

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 7, 2024**

AGENDA

- 9:30 Presentations
- 9:30 Board Adoption of the FY 2025 Budget Plan
- 10:00 Matters Presented by Board Members
- 10:00 Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

- 1 Approval of “Watch for Children” Signs as Part of the Residential Traffic Administration Program – Elmendorf Drive (Providence District)
- 2 Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program – Sequoia Farms Drive (Sully District)
- 3 Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Police Officers and Uniformed Retirement Systems Ordinances
- 4 Authorization for the Fairfax County Department of Transportation to Apply for Grant Funding from the United States Department of Transportation’s FY 2024 Low or No Emission Grant Program and the Grants for Buses and Bus Facilities Program
- 5 Authorization for the Fairfax County Department of Transportation to Apply for and Accept Grant Funding from the United States Department of Transportation’s FY 2024 Safe Streets and Roads for All Discretionary Grant Program (Mason District)
- 6 Supplemental Appropriation Resolution AS 24221 for the Fairfax County Police Department to Accept Grant Funding from the Virginia Department of Criminal Justice Services to Operate an Option 5 Out-of-State Lateral Training Program
- 7 Authorization to Advertise a Public Hearing on the Preservation and Reinvestment Initiative for Community Enhancement Competition Grant Application

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 7, 2024**

ACTION ITEMS

- 1 [Approval of Vacation of a Parking Reduction for Reston Gateway Also Known as RTC Next \(Hunter Mill District\)](#)
- 2 [Approval of 2024 Rate Adjustments to Centreville Area, Fairfax Center Area, Reston, Tysons, Tysons Grid of Streets, and Tysons-Wide Road Funds \(Braddock, Dranesville, Hunter Mill, Providence, Springfield, and Sully Districts\)](#)
- 3 [Approval of a Resolution Authorizing Execution of a Project Administration Agreement with the City of Falls Church for the Implementation of the Shreve Road Shared-Use Path Project \(Providence District\)](#)
- 4 [Approval and Authorization to Execute a Project Administration Agreement Amendment with the Virginia Department of Transportation for the Route 29 Widening Phase II Project – Union Mill Road to Buckleys Gate Drive \(Springfield and Sully Districts\)](#)

CLOSED SESSION

Closed Session

**PUBLIC
HEARINGS**

- 3:30 [Public Hearing on SE 2024-HM-00002 \(JACo-TMG Halley Rise, L.L.C.\) \(Hunter Mill District\)](#)
- 3:30 [Public Hearing on SEA 95-Y-024-08 \(Costco Wholesale Corporation\) \(Sully District\)](#)
- 3:30 [Public Hearing on SEA 89-S-072-02 \(Northern Virginia Electric Cooperative\) \(Springfield District\)](#)
- 3:30 [Public Hearing on RZ 2023-DR-00011 Concurrent with PCA-C-491-04 \(RZPA 2023-DR-00065\) & PCA-C-491-05 \(RZPA 2023-DR-00066\) \(T&M McLean Venture, LLC\) \(Dranesville District\)](#)
- 3:30 [Public Hearing on RZ 2021-LE-019 \(Towns at Villa Park LLC\) \(Franconia District\)](#)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 7, 2024**

**PUBLIC
HEARINGS
(continued)**

- | | | |
|------|--|---|
| 3:30 | | Public Hearing on PCA 2011-PR-011-004/ CDPA 2011-PR-011 (RZPA 2023-PR-00030) (Cityline Partners LLC) (Providence District) |
| 3:30 | To be Deferred to
05/21/2024
at 3:30 p.m. | Public Hearing on PCA 2011-PR-023-04/ CDPA 2011-PR-023-03 (RZPA 2022-PR-00115) (Cityline Partners LLC) (Providence District) |
| 4:00 | | Public Hearing to Consider an Ordinance Amending Article 9 of Chapter 82 of the Fairfax County Code, Relating to the Right-of-Way Afforded to Pedestrians |
| 4:00 | | Public Hearing for the Enlargements of Panoramic Hills Area 1 and Pleasant Ridge Area 2 Sanitary Districts for Refuse/Recycling Collection Services and the De-Creation of Lincolnia Area 1 Sanitary District to Remove Refuse/Recycling and Vacuum Leaf Collection Services (Mason District) |
| 4:00 | | Public Hearing for the Creation of Wilton Woods Area 1 Sanitary District for Refuse/Recycling Collection Services and the De-Creation/Re-Creation of Bush Hill Woods Area 1 Sanitary District to Add Vacuum Leaf Collection Services (Franconia District) |
| 4:00 | | Public Hearing for the Creation of McLean Manor Area 6 Sanitary District and Enlargements of Balls Area 1, Churchill Area 2, McLean Manor Area 7, Westmoreland Area 1, and Willow Run Park Area 1 Sanitary Districts for Refuse/Recycling Collection Services (Dranesville District) |
| 4:00 | | Public Hearing on Proposed Plan Amendment 2020-CW-1CP, Public Facilities Policy Plan |



Fairfax County, Virginia
BOARD OF SUPERVISORS
AGENDA

Tuesday
May 7, 2024

9:30 a.m.

PRESENTATIONS

- RESOLUTIONS — To recognize the Fairfax County Public Schools 2023-24 winter sports team and individual champions. Requested by Chairman McKay and Supervisors Alcorn, Bierman, Herrity, Jimenez, Palchik, Smith and Walkinshaw.

STAFF:

Tony Castrilli, Director, Office of Public Affairs
Jeremy Lasich, Office of Public Affairs

Board Agenda Item
May 7, 2024

9:30 a.m.

Board Adoption of the FY 2025 Budget Plan

ENCLOSED DOCUMENTS:

Attachment 1 – FY 2025 Budget package will be available online on Tuesday, May 7, 2024, at: <http://www.fairfaxcounty.gov/budget>

STAFF:

Bryan J. Hill, County Executive
Christina Jackson, Deputy County Executive/Chief Financial Officer
Philip Hagen, Director, Department of Management and Budget
Katie Horstman, Deputy Director, Department of Management and Budget
Joe LaHait, Deputy Director, Department of Management and Budget

Board Agenda Item
May 7, 2024

10:00 a.m.

Matters Presented by Board Members

Board Agenda Item
May 7, 2024

10:00 a.m.

Items Presented by the County Executive

Board Agenda Item
May 7, 2024

ADMINISTRATIVE - 1

Approval of “Watch for Children” Signs as Part of the Residential Traffic Administration Program – Elmendorf Drive (Providence District)

ISSUE:

Board endorsement of “Watch for Children” signs as part of the Residential Traffic Administration Program (RTAP).

RECOMMENDATION:

The County Executive recommends approval for the installation of the following:

- Two “Watch for Children” signs on Elmendorf Drive (Providence District)

In addition, the County Executive recommends that the Fairfax County Department of Transportation (FCDOT) be requested to schedule the installation of the approved “Watch for Children” signs as soon as possible.

TIMING:

Board action is requested on May 7, 2024, to help facilitate a prompt installation of the proposed signage.

BACKGROUND:

The RTAP allows for the installation of one or more “Watch for Children” signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care centers, or community centers. FCDOT reviews each request to ensure the proposed sign(s) will be effectively located and will not conflict with any other traffic control devices.

On March 27, 2024, FCDOT received verification from the Providence District Supervisor’s Office confirming community support for two “Watch for Children” signs on Elmendorf Drive.

EQUITY IMPACT:

None.

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May 7, 2024

FISCAL IMPACT:

Funding in the amount of \$600 is available in Fund 300-C30050, Project 2G25-076-000, Traffic Calming Program.

ENCLOSED DOCUMENTS:

None.

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation
(FCDOT)

Eric Teitelman, Chief, Active Transportation, Capital Projects and Traffic Engineering
Division, FCDOT

Neil Freschman, Chief, Traffic Engineering Section, FCDOT

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

Nicole Machacuay, Transportation Planner, Traffic Engineering Section, FCDOT

Board Agenda Item
May 7, 2024

ADMINISTRATIVE - 2

Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program – Sequoia Farms Drive (Sully District)

ISSUE:

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

RECOMMENDATION:

The County Executive recommends that the Board approve a resolution (Attachment I) endorsing a traffic calming plan for Sequoia Farms Drive (Attachment II) consisting of the following:

- Two Raised Crosswalks on Sequoia Farms Drive (Sully District)
- One Speed Table on Sequoia Farms Drive (Sully District)
- One Speed Hump on Sequoia Farms Drive (Sully District)

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

TIMING:

Board action is requested on May 7, 2024, to allow the proposed measures to be installed as soon as possible.

BACKGROUND:

As part of RTAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners or civic association. Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, or median islands to reduce the speed of traffic on a residential street. Staff performs engineering studies documenting the attainment of qualifying criteria. Staff works with the local Supervisor's office and community to determine the viability of the requested traffic calming measure to reduce the speed of traffic. Once the plan for the road under review is approved and adopted by staff, that plan is then submitted for approval to the residents within the ballot area in the adjacent community. On February 29, 2024, FCDOT received verification from the Sully District Supervisor's office confirming community support for the Sequoia Farms Drive traffic calming plan.

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EQUITY IMPACT:

None.

FISCAL IMPACT:

Funding in the amount of \$140,000 is necessary to fund the traffic calming measures associated with this traffic calming project. Funds are currently available in Project 2G25-076-000, Traffic Calming Program, Fund 300-C30050, Transportation Improvements.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Resolution for Sequoia Farms Drive

Attachment II: Traffic Calming Plan for Sequoia Farms Drive

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation (FCDOT)

Eric Teitelman, Chief, Active Transportation, Capital Projects and Traffic Engineering Division, FCDOT

Neil Freschman, Chief, Traffic Engineering Section, FCDOT

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

Nicole Machacuay, Transportation Planner, Traffic Engineering Section, FCDOT

RESOLUTION

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)
TRAFFIC CALMING MEASURES
SEQUOIA FARMS DRIVE
SULLY DISTRICT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center in Fairfax, Virginia, on Tuesday, May 7, 2024, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, the residents in the vicinity of Sequoia Farms Drive have requested the Sully District Supervisor’s Office of Fairfax County to consider remedial measures to reduce the speed of traffic on Sequoia Farms Drive; and

WHEREAS, an engineering study by the Fairfax County Department of Transportation (FCDOT) for Sequoia Farms Drive indicates that all basic traffic calming criteria are met pertaining to functional classification of the roadway, identification of a significant speeding concern, and proof of community support; and

WHEREAS, the proposed Traffic Calming Plan was properly presented to the community in the affected survey area for their review and consideration; and

WHEREAS, the Traffic Calming Plan was subsequently approved by the occupied residences within the appropriate surveyed area; and

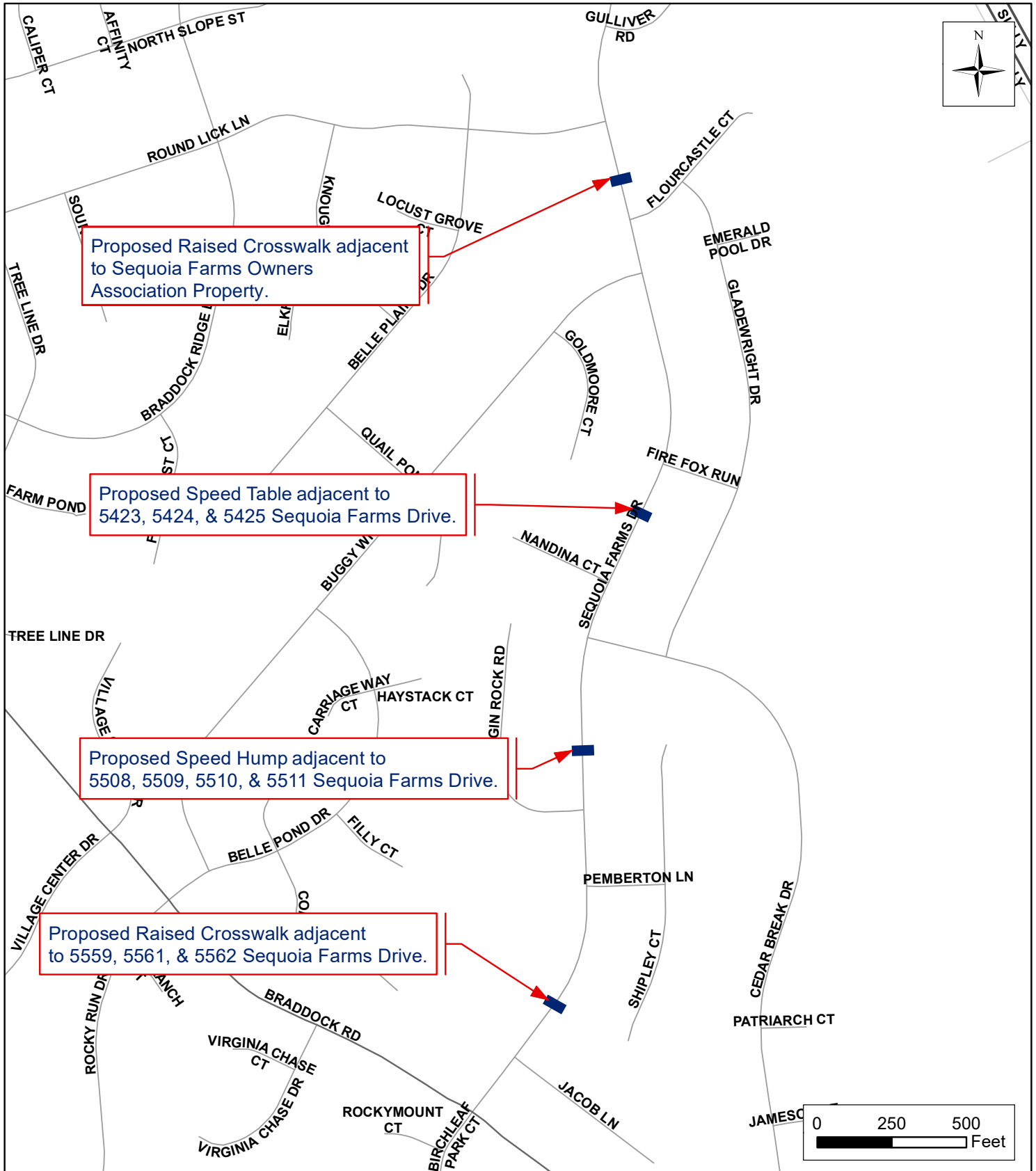
WHEREAS, the intended source of funding for the Traffic Calming Plan is Fairfax County.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors endorses the proposed Traffic Calming Plan and requests that the Virginia Department of Transportation review and approve the feasibility of implementing traffic calming measures on Sequoia Farms Drive as part of FCDOT's Residential Traffic Administration Program.

ADOPTED this 7th day of May, 2024.

A Copy Teste:

Jill G. Cooper
Clerk for the Board of Supervisors



Tax Map: 44-3, 44-4, 54-1, 54-2

March 2024

**Fairfax County Department of Transportation
 Residential Traffic Administration Program
 Traffic Calming Plan
 Sequoia Farms Drive
 Sully District**



Board Agenda Item
May 7, 2024

ADMINISTRATIVE - 3

Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Police Officers and Uniformed Retirement Systems Ordinances

ISSUE:

Authorization to advertise a public hearing on proposed amendments to Articles 3 and 7 of Chapter 3 of the Code of the County of Fairfax which set forth the ordinances for the Fairfax County Uniformed (URS) and Police Officers (PORS) Retirement Systems.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing regarding the proposed amendments to the URS and PORS ordinances for the purpose of adding certain provisions with respect to active-duty military service (URS and PORS) and law enforcement service (PORS) purchases. The URS and PORS Boards of Trustees have reviewed and support the proposed amendments.

TIMING:

Board action is requested on May 7, 2024, to provide time to advertise for a public hearing on May 21, 2024, at 4:30 p.m.

BACKGROUND:

Per the Collective Bargaining Agreements between Fairfax County and IAFF Local 2068 and the Police Benevolent Association:

- Members of the Uniformed Retirement System (URS), who are uniformed members of the Fairfax County Fire and Rescue Department, may purchase up to four years of service credit for prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable, and
- Members of the Uniformed Retirement System (URS) who are sworn members for the Fairfax County Police Department, may purchase up to four years of service credit as a full-time sworn employee of another federal, state, or local government law enforcement agency, or prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable, and

Board Agenda Item
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- Members of the Police Officers Retirement System (PORS) may purchase up to four years of service credit as a full-time sworn employee of another federal, state, or local government law enforcement agency, or prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable.

The ordinances for the URS and PORS need to be amended to allow these purchases to be made, as detailed in the Attached Code amendments.

EQUITY IMPACT:

None.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1: Excerpt from the IAFF Local 2068 Collective Bargaining Agreement

Attachment 2: Excerpt from the Police Benevolent Association Collective Bargaining Agreement

Attachment 3: Amendments to Chapter 3, Article 3

Attachment 4: Amendments to Chapter 3, Article 7

STAFF:

Christina Jackson, Deputy County Executive/Chief Financial Officer

Jeff Weiler, Executive Director, Retirement Systems

Linnaea Jablonski, Director, Human Resources

ASSIGNED COUNSEL:

Cynthia A. Bailey, Deputy County Attorney

Patricia Moody McCay, Senior Assistant County Attorney

Collective Bargaining Agreement Between Fairfax County and IAFF Local 2068 Purchasing Active-Duty Military Service

Section 74.2: Purchase of Up to 4 Years of Active-Duty Military Service

- A. **Subject to the recommendation of the Board of Trustees for the Fairfax County URS and subsequent approval by the Board of Supervisors, the County agrees to amend the URS ordinance effective July 1, 2024, to provide that any member in active service who is a uniformed member of the FRD may purchase service credit for prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable.** For purposes of this Article, such amendment shall be referred to as the “Amendment.”
- B. Under the Amendment,
- **no member in service shall be allowed to purchase more than a total of four years of service credit.**
 - **Nor shall any member in service be allowed to purchase service credit included in the calculation of any retirement allowance received or to be received by the member from the URS or other retirement system,**
 - **or if there is a balance in a defined contribution account that serves as a primary retirement account related to such service, except as otherwise required by Chapter 1223 of Title 10 of the United States Code, as amended.**

The Amendment shall also provide that service **credit purchased pursuant to its provisions shall apply to the calculation of the member’s retirement allowance and the calculation of the member’s retirement eligibility but shall not apply to the vesting requirements of URS.**

- C. **Service credit purchased pursuant to the Amendment shall be credited to a member only for each full month of service, as indicated on the member’s DD-214** submitted to the Fairfax County Retirement Administration Agency (“RAA”).
- D. For purposes of the Amendment, **“active-duty military service” shall mean full-time service of at least 180 consecutive days in the United States Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, or reserve components thereof (including the National Guard).** “State” shall include the District of Columbia and any territory of the United States.
- E. The Amendment shall allow the member to make payment for covered service credits:
- **in a lump sum at the time of purchase, through the transfer of funds from another retirement account,** as permitted by and consistent with federal and state law,
 - **or by a payment plan with a maximum duration of 48 months,**
 - **or any combination thereof.**

Regardless of the method of payment, **the member shall be responsible for paying the full costs of the service credits,** including any increase in cost due to the timing of payments.

In addition, **any member who chooses a payment plan** shall enter into a contract with the RAA, which shall be responsible for calculating the total cost of the purchase, including any applicable interest. The contract shall provide that, **in the event the member terminates the payment plan prior to making full payment, the member shall only be credited service credits equivalent to the total amount of the payments made prior to the termination.**

Collective Bargaining Agreement Between Fairfax County and the Police Benevolent Association Purchasing Law Enforcement or Active-Duty Military Service

Section 74.2: Purchase of Up to 4 Years of Prior Law Enforcement or Active-Duty Military Service

- A. **Subject to the recommendation of the Board of Trustees for the Fairfax County Police Officers Retirement System (“PORS”) and the Board of Trustees for the Fairfax County Uniformed Retirement System (“URS”) (collectively, the “Systems”), and subsequent approval by the Board of Supervisors,** the County agrees to amend the respective ordinances for the for the PORS and URS, **effective once approved by the necessary parties, but no later than July 1, 2024,** to provide that any member in active service who is a sworn member of the Fairfax County Police Department may purchase service credit for:
- 1) **service as a full-time sworn employee of another federal, state, or local government law enforcement agency** in the United States or of a private university located in the United States; and
 - 2) **prior active-duty military service in the armed forces of the United States,** provided that the discharge from a period of active-duty status with the armed forces was not dishonorable. For purposes of this Article, such amendment shall be referred to as the “Amendment.”
- B. Under the Amendment, **no member in service shall be allowed to purchase more than a total of four years of service credit.** Nor shall any member in service be allowed to purchase service credit included in the calculation of any retirement allowance received or to be received by the member from the PORS or URS, as applicable, or other retirement system, or if there is a balance in a defined contribution account that serves as a primary retirement account related to such service, except as otherwise required by Chapter 1223 of Title 10 of the United States Code, as amended. The Amendment shall also provide that service credit purchased pursuant to its provisions shall apply to the calculation of the member’s retirement allowance and the calculation of the member’s retirement eligibility but shall not apply to the vesting requirements of the PORS or URS, as applicable.
- C. **Service credit purchased pursuant to part (1) of the Amendment shall be credited to the member in accordance with the PORS or URS ordinance,** as applicable. In addition, a member shall be eligible to purchase service credit pursuant to part (1) of the Amendment to make up any difference between to the total amount of service credit earned while serving as a full-time sworn employee of another federal, state, or local government law enforcement agency in the United States or of a private university located in the United States (“total prior service credit”) and the amount of portability service credit (as defined in the PORS or URS ordinance, as applicable) the member is allowed to purchase from the PORS or URS, as applicable, under any agreement concerning reciprocal asset transfer and/or pension portability between the County and the Virginia Retirement System (“VRS”) or any other political subdivision of the Commonwealth of Virginia. **In other words, nothing in this Amendment shall preclude a member from porting their applicable time and purchasing service credit for a combined total of not more than four years.**
- D. **Service credit purchased pursuant to part (2) of the Amendment shall be credited to a member only for each full month of service, as indicated on the member’s DD-214** submitted to the Fairfax County Retirement Administration Agency (“RAA”).
- E. For purposes of the Amendment, **“active-duty military service” shall mean full-time service of at least 180 consecutive days in the United States Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, or reserve components thereof (including the National Guard).** “State” shall include the District of Columbia and any territory of the United States. “Local government” shall mean any political subdivision of the Commonwealth of Virginia or another state.
- F. The Amendment shall allow the member to make payment for covered service credits:
- a. **in a lump sum** at the time of purchase,
 - b. **through the transfer of funds from another retirement account,** as permitted by and consistent with federal and state law,
 - c. **or by a payment plan with a maximum duration of 48 months,** or any combination thereof.

Regardless of the method of payment, **the member shall be responsible for paying the full costs of the service credits,** including any increase in cost due to the timing of payments. In addition, any member who chooses a payment plan shall enter into a contract with the RAA, which shall be responsible for calculating the total cost of the purchase, including any applicable

interest. The contract shall provide that, **in the event the member terminates the payment plan prior to making full payment, the member shall only be credited service credits equivalent to the total amount of the payments made prior to the termination.**

AN ORDINANCE AMENDING CHAPTER 3 OF THE FAIRFAX COUNTY CODE, RELATING TO PURCHASE OF SERVICE CREDIT FOR PRIOR ACTIVE-DUTY MILITARY SERVICE AND, FOR CERTAIN MEMBERS, PRIOR LAW ENFORCEMENT SERVICE

AN ORDINANCE to amend Chapter 3, Article 3 the Fairfax County Code by adding Section 3-3-25.2 Purchase of Service Credit for Prior Active-Duty Military Service and, for Certain Members, Prior Law Enforcement Service.

Draft of April 12, 2024

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

- 1. That Chapter 3, Article 3 of the Fairfax County Code is amended and a new Section 3-3-25.2 is adopted, as follows:**

Section 3-3-25.2. Purchase of Service Credit for Prior Active-Duty Military Service and, for Certain Members, Prior Law Enforcement Service.

- (a) Any member in active service who is a uniformed member of the Fairfax County Fire and Rescue Department may purchase service credit for prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable. Any member in active service who is a sworn member for the Fairfax County Police Department may purchase service credit for: (1) service as a full-time sworn employee of another federal, state, or local government agency in the United States or of a private university located in the United States; and (2) prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable.
- (b) No member in service shall be allowed to purchase more than a total of four (4) years of service credit. Nor shall any member in service be allowed to purchase service credit included in the calculation of any retirement allowance received or to be received by the member from this System or any other retirement system, or if there is a balance in a defined contribution account that serves as a primary retirement account related to such service, except as otherwise required by Chapter 1223 of Title 10 of the United States Code, as amended. Service credit purchased pursuant to this Section shall apply to the calculation of the member’s retirement allowance and the calculation of the member’s retirement eligibility but shall not apply to the vesting requirements of this System.
- (c) Service credit purchased pursuant to this Section shall be credited to a

1 member only for each full month of service, as indicated on the member's
2 DD-214 submitted to the Fairfax County Retirement Administration Agency
3 ("RAA").
4

5 (d) For purposes of this Section:
6

- 7 1. "Active-duty military service" shall mean full-time service of at least
8 one-hundred-eighty (180) consecutive days in the United States Army,
9 Marine Corps, Navy, Air Force, Space Force, Coast Guard, or reserve
10 components thereof (including the National Guard); and
11
- 12 2. "State" shall include the District of Columbia and any territory of the
13 United States.
14

15 (e) A member may make payment for service credits covered under this Section
16 in a lump sum at the time of purchase, through the transfer of funds from
17 another retirement account, as permitted by and consistent with federal and
18 state law, or by a payment plan with a maximum duration of forty-eight (48)
19 months, or any combination thereof. Regardless of the method of payment,
20 the member shall be responsible for paying the full costs of the service
21 credits, including any increase in cost due to the timing of payments. In
22 addition, any member who chooses a payment plan shall enter into a contract
23 with the RAA, which shall be responsible for calculating the total cost of the
24 purchase, including any applicable interest. The contract shall provide that, in
25 the event the member terminates the payment plan prior to making full
26 payment, the member shall only be credited service credits equivalent to the
27 total amount of the payments made prior to the termination.
28

29 **2. That the provisions of this ordinance are severable, and if any**
30 **provision of this ordinance or any application thereof is held invalid,**
31 **that invalidity shall not affect the other provisions or applications of**
32 **this ordinance that can be given effect without the invalid provision**
33 **or application.**
34

35 **3. This amendment is effective on July 1, 2024, or after the required**
36 **hearing before the Board of Supervisors, whichever occurs first.**
37

38 GIVEN under my hand this ___ day of _____ 2024.
39

40 _____
41 Jill G. Cooper
42 Clerk for the Board of Supervisors

AN ORDINANCE AMENDING CHAPTER 3 OF THE FAIRFAX COUNTY CODE, RELATING TO PURCHASE OF SERVICE CREDIT FOR PRIOR LAW ENFORCEMENT OR ACTIVE-DUTY MILITARY SERVICE

AN ORDINANCE to amend Chapter 3, Article 7 of the Fairfax County Code by adding Section 3-7-23.2 Purchase of Service Credit for Prior Law Enforcement or Active-Duty Military Service.

Draft of April 12, 2024

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

1. That Chapter 3, Article 7 of the Fairfax County Code is amended and a new Section 3-7-23.2 is adopted, as follows:

Section 3-7-23.2. Purchase of Service Credit for Prior Law Enforcement or Active-Duty Military Service.

(a) Any member in active service who is a sworn member of the Fairfax County Police Department may purchase service credit for:

- (1) Service as a full-time sworn employee of another federal, state, or local government law enforcement agency in the United States or of a private university located in the United States; and
- (2) Prior active-duty military service in the armed forces of the United States, provided that the discharge from a period of active-duty status with the armed forces was not dishonorable.

(b) No member in service shall be allowed to purchase more than a total of four (4) years of service credit. Nor shall any member in service be allowed to purchase service credit included in the calculation of any retirement allowance received or to be received by the member from this System or the Fairfax County Uniformed Retirement System (URS), as applicable, or any other retirement system, or if there is a balance in a defined contribution account that serves as a primary retirement account related to such service, except as otherwise required by Chapter 1223 of Title 10 of the United States Code, as amended. Service credit purchased pursuant to this Section shall apply to the calculation of the member's retirement allowance and the calculation of the member's retirement eligibility but shall not apply to the vesting requirements of this System or the URS, as applicable.

(c) Service credit purchased pursuant to Subsection (a)(1) of this Section shall be credited to the member in accordance with the rules of this System or the URS, as applicable. In addition, a member shall be eligible

1 to purchase service credit pursuant to Subsection (a)(1) of this Section to
2 make up any difference between to the total amount of service credit
3 earned while serving as a full-time sworn employee of another federal,
4 state, or local government law enforcement agency in the United States or
5 of a private university located in the United States (“total prior service
6 credit”) and the amount of portability service credit (as defined in this
7 Article or Article 3 of this Chapter, as applicable) the member is allowed to
8 purchase from this System or the URS, as applicable, under any
9 agreement concerning reciprocal asset transfer and/or pension portability
10 between Fairfax County and the Virginia Retirement System (VRS) or any
11 other political subdivision of the Commonwealth of Virginia. Nothing in this
12 Section shall preclude a member from porting their applicable time and
13 purchasing service credit for a combined total of not more than four (4)
14 years.

15
16 (d) Service credit purchased pursuant to Subsection (a)(2) of this Section
17 shall be credited to a member only for each full month of service, as
18 indicated on the member’s DD-214 submitted to the Fairfax County
19 Retirement Administration Agency (RAA).

