

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
JULY 23, 2007**

AGENDA

- | | | |
|-------|-------------|---|
| 9:00 | Done | Presentations |
| 10:00 | Done | Presentation of History Commission Annual Report |
| 10:15 | Done | Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups |
| 10:15 | Done | Items Presented by the County Executive |

ADMINISTRATIVE ITEMS

- | | | |
|---|-----------------|--|
| 1 | Approved | Extension of Review Periods for 2232 Review Applications (Lee, Mason, Mount Vernon, Springfield, and Sully Districts) |
| 2 | Approved | Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 2719 Chain Bridge Road (Providence District) |
| 3 | Approved | Authorization for the Fairfax County Police Department to Apply for and Accept Grant Funding from the Office of Justice Programs, Office of Community Policing Services Grants |
| 4 | Approved | Authorization for the Fairfax County Police Department to Apply for and Accept Grant Funding from the Office of Justice Programs Edward Byrne Memorial Discretionary Grant |
| 5 | Approved | Streets into the Secondary System (Hunter Mill, Lee, Providence, Springfield, and Sully Districts) |
| 6 | Approved | Authorization to Advertise a Public Hearing Regarding the Vacation of a Storm Sewer Easement Located on Property Owned by the Fairfax County Park Authority (Mount Vernon District) |
| 7 | Approved | Authorization to Advertise a Public Hearing for the Continued Leasing of County-Owned Property at the Lewinsville Facility to the McNair Child Development Center, Inc. (Dranesville District) |

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
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ACTION ITEMS

- | | | |
|---|--------------------------------|---|
| 1 | Approved | Authorization to Reallocate from Fund 145, HOME Investment Partnership Grant as Part of the Overall Financing Plan for Olley Glen (Braddock District) |
| 2 | Approved | Endorsement of the Updated Fairfax County Fair Housing Analysis of Impediments (Amended for 2006-2010) (Proposed Local Plan) |
| 3 | Approved w/modification | Proposed Federal Capital Improvements Program - National Capital Region, Fiscal Years 2008 - 2013 |
| 4 | Approved | Supplemental Appropriation Resolution 08020 and Approval of a Grant Agreement for the Department of Transportation to Accept Virginia National Defense Industrial Authority (VNDIA) Funding for the Design and Advanced Land Acquisition for the Telegraph Road Project Between Beulah Street and South Kings Highway Related to the Fort Belvoir Base Realignment and Closure (BRAC) Plan (Lee, Mount Vernon, and Springfield Districts) |
| 5 | Approved | Approval of a Grant Agreement for the Department of Transportation to Accept Virginia National Defense Industrial Authority (VNDIA) Funding for Spot Transportation Improvements and a Transportation Demand Management (TDM) Program Related to the Fort Belvoir Base Realignment and Closure (BRAC) Plan (Lee, Mount Vernon, and Springfield Districts) |
| 6 | Approved | Approval of a Cost Sharing Agreement Between Fairfax County and Landmark Property Development, LLC to Replace Severely Deteriorated Storm Drainage Infrastructure (Mason District) |

INFORMATION ITEMS

- | | | |
|---|--|---|
| 1 | Noted w/comment and request for information | Fairfax-Falls Church Community Services Board FY 2008 Fee Schedule |
| 2 | Noted w/request for information | Contract Award – Computer Aided Dispatch and Records Management Systems for Fairfax County Public Safety Agencies |

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JULY 23, 2007**

**INFORMATION ITEMS
(CONTINUED)**

3	Noted	Contract Award – Community Outreach and Facilitation Services
4	Noted	Planning Commission Action on Application 2232-L06-19, T-Mobile Northeast, L.L.C. (Lee District)
5	Noted	Planning Commission Action on Application 2232-H07-1, Fairfax County Water (Hunter Mill District)
6	Noted	Planning Commission Action on Application 2232-MD06-23, Newpath Networks, Inc., and Sprint PCS (Hunter Mill, Providence, and Sully Districts)
10:45	Done	Matters Presented by Board Members
11:35	Done	Closed Session
PUBLIC HEARINGS		
3:30	Public hearing deferred to 8/6/07 at 3:30 p.m.	Public Hearing on SE 2005-MV-017 (Kevin J. O'Neill) (Mount Vernon District)
3:30	Public hearing deferred to 10/15/07 at 4:30 p.m.	Public Hearing on RZ 2007-HM-008 (Phillip and Melinda R. Pon) (Hunter Mill District)
3:30	Approved	Public Hearing on RZ 2006-PR-017 (Prospect Development Company, Inc.) (Providence District)
4:00	Approved	Public Hearing on SE 2006-LE-032 (Fourth Hotel Associates Limited Partnership) (Lee District)
4:00	Approved	Public Hearing on a Proposed Zoning Ordinance Amendment Re: Restoration of Damaged or Destroyed Nonconformities
4:00	Approved	Public Hearing on the Reenactment and Extension of the Real Estate Tax Abatement Program
4:00	Decision deferred to 8/6/07	Public Hearing Re: Vacation of a Trail Easement Located on Property Owned by the Upper Occoquan Sewage Authority (Springfield District)



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Monday
July 23, 2007

9 a.m.

PRESENTATIONS

1. CERTIFICATE – To recognize Jeff Cummins, Aaron Broadus and the Annandale Jazz Ambassadors for their recent tour to Ecuador and Peru. Requested by Supervisor Gross.
2. CERTIFICATE – To recognize Captain Jesse Bowman of the Fairfax County Police Department Traffic Division for his years of service to Fairfax County. Requested by Supervisor Frey.
3. CERTIFICATE – To recognize the youth volunteers of the Miller Heights Neighborhood Association for their efforts to initiate and fulfill traffic-calming measures. Requested by Supervisor Smyth.
4. CERTIFICATE – To recognize Robert Gehring for his service with the Commission on Aging. Requested by Supervisor Hudgins.
5. CERTIFICATE – To recognize the organizers, sponsors, supporters and volunteers who were involved with the fifth annual cleanup of Culmore. Requested by Supervisor Gross.
6. CERTIFICATE – To recognize the Herndon Senior Center and the Department of Community and Recreation Services for receiving a 2006 Best New Facility Award from the Virginia Recreation and Park Society. Requested by Supervisor DuBois.

- more -

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7. CERTIFICATE – To recognize Deputy County Executive and Chief Financial Officer Ed Long, Director of the Department of Finance Bob Mears and the appropriate staff for their work resulting in the 30th consecutive Certificate of Achievement in Excellence in Financial Reporting for the county's Comprehensive Annual Financial Report. Requested by Chairman Connolly.

STAFF:

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

Board Agenda Item
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10:00 a.m.

Presentation of History Commission Annual Report

ENCLOSED DOCUMENTS:

Annual Report distributed to Board Members under separate cover.

PRESENTED BY:

Robert E. Beach, AIA, Chairman

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Board Agenda Item
July 23, 2007

10:15 a.m.

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

ENCLOSED DOCUMENTS:

Appointments to be heard July 23, 2007

STAFF:

Nancy Vehrs, Clerk to the Board of Supervisors

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10:15 a.m.

Items Presented by the County Executive

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Board Agenda Item
July 23, 2007

ADMINISTRATIVE – 1

Extension of Review Periods for 2232 Review Applications (Lee, Mason, Mount Vernon, Springfield, and Sully Districts)

ISSUE:

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

RECOMMENDATION:

The County Executive recommends that the Board extend the review periods for the following applications: applications FS-Y07-9, FS-V07-10, FS-Y07-11, FS-V07-12, FS-S07-13, FS-V07-15, and FS-S07-28 to September 21, 2007; application FS-Y07-23 to September 24, 2007; applications FS-L07-31 and FS-M07-37 to September 27, 2007; applications FS-S07-32, FS-S07-33, and FS-V07-36 to October 1, 2007; and applications 2232-M06-18, 2232-L07-2, and FS-S07-34 to October 4, 2007.

TIMING:

Board action is required on July 23, 2007, to extend the review periods of the applications noted above before their expiration.

BACKGROUND:

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

The Board should extend the review periods for the following applications, which were accepted for review by the Department of Planning and Zoning between April 24, 2007, and May 7, 2007:

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- 2232-M06-18 T-Mobile Northeast LLC
125-foot tall monopole (flagpole)
7010 Braddock Road
Mason District
- 2232-L07-2 Nextel Communications of the Mid-Atlantic, Inc.
120-foot tall monopole
6304 Beulah Street (Franconia VFD Station No. 5)
Lee District
- FS-Y07-9 Clearwire US LLC
Antenna colocation on existing monopole
5858 Old Centreville Road (Centreville VFD Station No. 17)
Sully District
- FS-V07-10 Clearwire US LLC
Antenna colocation on existing monopole
8101 Lorton Road (Lorton Administrative Center)
Mount Vernon District
- FS-Y07-11 Clearwire US LLC
Antenna colocation on existing monopole
Interstate 66 near Lavender Mist Lane (VDOT right-of-way)
Sully District
- FS-V07-12 Clearwire US LLC
Antenna colocation on existing monopole
7399 Lockport Place
Mount Vernon District
- FS-S07-13 Clearwire US LLC
Antenna colocation on existing tower
6199 Old Arrington Lane
Springfield District
- FS-V07-15 Clearwire US LLC
Antenna colocation on existing monopole
8201 Terminal Road
Mount Vernon District

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- FS-Y07-23 T-Mobile Northeast LLC
Antenna colocation on existing monopole
Interstate 66 at Sully Road interchange (VDOT right-of-way)
Sully District
- FS-S07-28 T-Mobile Northeast LLC
Antenna colocation on existing monopole
4641 West Ox Road
Springfield District
- FS-L07-31 Clearwire US LLC
Antenna colocation on existing monopole (athletic field light pole)
7606 Telegraph Road (Hayfield High School)
Lee District
- FS-S07-32 Clearwire US LLC
Antenna colocation on existing tower
11209 Fairfax Station Road
Springfield District
- FS-S07-33 Clearwire US LLC
Antenna colocation on existing monopole
12111 Braddock Road (Mott Community Center)
Springfield District
- FS-S07-34 Clearwire US LLC
Antenna colocation on existing monopole (flagpole)
7801 Maritime Lane (Pohick Fire Station No. 35)
Springfield District
- FS-V07-36 Clearwire US LLC
Antenna colocation on existing monopole
7956 Twist Lane
Mount Vernon District
- FS-M07-37 Clearwire US LLC
Antenna colocation on existing monopole (flagpole)
8914 Little River Turnpike (West Annandale VFD Station No. 23)
Mason District

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These applications are for telecommunications facilities. Therefore, in accordance with State Code requirements, the Board may extend the time required for the Planning Commission to act on these applications by no more than sixty additional days. The need for the full time of these extensions may not be necessary, and is not intended to set a date for final action.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
None

STAFF:
Robert A. Stalzer, Deputy County Executive
James P. Zook, Director, Department of Planning and Zoning (DPZ)
David B. Marshall, Planning Division, DPZ
David S. Jillson, Planning Division, DPZ

Board Agenda Item
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ADMINISTRATIVE - 2

Authorization to Advertise a Public Hearing on Spot Blight Abatement Ordinance for 2719 Chain Bridge Road (Providence District)

ISSUE:

Board of Supervisors' authorization to advertise a public hearing to consider adoption of a Spot Blight Abatement Ordinance for 2719 Chain Bridge Road, Vienna, VA 22181 (Tax Map No. 048-1-((01))-0048).

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of a public hearing to be held Monday, September 10, 2007, at 4:00 p.m.

TIMING:

Board authorization to advertise the public hearing is requested for Monday, July 23, 2007, and the public hearing should be held Monday, September 10, 2007, at 4:00 p.m.

BACKGROUND:

Va. Code Ann. § 36-49.1:1 (Supp. 2006) (Spot Blight Abatement Statute) allows the Board, by ordinance, to declare a blighted property a nuisance, thereby enabling abatement in accordance with Va. Code Ann. § 15.2-900 (2003) or Va. Code Ann. § 15.2-1115 (Supp. 2006) (Abatement of Nuisance Statutes). The Abatement of Nuisance Statutes permit the County to compel the abatement or removal of nuisances. If, after reasonable notice, the owner(s) fails to abate or obviate the nuisance the County may abate the nuisance in which event the property owner(s) may then be charged for the costs of abatement, which may be collected from the property owner(s) in any manner provided by law for the collection of state or local taxes.

Properties are considered "blighted" under the Spot Blight Abatement Statute as defined in Va. Code Ann. 36-3 (Supp. 2006) as any individual commercial, industrial, or residential structure or improvement that endangers the public's health, safety, or welfare because the structure or improvement upon the property is dilapidated, deteriorated, or violates minimum health and safety standards, or any structure or improvement previously designated as blighted pursuant to § 36-49.1:1, under the process for determination of "spot blight."

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In November 1996, the Board authorized the implementation of a Blight Abatement Program using the Spot Blight Abatement Statute to address citizen concerns about specific properties in their communities which were abandoned, dilapidated, or otherwise kept in an unsafe state.

A property can be considered blighted if it meets the standards set forth in Va. Code Ann. § 36-3 (Supp. 2006) and if it meets all of the following conditions:

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

The property located at 2719 Chain Bridge Road was referred to the Blight Abatement Program (BAP) on July 27, 2006. Located on the subject property is an abandoned one and one-half story, dilapidated, residential structure with 1/2 basement that was constructed sometime in 1941 according to Fairfax County Tax Records. The structure has been vacant since at least 2005 and has been placarded unfit by the Health Department since December 29, 2005.

On November 16, 2006, the Neighborhood Enhancement Task Force (NETF) found that the subject property met the blighted property guidelines, and the property received a preliminary blight determination. Certified notice was sent to the owner advising him of this determination. On December 20, 2006, the owner sent blight abatement program staff a letter advising that he purchased the property with the dilapidated structure and that he was working on a new development plan for the property along with the adjacent parcels which he also owned. His development plan was contingent on gaining access to the parcels through an extension of Fox Rest Lane. The owner's blight abatement plan was rejected by BAP staff because the timeline was for an extended period and his development plan was contingent on road access approval. A letter was sent to the owner advising him that his plan was unacceptable. The owner wrote back and stated that he would demolish the structure in the upcoming months. To date the structure has not been demolished and the owner has contended at this time that he does not have the finances to demolish the structure.

