with and subject to the provisions of Sections 210 of the Trust Agreement and Section 4 hereof.

Section 4. Sale and Application of Proceeds of the Series 2016 Bonds.

(a) The negotiated sale of the Series 2016 Bonds to the Underwriters pursuant to the terms set forth in a Bond Purchase Agreement dated _____, 2016 between the Authority and the Underwriters is hereby confirmed.

(b) [The proceeds of the Series 2016 Bonds in the amount of $_____, together with $_____ transferred from the Residual Fund, $_____ released from the Reserve Subfund and $_____ released from the Revenue Stabilization Subfund shall be deposited by the Authority in accordance with the District Project Contract and the Trust Agreement, simultaneously with the delivery of the Series 2016 Bonds as follows:

(1) with the Trustee, to the credit of the Costs of Issuance Account in the Construction Subfund the amount of $_____; and

(3) with Bank of New York Mellon Trust Company, N.A., as escrow agent, (the "Escrow Agent") under the Escrow Agreement, dated _____, 2016, entered into between

the Authority and Escrow Agent (the "Escrow Agreement") to the credit of the Escrow Fund created within the Escrow Agreement, the amount of $_____.]

Section 5. Tax Covenants. The Authority covenants that it will not take any action which will, or fail to take any action which failure will, cause interest on the Series 2016 Bonds to become includable in the gross income of the recipients thereof for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder.

(a) As of a date not later than five years after the issue date of the Series 2016 Bonds (the "Initial Installment Computation Date"), and at least once every five years thereafter, the Authority shall cause the Rebate Liability to be computed by a Rebate Analyst and will deliver a copy of the applicable Rebate Liability calculation to the Trustee (the "Rebate Liability Certificate"). Amounts paid for the purpose of funding the Rebate Liability, or otherwise made available therefor, shall be deposited by the Trustee in the Rebate Subfund.

(1) not later than sixty (60) days after each Initial Installment Computation Date, the Authority shall pay, or direct the Trustee in writing to pay from amounts in the Rebate Subfund, to the United States of America at least ninety percent (90%) of the Rebate Liability as set forth in the Rebate Liability Certificate prepared with respect to such installment computation date;

(2) no later than sixty (60) days after the installment computation date that is the fifth anniversary of the Initial Installment Computation Date and no later than sixty (60) days after every fifth anniversary date thereafter until final payment of the applicable Series of Bonds, the Authority shall direct the Trustee in writing to pay from amounts in the Rebate Subfund (such amounts constituting Excess Earnings as consistent with the tax certificate delivered in connection with the issuance of the Series 2016 Bonds (as supplemented and amended from time to time, the "Authority Tax Certificate"), transferred from the Construction Subfund, Reserve Subfund and Revenue Stabilization Subfund and any of their applicable accounts) to the United States of America not less than the amount, if any, by which ninety percent (90%) of the Rebate Liability set forth in the most recent Rebate Liability Certificate exceeds the aggregate of all such payments theretofore made to the United States of America with respect to the applicable Series of Bonds;

(3) no later than sixty (60) days after final payment of a Series of Bonds, the Authority shall pay, or direct the Trustee in writing to pay from amounts in the Rebate Subfund, to the United States of America the amount, if any, by which 100% of the Rebate Liability set forth in the Rebate Liability Certificate with respect to the date of final payment of the applicable Series of Bonds exceeds the aggregate of all payments theretofore made pursuant to this Section.

(b) The Authority represents that it will instruct the Trustee in writing as to the final application of the amounts in the Rebate Subfund to the make payments to the United States of America of all or a portion of the Rebate Liability on such dates or amounts in order for the Authority to comply with the conditions in this section of the Third Supplemental Trust Agreement and the Authority Tax Certificate.

All such payments shall be made by, or at the written direction of, an Authority Representative from any legally available source, including moneys in the Rebate Subfund.

Notwithstanding any provision of this Section to the contrary, (i) no such Rebate Liability payment need be made if the Authority receives and delivers to the Trustee an Opinion of Bond Counsel to the effect that such payment (1) is not required under the Code to prevent the Series 2016 Bonds from becoming "arbitrage bonds" within the meaning of Section 148 of the Code, or (2) may or should be calculated and paid on some alternative basis under the Code, and the Authority complies with such alternative basis and (ii) an EDA Representative may direct the Trustee in writing to transfer all or any portion of the money held for the credit of the Rebate Subfund to any other Subfund or account under the Trust Agreement to which such a transfer may be made under the terms of the tax certificate executed by Fairfax County and the Authority relating to the Series 2016 Bonds.

The Trustee shall provide the Authority within ten (10) days after each April 1, or other computation date selected by the Authority, and within ten (10) days after the final payment of a Series of Bonds with such reports and information with respect to earnings of amounts held under the Trust Agreement and this Third Supplemental Trust Agreement as may be requested by the Authority to comply with the provisions of this Section.

Section 6. Recitals, Statements and Representations made by Authority, not Trustee. The recitals, statements and representations contained herein shall be taken and construed as made by and on the part of the Authority and not by the Trustee, and the Trustee assumes and shall be under no responsibility for the correctness of the same.

Section 7. Third Supplemental Trust Agreement as Supplemental Agreement. This Third Supplemental Trust Agreement is executed and shall be construed as an agreement supplemental to the Trust Agreement and shall form a part thereof, and the Trust Agreement as hereby and heretofore supplemented is hereby ratified, approved and confirmed.

Section 8. Authority, County, Trustee and Bondholders Alone to Have Rights. Nothing in this Third Supplemental Trust Agreement expressed or implied is intended or shall be construed to give to any person other than the Authority, the County, the Trustee and the holders of the Series 2016 Bonds issued under the Trust Agreement any legal or equitable right, remedy or claim under or in respect of the Trust Agreement, or this Third Supplemental Trust Agreement, or under any covenant, condition or provisions therein or herein or in said Series 2016 Bonds contained; and all such covenants, conditions and provisions are and shall be held to be for the sole and exclusive benefit of the Authority, the County, the Trustee and the holders of said Series 2016 Bonds issued under the Trust Agreement.

Section 9. Trustee to Perform Duties of Bond Registrar. The Trustee accepts and agrees to execute the trusts imposed upon it as Bond Registrar under this Third Supplemental Trust Agreement, but only upon the terms and conditions set forth in the Trust Agreement and subject to the provisions of the Trust Agreement, to all of which the parties hereto and the owners of the Series 2016 Bonds agree.

Section 10. Identifying Information. To help the government fight the funding of terrorism and money laundering activities, federal law requires the Trustee to obtain, verify and record information that identifies each person who opens an account. The Authority agrees to provide documentation to verify its formation and existence as a legal entity if requested by the Trustee. The Trustee may also ask to see financial statements, licenses, and identification and authorization documents from the Authority or other relevant documentation.

Section 11. Headings Not Part of Agreement; Certain Definitions. (a) The title of Sections and any wording on the cover of this Third Supplemental Trust Agreement are inserted for convenience only and are not a part hereof.

(b) All terms not defined herein shall have the meanings given to them in the Trust Agreement.

Section 12. Covenants to Bind Successors. All the covenants, stipulations, promises and agreements in this Third Supplemental Trust Agreement contained made by or on behalf of the Authority or for the Trustee shall inure to and bind their respective successors and assigns.

IN WITNESS WHEREOF, Fairfax County Economic Development Authority has caused this Third Supplemental Trust Agreement to be executed by its Chairman and its official seal to be impressed hereon and attested by its Secretary, and The Bank of New York Mellon Trust Company, N.A., has caused this Third Supplemental Trust Agreement to be executed in its behalf by an authorized officer, all as of the day and year first above written.

FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY

By _____
Chairman

[SEAL]

Attest:

_____
Secretary

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., Trustee

By _____
Name:
Title:

Board Agenda Item
February 16, 2016

ACTION - 4

Approval of an Amended Agreement Between the Town of Vienna and Fairfax County to Design and Construct a Stream Restoration Project on Hunters Branch Stream (Hunter Mill District)

ISSUE:
Board of Supervisors' authorization is requested for the County to amend an agreement with the Town of Vienna (the Town) that provides additional funding for the design and construction of a stream restoration project on Hunters Branch which is located in the Town and within the Accotink Creek watershed.

RECOMMENDATION:
The County Executive recommends that the Board approve and authorize the County Executive or his designee to sign the amended agreement with the Town to provide additional funds for the design and construction of a stream restoration project on Hunters Branch Stream.

TIMING:
Board approval is requested on February 16, 2016

BACKGROUND:
On October 7, 2014, the Board approved the County Executive's recommendation to approve and authorize the County to sign an agreement with the Town to provide $570,000 to partially fund the design and construction of a stream restoration project that is located within the Town and the Accotink Creek watershed. A Virginia Department of Environmental Quality (DEQ) Stormwater Local Assistance Fund (SLAF) grant and Town funds are also being used for the design and construction of the project. The County's contribution has been disbursed pursuant to the terms of the October, 7, 2014, Agreement.

Five bids to construct the project were received by the Town on October 13, 2015. The Total Project Estimate has increased by $207,683 due to higher than originally

estimated construction bids. The total cost of the project is estimated to be $1,547,686. The Town has requested additional financial assistance from the County to help fund the construction of the stream restoration project. Additionally, DEQ will increase its grant award for the project to $773,843.00.

The project will restore 2,067 linear feet of stream on Hunters Branch Stream. The project will provide nutrient reduction and improved water quality in the Accotink Watershed. Under the previously executed Cooperative Agreement Between the Fairfax County Board of Supervisors and the Town of Vienna to Share Certain Stormwater Service District Fees and Responsibility for Related Projects, the Town and the County may use the project benefits towards compliance with their respective Municipal Separate Storm Sewer System (MS4) permits and Chesapeake Bay Total Maximum Daily Load (TMDL) requirements.

The Town is within the County's Stormwater Service District, and the County collects revenue from property owners within the Town. Therefore, the County seeks to implement stormwater projects, such as this, that benefit the Town and the County. In addition to the above-described benefits, partnering with the Town on this project will save the County the time and administrative costs that would be incurred if the County implemented the project as part of its stormwater program.

