

Board Agenda Item
April 8, 2015

ADMINISTRATIVE – 1

Adoption of Minutes – March 25, 2015, Park Authority Board Meeting

ISSUE:

Approval of the minutes of the March 25, 2015, Park Authority Board meeting.

RECOMMENDATION:

The Park Authority Director recommends approval of the minutes of the March 25, 2015, Park Authority Board meeting.

TIMING:

Board action is requested on April 8, 2015.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Minutes of the March 25, 2015, Park Authority Board meeting

STAFF:

Kirk W. Kincannon, Director
Sara Baldwin, Deputy Director/COO
Aimee L. Vosper, Deputy Director/CBD
Barbara J. Gorski, Administrative Assistant

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**Fairfax County Park Authority
Board Meeting
March 25, 2015**

The Vice Chairman called the meeting to order at 7:32 p.m. at 12055 Government Center Parkway, Room 941, Fairfax, Virginia.

Board Members:

William G. Bouie, Chairman*
Ken Quincy, Vice Chair
Kala Leggett Quintana, Secretary*
Harold L. Strickland, Treasurer*
Edward R. Batten, Sr.
Mary Cortina
Linwood Gorham
Faisal Khan
Michael Thompson, Jr.
Frank S. Vajda
Anthony J. Vellucci
Grace Han Wolf*

Staff Present:

Kirk Kincannon, Director
Sara Baldwin, Deputy Director/COO
Aimee L. Vosper, Deputy Director/CBD
Barbara Gorski
Judy Pedersen, PIO
Deborah Babcock-Daley
Barbara Nugent
David Bowden
Todd Johnson
Cindy Walsh
Brian Williams
John Zeigler

Absent*

PUBLIC COMMENT: Speaker: Joanne Elder Topic: Surrey Square Park Playground

ADMINISTRATIVE ITEM

ADMIN-1 Resolution – Honoring Patty Paczan upon Her Retirement from the Fairfax County Park Authority

Mr. Vajda made a motion to approve the resolution honoring Ms. Paczan; seconded by Mr. Thompson. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

- Mr. Kincannon introduced the newest group of Certified Park and Recreation Professional staff members. The CPRP certification through the National Recreation and Parks Association is designed for the entry to mid-level professional to directors. Attaining the CPRP designation shows that you have met education and experience qualifications, and illustrates your commitment to the profession as well as your knowledge and understanding of key concepts within parks and recreation.

The number of FCPA Certified Park and Recreation Professionals has increased six times since 2013. In 2013 four staff members were certified and this year 21 staff members received their certification.

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Within the Park Authority the positions that are Certified Park Recreation Professionals range from agency Director, Division Director, Branch Managers, Visitor Services Manager, Management Analysts, Aquatics Directors, Land programmers, Fitness Director, and an Administrative Assistant.

The State of Virginia has approximately 133 county/municipalities and 238 people with CPRP. There are 33 Fairfax County employees who currently have a CPRP. This leaves an average of 1.5 CPRP per other county/municipality.

2014 2015	Prior to 2015
Michelle Alexander	Todd Johnson
Deborah Babcock-Daley	Kirk Kincannon
Marc Barton	Brian Laws
Julie Beck	
Todd Brown	
Josh Colman	
Nicole Falceto	
Christopher Goldbecker	
Dan Grulke	
Nicole Falceto	
Barbara Nugent	
Stephanie Powers-Loughry	
Natalie Sandelli	
Britta Stratford	
Julie Tahan	
David Wyttenbach	

ADMIN-2 Adoption of Minutes, March 11, 2015, Park Authority Board Meeting
 Mr. Thompson made a motion to approve the minutes of the March 11, 2015, Park Authority Board meeting; seconded by Ms. Quintana. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

ACTION ITEMS

A-1 Scope Approval – Playground Replacement and Related Work at Surrey Square Park (Braddock District)
 Mr. Vellucci made a motion to approved the project scope for design and installation of replacement playground equipment and related work at Surrey Square Park; seconded by Mr. Thompson. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

A-2 Scope Approval – Hidden Pond Park Parking Lot and Shelter Improvements (Springfield District)

Mr. Thompson made a motion to approve the project scope to design and construct improvements at Hidden Pond Park including a new parking lot, multi-use outdoor shelter and related work; seconded by Ms. Cortina. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

A-3 Scope Approval – South County Middle School Synthetic Turf Fields (Mount Vernon District)

Mr. Gorham made a motion to approve the project scope to develop synthetic turf fields at South County Middle School; seconded by Mr. Thompson.

Mr. Thompson asked if the current plan that the Board is about to approve include the safety fence. Mr. Bowden indicated that the Board was approving the funding for the project scope, not the plan.

The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

A-4 Scope Approval – Lee District and Providence RECenters - Americans with Disabilities Act Renovation of the Family Changing Rooms (Lee and Mason Districts)

Mr. Vajda made a motion to approve the project scope to renovate family changing rooms at Lee District and Providence RECenters to achieve compliance with the Americans with Disabilities Act (ADA); seconded by Mr. Batten. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

A-5 Approval of Sully Woodlands Regional Master Plan Core Properties Conceptual Development Plans and Park Name for Sappington Property (Sully District)

Mr. Vajda made a motion to approve the Sully Woodlands Core Properties Conceptual Development Plans and the name of Halifax Point District Park for the Sappington property; seconded by Mr. Batten.

INFORMATION ITEM

- I-1 Needs Assessment Update
No action was necessary.

CHAIRMAN'S MATTERS:

- Mr. Quincy indicated that the Chairman was on assignment.

- Mr. Quincy, Providence District, reported that he attended a Community and Neighborhood Leaders conference held at Luther Jackson Middle School. This was the county's first attempt at such a conference and it was well attended. The Park Authority had a very nice display.

Following the conference he received a number of comments, including one by a woman that said that Parks needed more money.

DIRECTOR'S MATTERS:

- Mr. Kincannon announced that Wi-Fi access is now available in the Park Authority boardroom, thanks to a county project to extend the network for non-county business to all floors in the Herrity Building.

On your wireless device, look for and connect to the network named guestservices to make use of this feature. Treat it as a public network on which information you send and receive is not specifically protected by the network itself.

The Park Authority's Automation Services Branch participated in the project by making the initial request for service, coordinating placement of access points, and identifying areas of planned use.

The guestservices network is available for citizen (and staff) use at all golf courses and is coming to the RECenters this fiscal year.

- The partnership between the Park Authority and DPWES Stormwater Management Division for the restoration of Brookfield Pond has been awarded a prestigious 2015 BUBBA Award by The Chesapeake Stormwater Network for innovative storm water management practices. The Best Urban BMP in the Bay Award contest (BUBBA) annually recognizes the best urban BMPs that have been installed in the Chesapeake Bay watershed. The project was awarded second place in the Habitat Creation Category.

The Chesapeake Stormwater Network is an association of composed of 7,000 stormwater professionals primarily within the Chesapeake Bay Watershed but also includes a number of members from other areas of the country and the world! Through this expansive network of individuals, the Network is able to align and integrate the efforts of thousands of individuals working on the stormwater problem across the Bay.

Lee District Supervisor Jeff McKay recognized the Park Authority/DPWES Partnership and the Project Teams award winning accomplishment at a recent Board of Supervisors' Meeting.

He congratulated Mr. Bowden and his staff for the fine work, along with Resource Management staff and Park Operations staff that may have been involved in the project, as well as Park Services staff that may have been involved with the bike path.

- Park Authority staff along with Neighborhood and Community Services, Fairfax County Public Schools, and the Health Department met at the request of Chairman Bulova with several residents from the Reston area that have concerns relating to the synthetic turf infill product that the county is using. The group provided an update on information they have been gathering over the last many years. Their primary concern relates to recycled tires and potential carcinogens. This work was reviewed by the county Health Department and Dr. Addo-Ayensu who are the experts in the field. Parks relays upon them to perform and review the research relative to any of the studies that are out there at the national and local level. The county wants its residents and youth to be safe. Dr. Addo-Ayensu is reviewing the additional information that was provided.

Staff has been looking at an alternative to the crumb rubber that is currently being used. Great Falls Nike Park currently has the new infill product. The group demanded that all synthetic turf installation be stopped and that organic compounds be used.

The concerns were addressed previously, but Dr. Addo-Ayensu is taking another look and will convene another internal group meeting to look at the information provided. Parks will follow the Health Department's lead based upon its determination.

BOARD MATTERS:

- Mr. Khan reported that the cricket program had an excellent start at Luther Jackson Middle School on March 19. Over 40 kids showed up and a number of potential participants were identified. The program kicks off on Thursday, March 26. Once a week kids will be coached and will start to build the program.

He thanked Messrs. Bouie, Quincy, Vajda, and the entire Board for their support.

Mr. Khan indicated that they also discussed potential field trips during the summer timeframe with the after school specialist.

He thanked Judy Pedersen for the work she did with regard to the citizens' concerns about photography fees.

- Mr. Gorham thanked the Board members for their support for the South County Middle School turf fields. He especially thanked Mr. Bowden, Ms. Davis, and Mr. Scott for the public meeting.

- Mr. Batten thanked Mr. Bowden and Ms. Stallman for attending a meeting called by Supervisor McKay regarding the Franconia Park Master Plan. There are some issues that need to be dealt with; however, the group did arrive at a course of action.

He thanked Mr. Bowden and Ms. Stallman for participating in another meeting to discuss the bicycle master plan and some of the concerns regarding one trail that the Friends of Huntley Meadows Park feel may be infringing on the park. He also thanked Ms. Cortina for her participation.