BAP staff continues to receive multiple complaints regarding this property and the negative visual impact it has on the adjacent properties and the surrounding community. Attempts by BAP staff to achieve voluntary compliance with the property owner have been unsuccessful.

Although the Department of Housing and Community Development (HCD) will continue to seek cooperation from the owner to eliminate blighted conditions, it is requested that a public hearing, in accordance with the Spot Blight Abatement Statute, be held to adopt an Ordinance declaring the property to be blighted, which constitutes a nuisance.

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State code requires that the Board provide notice concerning proposed adoption of such an Ordinance.

At the public hearing, HCD will also request authorization to contract for demolition of the blighted structure on the site pursuant to Va. Code Ann. §15.2-1115 (Supp. 2006) as authorized under the Spot Blight Abatement Statute. If the owner fails to abate the blighted conditions within thirty days after notification to the property owner of the Board's action, HCD will proceed with the demolition process for the structure. The County will incur the cost, expending funds that are available in Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program. The County will then pursue reimbursement from the owner who is ultimately liable for all abatement costs incurred. A lien will be placed on the property and recorded in the County land and judgment records.

FISCAL IMPACT:

In the event that the blighted conditions are not eliminated by the owner, HCD will use monies from Project 014048, Revitalization Spot Blight Abatement, within Fund 340, Housing Assistance Program, to demolish the structure. The balance in this project as of June 29, 2007, is \$351,077. It is estimated that the cost of demolition of the structure will be approximately \$45,000.

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

ENCLOSED DOCUMENTS:

Attachment 1: Property Photographs
Attachment 2: Public Hearing Advertisement

STAFF:

Verdia L. Haywood, Deputy County Executive
Paula C. Sampson, Director, Department of Housing and Community Development (HCD)
Harry Swanson, Deputy Director, Revitalization and Real Estate Finance, HCD
Cynthia Ianni, Division Director, Design, Development and Construction Division, HCD
Patricio J. Montiel, Chief, Housing Rehabilitation, HCD
Christina M. Sadar, Blight Abatement Program Coordinator, HCD

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ADMINISTRATIVE - 3

Authorization for the Fairfax County Police Department to Apply for and Accept Grant Funding from the Office of Justice Programs, Office of Community Policing Services Grants

ISSUE:

Board approval for the Fairfax County Police Department to apply for and accept funding, if received, from the Office of Justice Programs (OJP) Office of Community Policing Services (COPS) Grant in the amount of \$125,200. Funding in the amount of \$125,200 will provide financial assistance for the certificate in leadership development for senior law enforcement managers. This will enable eight command level officers to attend the training course to better prepare them to deliver more effective services to the community. No Local Cash Match or in-kind match will be required. The grant period is approximately October 1, 2007, through March 31, 2009. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy.

RECOMMENDATION:

The County Executive recommends that the Board authorize the Fairfax County Police Department to apply for and accept funding, if received, from the OJP COPS Grant. Funding in the amount of \$125,200 will be used by the Police Department for a certificate in leadership development course for senior law enforcement managers. The project will be implemented in accordance with the grant program guidance documents.

TIMING:

Because of a July 2, 2007 submission deadline, the application was submitted pending Board approval. If the Board does not approve this request, the application will be immediately withdrawn.

BACKGROUND:

The Police Department remains committed to performing its fundamental mission and goals. But to keep in step with advancements in the law enforcement field and ensure consistency in its community policing philosophy and practices, the Police Department is seeking to fill an existing void in the educational/training opportunities available to commanders, and/or those who have the promise to assume command positions. To continue to be the innovative leader in best practices in community policing, leadership development and succession planning are crucial.

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To meet this need, the department has developed a partnership with the American University to develop a concept for the provision of a professional course of study for law enforcement leaders. The endeavor will serve to improve the administration of justice and to raise law enforcement standards, knowledge and cooperation. The program will be offered to members of the Police Department and those in law enforcement throughout the National Capital Region. Currently, officers from the cities of Alexandria and Fairfax are attending initial courses along with members of our staff. It is envisioned that this program will help to forge educational partnerships throughout the region that will lead to a new standard for law enforcement command staff knowledge and education, furthering a regional approach to community policing and a commitment to excellence.

Following graduation from the program, each officer will have the opportunity to put into daily practice a dynamic set of leadership skills designed to provide a higher level of police services to the citizens of the region. The skill sets acquired will assist law enforcement professionals who actively work together to continue developing higher levels of competency, cooperation, and integrity across the law enforcement community. Grant funding will enable eight command level officers to attend the course.

FISCAL IMPACT:

Grant funding in the amount of \$125,200 will be requested from the OJP COPS Grant for the certificate in leadership development course for senior law enforcement managers. No Local Cash Match is required. This action does not increase the expenditure level in Fund 102, Federal/State Grant Fund, as funds are held in reserve for anticipated grant awards in FY 2008. This grant does not allow the recovery of indirect costs.

CREATION OF NEW POSITIONS:

No positions will be created through this grant award.

ENCLOSED DOCUMENTS:

Attachment 1 – Grant Application Excerpt

STAFF:

Robert A. Stalzer, Deputy County Executive
Colonel David M. Rohrer, Chief of Police
Major Edwin C. Roessler, Commander, Administrative Support Bureau

Board Agenda Item
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ADMINISTRATIVE - 4

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

ISSUE:

Board approval for the Fairfax County Police Department to apply for and accept funding, if received, from the Office of Justice Programs (OJP) Edward Byrne Memorial Discretionary Grant in the amount of \$3,830,000. Funding in the amount of \$3,830,000 will provide financial assistance for the digital video upgrade project through the purchase and installation of 700 in-vehicle video units and 255 fixed digital CCTV cameras at police facilities. No Local Cash Match or in-kind match will be required. The grant period for the FY 2007 grant award is approximately September 1, 2007 through August 31, 2008. If the actual award received is significantly different from the application amount, another item will be submitted to the Board requesting appropriation of grant funds. Otherwise, staff will process the award administratively as per Board policy.

RECOMMENDATION:

The County Executive recommends that the Board authorize the Fairfax County Police Department to apply for and accept funding, if received, from the OJP Edward Byrne Memorial Discretionary Grant. Funding in the amount of \$3,830,000 will be used by the Police Department for the digital video upgrade project through the purchase and installation of 700 in-vehicle video units and 255 fixed digital CCTV cameras at various police facilities. The project will be implemented in accordance with the grant program guidance documents.

TIMING:

Because of a June 25, 2007 submission deadline, the application was submitted pending Board approval. If the Board of Supervisors does not approve this request, the application will be immediately withdrawn.

BACKGROUND:

The goal of this project is to upgrade the entire department's fixed video surveillance camera and patrol fleet from an analog to an integrated digital video system. Currently, the Fairfax County Police Department utilizes a mixture of different fixed video surveillance systems for building security at its 17 facilities and an analog, VHS style in-car camera system in roughly 200 of its 700 patrol car fleet. The remaining 500 patrol cars presently have no in-car video capability. This proposed digital system will

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standardize the way in which video technology is used by the Police Department and it will expand the way in which the Police Department provides service to the county's one million plus residents. Finally, the new integrated system is expected to decrease the costs associated with the maintenance of the department's wide variety of legacy systems and in the staffing hours required to catalog, store, and retrieve analog video evidence. As part of the FY 2008 Capital Improvement Plan, \$452,250 was approved to initiate the security enhancements. With this funding, computer servers and licenses will be purchased to manage the security functions at department facilities.

Officers in the field will have the ability to view, record, and store evidence from the fixed security cameras, interrogation rooms, and the video captured on their patrol in-car camera units. These images can then be used to assist first responders during major incidents such as the May 8th, 2006 attack on the Sully District Station, as well as to aid in field suspect identifications, court prosecutions, after-action reviews, and training. When used as evidence, digital video images provide the prosecutors and judges with a professional product that is more reliable and easier to use during court proceedings. Once a digital image is captured it is far simpler to move across a variety of platforms that might be used during a trial presentation. Digital video evidence can also be provided to the defense team during the discovery process in a more timely manner.

A professional project team consisting of Police Department and general county employees will be assigned to this project and will manage the grant program to include the processing of the acceptance of the grant award and coordination of the procurement items allowed under the requirements of the grant, all while complying with all Department of Justice reporting requirements. This will include a pre-implementation analysis and count of existing backlogs resulting in a baseline measurement for purposes of evaluation throughout the grant program.

FISCAL IMPACT:

Grant funding in the amount of \$3,830,000 will be requested from the OJP Edward Byrne Memorial Discretionary Grant. These funds will be used to enhance the capability and capacity of the department's fixed video surveillance camera and patrol fleet from an analog to an integrated digital video system. No Local Cash Match is required. This action does not increase the expenditure level in Fund 102, Federal/State Grant Fund, as funds are held in reserve for unanticipated grant awards in FY 2008. This grant does not allow the recovery of indirect costs.

CREATION OF NEW POSITIONS:

No positions will be created through this grant award.

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ENCLOSED DOCUMENTS:

Attachment 1 – Grant Application Excerpt

STAFF:

Robert A. Stalzer, Deputy County Executive
Colonel David M. Rohrer, Chief of Police
Major Josiah L. Moser, Commander, Technical Services Bureau
Lieutenant Edward C. O'Carroll, Technical Services Bureau
Sergeant James R. Tanler, Technical Services Bureau
Robert M. Ross, Assistant County Attorney

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Board Agenda Item
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ADMINISTRATIVE – 5

Streets into the Secondary System (Hunter Mill, Lee, Providence, Springfield, and Sully Districts)

ISSUE:

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

RECOMMENDATION:

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Estates at Great Falls Crossing II	Hunter Mill	Water Falls Lane
		Leesburg Pike (Route 7) (Additional Right-of-Way (ROW) only)
Archstone Van Dorn	Lee	Capital Beltway (I-95/I-495) (Additional ROW only)
		South Van Dorn Street (Route 613) (Additional Row only)
Cassel Glen Subdivision		Cassel Glen Court
Hunting Hills, Section 5	Providence	Bonds Ridge Court (Route 10288)
		Rose Creek Court
		Wilson Avenue (Route 863)

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<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Hunting Hills, Section 5	Providence	Miller Road (Route 663) (Additional ROW only)
Land of Reza and Monireh B. Mehrabian		Oak Valley Drive (Route 3891) (Additional ROW only)
Ridge Top Road Phase 1	Springfield	Ridge Top Road (Route 7224) Lee Highway (Route 29) (Additional ROW only)
Sang Oh and Company, Inc.		Clifton Road (Route 645) (Additional ROW only) Braddock Road (Route 620) (Additional ROW only)
Dartmoor Woods, Section 4A	Sully	Hickory Knoll Place Wild Horse Drive

TIMING:
Routine.

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

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Street Acceptance Forms

STAFF:
Robert A. Stalzer, Deputy County Executive
Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)
Howard J. Guba, Deputy Director, DPWES
James W. Patteson, Director, Land Development Services, DPWES

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ADMINISTRATIVE - 6

Authorization to Advertise a Public Hearing Regarding the Vacation of a Storm Sewer Easement Located on Property Owned by the Fairfax County Park Authority (Mount Vernon District)

ISSUE:

Authorization to advertise a public hearing regarding the vacation of a storm sewer easement located on property owned by the Fairfax County Park Authority.

RECOMMENDATION:

The County Executive recommends that the Board authorize a public hearing regarding the referenced vacation.

TIMING:

Board action is requested for July 23, 2007, to provide sufficient time to advertise the proposed public hearing on September 10, 2007, at 4:30 p.m.

BACKGROUND:

The Board of Supervisors acquired a storm sewer easement on the subject property on November 27, 1962 by consent of the owner. The easement is recorded in Deed Book 2223 at Page 280 among the land records of Fairfax County, located on the parcel identified as Tax Map Number 093-1-01-0057.

The County has decided to realign the storm drainage system to a better location and will no longer need the existing easement since the property owner is granting a new storm drainage easement, in exchange, that will be sufficient for this project.

Staff recommends that the existing storm sewer easement be vacated in conformance with Section 15.2-1800 of the Code of Virginia.

FISCAL IMPACT:

None

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ENCLOSED DOCUMENTS:

Attachment A – Public Notice

Attachment B – Tax Map No. 93-1

Attachment C – Vacation Plat

STAFF:

Edward L. Long, Deputy County Executive

Jose A. Comayagua, Director, Facilities Management Department

James Ratliff, Project Manager, Department of Public Works and Environmental Services

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ADMINISTRATIVE - 7

Authorization to Advertise a Public Hearing for the Continued Leasing of County-Owned Property at the Lewinsville Facility to the McNair Child Development Center, Inc. (Dranesville District)

ISSUE:

Authorization to advertise a public hearing for the continued leasing of County-owned property at the Lewinsville Facility at 1609 Great Falls Street, McLean, Virginia (Tax Map 030-3-01-parcel 42) to the McNair Child Development Center, Inc. d/b/a Fun and Friends Child Development Center. The leased premises consist of approximately 5,109 rentable square feet.

RECOMMENDATION:

The County Executive recommends that the Board authorize a public hearing for the continued leasing of County-owned property at 1609 Great Falls Street, McLean, Virginia (Tax Map 030-3-01-parcel 42) to the McNair Child Development Center, Inc. d/b/a Fun and Friends Child Development Center.

TIMING:

Board action is requested for July 23, 2007, to provide sufficient time to advertise the proposed public hearing on September 10, 2007, at 4:00 p.m.

BACKGROUND:

In 1983, Kiddie Korner, a private for profit day care provider for approximately 100 children, negotiated a lease with the Fairfax County School Board for a portion of the Lewinsville Facility located at 1609 Great Falls Street, McLean, Virginia 22101. In 1985, the Fairfax County Board of Supervisors acquired the Lewinsville Facility from the School Board. The lease with Kiddie Korner transferred with the facility and Fairfax County became the new landlord on the lease.