FISCAL IMPACT:
The estimated total cost of the project is $1,547,686. The County will transfer a total of $673,843 (including the previously disbursed funds) to the Town solely for the purpose of constructing the project, which cannot be used for the cost of any feasibility study or the acquisition of any lands or easements necessary for the completion for the project. The Town will fund $100,000 toward the project and contribute in-kind services for all aspects of the project. DEQ SLAF funds in the amount of $773,843 have been awarded for the Hunters Branch Stream Restoration Project. The Town must reimburse the County funds that are not expended in accordance with the terms of the attached agreement. Funding is currently available in Project Number SD-000031, Stream and Water Quality Improvements, Fund 400-40100, Stormwater Services, for the County's obligation for this project. Additionally, the amended agreement allows the County to fund, at its sole discretion, cost overruns attributable to change orders and/or related costs that arise during construction.

Board Agenda Item
February 16, 2016

CREATION OF POSITIONS:
No positions will be created.

ENCLOSED DOCUMENTS:
Attachment 1: Amended Agreement between the Board of Supervisors of Fairfax County, Virginia and the Town of Vienna

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

AMENDED AGREEMENT

This Agreement ("Agreement") made and entered into this _____ day of _____, 2016, by and between the **BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** (the "County"), a body politic, and the **Town of Vienna** (the "Town").

WITNESSETH:

WHEREAS, the Town has been awarded a Stormwater Local Assistance Fund (SLAF) Grant from the Virginia Department of Environmental Quality ("DEQ Grant") for the Hunter's Branch Stream Restoration Project (the "Project"), which will be located within the boundaries of the Town and which will restore a portion of the body of water known as Hunter's Branch/Accotink Creek; and

WHEREAS, the location of the Project is at Longitude 38.886 and Latitude 77.271, which is more specifically shown on the Fairfax County Real Property Identification Map as Tax Map No. 48-1 ((13)) Parcel C; and

WHEREAS, the Project is within the Chesapeake Bay and Potomac River Watersheds, and lies within the Town and County; and

WHEREAS, the Town is part of the County's Stormwater Service District and the Town and County have entered into the "Cooperative Agreement Between the Fairfax County Board of Supervisors and the Town of Vienna to Share Certain Stormwater Service District Fees and Responsibility for Related Projects" (the "Cooperative Agreement"), to share funds and responsibility to maintain, operate, and improve stormwater systems and to meet Chesapeake Bay Total Maximum Daily Load ("TMDL") and other water quality goals. The Cooperative Agreement is attached hereto as Attachment 1 and is incorporated herein by reference; and

WHEREAS, the Cooperative Agreement requires the development of a Joint Action Plan ("Joint Action Plan"), which will, in part, establish pollutant loads for the County and Town that are consistent with the TMDL. The Joint Action Plan has not been developed as of the date of this Agreement; and

WHEREAS, the Town and County agree that funds collected as part of the Cooperative Agreement can be used to match the DEQ Grant for the Project because the

Project meets the water quality objectives of each locality and their respective Chesapeake Bay TMDL obligations; and

WHEREAS, the County and Town previously entered an agreement on October 14, 2014 (the "2014 Agreement"), related this Project;

WHEREAS, the County and Town intend for this Amended Agreement to supersede and replace the previously executed Agreement dated October 14, 2014, for the Project; and

WHEREAS, pursuant to the 2014 Agreement, the County disbursed five hundred seventy thousand dollars ($570,000). However, the actual project cost will exceed the amount set forth in the 2014 Agreement; and

WHEREAS, the total cost of the Project is estimated to be one million, five hundred forty-seven thousand, six hundred eighty-six dollars ($1,547,686.00); and

WHEREAS, the County intends to contribute an additional one hundred -three thousand, eight hundred forty-three dollars ($103,843.00) from the Stormwater Budget for the purpose of supporting the design and construction of the Project; and

WHEREAS, the Town contributed one hundred thousand dollars ($100,000.00) under the 2014 Agreement for the purpose of supporting the design and construction of the Project and will dedicate Town staff expertise and time for the purpose of supporting, developing, and implementing the Project; and

WHEREAS, the DEQ Grant will contribute seven hundred and seventy-three thousand, eight hundred forty-three dollars ($773,843.00) for the purpose of supporting the construction of the Project; and

WHEREAS, notwithstanding the Town's implementation of the Project, pursuant to the Cooperative Agreement or any amendment thereto, the Town and the County intend that the Project be part of a Joint Action Plan; and

WHEREAS, pursuant to the Cooperative Agreement, the Town and the County intend that the Project will result in a credit to the County in proportion to the total load reductions as established in the Joint Action Plan; and

WHEREAS, the Town and the County concur that the County's total contribution ($673,843.00) (the "Total Contribution") to this Project shall not be charged against the

PAID VIENNA REVENUES as set forth in the Cooperative Agreement, but rather, are a separate grant to the Town from the County;

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein as if restated as binding provisions of this agreement, the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, the parties hereto further agree as follows:

1. This Amended Agreement shall supersede and replace the 2014 Agreement for this Project.

2. Upon execution of this Amended Agreement, the County shall grant to the Town funds in the amount of one hundred -three thousand, eight hundred forty-three dollars ($103,843.00) (the "County Contribution"), to be paid with monies from the County's stream and water quality improvement project fund (SD0000031) of the Stormwater Budget (Fund 40100). The County Contribution plus the amount granted to the Town subsequent to the 2014 Agreement ($570,000) equals the Total Contribution.

3. The Town shall dedicate Town staff expertise and time for the purpose of supporting, developing, and implementing the Project.

4. The Town shall expend the DEQ Grant of seven hundred and seventy-three thousand, eight hundred forty-three dollars ($773,843.00) for the sole purpose of supporting the construction of the Project when the DEQ Grant is received.

5. The County's Total Contribution shall be used and expended solely for the purpose of constructing the Project but shall not be used for the cost of any feasibility study or acquisition of any lands or easements necessary for the completion of the Project.

6. The Town shall acquire, at its sole expense, any and all land or easements, or other interests in real property, if any, that are necessary to complete the Project.

7. The Town, at its sole expense, shall administer the design and construction contracts, obtain approval of all plans, and obtain all permits necessary for the completion of the Project.

8. The Town shall notify the County if the Town, at any time, modifies the scope of the Project, which is generally described herein above and in the Town's "Water

Division Application for Stormwater Local Assistance Fund (SLAF) – Stormwater Capital Projects," which was submitted to DEQ for the DEQ Grant (the "Plan"). If the scope of the Project's design, in the sole judgment of the County, significantly deviates from the design scope described in the Plan, the Town shall, within 30 days after such notification of such deviation is provided by the County, reimburse to the County the amount of the County Contribution.

9. The Town shall provide to the County a copy of the final site plan for the Project.

10. The Town shall retain all invoices and all records of payments for any and all services rendered for the design, construction, and any related expenses for completion of the Project, and copies of any such invoices and records of payments shall be provided to the County upon request within three business days after such a request.

11. If at any time the Town abandons or otherwise ceases the Project for any reason, the Town shall immediately return any amount of the County Contribution not expended in accordance with this agreement and all invoices and records of payments related to the Project shall be delivered within 14 days of such abandonment or cessation. "Abandon," as used herein, shall include, but not be limited to, the failure to initiate or the termination of the design or construction before the Project's completion.

12. The County, in its sole discretion, may agree to pay cost overruns that are attributable to change orders and/or related costs that arise during construction of the Project, to the extent that such funds are available in the County's stream and water quality improvement project fund (SD0000031) of the Stormwater Budget (Fund 40100).

13. The Town shall complete the Project not later than two years after this agreement is executed.

14. Pursuant to the Cooperative Agreement, the Project shall be part of the Joint Action Plan that is described therein. If, however, the Project has been completed before the Joint Action Plan is finalized and approved, then the County shall nonetheless be entitled to its total load reduction credits as may be established under the terms of the Cooperative Agreement or any amendment thereto.

15. This agreement can only be modified in writing and signed by both parties.

[Signatures appear on following page]

TOWN OF VIENNA

By Laurie A. DiRocco
Mayor Laurie A. DiRocco

STATE OF VIRGINIA :
: to-wit
COUNTY OF FAIRFAX :

The foregoing Agreement was acknowledged before me by Mayor Laurie A. DiRocco of the Town of Vienna, this 12th day of January ~~2014~~ 2016, on behalf of the Town of Vienna.

Paul Waters
Notary Public

My commission expires: 01-31-2016
Notary Registration Number: 289446

PAUL WATERS
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
REGISTRATION # 289446
MY COMM. EXPIRES 01-31-2016

BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA

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

STATE OF VIRGINIA :
: to-wit
COUNTY OF FAIRFAX :

The foregoing Agreement was acknowledged before me by Edward L. Long Jr., County Executive of Fairfax County, Virginia, on behalf of the Board of Supervisors of Fairfax County, Virginia this _____ day of _____ 2014.

_____
Notary Public

My commission expires: _____

Notary Registration Number: _____

Board Agenda Item
February 16, 2016

INFORMATION – 1

2015 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, 2015 and March 31, 2015, 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 permit was issued on January 24, 2002, and expired on January 24, 2007. The County operated under an administrative continuance of the 2002 permit until the permit was renewed on April 1, 2015. A report documenting activities performed by the County between April 1, 2015 and June 30, 2015 was submitted on September 22, 2015 in accordance with the reporting requirements of the County's new permit. Subsequent annual reports will follow a fiscal year reporting cycle.

Unless otherwise directed by the Board of Supervisors, the County Executive will forward the "2015 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 Environmental Quality.

ENCLOSED DOCUMENT:
Attachment 1: 2015 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

ATTACHMENT 1

2015 VPDES Permit Annual Report

Prepared by

Fairfax County, Virginia
VPDES Permit No. 0088587

Submitted to

Virginia Department of Environmental Quality

February 16, 2016

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 4
a.7) Spill Prevention and Response 5
a.8) Industrial & High Risk Runoff 6
a.9) Construction Site Runoff 7
a.10) Storm Sewer Infrastructure Management 8
a.11) Public Education 8
a.12) Monitoring Programs 9
b) Proposed Changes to the Stormwater Management Program 13
c) Assessments of controls and the fiscal analysis 13
d) Annual Expenditures for the Stormwater Management Program and Budget 13
e) Identification of water quality improvements or degradation 13

List of Attachments

Attachment 1: Fairfax County's Watershed Management Plans 15
Attachment 2: 2014 Public Education Program 16

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 2014 12
Table 2: Computed seasonal and annual unit-area constituent loadings at monitored locations for 2013 12

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 operated under an administrative continuance of the 2002 permit until the permit was renewed on April 1, 2015. This report covers the from January 1, 2015, through March 31, 2015, and describes the activities performed to satisfy the county's permit requirements in effect during that time. A report covering the period from April 1, 2015 through June 30, 2015 was submitted on September 22, 2015 in accordance with the reporting requirements of the county's new permit. Subsequent annual reports will follow a fiscal year reporting cycle.