Mr. Batten reported that he and Ms. Thaxton of the Park Foundation had attended a meeting of community leaders organized by Wegman's local management team to meet with local leaders in advance of the store opening to learn more about the neighborhood. They don't make assumptions that each new place is the same, and they appreciate the communities help to understand how the community works and what Wegman's can do to help. In fact, learning about the diversity of the neighborhood always helps them serve their customers and employees better. The new store will be opening in the Alexandria area in June.

During the meeting he called attention to Huntley Meadows Park and the new store manager indicated that he would arrange to take a group of his staff to the park. Mr. Batten noted he would advise Mr. Munroe when they would be coming.

Mr. Batten and Ms. Thaxton pointed out that Parks' budget has been restricted and by several other participants who sang the praises of the Park Authority. It made Mr. Batten quite proud that others talked about the kind of meaning Parks has to the community at large. Food for Friends talked about the impact Parks has had on the lives of some of our homeless and many of the lower economic situations and Parks serve and provide access for their children as well as to them.

- Ms. Cortina called attention to the cover story of the April issue of Washingtonian Magazine called *Capital of the Future* which contains an article that says, *Here Comes the Neighborhood* and it's about Fairfax County's Tysons Corner plan. The quote is, "The redevelopment of Tysons is the most important urban redevelopment in the country, possibly the world. If they do this right it will be the model, it's big." The other quote reads, "It's the most ambitious suburban redevelopment project not just in Washington, but in all of American history." The quote is from Christopher Leinberger, Professor of George Washington University and Senior Fellow at the Brookings Institution Metropolitan Policy Program.

While Parks may take this for granted, knowing that it is big, but not realizing just how big this is. People are coming from all over the world to see what is going to be done.

The article contains a big picture of the Greenway and the article also talks about the 160 acres of parks and open space to be used for arts and culture.

Ms. Cortina wanted to highlight the work of the Park Authority, Ms. Stallman and her group, and an amazing feat of securing parkland in this area. She thanked Mr. Quincy as well for putting Parks at the table for this project. It is a really big deal and people want to have green livable spaces in these cities of the future. It's keen to the quality of life, especially as the density increases.

Ms. Cortina reminded everyone that the cancelled meeting of the Federation of Friends has been rescheduled and will take place on Saturday, March 28, from 9-11:30 a.m. at Frying Pan Farm Park.

- Mr. Batten noted that Wegman's asked that he advise the Board that while it has filled 535 of 575 positions at the store it had 8,000+ applicants and still has 40 leadership positions and others to be filled.
- Mr. Thompson, in Ms. Wolf's absence, announced that the Korean-American National Sports Festival is coming to Fairfax County on June 19 through June 21. They are using facilities and bringing folks to the county. They are looking for volunteers to help execute the games. They are hosting a 5K that is open to everyone, but most of their games are open to folks that are at least 50% Korean. The event takes place every other year some place in the country and will be in Fairfax County at the end of June.

Mr. Thompson thanked Mr. Johnson for spending the last 3½ years attending meetings regarding the Field Allocation Policy in an attempt to revise and update that policy, which was last updated in 2008. The Athletic Council has unanimously passed the Field Allocation Policy on March 18. It will come to the Park Board as an information item and the Board of Supervisors has to pass and adopt.

Mr. Thompson thanked staff for working to implement the two Boy Scout recommendations at Burke Lake Park. He ran into one of the scouts and his parents recently and the scout was overjoyed at the idea that his recommendation was actually going to become real. It helped to show that Parks does listen and folks can have an impact.

Regarding the Wi-Fi, Mr. Thompson wondered if Parks shouldn't have a long term goal to try to fit Wi-Fi into all of its parks and facilities. Mr. Kincannon indicated that Mr. Finegan is putting together in IT plan. The RECenters are and golf courses are in the plan.

- Mr. Vellucci stated that he is looking forward to the Federation of Friends meeting on March 28.

On March 18 DPWES had a partners meeting and are started the dredging of Woodglen Lake. They began to drain the lake on March 12 and hope to have the dredge completed by the middle of April. The contractor will then do the dry dredge and hope to have that completed sometime in October. A number of members of the Friends of Woodglen Lake

attended the meeting and asked for the potential of a social trail that could go around the lake once DPWES did its reforestation. Tony is looking forward to working with staff to determine if that could happen.

On March 19 he sat in on a Friends of Royal Lake meeting and they basically have put their effort on pause pending the outdoor physical equipment study that the Park Authority is currently doing.

On March 23 he attended a Friends of Audrey Moore RECenter leadership meeting. They will hold a full membership meeting on March 26.

April 11 is the Pohick and Accotink Watershed clean up in the Braddock District. Anybody that would like to come and pick up trash is welcome.

May 4, Royal Lake will be the site of a visit of the Governor sponsored by the Northern Virginia Soil and Water Conservation District and DPWES to highlight the success of the Pohick Watershed updates. That includes Woodglen Lake, Royal Lake, Huntsman Lake, and Lake Barton.

Mr. Vellucci mentioned that he recently read that Dow Chemical has a press release about a new synthetic turf material.

He thanked staff and everyone for the meetings that were held regarding the photography fees and that a compromise was reached. He believes there are lessons learned and that there should be a lessons learned team that sits down to streamline operations in the future. He would be happy to be part of that team.

- Mr. Vajda stated that he looks forward to the Federation of Friends meeting on Saturday, March 28.

He thanked Ms. Pedersen for an outstanding effort in resolving the photography fee issue.

- Mr. Vellucci added that with the rules on committee, there is an agenda item that has been on the agenda for a number of years and that's committee reports. He believes that in the future the Board ought to expect that committee chairs that have had a committee meeting since the last board meeting provide a short update of what occurred at that meeting so that it goes into the minutes so that board members, if they did not attend the committee meeting can make themselves aware of what occurred so they are prepared for the next board meeting.

Mr. Thompson stated that staff will look into the process.

Ms. Gorski noted the policy on committee meetings, and the FOIA requirements for those meetings.

Mr. Gorham reiterated that policy.

CLOSED SESSION

At 8:27 p.m. Mr. Thompson made a motion that the Park Authority Board convene in closed session for:

- (a) 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).

Seconded by Mr. Vajda. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

CERTIFICATION OF CLOSED SESSION

Mr. Thompson made a motion to certify that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under Virginia Code 2.2-3712 and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board; seconded by Mr. Vajda. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

C-1 Acceptance of Donation of Property Located in the Mount Vernon District

Mr. Gorham made a motion to accept the donation of property located in the Mount Vernon District as discussed in closed session; seconded by Mr. Vajda. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

C-2 Approval of a Nonbinding Letter of Intent and an Offer Range for Property Located in the Dranesville District

Mr. Thompson made a motion to approve submittal of a nonbinding letter of intent and an offer range for property located in the Dranesville District; seconded by Mr. Vellucci. The motion carried; Ms. Quintana, Ms. Wolf and Messrs. Bouie and Strickland were absent.

ADJOURNMENT

There being no further business and without objection, Mr. Quincy adjourned the meeting at 9 p.m.

Kala Leggett Quintana, Secretary

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

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Minutes Approved at Meeting
on March 25, 2015

Kirk W. Kincannon, Director

Park Authority Board Minutes prepared by

Barbara J. Gorski, Administrative Assistant

Board Agenda Item
April 8, 2015

ACTION – 1

Approval of the Conveyance of the Reston Towne Green Property to the Fairfax County Board of Supervisors (Hunter Mill District)

ISSUE:

Approval of the conveyance of the Reston Towne Green property in the Hunter Mill District to the Fairfax County Board of Supervisors.

RECOMMENDATION:

The Park Authority Director recommends that the Park Authority Board adopt the attached resolution authorizing the conveyance of the Reston Towne Green property in the Hunter Mill District to the Fairfax County Board of Supervisors and, to that end, the execution of the proposed Contract of Sale.

TIMING:

Board action is requested on April 8, 2015, after completion of the Public Hearing.

BACKGROUND:

The Reston Towne Green is a 5-acre park with frontage on Fountain Drive located between Bowman Towne Drive to the south and Baron Cameron Avenue to the north (Attachment 1). The property was conveyed to the Park Authority by the Board of Supervisors in 1998 prior to the execution of the Land Bank Agreement between the Board of Supervisors and Park Authority. The park property is part of the larger Reston Town Center North (RTCN) District that includes properties owned by the Board of Supervisors, the Fairfax County Redevelopment and Housing Authority, and INOVA Health Care Services. Within the RTCN District there are multiple parcels that, with the exception of the park property, have been developed with various uses including the North County Government Center, a senior living facility, low income housing, and an emergency care center. The park property remains undeveloped. Additionally, each use within the RTCN District is discrete with no internal circulation between parcels and the overall development density is low (Attachment 2).

In anticipation of Phase I Silver Line metro rail service to Wiehle Avenue and ultimate Phase II service to Dulles Airport and Loudoun County to the west, the land use patterns surrounding the proposed metro stations along the Dulles Access Road were reviewed in 2013 by the Planning Commission and Board of Supervisors as part of the

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Reston Transit Station Area Comprehensive Plan Amendment. The existing land use patterns of the RTCN District were evaluated from the standpoint of their proximity to Reston Town Center and the proximity of the RTCN District to the proposed Reston metro station. The proposed Comprehensive Plan Amendment was adopted by the Board of Supervisors on February 11, 2014, and provided the following guidance for the RTCN District:

“The future land use pattern in this district should incorporate significant new residential development and new non-residential uses to complement the existing and planned public uses and the concentration of employment in the Reston Town Center and a significant new open space to serve as a defining element in the organization of a new, more urban pattern of blocks. The future land use pattern should also allow for a transition from the urban core of the Town Center to the low density commercial use along the north side of Baron Cameron Drive and the adjacent residential neighborhoods”.