20
21 (e) For purposes of this Section:

22
23 (1) “Active-duty military service” shall mean full-time service of at least
24 one-hundred-eighty (180) consecutive days in the United States
25 Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard,
26 or reserve components thereof (including the National Guard);

27
28 (2) “State” shall include the District of Columbia and any territory of the
29 United States; and

30
31 (3) “Local government” shall mean any political subdivision of the
32 Commonwealth of Virginia or another state.

33
34 (f) The member may make payment for service credits covered under this
35 Section in a lump sum at the time of purchase, through the transfer of
36 funds from another retirement account, as permitted by and consistent
37 with federal and state law, or by a payment plan with a maximum duration
38 of forty-eight (48) months, or any combination thereof. Regardless of the
39 method of payment, the member shall be responsible for paying the full
40 costs of the service credits, including any increase in cost due to the
41 timing of payments. In addition, any member who chooses a payment plan
42 shall enter into a contract with the RAA, which shall be responsible for
43 calculating the total cost of the purchase, including any applicable interest.
44 The contract shall provide that, in the event the member terminates the
45 payment plan prior to making full payment, the member shall only be
46 credited service credits equivalent to the total amount of the payments

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made prior to the termination.

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

3. This amendment is effective on July 1, 2024, or after the required hearing before the Board of Supervisors, whichever occurs first.

GIVEN under my hand this ____ day of ____ 2024.

Jill G. Cooper
Clerk for the Board of Supervisors

Board Agenda Item
May 7, 2024

ADMINISTRATIVE - 4

Authorization for the Fairfax County Department of Transportation to Apply for Grant Funding from the United States Department of Transportation's FY 2024 Low or No Emission Grant Program and the Grants for Buses and Bus Facilities Program

ISSUE:

Board of Supervisors' (Board) authorization is requested for the Fairfax County Department of Transportation (FCDOT) to apply for grant funding from the United States Department of Transportation (USDOT) for two grant solicitations: 1) the Low or No Emission Grant Program and 2) the Grants for Buses and Bus Facilities Program. FCDOT is requesting authorization to apply for up to \$71.1 million through the Buses and Bus Facilities Program, and up to \$57.0 million through the Low or No Emission Grant Program to purchase a total of 72 replacement buses for Fairfax Connector. Local funding and State Aid included for bus purchases in the FY 2025 Advertised Budget Plan in Fund 40000, County Transit Systems, would be sufficient to cover the 20 percent Local Cash Match requirement of up to \$14.2 million. No new General Fund resources would be required. The project application requires a project endorsement resolution (Attachment 1) from the local governing body; therefore, Board approval of Attachment 1 is also requested. If awarded, staff will return to the Board to formally accept the funding and to request approval to execute the agreement(s).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the attached grant request project endorsement resolution (Attachment 1) authorizing FCDOT to apply for grant funding from the USDOT in an amount up to \$71.1 million through the Grants for Buses and Bus Facilities Program, and up to \$57.0 million through the Low or No Emission Grant Program.

TIMING:

Board action is requested on May 7, 2024, to support FCDOT's grant applications. Awards are anticipated to be announced in Summer/Fall 2024.

BACKGROUND:

On February 8, 2024, the USDOT published a Notice of Funding Opportunity (NOFO) for \$1.5 billion in funding for the FY 2024 Low or No Emission Grant Program and the Grants for Buses and Bus Facilities Program. These programs support American transit vehicle manufacturing, including zero-emission buses, and help to build bus facilities and promote workforce development.

Board Agenda Item
May 7, 2024

The Federal Transit Administration's (FTA) Low or No Emission Grant Program helps transit agencies buy or lease U.S.-built zero-emission and low-emission transit buses, along with charging equipment and supporting facilities. FTA's Grants for Buses and Bus Facilities Program supports transit agencies in buying and rehabilitating buses and bus facilities. In Fiscal Year 2024, \$1.1 billion was authorized for the Low or No Emission Grant Program and \$390 million was authorized for the Grants for Buses and Bus Facilities Program.

Funding is intended for capital investments in public transportation, and eligible projects include, but are not limited to the following:

- Purchase or lease of zero-emission and low-emission (electric, hybrid, and clean diesel) transit buses
- Acquisition, construction, and leasing of required supporting facilities, such as recharging, refueling, and maintenance facilities
- Capital projects to replace, rehabilitate, purchase, or lease buses and related equipment
- Projects to rehabilitate, purchase, construct, or lease bus-related facilities

Grant applications will be evaluated based on the following criteria: demonstration of need, demonstration of benefit (e.g. reducing energy consumption and harmful emissions), safety, system condition, and enhanced access and mobility. USDOT is encouraging applicants to consider contract terms that provide funding to vehicle manufacturers through progress payments or advance payments to improve the health of the bus manufacturing sector, and to consider strategies such as reducing the level of customization in buses. By using more standard bus models, transit agencies can lessen manufacturing timelines, reduce costs, and procure new fleets quicker.

FCDOT staff reviewed the program's criteria and recommend applying for funds to purchase 72 buses with NextGen fareboxes to support Fairfax Connector's FY 2025-2026 replacement program needs. These buses include 24 lower emission, next generation hybrids that can operate in battery only mode for set distances and 12 diesels in FY 2025, as well as 36 next generation hybrids in FY 2026. In accordance with the May 4, 2021, Board Matter (included as Attachment 2) and the county's fleet goals, staff is informing the Board on vehicle purchases for FY 2025-2026 as noted below:

- FCDOT is completing a Zero Emission Bus Study and a battery electric bus pilot program to inform future decisions and determine feasibility and timing on transitioning to a full zero emission fleet. While currently, no bus facility has the infrastructure to maintain battery electric buses, staff will request funding during a future budget cycle to advance the facility retrofit recommendations of the Zero Emission Bus Study.

Board Agenda Item
May 7, 2024

- The 60 next generation hybrid buses purchased in FY 2025-2026 are intended to provide an ultra-low emission option as we better prepare for the transition to zero emission buses.
- The twelve (30-foot) diesel buses are needed in FY 2025 to replace retiring 30-foot buses which are not available in a hybrid model.

EQUITY IMPACT:

Fairfax Connector buses support the economic growth, health, congestion mitigation, and prosperity goals of Fairfax County. The bus replacement program exists to replace rolling stock which has reached the end of its useful life. This grant request would maintain existing service levels. As such, this Board item has no inequity concerns identified.

FISCAL IMPACT:

Grant funding up to \$71.1 million from the Grants for Buses and Bus Facilities Program and up to \$57.0 million from the Low or No Emission Grant Program is being requested from the USDOT for the purchase of 72 replacement buses for Fairfax Connector. The Local Cash Match required is up to 20 percent of the award. Sufficient funding for the LCM is included in the FY 2025 Advertised Budget Plan in Fund 40000, County Transit Systems. If the grant funding is awarded, another Board item(s) will be submitted to formally accept funding and enter into the grant agreement(s).

CREATION OF NEW POSITIONS:

No positions will be created by this grant submission.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution of Endorsement for FY2024 USDOT Low or No Emission Program and the Grants for Buses and Bus Facilities Program

Attachment 2: May 4, 2021, Board Matter, Policy Development to Support the Joint Environmental Task Force (JET) Recommendations

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation (FCDOT)

Dwayne Pelfrey, Chief, Transit Services Division, FCDOT

Noelle Dominguez, Chief, Coordination and Funding Division (CFD), FCDOT

Ray Johnson, Chief, Funding Section, CFD, FCDOT

RESOLUTION

PROJECT ENDORSEMENT RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center in Fairfax, Virginia, on Tuesday, May 7, 2024, at which meeting a quorum was present and voting, the following resolution was adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, hereby endorses and approves a submission to the United States Department of Transportation's FY 2024 Low or No Emission Grant Program and Grants for Buses and Bus Facilities Program in an amount not to exceed \$71,100,000 for the Low or No Emission Grant Program, and in an amount not to exceed \$57,000,000 for the Grants for Buses and Bus Facilities Program, for the purchase of transit buses to support Fairfax Connector's replacement program.

ADOPTED this 7th day of May 2024

A Copy – Teste:

Jill G. Cooper
Clerk for the Board of Supervisors



Dan Storck

Mount Vernon District Supervisor
Fairfax County Board of Supervisors
2511 Parkers Lane
Mount Vernon, VA 22306

Attachment 2



Telephone: (703) 780-7518 E-mail: mtvernon@fairfaxcounty.gov

Policy Development to Support the Joint Environmental Task Force (JET) Recommendations Joint with Supervisor Dan Storck and Chairman Jeff McKay and Supervisor Penny Gross

May 4, 2021

This Board Matter builds on previous actions by the Board of Supervisors (Board) related to the Joint Environmental Task Force (JET) and the JET's recommendations across the energy, transportation, waste management and recycling, and workforce development focus areas within County and school operations.

The JET, which was jointly established in April 2019 by the Board and School Board to identify areas for collaboration between the two entities in energy efficiency and environmental sustainability, released its long-term and interim recommendations in a Final Report in October 2020. At the direction of the Board, staff drafted a Staff Response to the JET recommendations and presented on these recommendations at the March and April 2021 Environmental Committee meetings, outlining what it would take to implement them.

Based on Board discussion at these committee meetings, and in my discussions with each of you, Board members were generally supportive of pursuing achievement of the JET recommendations. Meeting these recommendations will require the development and implementation of new or updated policies on building and energy use, transportation, procurement, waste management and recycling, and workforce development. Based on our discussions, we have generally agreed to accept three of the four recommendations and to revise the transportation recommendation as noted below. The final overarching recommendations for Board consideration are:

1. Commit to being energy carbon neutral by 2040 while significantly reducing operational greenhouse gas emissions. Generate renewable energy in-county, increase energy performance standards in existing buildings, and ensure all new buildings and major renovations beginning planning and design in 2021 meet Net Zero Energy standards, unless County staff advises the Board prior to the 30% design phase why a project cannot meet the NZE standard.
2. Transition County and school bus fleets and non-bus fleets to electric (or other non-carbon emitting alternatives) by 2035, with the caveat that by 2035, 99% of Connector bus fleet miles traveled will be made with non-carbon emitting vehicles. **In addition, no**

diesel vehicles will be purchased by the County after FY2024, unless staff informs the Board as to why. For non-bus fleet vehicles that may not have non-carbon emitting alternatives, develop a plan to mitigate vehicle emissions. To further reduce emissions from the transportation sector, work with local, state and federal governments to develop a safe, continuous and interconnected transit system, improve options for safe biking and walking, and encourage alternative transit options for students, workers and residents.

3. Be zero waste by 2030. Develop sustainable purchasing programs and encourage composting among county government workers and students.
4. Develop these goals in tandem with youth and adult workforce development objectives, to increase learning resources and green career opportunities for students and working professionals. Develop standardized green career toolkits and programs to encourage participation in the energy or environmental sector.

THEREFORE, Mr. Chairman, I MOVE THAT THE BOARD direct the County Executive to charge the Office of Environmental and Energy Coordination, with the support of relevant County agencies, to bring forward for discussion at the June Environmental Committee meeting the following items:

- Specific policy statements that support the JET recommendations across the energy, transportation, waste management and recycling, and workforce development focus areas.
- A declaration, similar to the Cool Counties Declaration, tied to the JET's carbon neutrality recommendation to express the County's leadership and encourage others to make similar public commitments.

ADMINISTRATIVE - 5

Authorization for the Fairfax County Department of Transportation to Apply for and Accept Grant Funding from the United States Department of Transportation's FY 2024 Safe Streets and Roads for All Discretionary Grant Program (Mason District)

ISSUE:

Board of Supervisors' authorization is requested for the Fairfax County Department of Transportation (FCDOT) to apply for, and accept if received, grant funding from the United States Department of Transportation's (USDOT) FY 2024 Safe Streets and Roads for All (SS4A) Discretionary Grant Program. FCDOT will apply for \$9.6 million in funding, including a \$1.92 million Local Cash Match (LCM), to implement a group of projects in accordance with Fairfax County's Safe Streets for All Program Recommendations endorsed by the Board of Supervisors in May 2022 (Attachment 1). The 20 percent LCM requirement of \$1.92 million will be met with funding from the \$100 million planned for new Active Transportation Projects in Fund 30050, Transportation Improvements.

The grant application includes nine projects totaling \$9.6 million, which would implement evidence-based countermeasures, focused along high-crash corridors in areas with high or very high Fairfax County Vulnerability Indices. A list of the projects recommended for submission to the 2024 SS4A program is included as Attachment 2.

If the actual award(s) 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. Board authorization is also requested for the Director of the Fairfax County Department of Transportation to enter into the grant agreement(s) and any related agreements, including, but not limited to, Federal Subaward Agreements, on behalf of the County. The project application requires a project endorsement resolution from the local governing body; therefore, Board approval of Attachment 3 is also requested.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the following:

- FCDOT to apply for, and accept if received, grant funding from the USDOT in the amount of \$9.6 million, including \$1.92 million in Local Cash Match, through the FY 2024 SS4A Discretionary Grant Program for the List of Recommended Projects (Attachment 2).

Board Agenda Item
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- The Director of FCDOT to enter into the grant agreement(s) and any related agreements, including, but not limited to, Federal Subaward Agreements on behalf of the County.
- Approval of the project endorsement resolution for the project application (substantially in the form of Attachment 3).

TIMING:

Board approval is requested on May 7, 2024, to meet the application deadline of May 16, 2024.

BACKGROUND:

The SS4A Grant Program is a grant opportunity offered under the Bipartisan Infrastructure Law (BIL) enacted in 2021. The program helps communities around the country work toward reducing or eliminating roadway fatalities and serious injuries through development of a Safety Action Plan (SAP) and implementation of infrastructure, behavioral or observational activities. The program focuses on all roadway users, including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micro-mobility users, and commercial vehicle operators. SS4A criteria include safety; equity, engagement, and collaboration; and effective practices and strategies. Other factors include project readiness and ability to leverage other funds.

SS4A includes Planning and Demonstration Grants, as well as Implementation Grants. Planning and Demonstration Grants provide funds to develop, complete, or supplement a comprehensive SAP, as well as supplemental planning and/or demonstration activities that either inform the development of a new/existing SAP or conduct supplemental planning. Implementation Grants provide funds to implement projects and strategies (infrastructure, behavioral, and/or operational activities) identified in an SAP to address a roadway safety problem. The County was awarded \$1.6 million in FY 2023 to support the community outreach and graphics for the update of the Transportation Element of the County's Comprehensive Plan, the development of Complete Streets Design Guidelines, and a Slow Streets Program pilot.

Based on program criteria and information provided by the USDOT, County staff is recommending submitting an application for a \$9.6 million Implementation Grant for nine sidewalk, crosswalk, and protected bike lane safety projects in the Bailey's Crossroads area of the Mason District. A list of proposed projects is provided as Attachment 2. Except for the Columbia Pike at Tyler Street project, these projects have not been previously approved as part of the Transportation Priorities Plan or for the additional \$100 million for Active Transportation Projects.

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The proposed application advances the following recommendations from Fairfax County's Safe Streets for All Program Recommendations (Attachment 1):

- Prioritization of maintenance and capital improvements in high need areas in close partnership with the affected community, especially the most at-risk populations.
- Allocation of adequate funding for, and maintenance of, safety related equipment, marking and signage (such as Rectangular Rapid Flashing Beacons, Pedestrian Hybrid Beacons, crosswalk markings, Yield to Pedestrian signage, street and walkway lighting).

EQUITY IMPACT:

Staff conducted an Equity Impact Assessment (EIA) and found the action has the potential to advance equity. Staff also conducted a geospatial analysis by examining the vulnerability index on a census tract level to ensure that geographic areas and populations are not excluded from the use of the proposed facilities based on various factors, such as educational attainment, language, household vehicle ownership, home ownership, median household income, and uninsured population. The analysis shows that 100 percent of the proposed implementation projects fall within the high or very high vulnerability index.

FISCAL IMPACT:

Grant funding in the amount of \$9.6 million, including \$1.92 million in Local Cash Match, is being requested from the USDOT's FY 2024 Safe Streets and Roads for All Discretionary Grant Program. The \$9.6 million will be for the study, design, and construction of nine projects in high risk or high traffic areas. The 20 percent Local Cash Match requirement will be met using funds from the \$100 million planned for new Active Transportation Projects in Fund 30050, Transportation Improvements. If funding is awarded, formal budget appropriation will be requested at a quarterly review once the grant agreement has been fully executed.

CREATION OF POSITIONS:

There will be no new positions created with this grant funding.

ENCLOSED DOCUMENTS:

Attachment 1 - Fairfax County Safe Streets for All Program Recommendations
Attachment 2 – List of Recommended Projects for the FY 2024 Safe Streets and Roads for All Submission
Attachment 3 – Resolution of Endorsement for FY2024 United States Department of Transportation SS4A Grant Program Applications

Board Agenda Item
May 7, 2024

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation
(FCDOT)

Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT

Noelle Dominguez, Chief, Coordination and Funding Division, FCDOT

Michael Guarino, Chief, Capital Projects Section, FCDOT

Ray Johnson, Chief, Funding Section, FCDOT

Smitha Chellappa, Senior Transportation Planner, Funding Section, FCDOT

Lauren Delmare, Capital Projects and Traffic Engineering Division, FCDOT



FAIRFAX COUNTY

Safe Streets for All

Program Recommendations

April 2022





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Introduction

This document provides a framework for a Fairfax County Safe Streets for All Program designed to address systemic transportation safety issues with a focus on active transportation users and equity on roads in Fairfax County. The framework includes proposed education, policy, planning, programmatic and design strategies that can be implemented in a phased approach. Some of the strategies could be implemented as pilots; others require close coordination and support from stakeholder agencies, or will need one-time or recurring funding. Implementation will occur in a phased approach as staff capacity and resources allow.

Potential strategies are presented within the following framework:

- **Proposed Program Recommendations** – A list of potential strategies that would help advance active transportation safety in Fairfax County.
- **Stakeholders** – Key stakeholders that the Fairfax County Department of Transportation will need to coordinate with to implement the recommendation.
- **Implementation Cost** – Recommendations are assigned a likely implementation cost depending on complexity, construction needs and stakeholder buy-in.

The strategies are not presented in order of priority.

Key Stakeholders

- BOS – Board of Supervisors
- CTB – Commonwealth Transportation Board
- DEI – Department of Economic Initiatives
- DMB – Department of Management and Budget
- DPD – Department of Planning and Development
- DPWES – Department of Public Works and Environmental Services
- CEX – Office of the County Executive
- FCDOT – Department of Transportation
- FCCA – Park Authority
- FPCD – Police Department
- FCPS – Public Schools
- HD – Health Department
- LDS – Land Development Services
- NCS – Neighborhood Community Services
- NPS – National Park Service
- OPA – Office of Public Affairs
- VDOT – Virginia Department of Transportation



Prioritizing Safety

Complete streets aim to prioritize safety for all users, regardless of mode of transportation, age, race, income, or ability. While the status quo accepts traffic deaths and injuries as inevitable, safe streets programs work towards eliminating traffic injuries and fatalities through a combination of engineering, education, policy, and planning. Reducing traffic-related deaths in Fairfax County will require a data-driven approach to project implementation and prioritization of investments.

Nationally, pedestrians and bicyclists are more likely to be involved in a traffic collision that results in a severe or fatal injury. Communities of color and low-income communities experience traffic crashes disproportionately.

In Fairfax county, during the five-year study period, from 2014 – 2018, there was an

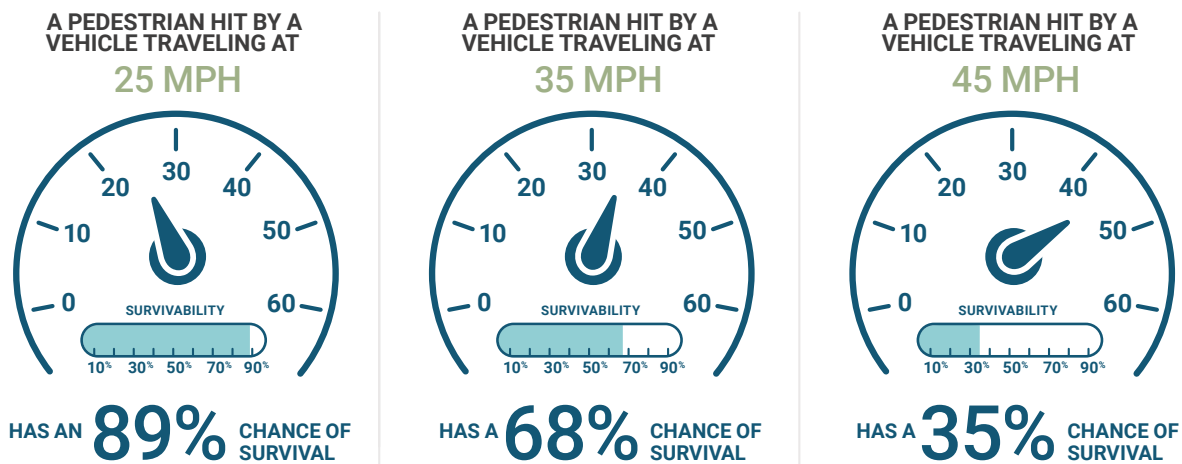


average of 189 pedestrian crashes and 68 cyclist crashes per year.

The maps on the following pages show the distribution of all pedestrian and bicycle crashes throughout Fairfax county, highlighting where clusters and fatal crashes occurred.

Speed is a factor in many of these instances. The one recorded fatal cyclist collision occurred on a road with a speed limit between 36 and 50 miles per hour. For pedestrian collisions, roadways with a speed limit of 25 miles per hour or lower had the lowest rate of fatal or severe crashes. This is consistent with findings that suggest that speed is one of the most significant determinates of severe and fatal collisions involving pedestrians. At 25 miles per hour, nearly nine in ten pedestrians will survive the collision. At 40 miles per hour, only 35% of pedestrians will survive.

Furthermore, the perception of safety by the public can be a significant barrier in encouraging



Tefft, B. C. Impact speed and a pedestrian's risk of severe injury or death. Accident Analysis & Prevention 50 (2013) 871-878.

active transportation. People who choose to drive might have otherwise walked or biked, but felt that the current infrastructure prioritizes people who travel in cars, and puts active transportation users at risk. Complete streets not only directly addresses unsafe street design, but can indirectly address traffic safety by reducing the number of motor vehicles on the road.

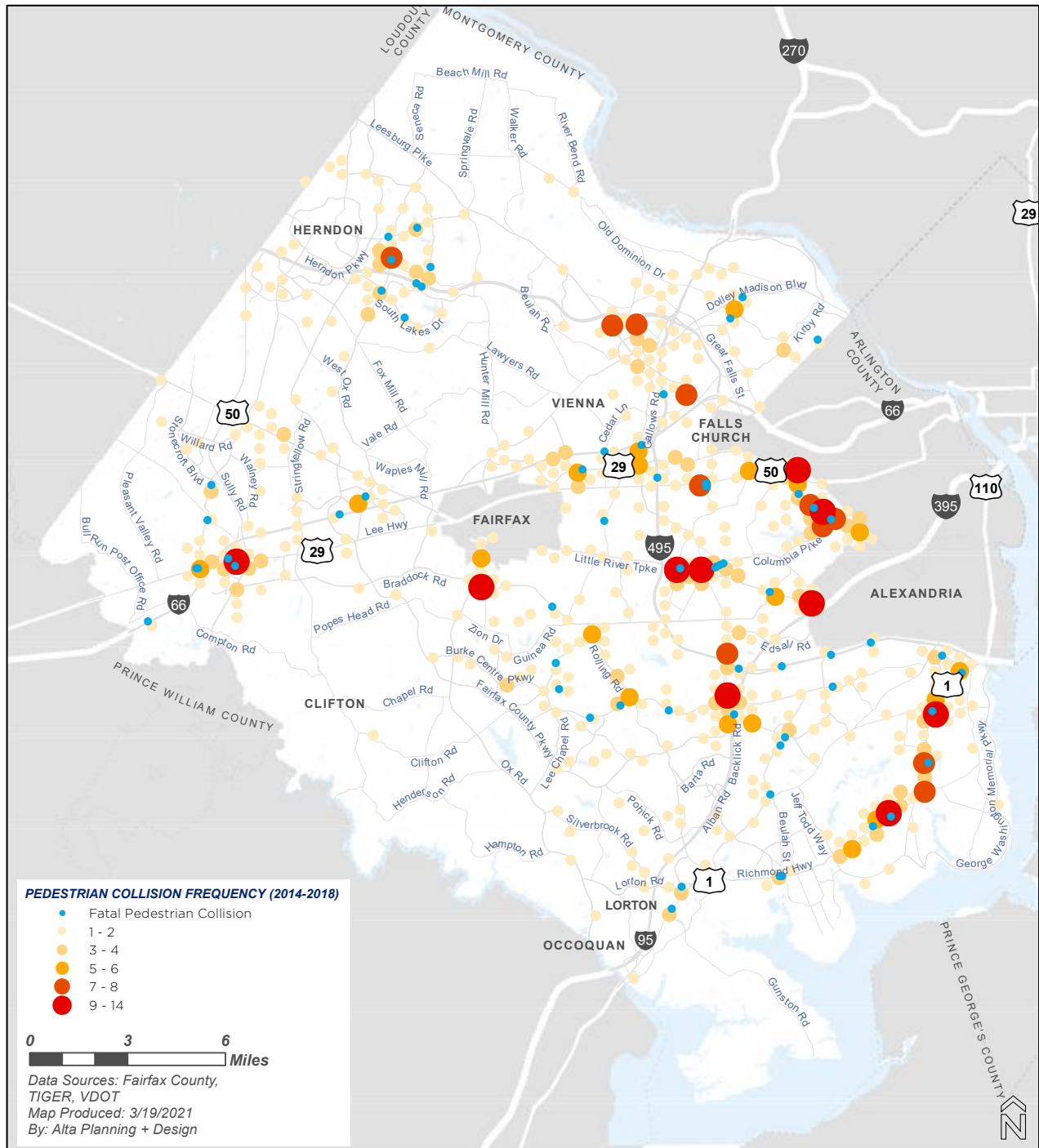


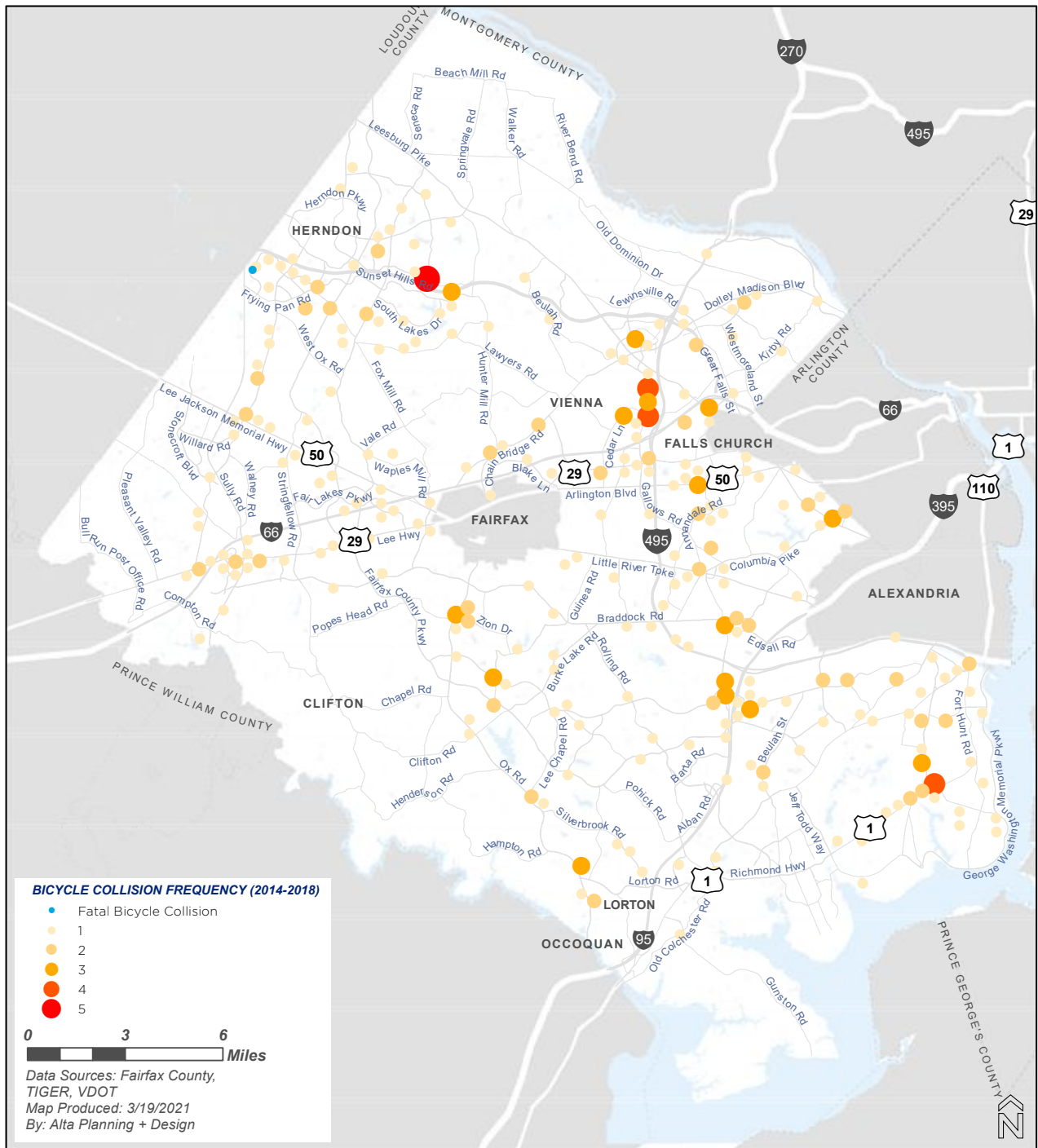
When asked to describe their experience using active transportation in Fairfax county, 27% of public survey respondents (265 of 999) stated that the current active transportation network feels unsafe.