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.

The retrofit project completed during January 1, 2015 to March 31, 2015 reporting period was a specific recommendation identified in the Sugarland Run and Horsepen Creek watershed management plan. A full summary of this retrofit project 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.

Between January 1, 2015 and March 31, 2015, the county inspected 188 (approximately 11 percent) of the 1,762 county-maintained stormwater management (SWM) and best management practice (BMP) facilities at least once. Currently, these inspections are being tracked on a fiscal year basis, resulting in approximately 900 inspections per fiscal year. Out of the 188 county-maintained stormwater management (SWM) and best management practice (BMP) facilities inspected, six (6) were State-Regulated Dams.

Between January 1, 2015 and March 31, 2015, the county inspected 81 (two (2) percent) of the 3,861 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.

Between January 1, 2015 and March 31, 2015, the county cleaned and/or mowed 208 dam embankments. 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 339 maintenance work orders to address maintenance issues and correct deficiencies in publicly maintained SWM/BMP facilities.

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 October 2015, 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. For development and redevelopment projects in several of the county's activity centers, the Plan includes recommendations for attainment of LEED stormwater design credits. The Tysons Corner Urban Center amendment also included a recommendation to retain at least the first inch of rainfall on-site for zoning applications proposing significant increases in development density/intensity. In 2014, guidelines for optimization of stormwater management for development proposals exceeding a specific threshold of intensity were adopted for the Transit Station Areas in Reston (similar to those adopted for a transit station area near Dulles Airport in 2013). There were no such Plan Amendments during the first quarter of 2015, although similar guidance was adopted for the Seven Corners Community Business Center later in the year. 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 87 rezonings and related applications (e.g., amendments), 101 special exceptions and amendments, and 312 special permits and amendments in fiscal year 2014 for

environmental considerations. . During January 1 to March 31, 2015, 14 rezonings and related applications, 29 special exceptions and amendments, and 93 special permits and amendments were accepted for review.

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 a minor amount of discontinuous road segments. 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. As part of a continued effort to limit the discharge of pollutants from county facilities, the county updated Standard Operating Procedures (SOPs) for both Snow Removal Operations and Street Sweeping in 2014. These SOPs are intended to be used county-wide by Fairfax County agencies.

The county's parking lot sweeping program and snow removal operations are 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 plows and treats snow at county government facilities and 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 on a case-by-case basis to remove snow and provide for safe driving and footing. Between January 1 and March 31, 2015,40 cubic yards of material were removed from seven county government facilities, and 41 residential sites, 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 one (1) retrofit project to enhance stormwater management functionality between January 1, 2015 and March 31, 2015. The project involved converting a dry pond into a Constructed Wetland. The results of the county's retrofit efforts during this reporting period are summarized as follows:

- The project was in the Horsepen Creek watershed.The Project was a retrofitting opportunity specifically mentioned in a county watershed management plan.
- The impervious area treated by the retrofit is approximately 17 acres while the total area treated was 37 acres.
- The retrofit is estimated to remove nitrogen, phosphorus, and sediment at rates of approximately 98 pounds/year, 11 pounds/year, and 9,298 pounds/year, respectively.
- The approximate cost of this retrofit project is$589,000.

Retrofit project documentation is maintained by the Stormwater Planning Division (SWPD) of DPWES.

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 parks and athletic fields currently have some form of nutrient and pest management plans. County personnel and private contractors develop and implement the plans per the Virginia Department of Conservation and Recreation's nutrient management guidelines, the Virginia Department of Agriculture and Consumer Services's guidelines, and the Virginia Pesticide Control Act.

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. To date FCPA has nutrient management plans for approximately 448 acres of golf course area and 227 acres of natural turf athletic fields where nutrients are applied (an additional 3,001 acres are addressed under a nutrient management plan, but do not receive any nutrients). Thirty one acres of park land are managed under an integrated pest management plan. An additional 872 acres of FCPA managed turf do not receive any fertilization or pesticide application.

For the period of January 1, 2015 to March 31, 2015 the Northern Virginia Soil and Water Conservation District's certified nutrient management planner prepared a "Revised" Soil and Water Quality Conservation Plan (SWQCP) for a 288-acre property in Agricultural and Forestal (A&F) District. "Revised" plans are plans prepared for tracts that once had a SWQCP that has expired, or is soon-to-be expired. That A&F District operation included 21 acres of pasture for raising a range of 16 to 32 sheep (depending on market demands), and a flock of birds (chickens and Guinea hens) averaging about twenty-four in number.

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);

Fairfax County enforces illicit discharges through County Code Chapter 62, Fire Protection and Chapter 124, Stormwater Management (effective 7/1/14). Chapter 124 integrated previous Chapters 105 and 106 in Article 9 which addresses illicit discharges to state waters and the MS4. The Fire and Rescue Department's (FRD) Fire and Hazardous Materials Investigative Services (FHMIS) section enforces County Code Chapters 62 which includes 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. The Department of Public Works and Environmental Services (DPWES) enforces County Code Chapter 124 which addresses illicit discharges to state waters and the county's MS4.

Illegal Dumping is addressed by County Code Chapter 46, Health of Safety Menaces. Procedural Memorandum No. 71-01, Illegal Dump Site Investigation, Response, and Cleanup, outlines the process of follow-up action for non-emergency incidents; illegal dumping; establishes action under Chapter 46; and provides referrals for action on complaints.

From January 1, 2015 to March 31, 2015, Stormwater Planning Division (SWPD) Code Specialists responded to two (2) suspected illicit discharges to the County MS4 or to state waters. In one case the discharge was promptly eliminated. In another case, the discharge was not directly observed by the inspector, but the inspector provided educational information on proper vehicle and equipment washing. Both investigations were closed. Illicit Discharges may also be identified through the County's Dry Weather Screening Program (discussed in more detail in section a.12(a) of this report). Dry weather screening is conducted in autumn each year in accordance with program standard operating procedures. There were no outfalls screened through the program during the time period covered by this annual report.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) and Capital Facilities (CAP) business areas of DPWES, and the Fairfax County Health Department. 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. From January 1, 2015 to March 31, 2015, 230,096 linear feet of old sewer lines and 2,782 linear feet of new sewer lines were inspected, resulting in the identification of sanitary sewer lines and manholes needing repair and rehabilitation. From January 1, 2015 to March 31, 2015, 22,729 linear feet of sanitary sewer lines were rehabilitated, bringing the total length of sewer lines repaired since the permit was issued in 2002 to 1,404,707 linear feet (about 266 miles).

The Sanitary Sewer Extension and Improvement Program, implemented by CAP, 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. No Extension and Improvement projects were completed from January 1, 2015- March 31, 2015.

The Health Department mailed 2,762flow diversion valve reminder notices from January 1, 2015- March 31, 2015. 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 2015, 588 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 18 new alternative onsite sewage systems approved in 2015, bringing the total number of alternative systems in Fairfax County to 876. It is required that each of these systems be 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 has notified 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. The HMRT conducts monthly training on each of the three shifts. Last year each shift conducted at a minimum 252 hours of training per month regarding hazmat technician operations for a total of 3024 hours per shift. The entire fire department operational personnel receive 4 hours per person of hazmat operations refresher training totaling approximately 4000 hours. The refresher training covers topics relating to hazard classes, container shapes, initial actions and chemical/physical properties. 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.

For the period of January 1, 2015 to March 31, 2015, FHMIS received 150 complaints. Approximately 43 of the complaints involved the actual release of various petroleum or chemical substances. Of the 43 releases, most involved the release of petroleum products including diesel fuel (two (2)), home heating fuel oil (two (2)), gasoline (six (6)), motor oil (four (4)), or hydraulic oil (two (20). Other releases investigated involved antifreeze, paint, sewage, waste water discharges, water treatment chemicals and mercury. Storm drains or water ways were involved in five (5) 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.

The 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 2014 the Hazardous Materials Technical Support Branch of FHMIS monitored six (6) 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 updates its Hazardous Material Emergency Response Plan annually.

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.

Stormwater Planning Division (SWPD) finalized standard operating procedures (SOPs) for inspection of the industrial and high risk runoff (IHRR) facilities and began conducting facility inspections in accordance with these SOPs. From January 1, 2015 to March 31, 2015, SWPD's Code Specialists inspected nine (9)) facilities from the IHRR list in

accordance with county SOPs. With the exception of one facility (Virginia Concrete Company – Mid Atlantic; VPDES permit number VAG110069) no significant pollutant discharges were discovered during the inspections. Virginia Concrete Company – Mid Atlantic was referred to the Virginia Department of Environmental Quality on March 27, 2015 for compliance review. Educational materials on stormwater best management practices were provided to facilities as part of the inspections.

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

Fairfax County's current inventory of Industrial and High Risk Runoff (IHRR) facilities within the county's MS4 service area is 144.

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.

From January 1, 2015 to March 31, 2015, a total of 157 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 DEQ and is implemented by the Land Development Services (LDS) business area of DPWES. From January 1, 2015 to March 31, 2015, 5707 E&S inspections were performed through the county's Alternative Inspection Program on all sites under construction. Those E&S inspections represent 55 percent of the 10,480 total site inspections that were performed by Site Development and Inspection Division (SDID) personnel. The site inspections total also includes 1512 projects that were inspected for purposes other than strictly E&S control (e.g., pre-construction, streets, sanitary sewer, storm sewer, and project release).

From January 1, 2015 to March 31, 2015, SDID wrote 71 E&S control inspection reports (formerly called "20/30 reports"), which identify the E&S control deficiencies construction site operators (formerly called "developers") must correct within five days. Failure to comply within the specified time frame can result in issuance of a violation to the developer. From January 1, 2015 to March 31, 2015, SDID issued 2 violations and they were later resolved. SDID held 168 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). From January 1, 2015 to March 31, 2015, the branch received 7 total complaints. In most instances, there was either no violation or there was timely compliance if a violation was cited. The branch issued 31 Notices of Violations (6 Resource Protection Area (RPA) violations and 25 land disturbance violations). The branch undertook one criminal proceedings to ensure compliance. Currently all RPA violations have been cleared, but two land disturbance violations are still being addressed.