In November 1993, the County approved a lease renewal with Kiddie Korner (d/b/a Kid's First) to use a portion (approximately 5,109 rentable square feet) of the Lewinsville Facility as a day care center. In September 1997, Kid's First filed for bankruptcy. In order to prevent minimal disruption to the children attending this day care center, a parent with children in the Kid's First Day Care Program assumed the existing lease and established a company called Fun and Friends Child Development Center, Inc.

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In 1999, the lease term applicable to the Kid's First lease expired and Fun and Friends Development Center, Inc. requested a new lease agreement. In accordance with authorization from the Board of Supervisors, the County entered into a new lease agreement with Fun and Friends Development Center, Inc. The current lease with Fun and Friends Development Center, Inc. expired on June 30, 2007.

In 2005, the owner of Fun and Friends Development Center, Inc. sold his center and assigned his lease to Richmond and Lynn Abbe (who own this center under the name McNair Child Development Center, Inc.). Mr. and Mrs. Abbe continue to operate the day care center under the same name (i.e. Fun and Friends Child Development Center). The day care center will continue to enroll approximately 80 families in the McLean area and employ approximately 22 employees.

The Fun and Friends Development Center requested to extend the existing lease. Therefore, subject to the County's completion of lease negotiations with the Fun and Friends Development Center, it is proposed that the County enter into a new lease that will permit the center to continue leasing space at Lewinsville from July 1, 2007, through June 30, 2008. In addition, the proposed lease will allow for two one-year option periods.

In accordance with the Board Policy and Section 15.2-1800 of the Code of Virginia, a public hearing is required prior to the assignment of a County lease applicable to County-owned property.

FISCAL IMPACT:

In Fiscal Year 2008, this lease will generate approximately \$93,000 in revenue.

ENCLOSED DOCUMENTS:

Attachment A – Public Notice

Attachment B – Tax Map No. 030-3-01-0042

STAFF:

Edward L. Long, Deputy County Executive

Jose A. Comayagua, Director, Facilities Management Department

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ACTION – 1

Authorization to Reallocate from Fund 145, HOME Investment Partnership Grant as Part of the Overall Financing Plan for Olley Glen (Braddock District)

ISSUE:

The Board of Supervisors is requested to authorize the reallocation of up to \$1,891,476 from Fund 145, HOME Investment Partnership Grant (HOME) as part of the overall financing plan for the development of Olley Glen, a 90-unit independent living senior housing project to be built on the Little River Glen campus.

RECOMMENDATION:

The County Executive recommends the reallocation of \$1,891,476 from Fund 145, HOME Investment Partnership Grant (HOME) as part of the overall financing plan for the development of Olley Glen.

TIMING:

Immediate. According to HOME regulations, the HOME funds must be committed to a project before July 31, 2007.

BACKGROUND:

Olley Glen will be the third phase of the Little River Glen campus. Currently, the project consists of Little River Glen, a 120-unit low income independent elderly facility, which includes an attached Senior Center and was completed in 1990 and Braddock Glen Assisted Living at Little River Glen, a 60-unit assisted living facility and an Adult Day Care Center, which was completed in 2006. Olley Glen (Phase Three) is new construction of a 90-unit project that will be affordable to low-income elderly able to live independently.

Olley Glen is a similar design to Little River Glen. The Project will consist of 90 units located in three two-story buildings with elevators. Each building has a common kitchen and family room on the first floor. All units will have washers and dryers, and the units that are large enough, will have dishwashers. Food service for lunches will be provided to those residents who wish to avail themselves of this service at the Senior Center located in the Little River Glen facility. Five units (5.5%) are totally handicapped accessible.

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There will be a 400 square foot office in each of the three buildings to provide community and social services for the residents.

The construction is expected to take 18 to 24 months. Construction is expected to commence in 2008.

By financing the Project with tax-exempt bonds, the Project can receive 4% tax credits as long as the application meets the minimum scoring threshold. The threshold score for 2007 is 250 points and the Project is expected to score above the threshold.

The construction financing plan for the Property is:

CONSTRUCTION FINANCING

SOURCES	
Tax-Exempt Bonds – Construction	\$11,365,533
Tax-Exempt Bonds – Permanent	2,842,000
HOME Funds	2,788,476
CDBG Section 108 Loan	2,750,000
Housing Trust Fund	554,129
CDBG	100,000
Total Sources	\$20,400,138
USES	
Construction	16,768,492
Project Design	956,000
Utilities	807,000
Financing	1,441,639
Reserves	427,007
Total Uses	\$20,400,138

During construction it is anticipated that the Project will be financed using tax-exempt bonds, CDBG, HOME, and Housing Trust Fund funds. However, there is a possibility some of the construction could be financed using 4% tax credits. The portion of tax credit equity used during construction will have to be limited to ensure that the Project financing will meet the tax-exempt bond 50% test.

Staff is currently exploring permanent financing sources to take out the Series A Bonds (the construction bonds), however, until that financing is secured, the Series A Bonds are expected to be redeemed using \$2 million from the FCRHA Revolving Development

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Fund and approximately \$3,627,888 from the Bank of America tax-exempt Line of Credit; both to be used on a short-term basis. The 4% tax credits will also be a source of a portion of the redemption and are estimated to be \$6,486,645. At the time all permanent sources are determined, staff will come back to the Board for approval of the final financing plan. Sources of permanent financing could include additional HOME funds and/or Housing Trust Fund, as well as FY 2007 Carryover.

Construction is not anticipated to start until all permanent financing sources are in place and approved by both the FCRHA and the Board of Supervisors. The anticipated closing date for this Project is 2008.

In addition, funding is conditioned on the following:

1. Updated Market Study
2. Cost Estimates
3. Appraisal
4. Updated Phase I Environmental Review
5. Reservation of low income housing tax credits
6. Tax-exempt bond allocation
7. Commitments from all funding sources
8. Commitment from tax credit investor
9. Final underwriting
10. Other items as required by the LUC, FCRHA, lenders, or investors

STAFF IMPACT:

None

FISCAL IMPACT:

Funding in the amount of \$2,000,000 will come from Fund 946, FCRHA Revolving Development Fund which has a balance of \$3,545,718 as of June 30, 2007. Funding in the amount of \$3,627,888 will come from the FCRHA's tax-exempt line of credit with Bank of America. The tax-exempt line of credit has \$9,500,000 available to be drawn down as of June 30, 2007. At the time the permanent financing is arranged, the Revolving Development Fund and the line of credit, including interest, will be repaid, and the line of credit will be paid off. A permanent financing plan for Olley Glen will be brought to the Board for approval in September.

Funding in the amount of \$2,788,476 will come from Fund 145, Home Investment Partnership Grant (HOME). Of that amount, \$897,000 had been previously allocated to Project #014137, Little River Glen III (now known as Olley Glen). In addition, funds will be reallocated from the following projects in the total amount of \$1,891,476 to Project

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#014137, Little River Glen III:

Project Number	Amount	Project Title
014140	\$1,559,005	Lewinsville Expansion Project
013966	40,000	Telegraph Road Property (Glenwood Mews)
014107	207,851	Wesley/Coppermine
014143	22,365	Land/Unit Acquisition
014191	9,968	Rehabilitation of FCRHA Properties
013854	394	Founders Ridge
013901	737	Tavener Lane
014153	5,348	Neighborhood Revitalization
014167	8,370	Homeownership – MIDS Study
014173	6,269	Internet for Efficiency
014056	577	Gum Springs Elderly
014168	11,099	Senior Housing – Maintain Properties
013974	19,493	Home Development Costs
	\$1,891,476	Total

A portion of the HOME funds reallocated from Lewinsville in the amount of \$1,409,005 will be replenished from Fund 144, Housing Trust Fund from the following projects and fiscal years (\$150,000 has already been reallocated to Chesterbrook Residences):

Project Number	Amount	FY	Project Title
013808	10,239	2007	Herndon Harbor I (Completed)
013906	71,012	2007	Undesignated
014013	62,920	2007	Tier One Predevelopment
014040	47,520	2007	Herndon Harbor II (Completed)
014042	90,000	2007	Tier Two Predevelopment
014142	111,514	2007	Reserve for Emergencies
014143	124,689	2007	Land/Unit Acquisition
014250	101,111	2007	Legato Corner (Completed)
	\$619,005		Total 2007
013906	790,000	2008	Undesignated
	\$790,000		Total 2008
	\$1,409,005		Total 2007 and 2008

In addition, \$125,000 from Fund 144, Housing Trust Fund is being reallocated to

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Chesterbrook Residences, Inc. (approved by the Board of Supervisors on July 9, 2007).

ENCLOSED DOCUMENTS:

Attachment 1: Sources and Uses

Attachment 2: Pro Forma

STAFF:

Verdia L. Haywood, Deputy County Executive

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

Harry Swanson, Deputy Director, Revitalization and Real Estate, HCD

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

Molly Norris, Senior Real Estate Finance Officer, Real Estate Finance and Grants
Management Division, HCD

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ACTION - 2

Endorsement of the Updated Fairfax County Fair Housing Analysis of Impediments
(Amended for 2006-2010) (Proposed Local Plan)

ISSUE:

Board of Supervisors' endorsement of Fairfax County Fair Housing Analysis of Impediments (amended for 2006-2010) (Proposed Local Plan).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors endorse the Proposed Local Plan and forward it to the Fairfax County Human Rights Commission for implementation. In addition, the County Executive recommends that the Board endorse the Local Plan as an attachment to the Fairfax County FY 2008 Consolidated Plan.

TIMING:

Action should be taken on July 23, 2007, to permit Fairfax County to address the fair housing impediments identified and to meet U.S. Department of Housing and Urban Development (HUD) requirements for funding under the Consolidated Plan.

BACKGROUND:

The Proposed Local Plan has been prepared in accordance with federal regulations issued by HUD governing the Consolidated Plan. The County currently receives \$9.0 million under the Consolidated Plan. As a recipient of such funding, Fairfax County is required to complete an analysis of impediments to fair housing choice, or a fair housing plan. HUD guidelines direct the Local Plan should provide a comprehensive review of a jurisdiction's laws, regulations and administrative policies, and practices, as well as policies and practices of the private sector, affecting the location, availability, and accessibility of housing.

At the Board of Supervisors meeting on April 30, 2007, the Board endorsed the Consolidated Plan One-Year Action Plan for FY 2008. At that time, the Human Rights Commission was in the process of amending the Proposed Local Plan and, therefore, it was not included as part of the 2008 Consolidated Plan endorsed by the Board. Such endorsement is now requested.

On June 15, 2007, the Human Rights Commission in conjunction with the Department of Housing and Community Development distributed the updated Fairfax County Fair Housing Analysis of Impediments (Proposed Local Plan) for review and comment to the

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Consolidated Community Funding Advisory Committee (CCFAC). Comments received from the CCFAC are incorporated.

The Proposed Local Plan provides introductory and jurisdictional background information, which includes some demographic data and current County initiatives taken to address low-income housing affordability issues. A brief assessment of current public and private fair housing programs and activities is also included in Section I. Sections II and III contain a list of the Articles included in the Fairfax County Fair Housing Ordinance, a brief history of fair housing laws in Virginia, and a summary of current fair housing laws in the State. A discussion of past impediments accomplishments is given in Section V. Section VI identifies the following five areas, which may present impediments to fair housing:

1. Discrimination by Housing and Housing-Related Service Providers due to Lack of Knowledge of their Obligations under Local, State, and Federal Fair Housing Laws.
2. Lack of Knowledge by the General Public of Fair Housing Rights under Local, State, and Federal Fair Housing Laws.
3. Shortage of Accessible Dwelling Units Due to Non-Compliance with Fair Housing Design and Construction Requirements.
4. Overcrowding, Zoning and Land Use Issues, and a Shortage of Affordable Housing.
5. Lack of Geographical Choices for Housing Voucher Participants.

Each of the five areas listed includes some background information and recommendations for overcoming the impediment.

FISCAL IMPACT:

On April 30, 2007, the Board of Supervisors adopted the Consolidated Plan One-Year Action Plan for FY 2008. Under the Action Plan the Board appropriated \$57,514 in Community Development Block Grant (CDBG) funds (Fund 142) and \$21,928 in Home Investment Partnership Grant (HOME) funds (Fund 145) for this program. These funds will be used by the County's Human Rights Commission to contract for fair housing testing in the real estate rental market, and to conduct fair housing outreach and educational activities in the marketplace.

ENCLOSED DOCUMENT:

Attachment 1 - Proposed Fairfax County Analysis of Impediments (amended for 2006-2010)

STAFF:

Verdia L. Haywood, Deputy County Executive

Michael T. Cash, Executive Director, Human Rights Commission (HRC)

Paula C. Sampson, Director, Department of Housing and Community Development (DHCD)

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ACTION - 3

Proposed Federal Capital Improvements Program - National Capital Region, Fiscal Years 2008 - 2013

ISSUE:

Request by the National Capital Planning Commission (NCPC) for review and comment by Fairfax County on the proposed Federal Capital Improvements Program (FCIP) for the National Capital Region.

RECOMMENDATION:

The County Executive recommends that the Board authorize the County Executive to submit the comments provided in Attachment 1 to NCPC concerning the proposed Federal Capital Improvements Program FY 2008 – FY 2013. The comments provide County endorsement of proposed federal projects for Mount Vernon Circle Parking, Fort Belvoir Connector Road and the Rehabilitation of the Route 123 – CIA Interchange. However, the comments state that the County can not provide any specific endorsement for Fort Belvoir projects until full project information and details are received and additional roadway and transit commitments identified. The comments also provide County support of the Dulles Corridor Rapid Transit Project which is listed in the FCIP as a project recommended for future funding.

TIMING:

NCPC has requested comments on the proposed program by July 27, 2007, and is tentatively scheduled to adopt the FCIP on September 6, 2007. Board approval is requested on July 23, 2007, so that an official Board position can be transmitted to NCPC.

BACKGROUND:

The FCIP for the National Capital Region, Fiscal Years 2008-2013, contains the federal land acquisition and development proposals in the National Capital Region that are recommended for funding over the next five federal fiscal years. The FCIP identifies twenty-nine projects to be located in Fairfax County with a five-year funding requirement of \$3.344 billion.