The following comments are a sample of responses to the ActiveFairfax public survey that asked users to describe their experience walking, or riding a bike, scooter or another small vehicle in Fairfax County.

- I purposely chose my neighborhood because of its sidewalks. I can walk to the grocery stores, library, bus stops, church, etc.
- "I tried biking in my area, but I gave up because I don't feel that it's safe. Walking is fairly safe, but drivers seldom yield to pedestrians even when pedestrians are in the crosswalk and have the right of way."
- "It is frustrating and dangerous. Even with marked, dedicated bike lanes and sharrows vehicles do not yield/acknowledge bicycles. And I am not referring to just distracted drivers: at least six drivers in the past year have deliberately targeted me on my bicycle with harassment and physical threats."









Principles of a Safe Streets for All Approach

- Traffic deaths and serious injuries are avoidable and should not be accepted.
- Protecting human life is the highest priority.
- The people who design, build, and manage roads have a shared responsibility to prevent crashes that result in serious injury or death.
- All road users have a shared responsibility to prevent crashes that result in serious injury or death.
- Rather than waiting for crashes to occur and reacting, a proactive approach should be taken to make the transportation system safe for all users including pedestrians, cyclists, and people traveling in vehicles.
- A safe system means a system that is designed for all ages and abilities, including youth and elders, and individuals with physical, visual, or cognitive disabilities.
- Lack of safety should not be a trade-off for faster mobility. Pedestrians and cyclists are particularly vulnerable, and speed is a fundamental predictor of crash survival. Rather, the transportation system should be both safe and efficient for all users.



Funding + Staff Capacity Building

Proposed Program Recommendations	Stakeholders	Implementation Cost
Establishment of a Safe Streets for All program focused on the implementation of the proposed recommendations below.	FCDOT; BOS; CEX; DEI; VDOT	\$\$
Establishment of an interdisciplinary Task Force to provide oversight of the Safe Streets for All Program.	Various agencies and community organizations	\$
Creation of at least one staff position to run the Safe Streets for All Program and monitor performance. Grow staff capacity as needed.	FCDOT; BOS; DMB	\$\$
Allocation of adequate funding and maintenance of safety related equipment, marking and signage such as Rapid Flashing Beacons, Pedestrian Hybrid Beacons, crosswalk markings, Yield to Pedestrian signage, street and walkway lighting, etc.	FCDOT; VDOT; DPWES; BOS; DMB	\$\$
Requirement of every transportation-related project (studies, capital projects, comprehensive plan amendments; etc.) to include an active transportation expert on the consultant team.	FCDOT; VDOT	\$
Prioritization of maintenance and active transportation capital improvements along high-risk pedestrian and bicycle corridors and to provide access to major activity centers.	FCDOT; DPWES; BOS; VDOT	\$
Allocation of dedicated funding for the Safe Streets for All Program for implementation of pilot projects, studies and other safety-related non-capital efforts such as educational campaigns.	FCDOT; BOS	\$\$

Funding + Staff Capacity Building, cont'd.

Proposed Program Recommendations	Stakeholders	Implementation Cost
Development of a locally funded Safe Routes to School program in partnership with FCPS. Creation of at least one staff position to run the Safe Routes to School Program serving students K-12 and provision of dedicated funding for programming and studies. Scale up staff capacity as needed.	FCDOT; FCPS; BOS; NCS; HD; DMB	\$\$
Development of a Safe Routes to Parks, Trails and Community Services program in partnership with FCPA, NOVA Parks and NPS, NCS, and the HD.	FCDOT; FCPA; NOVA Parks; NPS; BOS; NCS; HD	\$\$
Determination of maintenance responsibility for all sidewalk and trail segments. Allocation of adequate funding, staffing and equipment to clear sidewalks, bikeways and transportation trails of hazards, debris and obstructions.	FCDOT; VDOT; BOS; DPWES; DMB ; FCPA; NOVA Parks; FCPD; General Assembly, CTB	\$\$
Allocation of adequate funding for sidewalks, bikeways and transportation trails for resurfacing, restriping and reconstruction.	FCDOT; BOS; DPWES; DMB; FCPA; NOVA Parks; NPS; VDOT; General Assembly, CTB	\$\$
Development of an inclusive Slow Streets Program to supplement the Traffic Calming Program and provide dedicated funding.	FCDOT; DMB; VDOT; BOS	\$\$
Allocation of adequate funding to expedite building out the active transportation network.	FCDOT; BOS; FCPA; NOVA Parks; NPS	\$\$\$



Policy + Planning

Proposed Program Recommendations	Stakeholders	Implementation Cost
Development of a Safe Streets for All Policy that prioritizes the protection of human life in the planning, design, and operation of Fairfax County's roadway network. Set short-, medium- and long-term targets.	FCDOT; VDOT; FCPD; HD; BOS; DPD; LDS	\$
Development of a comprehensive Complete Streets Policy to provide the transportation and land use connection.	FCDOT; VDOT; DPD; BOS; LDS	\$
Development of strategies that prioritize active transportation safety in planning and funding efforts using data, targets, and metrics.	FCDOT; VDOT; DPD; BOS	\$\$
Development of a policy that encourages public and private sector employers to provide safe and convenient access for active transportation users and transit riders to their main building entrance from the public street, sidewalk or trail, as well as secure bike parking.	FCDOT; DEI; Employers	\$
Identification of potential updates to the Comprehensive Plan Transportation Plan Map and the Transportation Policy Plan Transportation Element to reflect a Safe Streets for All approach.	FCDOT; VDOT; DPD; BOS	\$\$
Development of a walkway maintenance and snow/ice removal regulation, adopt a sidewalk, and a trail maintenance and snow/ice removal policy that directs property owners to keep sidewalks and trails along roads in front of their property free of debris, vegetation, snow and ice. Provide a needs-based waiver system for low-income residents and develop a plan to do the maintenance work at these locations.	FCDOT; VDOT; DPWES; NPS; OCA; BOS	\$\$
Development of a county-wide lighting plan based on equity, environmental and safety factors.	FCDOT; VDOT; DPWES; FCPA; NOVA Parks; NPS; BOS	\$\$

Policy + Planning , cont'd.

Proposed Program Recommendations	Stakeholders	Implementation Cost
Development of a policy that would reduce the speed limit on local streets in residential and business districts to 15 mph on the state-maintained network.	VDOT; FCDOT; BOS; General Assembly; CTB	\$
Completion of an active transportation safety audit within a mile of each public school and provide adequate funding for safety improvements, prioritizing high risk/high traffic areas.	FCDOT; FCPS; NCS; HD; DMB	\$\$\$
Completion of an active transportation safety audit within a mile of each public park, community service location, and high capacity transit route. Provide adequate funding for safety improvements, prioritizing high risk/high traffic areas.	FCDOT; FCPA; NOVA Parks; NPS; NCS; HD; DMB; VRE; WMATA	\$\$\$
Pursue revisions of Virginia state laws and policies related to multi-modal transportation safety including policies addressing topics such as distracted driving, 15mph speed limit, reduction of vehicle miles traveled, in-vehicle safety technology, and storage of snow/ice on walkway, bikeways and ramps.	FCDOT; VDOT; DPD; DEI; OCA; BOS; Advocates; General Assembly; CTB	\$
Development of a policy that would require new developments (rezoning and by-right) to provide adequate and safe access to their property for active transportation users, including improvements to the closest safe street crossing.	FCDOT; VDOT; LDS; DPD; DEI; General Assembly	\$



Street Design + Traffic Engineering

Proposed Program Recommendations	Stakeholders	Implementation Cost
Consistent application of design solutions that simplify and narrow intersections, reduce conflicts for all users, and prioritize the safety of active transportation users.	FCDOT; DPD; DEI; VDOT	\$
Consistent implementation of planned active transportation facilities and any streetscaping requirements including providing crosswalks on all four legs of an intersection. Ensure that streetscaping does not encroach on active transportation facilities.	FCDOT; VDOT; DPD; LDS; DEI; Development Community; BOS; FCPS; DPWES; FCPA; NOVA Parks; NPS	\$
Design of new active transportation facilities prioritizing safety, comfort and convenience for facility users, using a complete streets design approach (narrow medians, travel lanes and/or reduce number of travel/turn lanes before reducing the recommended widths of the planned active transportation facility).	FCDOT; DPD; VDOT; BOS	\$
Design of new and improved existing public facilities such as schools, parks and community services to prioritize safety, comfort and convenience for people accessing the facility using active transportation. If applicable, provide access from several directions.	FCDOT; DPWES; FCPS; FCPA; LDS; NCS; NOVA Parks; VDOT	\$
Implementation of technological innovations to address traffic safety issues.	FCDOT; VDOT; DEI	\$\$
Reduction of posted speed limits and operational vehicle speeds on roadways that provide direct access to residential, commercial, institutional, recreational, or civic land uses and transit stations, and along bus transit and high-risk corridors.	FCDOT; VDOT; General Assembly	\$\$
Development of a county-wide Complete Streets Design Guide that reflects best practices in Safe Streets for All design, context sensitive design (transportation-land use connection), active transportation facility design, and placemaking principles. Incorporation of guidance on how to implement the county-wide trail network in a variety of land use contexts and quick-build interim implementation strategies.	FCDOT; VDOT; DPD; DEI; HD	\$\$

Street Design + Traffic Engineering , cont'd.

Proposed Program Recommendations	Stakeholders	Implementation Cost
Review of bus stop locations to ensure that they can be safely accessed from both sides of the street. Relocation of bus stops as needed and construction of sidewalks or trails to bus stops from surrounding neighborhoods. Implementation of amenity improvements such as lighting, shelters, benches, trash cans, and bike racks to high ridership bus stops.	FCDOT; VDOT; WMATA	\$\$\$
Identification of a pilot high-risk corridor to implement a safety study that analyzes crashes, engages stakeholders and residents, identifies appropriate countermeasures and implements quick-build strategies. This pilot will serve as a guide to refine the project delivery process and test the durability of quick-build solutions.	FCDOT; VDOT; DPD; DEI ; NCS	\$\$
Design of new roads with design speeds not to exceed the target operational speeds, which should be informed by the land use context, potential left turn conflicts and pedestrian activity in the area.	FCDOT; VDOT	\$
Application of design techniques to control speeds on collectors and arterials, prioritizing high-risk corridors, residential areas and commercial areas.	FCDOT; VDOT	\$\$\$
Review of VDOT Road Design Manual for opportunities to improve design standards to better meet active transportation needs and Safe Streets for All principles, and work with VDOT to make updates as needed.	FCDOT; VDOT	\$\$
Establishment of grade separated or signalized crossings for trails at uncontrolled interchange ramps.	FCDOT; VDOT	\$\$\$



Equity + Social Justice

Proposed Program Recommendations	Stakeholders	Implementation Cost
Collection of race, ethnicity, and disability data of pedestrian and bicycle crash victims and analyze data for disparities.	FCDOT; FCPD; DMV	\$\$
Prioritization of maintenance and capital improvements in high need areas in close partnership with the affected community, especially the most at-risk populations.	FCDOT; VDOT; FCPS; FCPA; NOVA Parks; NCS; HD; DPWES	\$
Prioritization of engagement of people experiencing vulnerabilities and groups disproportionately impacted by bicycle and pedestrian crashes in community engagement efforts, including studies and capital projects. Development of measures to assess impact.	FCDOT; VDOT; FCPS; NCS; HD	\$\$
Creation of walk and bicycle audits in partnership with communities, especially the most at-risk populations, to determine community-identified safety concerns and develop solutions. Allocation of adequate funding to implement recommendations.	FCDOT; VDOT; FCPS; NCS; HD; FCPA ; FCPD	\$\$

Education + Traffic Safety Culture

Proposed Program Recommendations	Stakeholders	Implementation Cost
Development and implementation of a communications strategy for the Safe Streets for All program.	FCDOT	\$
Provision of staff training on planning and design approach to Safe Streets for All best practices, including active transportation accommodations through work zones.	FCDOT; VDOT; LDS; DPWES	\$
Creation of regular and targeted campaigns in multiple languages using culturally appropriate strategies to educate the public about traffic safety and safe travel behaviors, especially as related to the highest collision factors.	FCDOT; WMATA; COG; FCPS; NCS; FCPA; NPS; NOVA Parks; OPA; HD; FCPD; VDOT	\$\$
Encouragement of private and public sector employers to provide road safety education to all employees.	FCDOT; Employers	\$
Creation of multi-modal traffic safety education to students K-12 (as part of the curriculum or through special events).	FCDOT; FCPS; Private Schools	\$\$
Creation of multi-modal traffic safety education to adults through subsidized classes. Evaluation multi-modal safety education in Drivers Ed courses and Driving Schools, providing additional guidance if necessary, and monitoring implementation.	FCDOT; FCPA; NCS; DMV; Community Partners	\$\$
Creation of a web page on the Fairfax County website that serves as an interactive “clearinghouse” for road safety information.	FCDOT; OPA	\$
Creation of engaging public outreach experiences, through temporary street and intersection redesigns that develop community awareness of the benefits of road safety interventions.	FCDOT; Community Groups; FCPS; VDOT; DPD	\$\$
Implementation of speed feedback signage at high collision locations, along high-risk corridors, and in school zones.	FCDOT; VDOT; FCPD	\$



Monitoring + Evaluation

Proposed Program Recommendations	Stakeholders	Implementation Cost
Identification of multi-modal road safety performance measures and set short, medium and long term targets.	FCDOT; VDOT; FCPD	\$
Identification of the most common factors (i.e. alcohol, time of day, speeding, turning, distracted drivers, land use, type of available infrastructure, etc.) related to pedestrian, bicycle, and vehicular crashes and the most affected populations (i.e. age, race, etc.)	FCDOT; FCPD; VDOT; HD	\$
Collection and review of multi-modal near-miss and minor crash data to identify potential crash locations.	FCDOT; Community Organizations	\$
Establishment of an interactive web map to systematically collect transportation safety concerns from residents. Consider a corresponding hot line.	FCDOT; FCPA; NOVA Parks; NPS; NCS; HD; DIT	\$
Development of active transportation performance measures that are appropriate for the county and also for specific projects (safety, comfort, convenience).	FCDOT; HD; DPD;	\$
An Annual Safe Streets for All Report Card.	FCDOT	\$
Installation of additional permanent automated counters at key locations to track active transportation facility usage over time.	FCDOT; VDOT	\$
Establishment of manual or automated spot counts of active transportation users at a defined set of locations to identify and track gender gaps over time.	FCDOT	\$
Take advantage of technological innovations such as AI cameras or private vehicle sensors to analyze traffic safety or maintenance issues and monitor effectiveness of countermeasures after implementation.	FCDOT; VDOT	\$\$
Evaluation of the effectiveness of transportation safety improvements before and after implementation.	FCDOT; VDOT; FCPD; DPWES; HD ; FCPD	\$



February 2022

Fairfax County Department of Transportation (FCDOT) ensures nondiscrimination in all programs and activities in accordance with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA). To request this information in an alternate format, contact FCDOT at 703-877-5600, TTY 711.

**List of Recommended Projects for
2024 Safe Streets and Roads for All (SS4A) Submission***

Location	Project Description
3499 South Jefferson Street	Add new high-visibility crosswalk with pedestrian refuge island, upgrade curb ramps and relocate bus stops.
Leesburg Pike at (or west of) Magnolia Avenue	Add new Pedestrian Hybrid Beacon or traffic signal with crosswalk(s).
Leesburg Pike at Nevius Street	Add signalized crosswalks with Leading Pedestrian Interval (LPI) on east and north legs. Relocate bus stops.
Leesburg Pike and Columbia Pike ramp crossings	Add Rectangular Rapid-Flashing Beacon (RRFB) and high-visibility markings at existing crosswalks.
Columbia Pike at Seminary Road/Leesburg Pike SB ramps	Add signalized crosswalk with pedestrian-only phase on east leg east of SB ramp. Add Accessible Pedestrian Signals (APS) to south-leg crosswalk.
Columbia Pike at Tyler Street	Add Pedestrian Hybrid Beacon.
Leesburg Pike Service Drive, west of Nevius Street	Add sidewalk missing link on south side of service road, west of Nevius Street.
Leesburg Pike east of Payne Street	Add missing sidewalk link on south side of Leesburg Pike east of Payne Street.
Leesburg Pike east of Seminary Road	Add missing sidewalk link on south side of Leesburg Pike east of Seminary Road.

*All projects are in the Mason District.

RESOLUTION

PROJECT ENDORSEMENT RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center of Fairfax, Virginia, on Tuesday, May 7, 2024, at which meeting a quorum was present and voting, the following resolution was adopted:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, hereby endorses and approves a submission to the United States Department of Transportation's FY 2024 Safe Streets and Roads for All (SS4A) Discretionary Grant Program for \$9,600,000 in funding for the Active Transportation Safe Streets for All projects.

ADOPTED this 7th day of May, 2024.

A Copy Teste:

Jill G. Cooper
Clerk for the Board of Supervisors

Board Agenda Item
May 7, 2024

ADMINISTRATIVE – 6

Supplemental Appropriation Resolution AS 24221 for the Fairfax County Police Department to Accept Grant Funding from the Virginia Department of Criminal Justice Services to Operate an Option 5 Out-of-State Lateral Training Program

ISSUE:

Board of Supervisors approval of Supplemental Appropriation Resolution AS 24221 for the for the Fairfax County Police Department (FCPD) to accept funding in the amount of \$129,524, including \$32,381 in Local Cash Match, from the Virginia Department of Criminal Justice Services. Funding will be used to operate an Option 5 Out-of-State Lateral Training Program through the Criminal Justice Training Academy. This program trains law enforcement personnel from other states to meet the standards of the Commonwealth of Virginia. The grant period is April 1, 2024, through December 31, 2025. When grant funding expires, the County is under no obligation to continue funding the program. Board authorization is also requested for the Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve Supplemental Appropriation Resolution AS 24221 to accept funding from the Virginia Department of Criminal Justice Services in the amount of \$129,524, including \$32,381 in Local Cash Match. This funding will be utilized to operate an Option 5 Out-of-State Lateral Training Program through the Criminal Justice Training Academy. No new positions will be created. The County Executive also recommends the Board authorize the Chairman of the Board of Supervisors, the County Executive, and/or designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

TIMING:

Board action is requested on May 7, 2024.

BACKGROUND:

The Edward Byrne Memorial Justice Assistance Grant (JAG) funds allow states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. As the State Administrative Agency (SAA), the Department of Criminal Justice Services (DCJS) has the responsibility of managing the coordination and distribution of JAG funds in a manner that supports and improves the overall criminal justice system of the Commonwealth of Virginia. This non-competitive grant funding is open to only Fairfax County to provide Option 5 Out-of-State Lateral Training courses.

The Option 5 Out-of-State Lateral Program facilitates the transfer of law enforcement personnel outside of Virginia who are looking to relocate to the County by providing a modified basic training program. These transfers are supported by agencies across the state, including the Fairfax County Criminal Justice Training Academy, in partnership with DCJS, in hosting stand-alone Option 5 Out-of-State Lateral Programs. This program will coordinate with any interested Virginia Law Enforcement agency and the FCPD recruiting team to identify potential out-of-state lateral candidates and execute each Option 5 training session on a general timeline of every six months. The general requirements of the program are the same. This program is for former out-of-state, federal, and military law enforcement officers who meet eligibility requirements and have been approved for a partial training waiver. All participants must participate in a classroom portion of training that includes Legal, Domestic Violence, Driving While Intoxicated, Emotionally Disturbed Persons, and other law enforcement functions. Students must also participate in 40 hours of driver training and 24 hours of firearms training. Students will be continuously tested through written exams, practical exercises, timed driving courses and firearms proficiency.

FCPD will use the funds for overtime incurred during Option 5 sessions. This includes additional time needed to coordinate the attendance of candidates from outside agencies, organizing and tracking their training records, training staff, providing assistance to candidates who are challenged by certain training objectives and bringing in role players and evaluators for practicals. The funds will also be used to purchase necessary training materials for the program.

FISCAL IMPACT:

Grant funding in the amount of \$129,524, including \$32,381 in Local Cash Match, from the Virginia Department of Criminal Justice Services will be used to operate an Option 5 Out-of-State Lateral Training Program through the Criminal Justice Training Academy. The required \$32,381 in Local Cash Match is available from the Local Cash Match

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Reserve. Indirect cost recovery is allowed but the agency is not requesting the recovery of indirect costs in order to maximize funds available to accomplish the objectives of the project. This action does not increase the expenditure level of the Federal-State Grant Fund, as funds are held in reserve for unanticipated grant awards in FY 2024.

CREATION OF NEW POSITIONS:

No positions will be created by this grant award.

ENCLOSED DOCUMENTS:

Attachment 1 – Award Letter

Attachment 2 – Supplemental Appropriation Resolution AS 24221

STAFF:

Thomas Arnold, Deputy County Executive for Public Safety

Kevin Davis, Chief of Police, Police Department



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

April 16, 2023

Bryan Hill
County Executive
12000 Government Center Parkway
Fairfax, Virginia 22035

RE: 521825-FY 2023 - Byrne/Justice Assistance Option 5

Dear Bryan Hill:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **522148** and was approved for a total award of **\$129,524**, funded through Award Number **15PBJA-22-GG-00616-MUMU**. The project period is **4/1/2024** through **12/31/2025**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>.

If you have not previously done so, you must register to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. Please note that you will not be able to draw down funds on this grant until DCJS receives the signed SOGA, and the grant is in Underway status in OGMS. If you have questions, contact your DCJS Grant Monitor at or via phone at .

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson Miller".

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

521825-FY 2023 - Byrne/Justice Assistance Option 5

Subgrantee:	Fairfax		
DCJS Grant Number:	522148		
UEI Number:	W2ZUFMBDM378		
Grant Start Date:	4/1/2024		
Grant End Date:	12/31/2025		
Federal Grant Number(s):	15PBJA-22-GG-00616-MUMU		
Federal Awardee:	BJA		
Federal Catalog Number:	16.738		
Project Description:	To strengthen Crime Control		
Federal Start Date:	10/1/2021		

Federal Funds:	\$97,143		
Local Match:	\$32,381		
Total Budget:	\$129,524	Indirect Cost Rate: _____%	*If applicable

Project Director	Project Administrator	Finance Officer
Matthew Horn Lieutenant 14601 Lee Road Chantilly, Virginia 20151 703-449-7216 matthew.horn@fairfaxcounty.gov	Bryan Hill County Executive 12000 Government Center Parkway Fairfax, Virginia 20151 703-324-2536 bryan.hill@fairfaxcounty.gov	Christina Jackson Chief Financial Officer 12000 Government Center Parkway Fairfax, Virginia 22035 703-324-2365 Christina.jackson@fairfaxcounty.gov

***Please indicate your ICR in the space provided, if applicable.** As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.

Signature: _____
Authorized Official (Project Administrator)

Title: _____

Date: _____

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 24221

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on May 7, 2024, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2024, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:

Fund:	500-C50000, Federal-State Grant Fund	
Agency:	G9090, Police Department	\$129,524
Grant:	1900040-2023, Byrne/Justice Assistance Option 5	

Reduce Appropriation to:

Agency:	G8787, Unclassified Admin	\$129,524
Fund:	500-C50000, Federal-State Grant Fund	

Source of Funds: Virginia Department of Criminal Justice Services, \$97,143
Local Cash Match, \$32,381

A Copy - Teste:

Jill G. Cooper
Clerk for the Board of Supervisors

Board Agenda Item
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ADMINISTRATIVE - 7

Authorization to Advertise a Public Hearing on the Preservation and Reinvestment Initiative for Community Enhancement Competition Grant Application

ISSUE:

Board of Supervisors (Board) authorization is requested to advertise a public hearing on the Preservation and Reinvestment Initiative for Community Enhancement (PRICE) Competition Grant application. Grant funding is available for the preservation and revitalization of manufactured housing and eligible manufactured housing communities and would be beneficial in serving the County's eight existing manufactured housing communities. However, in accordance with U.S. Department of Housing and Urban Development (HUD) guidelines, the application mandates at least one public hearing, providing reasonable notice (at least 15 days), opportunity for public comment, and ongoing access to information about the use of grant funds. A second item will be submitted for the May 21, 2024, Board meeting to formally seek approval for a grant application. HUD anticipates making awards ranging from \$5 to \$75 million.

RECOMMENDATION:

The County Executive recommends that the Board authorize a public hearing on the PRICE Competition Grant application.

TIMING:

Board action is requested on May 7, 2024, to provide sufficient time to advertise the proposed public hearing on May 21, 2024, at 4:30 p.m.

BACKGROUND:

The PRICE Grant competition has been issued by HUD to preserve long-term housing affordability for residents of manufactured housing or a Manufactured Housing Community (MHC), to redevelop MHCs, and to primarily benefit low- and moderate-income residents. Congress appropriated \$225 million for competitive grants, of which \$200 million is reserved for the main PRICE competition (PRICE Main) and the remaining \$25 million is reserved for a pilot program to assist in the redevelopment of MHCs as replacement housing that is affordable. HUD expects to make approximately 25 awards from the funds available, with a minimum award amount for PRICE Main of \$5,000,000 and a maximum award amount of \$75,000,000.

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Board of Supervisors authorization is requested for the Department of Housing and Community Development (HCD) in partnership with the Departments of Neighborhood Services (NCS), Planning and Development (DPD), Public Works and Environmental Services (DPWES), and the Office of Energy and Environmental Coordination (OEEC), to apply for a Price Main grant. While the application is still in development, it is anticipated that the funding request will be for up to approximately \$40 million. The grant has a 6-year Period of Performance, an Estimated Project Start Date of October 1, 2024, and Estimated Project End Date of September 30, 2030.

Fairfax County has eight existing manufactured housing communities across several magisterial districts containing approximately 1,750 units. This grant would be beneficial in serving these communities, furthering affordable housing preservation goals in Fairfax County, and implementing the recommendations of the Manufactured Housing Preservation Task Force (MHTF). If awarded, funding would be used for the purposes of rehabilitation and replacement of existing units, infrastructure improvements, planning activities, resident and community services, resilience activities, and providing other assistance to manufactured housing tenants and homesite renters for land and site acquisition. The PRICE Main grant will support activities recommended by the MHTF and delivered to the Board in September 2022. The Board has identified manufactured housing as a source of affordable housing within the county. The MHTF evaluated the needs of residents and MHC owners and made recommendations with the following goals:

- Preserving the approximately 1,750 housing opportunities that exist in the eight MHCs, recognizing the uniqueness of each community's needs;
- Providing opportunities for residents to fully participate in and benefit from civic life in the county; and,
- Provide residents and MHC owners with opportunities to learn about their rights and responsibilities.

EQUITY IMPACT:

The county's application for the PRICE Main grant would meet critical housing, human services, and community development needs and also align with multiple focus areas of One Fairfax, including:

- Community and economic development policies and programs that promote wealth creation and ensure fair access for all people.
- Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county, most notably those in mixed-use areas that are accessible to multiple modes of transport.

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- Neighborhoods that support all communities and individuals through strong social networks, trust among neighbors, and the ability to work together to achieve common goals that improve the quality of life for everyone in the neighborhood.
- A quality built and natural environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner that includes mixes of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life, and promotes employment opportunities, housing, amenities and services for all people.

The PRICE Main grant will also focus on improved community outreach and engagement in MHCs, understanding of community needs, access to resources that support housing stability, code compliance and safety, land use policies and regulations, and legislation.

FISCAL IMPACT:

There is no fiscal impact associated with this Board item. A second item will be submitted as part of the May 21, 2024, Board meeting seeking Board approval for the grant application requesting up to \$40 million.

ENCLOSED DOCUMENTS:

Attachment 1 - Draft application will be published for public review no later than May 6, 2024, at <https://www.fairfaxcounty.gov/housing>.

STAFF:

Chris Leonard, Deputy County Executive

Rachel Flynn, Deputy County Executive

Thomas Fleetwood, Director, Department of Housing and Community Development

Lloyd Tucker, Director, Department of Neighborhood and Community Services

Christopher Herrington, Director, Department of Public Works, and Environmental Services

Tracy Strunk, Director, Department of Planning and Development

John Morrill, Director, Office of Environmental and Energy Coordination

ASSIGNED COUNSEL:

Susan L. Timoner, Assistant County Attorney

Board Agenda Item
May 7, 2024

ACTION - 1

Approval of Vacation of a Parking Reduction for Reston Gateway Also Known as RTC Next (Hunter Mill District)

ISSUE:

Board of Supervisors (Board) approval to vacate a previously approved parking reduction and terminate the associated agreement for the Reston Gateway mixed-use development, 2024 Tax Map 17-3 ((22)) (1) 1-3; 17-3 ((22)) 1-3; and Tax Map 17-3 ((1)) 29A, 5H1, 5 (Property).

RECOMMENDATION:

The County Executive recommends that the Board vacate the previously approved parking reduction for the Reston Gateway mixed-use development and terminate the associated parking reduction agreement.

TIMING:

Board action is requested on May 7, 2024.

BACKGROUND:

On July 30, 2018, concurrent with the zoning application approval for PCA 86-C-119-07, DPA 86-C-119-03, PCA 86-C-121-08, and DPA 86-C-121-05, the Board of Supervisors approved a parking reduction (5468-PKS-004-1) that was limited to the residential multifamily, hotel, and shopping center retail/restaurant uses. The existing and future office uses were not included in the approved parking reduction and will park at the minimum parking ratios required by the Zoning Ordinance (ordinance).