The Comprehensive Plan Amendment provided an accompanying graphic that depicts a grid of streets, a central green, and land bays for future development of the RTCN District (Attachment 3). This outcome would require a coordinated site planning process as well as the swapping of land, the reconfiguration of parcel boundaries, and ultimately the demolition of some existing structures.

The Board of Supervisors tasked staff from the Department of Public Works and Environmental Services, Building Design and Construction Division to commence work with the existing private and county staff to provide the initial planning, site design, and coordination/negotiation between property owners required to implement the goals of the Comprehensive Plan Amendment. The negotiation process includes working with property owners in order to facilitate an equitable exchange of land values that achieves the patterns of development envisioned in the Comprehensive Plan Amendment.

Under the proposed transaction with the Fairfax County Board of Supervisors, the Park Authority would convey the park property to the Board of Supervisors for incorporation into the potential redevelopment of the RTCN District. In exchange, the Board of Supervisors would convey rights to approximately 90,000 square feet of density within one of the new urban blocks for a new Park Authority facility, would ensure that an approximately 2.6-acre central green, substantially as depicted in Attachment 4, remains a publicly accessible feature of the redevelopment, and other potential items of consideration that may be advantageous to the Park Authority mission. The proposed density could be used for locating an indoor recreation facility or other recreational use. The consideration, as described above, is memorialized in the proposed Contract of Sale (Attachment 5) between the Park Authority Board and the Board of Supervisors.

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On February 11, 2015, the Park Authority Board directed staff to proceed with a public hearing pursuant to Virginia Code § 15.2-5704(6) and Park Authority Policy 210 (Disposal of Land or Facilities) in order to take public comment regarding the conveyance. Public comment is required prior to a decision by the Park Authority Board to adopt a resolution (Attachment 6) authorizing the conveyance of the Reston Towne Green property to the Fairfax County Board of Supervisors. The public hearing was advertised in March 2015 with written and e-mail comments being accepted until April 7, 2015, prior to the Public Hearing on April 8, 2015. The advertising for the public hearing consisted of:

- A posting on the Park Authority web site.
- A Park Authority press release including posting to social media sites Facebook and Twitter.
- Print advertisements in the Washington Post and Reston Connection.

A summary of all written comments submitted to the Park Authority prior to the public hearing will be made available to the Park Authority Board at the meeting on April 8, 2015.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1: GIS Location Map

Attachment 2: Existing Land Use

Attachment 3: Recommended Land Use per the Comprehensive Plan Amendment

Attachment 4: Conceptual Central Green

Attachment 5: Proposed Contract of Sale

Attachment 6: Resolution

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Kirk W. Kincannon, Director

Sara Baldwin, Deputy Director/COO

Aimee Long Vosper, Deputy Director/CBD

Ryan A. Wolf, Assistant County Attorney, Office of the County Attorney

Carey Needham, Director, Capital Facilities, Building Design and Construction

David Bowden, Director, Planning and Development Division

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Todd Johnson, Director, Park Operations Division
Sandy Stallman, Manager, Park Planning Branch
Brian H. Williams, Acting Manager, Real Estate Services