Four of the twenty-nine Fairfax County projects are listed under “Department of Transportation, Federal Highway Administration” and have a five-year funding total of

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\$40.9 million. Three of these projects, Mount Vernon Circle Parking, Pedestrian Bridge over Dulles Access and Toll Road, and Rehabilitate Virginia Route 123/CIA Interchange are “recommended and strongly endorsed” by NCPC. The fourth project, Defense Access Road Phase I and II, is identified by NCPC as a “project requiring additional planning coordination.”

Twenty-five of the projects are listed under “Department of the Army: Fort Belvoir, Military District of Washington” and have a five-year funding total of \$3.3 billion. NCPC has provided the following comment on these projects:

“Fort Belvoir is preparing for significant growth by 2011 due to the implementation of the BRAC actions. Many of the projects listed are not identified in the existing master plan, but are being included in the significantly expanded master planning and environmental review process being undertaken by the Army. The Army is currently working with Fairfax County and other local, regional and state entities to identify and address the impacts of the anticipated growth. In recognition of these identified impacts and pending the completion of an updated master plan that includes these projects, these projects are categorized as “Requiring Additional Planning Coordination.”

The FCIP contains a “Project Background and Trends” section which presents data that was evaluated in the course of preparing the FCIP. It includes an analysis of trends and an assessment of probable impacts in a number of topic areas, one being the Base Realignment and Closure (BRAC). Attachment II provides the BRAC background and trends that is presented in the FCIP.

Provided below is a description of each of the twenty-nine projects contained in the FCIP which is proposed to be located in Fairfax County. An asterisk (*) by the project name indicates it is a new project in the FCIP.

DEPARTMENT OF TRANSPORTATION – Four projects with an estimated five-year funding requirement of \$40.950 million.

1. Mount Vernon Circle Parking. \$1,250,000 estimated total project cost designated in FY2008 to provide 290 additional parking spaces, improvements to roadway, sidewalks and miscellaneous trail improvements to accommodate current and planned demand for parking, to improve traffic operations, and to enhance the safety for pedestrians, motorists and cyclists in the vicinity of Mount Vernon. This project first appeared in the FY 2007 – 2012 program.
2. Pedestrian Bridge Over Dulles Access and Toll Road.* \$2,300,000 estimated total project cost designated in FY2008 to construct a Pedestrian Access Bridge

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over the Dulles Access and Toll Road to provide necessary pedestrian safety and to enhance traffic safety, and improve operations for pedestrians, bicyclists and motor vehicles. A pedestrian bridge is being designed to span the Dulles Toll Road between Wolf Trap National Park and the Barns of Wolf Trap that will connect with the proposed Northern Vienna (NoVi) trail network. The No Vi Trail effort is noted by the Wolf Trap Foundation in its new environmental initiative. It is programmed for award in FY 2009, but is dependent on securing some Public Lands discretionary funding.

3. Rehabilitate the Route 123 – CIA Interchange. Estimated total project cost of \$19,250,000 to rehabilitate 2.5 miles of Route 123 at the CIA Interchange, including ramp alignment modifications to improve sight distances, vehicular merges, and safety. This project first appeared in the FY 2007 – 2012 program.
4. Defense Access Road Phase I and II. (Formerly identified in the FCIP as “Fort Belvoir Connector Road”). This project, which is identified as a “Project Requiring Additional Planning Coordination,” has an estimated total project cost of \$39,000,000 designated to construct a two lane road (Connector Road) from Old Mill Road to Telegraph Road and provide intersection Improvements at Richmond Highway (Route 1) during Phase I. Phase two of this project will widen Telegraph Road to 4-lanes from Beulah Road to Old Telegraph Road and widen the Connector Road and Old Mill Road to 4-lanes. This project first appeared in the FY 2007-2011 program. See also the Department of the Army/Fort Belvoir project with the same title.

DEPARTMENT OF THE ARMY – Twenty-five projects with an estimated five-year funding requirement of \$3.34 billion.

1. Construct Administration Facility for PEO-EIS/Army Lease.* \$110,000,000 estimated total project cost to provide for Base Realignment and Closure construction of a 290,000 gross square feet (GSF) consolidated Program Executive Office Enterprise information Systems (PEO) administrative and information processing/operations center. This center will include offices, classrooms, conference rooms, and information processing / operations center. The center will feature an electronically integrated facility with classified and unclassified local area networks and connectivity to international locations. Space will provide storage, equipment staging, shipping and receiving, loading dock, passenger/freight elevator, and a multi-story parking structure.
2. Child Development Center (Main Post).* \$5,900,000 estimated total project cost. This project will construct a 15,400 GSF, 198-child standard design, child

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- development center. Building will include patron classroom modules, entry/reception and administration area, staff lounge/training room, isolation room, kitchen, laundry, child, staff and visitor toilets; interior lighting, indoor and outdoor storage, separate age appropriated playground areas, fire protection and alarm systems, and building information systems.
3. Construct New Barracks.* \$104,000,000 estimated total project cost. This project provides for construction of a 500 unit barracks complex that includes living module, hallways, stairwells, utilities, fire alarm/suppression systems, and information systems.
 4. Construct New Hospital.* \$604,323,000 estimated total project cost. This project is for the construction of an 868,800 GSF community hospital. This facility will include primary and specialty patient care, medical and administrative offices and OSD supporting unit hospital functions. All supporting facilities will be included. A total of 2,600 parking spaces will be provided through structured parking.
 5. Construct New Physical Fitness Center at EPG.* \$19,500,000 estimated total project cost. This project provides for construction of a 71,799 GSF medium, standard-design physical fitness facility with multi-purpose courts, racquetball courts, aerobic exercise and strength training rooms, jogging track, indoor 25-meter swimming pool, athletic fields and men's and women's locker rooms. A total of 120 parking spaces will be provided.
 6. Defense Access Road. \$13,000,000 estimated project cost during FYs 2008-2013. This project finances the design, right-of-way acquisition, and construction of new off-installation entrances to Army activities, urgently needed improvements of existing highways serving Army activities; the Federal Government share of the cost of relocating highways severed by expansion or construction of new Army facilities; and alteration to roads near Army activities to accommodate special military vehicles. This work is needed to mitigate the closure of Beulah Street and Woodlawn Road, and to upgrade the road network in and around Fort Belvoir. The estimated total project cost is \$31,000,000; the project has received \$18,000,000 in prior funding. This project was first listed in the FY 2007-2012 FCIP as "Fort Belvoir Connector Road." See also the FHWA "Defense Access Road" project.
 7. Dental Clinic.* \$7,000,000 estimated total project cost. This project will construct a 16,000 GSF dental clinic with office space, waiting area, restrooms, HVAC, fire suppression/alarm systems, interior lighting and information systems. Parking spaces have not been determined.

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8. Emergency Services Center.* \$6,200,000 estimated total project cost. This project provides for construction of an emergency services center consisting of a remote military police station and a modified, standard two-company satellite fire station with drive through bays. Building will include watch/alarm room, emergency medical services/decontamination, administrative offices, kitchen, dining/dayroom, men's and women's restrooms with showers and lockers, classroom and physical training facilities, HVAC, and standby generator.
9. Family Travel Camp. \$2,480,000 estimated project cost. FY2008 through FY2010 to construct a family RV travel and tent camp area. The area will include 60 RV back-in sites with concrete vehicle and picnic pads, water, sewer, electric and telephone and communication hook-ups. The project includes the renovation of an existing building to include a registration area, camp store, snack bar, lounge, restrooms, outdoor recreation equipment rentals, and an indoor archery range. Paved vehicle circulation roads, walking paths, landscaping, street lighting, sewage pump station, storm water management, and perimeter security fence with automatic card reader, entrance gate, utility upgrades, area directional signage, and access for the handicapped will also be provided. This project first appeared in the FYs 2006-2011 program. The estimated total project cost is \$3,780,000; the project has received \$1,300,000 in prior funding.
10. Flight Control Tower.* \$2,900,000 estimated total project cost. This project will construct a permanent, 12-story, fire-resistant flight control tower at Davison Army Airfield. This project will include radar operations, air traffic control equipment and operations, training rooms, administrative areas, storage, break rooms, electrical and mechanical rooms, latrines, elevator, standby generator, HVAC, fire alarm and protection systems, building information systems, and uninterruptible power supply.
11. Fort Belvoir Infrastructure.* \$247,000,000 estimated total project cost for construction of infrastructure facilities at Fort Belvoir. Work includes communications center, communication lines, access control facilities, underground electrical lines with substation, transformers and switches; hot water and chilled water generation plants and distribution lines, elevated potable water storage tank, water distribution mains and laterals; sanitary sewer main and laterals, natural gas pipelines, storm water collection and management structures, roads, bridges and perimeter fencing.
12. Information Dominance Center. Estimated project cost of \$179,000,000 designated in FY 2008 - FY2010 for the construction of 290,000 GSF and the renovation of an existing 200,000 GSF for the Information Dominance Center

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- (IDC) Sensitive Compartmented Information Facility (SCIF); consisting of specialized operations space; special equipment storage; installation of an Intrusion Detection System; classrooms; a conference center; a server room; a wellness room with shower; warehouse area; mechanical/utility rooms; bathrooms; training areas; storage areas; a library, office space, and administrative support areas. A total of 1,440 parking spaces will be provided. This project first appeared in the FYs 2004-2009 program.
13. Addition to Building 358, Joint Personnel Recovery Agency. \$19,000,000 estimated total project cost to construct a 62,892 GSF permanent addition and renovate 24,842 GSF of Building 358 on Fort Belvoir. Work includes private open office areas, Sensitive Compartmented Information Facility areas, conference and storage rooms, an auditorium, a technical library, a storage vault, elevators, fire protection and alarm systems, and information systems. A total of 237 parking spaces will be provided. This project first appeared in the FYs 2006-2011 program.
 14. Medical Guest House.* \$24,000,000 estimated total project cost to construct a 200-room, 100,000 GSF medical guesthouse with 20 efficiency apartments and 180 single rooms, lobby, offices, kitchen, dining room, storage and maid service space, HVAC, fire alarm and protection systems, and building information systems.
 15. Missile Defense Agency.* \$29,600,000 estimated total project cost for the construction of a headquarters command center/administrative facility to include, administrative space, command suites, security operations center, sensitive compartmented information facilities, mailroom, technical library, computer operations, meeting, training, break, and storage rooms.
 16. Museum Support Center. \$27,000,000 estimated total project cost designated in FY2008 to construct a Museum Support Center that includes a reception and administrative areas; environmentally controlled museum art and collections holding, processing, and research areas with weapons and records vaults; exhibition fabrication and conservation laboratories; a paint spray booth; a photographic studio; a shipping and receiving area; an all-weather dock; truck bays; fire detection and suppression; an intrusion detection system; closed circuit television and information systems. A total of 65 parking spaces will be provided. This project first appeared in the FYs 2004-2009 program.
 17. NARMC Medical Command Headquarters Building. \$11,400,000 estimated total project cost to construct a 50,000 GSF medical command headquarters building.

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Primary facilities include administrative areas and building information systems. This project first appeared in the FYs 2004-2009 program.

18. National Geospatial Agency.* \$1,124,800,000 estimated total project cost for the construction of a 2,419,000 GSF facility to house the National Geospatial Agency. This complex will consist of a sensitive compartmented information facility (SCIF), Tier II data center, remote inspection facility, visitor's center, auditorium, technical library, cafeteria, physical fitness facility, and training area and includes electrical service, water distribution and wastewater collections lines, steam and chilled water distribution lines, access road with bridge, paving curb and gutter, site improvements and information systems. A total of 5,100 parking spaces will be provided through structured parking.
19. Network Operations Center.* \$8,100,000 estimated total project cost to construct a 21,525 GSF Network Operations Center with operations control, research/development/engineering/integration/testing, secure communications/video teleconferencing, secure storage, power and equipment rooms, telecommunications closets, satellite yard, fire alarm and protection systems, HVAC, and information systems. Parking spaces have not been determined.
20. North Post Road Control Point. \$7,700,000 estimated total project cost for the construction of a control point with a vehicle inspection station, access control building, booth and canopy, vehicle turnarounds, security lighting, backup generator, building information systems, a tow-lane access road with sidewalks/bike path, street lighting, drainage, traffic signal, and left and right turn controls for Richmond Highway (US Route 1). The project will also install active barriers funded through other procurement measures. This project first appeared in the FY 2006-2011 program.
21. Post Exchange (PX) Expansion.* \$50,000,000 estimated total project cost for the construction of a new main Post Exchange consisting of retail and administrative areas. Work will include HVAC, lighting, fire protection systems, units and surface mounted lighting. Interior finishes include vinyl floor tile, carpet, gypsum wallboard partitions, lighting and complete mechanical and electrical system support. Install AAFES provided shelving and fixtures. Exterior support includes tying into the existing utilities, services, and communications, and providing pavement for delivery trucks, parking for 1,400 patron's vehicles, sidewalks, curbs, gutters, storm drainage, retention walls, site improvements and landscaping to complete a useable facility.

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22. Renovate Buildings 211, 214, 215, & 220.* \$26,000,000 estimated total project cost. This project as a part of the Base Realignment and Closure (BRAC) modernization of Building's 211, 215, 219 and 220, totaling 133,160 GSF, provides administrative space, emergency operations center (EOC), sensitive compartmented information facilities (SCIF). Secure and non-secure conference rooms, video teleconference center, data processing center, technical library, General Officer/Senior Executive Service office suites, storage, administrative support areas, uninterruptible power supply, standby generator, multi-story parking, and fire protection and alarm and building information systems.
23. Renovate Building 238 for USANCA.* \$4,450,000 estimated total project cost to renovate Building 238 for continued use. Project work includes interior building demolition, construction of offices, access control, top secret vaults, conference rooms, video teleconference center, administrative support areas; communication closets, men's and women's restrooms, standby generators, HVAC, fire alarm and protection and building information systems.
24. Structure Parking, 200 Area. \$8,900,000 estimated total project cost to construct a parking structure with a capacity of 400 spaces. This structure will be reinforced concrete with structural steel framing, parking decks, and a sloped interior ramp system. One 12,974 GSF building will be demolished. This project first appeared in the FYs 2006-2011 program.
25. Washington Headquarters Services.* \$702,199,000 estimated total project cost for the construction of a 2,242,778 GSF facility for Washington Headquarters Services. Work will include open and private office space, sensitive compartmented information facility, command center, conference rooms, video teleconferencing center, training and instruction facilities, auditorium, General Officer/Senior Executive Service office suites, administrative support areas, storage, cafeteria, physical fitness facility, access control, elevators, HVAC, lighting, fire protection and information systems.