On September 26, 2023, the Board repealed and replaced Article 6 of the ordinance, which governs parking in the County, which became effective on January 1, 2024. The minimum parking requirement for the uses in the development are less than the minimums approved with the 2018 reduction. The approved and currently effective rates are shown in Table 1.

Table 1. Required Parking

Land Use	Pre-2024 Minimum Rates	Approved Parking Reduction Rates	Current Minimum Rates Transit Oriented District
Multi-Family Residential	1.3 spaces/0-1 BR Units 1.5 spaces/2 BR Units 1.6 spaces/3+ BR Units	1.1 spaces/0-1 BR Units 1.35 spaces/2 BR Units 1.6 spaces/3+ BR Units	0.4 spaces/bedroom
Hotel	One (1) space per rental unit + four (4) spaces per fifty (50) rental units, + such spaces required for restaurants, assembly rooms and affiliated facilities	0.7 spaces/room + 3.9 spaces/1,000 gross square feet (GSF) for the hotel affiliated facility area	0.6 spaces/room
Retail/Shopping Center	4.0 spaces/1,000 GSF, shopping center retail 10.0 spaces per square foot of outdoor seating area beyond 1st 20 seats for restaurant of less than 5,000 GSF 11.0 spaces/1,000 GSF, restaurants ≥ 5,000 GSF and outdoor seating area beyond 1st 32 seats	3.0 spaces/1,000 GSF, shopping center retail 3.0 spaces/1,000 GSF, restaurants < 5,000 GSF and outdoor seating area beyond 1st 20 seats 9.0 spaces/1,000 GSF, restaurants ≥ 5,000 GSF and outdoor seating area beyond 1st 32 seats	1.5 spaces/1,000 GSF

EQUITY IMPACT:

The proposed vacation supports a quality-built environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner. This includes mixes of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life, and promotes employment opportunities, housing, amenities, and services for all people. It also promotes a healthy and quality environment to live and work in that acknowledges the need to breathe clean air and to drink clean water now and for future generations. Further, it is consistent with a multi-modal transportation system that supports the economic growth, health, congestion mitigation, and prosperity goals of Fairfax County and provides accessible mobility solutions that are based on the principles associated with sustainability, diversity, and community health.

The proposed vacation addresses these values by being a component of an effort to reduce auto travel and enhance environmental benefits by de-emphasizing ample, free parking. Providing parking utilizes land resources that could be better used to provide

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more compact, walkable development. When walkable locales are provided, behavioral changes occur that support use of non-auto travel modes such as walking and micromobility devices, examples include bicycles and scooters. Reducing incentives to drive because parking is freely available reduces emissions, which is the primary source of pollution in our region.

At this site, a mixed-use community is being developed with retail, dining, employment, and entertainment options available within one-half mile of the subject site. The site is also adjacent to the Reston Town Center station on the Metrorail Silver Line, which provides regional connectivity. Local bus services, Capital Bikeshare, and other bicycling facilities are also available at the station. These options reduce the need for auto ownership and the impacts additional driving can cause to the environment. The lower parking supply allowed with vacation of the parking reduction conforms with adopted changes to the ordinance minimum parking rates for transit-oriented development, which were intended to enhance these opportunities.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment I – Wells & Associates Letter, dated January 8, 2024, Request to Vacate Board Approved Parking Reduction

STAFF:

Rachel Flynn, Deputy County Executive
William D. Hicks, P.E., Director, Land Development Services (LDS)
Matthew Hansen, P.E., Chief, Site Development, and Inspection Division (SDID), LDS
Jeff Vish, P.E., Central Branch Chief, SDID, LDS
Michael Davis, Parking Program Manager, SDID, LDS

ASSIGNED COUNSEL:

F. Hayden Codding, Assistant County Attorney

WELLS + ASSOCIATES

January 8, 2024



11220 Assett Loop
Suite 202,
Manassas, VA 20109
703-365-9262
WellsandAssociates.com

Michael Davis
Site Code Research and Development (SCRD)
Department of Public Works & Environmental Services
12055 Government Center Parkway, Suite 334
Fairfax, Virginia 22035-5503

SUBJECT: Request to a Vacate Board Approved Parking Reduction
RTC Next (formerly known as Reston Gateway) – #5468-PKS-004-1

Dear Mr. Davis,

The purpose of this letter is to summarize a request to vacate the Board of Supervisors approved parking reduction for RTC Next in favor of parking the site to the new minimum parking requirements set forth by the recently adopted amendment to Article 6 of the Zoning Ordinance (ZO) (aka "Parking Reimagined"). The ZO amendment was formerly implemented on January 1, 2024.

The subject parking reduction [5468-PKS-004-1] was approved on July 30, 2018 and originally established pursuant to Paragraph 5(A) of Section 11-102 of the Fairfax County ZO based on the project's close proximity to a mass transit station.

RTC Next is comprised of ±27.32 acres and located within a transit-oriented development (TOD) district [**Tax Map #17-3 ((22)) (1) 1-3, 17-3 ((22)) 1-3, and 17-3 ((1)) 29A, 5H1, 5**], as established by "Parking Reimagined". More specifically, the site is generally located in the northeast quadrant of the Sunset Hills Road (Route 675)/Town Center Parkway (Route 7414) intersection in the Hunter Mill Magisterial District of Fairfax County, Virginia. The Phase 1 and 2 areas of the Project are almost entirely located within ¼ of a mile from the Reston Town Center Metrorail station, as measured from the center of the station platform.

Based on the newly adopted ZO minimum parking requirements, the project would now be subject to lower minimum parking rates than approved by its parking reduction. Please see the adjoining memorandum which outlines the request to vacate in more detail. As a result, the Applicant hereby requests that the Fairfax County Board of Supervisors vacate the approved parking reduction (5468-PKS-004-1) in its entirety.

We sincerely appreciate your assistance in this matter. If you have any questions or need anything further, please feel free to contact me at 703-676-3652 or krfellin@wellsandassociates.com.

With Best Regards,

Kevin R. Fellin, P.E.,
Principal

Board Agenda Item
May 7, 2024

ACTION - 2

Approval of 2024 Rate Adjustments to Centreville Area, Fairfax Center Area, Reston, Tysons, Tysons Grid of Streets, and Tysons-Wide Road Funds (Braddock, Dranesville, Hunter Mill, Providence, Springfield, and Sully Districts)

ISSUE:

Board approval of adjustments to the Centreville Area, Fairfax Center Area, Reston, Tysons, Tysons Grid of Streets, and Tysons-wide Road Fund rates to compensate for inflation in project construction costs, in accordance with the Consumer Price Index for all urban consumers (CPI-U).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the attached rate schedule (Attachment 1), including a 3.1 percent adjustment of the existing contribution rates in all fund areas, with the new rate effective June 1, 2024.

TIMING:

Board action is requested on May 7, 2024, so that the new rates can take effect on June 1, 2024.

BACKGROUND:

One of the principles of the Comprehensive Plan for each of the road fund areas is that development above the baseline level established in the plan may be approved if the developer mitigates the impact of such increased density or intensity by contributing to a fund for the provision of off-site road improvements. All road funds function in this manner.

Attachment 1 reflects the increase in developer contribution rates as calculated with a 3.1 percent inflationary increase over the 2023 rates. The 3.1 percent increase is derived from the CPI-U as required by the Code of Virginia. The rate increase is necessary to keep pace with inflationary project construction cost increases. The last rate increase went into effect April 1, 2023.

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EQUITY IMPACT:

Staff conducted an Equity Impact Assessment and determined that while vulnerable populations in most road fund areas are primarily within the low to average vulnerability index, the Centreville area has populations that fall within the high to very high vulnerability index. The equity assessment for the 2024 Rate Adjustments lacks sufficient data to determine an equity impact.

FISCAL IMPACT:

Adoption of the revised rates will increase the funds contributed by developers to Fund 30040, Contributed Roadway Improvements, by 3.1 percent over previously approved amounts. However, the primary effects of the increase will be felt in future years. This is because the contribution amount for each development is determined by the effective rate at the time of the land use action (rezoning, special exception, special permit, etc.) approval by the Board. The contribution rate at the time of approval will remain effective for a period of two years. If a site plan or subdivision plan (i.e. preliminary or final plat) is not submitted within two years from the development approval date, the contribution rate in effect at the time of site plan submission or final subdivision plat submission will be used to identify the total contribution required.

ENCLOSED DOCUMENTS:

Attachment 1: Calculation of Revised Contribution Rate for 2024

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation (FCDOT)

Noelle Dominguez, Chief, Coordination and Funding Division, FCDOT

Ray Johnson, Chief, Funding Section, FCDOT

Smitha Chellappa, Senior Transportation Planner, Funding Section, FCDOT

Jeffrey C. Hermann, Chief, Site Analysis and Transportation Planning Division, FCDOT

CALCULATION OF REVISED CONTRIBUTION RATE – 2024

Inflation rate for 2024 based on the Consumer Price Index for all Urban Customers (CPI-U) published by the US Department of Labor, Bureau of Labor Statistics (not seasonally adjusted)

Proposed 2024 Contribution Rate

Road Fund Area	Type	Approved Rate 2023	Inflationary Increase 2024	Proposed Rate 2024
Tysons	non-residential	\$5.54	1.031	\$5.71
	residential	\$1,228.36	1.031	\$1,266.44
Tysons-Wide	non-residential	\$7.47	1.031	\$7.70
	residential	\$1,324.06	1.031	\$1,365.11
Tysons-Grid of Streets	non-residential	\$8.52	1.031	\$8.78
	residential	\$1,324.06	1.031	\$1,365.11
Fairfax Center	non-residential	\$7.52	1.031	\$7.75
	residential	\$1,666.88	1.031	\$1,718.55
Centreville	non-residential	\$8.09	1.031	\$8.34
	residential	\$3,194.45	1.031	\$3,293.48
Reston	non-residential	\$11.87	1.031	\$12.24
	residential	\$2,594.81	1.031	\$2,675.25

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ACTION - 3

Approval of a Resolution Authorizing Execution of a Project Administration Agreement with the City of Falls Church for the Implementation of the Shreve Road Shared-Use Path Project (Providence District)

ISSUE:

Board of Supervisors' approval of a resolution authorizing the Director of the Fairfax County Department of Transportation (FCDOT) to execute a Project Administration Agreement (PAA) with the City of Falls Church for the design, land acquisition and construction of a shared-use path (SUP) on Shreve Road between the Washington & Old Dominion (W&OD) Trail and Route 7 in the City of Falls Church and Fairfax County.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (Board) approve the attached resolution (Attachment 1) and PAA (substantially in the form of Attachment 2) for Fairfax County to administer the design, land acquisition, and construction of a SUP on Shreve Road.

TIMING:

Board action is requested on May 7, 2024, to ensure that the project moves forward expeditiously.

BACKGROUND:

FCDOT staff members have been working, in coordination with staff from the City of Falls Church (City), to advance the Shreve Road SUP project. The project, which would be administered by FCDOT, will install a new shared-use path and planting strip along Shreve Road between the W&OD Trail and Route 7. The project will also provide a crosswalk near the intersection of Shreve Road and Gordon Road, as well as benches near the entrance to the W&OD trail. Stormwater management and drainage will also be provided with the project, as necessary. The Shreve Road project is part of a larger effort to connect with the City's West End, the Mary Ellen Henderson Middle School and Meridian High School Campus, and the West Falls Church Metrorail Station. Additional coordination between staff members from the City, Fairfax County, and the Virginia Department of Transportation (VDOT) is currently underway regarding the design of the Haycock Road intersection with West Broad Street and Shreve Road.

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The proposed agreement would authorize the City to reimburse Fairfax County up to \$6.9 million for work performed by Fairfax County on the Shreve Road SUP Project. The City will be funding the project using regional revenue awarded to them by the Northern Virginia Transportation Authority (NVTA). The Falls Church City Council approved this agreement at its February 12, 2024, Council meeting.

EQUITY IMPACT:

Although the County is not responsible for funding this project, staff conducted an equity impact analysis, and found the action would not cause a negative equity impact. When completed, this shared-use path along Shreve Road will benefit citizens in census tract 4714.01 (adjacent to the project) of average vulnerability, as well as citizens of Falls Church and Fairfax County, by increasing accessibility to the W&OD Trail and Route 7.

FISCAL IMPACT:

Funding has been identified in Fund 40010, County and Regional Transportation Projects, in Project 2G40-087-000, Spot Improvements. Unless the County requests additions to the project scope, all project expenses, including design fees, land acquisition costs, construction costs, and County staff time, will be reimbursed to the County by the City. The City bears responsibility for cost overruns, unanticipated expenses, or funding shortages, if any, for the project under this agreement. There is no impact to the General Fund.

ENCLOSED DOCUMENTS:

Attachment 1 – Agreement Execution Resolution for the Shreve Road Shared-Use Path Project

Attachment 2 – Project Administration Agreement Between Fairfax County and the City of Falls Church

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation (FCDOT)

Eric M. Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT

W. Todd Minnix, Chief, Transportation Design Division (TDD), FCDOT

Jim Beall, Engineer, TDD, FCDOT

Noelle Dominguez, Chief, Coordination and Funding Division, FCDOT

Ray Johnson, Chief, Funding Section, FCDOT

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ASSIGNED COUNSEL:
Marc Gori, Assistant County Attorney

RESOLUTION

AGREEMENT EXECUTION RESOLUTION
A RESOLUTION FOR THE BOARD OF SUPERVISORS OF THE COUNTY OF
FAIRFAX, VIRGINIA
FOR THE EXECUTION OF AN AGREEMENT FOR THE
SHREVE ROAD SHARED-USE PATH PROJECT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center of Fairfax, Virginia, on Tuesday, May 7, 2024, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the City of Falls Church (City) has requested that Fairfax County (County) administer design and construction of a shared-use path (Project) on Shreve Road between the Washington & Old Dominion (W&OD) Trail and Route 7; and

WHEREAS, the City was awarded \$6,900,000 in regional revenue from the Northern Virginia Transportation Authority (NVTa) for the implementation of this Project; and

WHEREAS, on February 12, 2024, the governing body of the City authorized its respective designee to execute this agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the Director of the Fairfax County Department of Transportation to execute, on behalf of the County, the Shreve Road Shared-Use Path Project Administration Agreement with the City.

ADOPTED this 7th day of May 2024

A Copy Teste:

Jill G. Cooper
Clerk for the Board of Supervisors

**AGREEMENT FOR THE JOINT EXERCISE OF POWERS
BETWEEN FAIRFAX COUNTY and the CITY OF FALLS CHURCH**

For the design, right of way acquisition, and construction of pedestrian and bicycle improvements on Shreve Road in the City of Falls Church, Virginia and the County of Fairfax, Virginia.

THIS AGREEMENT, made and executed in duplicate on this the ____ day of _____, 2024 (“Effective Date”) between the County of Fairfax, Virginia (“County”), and the City of Falls Church, Virginia (“City”), and collectively referred to as the (“Parties”).

WITNESSETH

WHEREAS, the City’s FY2023-FY2028 Capital Improvement Program, as approved on May 2, 2022, includes funding that may be used for the design, right of way acquisition, construction, and implementation of bicycle and pedestrian improvements (“the Project”) on the east side of Shreve Road, between the Washington and Old Dominion (“W&OD”) Trail and West Broad Street, which improvements would be located partly within the County and partly within the City; and

WHEREAS, the County Board of Supervisors on November 19, 2019 approved a resolution supporting the City’s application for Northern Virginia Transportation Authority (“NVTA”) funding for multimodal improvements; and

WHEREAS, the NVTA awarded the City \$6,900,000 for the Project (the “Project Budget”), as shown in Appendix A, which funds may be obtained by the City on a reimbursement-basis; and

WHEREAS, the Project is located along the east side of Shreve Road, from the W&OD Trail to West Broad Street, and includes County Tax Map Numbers (0403- 01) -0111, -0116, -0117, -0118, -0118A, -0119 and -0053A; County Tax Map Numbers (0403-12) -0011, -0013, and -0016; and City parcel 52-101-012; as described on the tax map in Appendix B-1; and

WHEREAS, the City has requested that the County provide Project administration for the Project, to include management and oversight of design, right of way acquisition, and construction, as described in detail in Appendix A (“Project Budget and Scope”); and

WHEREAS, the Parties have agreed that the County will perform, or cause to be performed, the design, right of way acquisition, and construction administration services for the Project substantially in accordance with the narrative scope shown in Appendix A; and

WHEREAS, the Parties desire to enter into this Agreement to set forth their respective obligations regarding the Project; and

WHEREAS the County is in the process of procuring per the Virginia Public Procurement Act (“VPPA”), qualified engineering firm(s) (“Consultant”) to provide engineering design services (including plans, cost estimates, easement plats, and Right of Way plats) for the Project; and

WHEREAS, when the design of the Project is complete, certain private property rights will need to be acquired, as generally shown on the Land Rights Location Map at Appendix B-1, (“Land Acquisition”) in order to enable construction of the Project; the Parties agree that Land Acquisition will be performed by the County’s land acquisition staff on behalf of the City, and that the consideration necessary to perform the Land Acquisition will come from the Project Budget; and

WHEREAS, prior to negotiating agreements with private property owners, the County’s land acquisition staff will obtain agreement from the City concerning: (a) the nature and boundaries of the private property rights needed for the Project, and (b) the appropriate governmental entity to receive such property rights (Virginia Department of Transportation (“VDOT”), the City, or County); and

WHEREAS, when the County has completed all of the Land Acquisition necessary for construction of the Project, the Parties agree that the County will procure qualified contractor(s) (“Contractor”) for the purpose of constructing the Project, which contract will be administered and managed by the County’s designated construction manager (“Construction Manager”); and

WHEREAS, the Parties have agreed that the Contractor and Construction Manager will coordinate with both City and County staffs for the construction of the Project; and

WHEREAS, the Parties have agreed that the County Construction Manager will, on behalf of the City, monitor the Contractor, construction schedule, and construction process as more fully described below; and

WHEREAS, the Parties have agreed that the City will use the Project Budget to pay the costs for the necessary County staff, Consultant, Construction Manager, and other contractors approved by the City, all as needed to complete the Project described in this Agreement under the terms and conditions set forth in this Agreement; and

WHEREAS, the Parties’ governing bodies have, by resolutions, which are attached hereto as Appendices C and D, authorized their respective designees to execute this Agreement; and

NOW THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the Parties hereto agree as follows:

I. GENERAL

A. The Parties will work together to provide the design, right of way acquisition, and construction of the Project as follows

B. The County shall:

1. Complete the Project, as identified in Appendix A. All work shall be completed in accordance with a Project Schedule, which shall be established by the Parties at the beginning of the Project, and all applicable federal, state, and local laws and regulations, including the VPPA; and
2. Use the NVTA funds specified on Appendix A to pay only such Project costs as are permitted under the NVTA Act, at Sections 33.2-2500 et. seq. of the Virginia Code (“the NVTA Act”); and
3. Prepare and submit monthly invoices for its work to the City in accordance with NVTA’s rules and requirements and Section B.8. below; and
4. Complete the Project in accordance with all applicable standards governing the work, and implement the Project in compliance with all grant requirements and obligations; and
5. Fully coordinate and manage the Project to completion. This shall include the work to procure, contract with, direct, and manage all third Parties hired by the County to work on the Project, provided however that the County will obtain the City’s consent prior to entering into or amending a contract with a third party in order that the City may verify that the scope and fee are acceptable to the City; and
6. Obtain approval from the City prior to issuing a Notice to Proceed to third parties on work for the Project; and
7. Refrain from utilizing funding other than those funds for the Project awarded to the City by the NVTA. No federal funds may be used on the Project without the Parties first amending this agreement; and
8. Track all invoices and budgeting tasks for the Project and invoice the City in a timely manner. The County will work with City staff as follows:

- a. County staff will track actual and estimated Project costs throughout the duration of the Project. If, at any time, it appears that the total Project costs will exceed the Project Budget, the County will immediately notify the City in writing, and work cooperatively with the City to resolve the issue.
- b. County staff will review all Consultant invoices and Contractor pay applications and make payments as appropriate. County shall submit invoices to the City with documentation indicating the amount due for reimbursement to the County. Reimbursement shall include County staff time, with appropriate documentation. County staff time will be invoiced in one-hour increments at the same staff hourly rates as the County invoices NVTA for its own NVTA grant-related Projects.
- c. Monthly invoices shall contain detailed summaries of actual Project costs incurred with supporting documentation, and a certification that all such costs were incurred in the performance of work for the Project.
- d. Once the County has submitted a monthly invoice and summary of progress for the Project to the City, the City will have forty-five (45) calendar days to review, and either approve or reject the invoice, and, if approved, submit a reimbursement request to NVTA. Should any portion of an invoice be disputed by the City this shall reset the 45-day clock.
- e. Should the City question an invoice or portion thereof, the City may choose to submit the issue to NVTA for determination and resolution.
- f. City may reject invoices only for work that is not in accordance with this Agreement, or within the scope of the Project as defined in this Agreement and the City's NVTA grant. If the City rejects or "holds" an invoice, the City and County shall work cooperatively with Consultant or Contractor to resolve the dispute.
- g. Once a dispute over the payment of an invoice is resolved, the City shall reimburse the County within forty-five (45) calendar days.
- h. No invoices shall be submitted by the County to the City for expenses which were incurred over 16 months prior.
- i. For all undisputed invoices approved by the City, the County can expect to receive payment within forty-five (45) calendar days after request for payment from the County. Approved payments may be made by means of electronic transfer of funds from the City to or for the account of the County.
- j. If mutually agreed by the City and County, additional expenses may be invoiced for services performed by the County, up to a pre-determined maximum amount.
- k. The County may, with the City's prior consent, choose to add elements to the Project scope outside the design elements described in Appendix A. Should the

City agree to include such design elements, the County will be responsible for all design, right of way acquisition, and construction costs associated with such additional work.

- l. Should the City make changes to the Project scope, the City is responsible for all design, right of way acquisition, and construction costs associated with such additional work.
 - m. The County has the right to suspend work on the Project if an invoice has not been paid within ninety (90) calendar days.
9. Provide additional written information and documents to the City, as requested by the City, necessary to support NVTA compliance; and
 10. Promptly submit to the City all requested information and documents, including cash flow estimates, so that the City can timely respond to, and meet the requirements deadlines imposed by NVTA; and
 11. Maintain complete and accurate financial records for the Project at all times prior to completion of the Project, and, thereafter, maintain such records as required by the Virginia Public Records Act and all other applicable records retention laws and regulations; provide copies of any such financial records to the City free of charge, upon request; and
 12. Maintain all original conceptual drawings and renderings, architectural and engineering plans, site plans, inspection records, testing records, and as built drawings for the Project at all times prior to completion of the Project and, thereafter, maintain such records as required by the Virginia Public Records Act and all other applicable records retention laws and regulations; provide to the City copies of all such drawings and plans free of charge, upon request; and
 13. Require Parties' Consultant and Contractor to name the County, City, and NVTA and its Bond Trustee as additional insured on any insurance policy issued for the work to be performed by or on behalf of the County for the Project, and will present the City with satisfactory evidence thereof before any work on the Project by said Consultant or Contractor commences; and
 14. Give advance notice to the City in the event the County intends to use NVTA funds to pay outside legal counsel services (as opposed to utilizing the services of its own in-house counsel, or the City or NVTA's in-house legal counsel) in connection with the work performed under this Agreement so as to ensure that no conflict of interest will arise from any such representation; and

15. Comply with all requirements of the VPPA and other applicable Virginia Code provisions, or local ordinances that govern the letting of public contracts, unless superseded by the laws that govern the City; and
16. Obtain all permits and permissions necessary to construct the Project, including but not limited to, obtaining all required VDOT and local land use permits, applications for zoning approvals, and regulatory approvals; and
17. Certify to the City, that, no later than 90 days after final payment to the Contractor, that the County adhered to all applicable laws and regulations and all requirements of this Agreement.

C. The City shall:

1. At the initiation of Project design, provide all applicable City design standards and NVTA criteria to be used in the Project design. City design standards shall be used only on the portions of the Project located within the City; and
2. Review all monthly invoices submitted by the County per Section B.8 above and request reimbursement from NVTA for all undisputed invoices; and
3. Reimburse the County for the contract costs for design, right of way acquisition services, and construction of infrastructure facilities related to the Project. The City's obligations to pay for all work include the actual costs of Contractor and Consultant used for the construction of the Project incurred by the County as provided in this Agreement, the actual cost for County staff time, and reimbursement of other expenses as pre-approved by the City, including all costs for acquisition of land rights; and
4. Conduct periodic compliance reviews to determine whether the work being performed is within the scope of this Agreement, the City's Standard Project Agreement ("SPA") with NVTA, and other applicable laws. Such compliance reviews may entail review of the County's financial records for the Project and on-site inspections; and
5. Support and assist the County in obtaining site surveys, copies of design and as built plans, plan approvals and construction permits for the Project. The City shall be responsible for payment (or reimbursement to the County) of any plan review or permit fees required by the County, VDOT, the City, or other agencies.

6. Pay compensation required for obtaining any land (whether purchased or easement rights) required for the Project. As noted in the recitals, the County shall prepare plats for easements and land acquisitions.
7. Review design plans at each stage of design, right of way plats, and cost estimates and provide comments to the County within thirty (30) calendar days after the receipt from the County of the plans and cost estimates. The City's comments will be addressed concurrently with VDOT's comments. If any of the City's comments are in conflict with comments from VDOT's, the County will coordinate to resolve the differences, giving both VDOT and the City the opportunity to provide input.
8. Upon notice from the County that additional funding is anticipated or required to complete the Project, work cooperatively with the County to revise the Project scope, provide additional funding, and/or cease or revise design work.
9. Retain copies of all contracts, financial records, design, construction, and as-built Project drawings and plans for the Project as required by the Virginia Public Records Act and as may be required by other applicable records retention laws and regulations.

D. Parties shall:

1. Maintain their respective records for the Project for a period of not less than five years from the date of Project completion. All such records shall be subject to audit by either party.
2. Develop a Project schedule outlining Project deliverables, public meetings, utility relocations, land acquisition, and times required for City, County, and/ or VDOT plan reviews or approvals. The Parties will coordinate on major milestones that may require modifications to the schedule. The schedule will be reviewed and adjusted from time to time based on Project progress and unforeseen delays.
3. Hold progress meetings or teleconferences at least monthly to review the Project status.
4. Participate in joint plan review meetings at the 25%, 65%, and 90% plan stage.

5. Work cooperatively to resolve any feasibility issues that may develop; and to complete the Project in a timely, cost effective, and expeditious manner, and in accordance with all applicable laws and regulations.
6. Upon notification of discovery of any hazardous substances in or on any property upon which the Project is to be constructed, immediately confer to determine the scope of any investigation and the requisite response action.
7. Meet and confer to resolve any dispute that may arise between the Parties. Nothing herein limits the rights of either party to resolve disputes by means not described or provided for in this Agreement.
8. Within sixty (60) days after receipt of a notification under Section B.8.a of a projected cost overrun and prior to taking any other action, the City and the County shall meet to discuss all potential options and alternatives, including but not limited to seeking alternative funding for completion of the Project, modification of the Project, and/or modification of the Project Budget. After such meeting the City may:
 - a. Identify additional funding and approve an increased Project Budget, subject to appropriation, if needed, by the County; or
 - b. Subject to County approval, revise the Project scope to reflect a change in Project goals and objectives and revise the Project Budget; or,
 - c. Notify the County in writing that the City desires to terminate this Agreement, in which case Part V.C of this Agreement shall apply.
9. Upon completion of the Project, the City will maintain the portion of the Project located within the City; VDOT will maintain the portion of the Project located within VDOT Right of Way. The County will maintain any portion of the Project located outside the City for which VDOT declines to accept maintenance. The County shall have no other ongoing Project maintenance obligations, unless it is to correct a defect in the work that becomes apparent after the Project is completed and the County can hold the Consultant or Contractor liable through the County's contracts; under this scenario, the County will be obligated to correct the defect.

II. DESIGN PHASE

The County shall:

1. Manage the design of the Project in accordance with all applicable VDOT and City design standards.

2. Participate with the City in joint plan review meetings at the 25%, 65%, and 90% of design plan stage.
3. Coordinate with the City on any necessary public engagement efforts.
4. Provide the City with a copy of the plans and cost estimate at each design phase submittal, and the final site plan and cost estimate for the Project.
5. Distribute plans at each stage of design (25%, 65%, 90% and 100%) to VDOT, the County and the City for review, and provide all resulting comments to the Consultant.
6. As provided in paragraph I.C.5, the City will review the design plans at each stage of Project design development. The City shall provide any comments within 30 days. The County shall work with the Consultant to address the City's and VDOT's comments. The City's comments shall be addressed concurrently with VDOT's comments. If the City and VDOT make conflicting comments, the County will coordinate to resolve the differences, giving both VDOT and the City an opportunity to provide input.
7. Submit final plans to VDOT for a land use permit; and, if necessary, submit final plans for a City permit.
8. Provide a Project cost estimate at each stage of Project design development.