Reston Towne Green
17-1 ((1)) 14D

Fairfax County Parkway

Town Center Parkway

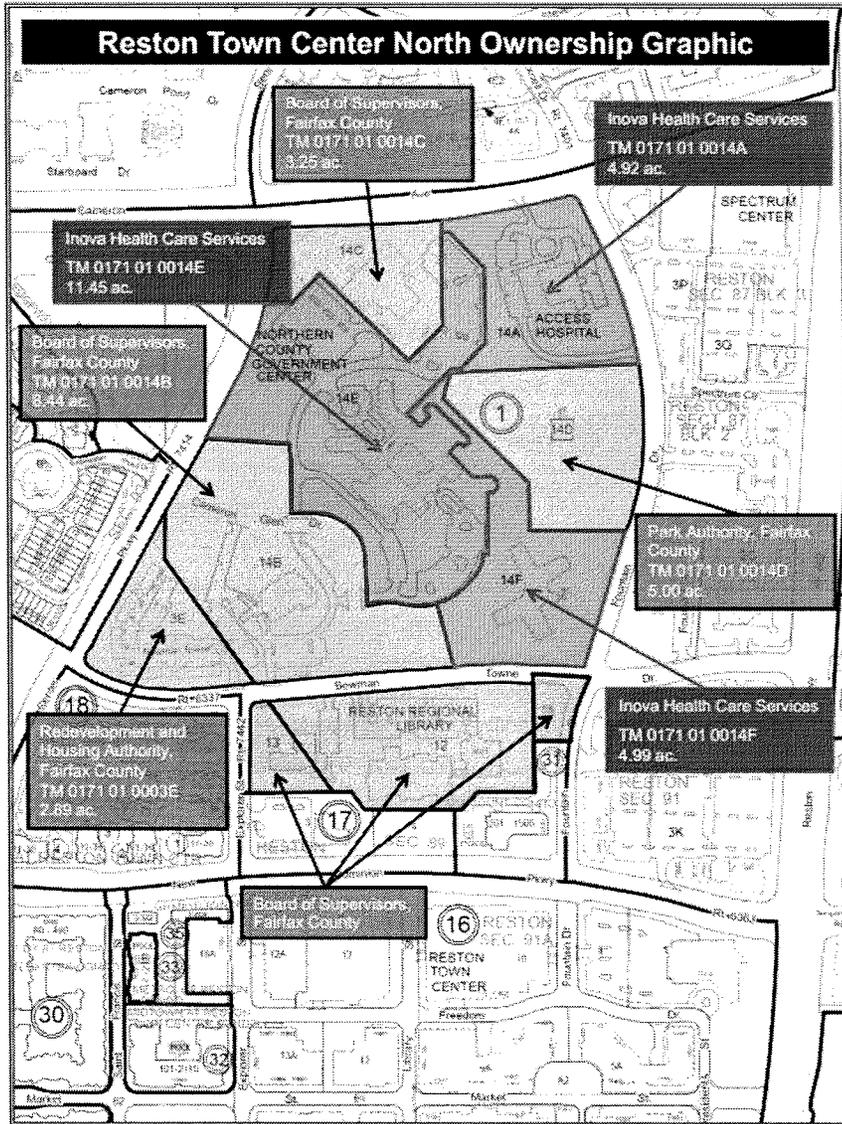
Bowman Towne Drive

Fountain Drive

Reston Parkway

Dominion Parkway

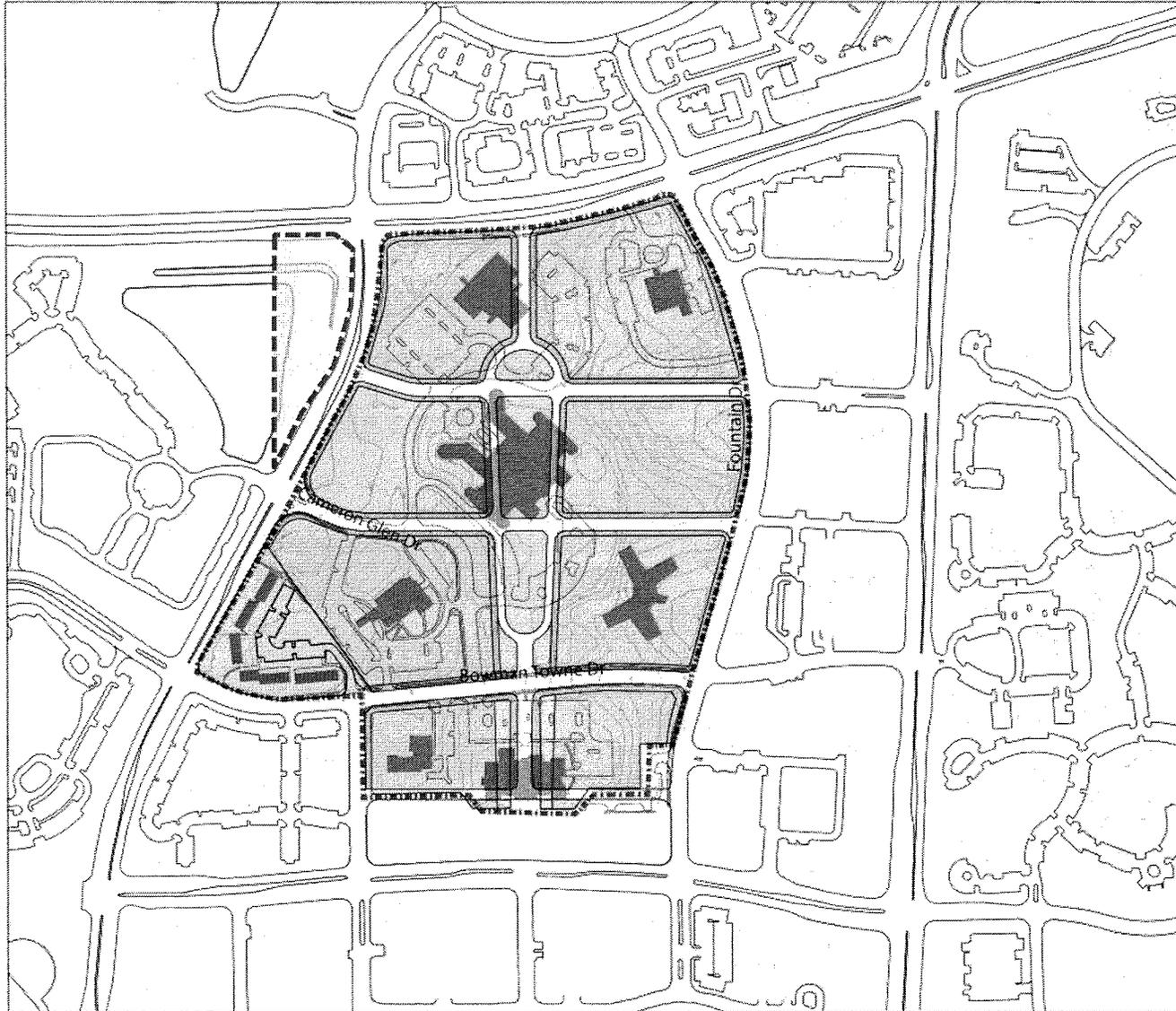
Existing Ownership Diagram



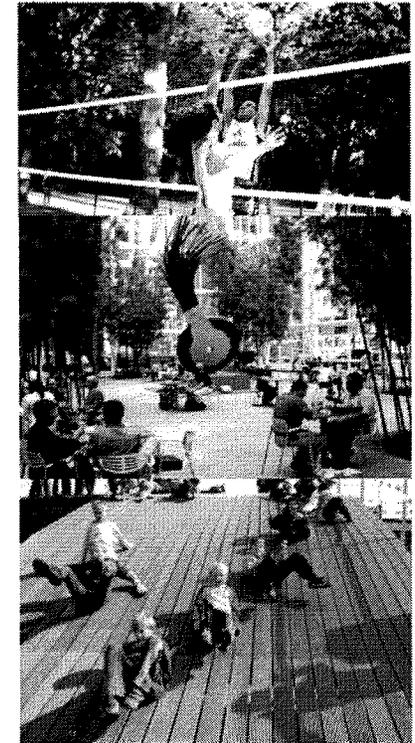
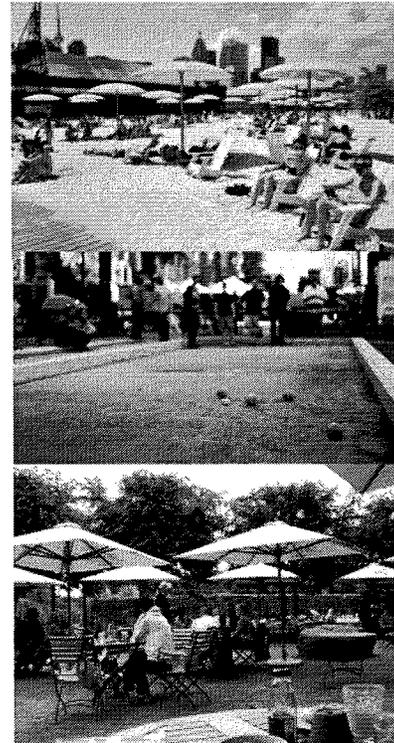
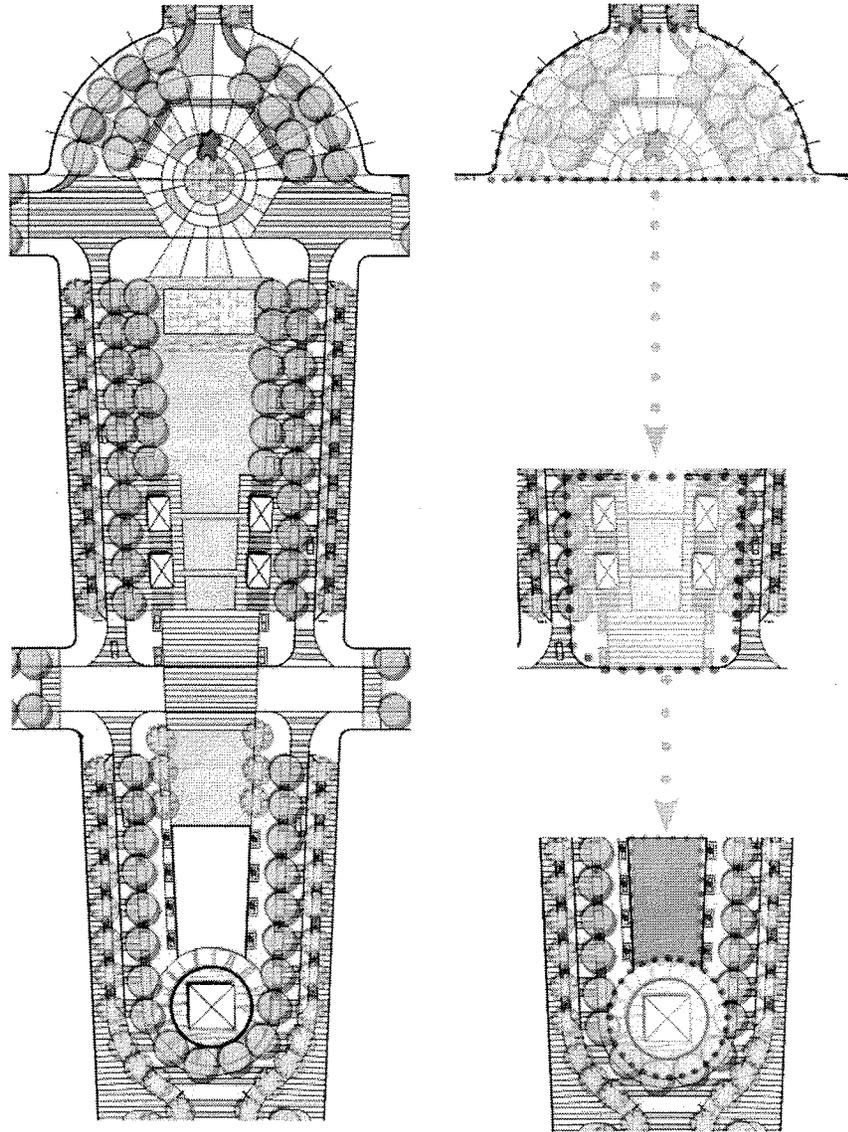
Owner	Acreage	%
Fairfax County BOS	18.34	41.03%
Fairfax County Park Authority	5.00	11.19%
Sub-Total	23.34	
Inova	21.36	47.78%
Total	44.70	
Housing & Community Development	2.89	
Fairfax County BOS	2.31	



Proposed Block Plan Overlay on Existing



Central Green - Concept



.....> CAFE "PLAGE" or CAFE du PARK
BETWEEN HOSPITALITY AND RESIDENTIAL
AMENITY + RECREATION + FUN



CONTRACT OF SALE

THIS CONTRACT OF SALE (“Contract”) is entered into as of the ____ day of _____, 2015 (“Effective Date”), by and between the **FAIRFAX COUNTY PARK AUTHORITY**, a political subdivision of the Commonwealth of Virginia (the “Park Authority”), and **THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia, (the “County”).

RECITALS

WHEREAS, the Park Authority is the fee simple owner of real property located in Fairfax County, Virginia, containing approximately 217,800 square feet, identified on Fairfax County Tax Map 017-1, Double Circle 1, as Parcel 14D, and further shown highlighted in blue on the Fairfax County Tax Map attached hereto as Exhibit A and made a part hereof (the “Property”); and

WHEREAS, the Property is currently used as undeveloped parkland; and

WHEREAS, both the County and Inova Health Care Services (“Inova”) each own certain properties adjacent and/or otherwise close to the Property (the “Current County Properties” and the “Current Inova Properties”); and

WHEREAS, on February 11, 2014, the Board of Supervisors of Fairfax County, Virginia, acting in its governmental capacity, adopted an amendment to the Fairfax County Comprehensive Plan which, among other things, sets forth recommendations for the coordinated redevelopment of the Property together with the Current County Properties and the Current Inova Properties (collectively, the “Town Center North Area”), including a concept plan, a copy of which is attached hereto as Exhibit B, that depicts, among other things, a grid of streets, a central green, and land bays for future development (the “Concept Plan”); and

WHEREAS, the Park Authority desires to convey the Property to the County, and the County desires to accept such conveyance, in order to help effectuate the redevelopment envisioned by said Comprehensive Plan amendment; and

WHEREAS, the County, if such redevelopment can be achieved, intends to provide rights to certain density on one of the newly-created land bays to the Park Authority or its designee for park uses, as further set forth herein; and

WHEREAS, the Park Authority has determined that such new parcel would better serve the needs of the citizens concerned, that the County can more appropriately administer the Property by acting as the main point of contact in redevelopment efforts with Inova, and that such disposal of the Property would serve to further the mission of the Park Authority;

NOW THEREFORE, in consideration of the mutual covenants of the Park Authority and the County and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged by both parties, the Park Authority and the County hereby agree as follows:

1. SALE OF PROPERTY.

Subject to the terms and conditions of this Contract, the Park Authority shall sell and convey the Property to the County, together with all improvements thereon and all rights, privileges, easements, benefits, and agreements appurtenant thereto.