In addition to these twenty-nine projects, the FCIP contains various projects that have been submitted by NCPC and are "recommended for future programming." Included in this Program category in Fairfax County is the Dulles Corridor Rapid Transit Project. A description of this project is provided below. Projects in this category include those that have not been submitted by federal agencies but that the Commission believes should be submitted by other agencies for future programming to advance and implement NCPC and/or local planning policies; planning initiatives identified in the Comprehensive Plan; identified federal interests and objectives; federal agency system plans; master plans for individual installations; or NCPC-approved site and building plans. Projects in

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this category may or may not currently be recommended in NCPC plans and could be conceptual in nature.

Dulles Corridor Rapid Transit Project. This project calls for the extension of Metrorail between the existing Orange Line and eastern Loudoun County via Tyson's Corner, Reston/Herndon and Dulles International Airport. The draft Environmental Impact Statement, completed in FY 2002, recommends Metrorail as the Locally Preferred Alternative. The final Environmental Impact Statement, released in December 2004, informed decision makers and the public about the selection of the Metrorail extension and the potential consequences of implementing the proposed extension in the corridor. On March 2, 2005, the Federal Transit Administration (FTA) issued a Record of Decision for the project. The Record of Decision describes the basis of the decision in selecting the Locally Preferred Alternative, identifies the alternatives that were considered, and summarizes the mitigation measures that will be implemented to address the project's adverse environmental impacts. The Federal Aviation Administration issued a separate Record of Decision on July 12, 2005 related to the use of airport property for the Metrorail extension. An Environmental Assessment, released in February 2006, informs decision makers of design refinements to the project incorporated during preliminary engineering. (This project was first submitted by NCPC in the FY 2004 – FY 2009 FCIP.)

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1: Proposed letter from Anthony H. Griffin, County Executive, to NCPC transmitting the Board of Supervisor's comments on the Proposed Federal CIP.

Attachment 2: BRAC Background and Trends from the FCIP.

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Fred R. Selden, Director, Planning Division (PD), DPZ

David B. Marshall, Chief, Facilities Planning Branch, PD, DPZ

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ACTION - 4

Supplemental Appropriation Resolution 08020 and Approval of a Grant Agreement for the Department of Transportation to Accept Virginia National Defense Industrial Authority (VNDIA) Funding for the Design and Advanced Land Acquisition for the Telegraph Road Project Between Beulah Street and South Kings Highway Related to the Fort Belvoir Base Realignment and Closure (BRAC) Plan (Lee, Mount Vernon, and Springfield Districts)

ISSUE:

Board approval of Supplemental Appropriation Resolution AS 08020 and conditions necessary for the Department of Transportation (FCDOT) to execute a grant and accept funding from the VNDIA Virginia Military Strategic Response Fund (VMSRF) for the design and advanced land acquisition for the Telegraph Road project between Beulah Street and South Kings Highway in the amount of \$1,500,000. Of this total, \$750,000 is available through VNDIA grant funding and the remaining \$750,000 in required Local Cash Match is available in Northern Virginia Transportation District (NVTD) bond funds held by the Virginia Department of Transportation for construction of the Telegraph Road widening project. No other Local Cash Match is required. The application for this grant was approved by the Board of Supervisors on April 9, 2007. The grant period for this award is from July 1, 2007, through December 31, 2008.

RECOMMENDATION:

The County Executive recommends that the Board:

- 1) Approve Supplemental Appropriation Resolution AS 08020 (Attachment 1) in the amount of \$1,500,000 for FCDOT to accept grant funds from the VNDIA for the design and advanced land acquisition for the Telegraph Road project between Beulah Street and South Kings Highway. Of the total, \$750,000 is available through VNDIA grant funding and the remaining \$750,000 in required Local Cash Match is available in Northern Virginia Transportation District (NVTD) bond funds held by the Virginia Department of Transportation for construction of the Telegraph Road widening project.
- 2) Authorize the Department of Transportation to execute the agreement on behalf of the County (Attachment 2) with the VNDIA for the grant funds.
- 3) Authorize staff to take all necessary measures to ensure County compliance with the conditions of the VNDIA grant.

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TIMING:

Board approval is requested on July 23, 2007, so that the projects can proceed.

BACKGROUND:

On October 13, 2006, Governor Kaine announced the availability of \$5 million in state grants for each of the next two years to support communities impacted by the 2005 BRAC recommendations. The VMSRF will be administered by the VNDIA, a 16-member authority created by the General Assembly. The VNDIA works as an advocate for military communities as they implement BRAC recommendations and plan for future military expansions and other opportunities.

Grants were made available to eligible organizations on a competitive basis to support local efforts involved in the implementation of BRAC recommendations. Grant decisions were based on the merits of the request, degree of local support, regional impact, and overall feasibility of the project. To strengthen the County's request, the Department of Transportation proposed leveraging bond funds held by the Virginia Department of Transportation and previously identified for the Telegraph Road project between Beulah Street and South Kings Highway to use as the local match for the VNDIA funds. This is the second grant award that the County has received for this project. The Board previously approved the first award for this project on April 30, 2007.

The Board approved the application for this second grant on April 9, 2007. The Department of Transportation submitted an application for the design and advanced land acquisition for the Telegraph Road project between Beulah Street and South Kings Highway to the VNDIA in April 2007. This project has been identified by Governor Mark R. Warner's Northern Virginia BRAC Working Group in 2005, the Army's Transportation Master Plan, the Fairfax County Department of Transportation, and the Virginia Department of Transportation as a needed transportation improvement to support the Fort Belvoir BRAC plan.

Telegraph Road serves as the northern boundary of the Fort Belvoir Military Reservation and as such is one of the principal roadways linking Fort Belvoir to other major regional roadways such as the Capital Beltway, South Van Dorn Street, Hayfield Road, Beulah Street, the Fairfax County Parkway, and Route 1. Telegraph Road was recently widened to four lanes from Route 1 northward to the Fairfax County Parkway and from the Parkway northward to Beulah Street.

The events of September 11, 2001, triggered an increase in security measures at Army installations across the United States. Locally, this resulted in the immediate closure of public roads through Fort Belvoir as a force protection measure, including Woodlawn Road and Beulah Street that extend through Fort Belvoir's North Post. In response to public

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pressure and to ease this traffic situation, Congress included specific language in the FY 2003 National Defense Authorization Act for a preliminary engineering study and environmental analysis of the feasibility of establishing a connector road between Richmond Highway and Telegraph Road. The proposed project is for a four-lane facility running from Richmond Highway (Route 1) to Telegraph Road, intersecting Telegraph Road north of the existing Telegraph Road/Beulah Street intersection. As part of this proposed new east-west connector road linking Telegraph Road to Route 1, a short segment of Telegraph Road between Beulah Street and South Kings Highway will be improved at the point where the new roadway intersects Telegraph Road.

With the prior improvements to Telegraph Road to the south, this will leave a short segment from Beulah Street to just south of the new connector roadway and a second segment from just north of the new connector roadway to South Van Dorn Street and South Kings Highway as only two lanes. Beulah Street, South Van Dorn Street, and South Kings Highway are all important east-west arteries delivering traffic to Telegraph Road and the Fort. The VNDIA grant funds are to complete design plans to widen these remaining two lane segments to four lanes between Beulah Street and South Kings Highway. Upon completion of the design, any remaining funds will be used to proceed with land acquisition for the project.

This project, which has been in the Fairfax County Transportation Plan for many years, is essential to accommodate traffic volume on this Fort Belvoir feeder road. With the large traffic increases anticipated with BRAC relocation at Fort Belvoir, Telegraph Road is an essential missing link in the network.

FISCAL IMPACT:

The Board of Supervisors endorsed submitting the VNDIA grant applications on April 9, 2007. The total estimated cost associated with this grant is \$1,500,000, of which \$750,000 is funded by VNDIA grant funding and the remaining \$750,000 is the required Local Cash Match, available in Northern Virginia Transportation District (NVTD) bond funds held by the Virginia Department of Transportation for construction of the Telegraph Road widening project. No other Local Cash Match is required. This action does not increase the expenditure level in Fund 102, Federal/State Grant Fund, as funds are held in reserve for unanticipated grant awards in FY 2008. This grant does not allow for the recovery of indirect costs. The grant period for this award is from July 1, 2007, through December 31, 2008.

CREATION OF POSITIONS:

No positions will be created by this grant.

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ENCLOSED DOCUMENTS:

Attachment 1 – Supplemental Appropriation Resolution 08020

Attachment 2 – Agreement for Design and Advanced Land Acquisition for Telegraph Road
Project between Beulah Street and South Kings Highway

STAFF:

Robert A. Stalzer, Deputy County Executive

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)

Tom Biesiadny, Chief, Coordination and Funding Division, FCDOT

Ellen F. M. Posner, Assistant County Attorney

Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

Jay Guy, FCDOT

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ACTION - 5

Approval of a Grant Agreement for the Department of Transportation to Accept Virginia National Defense Industrial Authority (VNDIA) Funding for Spot Transportation Improvements and a Transportation Demand Management (TDM) Program Related to the Fort Belvoir Base Realignment and Closure (BRAC) Plan (Lee, Mount Vernon, and Springfield Districts)

ISSUE:

Board approval is requested for Fairfax County Department of Transportation (FCDOT) to execute a grant and accept funding from the VNDIA Virginia Military Strategic Response Fund (VMSRF) for spot transportation improvements and a TDM program in the Fort Belvoir area of Fairfax County in the amount of \$1,000,000. The required Local Cash Match of \$1,000,000 is available in Fund 304, Transportation Improvements. The application for this grant was approved by the Board of Supervisors on April 9, 2007.

RECOMMENDATION:

The County Executive recommends that the Board:

- 1) Approve that FCDOT accept grant funds from the VNDIA for spot transportation improvements and a TDM program in the Fort Belvoir area of Fairfax County. The required Local Cash Match of \$1,000,000 is available in Fund 304, Transportation Improvements.
- 2) Authorize FCDOT to execute the agreement on behalf of the County (Attachment 1) with the VNDIA for the grant funds.
- 3) Authorize staff to take all necessary measures to ensure County compliance with the conditions of the VNDIA grant.

TIMING:

Board approval is requested on July 23, 2007, so that the projects can proceed.

BACKGROUND:

On October 13, 2006, Governor Kaine announced the availability of \$5 million in state grants for each of the next two years to support communities impacted by the 2005 BRAC recommendations. The VMSRF will be administered by the VNDIA, a 16-member authority created by the General Assembly. The Authority works as an advocate for

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military communities as they implement BRAC recommendations and plan for future military expansions and other opportunities.

Grants were made available to eligible organizations on a competitive basis to support local efforts involved in the implementation of BRAC recommendations. Grant decisions were based on the merits of the request, degree of local support, regional impact, and overall feasibility of the project. To strengthen the County's request, FCDOT has proposed leveraging bond funds previously identified for the South Kings Highway at Harrison Street project to use as the local match for the VNDIA funds. This will allow multiple projects to proceed concurrently. This is the second grant award that the County has received for these projects. The Board previously approved the first award for these projects on April 30, 2007.

The Board approved the application for this second grant on April 9, 2007. FCDOT submitted an application for spot transportation improvements and a TDM program in the Fort Belvoir area of Fairfax County to the VNDIA in November 2007. This group of projects has been identified by the Fort Belvoir Transportation Resolution Team in 2004, Governor Mark R. Warner's Northern Virginia Base Realignment and Closure (BRAC) Working Group in 2005, the Army's Transportation Master Plan, the Fairfax County Department of Transportation and the Virginia Department of Transportation, as needed transportation improvements for the Fort Belvoir BRAC plan. These funds, if approved, will aid the design and construction of spot transportation improvements in the Fort Belvoir area of Fairfax County and develop a TDM program. The following is a list of needed improvements which may be funded with this application in priority order:

- South Kings Highway at Harrison Lane – \$3,000,000
Add a left turn lane on westbound Kings Highway and a right turn lane on eastbound Kings Highway.
- Transportation Demand Management (TDM) Program – \$750,000
This project will be implemented on Fort Belvoir for all agencies to use. It includes shuttle bus service on base and from the Franconia-Springfield and Huntington Metrorail stations and the Lorton Virginia Railway Express (VRE) station to the base.
- Route 1 at Pohick Road (Tulley Gate) – \$525,000
Increase northbound Route 1 right turn lane radius and add an additional northbound right turn lane.
- Route 1 at Sacramento Drive – \$350,000
Extend northbound Route 1 left turn lane.
- Route 1 at Frye Road – \$350,000
Add dedicated eastbound right turn lane on Frye Road and dedicated southbound right turn lane on Route 1.
- Route 1 at Lockheed Boulevard – \$350,000
Add eastbound right turn lane on Lockheed.

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- John J. Kingman Road at Fairfax County Parkway – \$175,000
- Add second right turn lane on Kingman Road.

The spot intersection improvements are necessary to reduce delays and congestion along the Route 1 (Richmond Highway) corridor and within Fort Belvoir at the Fairfax County Parkway and John J. Kingman Road.

The TDM program is needed to reduce trips by single-occupant vehicles through increased transportation choices and mode shifts that will capitalize on the use of existing bus service, VRE stations and Metrorail stations in the area. By encouraging and expanding mobility options, demands on the roadway infrastructure can be reduced and environmental gains, such as improved air quality, can be enhanced.

FISCAL IMPACT:

The Board of Supervisors endorsed submitting the VNDIA grant applications on April 9, 2007. The total estimated cost associated with this grant is \$2,000,000, of which \$1,000,000 is funded by VNDIA grant funding and the remaining \$1,000,000 is the required Local Cash Match, available in Fund 304, Transportation Improvements, Project 4YP012, South Kings Highway/Harrison Lane. Grant funding from VNDIA in the amount of \$1,000,000 will be appropriated to Fund 304 at the FY 2007 Carryover Review.