III. RIGHT OF WAY PHASE

- A. During the design process, the County will identify the land rights required for the Project, the utilities that need to be relocated, and the estimated costs for each. The County will coordinate with utilities affected for relocation of these facilities.
- B. The Parties will work together cooperatively to relocate utilities, as required, and acquire the property interests required for the Project.
- C. At the completion of the 65% design phase, the County, its Contractor and Consultant will prepare easement and right of way plats for all land rights required by the design, and will coordinate the preparation of any utility easement plats. The County will provide plats to the City for review and will meet with City staff as necessary to discuss acquisition of land rights.
- D. The County will, through its Transportation Design Division and Land Acquisition Division (“LAD”) provide the following:
 - 1. Title Services, (including recordation), if not performed by LAD staff, through its title contractor. (Deeds for property in the County shall be recorded in the County; deeds for property in the City shall be recorded in Arlington County; deeds for property that lies in both the City and the County shall be recorded in both Arlington and Fairfax County.) The County will provide sixty (60) year searches for the Parcels. The County will provide the Title service invoices to the City to be paid at cost. The County will track staff time incurred in reviewing Title services and will invoice the City for this time.
 - 2. Appraisals for the Acquisitions. The County will enter into contracts for such appraisals from its County-approved list of appraisers. The County will provide the appraisal invoices to the City to be paid at cost. Waiver valuations may be used for low value acquisitions, where possible. The County will track staff time incurred in providing such valuations and review of appraisals and will invoice the City for this time.
 - 3. County staff will review plats and plans as needed for County plat standards, impact to the properties and utilities, and negotiation purposes, and will review title work and property appraisals (if there is no waiver valuation) and approve the appraisals and/or waiver valuations for negotiations. County tasks will also include providing waiver valuations if allowed; providing letters of intent; providing written offers to include valuation document and the title abstract and

plat. (If property is being dedicated, a copy of the title search including every document in the sixty- year period, even if released or otherwise no longer in effect, must be provided to the owner before the offer is made.)

4. Upon receipt by the City of the County's valuation with acceptance of such by the City, such acceptance not to be unreasonably withheld, City will provide a Notice to Proceed for negotiations. County staff will then proceed by contacting property owners and conducting negotiations to seek agreement for terms of acquisition. The County will coordinate such negotiations with City staff and keep City staff informed of the status of negotiations. It is mutually understood that the amount of time and therefore cost to negotiate is dependent on owner reactions and positions. Since County staff will coordinate with the City to receive approval for offers, the time may be greater than initially estimated. The County will offer the City staff a reasonable opportunity to attend any negotiations, but attendance by City staff is not a requirement. The County cannot offer compensation on behalf of the City in negotiations unless City staff has given prior written authorization. The County has sole authority to make offers and to negotiate with property owners, subject to prior approval of the compensation amount by the City. The County will notify the City if the County becomes aware that any particular negotiation may take extra time and therefore exceed the estimate for performance of these services. The City will authorize any administrative settlements above the initial offer amount.
5. The County will invoice the City monthly for costs of Title Services, Appraisals, Waiver Valuations, any other costs incurred, and staff time attributable to reimbursable tasks performed under this Agreement. Invoices issued by the County to the City must include copies of any invoices from Contractor and a statement of staff time incurred, including identification of the property involved and the tasks that were performed.
6. Before beginning land acquisition services and utility coordination, the County will provide the City a cost estimate for the performance of those services, including the costs for acquisition of land rights based on initial valuations of assessed land value and not appraisals. If negotiations with owners result in valuations that could cause the Project to exceed the Project Budget, then the City would need to agree to an increase in the Project budget before the County continued with negotiations.
7. The County will track its work to be sure that all work can be done for the amounts in the cost estimate provided in D.5 above. If the County determines

that the cost of its staff's time will exceed the cost estimate, it will give notice to the City and will not proceed with such work until so directed by the City.

E. The City will do the following:

1. For acquisition of land rights for properties located within the City, the City will provide draft forms for deeds and Compensation Agreements to be used by LAD. Such forms will be used by LAD staff to prepare deeds for specific land rights and specific properties with owners of property within the City. Any changes to the deeds necessitated by the negotiation process, or otherwise, will be subject to review and approval by the City and the County. Properties within the City shall be acquired with the City as grantee. Properties within the County shall be acquired with the County as grantee;
2. The City's obligations to pay for all work includes the actual costs of Contractor used for the Land Acquisition by the County, the actual cost for County staff time, and reimbursement of other expenses, as appropriate. If actual costs exceed the estimates provided by the County, the County shall notify the City of any difficulty in proceeding with the Project at such cost, and the Parties will work cooperatively to resolve the issue. The City must approve the proposals for work to be performed by contractors before the County issues a Notice to Proceed. The City will reimburse the County for all costs paid to contractors for work performed pursuant to such proposals.
3. The City is responsible for reimbursing the County for payment of property acquisition costs.
4. The City is responsible for reimbursing the County's costs for and related to the relocation of utilities. The City will make such payment directly as may be contractually required between the City and each utility.
5. The City will respond in a timely way to any questions from County staff regarding its requirements for easements, and negotiating position, or other matters requiring input or approval from the City.
6. If an impasse in negotiations with a property owner is reached for the acquisition of land rights, the County and the City will discuss options to resolve the impasse or alternatives to acquisition. The City is responsible for exercising eminent domain on any properties located in the City. The County Board of Supervisors must approve the exercise of eminent domain on any

properties located in the County. The City shall be responsible for all costs for condemnation, including any litigation costs, whether the property is located within the City or the County.

IV. CONSTRUCTION PHASE

A. The County will, through its staff, Contractor, and Construction Manager, provide the following:

1. On completion of Design and Right of Way acquisition, provide to the City a cost estimate to construct the Project (“Construction Cost Estimate”), based on the most current construction cost estimate, and costs of construction inspections, consultant services, and County oversight.
2. Upon authorization from the City, prepare construction documents, hold a pre-bid meeting, advertise for a public bid, and publicly open bids for Project construction.
3. If the construction bid exceeds the Construction Cost Estimate as noted in item IV.1 above, the current overall Project Budget shall be discussed with and agreed to by the City. The City must authorize additional funds for the total anticipated construction cost before the County can issue a notice to proceed.
4. Hold a preconstruction meeting with the Parties, Contractor, and Construction Manager, City staff, and NVTAs as appropriate.
5. After review of contract documents, with the approval of the City, award the contract to the lowest responsive and responsible bidder.
6. Provide Project inspection services in accordance with County procedures for similar projects.
7. Review all submittals, Requests for Information (RFIs), proposed change orders, closeout documents, and any contract amendments. If the County finds these acceptable, the County shall request and recommend approval by the City. The City must provide approval of all submittals, (RFIs), proposed change orders, closeout documents, and/or any contract amendments.
8. Schedule all inspections in coordination with City staff.

9. Coordinate issuance of the Certificate of Completion and Project Acceptance with City staff.
10. Invoice the City monthly for construction costs actually incurred, including construction management and inspection. The County will include, with its billing, copies of any invoices from the Contractor and Construction Manager and a statement of County staff time incurred, including tasks that were performed.
11. Track its expenses to be sure that all work can be completed for the amounts in the Project Budget and Scope (Appendix A). If, at any time, the County determines that the cost of actual work will exceed the Construction Cost Estimate, it will provide acceptable prior notice to the City and will not proceed with such work until authorized by the City in writing.

B. The City will respond in a timely way to any questions or requests for approvals from County staff regarding change orders, contract amendments, or any other matters requiring input from City staff.

V. OTHER

A. If the Parties determine that the Project may not be feasible as a result of the standard design process or may require additional funding to continue, the Parties will meet, confer and consider alternatives that would move the Project to the next stage, in accordance with City and County procedures, and discuss such other alternatives as may be in the mutual best interest of the Parties.

B. The Parties shall retain joint ownership and rights to all data, designs, models, and any other products generated by the Consultant for the Project.

C. The Parties retain the right to terminate this agreement, with or without cause, at any time upon ten (10) days written notice to the other party. On termination of the agreement, the County shall prepare a final invoice and submit to the City. The City shall process the invoice as described above within forty-five (45) calendar days of receipt in accordance with section I.B.8 above.

D. All requirements for funds to be borne by the County are subject to annual appropriations by the County Board of Supervisors, and all requirements for funds borne by the City are subject to annual appropriations by the City Council.

VI. DISPUTE

If a dispute under this Agreement arises, the Parties agree to meet and confer in order to ascertain if the dispute can be resolved informally without the need of a third party or judicial intervention. City staff and the County staff shall be authorized to conduct negotiations on behalf of their respective entities. If a resolution of the dispute is reached via a meet and confer dispute resolution method, it shall be so agreed in writing. If deemed necessary by either the City or the County, such resolution may be presented to the City and to the County governing bodies for formal confirmation and approval. If no satisfactory resolution can be reached via the meet and confer method, either party is free to pursue whatever remedies it may have at law, including all judicial remedies.

VII. APPROPRIATIONS AND FUNDING REQUIREMENTS:

A. Nothing herein requires or obligates any party to commit or obligate funds to the Project beyond those funds that have been duly authorized and appropriated by their respective governing bodies; and

B. The Parties acknowledge that all funding provided by NVTA is subject to appropriation by the Virginia General Assembly. The Parties further acknowledge that: (i) the moneys allocated to the NVTA Fund pursuant to Va. Code Ann. Sections 58.1-638, 58.1-802.2, and 58.1-1742 and any other moneys that the General Assembly appropriates for deposit into the NVTA Fund are subject to appropriation by the General Assembly and (ii) The City's obligations under this Agreement are subject to such moneys being appropriated for deposit in the NVTA Fund by the General Assembly; and

C. THIS AGREEMENT is not a waiver of either party's sovereign immunity and nothing herein creates or vests any rights in any third parties.

VIII. NOTICES

A. All notices under this Agreement shall be sent via U.S. Mail, postage prepaid, and email for:

County to:

Gregg Steverson
Acting Director
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Gregg.Steverson@fairfaxCounty.gov

Jim Beall, P.E.
Section Chief
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
James.Beall@fairfaxCounty.gov

City to:

Zak Bradley, P.E., CFM
Director, Public Works
City of Falls Church
300 Park Avenue, Suite 105E
Falls Church, VA 22046
zbradley@fallschurchva.gov

James R. Wise, CPPB, CPM
Purchasing Agent
City of Falls Church
300 Park Avenue, Suite 203E
Falls Church, VA 22046
jwise@fallschurchva.gov

B. This Agreement, when properly executed, is binding upon the Parties, and their successors and assigns.

C. This Agreement may be modified only in writing and by mutual agreement of the Parties.

D. This Agreement does not create any personal liability on the part of any officer, employee, agent of either party, nor does it give any rights or benefits to anyone other than the Parties hereto.

E. This Agreement shall be construed and interpreted according to the laws of the Commonwealth of Virginia, and any litigation with respect thereto shall be brought in the courts of the Commonwealth of Virginia.

F. Nothing in this Agreement precludes further agreements between the City and the County to jointly undertake other aspects of work on the Project.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

COUNTY OF FAIRFAX, VIRGINIA:

_____ Gregg Steverson, Acting Director, Fairfax County Department of Transportation	_____ Date
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_____ Signature of Witness	_____ Date
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CITY OF FALLS CHURCH, VIRGINIA:

_____ Wyatt Shields City Manager, City of Falls Church	_____ Date
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_____ Signature of Witness	_____ Date
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Attached:

- APPENDIX A Project Budget and Scope
- APPENDIX B-1 Land Rights Location Map
- APPENDIX B-2 Concept Proposal Plan (Standard Project Agreement)
- APPENDIX C County Resolution
- APPENDIX D City Resolution
- APPENDIX E NVTA Project Sheet
- APPENDIX F Sample of Reimbursement Request from County to City

SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT
APPENDIX A Project Budget and Scope

The Project will complete a new multi-use path to better connect the W&OD Trail with West Falls Church, generally as shown on APPENDIX B-2, and APPENDIX E, NVTA PROJECT SHEET.

The Project is located on the East Side of Shreve Road between the W&OD Trail and the intersection of Route 7 and Shreve Road. The Project includes a 10' shared use path, and 6' planting strip between the street edge and path. Project design and construction within County shall be in accordance with VDOT and County standards. The Project includes relocation of existing utilities as required. A crosswalk will be installed near the intersection of Shreve Road and Gordon Road. ADA handicap ramps will be constructed along with the crosswalk. Benches will be installed near the entrance to the W&OD trail. Storm sewer facilities will be relocated or improved as required.

The preliminary Project Budget (City Responsibility) is allocated as follows:

Design/Engineering/Environmental	\$1,380,000
ROW and Utilities	\$ 795,000
Construction	\$4,725,000
Total	\$6,900,000

This preliminary budget is an estimate consistent with Project funding awarded through the NVTA FY2020-FY2025 Six Year Program. No funding has been allocated from local revenues.

County services related to the Project will include:

- Topographic and Boundary surveys and Utility Delineation of the Project area
- Design of the proposed improvements
- Coordination with the public during the scoping phase
- Utility test pits to identify potential utility conflicts
- Coordination with utility companies for relocation of any conflicting utilities
- Preliminary Environmental Inventory and Resource Agency coordination
- Geotechnical investigations as required
- Preparation of Easement and Right of Way plats
- Right of Way services as described in the Agreement
- Construction Administration services as described in the Agreement

A Project Schedule shall be developed at the initiation of the Project and updated as necessary, but at least twice a year. The Project Budget shall be updated at the completion of each design stage, Right of Way acquisition, and Utility relocation, and prior to award of the Construction Contract.

SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT

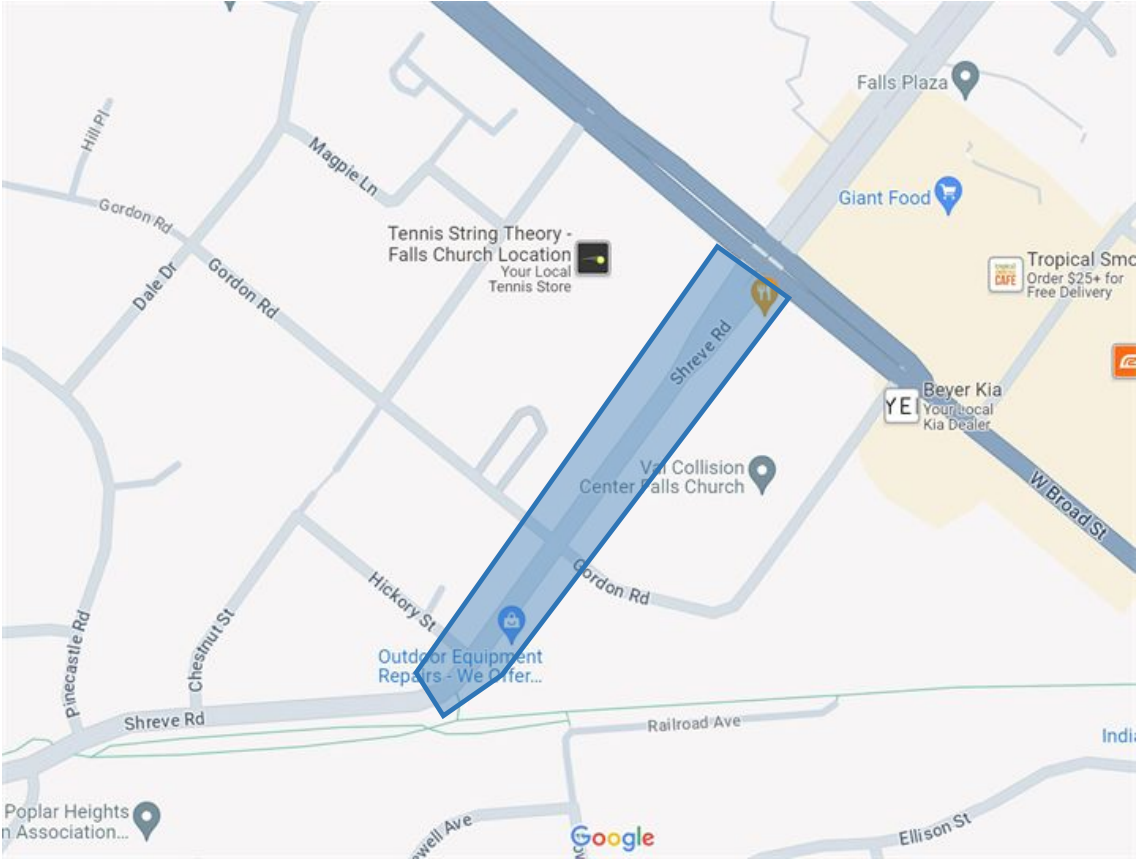
APPENDIX B-1 Land Rights Location Map



SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT

APPENDIX B-2 Concept Proposal Plan (Use NVTA Standard Project Agreement)

Project Concept



Install a new 10' multi-use path and 6' planting strip along Shreve Road between the W&OD Trail and Route 7, acorn style lights, crosswalk near the intersection of Shreve Road and Gordon Road, and benches near the entrance to the W&OD trail.

SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT
APPENDIX C Fairfax County Board of Supervisors Resolution

SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT
APPENDIX D City of Falls Church City Council Resolution

(TR24-06)

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RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE, ON BEHALF OF THE CITY, AN AGREEMENT FOR THE JOINT EXERCISE OF POWERS WITH FAIRFAX COUNTY FOR THE WEST FALLS CHURCH ACCESS TO TRANSIT AND MULTIMODAL CONNECTIVITY PROJECT (ID # 2020-302-1)

WHEREAS, the Northern Virginia Transportation Authority (“NVTA”) has approved funding of an application by the City for construction of the West Falls Church Access to Transit and Multimodal Connectivity Project (Shreve Road Project) (ID # 2020-302-1) (the “Project”), in the amount of \$6,900,000 in NTVA Regional Revenue funding that will fund the design and construction of a shared use path along Shreve Road between the W&OD Trail and Route 7 for the City of Falls Church (“City”), as part of its FY2024 budget; and

WHEREAS, NVTA is a political subdivision of the Commonwealth of Virginia created by the Northern Virginia Transportation Authority Act (the “NVTA Act”), Chapter 48.2 of title 33.2 of the Code of Virginia, as amended; and

WHEREAS, Section 33.2-2500(4) of the Code of Virginia authorizes NVTA to enter into project agreements with certain statutorily designated entities for the provision of transportation facilities and services to the area embraced by the NVTA; and

WHEREAS, the City is the designated entity authorized to seek and obtain funding from the NVTA for projects in the City limits, including the location of NVRPA’s W&OD Trail improvements and has agreed to contract with NVTA through a Standard Project Agreement (SPA), and with Fairfax County through an Agreement, to facilitate completion of the said Project by Fairfax County, in order to improve the connection between the W&OD Trail and West Falls Church; and

WHEREAS, Code Section 33.2-2509 authorizes NVTA to use funds established pursuant to that Code section (the “NVTA Fund”) in order to assist in the financing, in whole or in part, of certain regional transportation projects in accordance with Code Section 33.2-2510; and

WHEREAS, the West Falls Church Access to Transit and Multimodal Connectivity Project (Shreve Road Project) satisfies the requirements of Virginia Code Section 33.2-2510 and is located within a locality embraced by NVTA’s geographical borders; and

WHEREAS, based upon information provided by Fairfax County and the City, NVTA has determined that the Project complies with all requirements of the

160 NVTA Act related to uses of moneys identified in Code Section 33.2-
161 2500 and all other applicable legal requirements.
162

163 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
164 Falls Church, Virginia that the City Manager is authorized to execute a Memorandum of
165 Agreement on behalf of the City in the form attached hereto, for the West Falls Church
166 Access to Transit and Multimodal Connectivity Project (Shreve Road Project) (ID #
167 2020-302-1) subject to review and modification as recommended by the City Attorney.
168

169 Reading:
170 Adoption:
171 (TR24-06)

SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT
APPENDIX E NVTA PROJECT SHEET



West Falls Church Access to Transit and Multimodal Connectivity

NVTA FY2020-2025
SIX YEAR PROGRAM
Updated: 7/15/2020

W&OD to West Falls Church Connectivity

Project Description

Investing in multimodal transportation options helps to build an effective, fiscally sustainable transportation system that enhances quality of life and supports economic growth. Multimodal options have been repeatedly shown to be the most cost effective transportation investments. This project reflects that trend by investing in multimodal transportation options near the West Falls Church Metrorail Station. This project also addresses a safety need. A pedestrian fatality occurred on this stretch of Shreve Road earlier this year. The scope of this project includes professional and construction services for a new multi-use path to better connect the W&OD Trail with the West Falls Church Metrorail Station. The project is located on the East Side of Shreve Road between the W&OD Trail and the intersection of Route 7 and Shreve Road. The project includes a 10' shared use path, and 6' planting strip between the street edge and path. Acorn style lights will be installed underneath the utility lines. Utility work will be kept to a minimum. A crosswalk will be installed near the intersection of Shreve Road and Gordon Road. Benches will be installed near the entrance to the trail. The timing of project design and construction will be coordinated with the Campus Redevelopment Project and the West Falls Church Transportation Project. City staff expects that design would begin in Fiscal Year (FY) 2024. This project will better connect ongoing and future development near the West Falls Church Metro Station and the western part of the City. The City is designated as a regional activity center and has recently been a focus of infill development. Adjacent to the project area, the City is planning for 9.45 acres of redevelopment, with an estimated Floor Area Ratio (FAR) of 3.7. This will result in approximately 1.42 million square feet of additional development. Without viable travel alternatives, new City residents, workers, and visitors will have little choice but to add to the automobile congestion on the already crowded regional highway network in the Route 7 Corridor and the I-66 Corridor. Expanding multimodal transportation options and extending the catchment area of the West Falls Church Metro Station will increase travel options and reduce pressure on the regional highway system. The project is located in both the City of Falls Church and Fairfax County, and will provide new facilities for City and County residents, as well as workers and visitors.

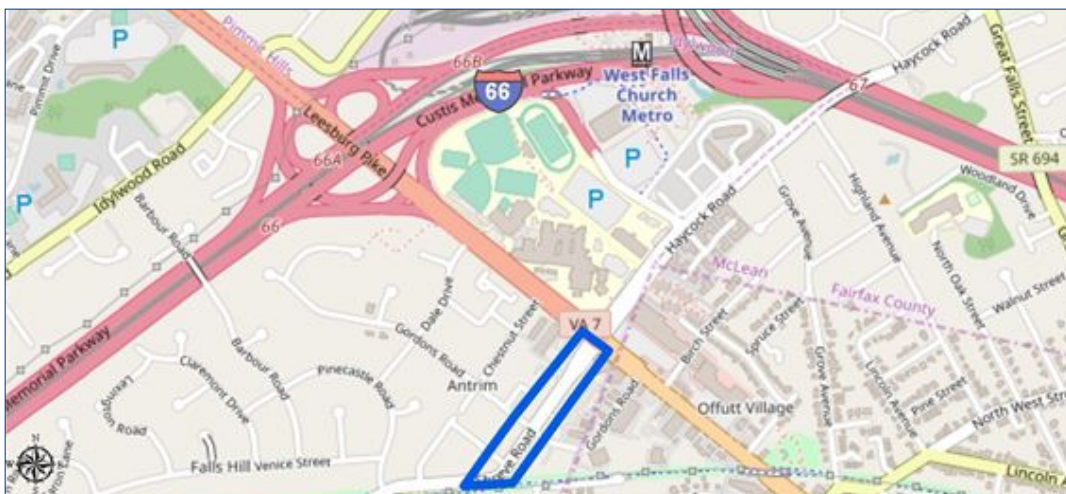
Primary Mode(s)



Secondary Mode(s)

Application Number	CFC-006
SPA Number	
TransAction ID Number	66
Submitting Jurisdiction/Agency	City of Falls Church
Location	East side of Shreve Rd, between W&OD and Rte. 7.
Requested NVTA Funds	\$6,900,000
NVTA Funds Approved	\$6,900,000
Previous NVTA Funds Received	\$0
Total Cost to Complete Project	\$6,900,000

Project Location



Project Milestone

	Earlier	FY21	FY22	FY23	FY24	FY25	FY26	FY27	Beyond
Study									
Design, Engineering, Environmental Work					X				
Right of Way Acquisition						X			
Construction							X		
Capital Asset Acquisitions									

Project Funding

	Requested NVTA Funds	NVTA Funds Approved	Previously Approved NVTA Funds	Other funding	Gap	Total Cost by Phase
Study	\$0	\$0	\$0	\$0	\$0	\$0
Design, Engineering, Environmental Work	\$1,380,000	\$1,380,000	\$0	\$0	\$0	\$1,380,000
Right of Way Acquisition	\$795,000	\$795,000	\$0	\$0	\$0	\$795,000
Construction	\$4,725,000	\$4,725,000	\$0	\$0	\$0	\$4,725,000
Capital Asset Acquisitions	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$6,900,000	\$6,900,000	\$0	\$0	\$0	\$6,900,000

Project Analysis Highlights

	Rating	Rank
Congestion Reduction Relative to Cost (CRRC)	23.48	17
TransAction Project Performance	54.81	27
Project's Past Performance (Percentage of expected funds that was reimbursed by 12/31/2019)		Not applicable
Jurisdiction/Agency's Past Performance on All Projects (Percentage of expected funds that was reimbursed by 12/31/2019)		12.60%
Percentage of Total Project Cost Covered by Funds from Sources Other than NVTA		0.00%
Local Priority		1
Number of Supporting Resolutions (does not include resolution from applicant's own Board/Council)		2
NVTA-Funded Project(s) Nearby	Number	NVTA Funds Allocated
	1	\$3,244,959

Notes: None.

SHREVE ROAD PROJECT DESIGN ADMINISTRATION AGREEMENT
APPENDIX F Sample of Reimbursement Request from County to City



County of Fairfax, Virginia

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

February 5, 2024

Yeonhwa Lee, VCA, CPPB
Senior Contract Specialist
Department of Public Works
City of Falls Church
300 Park Avenue, Suite 215 East
Falls Church, VA 22046

Reference: Shreve Road Shared Use Path from Route 7 to W&OD Trail
Invoice 1300161959
FCDOT Project Number: 2G40-087-025

Dear Ms. Lee,

Please see below for Project Progress report and staffing breakdown for our January 16, 2023 invoice on the project.

City of Falls Church Project: West Falls Church Access to Transit and Multimodal Connectivity
NVTA Project Number: 610-43021

Progress report, period from September 29, 2022 to August 23, 2023

The City of Falls Church/Fairfax County "Agreement for the Joint Exercise of Powers" is being finalized and is expected to be executed by both Parties in the winter/ spring of 2024.

Work Completed:

Boundary and topographic survey of the project area began in September 2022 and was completed August 2023. Electronic files and hardcopies of the survey were provided to the City in August 2023.

Work Ongoing:

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723



Shreve Road Shared Use Path
Invoice 1300161959
February 5, 2024

FCDOT has begun negotiating a contract for concept and preliminary design with one of our on call task order consultants. We will review the proposed scope of work and the contract with the City for their approval prior to finalizing and executing the design contract.

Future Work:

Preliminary and Concept Design will begin on execution of the Design contract.

Staff – Breakdown of Activities:

Chris Jensen (CJ), Deputy County Surveyor

- Project Oversight and Quality Control

Greg Harper (GBH), Chief of Survey Parties

- Daily Project management

Christian Alfonzo (CA), Crew Chief

Cody Harp-Taylor (CH), Crew Chief

Larry Randall (LR), Crew Chief

Sergio Montanez (SMO), Crew Chief

John Dudley (JD), Party Chief and Analyst

Matthew Kocvara (MKO), Instrument Tech

Sujan Dhungana (SD), Instrument Tech

T M Islam (TI), Instrument Tech

- Field survey for boundary and topographic data

John Dudley (JD), Party Chief and Analyst

Edwin Wilson (EW), Research Tech

Greg Hously (GH), Analyst

Ylla Vega- Claudio (YV), Research Tech and GIS analyst

- Property research
- Preparation of survey plat

Shreve Road Shared Use Path
Invoice 1300161959
February 5, 2024

Please call me if you have any further questions.

Sincerely,

A handwritten signature in blue ink that reads "Jim Beall". The signature is written in a cursive style with a large initial "J" and "B".

Jim Beall
Section Chief

cc: Olena Ward, FCDOT Finance
Kerri Oddenino, Principal Planner, City of Falls Church
W. Todd Minnix, Chief, Transportation Design Division, FCDOT



County of Fairfax, Virginia

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

January 16, 2023

City of Falls Church
Department of Public Works
300 Park Avenue, Suite 100 West Wing
Falls Church, VA 22046

Reference: Shreve Road Shared Use Path Falls Church (2G40-087-025)

Dear Ms. Battle,

The attached invoice AR # 1300161959 in the amount of \$100,228.22 is for reimbursement of work performed on the Shreve Road Shared Use Path Falls Church project (2G40-087-025) in Fairfax County and the City of Falls Church. All products included in the application for payment have been delivered and all services have been rendered for the period of September 29, 2022 – August 22, 2023.

I certify that the voucher is accurate, and the payment request is for satisfactorily completed work and has not been previously invoiced. All Civil Rights, Equal Opportunity, and DBE related documentation, as applicable to the project, has been submitted. All applicable environmental controls are in place and are being maintained by the contractor.

Please contact Olena Ward at 703-877-5703 or Olena.Ward2@fairfaxcounty.gov if you have any questions regarding this invoice or attachment(s).

Sincerely,

Jim Beall, PE
Section Chief, Transportation Design Division
Fairfax County Department of Transportation

Attachment(s)

Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033
Phone: (703) 877-5600; (703) 877-5696 fax
www.fairfaxcounty.gov/fcdot



Invoice Date: 1/16/2024
Locality: Fairfax County Dept. of Transportation
Locality Address: 4050 Legato Rd, Suite 400
 Fairfax, VA 22033

Invoice #: 1300161959 **FINAL**
Project #: 2G40-087-025
Project Description: Shreve Road Shared Use Path Falls Church

Locality Invoice Contact: Jim Beall, PE 703-877-5673 james.beall@fairfaxcounty.gov
 Olena Ward 703-877-5703 olena.ward2@fairfaxcounty.gov

Certification:

Fairfax County Dept. of Transportation

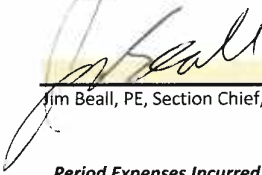
CERTIFIES THAT:

- The voucher is accurate and the payment request is for satisfactorily completed work and has not been previously invoiced.
- All applicable environmental controls are in place and are being maintained by the contractor.
- All Civil Rights, Equal Opportunity, and DBE-related documentation, as applicable to the project, has been submitted.