2. CONSIDERATION.

(a) As consideration for the Park Authority's conveyance of the Property to the County, the County (i) shall use good faith efforts to pursue the redevelopment of the Town Center North Area as generally envisioned by the aforementioned Comprehensive Plan amendment, (ii) shall ensure that the central green, as generally depicted on the Concept Plan, is restricted to publicly accessible open space and/or park uses (except for incidental commercial activities as mutually and reasonably agreed upon) and is not to be maintained by the Park Authority, and (iii) shall – if its redevelopment efforts are successful, meaning that new land bays as generally depicted on the Concept Plan have been created through a subdivision, lot line adjustment, or other similar process – convey rights to approximately 90,000 gross square feet of density (or such other amount as the County and the Park Authority may subsequently agree to in writing) to be located on one of the new land bays to the Park Authority or its designee for use as an indoor recreational facility.

(b) Regarding subsection (a)(iii), the parties each acknowledge and agree (i) that the County shall convey such rights to a new land bay to the Park Authority for no additional consideration, (ii) that the County shall not be liable pursuant to this Contract for any design, construction, or other costs of the indoor recreational facility, and (iii) that, following the execution of a final agreement with Inova, the County and the Park Authority shall meet regularly to discuss which of the resulting land bays shall be the one in which rights are to be conveyed to the Park Authority or its designee, as well as the timing and mechanics of such conveyance. The County and the Park Authority agree that no Inova-owned land bay will be the site for density conveyed to the Park Authority hereunder.

(c) The parties acknowledge and agree that the above consideration constitutes “substantial consideration” and therefore that that certain Agreement between the parties dated November 14, 2007 (as amended to date, the “Land Bank Agreement”) shall not apply to this transaction, except as expressly set forth in Section 11(b) below.

3. INSPECTIONS AND INVESTIGATIONS.

From and after the Effective Date, the County shall have the right, at its own risk, cost and expense, to examine title to the Property and to enter, or cause its agents, representatives, contractors or other designees, to enter upon the Property during normal business hours for the purpose of making any surveys, tests, investigations or inspections relating to the Property which the County deems desirable, including without limitation environmental investigations. If the County, for any reason whatsoever, is not satisfied with title to or the condition of the Property, the County shall have the right to terminate the Contract upon written notice to the Park Authority by no later than forty-five (45) days after the Effective Date, in which event, this Contract shall terminate and the parties shall have no further obligations or liabilities with respect to the Contract.

4. SETTLEMENT.

Settlement ("Settlement") shall take place at the offices of the County, 12000 Government Center Parkway, Fairfax, Virginia 22035, on the date selected by the County, upon at least five (5) business days advance notice to the Park Authority ("Settlement Date"), but no later than July 1, 2015, unless otherwise mutually agreed by the Park Authority and the County.

5. PROPERTY CONDITION.

(a) **Title.** The Park Authority shall convey title to the Property at the time of Settlement to the County by Deed in the form attached as Exhibit C hereto. The Park Authority shall neither take any action nor permit any action to be taken which could adversely affect the state of title as of the Effective Date.

(b) **Extent of Conveyance.** The Park Authority shall deliver or cause to be delivered to the County at Settlement the Property substantially in the condition as of the Effective Date.

6. CONDITION PRECEDENT.

The obligation of the County to proceed with Settlement is contingent upon the condition of the Property and title thereto being as required by the terms of this Contract.

7. RISK OF LOSS.

If, prior to Settlement, the Property or a material part thereof is materially destroyed or damaged by fire or other casualty or occurrence, unless caused by the County, the County shall have the option (i) to proceed to Settlement, or (ii) to terminate this Contract in which event the Park Authority and the County shall have no further liability hereunder.

8. CONDEMNATION.

If, prior to Settlement, any material portion of the Property is condemned or taken under the power of eminent domain (or is the subject of a pending taking that has not yet been consummated), then either party shall have the right to terminate this Contract by giving written notice thereof to the other party, in which event the Park Authority and the County shall have no further liability hereunder.

9. SETTLEMENT OBLIGATIONS.

(a) **Park Authority's Obligations at Settlement.** At Settlement, the Park Authority shall (i) execute, acknowledge and deliver to County, or County's designee, (i) a quitclaim deed ("Deed") in the form attached as Exhibit C hereto, conveying fee simple title in the Property, and (ii) execute and deliver any other instruments or documents as may be reasonably necessary to fully consummate the transactions contemplated herein.

(b) **County's Obligation at Settlement.** At Settlement, the County shall (i) execute an acceptance of the Deed, (ii) execute and deliver any any other instruments or documents as may be reasonably necessary to fully consummate the transactions contemplated herein, and (iii) pay for any recordation or other similar charges (to the extent required by applicable law) arising out of the Settlement.

10. POST-SETTLEMENT RETURN OF PROPERTY.

If, following Settlement but prior to any resubdivision or adjustment to parcel boundary lines, the County reasonably determines that the redevelopment of the Town Center North Area, as generally envisioned by the Concept Plan, cannot be effectuated, the County shall convey the Property back to the Park Authority, and the parties hereto shall use good faith efforts to facilitate such reconveyance.

11. SURVIVAL, DEFAULTS, AND REMEDIES.

(a) It is the parties' intent, and the parties hereby agree that the terms of this Contract shall survive Settlement, including without limitation Section 2 hereof.

(b) If the County defaults under this Contract on its obligation to proceed to Settlement and the County is willing and able to proceed, and such default shall continue for a period of fifteen (15) days after notice thereof from County, then County shall be entitled to terminate this Contract and the Park Authority and the County shall thereafter have no further liability hereunder. If the County defaults under this Contract on its obligations under Section 2(a)(iii) hereof, then the Park Authority may elect to deem its conveyance of the Property to the County as a conveyance subject to the Land Bank Agreement and the value of the Property shall

then be deducted from the Land Bank. If the County defaults under this Contract on its obligations under Section 10 hereof, then the Park Authority shall be entitled to (i) terminate this Contract and the Park Authority and the County shall thereafter have no further liability hereunder, or (ii) in the alternative, pursue a suit for specific performance.

(b) If the Park Authority defaults under this Contract and such failure shall continue for a period of five (5) business days after notice from the County, then the County shall be entitled to (i) terminate this Contract and the Park Authority and the County shall thereafter have no further liability hereunder, or (ii) in the alternative, pursue a suit for specific performance.

12. NOTICES.

All notices and other communications hereunder shall be in writing and shall be deemed to have been duly given when received if delivered by reputable courier service, received by facsimile or if sent by certified mail, return receipt requested and postage prepaid, to a party at its address set forth below or at such other address as such party may specify by at least five (5) days advance written notice to the other party:

If to Park Authority:

Fairfax County Park Authority
12055 Government Center Parkway
Suite 927
Fairfax, Virginia 22035-1118
Attention: Kirk Kincannon

If to County:

Fairfax County Department of Public Works & Environmental Services
12000 Government Center Parkway, Suite 449
Fairfax, Virginia 22035
Attention: Carey Needham

13. ADDITIONAL PROVISIONS.

(a) **Entire Agreement and Interpretation.** This Contract contains the entire agreement between the parties hereto. There are no promises or other agreements, oral or written express or implied, between them other than as herein set forth. This Contract may not be amended or modified except by written instrument signed by the party to be charged with such amendment or modification. The section headings in this Contract are inserted for convenience only and in no manner expand, limit or otherwise define the terms hereof.

(b) **Partial Invalidity.** If any term, covenant or condition of this Contract shall be invalid or unenforceable, the remainder of this Contract shall not be affected.

(c) **Governing Law.** It is the intention of the parties that all questions with respect to this Contract and the rights and liabilities of the parties hereunder shall be determined in accordance with the laws of the Commonwealth of Virginia.

(d) **Time of the Essence.** Time is of the essence with respect to this Contract.

(e) **Assignment.** This Contract may not be assigned, in whole or in part, by either the Park Authority or the County, without the prior written consent of both parties hereto.

(f) **Exhibits.** Each of the exhibits attached to this Contract are incorporated herein by reference.

(g) **Counterparts.** This contract may be executed in any number of identical counterparts, but all counterparts hereof taken together shall constitute a single instrument.

(h) **Holidays.** If the date for performance hereunder shall fall on a Saturday, Sunday or legal holiday, of Fairfax County, Virginia, the date for performance shall be extended until the next business day thereafter.

[Remainder of page intentionally left blank; signatures appear on the following page.]

IN WITNESS WHEREOF, the parties hereto have signed, sealed and delivered these presents as their own free act and deed.

PARK AUTHORITY:

FAIRFAX COUNTY PARK AUTHORITY

By: _____
Name:
Title:

COUNTY:

**BOARD OF SUPERVISORS OF FAIRFAX COUNTY,
VIRGINIA**

By: _____
Name:
Title:

EXHIBIT A

Property Description

217,800 square feet, more or less, shown on Fairfax County Tax Map Section 17-1 ((1)), parcel 14D, being the same as that property acquired by Grantor by Quitclaim Deed dated July 10, 1998 and recorded in Deed Book 10477 at Page 1227 among the land records of Fairfax County, Virginia.

EXHIBIT B

Concept Plan

Please see the attached document.

EXHIBIT C

Fairfax County Tax Map #: 17-1 ((1)), parcel 14D

Prepared by:
Ryan Wolf, Assistant County Attorney, VSB # 79503
Office of the County Attorney
12000 Government Center Parkway, Suite 549
Fairfax, VA 22035

After recording return to:
Box []

Exempt from tax under Virginia Code Section 58.1-802 pursuant to Virginia Code Section 58.1-811(c)(4).
Exempt from tax under Virginia Code Section 58.1-801 pursuant to Virginia Code Section 58.1-811(a)(3).

QUITCLAIM DEED

THIS QUITCLAIM DEED is made this _____ day of _____, 2015, by and between the **FAIRFAX COUNTY PARK AUTHORITY**, a political subdivision of the Commonwealth of Virginia (“Grantor”) and the **BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (“Grantee”).