CREATION OF POSITIONS:

No positions will be created by this grant.

ENCLOSED DOCUMENTS:

Attachment 1 – Agreement for Spot Transportation Improvements and Transportation Demand Management (TDM) Program in the Fort Belvoir Area of Fairfax County.

STAFF:

Robert A. Stalzer, Deputy County Executive

Katharine D. Ichter, Director, Fairfax County Department of Transportation (FCDOT)

Tom Biesiadny, Chief, Coordination and Funding Division, FCDOT

Ellen F. M. Posner, Assistant County Attorney

Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES)

Howard J. Guba, Deputy Director, DPWES

Jay Guy, FCDOT

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ACTION – 6

Approval of a Cost Sharing Agreement Between Fairfax County and Landmark Property Development, LLC to Replace Severely Deteriorated Storm Drainage Infrastructure (Mason District)

ISSUE:

Board approval of a cost sharing agreement (Agreement) between Fairfax County and Landmark Property Development, LLC (Landmark) to replace severely deteriorated storm drainage infrastructure.

RECOMMENDATION:

The County Executive recommends that the Board approve the agreement and authorize the County Executive to sign the agreement on behalf of the Board.

TIMING:

The Board is being requested to take action on July 23, 2007.

BACKGROUND:

An existing storm drainage network, located in the vicinity of Madison Lane (Tax Map 61-4), is in poor condition and requires reconstruction. This drainage network consists of pipes and drainage structures that, in some places, are buried under more than 30 feet of debris from unauthorized dumping by unknown entities over the past several decades. The system is non-functional during severe rainstorm events and remains inaccessible for maintenance. As a result, multiple structures and transportation facilities are subject to flooding.

Under the County's stormwater program, a project to correct these deficiencies has been identified. The drainage network in question conveys stormwater runoff from an area of approximately 25 acres. The existing outfall is through a 5 acre property owned by Landmark that is currently planned to be developed as high density residential (PDH 12) in conformance with the County's Comprehensive Plan. Approximately 20% of the stormwater is generated from the Landmark property proposed for development, while the remaining 80% is generated upstream.

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In reviewing Landmark's proposed development, it has been determined that it is in the County's interest to partner with the developer to upgrade the system upstream, through, and downstream of the proposed development at one time. To accomplish this, the site plan for the development will include County requested offsite work as well.

A funding arrangement has been proposed that outlines the following responsibilities:

Project Planning: Landmark 100% responsible
Project Engineering: Landmark 100% responsible
Project Permitting: Landmark 100% responsible
Utility Relocations: Landmark 100% responsible
Construction Management: Landmark 100% responsible
Construction: Upstream of Landmark's development: County 100% responsible
 On-site: Landmark 100% responsible
 Downstream of Landmark's development: County 80% responsible and
 Landmark 20% responsible

Attachment 1 outlines the terms and conditions of the proposed cost sharing agreement. The engineering, design, and construction of these facilities will meet all County requirements and the construction will be executed through a competitive bid process.

FISCAL IMPACT:

The in-house planning cost estimate for the County's portion of this work is \$675,000 and the agreement caps the cost at this amount. In the event that the construction contract referenced in the agreement exceeds \$675,000, staff will return to the Board for approval.

ENCLOSED DOCUMENTS:

Attachment 1: Cost Sharing Agreement

STAFF:

Robert A. Stalzer, Deputy County Executive
Jimmie Jenkins, Director, Department of Public Works and Environmental Services (DPWES)
Howard J. Guba, Deputy Director, Department of Public Works and Environmental Services

INFORMATION – 1

Fairfax-Falls Church Community Services Board FY 2008 Fee Schedule

Since its establishment in 1969, the Fairfax-Falls Church Community Services Board (CSB) has complied with Section 37.1-197(B) (7) of the Code of Virginia, which states that the CSB shall prescribe a reasonable schedule of fees for services provided by personnel or facilities under the jurisdiction or supervision of the Board and establish procedures for the collection of the same.

The CSB ensures compliance with the Code of Virginia in four ways: (1) conducts a review of fee related materials by the CSB's Fee Policy Committee comprised of CSB Board members; (2) posts a Notice of Public Hearing and accepts written comments regarding Proposed Fees for the next fiscal year; (3) distributes copies of the proposed changes to Board of Supervisors' District Offices, the Fairfax County Regional Libraries, the Fairfax County Government Center main lobby, CSB service sites, the Cities of Fairfax and Falls Church, consumers, and advocates; and (4) holds a public hearing on the proposed fees for the next fiscal year. The Fee Policy Committee's final report was made to the CSB after holding a public forum on June 27, 2007, during a CSB Board meeting where comments were received during matters of the public.

In accordance with the CSB's Reimbursement Policy, the Memorandum of Agreement with the Board of Supervisors and State regulations, the CSB approved the attached FY 2008 Fee Schedule on June 27, 2007. In addition, the CSB's Reimbursement Policy stipulates that changes in fees shall become effective no sooner than 60 days after the date of final approval by the Board. Therefore, the revised Fee Schedule is scheduled for implementation on October 1, 2007.

The revised Fee Schedule (Attachment A) takes into account consultation with the County's Department of Management and Budget on the guidelines for review of fees, a review of other CSBs' Fee Policies and Procedures, a review of the CSB's unit costs, a review of the most frequently paid median fees by insurance companies for individual therapy sessions, consultation on income and poverty guidelines from the County's Department of Systems Management for Human Services, and a review of Federal Health and Human Services (HHS) materials.

The revised Fee Schedule reflects proposed changes in Comprehensive Services Act rates for residential services, addition of a screening fee for mental health, as well as deletion of fees charged for services no longer provided.

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Unless otherwise directed by the Board of Supervisors, The County Executive will direct staff to proceed with the implementation of the FY 2008 Fee Schedule (Attachment A) on October 1, 2007.

FISCAL IMPACT:

\$16,991,351. Fees anticipated to be generated in FY 2008 are consistent with this revised Fee Schedule.

ENCLOSED DOCUMENTS:

Attachment A - Fairfax-Falls Church Community Services Board FY 2008 Fee Schedule

STAFF:

Verdia L. Haywood, Deputy County Executive

James A. Thur, M.S.W., MPH, Executive Director, Fairfax-Falls Church Community Services Board

James P. Stratoudakis, Ph.D., Director Quality Management and Emergency Preparedness, Fairfax-Falls Church Community Services Board

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INFORMATION - 2

Contract Award – Computer Aided Dispatch and Records Management Systems for Fairfax County Public Safety Agencies

On April 5, 2006, the Department of Purchasing and Supply Management issued Request for Proposal RFP06-854705-10 on behalf of the Public Safety Information Technology Governance Board, soliciting offers from pre-qualified sources to provide Computer Aided Dispatch and Records Management Systems for Fairfax County. The Department of Information Technology provides Executive Management of this Project.

Services provided under this contract will include hardware, software, services (including implementation and training) and consulting for a new integrated public safety systems architecture including the following applications and their ancillary systems:

- Computer Aided Dispatch (CAD) System and CAD Mobile Application
(Replacement of Altaris)
- Law Enforcement Records Management System (LERMS)
(Replacement of a 23 year old home-grown mainframe system)
- Integrated Law Enforcement Field Reporting System
(New System)
- Fire Emergency Medical Services Incident Reporting (EMSIR)
(New System)
- Fire Records Management System (Fire RMS)
(Expansion of existing system)
- Integrated Fire Mobile Reporting with Tactical Command System
(New Systems)

The approach taken with this multi-phased, multi-disciplinary project has been built through ground-up organizational input and direct involvement of all the public safety agencies, the Department of Public Safety Communications, the Police Department, the Fire and Rescue Department, Office of the Sheriff and the Office of Emergency Management with Executive Project Management from DIT. Best practices, including organizational focus on the mission, cross-functional project team identification, involvement of project sponsors and stakeholders, and iterative review of lessons learned in past projects have been applied in every stage of the project and will continue to guide development and implementation and training over the coming 33 month project period. The CAD/RMS Project Steering Committee has been in place since April 2005 to facilitate input and coordination with end users at the lowest levels within the public safety agencies, and it answers to and takes policy guidance from the Public Safety IT Governance Board, which is composed of Deputy County Executives, Director of Department of Public Safety Communication the Police Chief, the Fire Chief, the Sheriff and the Director of the Office of Emergency Management.

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Input from every organizational component of the agencies was solicited and verified as part of the extensive requirements development process. As a result more than 3,500 requirements have been defined, verified and vetted through the vendor qualification, solicitation, evaluation and selection processes. These requirements form the backbone of the functional performance specifications for the project and will be validated at each step of the implementation.

The Computer Aided Dispatch System will serve as the core of this integrated, comprehensive public safety information management system, seamlessly sharing core event data with integrated records management systems and providing a platform to deliver information to operational forces in the field through the CAD mobile. The County has conducted a procurement process, starting with development of comprehensive, multi-agency requirements development, followed by a Request for Qualifications (RFQ), and issuance of an RFP. A rigorous evaluation of the proposals, with input from all stakeholder groups, was conducted in order to obtain a highly configurable, standards-based, integrated state-of-the-art solution with a proven track record. The public safety agencies are committed to implementing products that have not only a track record of performance, but that also have a future life cycle supported by vendor commitment to research and development as well as to strong User Group input for product growth and enhancement. Leveraging this shared infrastructure and architecture, the County will be able to achieve cost effectiveness as well as application and agency operational efficiencies.

This project will provide the County's public safety first responders with ready access to the tools that will enable sharing of tactical information, often in real time and on-site, with a number of different entities such as emergency management agencies; neighboring Public Safety Answering Points and Police and Fire departments; as well as state and federal authorities including Department of Defense components. These requirements are particularly critical for the County and other jurisdictions in the National Capital Region (NCR). Since the initial stages of this project, coordination has been ongoing with the region's public safety agencies as well as Virginia Department of Transportation and Virginia State Police, who are partners in the Public Safety and Transportation Operations Center. The Metropolitan Washington Council of Governments rider is proposed for this contract to enable other jurisdictions to take advantage of the County's procurement initiative and acquire services and technology that would enhance interoperability in the region.

There are numerous technical and functional improvements a new system will offer the County, and many are considered "baseline" products in current generation CAD and RMS applications. This new solution will include the following essential technical improvements:

- Integrated CAD/Records Management System for Police and Fire and Rescue - The current Police Records Management System is twenty years old, not integrated with CAD, and well past normal life cycle replacement. It does not support modern law enforcement and crime analysis activities. .

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- Automatic Vehicle Location (AVL) – The current CAD does not support GPS technology and applications to track the locations of public safety units. This is a vital feature to insure personnel safety, as well as operational capabilities such as nearest unit response and appropriate resource utilization.
- Nearest Unit Response – The CAD application manages input from Global Positioning Systems (GPS) to track unit locations and employs programming logic to recommend the nearest, most appropriate units based on the status and capabilities of the units. These features will enable public safety agencies to move from a fixed area response scheme to deployments based on response-based criteria. More than 18 months ago, the County's Geospatial Information Systems personnel in DIT and the public safety agencies began evaluating requirements to support this new method of operation. Efficient routing based on quality mapping data, in combination with AVL will provide the fastest response to the scene and insure that the closest, most appropriate unit is provided with the optimal routing. In a parallel activity, funded under the NCR Urban Areas Security Initiatives (UASI), the region's CAD managers and fire operations personnel are examining data exchange capabilities to support nearest unit response across jurisdictional lines where it is supported by existing operational agreements.
- Standards Based GIS Capability that will integrate with and leverage existing County GIS data layer and mapping resources – Geographically represented data and information is essential to all public safety agencies, for both after action and statistical reporting, and for on-scene response and incident management. Integrated standards based GIS capabilities will enable the county to leverage technology resources and skill sets across the enterprise and increase efficiency.
- Standards based interoperability to support both internal county data and information sharing across public safety and related agencies, as well as critical external data and information sharing such as CAD to CAD for more effective collaborative incident response with neighboring jurisdictions supporting mutual response. In addition to operational data sharing, these integrated, standards based applications will support for data exchange to meet administrative needs. For example, the EMS patient care application will capture and share data for EMS transport billing, thus improving timeliness of billing as well as accuracy, integrity and security of billing information.
- Up-to-date tools that improve system administration, enabling the county to better manage and own its application and increasing the ability for Public Safety to respond quickly and effectively to changing needs, and reducing reliance on third-party support and overall system maintenance costs.
- A non-proprietary, standards based system architecture built on a standard platform that reduces the frequency of costly and invasion forklift replacements based on hardware obsolescence. This improves the county's posture for planning refresh cycles into warranties and maintenance plans.

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The training requirements for this project are significant, and significant costs within this project are directed at provision of training by the contractor. The public safety agencies also plan to direct resources toward end user training, with each agency taking a unique approach tailored for the service. The Statement of Work for this project specifies that, within the first 3 months of project operations, the contractor will provide expert training resources to work with the CAD/RMS Project Team and key training resources in public safety and DIT to develop a comprehensive plan for timely, effective training for every component of this CAD/RMS implementation.

RFP06-854705-10 was publicly advertised and notice was directly sent to six (6) pre-qualified vendors. Three (3) firms submitted proposals. A Selection Advisory Committee (SAC) was formed and comprised of representatives from the County's Police Department, Fire and Rescue Department, Department of Public Safety Communications, Sheriff's Office, Office of Emergency Management and Department of Information Technology. The SAC evaluated the proposals in accordance with the criteria and procedures established in the RFP.

Upon completion of final evaluation and negotiations with the top rated offeror, the SAC recommended award of the contract to Intergraph Public Safety Systems.

The Fairfax County Department of Tax Administration has verified that Intergraph Corporation does not require a Fairfax County Business, Professional & Occupational License (BPOL).

Unless otherwise directed by the Board of Supervisors, the County Purchasing Agent will proceed to award this contract to Intergraph Corporation to provide implementation of computer aided dispatch and records management systems for Fairfax County public safety agencies.