AND INCLUDES:

- Copies of the pay request form(s) and invoice(s).

Approved By:

 1-17-2024
 Jim Beall, PE, Section Chief, Fairfax County Department of Transportation

Vendor/Contractor Name	Period Expenses Incurred		Payment Date	Payment Method	Project Phase	Invoice Total	Invoice \$ Reimbursed
	From	To					
ADMINISTRATIVE SALARIES	9/29/2022	8/22/2023			PE	\$100,228.22	\$100,228.22
Total Expenditures							\$100,228.22
Total Reimbursable Amount							\$100,228.22

COMMENTS:

Fiscal Year	Period	Posting Date	Project	Commitment Item	Commitment Item Name	Reference Document Number	Vendor Name	Amount	Text
2023	3	9/29/2022	2G40-087-025	563070	Design-WPFO	3100030178	ADMINISTRATIVE SALARIES	137.56	18-22 WPFO DPWES-CAP UDCC GBH
2023	3	9/29/2022	2G40-087-025	563070	Design-WPFO	3100030178	ADMINISTRATIVE SALARIES	1,100.48	18-22 WPFO DPWES-CAP UDCC EW
2023	4	10/18/2022	2G40-087-025	562020	Pre-Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	550.24	19-22 WPFO DPWES-CAP UDCC CA
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	550.24	19-22 WPFO DPWES-CAP UDCC JD
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	343.90	19-22 WPFO DPWES-CAP UDCC GBH
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	309.51	19-22 WPFO DPWES-CAP UDCC TI
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	343.90	19-22 WPFO DPWES-CAP UDCC MKO
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	275.12	19-22 WPFO DPWES-CAP UDCC SMO
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	550.24	19-22 WPFO DPWES-CAP UDCC LR
2023	4	10/18/2022	2G40-087-025	563070	Design-WPFO	3100030320	ADMINISTRATIVE SALARIES	550.24	19-22 WPFO DPWES-CAP UDCC EW
2023	4	10/31/2022	2G40-087-025	562020	Pre-Design-WPFO	3100030429	ADMINISTRATIVE SALARIES	3,301.44	20-22 WPFO DPWES-CAP UDCC CA
2023	4	10/31/2022	2G40-087-025	563070	Design-WPFO	3100030429	ADMINISTRATIVE SALARIES	3,301.44	20-22 WPFO DPWES-CAP UDCC JD
2023	4	10/31/2022	2G40-087-025	563070	Design-WPFO	3100030429	ADMINISTRATIVE SALARIES	343.90	20-22 WPFO DPWES-CAP UDCC GBH
2023	4	10/31/2022	2G40-087-025	563070	Design-WPFO	3100030429	ADMINISTRATIVE SALARIES	2,166.57	20-22 WPFO DPWES-CAP UDCC TI
2023	5	11/15/2022	2G40-087-025	562020	Pre-Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	2,819.98	21-22 WPFO DPWES-CAP UDCC CA
2023	5	11/15/2022	2G40-087-025	562020	Pre-Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	1,994.62	21-22 WPFO DPWES-CAP UDCC GH
2023	5	11/15/2022	2G40-087-025	563070	Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	3,782.90	21-22 WPFO DPWES-CAP UDCC JD
2023	5	11/15/2022	2G40-087-025	563070	Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	275.12	21-22 WPFO DPWES-CAP UDCC GBH
2023	5	11/15/2022	2G40-087-025	563070	Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	550.24	21-22 WPFO DPWES-CAP UDCC CH
2023	5	11/15/2022	2G40-087-025	563070	Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	275.12	21-22 WPFO DPWES-CAP UDCC TI
2023	5	11/15/2022	2G40-087-025	563070	Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	343.90	21-22 WPFO DPWES-CAP UDCC LR
2023	5	11/15/2022	2G40-087-025	563070	Design-WPFO	3100030498	ADMINISTRATIVE SALARIES	343.90	21-22 WPFO DPWES-CAP UDCC EW
2023	5	11/29/2022	2G40-087-025	562020	Pre-Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	550.24	22-22 WPFO DPWES-CAP UDCC CA
2023	5	11/29/2022	2G40-087-025	562020	Pre-Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	894.14	22-22 WPFO DPWES-CAP UDCC JD
2023	5	11/29/2022	2G40-087-025	563070	Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	550.24	22-22 WPFO DPWES-CAP UDCC CH
2023	5	11/29/2022	2G40-087-025	563070	Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	3,576.56	22-22 WPFO DPWES-CAP UDCC GH
2023	5	11/29/2022	2G40-087-025	563070	Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	137.56	22-22 WPFO DPWES-CAP UDCC CJ
2023	5	11/29/2022	2G40-087-025	563070	Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	550.24	22-22 WPFO DPWES-CAP UDCC YV
2023	5	11/29/2022	2G40-087-025	563070	Design-WPFO	3100030585	ADMINISTRATIVE SALARIES	1,581.94	22-22 WPFO DPWES-CAP UDCC EW
2023	7	1/20/2023	2G40-087-025	560010	Feas Study-WPFO	3100030860	ADMINISTRATIVE SALARIES	343.90	25-22 WPFO DPWES-CAP UDCC JD
2023	7	1/20/2023	2G40-087-025	562020	Pre-Design-WPFO	3100030860	ADMINISTRATIVE SALARIES	1,891.45	25-22 WPFO DPWES-CAP UDCC GH
2023	7	1/20/2023	2G40-087-025	563070	Design-WPFO	3100030860	ADMINISTRATIVE SALARIES	894.14	25-22 WPFO DPWES-CAP UDCC EW
2023	7	1/29/2023	2G40-087-025	560010	Feas Study-WPFO	3100030911	ADMINISTRATIVE SALARIES	137.56	26-22 WPFO DPWES-CAP UDCC JD
2023	7	1/29/2023	2G40-087-025	562020	Pre-Design-WPFO	3100030911	ADMINISTRATIVE SALARIES	1,960.23	26-22 WPFO DPWES-CAP UDCC GH
2023	7	1/29/2023	2G40-087-025	563070	Design-WPFO	3100030911	ADMINISTRATIVE SALARIES	1,031.70	26-22 WPFO DPWES-CAP UDCC EW
2023	7	1/31/2023	2G40-087-025	562020	Pre-Design-WPFO	3100030951	ADMINISTRATIVE SALARIES	1,375.60	1-23 WPFO DPWES-CAP UDCC GH
2023	7	1/31/2023	2G40-087-025	563070	Design-WPFO	3100030951	ADMINISTRATIVE SALARIES	894.14	1-23 WPFO DPWES-CAP UDCC EW
2023	8	2/7/2023	2G40-087-025	560010	Feas Study-WPFO	3100030997	ADMINISTRATIVE SALARIES	825.36	23-22 WPFO DPWES-CAP UDCC JD
2023	8	2/7/2023	2G40-087-025	563070	Design-WPFO	3100030997	ADMINISTRATIVE SALARIES	275.12	23-22 WPFO DPWES-CAP UDCC LR
2023	8	2/7/2023	2G40-087-025	563070	Design-WPFO	3100030997	ADMINISTRATIVE SALARIES	309.51	23-22 WPFO DPWES-CAP UDCC YV
2023	8	2/7/2023	2G40-087-025	563070	Design-WPFO	3100030997	ADMINISTRATIVE SALARIES	756.58	23-22 WPFO DPWES-CAP UDCC EW
2023	8	2/24/2023	2G40-087-025	562020	Pre-Design-WPFO	3100031112	ADMINISTRATIVE SALARIES	3,507.78	02-23 WPFO DPWES-CAP UDCC GH
2023	8	2/24/2023	2G40-087-025	563070	Design-WPFO	3100031112	ADMINISTRATIVE SALARIES	550.24	02-23 WPFO DPWES-CAP UDCC EW
2023	8	2/27/2023	2G40-087-025	562020	Pre-Design-WPFO	3100031159	ADMINISTRATIVE SALARIES	4,333.14	03-23 WPFO DPWES-CAP UDCC GH
2023	8	2/27/2023	2G40-087-025	563070	Design-WPFO	3100031159	ADMINISTRATIVE SALARIES	1,444.38	03-23 WPFO DPWES-CAP UDCC EW
2023	9	3/21/2023	2G40-087-025	563070	Design-WPFO	3100031279	ADMINISTRATIVE SALARIES	3,198.27	04-23 WPFO DPWES-CAP UDCC GH

2023	9	3/21/2023	2G40-087-025	563070	Design-WPFO	3100031279	ADMINISTRATIVE SALARIES	1,100.48	04-23 WPFO DPWES-CAP UDCC EW
2023	10	4/11/2023	2G40-087-025	563070	Design-WPFO	3100031438	ADMINISTRATIVE SALARIES	2,200.96	05-23 WPFO DPWES-CAP UDCC GH
2023	10	4/11/2023	2G40-087-025	563070	Design-WPFO	3100031438	ADMINISTRATIVE SALARIES	894.14	05-23 WPFO DPWES-CAP UDCC EW
2023	10	4/13/2023	2G40-087-025	562020	Pre-Design-WPFO	3100031460	ADMINISTRATIVE SALARIES	3,095.10	06-23 WPFO DPWES-CAP UDCC GH
2023	10	4/13/2023	2G40-087-025	563070	Design-WPFO	3100031460	ADMINISTRATIVE SALARIES	894.14	06-23 WPFO DPWES-CAP UDCC EW
2023	11	5/10/2023	2G40-087-025	562020	Pre-Design-WPFO	3100031667	ADMINISTRATIVE SALARIES	3,198.27	07-23 WPFO DPWES-CAP UDCC GH
2023	11	5/10/2023	2G40-087-025	563070	Design-WPFO	3100031667	ADMINISTRATIVE SALARIES	619.02	07-23 WPFO DPWES-CAP UDCC EW
2023	11	5/11/2023	2G40-087-025	560010	Feas Study-WPFO	3100031699	ADMINISTRATIVE SALARIES	1,100.48	08-23 WPFO DPWES-CAP UDCC JD
2023	11	5/11/2023	2G40-087-025	563070	Design-WPFO	3100031699	ADMINISTRATIVE SALARIES	1,038.24	08-23 WPFO DPWES-CAP UDCC SD
2023	11	5/11/2023	2G40-087-025	563070	Design-WPFO	3100031699	ADMINISTRATIVE SALARIES	206.34	08-23 WPFO DPWES-CAP UDCC GBH
2023	11	5/11/2023	2G40-087-025	563070	Design-WPFO	3100031699	ADMINISTRATIVE SALARIES	894.14	08-23 WPFO DPWES-CAP UDCC GH
2023	11	5/11/2023	2G40-087-025	563070	Design-WPFO	3100031699	ADMINISTRATIVE SALARIES	1,203.65	08-23 WPFO DPWES-CAP UDCC EW
2023	11	5/26/2023	2G40-087-025	563070	Design-WPFO	3100031798	ADMINISTRATIVE SALARIES	2,682.42	09-23 WPFO DPWES-CAP UDCC GH
2023	11	5/26/2023	2G40-087-025	563070	Design-WPFO	3100031798	ADMINISTRATIVE SALARIES	481.46	09-23 WPFO DPWES-CAP UDCC EW
2023	12	6/20/2023	2G40-087-025	563070	Design-WPFO	3100032072	ADMINISTRATIVE SALARIES	2,200.96	10-23 WPFO DPWES-CAP UDCC GH
2023	12	6/20/2023	2G40-087-025	563070	Design-WPFO	3100032072	ADMINISTRATIVE SALARIES	894.14	10-23 WPFO DPWES-CAP UDCC EW
2023	12	6/21/2023	2G40-087-025	562020	Pre-Design-WPFO	3100032042	ADMINISTRATIVE SALARIES	825.36	11-23 WPFO DPWES-CAP UDCC GH
2023	12	6/21/2023	2G40-087-025	563070	Design-WPFO	3100032042	ADMINISTRATIVE SALARIES	825.36	11-23 WPFO DPWES-CAP UDCC EW
2024	1	7/7/2023	2G40-087-025	562020	Pre-Design-WPFO	3100032179	ADMINISTRATIVE SALARIES	3,404.61	12-23 WPFO DPWES-CAP UDCC GH
2024	1	7/7/2023	2G40-087-025	563070	Design-WPFO	3100032179	ADMINISTRATIVE SALARIES	137.56	12-23 WPFO DPWES-CAP UDCC EW
2024	1	7/18/2023	2G40-087-025	563070	Design-WPFO	3100032237	ADMINISTRATIVE SALARIES	3,817.29	13-23 WPFO DPWES-CAP UDCC GH
2024	1	7/18/2023	2G40-087-025	563070	Design-WPFO	3100032237	ADMINISTRATIVE SALARIES	68.78	13-23 WPFO DPWES-CAP UDCC CJ
2024	1	7/31/2023	2G40-087-025	563070	Design-WPFO	3100032298	ADMINISTRATIVE SALARIES	2,079.84	14-23 WPFO DPWES-CAP UDCC GH
2024	2	8/14/2023	2G40-087-025	562020	Pre-Design-WPFO	3100032370	ADMINISTRATIVE SALARIES	334.26	15-23 WPFO DPWES-CAP UDCC SD
2024	2	8/14/2023	2G40-087-025	562020	Pre-Design-WPFO	3100032370	ADMINISTRATIVE SALARIES	3,528.30	15-23 WPFO DPWES-CAP UDCC GH
2024	2	8/14/2023	2G40-087-025	562020	Pre-Design-WPFO	3100032370	ADMINISTRATIVE SALARIES	334.26	15-23 WPFO DPWES-CAP UDCC SMO
2024	2	8/14/2023	2G40-087-025	563070	Design-WPFO	3100032370	ADMINISTRATIVE SALARIES	445.68	15-23 WPFO DPWES-CAP UDCC JD
2024	2	8/14/2023	2G40-087-025	563070	Design-WPFO	3100032370	ADMINISTRATIVE SALARIES	668.52	15-23 WPFO DPWES-CAP UDCC EW
2024	2	8/28/2023	2G40-087-025	562020	Pre-Design-WPFO	3100032457	ADMINISTRATIVE SALARIES	3,119.76	16-23 WPFO DPWES-CAP UDCC GH
2024	2	8/28/2023	2G40-087-025	563070	Design-WPFO	3100032457	ADMINISTRATIVE SALARIES	74.28	16-23 WPFO DPWES-CAP UDCC CJ
2024	2	8/28/2023	2G40-087-025	563070	Design-WPFO	3100032457	ADMINISTRATIVE SALARIES	222.84	16-23 WPFO DPWES-CAP UDCC EW
2024	3	9/14/2023	2G40-087-025	563070	Design-WPFO	3100032533	ADMINISTRATIVE SALARIES	1,857.00	17-23 WPFO DPWES-CAP UDCC GH
TOTAL:								\$ 100,228.22	

Department	Project Number	Project Name	Payroll Number	Payroll Begin Date	Payroll End Date	BH	Billing Rate	Salary Rate	Fringe Benefit	Billing Total	Full Name
Survey	2G40-087-025	Shreve Road SUP Falls Church	18-22	8/27/2022	9/9/2022	2	68.78	59.69	9.09	137.56	Harper, Greg
Survey	2G40-087-025	Shreve Road SUP Falls Church	18-22	8/27/2022	9/9/2022	16	68.78	59.69	9.09	1,100.48	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	8	68.78	59.69	9.09	550.24	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	8	68.78	59.69	9.09	550.24	Alfonzo, Christian
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	8	68.78	59.69	9.09	550.24	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	3	68.78	59.69	9.09	206.34	Harper, Greg
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	8	68.78	59.69	9.09	550.24	Randall, Larry
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	5	68.78	59.69	9.09	343.90	Kocvara, Matthew
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	4.5	68.78	59.69	9.09	309.51	Islam, T M
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	2	68.78	59.69	9.09	137.56	Harper, Greg
Survey	2G40-087-025	Shreve Road SUP Falls Church	19-22	9/10/2022	9/23/2022	4	68.78	59.69	9.09	275.12	Montanez, Sergio
Survey	2G40-087-025	Shreve Road SUP Falls Church	20-22	9/24/2022	10/7/2022	48	68.78	59.69	9.09	3,301.44	Alfonzo, Christian
Survey	2G40-087-025	Shreve Road SUP Falls Church	20-22	9/24/2022	10/7/2022	31.5	68.78	59.69	9.09	2,166.57	Islam, T M
Survey	2G40-087-025	Shreve Road SUP Falls Church	20-22	9/24/2022	10/7/2022	48	68.78	59.69	9.09	3,301.44	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	20-22	9/24/2022	10/7/2022	5	68.78	59.69	9.09	343.90	Harper, Greg
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	55	68.78	59.69	9.09	3,782.90	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	4	68.78	59.69	9.09	275.12	Islam, T M
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	4	68.78	59.69	9.09	275.12	Harper, Greg
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	5	68.78	59.69	9.09	343.90	Randall, Larry
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	8	68.78	59.69	9.09	550.24	Harp-Taylor, Cody
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	5	68.78	59.69	9.09	343.90	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	41	68.78	59.69	9.09	2,819.98	Alfonzo, Christian
Survey	2G40-087-025	Shreve Road SUP Falls Church	21-22	10/8/2022	10/21/2022	29	68.78	59.69	9.09	1,994.62	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	8	68.78	59.69	9.09	550.24	Harp-Taylor, Cody
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	8	68.78	59.69	9.09	550.24	Vega-Claudio, Yillia
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	13	68.78	59.69	9.09	894.14	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	8	68.78	59.69	9.09	550.24	Alfonzo, Christian
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	2	68.78	59.69	9.09	137.56	Jensen, Chris
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	52	68.78	59.69	9.09	3,576.56	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	22-22	10/22/2022	11/4/2022	23	68.78	59.69	9.09	1,581.94	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	23-22	11/5/2022	11/18/2022	11	68.78	59.69	9.09	756.58	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	23-22	11/5/2022	11/18/2022	12	68.78	59.69	9.09	825.36	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	23-22	11/5/2022	11/18/2022	4.5	68.78	59.69	9.09	309.51	Vega-Claudio, Yillia
Survey	2G40-087-025	Shreve Road SUP Falls Church	23-22	11/5/2022	11/18/2022	4	68.78	59.69	9.09	275.12	Randall, Larry
Survey	2G40-087-025	Shreve Road SUP Falls Church	25-22	12/3/2022	12/16/2022	5	68.78	59.69	9.09	343.90	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	25-22	12/3/2022	12/16/2022	27.5	68.78	59.69	9.09	1,891.45	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	25-22	12/3/2022	12/16/2022	13	68.78	59.69	9.09	894.14	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	26-22	12/17/2022	12/30/2022	15	68.78	59.69	9.09	1,031.70	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	26-22	12/17/2022	12/30/2022	2	68.78	59.69	9.09	137.56	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	26-22	12/17/2022	12/30/2022	28.5	68.78	59.69	9.09	1,960.23	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	1-23	12/31/2022	1/13/2023	20	68.78	59.69	9.09	1,375.60	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	1-23	12/31/2022	1/13/2023	13	68.78	59.69	9.09	894.14	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	2-23	1/14/2023	1/27/2023	8	68.78	59.69	9.09	550.24	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	2-23	1/14/2023	1/27/2023	51	68.78	59.69	9.09	3,507.78	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	3-23	1/28/2023	2/10/2023	63	68.78	59.69	9.09	4,333.14	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	3-23	1/28/2023	2/10/2023	21	68.78	59.69	9.09	1,444.38	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	4-23	2/11/2023	2/24/2023	46.5	68.78	59.69	9.09	3,198.27	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	4-23	2/11/2023	2/24/2023	16	68.78	59.69	9.09	1,100.48	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	5-23	2/25/2023	3/10/2023	32	68.78	59.69	9.09	2,200.96	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	5-23	2/25/2023	3/10/2023	13	68.78	59.69	9.09	894.14	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	6-23	3/11/2023	3/24/2023	45	68.78	59.69	9.09	3,095.10	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	6-23	3/11/2023	3/24/2023	13	68.78	59.69	9.09	894.14	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	7-23	3/25/2023	4/7/2023	9	68.78	59.69	9.09	619.02	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	7-23	3/25/2023	4/7/2023	46.5	68.78	59.69	9.09	3,198.27	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	8-23	4/8/2023	4/21/2023	13	68.78	59.69	9.09	894.14	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	8-23	4/8/2023	4/21/2023	16	64.89	56.31	8.58	1,038.24	Dhungana, Sujian

Survey	2G40-087-025	Shreve Road SUP Falls Church	8-23	4/8/2023	4/21/2023	3	68.78	59.69	9.09	206.34	Harper, Greg
Survey	2G40-087-025	Shreve Road SUP Falls Church	8-23	4/8/2023	4/21/2023	17.5	68.78	59.69	9.09	1,203.65	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	8-23	4/8/2023	4/21/2023	16	68.78	59.69	9.09	1,100.48	Dudley, John
Survey	2G40-087-025	Shreve Road SUP Falls Church	9-23	4/22/2023	5/5/2023	39	68.78	59.69	9.09	2,682.42	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	9-23	4/22/2023	5/5/2023	7	68.78	59.69	9.09	481.46	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	10-23	5/6/2023	5/19/2023	32	68.78	59.69	9.09	2,200.96	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	10-23	5/6/2023	5/19/2023	13	68.78	59.69	9.09	894.14	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	11-23	5/20/2023	6/2/2023	12	68.78	59.69	9.09	825.36	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	11-23	5/20/2023	6/2/2023	12	68.78	59.69	9.09	825.36	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	12-23	6/3/2023	6/16/2023	49.5	68.78	59.69	9.09	3,404.61	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	12-23	6/3/2023	6/16/2023	2	68.78	59.69	9.09	137.56	Wilson, Edwin
Survey	2G40-087-025	Shreve Road SUP Falls Church	13-23	6/17/2023	6/30/2023	55.5	68.78	59.69	9.09	3,817.29	Housley, Gregg
Survey	2G40-087-025	Shreve Road SUP Falls Church	13-23	6/17/2023	6/30/2023	1	68.78	59.69	9.09	68.78	Jensen, Chris
Survey	2G40-087-025	Shreve Road SUP Falls Church	14-23	7/1/2023	7/14/2023	28	74.28	64.46	9.82	2,079.84	Housley, Gregg
TOTAL WPFO:										100,228.22	

Billable Amount (2G40-087-025) \$ 100,228.22

Board Agenda Item
May 7, 2024

ACTION - 4

Approval and Authorization to Execute a Project Administration Agreement Amendment with the Virginia Department of Transportation for the Route 29 Widening Phase II Project – Union Mill Road to Buckleys Gate Drive (Springfield and Sully Districts)

ISSUE:

Board of Supervisors' approval of, and authorization for, the Director of the Fairfax County Department of Transportation (FCDOT) to execute a Project Administration Agreement (PAA) Amendment with the Virginia Department of Transportation (VDOT) for the implementation of the Route 29 Widening Phase II project (Union Mill Road to Buckleys Gate Drive).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve a resolution (Attachment 1), authorizing the Director of FCDOT to execute an amendment to the PAA with VDOT, substantially in the form of Attachment 2, which will secure full funding for Phase II of the project.

TIMING:

The Board of Supervisors (Board) should act on this item on May 7, 2024, so that VDOT can continue implementation of Phase II of the project.

BACKGROUND:

Phase II of the Route 29 project will widen the roadway from Union Mill Road to Buckleys Gate Drive for a total of approximately 1.49 miles. The roadway segment currently has four lanes (divided), and the proposed project will widen it to six lanes (divided), with curb and gutter, geometrics improvements, active transportation improvements, turn lanes, and storm water management facilities. The current total project estimate (TPE) for Phase II of this project is approximately \$94.4 million.

On January 28, 2014, the Board approved the Transportation Priorities Plan (TPP), which included \$25 million for improvements for this Phase II segment of Route 29 from Union Mill Road to Buckleys Gate Drive. On September 20, 2016, the Board approved staff pursuing state funding through the FY 2018-2023 Smart Scale process. Staff applied for \$53.7 million in state funding for the right-of-way and construction phases for Phase II. This funding was awarded by the Commonwealth Transportation Board (CTB) in summer 2017.

Board Agenda Item
May 7, 2024

The Board has previously taken two separate funding-based actions related to this agreement. The dates of Board approval, and resulting actions, are:

- On January 24, 2017, the Board approved a PAA for the preliminary engineering and design of Phase II (UPC 110329), for approximately \$5.6 million, that was to be funded by local sources (from Fund 40010, County and Regional Transportation Projects). However, VDOT used funds from other internal sources to advance preliminary engineering and design, so this agreement was never actually executed.
- On October 24, 2017, the Board approved a PAA with VDOT for the preliminary engineering and design, right-of-way, and construction of Phase II (UPC 110329), in the amount of \$66,973,543, which included \$53,766,900 in Smart Scale funds and \$13,206,643 in local sources (Fund 40010, County and Regional Transportation Projects). The agreement was amended on May 23, 2018, to replace the local funds with \$13,206,643 in I-66 Concessionaire funding.

The amendment associated with this Board action covers all aspects of Phase II of the project and specifies its full funding as follows:

- \$15,231,225 for preliminary engineering, including design, and right-of-way (UPC 110329), which includes \$9,732,694 in I-66 Concessionaire funds and \$5,498,531 in Smart Scale funds.
- \$79,127,553 towards construction (UPC 120509), which includes \$49,609,488 in Smart Scale funds, \$11,967,903 in Concessionaire funds, and \$17,550,162 in local funds.

The most recent agreements, including the October 10, 2017, approval, and the executed May 23, 2018, amended agreement, are included in Attachment 3 for reference.

EQUITY IMPACT:

The community affected by this project lies within an average to low vulnerability index, and within a 3.64% access to public transportation based on the Communities of Opportunity Dashboard. Project implementation of active transportation improvements has the potential to advance equity. Transportation projects have the potential to increase accessibility, as well as promote a multimodal transportation system that supports economic growth, health, congestion mitigation, prosperity, and accessible mobility solutions. As such, this authorization to execute an amendment to the project agreement has the potential to advance equity.

Board Agenda Item
May 7, 2024

FISCAL IMPACT:

This project will be administered by VDOT, with local funding support. The current total project estimate is \$94,358,778. Staff has identified funds in the Route 29 Widening Phase II (Union Mill Road to Buckleys Gate Drive), Northern Virginia Transportation Authority 30 Percent project (2G40-110-000) from Fund 40010, County and Regional Transportation Projects, to provide the \$17,550,162 in local funding required by the PAA. The agreement proposes the local contribution be paid from FY 2024 - FY 2026 as part of the planned construction timeline. In addition to the local funds, the project is currently funded with \$55,108,019 in Smart Scale state funds, and \$21,700,597 in Concessionaire funds. There is no impact to the General Fund.

ENCLOSED DOCUMENTS:

Attachment 1: Agreement Execution Resolution for the Route 29 Widening Phase II Project

Attachment 2: Project Administration Agreement (UPCs 110329 and 120509) for the Route 29 Widening Phase II Project

Attachment 3: Previous Project Administration Agreement (UPC 110329) executed following the October 24, 2017, Board date and subsequent amendment from May 2018

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation (FCDOT)

Noelle Dominguez, Chief, Coordination and Funding Division, FCDOT

Ray Johnson, Chief, Funding Section (FS), FCDOT

Smitha Chellappa, Senior Transportation Planner, FS, FCDOT

Michael Guarino, Chief, Capital Projects Section, FCDOT

ASSIGNED COUNSEL:

Corinne N. Lockett, Deputy County Attorney

RESOLUTION

AGREEMENT EXECUTION RESOLUTION
A RESOLUTION FOR THE BOARD OF SUPERVISORS OF THE COUNTY OF FAIRFAX,
VIRGINIA
FOR THE EXECUTION OF AN AGREEMENT AMENDMENT FOR THE
ROUTE 29 WIDENING PHASE II PROJECT

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, May 7, 2024, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, in accordance with the Commonwealth Transportation Board (CTB) construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation (VDOT) to establish a project(s), if not already established, in the County of Fairfax.

NOW, THEREFORE, BE IT RESOLVED, that the County of Fairfax requests the Commonwealth Transportation Board to establish a project(s), if not already established, for the funding of the Route 29 Widening Phase II project, from Union Mill Road to Buckleys Gate Drive, VDOT project number 029-029-350, UPCs 110329 and 120509 (“Project”).

FURTHER BE IT RESOLVED, that the County of Fairfax hereby agrees to provide its share of the local contribution, in accordance with the Project Administration Agreement Amendment (Appendix A, Revision 2 for UPC 110329 and Appendix A for UPC 120509, attached) executed pursuant to this resolution.

FURTHER BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the Director of the Fairfax County Department of Transportation to execute, on behalf of the County of Fairfax, the PAA amendments with the Virginia Department of Transportation, for the funding of the Project.