WITNESSETH that in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged by Grantor, Grantor hereby does quitclaim and convey unto Grantee in fee simple all of that land identified as containing approximately 217,800 square feet as further shown on Exhibit A attached hereto and incorporated herein (the “Property”), together with all appurtenances, rights, privileges, easements, benefits and agreements appurtenant thereto.

This conveyance is made subject to all easements, covenants, rights-of-way, and restrictions of record.

IN WITNESS WHEREOF, Grantor has caused this Quitclaim Deed to be executed as of the date first hereinabove written pursuant to a resolution duly adopted by the Grantor

SEEN AND ACCEPTED:

GRANTEE:

**BOARD OF SUPERVISORS OF FAIRFAX COUNTY,
VIRGINIA**

By: _____
Name:
Title:

COMMONWEALTH OF VIRGINIA :
:
COUNTY OF FAIRFAX : to-wit

The foregoing instrument was acknowledged before me this ____ day of _____,
2015, by _____, the _____ of the **Board of Supervisors of Fairfax
County, Virginia**, the Grantee hereunder.

My Commission expires: _____

Notary Public

RESOLUTION

At a regular meeting of the Board of the Fairfax County Park Authority of Fairfax County, Virginia, held in the Herrity Building, 12055 Government Center Parkway, Fairfax, Virginia, on Wednesday, April 8, 2015, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Park Authority is the owner of record of an approximately 217,800 square foot parcel of real property identified on Fairfax County Tax Maps as 017-1, Double Circle 1, as Parcel 14D, and commonly known as Reston Towne Green (the "Property") in the Hunter Mill District;

WHEREAS, the Property is part of the larger Reston Town Center North District that includes property owned by the Fairfax County Board of Supervisors, the Fairfax County Redevelopment and Housing Authority, and INOVA Health Care Services;

WHEREAS, the Property was conveyed to the Park Authority Board in 1998 from the Fairfax County Board of Supervisors, and the Park Authority Board has no current or planned use for Property due to the constraints of the topography within the Property;

WHEREAS, a Comprehensive Plan Amendment was adopted by the Fairfax County Board of Supervisors on February 11, 2014, and provided guidance for the redevelopment of the Reston Town Center North District including a grid of streets and a central green to define an urban pattern of blocks for future development;

WHEREAS, the Fairfax County Board of Supervisors has tasked staff from the Department of Public Works and Environmental Services Building Design and Construction Division to commence work with the existing private and county staff to provide the initial planning, site design, and coordination/negotiation between property owners required to implement the goals of the Comprehensive Plan Amendment for the Reston Town Center North District;

WHEREAS, the Park Authority Board is willing to convey the Property to the Fairfax County Board of Supervisors for incorporation into the potential redevelopment of the Reston Town Center North District in accordance with the terms of the proposed Contract of Sale, as attached to the Park Authority Board Agenda Item titled Approval of the Conveyance of the Reston Towne Green Property to the Fairfax County Board of Supervisors (Hunter Mill District) dated April 8, 2015;

WHEREAS, the proposed Contract of Sale provides that, in exchange for the Property, the Fairfax County Board of Supervisors shall convey rights to approximately 90,000 square feet of density within one of the new urban blocks for a new facility (the "New Facility") and shall ensure the central green remains a publicly accessible feature of the redevelopment;

WHEREAS, the Board of the Fairfax County Park Authority finds that the New Facility would better serve the needs of the citizens concerns, that the Fairfax County Board of Supervisors can more appropriately administer the Property by acting as the main point of contact in redevelopment efforts with Inova, and that the conveyance of the Property would serve to further the mission of the Park Authority.

WHEREAS, following advertised notice, a public hearing was held on this matter on April 8, 2015, per Park Authority Board Policy 210 (Disposal of Land or Facilities);

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Director of the Fairfax County Park Authority is hereby authorized to execute the proposed Contract of Sale in substantially the form attached to the Park Authority Board Agenda Item titled Approval of the Conveyance of the Reston Towne Green Property to the Fairfax County Board of Supervisors (Hunter Mill District) dated April 8, 2015, together with any other documents reasonably necessary to convey the real property described above to the Fairfax County Board of Supervisors.

Secretary, Fairfax County Park Authority

COMMONWEALTH OF VIRGINIA:

: to-wit:

COUNTY OF FAIRFAX:

The foregoing instrument was acknowledged before me by Kala Leggett Quintana, Secretary of the Fairfax County Park Authority Board, this 8th day of April, 2015.

Notary Public

My Commission Expires: _____

Notary Registration Number: _____



Fairfax County Park Authority Board Meeting

April 8, 2015

Public Hearing

Fairfax County Park Authority
Land Conveyance Matters

HUNTER MILL DISTRICT

Reston Towne Green

Park Authority Board Policy

Policy 210

Title: Disposal of Land or Facilities

Date Approved: 6/26/2013

Objective: Ensure the long-term protection, preservation and sustainability of natural, cultural and park resources in accordance with adopted park standards and adherence with natural and heritage resource management guidelines and Countywide Policy Plan obligations.

Purpose: Lands and facilities entrusted to the care of the Park Authority are a public trust, protected from threat of loss or encroachment. However, the Park Authority may dispose of property when it would best serve the public interest. When any such instance occurs, citizens are guaranteed the opportunity to express their opinions in a public hearing and the Authority is bound to consider them in arriving at a decision.

Policy Statement: The Authority may dispose of property under one or more of the following conditions:

1. Where an exchange of property would better serve the needs of the citizens concerned.
2. When land more suitable for the needs of the citizens who are being served by the property in question has been or can be acquired.
3. When another governmental agency could more appropriately administer the property.
4. When protective covenants could ensure the historic, scenic, conservation or other values that otherwise are protected by fee ownership.
5. When the disposal serves to further the mission of the Park Authority.

Supporting Documentation:

1. § 15.2-5704, Code of Virginia

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-5704.200>

FAIRFAX COUNTY VIRGINIA



Reston Towne Green

Parkland in Fairfax County

- | | |
|-------------------------------------|-----------------|
| Fairfax County Park Authority | Town of Herndon |
| Commonwealth of VA | Town of Vienna |
| Northern VA Regional Park Authority | Golf Courses |
| US Park Service | Other Parkland |
| City of Fairfax | |

Map is current as of July, 2007

Note: This map is intended for reference purposes only. Fairfax County does not provide any guaranty of the accuracy or completeness regarding the map information. Courtesy of Fairfax County GIS and Mapping Services

Project Area



Background Details

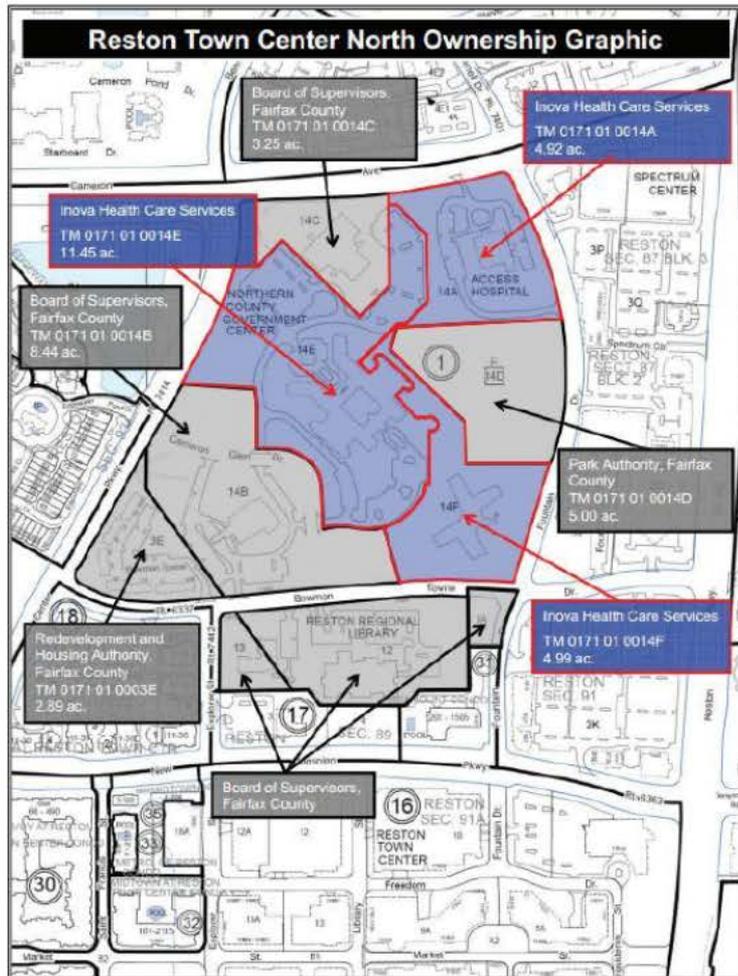
The Reston Towne Green is a 5 acre park with frontage on Fountain Drive located between Bowman Towne Drive to the south and Baron Cameron Avenue to the north. The property was conveyed to the Park Authority by the Fairfax County Board of Supervisors in 1998 following an analysis by the Board of Supervisors that the property was surplus to its needs in the Reston area. Reston Towne Green is part of the larger Town Center North District that includes property owned by the BOS, the Redevelopment and Housing Authority, and INOVA Health Care Services.

During the ownership of the Reston Towne Green property by the Park Authority, the property has remained unimproved as the steep site topography is a financial impediment to the practical development of recreation uses.