Residents may report complaints about erosion and sedimentation to the county by phone,through e-mail, or anonymously on the web. Residents can visit the following website to find contacts for specific land development issues: http://www.fairfaxcounty.gov/dpwes/sitedevelopment/land_dev_concerns.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.

For the period January 1, 2015 to March 31, 2015, the GIS inventory was updated with new as-built plans and field verification of system components within identified easements. Five (5) as-built construction plans were digitized while continuing efforts to review the inventory's completeness and spatial accuracy resulted in updates to 22 tax map grids. Routine maintenance of the GIS-based stormwater easement database continues through 2015.

The county continued implementation of its infrastructure inspection and rehabilitation program. Over 4,200 pipe segments and over 4,200 storm structures were inspected with ground surface inspections and video or photo documentation during this period in 2015. Under the condition assessment program, more than 28 miles 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 nearly 85 miles, 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, 0.5 miles of storm pipe was 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.

Between January 1, 2015 and March 31, the county continued to implement a public education program to reach 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.l.1).

Dry weather screening is conducted in autumn each year in accordance with program standard operating procedures. There were no outfalls screened through the program during the time period covered by this annual report.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).

From January 1, 2015 to March 31, 2015, Wet Weather Screening was conducted using the protocol, "Fairfax County Wet Weather Screening Program Plan" (2014). Two sites were monitored over one storm event on March 4, 2015. Runoff samples were collected via automated sampler and event mean concentrations (EMCs) calculated for total petroleum hydrocarbons, chemical oxygen demand, total phosphorous, total nitrogen, Kjeldahl nitrogen, nitrate-nitrite nitrogen, zinc, cadmium, copper, lead, chromium, nickel, hardness, suspended solids (TSS), ortho-phosphorous, and alkalinity. These two sites are part of a larger suite of 10 targeted sites that will be monitored during 40 storm events between 2014 and 2018(every year two sites will be monitored quarterly). These sites were identified in industrial and commercial areas and were ranked according to their county land use code, potential to contribute pollutants to the MS4 and information gathered from field reconnaissance.

The water quality analysis indicates that the runoff from the 2014 permit year sites (sampled between January 1, 2015 to March 31, 2015) was not a significant source of pollutants to the MS4. Levels of three pollutants, copper, zinc, and Kjeldahl nitrogen (total) were elevated in the sample from site B. Nitrate-nitrite nitrogen levels were also slightly elevated in the sample for site A. The water quality analysis indicates that the runoff from the 2014 sites was not a significant source of pollutants to the MS4. Elevated copper, zinc, and nitrogen concentrations are common in urban and suburban runoff (Davis, Shokouhian and Ni, 2001)[1] , (USGS 1993).[2]

[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 (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 finalized SOPs 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.

The county has an SOP document for staff review of DMRs. The SOP covers procedures to inform DEQ of facilities that fail to submit DMRs to the county. DMRs for industrial stormwater VPDES permitted facilities are required to be submitted on a semiannual basis with due dates of January 10th and July 10th. For the January 10, 2015 submission date, the county did not receive DMRs from six (6) permitted industrial stormwater facilities and subsequently notified DEQ.

During the first quarter of 2015, no facility was required to conduct additional monitoring or self-monitoring.

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).

For the period of January 1, 2015 to March 31, 2015, there were no measurable storm events to collect samples 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). The tables below contain information collected during the previous periods of collection. Table 1 contains the median, high and low concentrations of each of the nine constituents during the period from 2005 to 2014.

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 2014, as in 2013, 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 2014 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 2014

Constituent	Vienna Median	Vienna High	Vienna Low	Occoquan Median	Occoquan High	Occoquan Low	Differences Statistically Significant?
NH_3-N	0.18	0.73	0.00	0.01	0.27	0.00	YES
COD	52	292	12	20	122	0	YES
E. Coli	1,295	200,000	0	338	59,100	20	YES
Fecal Strep	5,350	129,000	14	650	51,000	18	YES
NO_3+NO_2-N	0.73	1.64	0.16	0.44	0.73	0.10	YES
TDS	115	836	41	98	160	71	YES
TKN	1.60	11.30	0.48	0.57	2.41	0.00	YES
TP	0.30	1.61	0.05	0.05	0.80	0.00	YES
TSS	52.5	1207	4.9	14.5	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 2014

Constituent	Winter Vienna	Winter Occoquan	Spring Vienna	Spring Occoquan	Summer Vienna	Summer Occoquan	Fall Vienna	Fall Occoquan	Annual Vienna	Annual Occoquan
NH_3-N	0.196	0.006	0.184	0.041	0.126	0.009	0.069	0.008	0.574	0.064
COD	53	6	56	23	35	5	57	7	202	41
E. Coli	.66	.20	29.07	15.35	103.73	14.64	16.87	4.55	150.32	34.74
Fecal Strep	3.77	0.79	39.78	13.40	80.21	25.95	47.69	4.46	171.44	44.60
NO_3+NO_2-N	0.58	0.14	0.70	0.21	0.45	0.13	0.31	0.09	2.04	0.57
TDS	161	35	116	45	50	30	68	26	395	137
TKN	1.31	0.13	2.52	0.53	1.02	0.21	0.66	0.14	5.51	1.01
TP	0.19	0.01	0.21	0.13	0.21	0.03	0.27	0.03	0.89	0.20
TSS	71	3	75	79	75	14	87	17	307	113

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.

For the period of January 1, 2015 to March 31, 2015, 38 randomly identified sites within Fairfax County were sampled for benthic macroinvertebrates as part of the annual probabilistic monitoring program. Once analyzed, these samples will be used to calculate the multi-metric Index of Biological Integrity (IBI) developed for the aquatic benthic macroinvertebrate communities within Fairfax county. IBI results were produced after March 31, 2015. 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 2014 SWPD devloped a logical model to organize and analyze data collected using the Trash Assessment for Improved Environments (TAFIE) stream condition assessment protocols and data forms. TAFIE data is 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).

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 Fairfax Council does not have data to report on for January 1 – March 31, 2015.

The county continued to provide support and staff for various stream and river cleanup events. During January 1 and March 31, 2015, approximately 49 sites were indentified throughout the county for the Alice Ferguson Foundation's annual Potomac River Watershed Cleanup.

Fairfax County Park Authority county-wide clean up days were held at seven (7) parks between January 1-March 31, 2015.

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.

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 Stormwater Management Ordinance (Chapter 124); 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 does not track expenditures to meet permit requirements separately from its overall stormwater program administered by DPWES, nor do other agencies track the resources they have expended on programs that contribute towards meeting MS4 permit conditions. The actual expenditures for the period of January 1, 2015 to Mach 31, 2015 are $5.1 million.

In FY 2006 the Board of Supervisors 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 2016 budget, the Board of Supervisors increased the stormwater service district levy to $0.0250 (two and a half cents) per $100 of assessed real estate value. The stormwater service district will generate approximately $56.5 million in FY 2016 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: 2015 Public Education Program

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Supervisor Hyland's Annual Town Hall Meeting January 31, 2015	Environmental awareness, watershed-friendly behaviors, native plants, saving water at home, pick up the pet waste, promoting pollinators, proper waste management and recycling	General public	200-300 visitors	Mount Vernon District Supervisor Gerry Hyland
Podcasts (aired on Fairfax County website)	safe winter sidewalks without salt; the fall cankerworm; general tree care	General public	350 listeners per program (each program airs for two weeks) not able to determine the number of listeners for the dates specified.	Department of Public Works and Environmental Services (DPWES)
Fairfax County's Environmental Facebook Page	Springfest 2015, household hazardous waste, Big Rocky Run planting (Video), free document shredding for county residents, the Environmental Quality Advisory Council (EQAC)	General public	706 "Likes" (not able to determine the number of 'likes' for the dates specified).	DPWES
SlideShare PowerPoint Presentations (online)	Stream restoration projects at Dead Run, the Huntington Levee project, Huntsman Lake Dredging, stormwater program update to McLean Citizens Assoc., Indian Run Stream Restoration, Stormwater programs that impact business, Banks property stream restorationand	General public	Not able to determine the number of views for the dates specified	DPWES
Public Service Announcements (County website, television and YouTube)	Plastic bags, "Stormy the Raindrop," cigarette butts, flood prevention, tree pests, FOG, Only Rain Down the Drain, litter, fish relocations, fishing rodeo, New video entitled "Watching Paint Dry – Proper Latex Paint Disposal launched on on county's environment news feed	General public	On-going programs	DPWES, Fairfax County Channel 16

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Stormwater Presentations	Watersheds, ecosystem health, and stormwater management	Elementary school students	More than 170 students	Stormwater Planning Division (SWPD)
News Releases and other information posted to NewsWire (sent to the media)	FAQs about the fall cankerworm, Friends of Trees, Land Conservation and Tree Preservation Awards,	Media	Four news releases were sent to the media	SWPD, WWM, UFMD
Staff Interviews (Local and National Media)	Sanitary sewers overflows, a fish kill in Holmes Run, wastewater trouble response, snakeheads in local streams, native plant installation at Big Rocky Run.	General public	Approximately 5 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	1,651 students (15 high schools, 60 classes, 20 teachers)	Wastewater Management (WWM)
Water Quality Field Day	Water Quality and stormwater andwastewater management	Elementary school students	136 students (5 schools and 8 teachers)	SWPD, WWM
Clean Fairfax Council Online Information	Litter, environment	General public	Approximately 100,000 impressions (i.e., web hits, tweets, Facebook)	Clean Fairfax Council
Support to Fairfax County Visitors' Center	Environment	General public	Targeted over 15000 residents and businesses with marketing for event, over 50,000 views for website/facebook/ other social media	Clean Fairfax Council
SpringFest	Environmental Fair	General Public and Environmental Groups	More than 5,000 attendees and approximately 25 environmental organizations	Clean Fairfax Council
Johnnie Forte Environmental Grant Program	Annual grants to support environmental projects awarded in January of each year	Public schools	6 Environmental Education and Action grants (between $500-$1000) awarded to Fairfax County Public Schools	Clean Fairfax Council (CFC), SWM