ADOPTED this 7th day of May 2024

A Copy Teste:

Jill G. Cooper
Clerk for the Board of Supervisors

VDOT Administered, Locally Funded Appendix A Revision 2

Date: 2/1/2024

Project Number: 0029-029-350 UPC: 110329 CFDA# 20.205 Locality: Fairfax County

Project Location ZIP+4: 22030-6627	Locality UEI #: W2ZUFMBDM378	Locality Address (incl ZIP+4): 4050 Legato Road, Suite 400 Fairfax, Virginia 22033-2867
Project Narrative		
Work #SMART18 - ROUTE 29 WIDENING - PH II - Widen Route 29 from Union Mill Road to Buckley's Gate Drive, added capacity, improved Description: geometrics and pedestrian/bicycle facilities. Project is for both north bound and south bound lanes.		
From: 0.208 Mile West of Union Mill Road (Rte 659)		
To: 0.460 Mile East of Buckley's Gate Drive		
Locality Project Manager Contact info:		Michael Guarino 703-877-5731 michael.guarino@fairfaxcounty.gov
Department Project Manager Contact Info:		Sanjeev Suri 703-259-2232 Sanjeev.Suri@VDOT.Virginia.gov

Project Estimates	
Phase	Estimated Project Costs
Preliminary Engineering	\$5,498,531
Right of Way & Utilities	\$9,732,694
Construction	\$0
Total Estimated Cost	\$15,231,225

Project Cost				
Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering	\$5,498,531	Smart Scale	0%	\$0
				\$0
Total PE	\$5,498,531			\$0
Right of Way & Utilities	\$9,732,694	Concession Funds	0%	\$0
				\$0
Total RW	\$9,732,694			\$0
Construction				
				\$0
Total CN				\$0
Total Estimated Cost	\$15,231,225			\$0

Total Maximum Reimbursement / Payment by Locality to VDOT	\$0
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Project Financing				
Concession Funds	Smart Scale			Aggregate Allocations
\$9,732,694	\$5,498,531			\$15,231,225

Payment Schedule	

Program and Project Specific Funding Requirements
<ul style="list-style-type: none"> This is a limited funds project. The locality shall be responsible for any additional funding in excess of \$15,231,225. Phase 1 for this project is under UPC 110330. Project estimate, schedule and commitment to funding are subject to the requirements established in the Commonwealth Transportation Board (CTB) Policy and Guide for Implementation of the SMART SCALE Project Prioritization Process, Code of Virginia, and VDOT's Instructional and Informational Memorandums. This project shall be initiated and at least a portion of the project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the CTB, the LOCALITY or Metropolitan Planning Organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the project. This project has been selected through the Smart Scale (HB2) application and selection process and will remain in the SYIP as a funding priority unless certain conditions set forth in the CTB Policy and Guidelines for Implementation of a Project Prioritization Process arise. Pursuant to the CTB Policy and Guidelines for Implementation of a Project Prioritization Process and the SMART SCALE Reevaluation Guide, this project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected project. This Appendix A supersedes all previous versions signed by VDOT and the LOCALITY.

This attachment is certified and made an official attachment to this document by the parties to this agreement

Authorized Locality Official and Date

Authorized VDOT Official and Date

VDOT Administered, Locally Funded Appendix A

Date: 2/1/2024

Project Number: 0029-029-350 UPC: 120509 CFDA# 20.205 Locality: Fairfax County

Project Location ZIP+4: 22030-6627	Locality UEI #: W2ZUFMBDM378	Locality Address (incl ZIP+4): 4050 Legato Road, Suite 400 Fairfax, Virginia 22033-2867
Project Narrative		
Work Description: #SMART18 - ROUTE 29 WIDENING - PH II - UPC FOR DB. DBB UNDER UPC 110329 Widen Route 29 from Union Mill Road to Buckley's Gate Drive, added capacity, improved geometrics and pedestrian/bicycle facilities. Project is for both north bound and south bound lanes.		
From: 0.208 Mile West of Union Mill Road (Rte 659)		
To: 0.460 Mile East of Buckley's Gate Drive		
Locality Project Manager Contact info:		Michael Guarino 703-877-5731 michael.guarino@fairfaxcounty.gov
Department Project Manager Contact Info:		Sanjeev Suri 703-259-2232 Sanjeev.Suri@VDOT.Virginia.gov

Project Estimates	
Phase	Estimated Project Costs
Preliminary Engineering	\$0
Right of Way & Utilities	\$0
Construction	\$79,127,553
Total Estimated Cost	\$79,127,553

Project Cost				
Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering				
Total PE				\$0
Right of Way & Utilities				
Total RW				\$0
Construction	\$11,967,903	Concession Funds	0%	\$0
	\$17,550,162	Local Funds	100%	\$17,550,162
	\$49,609,488	Smart Scale	0%	\$0
Total CN	\$79,127,553			\$17,550,162
Total Estimated Cost	\$79,127,553			\$17,550,162

Total Maximum Reimbursement / Payment by Locality to VDOT	\$17,550,162
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Project Financing				
Smart Scale	Concession Funds	Local Funds		Aggregate Allocations
\$49,609,488	\$11,967,903	\$17,550,162		\$79,127,553

Payment Schedule			
FY 2024	FY 2025	FY 2026	
\$10,000,000	\$5,000,000	\$2,550,162	

Program and Project Specific Funding Requirements
<ul style="list-style-type: none"> • This is a limited funds project. The locality shall be responsible for any additional funding in excess of \$61,577,391. • All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation. • Phase 1 for this project is under UPC 110330. • Project estimate, schedule and commitment to funding are subject to the requirements established in the Commonwealth Transportation Board (CTB) Policy and Guide for Implementation of the SMART SCALE Project Prioritization Process, Code of Virginia, and VDOT's Instructional and Informational Memorandums. • This project shall be initiated and at least a portion of the project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the CTB, the LOCALITY or Metropolitan Planning Organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the project. • This project has been selected through the Smart Scale (HB2) application and selection process and will remain in the SYIP as a funding priority unless certain conditions set forth in the CTB Policy and Guidelines for Implementation of a Project Prioritization Process arise. Pursuant to the CTB Policy and Guidelines for Implementation of a Project Prioritization Process and the SMART SCALE Reevaluation Guide, this project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected project. • This Appendix A supersedes all previous versions signed by VDOT and the LOCALITY.

This attachment is certified and made an official attachment to this document by the parties to this agreement

Authorized Locality Official and Date

Authorized VDOT Official and Date

**VDOT ADMINISTERED – LOCALLY FUNDED
PROJECT ADMINISTRATION AGREEMENT**

FAIRFAX COUNTY
PROJECT NUMBER 0029-029-350 UPC 110329

THIS AGREEMENT, made and executed in triplicate on this the 13TH day of DECEMBER, 2017 between the COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT" and the COUNTY OF FAIRFAX, hereinafter referred to as the "COUNTY."

WITNESSETH

WHEREAS, the COUNTY has expressed its desire to have the DEPARTMENT administer the work as described in Appendix B, and such work for each improvement shown is hereinafter referred to as the Project; and

WHEREAS, the funds as shown in Appendix A have all been allocated by the COUNTY to finance the project; and

WHEREAS, the COUNTY has requested that the DEPARTMENT design and construct this project in accordance with the scope of work described in Appendix B, and the DEPARTMENT has agreed to perform such work; and

WHEREAS, both parties have concurred in the DEPARTMENT's administration of the project identified in this Agreement and its associated Appendices A and B in accordance with applicable federal, state, and local law and regulations; and

WHEREAS, the County's governing body has, by resolution, which is attached hereto, authorized its designee to execute this Agreement; and

WHEREAS, Section 33.2-338 of the Code of Virginia authorizes both the DEPARTMENT and the COUNTY to enter into this Agreement;

NOW THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties hereto agree as follows:

- A. The DEPARTMENT shall:
1. Complete said work as identified in Appendix B, advancing such diligently, and all work shall be completed in accordance with the schedule established by both parties.
 2. Perform or have performed, and remit all payments for, all preliminary engineering, right-of-way acquisition, construction, contract administration, and inspection services activities for the project(s) as required.

3. Provide a summary of project expenditures to the COUNTY for charges of actual DEPARTMENT cost.
 4. Notify the COUNTY of additional project expenses resulting from unanticipated circumstances and provide detailed estimates of additional costs associated with those circumstances. The DEPARTMENT will make all efforts to contact the COUNTY prior to performing those activities.
 5. Return any unexpended funds to the COUNTY no later than 90 days after the project(s) have been completed and final expenses have been paid in full.
- B. The COUNTY shall:
1. Provide funds to the DEPARTMENT for Preliminary Engineering (PE) and Right-of-Way (ROW) upon execution of this Agreement and for Construction (CN) no less than 90 days prior to advertisement in the amounts shown in Appendix A
 2. Accept responsibility for any additional project costs resulting from unforeseeable circumstances, but only after concurrence of the COUNTY and modification of this Agreement.
- C. Funding by the COUNTY shall be subject to annual appropriation or other lawful appropriation by the Board of Supervisors.
- D. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
- E. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than the Parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the County or the Department shall not be bound by any agreements between either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the

County or the Department has, in writing, received a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

- F. Nothing in this Agreement shall be construed as a waiver of the COUNTY's or the Commonwealth of Virginia's sovereign immunity.
- G. Should funding be insufficient and county funds be unavailable, both parties will review all available options for moving the project forward, including but not limited to, halting work until additional funds are allocated, revising the project scope to conform to available funds, or cancelling the project.
- H. Should the project be cancelled as a result of the lack of funding by the COUNTY, the COUNTY shall be responsible for any costs, claims and liabilities associated with the early termination of any construction contract(s) issued pursuant to this agreement.
- I. This Agreement may be terminated by either party upon 60 days advance written notice. Eligible expenses incurred through the date of termination shall be reimbursed to the DEPARTMENT subject to the limitations established in this Agreement.

THE COUNTY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors and assigns.

THIS AGREEMENT may be modified in writing upon mutual agreement of both parties.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

COUNTY OF FAIRFAX, VIRGINIA:



Date 11/30/17

TOM BIESIADNY


Typed or Printed Name of Signatory Date 11/30/17



Signature of Witness Date 11/30/17

NOTE: The official signing for the COUNTY must attach a certified copy of his or her authority to execute this Agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:



Chief of Policy
Commonwealth of Virginia
Department of Transportation Date 12/13/17

Brenda Couch

Signature of Witness Date 12/13/2017

Attachments: Appendix A (UPC 110329)
Appendix B (UPC 110329)

VDOT Administered, Locally Funded Appendix A
 Date: 8/30/2017
 Project Number: 0029-029-350 UPC: 110329 CFDA#: 20.205 Locality: Fairfax County
 Project Location ZIP+4: 22030-6627 Locality DUNS #: 074873626 Locality Address (incl ZIP+4): 4050 Legato Road, Suite 400, Fairfax, VA 22033-2867

Project Narrative
 Scope: Widen Rt 29 from Union Mill Rd to Buckley's Gate Dr, added capacity, improved geometrics and pedestrian/bicycle facilities. Project is for both north bound and south bound lanes. Phase II
 From: Union Mill Road
 To: Buckley's Gate Drive
 Locality Project Manager Contact Info: Michael Guarino 703-877-5731 michael.guarino@fairfaxcounty.gov
 Department Project Coordinator Contact Info: Hong "Jenny" Ha 703-259-2907 hong.ha@vdot.virginia.gov

Project Estimates	
Phase	Estimated Project Costs
Preliminary Engineering	\$5,652,000
Right of Way & Utilities	\$21,500,000
Construction	\$39,821,543
Total Estimated Cost	\$66,973,543
Estimate for Current Billing	\$66,973,543

Project Cost				
Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering	\$5,652,000	Local Funds	100%	\$5,652,000
				\$0
				\$0
Total PE	\$5,652,000			\$5,652,000
Right of Way & Utilities	\$13,945,357	Smart Scale (HB-2) HPP	0%	\$0
	\$7,554,643	Local Funds	100%	\$7,554,643
				\$0
Total RW	\$21,500,000			\$7,554,643
Construction	\$39,821,543	Smart Scale (HB-2) HPP	0%	\$0
				\$0
				\$0
Total CN	\$39,821,543			\$0
Total Estimated Cost	\$66,973,543			\$13,206,643

Total Maximum Reimbursement / Payment by Locality to VDOT: \$13,206,643


Project Financing					
Local Funds	Smart Scale (HB-2) HPP				Aggregate Allocations
\$13,206,643	\$53,766,900	\$0	\$0	\$0	\$66,973,543


Payment Schedule			
FY 2018	FY 2021	FY 2022	FY 2023
\$5,652,000	\$1,888,661	\$3,777,322	\$1,888,660

Program and project specific Funding Requirements

- This is a limited funds project. The locality shall be responsible for any additional funding in excess of \$53,766,900 (if applicable)
- VDOT has billed \$0.00 (dollar amount) the locality for this project as of 8/24/2017
- VDOT has received \$0.00 (dollar amount) from the locality for this project as of 8/24/2017
- The locality shall make payments to VDOT as follows:
 - \$5,652,000 No later than 60 days after execution of this agreement.
 - \$1,888,661 Due on 4/1/2021 and upon receipt of invoice
 - \$1,888,661 Due on 10/1/2021 and upon receipt of invoice
 - \$1,888,661 Due on 4/1/2022 and upon receipt of invoice
 - \$1,888,660 Due on 7/1/2022 and upon receipt of invoice
- Phase 1 for this project is under UPC 110330.
- All local funds included on this appendix have been formally committed by the local government's board resolution.
- Project estimate, schedule and commitment to funding are subject to the requirements established in the Commonwealth Transportation Board Policy and Guidelines for Implementation of a Project Prioritization Process, Code of Virginia, and VDOT's Instructional and Informational Memorandums.
- Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.
- This project shall be initiated and at least a portion of the programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the Commonwealth Transportation Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the project.
- This project has been selected through the Smart Scale (HB2) application and selection process and will remain in the SYIP as a funding priority unless certain conditions set forth in the Commonwealth Transportation Board Policy and Guidelines for Implementation of a Project Prioritization Process arise. Pursuant to the Commonwealth Transportation Board Policy and Guidelines for Implementation of a Project Prioritization Process and HB2 Implementation Policy Guide, Section 5.3, this project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase prior to contract advertisement or award, or a significant reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual HB2 prioritization cycle to account for a cost increase on a previously prioritized project.
- The locality intends to apply for additional funds such as but not limited to NVTAR/Revenue Sharing/etc. however, in the event these funds cannot be obtained, the locality is committed to providing their local share amount.

This attachment is certified and made an official attachment to this document by the parties to this agreement

 11/30/17
 Authorized Locality Official and Date
 TOM BIESIADNY
 Typed or printed name of person signing

 12/4/17
 Authorized VDOT Official and Date
 ANDREW CH BEACHER
 Typed or printed name of person signing

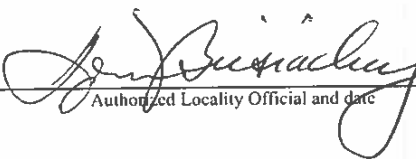
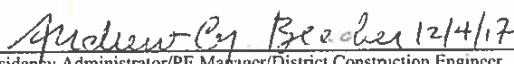
Appendix B

Project Number: 0029-029-350 (UPC 110329) Locality: Fairfax County

Project Scope	
Work Description:	Route 29 Widening Widen Route 29 Phase II
From:	Union Mill Road
To:	Buckley's Gate Drive
Locality Project Manager Contact Info:	Michael Guarino email: michael.guarino@fairfaxcounty.gov phone: 703-877-5731
Department Project Coordinator Contact Info:	Hong Ha "Jenny" email: hong.ha@vdot.virginia.gov phone: 703-259-2907

Detailed Scope of Services
<p>Phase II of this project will widen Lee Highway (Route 29) from Union Mill Road to Buckley's Gate Drive for a total of approximately 1.49 miles. The segment currently has four lanes (divided) and the project will widen it to six lanes (divided), along with curb & gutter and geometrics improvement, multi-use trails on both sides for pedestrians and bicycle use, left and right turn lanes, and storm water management facilities.</p> <p>VDOT will administer all phases included in this agreement.</p>

This attachment is certified and made an official attachment to this document by the parties of this agreement

 Authorized Locality Official and date	 Residency Administrator/PE Manager/District Construction Engineer Recommendation and date
<u>TOM BIESIADNY</u> Typed or printed name of person signing	<u>ANDREW C. BECHER</u> Typed or printed name of person signing

FAIRFAX COUNTY BOARD OF SUPERVISORS RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center in Fairfax, Virginia, on Tuesday, October 24, 2017, at which meeting a quorum was present and voting, the following resolution was adopted:

AGREEMENT EXECUTION RESOLUTION

**A RESOLUTION FOR THE BOARD OF SUPERVISORS OF THE COUNTY OF
FAIRFAX, VIRGINIA AS AN ENDORSEMENT OF
Lee Highway (Route 29) Improvements Phase II from Union Mill Road to Buckleys Gate
Drive PROJECT**

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring local jurisdiction or agency requesting the Virginia Department of Transportation (VDOT) to establish a project(s), if not already established, in the County of Fairfax.

NOW, THEREFORE, BE IT RESOLVED that the County of Fairfax requests the Commonwealth Transportation Board to establish a project(s), if not already established, for the implementation of Phase II of Lee Highway (Route 29) Improvements from Union Mill Road to Buckleys Gate Drive Project (VDOT project # 0029-029-350, UPC 110329) ("Project").

BE IT FURTHER RESOLVED THAT the County of Fairfax hereby agrees to provide its share of the local contribution, in accordance with the Project Administration Agreements ("PAA," attached) and associated financial documents (Appendix A), executed pursuant to this Resolution.

BE IT FURTHER RESOLVED THAT the Board of Supervisors of Fairfax County, Virginia, authorizes the Director of Fairfax County's Department of Transportation to execute, on behalf of the County of Fairfax, the PAA with the Virginia Department of Transportation for the implementation of the Project to be administered by VDOT.

Adopted this 24th day of October 2017, Fairfax, Virginia

ATTEST:



Catherine A. Chianese
Clerk to the Board of Supervisors

Project Number: 0029-029-350 UPC: 110329 CFDA#: 20.205 Locality: Fairfax County

Project Location ZIP+4: 22030-6627 Locality DUNS #: 074873826 Locality Address (incl ZIP+4): 4050 Legato Road, Suite 400, Fairfax, VA 22033-2867

Project Narrative

Scope: Widen Route 29 from Union Mill Rd to Buckley's Gate Dr. added capacity, improved geometrics and pedestrian/bicycle facilities. Project is for both north bound and south bound lanes. Phase II.

From: Union Mill Road
To: Buckley's Gate Drive

Locality Project Manager Contact info: Michael Guarino 703-877-5731 michael.guarino@fairfaxcounty.gov
Department Project Coordinator Contact info: Hong "Jenny" Ha 703-259-2907 hong.ha@vdot.virginia.gov

Project Estimates

Phase	Estimated Project Costs
Preliminary Engineering	\$5,652,000
Right of Way & Utilities	\$21,500,000
Construction	\$39,821,543
Total Estimated Cost	\$66,973,543
Estimate for Current Billing	\$66,973,543

Project Cost

Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering	\$5,652,000	Concession Funds	0%	\$0
				\$0
				\$0
Total PE	\$5,652,000			\$0
Right of Way & Utilities	\$7,554,643	Concession Funds	0%	\$0
	\$13,945,357	Smart Scale (HB-2) HPP	0%	\$0
				\$0
Total RW	\$21,500,000			\$0
Construction	\$39,821,543	Smart Scale (HB-2) HPP	0%	\$0
				\$0
				\$0
Total CH	\$39,821,543			\$0
Total Estimated Cost	\$66,973,543			\$0

Total Maximum Reimbursement / Payment by Locality to VDOT \$0

Project Financing

Smart Scale (HB-2) HPP GARVEE	Concession Funds	Aggregate Allocations
\$53,766,900	13,206,643	\$66,973,543

Payment Schedule

Year	Amount

- Program and project Specific Funding Requirements**
- This is a limited funds project. The locality shall be responsible for any additional funding in excess of \$66,973,543 (if applicable)
 - Phase 1 for this project is under UPC 110330.
 - Project estimate, schedule and commitment to funding are subject to the requirements established in the Commonwealth Transportation Board Policy and Guidelines for Implementation of a Project Prioritization Process, Code of Virginia, and VDOT's Instructional and Informational Memorandums.
 - This project shall be initiated and at least a portion of the programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the Commonwealth Transportation Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the project.
 - This project has been selected through the Smart Scale (HB2) application and selection process and will remain in the SYIP as a funding priority unless certain conditions set forth in the Commonwealth Transportation Board Policy and Guidelines for Implementation of a Project Prioritization Process arise. Pursuant to the Commonwealth Transportation Board Policy and Guidelines for Implementation of a Project Prioritization Process and HB2 Implementation Policy Guide, Section 5.3, this project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase prior to contract advertisement or award, or a significant reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent annual HB2 prioritization cycle to account for a cost increase on a previously prioritized project.
 - This appendix revision replaces the previous local funds with I-66 Outside the Beltway Concession Funds, per ID no rescoring is necessary as result of this action.
 - This appendix revision supercedes all previous versions.

This attachment is certified and made an official attachment to this document by the parties to this agreement

Tom Biesiasny 5/9/18
Authorized Locality Official and Date
TOM BIESIASNY
Typed or printed name of person signing

Andrew C. Boecher 5/23/18
Authorized VDOT Official and Date
ANDREW C. BOECHER
Typed or printed name of person signing

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, as identified below, where discussion in an open session would adversely affect the negotiating or litigating posture of the public body, as well as consultation with legal counsel regarding specific legal matters listed below requiring the provision of legal advice by such counsel, all as permitted by Virginia Code § 2.2-3711(A) (7) and (8).
 - 1. *Edward M. Williams v. Fairfax County and Fairfax County Department of Family Services*, Case No. 23-cv-1004 (E.D.Va.)
 - 2. *Audrey Glisson v. Burke Lake Golf Center*, EEOC Charge No. 570-2023-04059; and *Audrey Glisson v. County of Fairfax*, OCR Charge No. 22-N0248
 - 3. *Anthony Lamont Gardner, Jr. v. Kenyatta Momon, Thomas Armel, Kevin Davis, Fairfax County Police Department, and County of Fairfax*, Case No. 1:23-cv-610 (E.D. Va.)
 - 4. *Pamela Sledge v. Officers Richard Castilon, Michael Scatchard, and Cassandra Zamora*, Case No. CL-2022-0012322 (Fx. Co. Cir. Ct.)
 - 5. *State Farm Fire and Casualty Company as Subrogee of Austin Whynot v. Abdelhakim Hammoudi*, Case No. GV24-006555-00 (Fx. Co. Gen. Dist. Ct.)
 - 6. *State Farm Fire and Casualty Company as Subrogee of Rosa Castro v. Jasper Cooper*, Case No. GV23-022829 (Fx. Co. Gen. Dist. Ct.)
 - 7. *Justin Sand and Liviya Piccione-Sand v. Fairfax County Wetlands Board, Fairfax County Department of Planning and Development, and Board of Supervisors of Fairfax County*, Case No. CL-2023-0018018 (Fx. Co. Cir. Ct.) (Mount Vernon District)

Board Agenda Item
May 7, 2024

8. *Zaaki Restaurant and Cafe, LLC v. County of Fairfax, Virginia and Brian F. Foley, Building Official*, Case No. CL-2019-0015682 (Fx. Co. Cir. Ct.) (Mason District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ana Maria Bacarreza, Juan Carlos Mendoza Villegas, and Jonathan Mendoza*, Case No. GV24-002015 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
10. *Jay Riat, Building Official for Fairfax County, Virginia v. Mustafa Zamani*, Case No. CL-2024-0004095 (Fx. Co. Cir. Ct.) (Dranesville District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mohammed Tarek Orfaly and Alexis Ann Orfaly*, Case No. GV24-007544 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
12. *Jay Riat, Building Official for Fairfax County, Virginia v. Sarra Semere and Helen Semere-Kifle*, Case No. GV24-000910 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. Wilmer Gamboa Machado*, Case No. GV24-004033 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nebiyou Haile*, Case No. GV24-007546 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Jennifer Mossgrove and John Mossgrove*, Case No. CL-2024-001666 (Fx. Co. Cir. Ct.) (Hunter Mill District)
16. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gabriel E. Ortiz*, Case No. GV24-001103 (Fx. Co. Gen. Dist. Ct.) (Hunter District)
17. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Judy V. Marshall*, Case No. CL-2020-0008131 (Fx. Co. Cir. Ct.) (Mason District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Matthew P. Slocum and Dorothy K. Slocum*, Case No. CL-2024-0004671 (Fx. Co. Cir. Ct.) (Mason District)
19. *Jay Riat, Building Official for Fairfax County, Virginia v. William K. Cameron, Jr.*, Case No. CL-2023-0007545 (Fx. Co. Cir. Ct.) (Mason District)

Board Agenda Item
May 7, 2024

20. *Jay Riat, Building Official for Fairfax County, Virginia v. Fang Yang*, Case No. GV24-001102 (Fx. Co. Gen. Dist. Ct.) (Mason District)
21. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Robert Edward Carr*, Case No. CL-2024-0000262 (Fx. Co. Cir. Ct.) (Mount Vernon District)
22. *Jay Riat, Building Official for Fairfax County, Virginia v. Piyush J. Geol and Kelli L. Geol*, Case No. CL-2024-0004094 (Fx. Co. Cir. Ct.) (Mount Vernon District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert Edward Carr*, Case No. CL-2024-0004245 (Fx. Co. Cir. Ct.) (Mount Vernon District)
24. *Jay Riat, Building Official for Fairfax County, Virginia v. John Ho*, Case No. CL-2023-0008168 (Fx. Co. Cir. Ct.) (Mount Vernon District)
25. *Jay Riat, Building Official for Fairfax County, Virginia v. Corey Mandez Ingram*, Case No. GV23-024500 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
26. *Jay Riat, Building Official for Fairfax County, Virginia v. Johnnie A. Zelaya and Rachel R. Zelaya*, Case No. GV24-0004036 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
27. *John Walser, Fire Marshal for Fairfax County, Virginia v. L/L Circle Towers Residential Association, LLC*, Case No. CL-2024-0004503 (Fx. Co. Cir. Ct.) (Providence District)
28. *Jay Riat, Building Official for Fairfax County, Virginia v. The Board of Directors, Unit Owners Association of Renaissance 2230 and Gates Hudson Community Management, LLC*, Case No. GV24-007659 (Fx. Co. Gen. Dist. Ct.) (Providence District)
29. *Jay Riat, Building Official for Fairfax County, Virginia v. L&Q, LLC, Vivi Massage Tyson, Inc., and Hunan Café Tysons, Inc.*, Case No. GV24-007658 (Fx. Co. Gen. Dist. Ct.) (Providence District)
30. *Jay Riat, Building Official for Fairfax County, Virginia v. Tala Shahlavi Gardner and Tanaz Shahlavi*, Case No. GV24-007548 (Fx. Co. Gen. Dist. Ct.) (Providence District)

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on SE 2024-HM-00002 (JACo-TMG Halley Rise, L.L.C.) to Permit an Amendment to the Previously Approved Sign Plan, Located on Approximately 28.72 Acres of Land (Hunter Mill District)

This property is located at 11945 Hopper St., Reston, 20191. Tax Map 17-3 ((8)) 1C1, 1C2, 1C3, 1C5, 1C6.

PLANNING COMMISSION RECOMMENDATION:

On April 24, 2024, the Planning Commission voted 10-0 (Commissioners Murphy and Bennett were absent from the meeting) to recommend to the Board of Supervisors the approval of SE 2024-HM-00002, subject to the development conditions consistent with those dated April 10, 2024.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Karen Yee, Planner, DPD

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on SEA 95-Y-024-08 (Costco Wholesale Corporation) to Amend SE 95-Y-024, Previously Approved with a Mix of Uses in a Highway Corridor Overlay District, to Permit an Expansion of the Tire Center in the Existing Retail Warehouse Building and Associated Modifications to Site Design and Development Conditions, Located on Approximately 13.39 Acres of Land (Sully District)

This property is located at 14390 Chantilly Crossings Ln., Chantilly, 20151. Tax Map 34-3 ((1)) 41B.

PLANNING COMMISSION RECOMMENDATION:

On February 28, 2024, the Planning Commission voted 10-0 (Commissioners Murphy and Lagana were absent from the meeting) to recommend to the Board of Supervisors approval of SEA 95-Y-024-08, subject to the development conditions dated February 26, 2024.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Tabatha Cole, Planner, DPD

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on SEA 89-S-072-02 (Northern Virginia Electric Cooperative) to Amend SE 89-S-072 Previously Approved for Electric Substation and Telecommunications Facility to Permit a New 95 Foot Tall Transmission Pole with Attached Facilities Within the Existing Equipment Compound Area and Associated Modifications to Site Design and Development Conditions, Located on Approximately 4.80 Acres of Land (Springfield District)

This property is located at 12700 Popes Head Rd., Clifton, 20124. Tax Map 66-4 ((3))1.

PLANNING COMMISSION RECOMMENDATION:

On February 28, 2024, the Planning Commission voted 10-0 (Commissioners Murphy and Lagana were absent from the meeting) to recommend to the Board of Supervisors the following actions:

- Approval of SEA 89-S-072-02, subject to the proposed development conditions dated February 27, 2024; and
- Reaffirmation of the previously approved transitional screening modification and waiver of barrier requirements to that shown on the SEA plat.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

William O'Donnell, Planner, DPD

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on RZ 2023-DR-00011 (T&M McLean Venture, LLC) to Rezone from C-2, SC and CRD to PRM, SC and CRD to Permit Multifamily Residential Development with a Floor Area Ratio of 1.97 and Approval of the Conceptual Development Plan, Located on Approximately 2.80 Acres of Land (Dranesville District) (Concurrent with PCA-C-491-04 (RZPA 2023-DR-00065) and PCA-C-491-05 (RZPA 2023-DR-00066)

and

Public Hearing on PCA-C-491-04 (RZPA 2023-DR-00065) (T&M McLean Venture, LLC) to Amend the Proffers for RZ-C-491 Previously Approved for Office to Permit Deletion of Land Area and Associated Modifications to Proffers, Located on Approximately 2.80 Acres of Land (Dranesville District) (Concurrent with RZ 2023-DR-00011 and PCA-C-491-05 (RZPA 2023-DR-00066)

and

Public Hearing on PCA-C-491-05 (RZPA 2023-DR-00066) (T&M McLean Venture, LLC) to Amend the Proffers for RZ-C-491 Previously Approved for Office to Permit Partial Proffered Condition Amendment to Permit Minor Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 0.48 and a Modification of Open Space Requirements in a CRD, Located on Approximately 1.63 Acres of Land (Dranesville District) (Concurrent with RZ 2023-DR-00011 and PCA-C-491-04 (RZPA 2023-DR-00065)

This property is located on the S. side of Chain Bridge Rd., W. of its intersection with Tennyson Dr. Tax Map 30-2 ((1)) 23 (pt.).