Property Details

Owner:	Fairfax County Park Authority
Parcel Number:	017-1 ((01)) 0014D
Acreage:	5.0
Zoning:	PRC (Commercial/Industrial)
Land Use Code:	Vacant Land/Recreation Facility
Structures:	None
Assessment:	\$21,780 (2015)
Real Estate Tax:	Exempt
Property Access:	Fountain Drive
Improvements:	None

Reston Town Center North Existing Ownership Diagram



Owner	Acreage	%
Fairfax County BOS	18.34	41.03%
Fairfax County Park Authority	5.00	11.19%
Sub-Total	23.34	
Inova	21.36	47.78%
Total	44.70	
Housing & Community Development	2.89	
Fairfax County BOS	2.31	



Reston Town Center North Existing Site



Six Goals for Economic Success

Strategic Plan to Facilitate the Economic Success of Fairfax County

- Further Diversify Our Economy
- Create Places Where People Want to Be
- Improve the Speed, Consistency, and Predictability of the Development Review Process
- Invest in Natural and Physical Infrastructure
- Achieve Economic Success through Education and Social Equity
- Increase Agility of the County Government



www.fairfaxcounty.gov/success

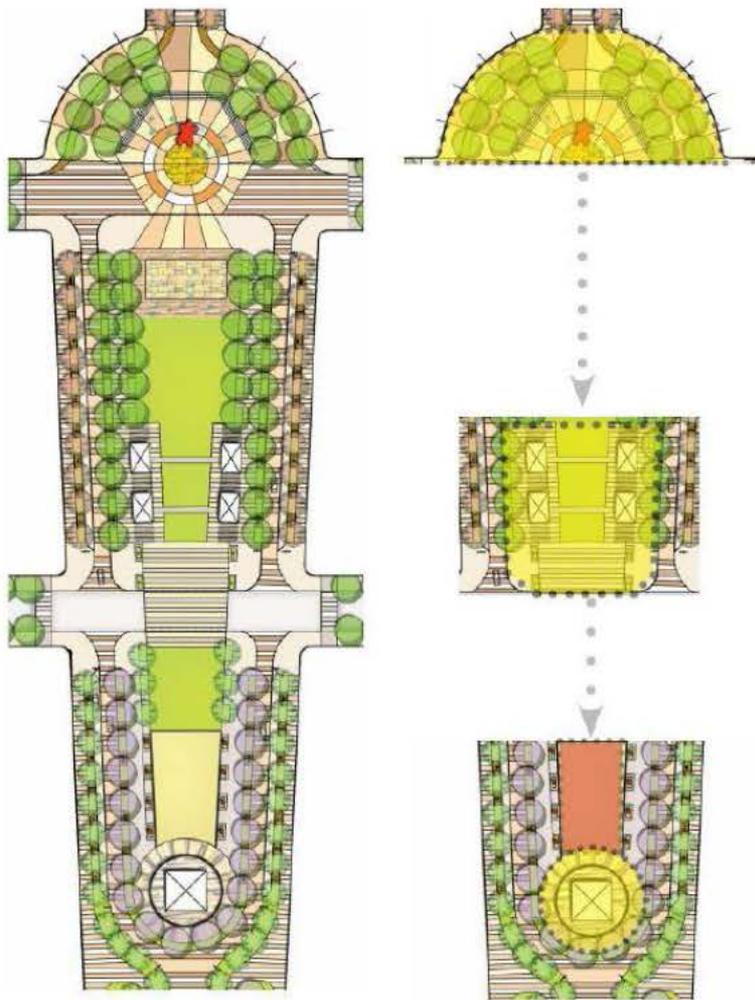
Proposed Block Plan Overlay on Existing



Reston Town Center North
Central Green - Overlay



Central Green - Concept



CAFE "PLAGE" or CAFE du PARK
BETWEEN HOSPITALITY AND RESIDENTIAL
AMENITY + RECREATION + FUN



Transaction Details

As consideration for the Park Authority's conveyance of the Property, the Fairfax County Board of Supervisors shall use good faith efforts to :

- Ensure that the central green, as generally depicted on the Concept Plan, is restricted to publicly accessible open space and/or park uses and is not to be maintained by the Park Authority.
- Convey rights to approximately 90,000 gross square feet of density, to be located on one of the new land bays, to the Park Authority for recreation purposes.

Written Record

The Park Authority has, to date, received three documents to be entered into the record this evening:

- **Reston Swim Team Association** - The Reston Swim Team Association fully supports the construction of a new 50-meter indoor pool facility dedicated to year-round developmental and competitive swimming and diving. A new RECenter facility would further enhance the “Live, Work, Play, and Get Involved” principle Reston was founded upon by enabling Reston to train swimmers and divers of all ages, attract and develop knowledgeable instructors, coaches, and officials, and boost the local economy by enabling Reston to host major swim meets.
- **Reston Citizens Association** – On behalf of the RCA Board of Directors and all Restonians, I would like to thank you for two important decisions you and other County officials have made in recent weeks. I am referring specifically to (a) the decision for the County (and developers) to fund a new County recreation center in Reston and (b) to locate that recreation center in Town Center North. We strongly believe that the Board should acquire and develop a major central park of at least 15-20 acres in the middle of the West Fountain Drive area generally consistent with orientation laid out in the Figure 31 concept in the Reston master Plan.
- **Reston Community Center** – On behalf of Reston Community Center, I am writing to express our enthusiastic support for the proposed conveyance of property in the Hunter Mill District. During the community engagement process we initiated in February 2013, Reston Community Center’s Board of Governors received public input...regarding the Reston Community’s needs with respect to indoor recreation facilities. The community engagement process indicated a substantial level of support for locating a new facility in Reston Town Center North.

Speakers

Five minutes for persons representing groups/organizations.

Three minutes for persons speaking as individuals.

Board Agenda Item
April 8, 2015

ACTION – 2

Reappointment of Harrison A. Glasgow to the Fairfax County Park Foundation Board

ISSUE:

Reappoint Harrison A. Glasgow to the Board of Directors of the Fairfax County Park Foundation.

RECOMMENDATION:

The Park Foundation Board recommends the re appointment of Harrison A. Glasgow to the Foundation's Board of Directors.

TIMING:

Board action is requested on April 8, 2015.

BACKGROUND:

In accordance with the Bylaws of the Fairfax County Park Foundation, the Foundation Board nominates individuals to become members of the Foundation Board of Directors. Appointments are effective following the concurrence of the Park Authority Board.

The Foundation Board has nominated Harrison A. Glasgow for appointment to a second term on the Foundation Board of Directors. His appointment will be for a three-year term.

Harrison A. Glasgow was born in Chicago and raised in the northern suburbs and educated in Illinois public schools, and the University of Illinois. Following college, Glasgow joined the Army and served three years in intelligence duties in the Middle East and the Army Intelligence Training Center in Massachusetts. At the conclusion of his enlistment, Glasgow became a civilian employee of the Intelligence Training Center and served there until 1989, when he moved to Virginia. In Virginia, he served in various intelligence positions with the Army and national agencies until his retirement in July 2001.

Glasgow has devoted his retirement years to the conviction that we must protect our natural world. To this end, he has associated himself with local government agencies whose mission most closely aligns to this end. In Fairfax County government, these agencies are the Park Authority, the Northern Virginia Soil and Water Conservation

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District, and the Department of Public Works and Environmental Services. He has served in volunteer positions with all of these, as well as other groups, in the hope of making a difference in the environmental wellbeing of his community. Harry serves as a Board Director on The Thoreau Society based in Concord, Massachusetts. The Thoreau Society exists to stimulate interest in and foster education about Thoreau's life, works, legacy and his place in his world and in ours, challenging all to live a deliberate, considered life.

Harry seldom passes an opportunity to take a walk in a park – his favorite is Huntley Meadows – with those who want to know more about nature and the world around them – birds, trees, insects, plants, soil – and how they all work together. Having recently completed a seven-year membership on the Fairfax County Park Authority Board, Harry's continuing devotion to the Park system is expressed in his association with the Park Foundation.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

None

STAFF:

Kirk W. Kincannon, Director

Sara Baldwin, Deputy Director/COO

Aimee L. Vosper, Deputy Director/CBD

Roberta A. Longworth, Executive Director, Park Foundation

Board Agenda Item
April 8, 2015

ACTION – 3

Reappointment of Tim Eakin Walsh to the Fairfax County Park Foundation Board

ISSUE:

Reappoint Tim Eakin Walsh to the Board of Directors of the Fairfax County Park Foundation.

RECOMMENDATION:

The Park Foundation Board recommends the re appointment of Tim Eakin Walsh to the Foundation's Board of Directors.

TIMING:

Board action is requested on April 8, 2015.

BACKGROUND:

In accordance with the Bylaws of the Fairfax County Park Foundation, the Foundation Board nominates individuals to become members of the Foundation Board of Directors. Appointments are effective following the concurrence of the Park Authority Board.

The Foundation Board has nominated Tim Eakin Walsh for appointment to a second term on the Foundation Board of Directors. His appointment will be for a three-year term.

Tim Eakin Walsh is a fourth generation member of the LeRoy Eakin family who donated the first parcel of land to Fairfax County and the Fairfax County Park Authority. From the initial 15 acre parcel donation, additional land donations were made by the family over the years helping to create or expand Eakin Community Park, Eakin Mantua Park and the Accotink Stream Valley Park.

Tim is honored to serve on his family's behalf. He is the third Eakin family member to serve on the Foundation's Board since its inception.