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Television, print, internet advertising, www.onlyrain.org, banner ads and public service announcements	Pet waste, used motor oil, over fertilization of lawns and general stormwater pollution reduction measures (regional stormwater public education campaign)	General public	4 TV ads, aired on 12 channels (incl. 3 Spanish-language) 3,502 times, 3,193,924 viewers; Banner ads were aired 527,863 times; 500 online survey responses (the above information is from the 2014 campaign) the information from the 2015 campaign is from July 1, 2014 through June 30, 2015.	Clean Water Partners
Wonders of Water Journey Programs	Various topics of the water cycle	Girl Scouts	3 programs served 58 scouts	FCPA
Lake and Stream Valley Cleanup Days	Litter, water protection, stewardship	General public	Hosted at seven parkstream locations	FCPA
Storm Drain Marking Program	Stewardship, nonpoint source pollution, proper disposal of wastes	General public	Winter season: 361 projects, 80 storm drains, 650 households educated, 484 volunteers contributing 1,420 volunteer hours Ordered 1,800 storm drain labels for FY2016	Northern Virginia Soil and Water Conservation District (NVSWCD)
Enviroscape® Model Presentations	Nonpoint source pollution prevention, watersheds	Children	1 teacher training	NVSWCD
Watershed Calendar	Watershed Events and Trainings	General Public	1,338 recipients monthly	NVSWCD
Volunteer Stream Monitoring Program	Watershed awareness, stream health	General Public	21 site leaders monitored 17 sites four times per year; 25 residents attended workshops and field trips	NVSWCD
Conservation Currents Newsletter	Stream health, stream monitoring, stream restoration, stewardship	General public	2,500 copies distributed: print, email. Online and in print; posted online http://www.fairfaxcounty.gov/nvswcd/newsletter/.htm	NVSWCD
Technical Assistance Site Visits	Drainage and erosion	Homeowners and HOAs	90 site visits	NVSWCD

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Solving Drainage and Erosion Problems Website for Homeowners	Drainage and erosion, controlling runoff	Homeowners	34,000+ page views, nearly 28,000+ visitsors	NVSWCD
NVSWCD Website	Managing land, protecting water quality, controlling stormwater, preventing erosion, encouraging native vegetation	Homeowners	85,481 views and 60,463 by 124,741 visitsors	NVSWCD
Earth Friendly Suburban Horse Farming Publication	Stewardship	Horse-keeping community	Distributed at events and online with more than 7,000 views of guide and related articles	NVSWCD
Conservation Planning	Nutrient management and composting	Horse-keeping operations	Managers of 663.8295 acres received education. Conservation plans included instructions for 2,850 linear feet of new vegetated buffer and 11,093 linear feet of replanted stream buffers.	NVSWCD
"Build-your-own" Composter Workshops	Composting	General public	17 participants constructed 12 tumbler-style composters	NVSWCD
Watershed Friendly Garden Tour (June)	LID practices (that can be adopted at home or area schools)	General public	Preparations made for June 2015	NVSWCD
Rain Garden Workshops	LID practices	Residents and industry professionals	Prepared for workshop later in the year	NVSWCD
Residential LID Landscaping Guide (hard copy and electronic formats)	LID, design and installation information, sources of supplies, plant materials	Homeowners	Published, 280 downloads	NVSWCD
Northern Virginia Rain Barrel Initiative	LID practices	General public	Two rain barrel events with 26 participants, 59 rain barrels. Since 2007 barrels distributed capture more than 200,000 gallons of stormwater from county roofs annually.	NVSWCD

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
Artist Rain Barrel Program	LID practices	Students	12 local artists painted rain barrels which were on display across Northern Virginia region. 36 teams of students painted and decorated rain barrels for auction at an Earth Day event.	NVSWCD in partnership with Northern VA 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 4,328downloads	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	Program now available 7 days per week	Solid Waste Management (SWM)
E-Waste Recycling Program	Recycling	County residents	Program now available 7 days per week	SWM
Used cooking oil recycling	Program for recycling used cooking oil	County residents	Used cooking oil collected sent for use as alternative fuel	SWM
Unused Latex Paint	Program for re-use of latex paint	County residents	Partnership with Habitat for Humanity to utilize unwanted latex paint	SWM
Solid Waste Management Recycling Web Content	Recycling and Source Reduction	General public	17,201 visits (most viewed portion of the DPWES website)	SWM
Solid Waste Management Outreach and Facility Tours	Outreach to FCPS fourth-graders to support schololwide project regarding recycling	Fairfax County Public School students	Over 20 presentations to about 700 students and parents	SWM
Solid Waste Management "listserv"	Trash collection and Leaf Collection	Residents	2,150 subscribers (messages sent monthly)	SWM
Shredding Sponsored Events	Document shredding	Residents	One shredding events btw Jan 1 anf March 31	SWM

Public Education Effort	Topics Addressed	Audiences	Statistics	Lead Organizations
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
Annual *Go Recycle* Radio Campaign	Recycling	General public	Two weeks of announcements regarding recycling on five major Washington DC radio stations planned for 2015.	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	More than 3500 visits to the KnowToxics website	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	75 attendees at 2015 training event	SWM with NVRC

Board Agenda Item
February 16, 2016

INFORMATION – 2

Contract Award – Professional Auditing Services

The Code of Virginia (Code) section 15.2-2511 requires localities to have all their accounts and records, including all accounts and records of their constitutional officers, audited annually as of June 30 by an independent certified public accountant in accordance with the specifications furnished by the Auditor of Public Accounts. Further, the Code requires that every locality shall contract for the performance of the annual audit not later than April 1 of each fiscal year.

On August 21, 2015, Fairfax County issued a Request for Proposal (RFP2000001713) for Professional Auditing Services for the County. The solicitation was advertised in accordance with the requirements of the Fairfax County Purchasing Resolution, with six firms responding with a proposal by the closing date of September 18, 2015. The Selection Advisory Committee (SAC) unanimously agreed to award the contract to Cherry Bekaert, LLP.

The SAC evaluated each firm's proposal against criteria set forth in the RFP which included qualifications, expertise and experience; as well as audit approach. After initial review, the three highest ranked offerors were invited to participate in informal discussions with the SAC which explored in more depth certain aspects of each firm's submitted proposal. At the conclusion of the informal discussions and after obtaining positive responses from the reference checks, the top ranked offer, Cherry Bekaert, LLP, was asked to submit a cost proposal. In addition to successful agreement on cost, Cherry Bekaert, LLP has been selected based on the following considerations:

- Serves over 150 local government entities and has a large Virginia presence.
- Has an experienced management team and staff, with the lead partner very familiar with Fairfax County operations.
- Audit approach reflects an excellent understanding of the complexities of the County, including the special needs posed by the Fairfax County Redevelopment and Housing Authority, Fairfax County Public Schools (FCPS) and the other discreetly presented component units. In addition, the audit approach considers the County and FCPS' use of SAP, and Cherry Bekaert staff are very experienced with this enterprise resource planning system.
- Strong experience working with local governments, school boards and housing authorities on the changing requirements of the Single Audit Act and the related Uniform Grant Guidance.

The Department of Tax Administration has verified that Cherry Bekaert, LLP holds a current Fairfax County Business, Professional and Occupational License.

Unless otherwise directed, the Purchasing Agent will execute a contract for professional auditing services with Cherry Bekaert, LLP.

FISCAL IMPACT:
The audit fees for the audit of fiscal year 2016 have been negotiated for a base maximum of $1,264,474 and a non-recurring year one start-up cost of $59,836; additional work beyond the base contract is not to exceed $200,000 without Board approval. Fiscal year audits for 2017, 2018, 2019, and 2020 will include an increase in the audit fee for each year as provided for by the Bureau of Labor Statistics, Consumer Price Index (CPI-U), Table 10, U.S. City Averages for the South Atlantic region. In the event that the Index rate for that year is negative, the fee for that fiscal year will remain unchanged. This contract provides three annual renewal options starting fiscal year 2021 to be mutually agreed upon.

ENCLOSED DOCUMENTS:
Attachment 1 – List of Offerors for RFP2000001713

STAFF:
Joseph M. Mondoro, Chief Financial Officer, Director Department of Management and Budget
Cathy A. Muse, Director, Department of Purchasing and Supply Management
Christopher J. Pietsch, Director, Department of Finance

Board Agenda Item
February 16, 2016

Attachment 1

List of Offerors

NAME	SWAM STATUS
Cherry Bekaert LLP	Large
Clifton Larson Allen LLP	Large
Grant Thornton LLP	Large
KPMG LLP	Large
McGladrey LLP	Large
SB & Company, LLC	Minority-Owned Small

Board Agenda Item
February 16, 2016

11:30 a.m.

Matters Presented by Board Members

Board Agenda Item
February 16, 2016

12:20 p.m.

CLOSED SESSION:

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

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

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

1. *Eric S. Clark v. The County of Fairfax, Virginia, John H. Kim, T. B. Smith, and John Spata*, Case No. 15-1705 (U.S. Ct. of App. for the Fourth Cir.)

2. *Christopher Alipui v. Biggs J. Byerson, John Doe (White Male Officer), John Doe (White Male Officer), John Doe (Duty Sergeant), John Doe (Lady Detective)*, Case No. 15-7019 (U.S. Ct. of App. for the Fourth Cir.)

3. *Moira Callaghan, Robert Sawicki, Carrie Sawicki, David Okerson, Barbara Okerson, Judith Strother, and Kris Capps v. Fairfax County Board of Supervisors, Fairfax County Park Authority, and Reston Dogs, Inc.*, Case No. CL-2014-0003016 (Fx. Co. Cir. Ct.) (Hunter Mill District)

4. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Wells Fargo Bank, N.A.*, Case No. CL-2016-0000989 (Fx. Co. Cir. Ct.) (Hunter Mill District)

5. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yongchao Wang and Equity Trust Company Custodian FBO Shujun Ding IRA*, Case No. CL-2016-0001188 (Fx. Co. Cir. Ct.) (Sully District)

6. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ron Decesare, Jr., and Jean M. Petruccio*, Case No. CL-2016-0001187 (Fx. Co. Cir. Ct.) (Mason District)

7. *Sunhae Ok, individually and as parent and next friend of J.O. and J.Y.O. v. Stephen Thomas and Fairfax County*, Case No. GV15-001423 (Fx. Co. Gen. Dist. Ct.)

8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lynn Solliday Todorov*, Case No. GV15-006699 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

\\s17prolawpgc01\documents\81218\nmo\762250.doc

Board Agenda Item
February 16, 2016

3:30 p.m.