FISCAL IMPACT:

This project replaces the following legacy systems:

- Computer Aided Dispatch (CAD) System and CAD Mobile Application Replacement (replacing Altaris) -- Currently estimated at \$9.4 million
- Law Enforcement Records Management System (LERMS) Replacement (replacing antiquated mainframe system, Police Records Management System) – Currently estimated at \$8.8 million*

This project provides the following enhancements:

- Fire Records Management System (implementation of additional modules and integration with EMS application for improved patient care record-keeping and billing) – Currently estimated at \$2.4 million **

Finally, this project will result in the following new capabilities:

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- Mobile Application for Fire Records with Tactical Command component – (included as part of Fire Records Management System, above**)
- Field Reporting for Law Enforcement (included as part of LERMS, above*)
- Emergency Medical Services Patient Care Reporting System – Currently estimated at \$2.7 million

All of these components will be implemented on a shared platform with a shared secure infrastructure.

The amount of the contract is \$23.3 million distributed over a thirty-three month implementation period. The FY 2008 Adopted budget includes \$14.3 million for the first phases of the contract, from existing appropriations in Fund 104, Information Technology Fund and Fund 312, Public Safety Construction. Additional funding of \$9 million will be requested from the Board of Supervisors in the FY 2009 and FY 2010 Budget processes to complete future phases of this extensive project to modernize and enhance the essential public safety information architecture. When completed, this project will replace, upgrade or enhance the critical systems used by Fairfax County's public safety agencies and will result in increased integration among the systems to improve efficiency of the field forces and improve services to County residents.

ENCLOSED DOCUMENTS:

Attachment 1 - List of Offerors for RFP07-860414-10

STAFF:

Edward L. Long, Deputy County Executive

David J. Molchany, Deputy County Executive

Robert A. Stalzer, Deputy County Executive

Cathy A. Muse, Director, Department of Purchasing and Supply Management

Wanda L. Gibson, Director, Department of Information Technology

Dinese F. Drake, Project Manager, Department of Information Technology

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INFORMATION - 3

Contract Award – Community Outreach and Facilitation Services

On April 13, 2007, the Department of Purchasing and Supply Management issued Request for Proposal RFP07-908197-40 soliciting offers from qualified sources to provide Community Outreach and Facilitation Services.

Services provided under this contract will include consultation and support for redesigning service delivery systems that address neighborhood and community-building issues and opportunities, facilitation of cross-functional planning and service delivery design activities, small group facilitation services, research and technical assistance, and retreats and community meetings. These services will be provided to the Department of Planning and Zoning (DPZ), and any other department requiring community outreach and facilitation services. The services can be utilized in such activities as the Board-requested sub-area studies in revitalization areas that will be conducted by DPZ and the Department of Transportation. Additionally, the services may be useful as part of the outreach activities requested by the Tysons Land Use Task Force. This contract will provide necessary services to the departments for additional work in the areas of community facilitation, communications, outreach, and strategies. The scope is also written to include staff training in outreach and facilitation activities. This helps ensure that community outreach is perceived by the public as the purview of the county and its staff and not consultants. Work for all studies will be performed on a task order basis at established hourly rates for services.

RFP07-908197-40 was publicly advertised and notice was directly sent to 1,167 potential offerors. Seven firms submitted proposals. A Selection Advisory Committee (SAC) was formed and comprised of representatives from the County's Departments of Planning and Zoning, Purchasing & Supply Management, and Office of Public Affairs. The SAC evaluated the proposals in accordance with the criteria and procedures established in the RFP. Due to the diversity of the work to be performed under the task order approach, and to maintain a level of competition with the task order awards, the SAC determined that multiple firms were qualified to perform work under this contract.

Upon completion of final technical and business evaluation, the SAC recommended to award contracts to The Perspectives Group, Inc., CirclePoint, and RESOLVE.

The Business Classification of the Contractors are as follows:
The Perspectives Group is a woman-owned small business.
RESOLVE is a small business.
CirclePoint is a small business.

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The Fairfax County Department of Tax Administration has verified that these firms either currently possess a Fairfax County Business, Professional & Occupational License (BPOL), or are not required to possess a Fairfax County BPOL.

Unless otherwise directed by the Board of Supervisors, the County Purchasing Agent will proceed to award this contract to The Perspectives Group, Inc., CirclePoint, and RESOLVE to provide Consultant Services for Community Outreach and Facilitation Services.

FISCAL IMPACT:

The contract is an on-call service, task order contract. Specific projects are to be identified and may vary based on department requirements and the availability of funds. It is envisioned that these services will support projects that are currently funded under the DPZ community / project planning and design project (009507) in Fund 303.

ENCLOSED DOCUMENTS:

Attachment-1, List of Offerors for RFP07-908197-40

STAFF:

Edward L. Long, Jr., Deputy County Executive
Cathy Muse, Director, Department of Purchasing and Supply Management
Casey Sheehan, Department of Purchasing and Supply Management
Chris Caperton, Department of Planning and Zoning

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INFORMATION - 4

Planning Commission Action on Application 2232-L06-19, T-Mobile Northeast, L.L.C.
(Lee District)

On Wednesday, July 11, 2007, the Planning Commission voted unanimously (Commissioners Alcorn and Harsel absent from the meeting) to approve 2232-L06-19.

The Commission noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the *Code of Virginia*, as amended.

Application 2232-L06-19 sought approval for T-Mobile Northeast, L.L.C. to construct a telecommunications facility consisting of a 150-foot monopole with three sectors of antennas (three antennas per sector), for a total of nine panel antennas. Three equipment cabinets will also be located in a compound at the bottom of the monopole and screened by an 8-foot high board-on-board fence. The property is located on Southern Drive, west of the Highland Street intersection. Tax Map 79-4 ((1)) 3E.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 7/11/07 Commission meeting

Attachment 2: Vicinity maps

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

David B. Marshall, Assistant Director, Planning Division, DPZ

Barbara J. Lipka, Executive Director, Planning Commission Office

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INFORMATION - 5

Planning Commission Action on Application 2232-H07-1, Fairfax County Water (Hunter Mill District)

On Thursday, July 12, 2007, the Planning Commission voted unanimously (Commissioners Alcorn, Hall, and Harsel absent from the meeting) to approve 2232-H07-1.

The Commission noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia.

Application 2232-H07-1 sought approval to construct the Corbalis-Fox Mill Water Main, consisting of approximately 12,000 feet of 54-inch and 42-inch water main alongside Fairfax County Parkway in the Reston/Herndon area. The new water main will be located underground along the east side of the Fairfax County Parkway from Fairfax Water's Fox Mill Water Storage Tanks and Pumping Station on New Parkland Drive adjacent to the County Parkway to an existing 48-inch water main south of New Dominion Parkway near Reston Town Center. (Portions of Tax Maps 16-4 ((1))26; 16-4 ((5))5; 16-4 ((8))1, 2, 3, 4; 17-1 (1))16B; 17-3 ((1))2A, 33C; 17-3 ((8))7A, 7C1; 25-2 ((6))664, S, R; 25-2 ((4))A1, A2; Portion of 28-3 ((1))51 located on Tax Maps 17-1 and 17-3; Portions of road rights-of-way on Tax Maps 16-4, 17-3 and 25-2).

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 7/12/07 Commission meeting

Attachment 2: Vicinity maps

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

David B. Marshall, Assistant Director, Planning Division, DPZ

Barbara J. Lippa, Executive Director, Planning Commission Office

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INFORMATION - 6

Planning Commission Action on Application 2232-MD06-23, Newpath Networks, Inc., and Sprint PCS (Hunter Mill, Providence, and Sully Districts)

On Wednesday, July 11, 2007, the Planning Commission voted 8-1 (Commissioner Lawrence opposed; Commissioner Sargeant not present for the vote; Commissioners Alcorn and Harsel absent from the meeting) to approve 2232-MD06-23.

The Commission noted that the application, as amended, met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia.

Application 2232-MD06-23 sought approval for Newpath Networks, Inc., in conjunction with Sprint PCS, to construct a Distributed Antenna System (DAS) telecommunications facility in four nodes to improve wireless coverage and service in the Oakton/Vienna area. The nodes will be co-located on four replacement utility poles, with three panel antennas each, as well as two pole-mounted electric/equipment cabinets per pole. The DAS system will be located on Commonwealth of Virginia property within the Virginia Department of Transportation rights-of-way for portions of Hunter Mill Road, Vale Road, Lawyers Road and Trott Avenue in the Oakton/Vienna area, and in an existing building on retail property located at 2915 Hunter Mill Road, Oakton. The property included in the application includes portions of VDOT road rights-of-way located on Tax Maps 27-4, 37-2, 37-4; and Tax Map 47-2 ((22))1.

ENCLOSED DOCUMENTS:

Attachment 1: Verbatim excerpts from 7/11/07 Commission meeting

Attachment 2: Vicinity maps

STAFF:

Robert A. Stalzer, Deputy County Executive

James P. Zook, Director, Department of Planning and Zoning (DPZ)

David B. Marshall, Assistant Director, Planning Division, DPZ

Barbara J. Lipka, Executive Director, Planning Commission Office

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10:45 a.m.

Matters Presented by Board Members

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11:35 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Concerned Citizens of Hollin Hall Village, et al. v. County of Fairfax Board of Zoning Appeals, et al.*, Record No. 070058 (Sup. Ct. Va.) (Mount Vernon District)
 - 2. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax County, Virginia*, Record No. 071395 (Sup. Ct. Va.)
 - 3. *Jean Ann Smith Cormier and Charles Paxton Smith for the Estate of David Stanley Smith v. County of Fairfax, Unknown Officials and Employees of County of Fairfax, City of Alexandria, Unknown Officials and Employees of the City of Alexandria, Verizon Communications, and Northrup Grumman*, Case No. CL-2007-0006981 (Fx. Co. Cir. Ct.)
 - 4. *Liberty Mutual Insurance Company, et al. v. County of Fairfax, Virginia, et al.*, Case No. CL-2007-0006134 (Fx. Co. Cir. Ct.)
 - 5. *Road Runner Wrecker Service, Inc. v. County of Fairfax*, Case No. CL-2007-0005871 (Fx. Co. Cir. Ct.)
 - 6. *John Reed v. John W. Scaman, III*, Case No. CL-2006-0005658 (Fx. Co. Cir. Ct.)

7. *Elias Serrano v. Jose C. Letona Crespin*, Case No. CL07001971 (Alex. Cir. Ct.)
8. *Matthew Francis Egan v. Fairfax County Police Department*, Case No. 1:07-cv-623 (E.D. Va.)
9. *Colleen Malone Lindvall v. Melissa McLaughlin, Scott McLaughlin, Linda Cahill, Timothy Cahill, Thomas Pilsch, Tracey Pilsch & Brian C. Calfee*, Case No. 1:07-cv-565 (E.D. Va.)
10. *Dannette D. James v. Darrell Thornton*, Case No. 07-011558 (Fx. Gen. Dist. Ct.); *Dannette D. James v. Wayne Jessee*, Case No. 07-011559 (Fx. Gen. Dist. Ct.); and *Dannette D. James v. Robert Sprow*, Case No. 07-011569 (Fx. Gen. Dist. Ct.)
11. *Fairfax County Redevelopment and Housing Authority v. Yar Mella, Alexis Ujueta, Larry Rice, Trustee, Michelle Slattery, Trustee, First Horizon Home Loan Corporation, Mortgage Electronic Registration Systems, Inc., and First Horizon Bank*, Case No. CL-2007-0007611 (Fx. Co. Cir. Ct.) (Hunter Mill District)
12. *Fairfax County Redevelopment and Housing Authority v. Valicia Ann Spriggs, Abigail Ticona, World Savings Bank, and Commonwealth Trustees, LLC*, Case No. CL-2007-0007678 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Fairfax County Park Authority v. Gary Lockowandt, et al.*, Case No. CL-2006-0008250 (Fx. Co. Cir. Ct.) (Mason District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. John Y. C. Wang, et al.*, Case No. CL-2006-0007129 (Fx. Co. Cir. Ct.) (Lee District)
15. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Duane Whitney, et al.*, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Colin Wilkshire and Tien T. Pongvichit*, Case No. CL-2007-0006096 (Fx. Co. Cir. Ct.) (Lee District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rui C. Domingues*, Case No. CL-2007-0002155 (Fx. Co. Cir. Ct.) (Providence District)

18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Motiva Enterprises, LLC*, Case No. CL-2007-0004128 (Fx. Co. Cir. Ct.) (Sully District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rodney J. Spratley and Jenifer L. Spratley*, Case No. CL-2007-0005021 (Fx. Co. Cir. Ct.) (Providence District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Igbal A. Gaffar and Kadeeja Elamoottil*, Case No. CL-2007-0006525 (Fx. Co. Cir. Ct.) (Sully District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dui C. Ly and Tuyet-Mai Truong*, Case No. CL-2007-0004578 (Fx. Co. Cir. Ct.) (Braddock District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. David T. Freeman and Shana Von Zeppelin*, Case No. CL-2006-0015974 (Fx. Co. Cir. Ct.) (Springfield District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Raimundo Guevara and Santa L. Mendieta*, Case No. CL-2007-0006524 (Fx. Co. Cir. Ct.) (Lee District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Building Maintenance Official for Fairfax County v. Sonia Montecinos and Ruben Perez*, Case No. CL-2007-0007570 (Fx. Co. Cir. Ct.) (Lee)
25. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Victor Manuel Escalante, Charles Smith Escalante, and Doris Garcia*, Case No. CL-2007-0008009 (Fx. Co. Cir. Ct.) (Lee District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Erick A. Rivera*, Case No. CL-2007-0008140 (Fx. Co. Cir. Ct.) (Sully District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. William K. Wilson and N. Bray Wilson*, Case No. CL-2007-0007571 (Fx. Co. Cir. Ct.) (Sully District)

28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Richmond Highway, LLC*, Case No. CL-2007-0007958 (Fx. Co. Cir. Ct.) (Mount Vernon District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. G. Lawrence Marling*, Case No. CL-2007-0007677 (Fx. Co. Cir. Ct.) (Dranesville District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Puckett and Martha E. Puckett*, Case No. CL-2007-0007807 (Fx. Co. Cir. Ct.) (Mount Vernon District)

Board Agenda Item
July 23, 2007

3:30 p.m.