Involved in real estate since 1992, Tim is currently a real estate investor and Realtor with RE/MAX Premier specializing in selling new homes and land development. He enjoys forming strategic partnerships between land owners, builders, and developers.

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Tim has lived in Northern Virginia all his life and enjoyed many County parks (especially those with soccer fields and basketball courts!) when growing up in McLean, Virginia. Today, he often utilizes Frying Pan Farm Park with his wife Ayda, daughter Kaylee, and son Ace.

Tim hopes to help encourage other individuals, families and companies to follow in his family's footsteps by creating a legacy through donating land to the Park Authority and/or establishing a trust fund through the Park Foundation. The Eakin family also established a trust fund for the ongoing maintenance and repair of Eakin Park.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
None

STAFF:
Kirk W. Kincannon, Director
Sara Baldwin, Deputy Director/COO
Aimee L. Vosper, Deputy Director/CBD
Roberta A. Longworth, Executive Director, Park Foundation

Board Agenda Item
April 8, 2015

ACTION – 4

Approval – Revisions to Commercial Photography Fee (Business Activity Fee) and Abatement of Existing Fee (With Permit Retention) Until July 1, 2015 Implementation

ISSUE:

Approval of the revised Commercial Photography Fee and abatement of permit fees until implementation of new fee on July 1, 2015.

RECOMMENDATION:

The Park Authority Director recommends approval of the revisions to the Photography Fee and suspend current fees for photographers while maintaining the requirement for permitting of these activities. The fee abatement would remain in effect until the new fee structure/permitting process is implemented by July 1, 2015.

TIMING:

Board action is requested at the April 8, 2015, Board meeting in order to implement the new fees and processes by July 1, 2015.

BACKGROUND:

In 2010 Park Authority staff developed a process to manage the photo activity taking place in parks. Staff developed the process after reports of as many as 150 unscheduled and unpermitted wedding and large photo shoots, primarily at Green Spring Gardens, but also impacting other lakefront and historic sites Staff implemented the process which included a fee.

The commercial photographer's fee is an example of the Business Activity License Fee practice, which the Park Authority Board established to charge for commercial activities in parks. This practice is premised on the notion that public parkland exists for the benefit of the residents of Fairfax County, not to enable commercial businesses to profit. Fees are developed which support this precept as well as to manage activity at our parks. The Park Authority is authorized by Virginia Code §15.2-5704. Powers of Authority and; §15.2-5709. Rates and Charges to promulgate Business Activity Licenses and Fees.

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Prior to establishment of these fees, the Park Authority conducted a survey of 14 sites, primarily gardens, to ascertain their policy/procedures relevant to this activity and to determine what they were charging. Based on that survey, staff determined that the average fee per hour was \$62. A two-hour minimum was a common requirement and reflective of the time necessary to complete a session. Some sites charged a per session fee of just over \$100. Six of those gardens offered commercial photographers the opportunity to purchase an annual permit. These ranged in price with the average \$300.

Meadowlark Gardens, a public facility operated by the Northern Virginia Regional Park Authority, was considered at the time as a good comparative. In 2010 they charged a \$20 permit fee and per person admission charges. Today they require admission fees for all (including the photographer) plus a photography fee of \$25 with reservation and \$50 without an advance reservation. All wedding and bridal photographers must pay \$250 per session. Even those who are not professional photographers must now register and pay the fees for use of the space.

Based on the results of the survey, knowledge of similar fees across the region and nation, and discussions with the sites and our staff photographer, a fee of \$100 per two-hour session and an annual \$500 permit were established. No distinction was made between types of photographic endeavors. The proposed fees were included in the annual fee packet in 2011 and passed with minimal Board discussion and no public comment received on that matter. Permits and a website were developed. Staff developed a method for permit approval generally within three days. Sites were also developing staff awareness of the permit requirement.

The Public Information Office began working with sites to gently educate photographers about the fees, and to be particularly sensitive to wedding photography pursuant to the Board's direction. Over the years dozens of permits were issued and a few annual permits were also purchased. Collectively, 61 permits have been issued since the fee's inception for a total amount of \$8,335 in revenues. Although our annual permit holders do not receive new permits with each new shoot, sites are contacted. The actual number of photo shoots for those in the system is undoubtedly higher. Since 2011 Park Authority staff worked to streamline the process so that permits were available online, applicants could email or fax their applications, payment could be made via credit card on the phone and that the entire process from application to approval was accomplished in a timely manner.

In 2014 based on feedback received from site staff, the agency created a new, more informative and attractive web presence; reminders about the permit were placed on web pages of likely shoot sites, and a brochure was created for staff to hand out to

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photographers. Signs were also placed at the prime photography locations. A public service announcement was issued that detailed the need for a permit and only then, did we begin to receive concerns from the public. Three times as many permits were issued in 2014, a total of 38, than in 2013 – attributable to the new emphasis on compliance and the public outreach efforts noted above.

In late 2014 a local photographer spoke to the Park Board and requested that “family” photographers be exempted from the fees. The photographer sought this action through the annual fee process and lobbied members of the Board of Supervisors as well as Park Authority Board members. More than two dozen photographers attended the fee meeting and testified against the existing fee. There were 187 comments received condemning the existing fees.

At this time, Park Authority staff has created a Photographer’s Roundtable group comprised of agency leadership, local photographers, site managers, and representatives from the business office. The group met twice to explain the impacts on the sites, to better understand the expectations and concerns of local photographers and to come forward with a proposal that would satisfy all concerned parties. Staff worked further to refine that proposal, to discuss the proposal with the County Attorney’s Office, making necessary changes, and to once again check back with photographers for consensus.

A proposal that was agreeable to the photographers and that meets agency needs to manage the impacts of these activities has been crafted. This proposal has been vetted by the County Attorney’s Office. The highlights of the proposal are as follows:

- The applicable park regulation pertaining to these fees is: 1.02 A. Business Activities. No person shall sell or make an offer to sell goods or services or conduct business within parks without the express written permission of the Park Authority.
- Any photographer conducting commercial photography business in any Fairfax County Park Authority must display their Commercial Photography Permit at all times, or produce their temporary permit upon demand if requested by park staff.
- The Park Authority will create an online process to obtain a Commercial Photography Permit. All photographers conducting commercial photography business activity in Fairfax County Parks will need to hold a valid permit. The fee defrays the costs of the impact to the Parks including but not limited to; staffing cost for management of the activity, staff cost to prepare the area, damage to

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flora, interruption of planned programming and removal or destruction of park furnishings.

- The basic Commercial Photography Permit may be purchased online for \$25 and the permit will be valid for one year from the date of purchase. For small group photo sessions (total of 11 people or less, including photography staff), no additional fees or site Photo Session Reservations are necessary.
- For groups of 12-19 people (including photography staff), a Photo Session Reservation (with additional fees) is required only at the following sites: Ellanor C. Lawrence Park, Sully Historic Site, Green Spring Gardens, and Colvin Run Mill. The fees are \$25 per hour with a two-hour minimum. The two-hour minimum was established to ensure photographers have sufficient time to prepare, conduct and clean up after the session. Photo Session Reservations and fees are processed by the individual sites, on a space-available basis.
- For large groups of 20-74 the fees are \$100 for each two-hour photo session and an additional \$50 per hour thereafter. A Photo Session Reservation is required only at the following sites: Ellanor C. Lawrence Park, Sully Historic Site, Green Spring Gardens, and Colvin Run Mill.
- If an FCPA venue is rented for an event, then photographer fees are waived. Photo Session Reservations and fees are processed by the individual sites, on a space-available basis.
- Photo Session Reservations are required for groups of 12 or more at specific sites outlined above. Photographers can access online calendars that provide available times, locations, or constraints based on programming, events, construction, etc. Photographers will be able to request particular times electronically. Site staff will then confirm these requests via email or phone.

In order to transition to the new fee, including development of new web content, calendars, permits, brochures, and signage, staff training and outreach, it is recommended that the current permitting process continue until July 1, 2015, with abatement of all fees until the new permit and fees go active. Photographers who currently hold an annual permit will not be required to obtain a new permit until their existing permit expires. (There are currently four with the last one expiring on October 19, 2015.)

Additionally, the Public Information Office will work with interested photographers to establish a Photo Ambassador Program. The goal will be to engage photographers

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who use the parks for business and recreation. Potential activities include the creation of a periodic online blog or newsletter, use of the agency Flickr account for the placement of photographs; sponsorship of photography shows, programming or contests, etc.

FISCAL IMPACT:

In calendar year 2014, \$4,750 in revenues was collected and 38 photography permits were issued. Total revenue since inception of the fee is \$8,335. It is difficult to estimate future revenues as greater compliance may result in more permits at a lower rate. Permit fees will be directed to the Revenue Fund; all reservation fees will be directed to the sites.

ENCLOSED DOCUMENTS:

None

STAFF:

Kirk W. Kincannon, Director
Sara Baldwin, Deputy Director/COO
Aimee Vosper, Deputy Director/CBD
Judy Pedersen, Public Information Officer

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ACTION – 5

Surrey Square Park – Mastenbrook Volunteer Matching Fund Grant Program Request –
Old Forge – Surrey Square Civic Association (Braddock District)

RECOMMENDATION:

The Park Authority Director recommends approval of a Mastenbrook Volunteer Matching Fund Grant Program request from the Old Forge – Surrey Square Civic Association in the amount of \$20,000 to replace the playground in Surrey Square Park, as presented to and reviewed by the Park Operations Committee on March 25, 2015.

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INFORMATION – 1

Infrastructure Overview – Outdoor Lighting

As presented to and reviewed by the Park Operations Committee on March 25, 2015.