Decision Only to Approve a Real Estate Exchange Agreement Between the Board of Supervisors and AvalonBay Communities, Inc. ("AvalonBay") and to Approve the Purchase of Property from 5827 Columbia Pike Associates, LLC, an Affiliate of Landmark Atlantic, Inc. ("Landmark") (Mason District)

ISSUE:
Decision only to consider the disposition of County-owned property totaling approximately 1.49 acres identified as Tax Maps 61-2 ((19)) parcels 5A and 11A ("County Land") as required by Va. Code Ann. § 15.2-1800 (2012). The disposition of the County Land will be considered through a Real Estate Exchange Agreement ("REEA") between the Board of Supervisors and AvalonBay concerning a portion of the property identified as Tax Maps 61-2 ((1)) parcels 113, 113A, 113C and 114 and 61-4 ((30)) parcels 15 and 17, totaling approximately 4.47 acres ("Avalon Land"). The public hearing also considered the purchase by the Board of adjoining land identified as Tax Map 61-2 ((1)) parcel 12A and totaling approximately 1.44 acres, from Landmark ("Landmark Land") for the primary purpose of a road connection to Seminary Road and new open space. The County Land, Avalon Land and Landmark Land shall hereafter be collectively known as the "Subject Property." It is intended that, in the future, a rezoning action will be considered on the Subject Property to permit residential development by AvalonBay and a future County office site, as well as the connection to Seminary Road.

RECOMMENDATION:
The County Executive recommends the Board approve the disposition of the County Land through an REEA with AvalonBay providing for an exchange of real property and joint infrastructure development in conjunction with the development of the Subject Property, and that the Board approve the purchase of the Landmark Land, primarily for public roads and open space.

TIMING:
On December 8, 2015, the Board authorized advertisement of the public hearing to be held on January 12, 2016, at 3:00 p.m. After the public hearing was held on January 12, 2016, decision only was deferred to February 2, 2016, at 3:30 p.m. at which time the decision only was deferred to February 16, 2016 at 3:30 p.m.

BACKGROUND:
The County is the owner of the County Land (approximately 1.49 acres), AvalonBay is the contract purchaser of the Avalon Land (approximately 4.47 acres), and Landmark is the owner of the Landmark Land (approximately 1.44 acres). These land areas are

shown, approximately, on Attachment 1, with the County Land shown as Area A, the Avalon Land shown as Areas B1 and B2, and the Landmark Land shown as Area C.

The Comprehensive Plan recommends that, with consolidation of at least five acres, the Subject Property may be appropriate for retail/office/residential mixed-use development at an intensity of up to 2.25 FAR. In addition, the Comprehensive Plan calls for a road realignment to connect Seminary Road with Columbia Pike and Moncure Avenue through the eastern portion of the Subject Property. The road realignment through the Subject Property will necessitate the removal of the office building on the Landmark Land.

The County Land is the site of the Baileys Crossroads Community Shelter ("Shelter"), identified in the adopted Capital Improvements Plan ("CIP") for reconstruction. In addition, the CIP identifies a need for a number of community services, currently housed in leased space in the area, to be consolidated into County-owned space in an East County Human Services Center ("ECHSC"), which could be constructed on the future County office site.

AvalonBay will seek rezoning of the Subject Property to permit the construction of a residential mid-rise apartment development of approximately 375 dwelling units, a future County office building, which may house the ECHSC, and the connection to Seminary Road. As proposed, the residential development would be located on the western portion of the site, fronting Moncure Avenue. The County office building would be located on the eastern portion of the site, fronting on the new road (the first phase of the connection to Seminary Road envisioned by the Comprehensive Plan).

The initial step in this process is for the County to purchase the Landmark Land (Area C shown on Attachment 1) to effectuate the first phase of the road network envisioned by the Comprehensive Plan and to allow for development of the entire site in a more comprehensive, cost effective manner. After purchase of the Landmark Land, the County's holdings will total approximately 2.93 acres (Areas A and C). The second step is for the County and AvalonBay, through the REEA, to exchange an equal amount of real estate such that AvalonBay's property is located on the western side of the site (Areas A and B1) and the County's property is consolidated on the eastern side of the site (Areas B2 and C). The REEA will provide for common infrastructure and rezoning costs to be shared between the County and AvalonBay.

The REEA will not require the County to move forward with any specific development of the future County office site, such as, for example, the ECHSC; any such design and construction will be subject to future Board approval. The Shelter on the County Land will be relocated to another site in the area prior to the AvalonBay residential development. The design and construction of both the temporary and permanent locations of the Shelter will also be subject to future Board approval.

Major terms of the Purchase Agreement with Landmark are as follows:

1. Purchase of the Landmark Land (Area C shown on Attachment 1) for a total of $6,600,000; $ 6,350,000 of which will be paid by the County and $250,000 of which will be paid by AvalonBay pursuant to the REEA.
2. The purchase is contingent upon approval of the joint rezoning application to be pursued by AvalonBay.
3. Provided that the building on the Landmark Land is vacant, the County is prepared to close on this transaction within 30 days after approval. At closing, the existing lease of a County-sponsored dental clinic located within the existing Landmark building will terminate, and all rent will abate (which would otherwise be the County's responsibility through June 30, 2018).

Major terms of the REEA with AvalonBay are as follows:

1. Exchange of the County Land (Area A shown on Attachment 1) for approximately 1.49 acres of the Avalon Land (Area B2 shown on Attachment 1).
2. Closing on this exchange is contingent upon approval of the joint rezoning application to be pursued by AvalonBay, which shall not be later than July 1, 2017.
3. AvalonBay will place an $800,000 deposit in escrow which will be forfeited in the event of a default on the REEA by AvalonBay.

The full text of the Purchase Agreement with Landmark and the REEA with AvalonBay are available online at: http://www.fcrevite.com/SEQDocuments.pdf

FISCAL IMPACT:
The County will pay $6,350,000 to purchase the Landmark Land with an estimated $880,000 in additional funds required for the demolition of the office building currently on the Landmark Land. Total funding is available in Fund 40010, County and Regional Transportation Projects, in the amount of $7,230,000 for the property as Right of Way (ROW) acquisition for a future street connection between Columbia Pike and Seminary Road. Transportation staff will return to the Board in February 2016 to request this authorization, and the funding will formally be moved as part of the FY 2016 Carryover Review.

The County's share of the rezoning and common infrastructure costs to support the Development Agreement with AvalonBay will be approximately $147,000. Funding is available to authorize the Development Agreement in Fund 30010, General Construction and Contributions, Project 2G25-085-000, Public Private Partnership Development.

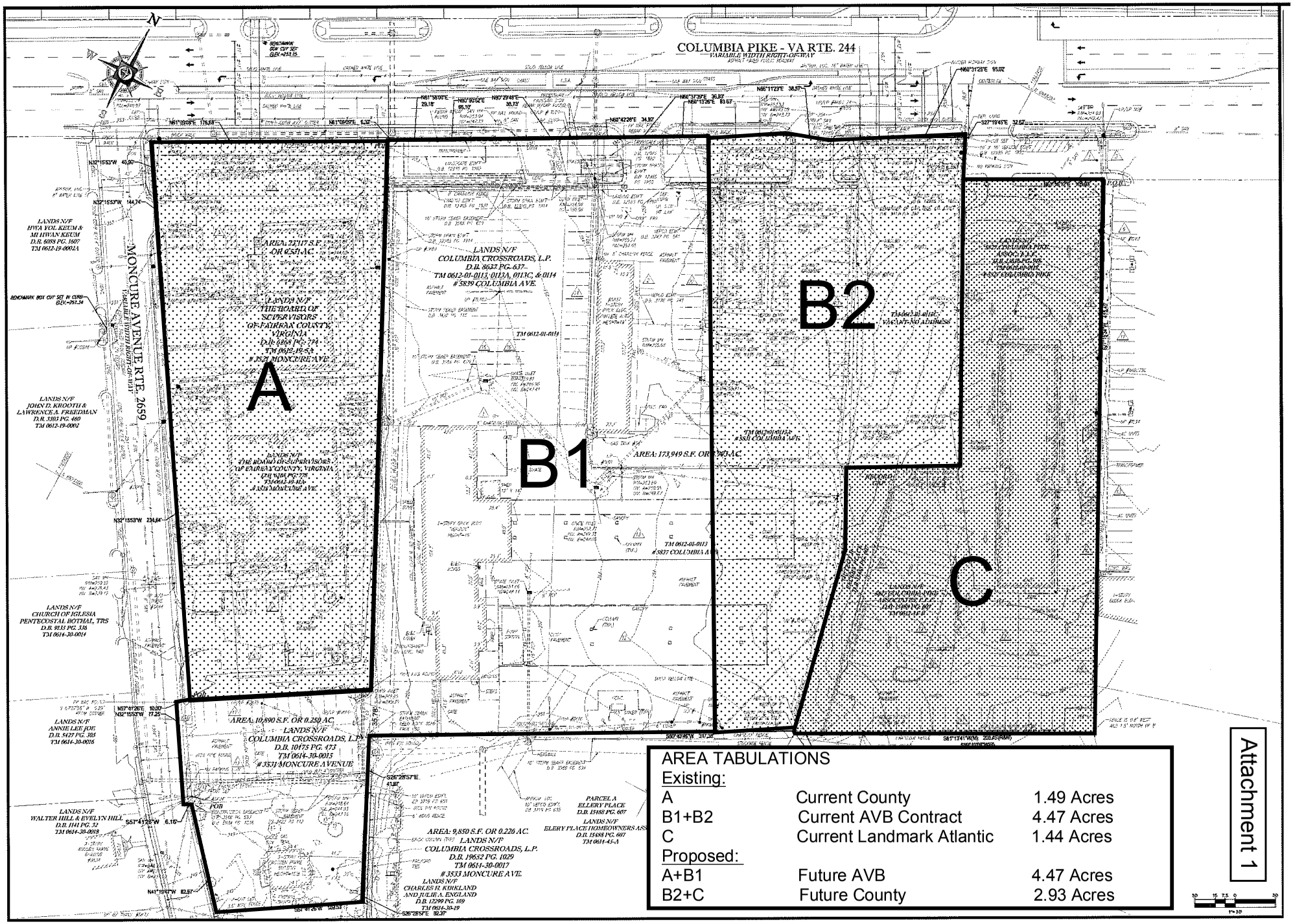
The estimated cost for the relocation of the Shelter to a temporary location will be $2,100,000. Funds are available in the amount of $1,100,000 in Fund 30010, General

Construction and Contributions, Project HS-000013, Bailey's Homeless Shelter. The additional $1,000,000 will be reallocated from balances available in Project HS-000005, Merrifield Center, as part of the FY 2016 Third Quarter Review.