Public Hearing on SE 2005-MV-017 (Kevin J. O'Neill) to Permit Uses and Fill in a Floodplain, Located on Approximately 9,900 Square Feet Zoned R-20, Mount Vernon District

The application property is located at 1111 I Street, Tax Map 93-2 ((7)) (4) 3.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission decision on SE 2005-MV-017 has been deferred to Thursday, July 19, 2007. The Commission's recommendation will be forwarded under separate cover to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
July 23, 2007

3:30 p.m.

Public Hearing on RZ 2007-HM-008 (Phillip and Melinda R. Pon) to Rezone from R-1 to R-2 to Permit Cluster Residential Development at a Density of 1.5 Dwelling Units Per Acre, Located on Approximately 2.0 Acres, Hunter Mill District

The Planning Commission public hearing date has been deferred to 9/26/07; the Board public hearing date is to be deferred to 10/15/07 at 4:30 p.m.

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Board Agenda Item
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3:30 p.m.

Public Hearing on RZ 2006-PR-017 (Prospect Development Company, Inc.) to Rezone from R-2 (Cluster) to PDH-2 to Permit Residential Development at a Density of 1.93 Dwelling Units Per Acre, Located on Approximately 2.59 Acres, Providence District

The application property is located on the north side of Mears Street approximately 125 feet east of Elsmore Street and south of I-66, Tax Map 48-2 ((17)) 1.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, June 13, 2007, the Planning Commission voted unanimously (Commissioner Hart not present for the vote; Commissioners Harsel and Lusk absent from the meeting) to recommend that the Board of Supervisors approve RZ 2006-PR-017, subject to the execution of proffers consistent with those dated June 13, 2007.

The Commission then voted unanimously (Commissioner Hart not present for the vote; Commissioners Harsel and Lusk absent from the meeting) to approve FDP-2006-PR-017, subject to the Development Conditions dated June 13, 2007 and subject also to Board approval of RZ 2006-PR-017 and the Conceptual Development Plan.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Andrew Hushour, Staff Coordinator, Zoning Evaluation Division, DPZ

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4:00 p.m.

Public Hearing on SE 2006-LE-032 (Fourth Hotel Associates Limited Partnership) to Permit a Vehicle Rental and Ancillary Service Establishment Within an Existing Hotel with an Eating Establishment, Located on Approximately 3.14 Acres Zoned C-8, Lee District

The application property is located at 5716 South Van Dorn Street, Tax Map 81-2 ((1)) 12B; 81-2 ((3)) 1 and 2.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, June 21, 2007, the Planning Commission voted unanimously (Commissioner Murphy absent from the meeting) to recommend that the Board of Supervisors approve SE 2006-LE-032, subject to the Development Conditions dated June 20, 2007.

ENCLOSED DOCUMENTS:

None. Staff Report previously furnished.

STAFF:

Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)

Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, DPZ

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Board Agenda Item
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4:00 p.m.

Public Hearing on a Proposed Zoning Ordinance Amendment Re: Restoration of Damaged or Destroyed Nonconformities

ISSUE:

The proposed amendment is mandated by House Bill 78, which was adopted by the 2006 Virginia General Assembly and allows nonconforming buildings destroyed or damaged by natural disaster or other act of God to be rebuilt or replaced, regardless of the amount of destruction, within two years of the date of the natural disaster or within four years if the building is located in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration.

PLANNING COMMISSION RECOMMENDATION:

On June 13, 2007, the Planning Commission voted 10-0 (Commissioners Harsel and Lusk absent from the meeting) to recommend approval of the proposed Zoning Ordinance amendment as contained in the May 7, 2007 staff report.

RECOMMENDATION:

The County Executive concurs with the Planning Commission's recommendation.

TIMING:

Board of Supervisors' authorization to advertise - May 7, 2007; Planning Commission public hearing - June 13, 2007; Board of Supervisors' public hearing - July 23, 2007 at 4:00 p.m.

BACKGROUND:

The proposed Zoning Ordinance amendment is on the 2007 Priority 1 Zoning Ordinance Amendment Work Program and is mandated by House Bill 78, which was adopted by the 2006 Virginia General Assembly and amended Sect. 15.2-2307 of the *Code of Virginia*. The purpose of the legislation is to facilitate the reconstruction of nonconforming buildings that are destroyed or damaged by a natural disaster or other act of God to their original nonconformity or to a reduced nonconforming condition.

The proposed amendment applies only to nonconforming buildings and would not apply to nonconforming uses or those uses or buildings that are not deemed to be

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nonconforming. Examples of nonconforming buildings that could benefit from this amendment are those buildings that existed prior to the current Zoning Ordinance and do not meet the current building height and/or floor area ratio (FAR) limitations and there is no current special permit or special exception provision that would allow such building to conform to the current height and/or FAR requirements. It should be noted that this amendment would not apply to properties where the current setback or lot size requirements are not met as such properties are not deemed nonconforming under the Zoning Ordinance. Taking these parameters into consideration it is believed that only a small number of structures that would be destroyed or damaged by a natural disaster or an act of God are affected by this amendment.

The proposed amendment adds a new Par. 7 to Sect. 15-103 of the Zoning Ordinance which provides, in accordance with §15.2-2307 of the *Code of Virginia*, that a nonconforming building destroyed or damaged by a natural disaster or other act of God may be repaired, rebuilt or replaced to its original nonconformity or to a reduced nonconforming condition within two years of the date of the natural disaster or other act of God. However, if the nonconforming building is located in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the building may be restored to its original condition or to a reduced nonconforming condition within four years of the disaster. A more detailed discussion of the proposed amendment is set forth in the Staff Report enclosed as Attachment 1.

REGULATORY IMPACT:

This amendment allows nonconforming buildings destroyed or damaged by a natural disaster or act of God regardless of the extent of the damage to be reconstructed within a specified timeframe.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Staff Report

Attachment 2 – Planning Commission Recommendation

STAFF:

James P. Zook, Director, Department of Planning and Zoning (DPZ)

Eileen M. McLane, Zoning Administrator, DPZ

S. Paige Mathes, Senior Assistant to the Zoning Administrator

Board Agenda Item
July 23, 2007

4:00 p.m.

Public Hearing on Reenactment and Extension of the Real Estate Tax Abatement Program

ISSUE:

Board decision on whether to reenact the Real Estate Tax Abatement program currently scheduled to sunset as of September 1, 2007.

RECOMMENDATION:

The County Executive recommends that the Board adopt the proposed ordinance amendment in Attachment 1 to reenact and extend the Real Estate Tax Abatement program. The attached ordinance amendment proposes a final program extension until September 1, 2010. In addition to extending the sunset provision, the proposed ordinance amendment includes several changes to enhance the usefulness of this program in promoting certain projects within the Commercial Revitalization Districts (CRD). The proposed ordinance also takes advantage of a recent Virginia Constitutional amendment concerning tax abatements on new structures, but limits this to mixed use projects.

TIMING:

Board authorization to advertise this public hearing was approved on June 18, 2007. If the recommended ordinance is approved by the Board, then the proposed changes become effective on and after September 1, 2007.

BACKGROUND:

Article 24, Chapter 4, of The Code of the County of Fairfax provides for the partial abatement of real estate taxes for certain commercial structures within the five Commercial Revitalization Districts (CRD's). Certain multifamily structures countywide are also eligible for the tax abatement program as long as the projects meet guidelines for providing affordable rents.

The Tax Abatement program was first adopted on September 1, 1997, and was subsequently amended in 1999, and again in 2002. Unless reenacted by the Board, the program is currently scheduled to expire by the sunset date of September 1, 2007. At its meeting on April 20, 2007, the Board's Community Revitalization and Reinvestment Committee endorsed advertising the reenactment and extension of the Tax Abatement

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program. In order to be eligible under the current program, commercial structures located within the five CRD's must be at least 25 years old or older. Eligible multifamily structures countywide must be at least 20 years old or older. For both types of property, the market value due to renovation or replacement construction must increase by 25% or more. It is this added value that is subsequently abated at 100% over 12 years for CRD commercial structures, and at 100% over 10 years for multifamily structures. Commercial revitalization in excess of 80,000 square feet must be mixed use projects. Multifamily structures must offer at least 6.25% "moderate" rent units as defined by statute. The current ordinance is provided for reference in Attachment 2.

Since the amendment in 2002, the County has received 14 additional tax abatement applications, or about 3 applications per year. Of these, 10 are commercial properties located within CRD's and 4 are multifamily projects. Attachment 3 shows the location of these 14 properties.

While the offer of tax abatement may not be the primary economic driver in undertaking a revitalization project, it may offer a useful marginal incentive. Attachment 4 provides a summary of the type of renovation projects being completed by the last 14 applicants, and a qualitative indicator as to the importance of the tax abatement to the property owner. Should the Board decide to extend the program, staff recommends several modifications that may help make the program more useful to revitalization efforts.

First, staff proposes that the definition of "Commercial or Industrial Structure" in section 4-24-1 of the County Code be amended to mean "real property improved with a structure [*or substructure*] that is used for commercial or industrial purposes..." This is a minor technical amendment to insert the phrase "*or substructure*." "Substructure" is already defined elsewhere in the current ordinance. This is simply a clarification to reflect current administration of the program. Staff also recommends the same technical amendment, to insert the phrase "or substructure", be made to the definition of "Multifamily Structure" in the same ordinance section.

Another change would amend the definition of "Substantially rehabilitated, renovated, or replaced", also found in section 4-24-1. The proposed amendment to this section would strike existing language that precludes the "construction of a freestanding, independent structure" when the new structure is "merely connected to an existing structure by an atrium, a breezeway, or similar connecting element." This language originated from concerns when tax abatement on commercial properties was a countywide program. However, staff recommends that restricting participation to the CRD's is already sufficiently limiting and that this added constraint is unnecessary. Moreover, the added flexibility may provide greater incentive for more creative revitalization efforts.

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A fourth amendment is recommended to Section 4-24-3.1(D). At present, "if the total floor area of a commercial or industrial structure that is substantially rehabilitated, renovated, or replaced is more than 80,000 square feet", then tax abatement is applicable "only if the improved or replacement structure is a Mixed Use Project." Again, as defined in the ordinance, "Mixed Use Project" refers to "two or more physically integrated uses, such as retail, office, or apartment uses within a single structure." Staff recommends that this language be tempered to allow for mixed uses within a given project site, rather than within a single building. This change also requires an amendment to the General Requirements under Section 4-24-7, specifically deleting the first sentence that reads "No improvements made to unimproved real property shall be eligible for partial tax exemption pursuant to this Article."

This amendment effectively incorporates a constitutional amendment approved by referendum last November into the proposed ordinance, but limits this to mixed use projects. The enabling legislation for this amendment has already been enacted by the General Assembly (see Va. Code, Section 58.1-3219.4). In short, the constitutional amendment, provided in Attachment 5, expands tax abatement to more than just the renovation, rehabilitation or replacement of "existing" structures. Now localities can also provide abatement for "real estate with new structures and improvements in conservation, redevelopment, or rehabilitation areas."

Staff does not recommend employing the constitutional amendment beyond mixed use projects simply because there is no way to gauge the potential fiscal impact of exempting the construction of a completely new building on currently vacant land. Staff recommends that limiting this change to mixed use projects will help advance the goals of revitalization within the CRD's while limiting somewhat the potential financial exposure.

The last amendment staff recommends is to add a provision that allows for a discontinuance of the tax abatement if the authorized use substantially changes. For example, qualifying multifamily structures can benefit from the tax abatement, but staff recommends discontinuance in the event a multifamily project changes to residential condominiums. Aside from these technical changes, the only other proposed amendment is the extension of the sunset date to September 1, 2010, in Section 4-24-7(H).

FISCAL IMPACT:

The annual abatement for the 14 properties since the last amendment in 2002 when all are completed, will equal approximately \$511,700 in revenue. Over the full period of abatement, the cumulative foregone revenue is expected to roughly equal approximately \$5.9 million. While there is no way to clearly estimate future projects, this

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gives a minimum benchmark of the abatement pattern that can be expected to continue over the next three years if the program is extended.

ENCLOSED DOCUMENTS:

Attachment 1 - Proposed Tax Abatement Ordinance Amendment to Article 24, Fairfax County Code

Attachment 2 - Current Tax Abatement Ordinance, Article 24, Fairfax County Code

Attachment 3 - Location of the 14 tax abatement applications since 2002

Attachment 4 - Summary of the type of renovation projects being completed by the last 14 tax abatement applicants since 2002

Attachment 5 - Virginia Constitutional Amendment approved at referendum November, 2006

STAFF:

Kevin C. Greenlief, Director, Department of Tax Administration

Janet E. Coldsmith, Director, Real Estate Division, Department of Tax Administration

Board Agenda Item
July 23, 2007

4:00 p.m.

Public Hearing Regarding the Vacation of a Trail Easement Located on Property Owned by the Upper Occoquan Sewage Authority (Springfield District)

ISSUE:

Public hearing regarding the vacation of a trail easement located on property owned by the Upper Occoquan Sewage Authority.

RECOMMENDATION:

The County Executive recommends the Board adopt the attached Ordinance for the vacation of the subject trail easement.

TIMING:

On June 4, 2007, the Board of Supervisors authorized the advertisement of a public hearing to be held on July 23, 2007, at 4:00 p.m.

BACKGROUND:

The Board of Supervisors acquired a trail easement on February 10, 2003, from the Upper Occoquan Sewage Authority by consent. The easement is recorded in Deed Book 13999 at Page 1 (one) among the land records of Fairfax County, located on the parcel identified as Tax Map Number 074-2-01-0020.

The County has decided to realign the trail to a better location on the same property. The existing easement is no longer needed because the property owner is granting, in exchange, a new trail easement that will be sufficient for this project.

Staff recommends that the existing trail easement be vacated in conformance with Section 15.2-1800 of the Code of Virginia.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment A – Ordinance

Attachment B – Tax Map No. 074-2

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STAFF:

Jose A. Comayagua, Director, Facilities Management Department

James Ratliff, Project Manager, Department of Public Works and Environmental