ENCLOSED DOCUMENTS:
Attachment 1: Approximate land areas of ownership on the Subject Property

The full text of the Purchase Agreement with Landmark and the REEA with AvalonBay are available online at: http://www.fcrevite.com/SEQDocuments.pdf

STAFF:
Robert A. Stalzer, Deputy County Executive
Alan Weiss, Office of the County Attorney
James Patterson, Department of Public Works and Environmental Services
Barbara Byron, Office of Community Revitalization
Katayoon Shaya, Department of Public Works and Environmental Services
Tracy Strunk, Office of Community Revitalization



AREA TABULATIONS		
Existing:		
A	Current County	1.49 Acres
B1+B2	Current AVB Contract	4.47 Acres
C	Current Landmark Atlantic	1.44 Acres
Proposed:		
A+B1	Future AVB	4.47 Acres
B2+C	Future County	2.93 Acres

Attachment 1

Board Agenda Item
February 16, 2016

3:30 p.m.

Decision Only on SE 2015-MV-003 (First Years Learning Center LLC / Claudia Tramontana) to Permit a Home Child Care Facility, Located on Approximately 10,488 Square Feet of Land Zoned PDH-2 (Mount Vernon District)

This property is located at 6614 Winstead Manor Court, Lorton, 22079. Tax Map 99-2 ((17)) 34.

On June 23, 2015, the Board of Supervisors deferred this public hearing to July 28, 2015, at 3:00 p.m.; and then was deferred to September 22, 2015 at 3:00 p.m.; and, then was deferred to October 6, 2015 at 3:00 p.m.; and then deferred to October 20, 2015 at 5:30 p.m.; and once again was deferred to January 12, 2016; at which time it was deferred to February 2, 2016 at 4:30 p.m.; and on February 2, 2016 decision only was deferred to February 16, 2016 at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:
On Wednesday, July 22, 2015, the Planning Commission voted 10-0 (Commissioners Lawrence and Migliaccio were absent from the meeting) to recommend to the Board of Supervisors approval of SE 2015-MV-003, subject to the development conditions dated July 21, 2015.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4488469.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Mary Ann Tsai, Planner, DPZ

SE 2015-MV-003 - FIRST YEARS LEARNING CENTER LLC/CLAUDIA TRAMONTANA

During Commission Matters

Commissioner Flanagan: Mr. Chairman. I have a decision only tonight, SE 2015-MV-003 First Years Learning Center, and I request that the applicant, come forward to the lectern and confirm for the record, agreement to the proposed development conditions now dated July 21, 2015, with two changes – recent changes - to the conditions and with the inclusion of the following language to condition one, which restricts the special exception approval to the applicant only. Do you agree with the conditions?

Lawrence McClafferty, Applicant's Agent, McCandlish & Lillard, PC: Mr. Flanagan and Mr. Chairman and members of the Commission, we hereby agree with that additional condition.

Commissioner Flanagan: Thank you.

Chairman Murphy: Sir, identify yourself for the record please, just to make it –

Mr. McClafferty: Lawrence McClafferty, of McCandlish & Lillard, here on behalf of the applicant, First Years Learning Center, LLC and Claudia Tramontana.

Chairman Murphy: Thank you very much, Mr. Flanagan.

Commissioner Flanagan: The conditions, are we on – verbatim?

Chairman Murphy: Yes.

Commissioner Flanagan: - okay, the conditions, number one that I refer to, was passed out to all the Commissioners in the handouts so you should all have that text, I will repeat it here. But based upon public testimony not previously available to staff and the applicant's willingness to achieve neighborhood harmony by amending staff's conditions so as to improve pipestem traffic and parking by eventually reducing the number of children on the site from 12 to 9. Second, improve playground safety by adding play equipment ground cover and fencing as recommended by Commissioners Strandlie and Hedetniemi and limiting the SE to the applicant rather than the site, as we are doing this evening. I therefore Mr. Chairman, MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2015-MV-003, SUBJECT TO THE DEVELOPMENT CONDITIONS NOW DATED JULY 21, 2015.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger.

Commissioner Sargeant: Mr. Chairman.

Chairman Murphy: Is there a discussion of the motion?

Commissioner Sargeant: Mr. Chairman.

Chairman Murphy: Mr. Sargeant.

Commissioner Sargeant: I was not present for the public hearing however, I have reviewed the information and also the video recording of the public testimony and I intend to vote.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2015-MV-003, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(The motion carried by a vote of 10-0. Commissioner Lawrence and Migliaccio absent from the meeting.)

TMW

Board Agenda Item
February 16, 2016

3:30 p.m.

Public Hearing on SE 2014-PR-018 (Beyer 1 Limited Liability Company) to Permit Vehicle Storage Associated with Vehicle Sales, Rental, and Ancillary Establishment, and a Waiver of the Minimum Open Space Requirements, Located on Approximately 1.25 Acres of Land Zoned C-8 and I-5, HC (Providence District) (Concurrent with RZ 2015-PR-016).

This property is located at 7113 and 7117 Shreve Road, and 118 Gordons Road, Falls Church, 22046. Tax Map 40-3 ((12)) 8A, 11, and 13.

and

Public Hearing on RZ 2015-PR-016 (Beyer 1 Limited Liability Company) to Rezone from I-5, HC to C-8, HC to Permit Vehicle Storage with an Overall Floor Area Ratio of 0.01, Located on Approximately 4,154 Square Feet of Land (Providence District) (Concurrent with SE 2014-PR-018)

This property is located South East of the intersection of Shreve Road and Leesburg Pike, on Gordons Road, Falls Church 22046. Tax Map 40-3 ((12)) 8A.

PLANNING COMMISSION RECOMMENDATION:
On Wednesday, January 13, 2015, the Planning Commission voted 9-0-1 (Commissioner Keys-Gamarra abstained; Commissioner Hurley was not present for the vote; and Commissioner Migliaccio was absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2015-PR-016, subject to the proffers consistent with those dated December 29, 2015;
- Approval of SE 2014-PR-018, subject to the Development Conditions dated December 29, 2015;
- Approval of a waiver of the minimum open space requirement in the C-8 District to 5 percent as shown on the GDP/SE Plat;
- Approval of a modification of the barrier requirements along a portion of Shreve Road to that shown the GDP/SE Plat; and
- Approval of a modification of the peripheral parking lot landscaping requirement for all yards to that shown on the GDP/SE Plat.

Board Agenda Item
February 16, 2016

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4511115.pdf

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),
Casey Gresham, Planner, DPZ

RZ 2015-PR-016/SE 2014-PR-018 – BEYER I, LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed, Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I have a couple motions to make and then I would like a moment off of verbatim after I finish with that for compliments, as a matter of fact. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE RZ 2015-PR-016, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED DECEMBER 29TH, 2015.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded Ms. Hedetniemi. 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 2015-PR-016, say aye.

Commissioners: Aye.

Commissioner Keys-Gamarra: Abstain.

Chairman Murphy: Opposed? Motion carries. Ms. Keys-Gamarra abstains. I'm going to get this.

Commissioner Lawrence: Secondly, Mr. Chairman, I move – I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2014-PR-016 (sic), SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED DECEMBER 29TH, 2015.

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning: I'm sorry, Mr. Lawrence, it's -018.

Commissioner Lawrence: -018, sorry.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-PR-018, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Same abstention, motion carries.

Commissioner Lawrence: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVERS AND MODIFICATIONS, PROVIDED UNDER A SEPARATE ATTACHMENT AND DATED DECEMBER 29TH, 2015, AND AS NOTED IN THE STAFF REPORT.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve the waivers articulated by Mr. Lawrence, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstention.

//

(The motion carried by a vote of 9-0-1. Commissioner Keys-Gamarra abstained. Commissioner Hurley was not present for the vote. Commissioner Migliaccio was absent from the meeting.)

TMW

To be deferred

Board Agenda Item
February 16, 2016

3:30 p.m.

Public Hearing on SE 2015-SP-023 (Cellco Partnership D/B/A Verizon Wireless; Little League Inc. Fairfax) to Permit a Telecommunications Facility, Located on Approximately 4.86 Acres of Land Zoned R-C, WS (Springfield District)

This property is located at 12601 Braddock Road, Fairfax, 22030. Tax Map 66-2 ((3)) 2.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission public hearing was held on January 21, 2016 and the Decision was deferred to February 25, 2016. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), Megan Duca, Planner, DPZ

Board Agenda Item
February 16, 2016

3:30 p.m.

Public Hearing on SE 2015-DR-028 (Metropolitan Washington Airports Authority (MWAA) and the Virginia Department of Rail and Public Transportation on Behalf of the Washington Metropolitan Area Transit Authority and the Board of Supervisor of Fairfax County, Virginia) to Permit Electrically-Powered Regional Rail Transit Facilities, Located on Approximately 2.31 Acres of Land Zoned I-4 (Dranesville District)

This property is located at 2205 Rock Hill Road, Herndon, 20170. Tax Map 15-2 ((1)) 17 (part).

PLANNING COMMISSION RECOMMENDATION:
On Wednesday, February 3, 2016, the Planning Commission voted 10-0 (Commissioners Flanagan and Sargeant were absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SE 2015-DR-028, subject to the Development Conditions dated January 19, 2016;

- Approval of a modification of the transitional screening and barrier requirements to the south and east in favor of the landscape treatments depicted on the SE Plat and as conditioned; and

- Direct the Director of the Department of Public Works and Environmental Services to permit a deviation from the Tree Preservation Target Percentage in favor of the proposed landscaping shown on the SE Plat.

In a related action, On Wednesday, February 3, 2016, the Planning Commission voted 10-0 (Commissioners Flanagan and Sargeant were absent from the meeting) to approve 2232-D15-14. The Planning Commission concurred with staff's conclusion that the proposed application satisfies the criteria of location, character, and extent, as specified in Section 15.2-2232 of the Code of Virginia, as amended and is substantially in accord with the provisions of the adopted Comprehensive Plan.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4513144.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),
William O'Donnell, Planner, DPZ

SE 2015-DR-028/2232-D15-14 – METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION o/b/o THE WASHINGTON AREA TRANSIT AUTHORITY AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Ulfelder.

Commissioner Ulfelder: Thank you, Mr. Chairman. I believe this is the last station – one more? Okay, south – one more. With that, Mr. Chairman, I request – would the – could the applicant representative please come forward? Thanks. Would you confirm for the record agreement to the proposed development conditions now dated January 19th, 2016?

Noah Klein, Esquire, Applicant's Agent, Odin, Feldman & Pittleman, PC: We are agreed.

Commissioner Ulfelder: Okay, thank you. Mr. Chairman, I CONCUR WITH STAFF'S CONCLUSION THAT THE PROPOSED ELECTRICALLY-POWERED REGIONALLY RAIL TRANSIT FACILITY SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND 2232-D15-14 SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Migliaccio and Lawrence: Second.

Chairman Murphy: Seconded by Mr. Migliaccio and Mr. Lawrence. Is there a discussion? All those in favor of the motion to approve 2232-D15-14, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Ulfelder.

Commissioner Ulfelder: Thank you. I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2015-DR-028, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED JANUARY 19TH, 2016.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2015-DR-028, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS TO THE SOUTH AND EAST IN FAVOR OF THE LANDSCAPE TREATMENTS DEPICTED ON THE SE PLAT AND AS CONDITIONED.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I FURTHER MOVE THAT THE PLANNING COMMISSION RECOMMEND THE BOARD OF SUPERVISORS TO DIRECT TO THE DIRECTOR OF DPWES TO PERMIT A DEVIATION FROM THE TREE PRESERVATION TARGET PERCENTAGE IN FAVOR OF THE PROPOSED LANDSCAPING SHOWN ON THE SE PLAT.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(Each motion carried by a vote of 10-0. Commissioners Flanagan and Sargeant were absent from the meeting.)

JLC

Board Agenda Item
February 16, 2016

To be deferred

3:30 p.m.

Public Hearing on PCA 2011-PR-023/CDPA 2011-PR-023 (Cityline Partners LLC) to Amend the Proffers and the Conceptual Development Plan Associated with RZ 2011-PR-023, Previously Approved for Mixed-Use Development (Hotel and Retail), to Permit Mixed-Use Development (Multi-Family Residential and Retail) and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 3.09, Located on Approximately 2.0 Acres of Land Zoned PTC (Providence District)

This property is located on the South side of Westpark Drive, at its intersection with Jones Branch Drive. Tax Map 29-4 ((7)) 2A.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission public hearing was held on February 4, 2016, and the Commission deferred the decision to February 17, 2016. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), Suzanne Wright, Planner, DPZ

Board Agenda Item
February 16, 2016

3:30 p.m.

Public Hearing on PCA 2009-HM-017 (Fairfax County Board of Supervisors) to Amend the Proffers and Conceptual Development Plan for RZ 2009-HM-017 Previously Approved for Transit Oriented Mixed-Use Development to Permit Modifications to Proffers and Site Design with No Change to the Approved Overall Floor Area Ratio of 3.05, Including Bonus Density with Associated Workforce Housing, Located on Approximately 5.52 Acres of Land Zoned PRM (Dranesville District)

This property is located on the South side of Dulles Toll Road, West of Dulles Station Boulevard. Tax Map 15-2 ((1)) 13A (part) and 15-4 ((5)) 5B (part).

PLANNING COMMISSION RECOMMENDATION:
On Wednesday, February 3, 2016, the Planning Commission voted 10-0 (Commissioners Flanagan and Sargeant were absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of PCA 2009-HM-017 and the associated Conceptual Development Plan Amendment, subject to Proffers dated January 27, 2016;

- Approval of a modification of the loading requirement in favor of the loading spaces depicted on the CDP/FDP;

- Direct the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered;

- Approval of a modification of the Use Limitations on Corner Lots in Section 2-505 of the Zoning Ordinance to permit the proposed building, landscaping and sign locations within the Zoning Ordinance sight triangles formed by the streets along the corner lot as shown on the CDP/FDP and as proffered;

- Approval of a waiver of the location of the underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #6848-WPFM 005-1, dated April 10,2014;

- Approval of a modification of the peripheral lot landscaping and screening requirements in favor of that shown on the CDP/FDP as proffered and conditioned;

- Approval of a modification of the private street limitations of Section 11-302 of Zoning Ordinance; and

Board Agenda Item
February 16, 2016

- Approval of a modification of PFM Standard 12-0702.1B2 to permit the reduction of the minimum planting width requirement from eight feet as shown on the CDP/FDP and described in the proffers.

In a related action, on Wednesday, February 3, 2016, the Planning Commission voted 10-0 (Commissioners Flanagan and Sargeant were absent from the meeting) to approve FDPA 2009-HM-017, subject to the Board of Supervisors' approval of the concurrent proffered Condition Amendment.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4510589.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),
William O'Donnell, Planner, DPZ

PCA/FDPA 2009-HM-017 – FAIRFAX COUNTY BOARD OF SUPERVISORS (Dranesville District)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Ulfelder.

Commissioner Ulfelder: Thank you, Mr. Chairman. There's a reason why this area is the Rocks Development, this site. And it's been well-known and I'm glad that they were able to, through the engineering process, to really come up with a solution to do this. We're only talking about a 12-foot increase in height overall for the building – for the garage. And this is in a very important feature of this – this area as it further develops in connection with the Metro Silver Line and the transit-oriented development plans for this area. So with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF PCA 2009-HM-017 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, SUBJECT TO PROFFERS DATED JANUARY 27TH, 2016.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 2009-HM-017, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Ulfelder.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 2009-HM-017, SUBJECT TO THE BOARD'S APPROVAL OF THE CONCURRENT PROFFERED CONDITION AMENDMENT APPLICATION.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of that motion? All those in favor of the motion to approve FDPA 2009-HM-017, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Ulfelder: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A REAFFIRMATION OF THE LIST OF PREVIOUSLY APPROVED MODIFICATIONS AND WAIVERS NOW DATED FEBRUARY 3RD, 2016, THAT WERE PROVIDED TO YOU

TODAY AND FURTHER DISCUSSED IN THE STAFF REPORT. THIS LIST SHALL BE MADE PART OF THE RECORD OF THIS CASE.

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 as articulated by Mr. Ulfelder, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

//

(Each motion carried by a vote of 10-0. Commissioners Flanagan and Sargeant were absent from the meeting.)

JLC

Board Agenda Item
February 16, 2016

4:00 p.m.

Public Hearing on SE 2015-SU-014 (Debra E. Goodman T/A Wee Tender Care) to Permit a Home Child Care Facility, Located on Approximately 10,034 Square Feet of Land Zoned PDH-2, WS (Sully District)

This property is located at13565 Melville Lane, Chantilly, 20151. Tax Map 55-1 ((9)) 706.

PLANNING COMMISSION RECOMMENDATION:
On Thursday, January 14, 2016, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to recommend to the Board of Supervisors approval of SE 2015-SU-014, subject to Development Conditions dated November 24, 2015.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4508274.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),
Sharon Williams, Planner, DPZ

SE 2015-SU-014 – DEBRA E. GOODMAN t/a WEE TENDER CARE

After Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Ms. Keys-Gamarra.

Commissioner Keys-Gamarra: Okay, can I have you confirm on the record your agreement to the development conditions dated November 24th, 2015?

Mr. Goodman, Applicant/Title Owner: We agree.

Commissioner Keys-Gamarra: Okay, and that – I MOVE THAT THE PLANNING COMMISSION APPROVE SE 2015-SU-014, SUBJECT TO PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 24TH, 2015. The applicant requests approval to operate a home child care for up to 12 children and up to 2 assistants in a single-family detached dwelling.

Chairman Murphy: You just want to amend that motion to recommend to the Board of Supervisors that it approve, okay? Without objection, all those in favor of the motion –

Commissioner Lawrence: Second.

Chairman Murphy: – to recommend to the Board of – what?

Commissioner Lawrence: Second the motion.

Chairman Murphy: Okay. All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2015-SU-014, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

//

(The motion carried by a vote of 11-0. Commissioner Migliaccio was absent from the meeting.)

JLC

Board Agenda Item
February 16, 2016

4:00 p.m.

Public Hearing on PCA 78-P-130-02/CDPA 78-P-130-03 (Copt Fairview, LLC) to Amend the Proffers and Conceptual Development Plan for RZ 78-P-130 Previously Approved for a Commercial Development, to Permit an Office Development and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 0.29, Located on Approximately 6.09 Acres of Land Zoned PDC (Providence District)

This property is located on the W. side of Fairview Park Dr., Falls Church, 22042. Tax Map 49-4 ((1)) 72.

PLANNING COMMISSION RECOMMENDATION:
On Thursday, January 14, 2016, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to recommend to the Board of Supervisors Approval of PCA 78-P-130-02 and the associated CDPA 78-P-130-03, subject to the execution of the proffer consistent with that dated December 14, 2015, as amended.

In a related action, on January 14, 2016, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to approve FDPA 78-P-130-09, subject to the Development Conditions dated December 30, 2015, and the Board of Supervisors approval of PCA 78-P-130-02 and the associated Conceptual Development Plan Amendment.

ENCLOSED DOCUMENTS:
Attachment 1: Planning Commission Verbatim Excerpt
Staff Report previously furnished and available online at:
http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdwf/4511212.PDF

STAFF:
Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),
Carmon Bishop, Planner, DPZ

PCA 78-P-130-02/FDPA 78-P-130-09/CDPA 78-P-130-03 – COPT FAIRVIEW, LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Lawrence, please.

Commissioner Lawrence: Thank you, Mr. Chairman. Mr. Chairman, I move – in three motions – that the Planning Commission – actually, it's two motions. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 78-P-130-02 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT, CDPA 78-P-130-03, SUBJECT TO THE EXECUTION OF THE PROFFER CONSISTENT WITH THAT DATED DECEMBER 14TH, AS AMENDED THIS EVENING.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve PCA 78-P-130-02 and CDPA 78-P-130-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: And finally, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 78-P-130-09, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED December 20th – DECEMBER 30TH, 2015, AND THE BOARD OF SUPERVISORS' APPROVAL OF PCA 78-P-130-02 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AMENDMENT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion of that motion? All those in favor of the motion to approve FDPA 78-P-130-09, subject to the Board's approval of the PCA, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

//

(Each motion carried by a vote of 11-0. Commissioner Migliaccio was absent from the meeting.)

JLC

Board Agenda Item
February 16, 2016

4:00 p.m.

Public Comment from Fairfax County Citizens and Businesses on Issues of Concern