This property is located on the S. side of Chain Bridge Rd., W. of its intersection with Tennyson Dr. Tax Map 30-2 ((1)) 23 (pt.).

This property is located on the S. side of Chain Bridge Rd., W. of its intersection with Tennyson Dr. Tax Map 30-2 ((1)) 23 (pt.).

PLANNING COMMISSION RECOMMENDATION:

On March 20, 2024, the Planning Commission voted 10-0 (Commissioners Murphy and Spain were absent from the meeting) to recommend to the Board of Supervisors the following actions:

Board Agenda Item
May 7, 2024

- Approval of PCA-C-491-04;
- Approval of PCA-C-491-05, subject to the execution of proffered conditions consistent with those dated February 29, 2024;
- Approval of a modification of the transitional screening requirements along the eastern and southern property lines to that shown on the GDP;
- Approval of a waiver of the open space requirements;
- Approval of a waiver of the transitional screening and barrier requirements along the northern property line;
- Approval of a modification of the maximum wall height in a front yard to permit the 6-foot-high wall along McNeer Street to remain;
- Approval of RZ 2023-DR-00011, subject to the execution of proffered conditions consistent with those dated March 19, 2024; and
- Approval of a waiver of the peripheral parking lot landscaping for the southern boundary line.

In a related action, the Planning Commission voted 10-0 (Commissioners Murphy and Spain were absent from the meeting) to approve FDP 2023-DR-00011, subject to the Board's approval of the rezoning.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Daniel Creed, Planner, DPD

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on RZ 2021-LE-019 (Towns at Villa Park LLC) to Rezone from R-1 to R-8 District to Permit Residential Development with a Total Density of 6.88 Dwelling Units per Acre, Located on Approximately 5.81 Acres of Land (Franconia District)

This property is located in the eastern terminus of Wesley Rd., S. of Villa Park Rd. and W. side of Franconia-Springfield Pkwy. Tax Map 90-2 ((4)) 19 and 20.

PLANNING COMMISSION RECOMMENDATION:

On April 24, 2024, the Planning Commission voted 10-0 (Commissioners Murphy and Bennett were absent from the meeting) to recommend to the Board of Supervisors the following actions:

- Approval of RZ 2021-LE-019, subject to the execution of proffered conditions consistent with those dated April 9, 2024; and
- Approval of a waiver of the 600-foot maximum length of private streets.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Zach Fountain, Planner, DPD

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on PCA 2011-PR-011-004/ CDPA 2011-PR-011 (RZPA 2023-PR-00030) (Cityline Partners LLC) to Amend the Proffers and Conceptual Development Plan, and to Permit a Final Development Plan for Office or Residential and Hotel and Retail Uses at 6.04 Floor Area Ratio, Located on Approximately 1.78 Acres of Land (Providence District)

This property is located in the S.W. quadrant of Route 123 and Anderson Rd. Tax Map 30-3 ((28)) (2) 1.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission's hearing on this application is scheduled for May 1, 2024. The Planning Commission's recommendation will be forwarded upon decision.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Sunny Yang, Planner, DPD

To be Deferred to
05/21/2024 at 3:30 p.m.

Board Agenda Item
May 7, 2024

3:30 p.m.

Public Hearing on PCA 2011-PR-023-04/ CDPA 2011-PR-023-03 (RZPA 2022-PR-00115) (Cityline Partners LLC) to Amend the Proffers and Conceptual Development Plan for RZ 2011-PR-023 for Block C2, Previously Approved for Office and Retail Uses, to Permit Residential and Retail Uses and Associated Modifications to Proffers and Site Design at a 2.18 Floor Area Ratio, Located on Approximately 2.92 Acres of Land (Providence District)

This property is located on the S. side of Westpark Dr., E. of its intersection with Westbranch Dr., and W. of its intersection with Jones Branch Dr. Tax Map 29-4 ((7)) 3A1.

PLANNING COMMISSION RECOMMENDATION:

On April 3, 2024, the Planning Commission voted 9-0-1 (Commissioners Murphy and Lagana were absent from the meeting. Commissioner Bennett abstained from the vote) to defer the consideration of PCA 2011-PR-023-04, CDPA 2011-PR-023-03, and FDP 2011-PR-023-06 for an additional public hearing on May 15, 2024. Any testimony that was provided at the first public hearing on April 3, 2024 will be included as part of the record. All persons who testified at the first hearing are already on record and do not need to testify again at the additional hearing. In addition, the Planning Commission recommended that the Board of Supervisors public hearing on the applications be rescheduled to the next available date.

ENCLOSED DOCUMENTS:

Additional information available online at:

<https://www.fairfaxcounty.gov/planning-development/board-packages>

Planning Commission Meetings Video Archive available online at:

<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

STAFF:

Suzanne L. Wright, Director, Zoning Evaluation Division, Department of Planning and Development (DPD)

Sunny Yang, Planner, DPD

Board Agenda Item
May 7, 2024

4:00 p.m.

Public Hearing to Consider an Ordinance Amending Article 9 of Chapter 82 of the Fairfax County Code, Relating to the Right-of-Way Afforded to Pedestrians

ISSUE:

Public hearing to consider proposed amendments to *Sections 82-9-2 and 82-9-7 of the Code of the County of Fairfax, Virginia* (Fairfax County Code), to modify language related to the right-of-way afforded to pedestrians.

RECOMMENDATION:

The County Executive recommends that the Board adopt amendments to *Sections 82-9-2 and 82-9-7 of the Fairfax County Code* (Attachment I). The amendments will authorize the Fairfax County Department of Transportation to install and maintain signs at marked crosswalks requiring drivers to stop for pedestrians, and will add a prohibition on overtaking vehicles that are stopped for pedestrians.

TIMING:

On April 16, 2024, the Board authorized advertisement of a public hearing to consider the proposed amendment to *Sections 82-9-2 and 82-9-7 of the Fairfax County Code* to take place on May 7, 2024, at 4:00 p.m.

BACKGROUND:

Section 82-9-2 of the Fairfax County Code defines the right-of-way afforded to pedestrians in Fairfax County. The corresponding provision within the Code of Virginia is found in *Va. Code § 46.2-924*. On July 1, 2023, the Code of Virginia was amended to require drivers to stop for pedestrians crossing within the driver's lane or within an adjacent lane and approaching the driver's lane until such pedestrian has passed the lane in which the vehicle is stopped. The amendment to the Code of Virginia also allowed the governing body of Fairfax County to provide, by ordinance, for the installation and maintenance of highway signs at marked crosswalks specifically requiring operators of motor vehicles, at the locations where such signs are installed, to either yield the right-of-way to, or stop for, pedestrians crossing or attempting to cross the highway. An update to the Fairfax County Code on December 20, 2023, included the requirement to stop for pedestrians, but did not include the other modifications in accordance with the amended Code of Virginia. The proposed amendments to the Fairfax County Code will address the modifications that were not included, as well as adopt a provision from *Va. Code § 46.2-924* that prohibits the overtaking of vehicles

Board Agenda Item
May 7, 2024

stopped for pedestrians. The proposed amendments to *Fairfax County Code Sections 82-9-2 (Right-of-way of pedestrians) and 82-9-7 (Penalty for violating Article 9)* are included in Attachment I.

EQUITY IMPACT:

None.

FISCAL IMPACT:

There is no fiscal impact associated with this request. There will be a subsequent request to modify signage in accordance with this amendment that will have a proposed fiscal impact of \$95,000. However, funds were approved by the Board of Supervisors on December 5, 2023, and are currently available in Fairfax County Department of Transportation Fund 30050, Transportation Improvements in Projects 2G40-197-000, Bicycle and Pedestrian Access – DOT, ST-000053, Bicycle and Pedestrian Access – DOT.

ENCLOSED DOCUMENTS:

Attachment I: An Ordinance Amending Article 9 of Chapter 82 of the Fairfax County Code, Relating to the Right-of-Way Afforded to Pedestrians.

STAFF:

Rachel Flynn, Deputy County Executive

Gregg Steverson, Acting Director, Fairfax County Department of Transportation (FCDOT)

Lisa Witt, Chief, Administrative Services, FCDOT

Eric M. Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT

Lauren Delmare, Chief, Active Transportation Section, FCDOT

Nicole Wynands, Transportation Planner, Active Transportation Section, FCDOT

ASSIGNED COUNSEL:

John Dorsey, Assistant County Attorney

1 AN ORDINANCE AMENDING
2 ARTICLE 9 OF CHAPTER 82 OF THE FAIRFAX COUNTY CODE, RELATING TO
3 THE RIGHT-OF-WAY AFFORDED TO PEDESTRIANS
4

5 AN ORDINANCE to amend the Fairfax County Code by amending and
6 readopting Sections 82-9-2 and 82-9-7, relating to the right-of-way of
7 pedestrians.
8

9 Draft of January 9, 2024
10

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

- 12 1. That Sections 82-9-2 and 82-9-7 of the Fairfax County Code are amended and
13 readopted, as follows:
14

15 ARTICLE 9. - Protection of Pedestrians.

16 Section 82-9-2. – Right-of-way of pedestrians.

17 (a) The driver of any vehicle upon a highway or street shall stop when a pedestrian crossing
18 is within the driver's lane or within an adjacent lane and approaching the driver's lane of
19 such highway or street within any clearly marked crosswalk, whether at mid-block or at
20 the end of any block, or at any regular pedestrian crossing included in the prolongation of
21 the lateral boundary lines of the adjacent sidewalk at the end of a block, or at any
22 intersection when the driver is approaching on a highway or street where the legal
23 maximum speed does not exceed thirty-five (35)-miles per hour, except at intersections or
24 crosswalks where the movement of traffic is being regulated by law enforcement officers,
25 uniformed school crossing guards, or traffic direction devices where the driver shall yield
26 according to the direction of the law enforcement officer, uniformed school crossing
27 guard, or device.

28 (b) When a vehicle is stopped pursuant to subsection (a), the driver of any other vehicle
29 approaching from an adjacent lane or from behind the stopped vehicle shall not overtake
30 and pass such stopped vehicle.

31 ~~(c)~~ (c) No pedestrian shall enter or cross an intersection in disregard of approaching traffic.

32 ~~(d)~~ (d) The drivers of vehicles entering, crossing, or turning at intersections shall change their
33 course, slow down, or come to a complete stop if necessary to permit pedestrians to cross
34 such intersections safely and expeditiously.

35 ~~(e)~~ (e) Pedestrians crossing highways or streets at intersections shall at all times have the
36 right-of-way over vehicles making turns into the highways or streets being crossed by the
37 pedestrians.

38 (f) Pursuant to Va. Code § 46.2-924(D), the County may install and maintain highway signs
39 at marked crosswalks requiring operators of motor vehicles, at the locations where such
40 signs are installed, to yield the right-of-way to or stop for pedestrians crossing or
41 attempting to cross the highway.

42 **Section 82-9-7. – Penalty for violating Article 9.**

43 Except as otherwise provided herein, any violation of this Article shall constitute a traffic
44 infraction which shall be punishable in accordance with Section 82-1-35. Any violation
45 of Section 82-9-2(a) by the driver of any vehicle at a crosswalk that has been specially marked
46 with signage that has been installed by the County in accordance with criteria developed by
47 the Virginia Department of Transportation Commonwealth Transportation Board pursuant to
48 Va. Code § 46.2-924~~Virginia Code Section 46.2-924(C)~~ shall be guilty of traffic infraction
49 punishable by a fine of no less than \$100.00 or more than \$500.00.

50 **2. That this ordinance is effective upon adoption.**

51
52
53
54
55
56
57
58

GIVEN under my hand this _____ day of _____, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Board Agenda Item
May 7, 2024

4:00 p.m.

Public Hearing for the Enlargements of Panoramic Hills Area 1 and Pleasant Ridge Area 2 Sanitary Districts for Refuse/Recycling Collection Services and the De-Creation of Lincolnia Area 1 Sanitary District to Remove Refuse/Recycling and Vacuum Leaf Collection Services (Mason District)

ISSUE:

Board of Supervisors to conduct a public hearing for the enlargements and de-creation of Sanitary Districts for refuse/recycling and/or vacuum leaf collection services.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approves the proposed petitions to change Sanitary Districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisors' adopted criteria for the creation of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
DTA Local District 1B Within Mason District (Panoramic Hills Area 1)	Enlarge	Refuse & Recycling	Approve
DTA Local District 1B Within Mason District (Pleasant Ridge Area 2)	Enlarge	Refuse & Recycling	Approve
DTA Mason District (Lincolnia Area 1)	De-Create	Refuse/ Recycling, & Vacuum Leaf	Approve

TIMING:

Board of Supervisors authorized to advertise on March 19, 2024, for a public hearing to be held on May 7, 2024, at 4:00 p.m.

Board Agenda Item
May 7, 2024

BACKGROUND:

The administrative responsibility for the Creation/Enlargement/De-Creation/Re-Creation of Sanitary Districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of Sanitary Districts is accomplished through the action of the Board of Supervisors at public hearings. Prior to any action by the Board of Supervisors on a proposed Sanitary District, certain relevant standards and criteria must be met in accordance with the Board of Supervisors' adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

The submitted petitions have been reviewed, and it has been determined that the petitions should be submitted to the Board of Supervisors for approval.

Staff recommends that the enlargements of Panoramic Hills Area 1 and Pleasant Ridge Area 2 and de-creation of Lincolnia Area 1 Sanitary Districts for refuse/recycling and/or leaf collection be approved. If approved, the modification will become permanent on July 1, 2024.

EQUITY IMPACT:

None.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

- Attachment 1: Summary Sheet
- Attachment 2: Data Sheet with Proposed Resolution and Map
(Panoramic Hills Area 1)
- Attachment 3: Data Sheet with Proposed Resolution and Map
(Pleasant Ridge Area 2)
- Attachment 4: Data Sheet with Proposed Resolution and Map
(Lincolnia Area 1)

STAFF:

Rachel Flynn, Deputy County Executive
Christopher S. Herrington, Director, Department of Public Works and Environmental Services (DPWES)
Eric Forbes, Deputy Director, DPWES

Board Agenda Item
May 7, 2024

ASSIGNED COUNSEL:
Joanna Faust, Assistant County Attorney

SUMMARY SHEET

Proposed alterations to the following Sanitary Districts for refuse/recycling and/or vacuum leaf collection service:

1. Enlarge Panoramic Hills Area 1 Sanitary District in DTA Local District 1B within Mason District for the purpose of providing refuse/recycling collection services.
2. Enlarge Pleasant Ridge Area 2 Sanitary District in DTA Local District 1B within Mason District for the purpose of providing refuse/recycling collection services.
3. De-create Lincolnia Area 1 Sanitary District in DTA Mason District within Mason District for the purpose of removing refuse/recycling and vacuum leaf collection services.

DATA SHEET
Create Panoramic Hills Area 1 Sanitary District
DTA Local District 1B
Within the Mason District

Purpose: To provide County refuse/recycling collection service to Panoramic Hills Area 1 Sanitary District.

- Petition requesting service initially received November 7, 2022; and petition process started November 29, 2023.
- Petition Area: 1 Property.
- 1 Property owner in favor.
- 0 Property owners opposed.
- 0 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE PANORAMIC HILLS AREA 1 SANITARY DISTRICT
DTA LOCAL DISTRICT 1B
WITHIN MASON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as Panoramic Hills Area 1 Sanitary District in DTA Local District 1B within Mason District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Panoramic Hills Area 1 Sanitary District in DTA Local District 1B within Mason District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of Panoramic Hills Area 1 Sanitary District in DTA Local District 1B within Mason District located in the County of Fairfax, Virginia, and as shown on the attached map.

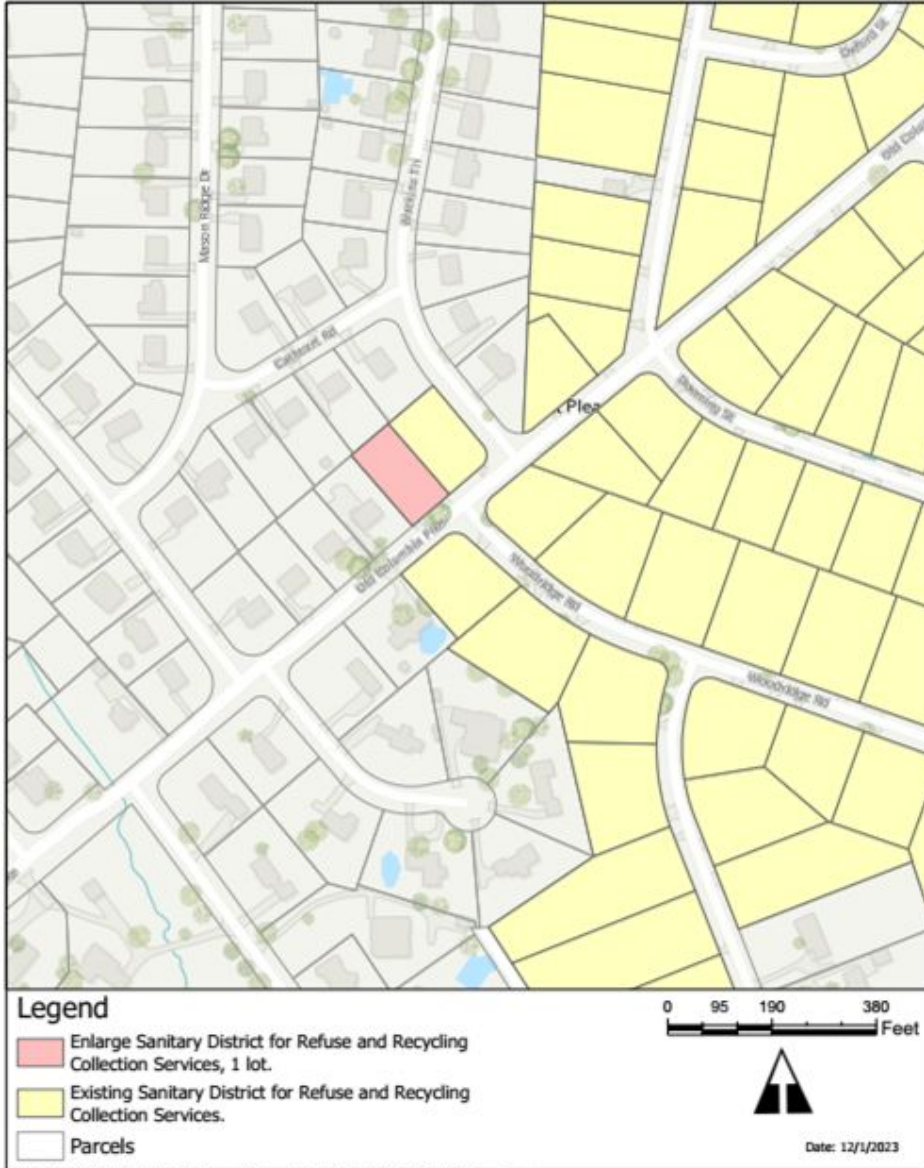
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Panoramic Hills Area 1 Sanitary District in DTA Local District 1B within Mason District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Panoramic Hills Area 1 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

DATA SHEET
Enlarge Pleasant Ridge Area 2 Sanitary District
DTA Local District 1B
Within the Mason District

Purpose: To provide County refuse/recycling collection services to Pleasant Ridge Area 2 Sanitary District.

- Petition requesting service initially received July 14, 2022; and petition process started July 13, 2023.
- Petition Area: 19 Properties.
- 16 Property owners in favor.
- 2 property owners opposed.
- 1 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE PLEASANT RIDGE AREA 2 SANITARY DISTRICT
DTA LOCAL DISTRICT 1B
WITHIN MASON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as Pleasant Ridge Area 2 Sanitary District in DTA Local District 1B within Mason District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Pleasant Ridge Area 2 Sanitary District in DTA Local District 1B within Mason District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of Pleasant Ridge Area 2 Sanitary District in DTA Local District 1B within Mason District located in the County of Fairfax, Virginia, and as shown on the attached map.

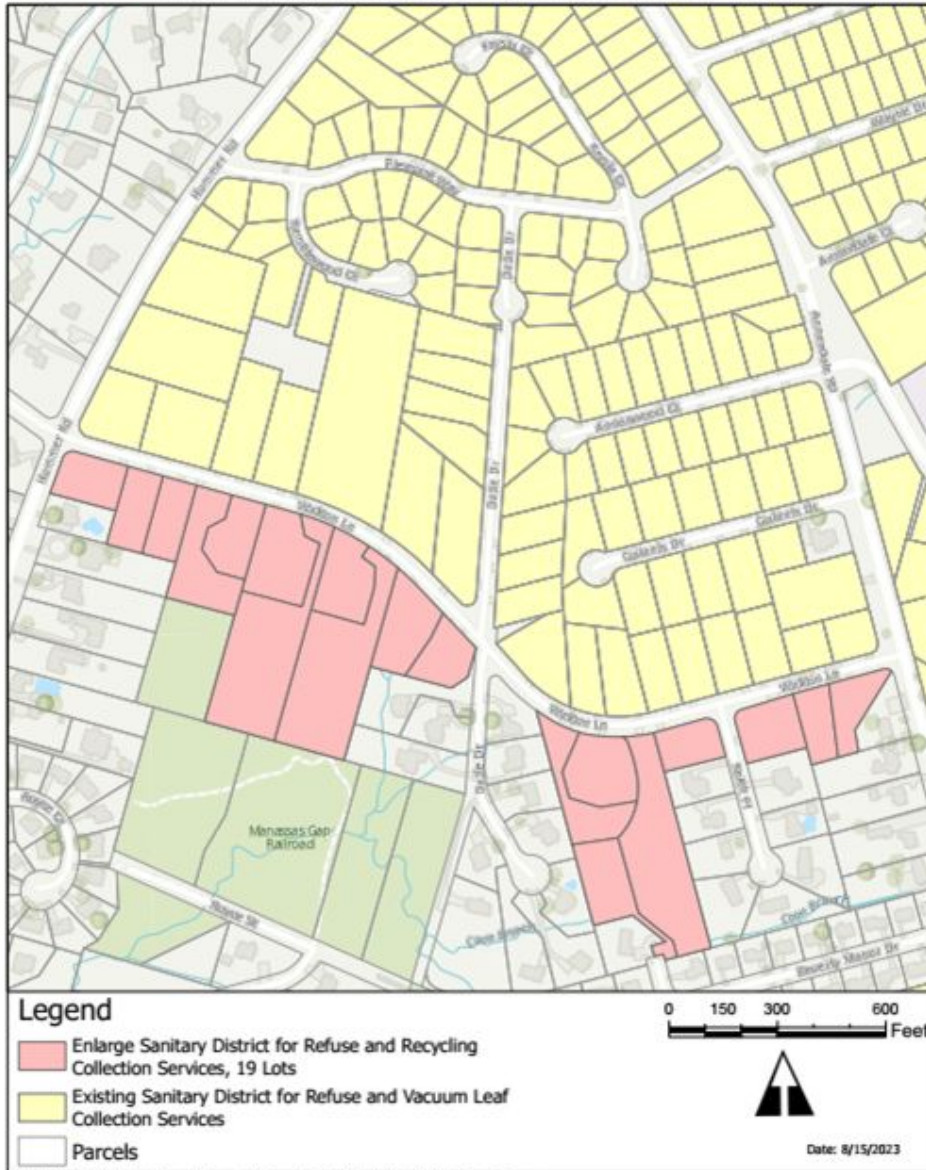
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Pleasant Ridge Area 2 Sanitary District in DTA Local District 1B within Mason District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Pleasant Ridge Area 2 Sanitary District Map



DATA SHEET
De-Create Lincolnia Area 1 Sanitary District
DTA Mason District
Within the Mason District

Purpose: To remove County refuse/recycling and vacuum leaf collection service to Lincolnia Area 1 Sanitary District.

- Petition requesting service received January 25, 2024.
- Petition Area: 3 Properties.
- 2 Property owners in favor.
- 0 Property owners opposed.
- 1 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, the removal services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO DE-CREATE LINCOLNIA AREA 1 SANITARY DISTRICT
DTA MASON DISTRICT
WITHIN MASON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to de-create a district known as Lincolnia Area 1 Sanitary District in DTA Mason District within Mason District for the purpose of removing refuse/recycling and vacuum leaf collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by de-creating the Sanitary District for the purpose of removing refuse/recycling and vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Lincolnia Area 1 Sanitary District in DTA Mason District within Mason District, Fairfax County, Virginia, which said de-creation of the Sanitary District shall be described as follows:

The de-creation of De-create Lincolnia Area 1 Sanitary District in DTA Mason District within Mason District located in the County of Fairfax, Virginia, and as shown on the attached map.

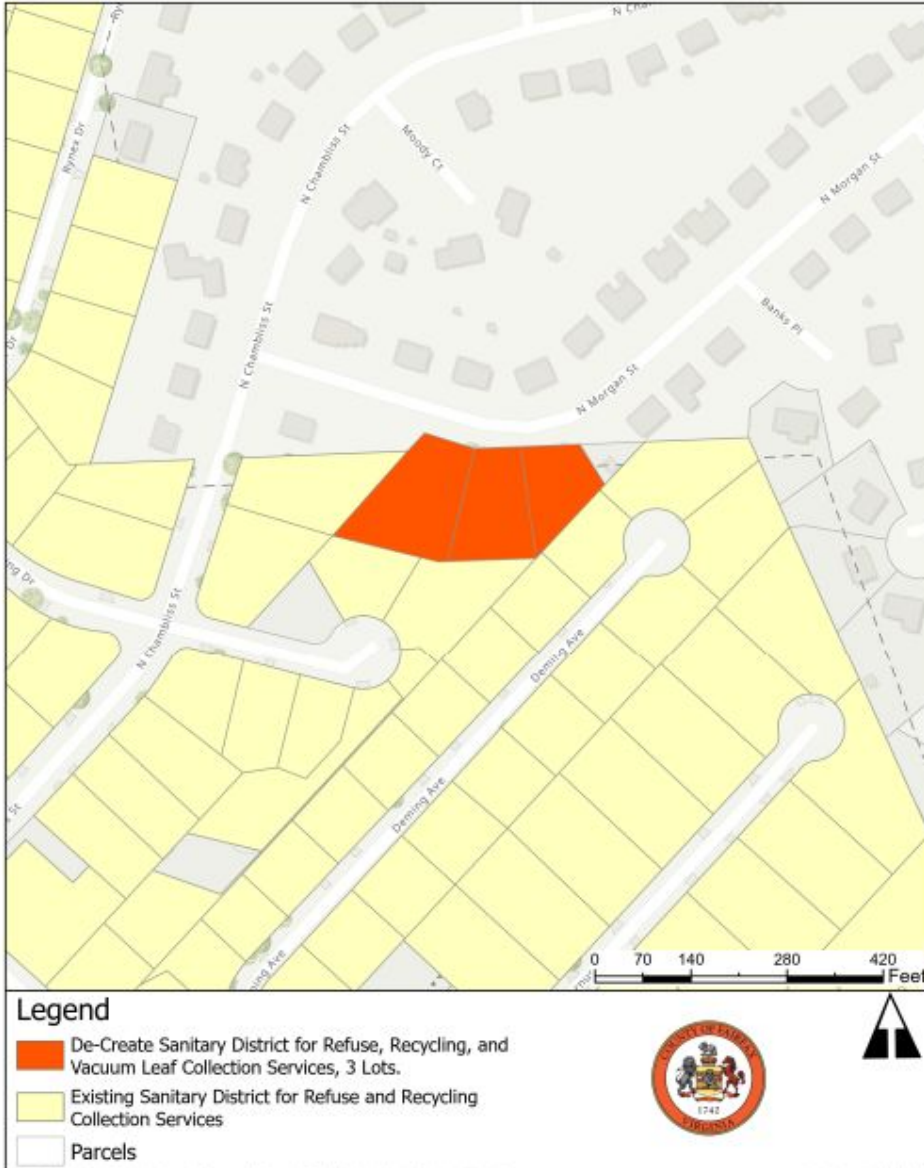
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said De-create Lincolnia Area 1 Sanitary District in DTA Mason District within Mason District is hereby created to wit:

To remove refuse/recycling and vacuum leaf collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Lincolnia Area 1 Sanitary District Map



Path: G:\pub\DPWES\SWP\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

Print Date: 1/26/2024

Board Agenda Item
May 7, 2024

4:00 p.m.

Public Hearing for the Creation of Wilton Woods Area 1 Sanitary District for Refuse/Recycling Collection Services and the De-Creation/Re-Creation of Bush Hill Woods Area 1 Sanitary District to Add Vacuum Leaf Collection Services (Franconia District)

ISSUE:

Board of Supervisors to conduct a public hearing for the creation and de-creation/re-creation of Sanitary Districts for refuse/recycling and/or vacuum leaf collection services.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approves the proposed petitions to change Sanitary Districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisors' adopted criteria for the creation of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
DTA Small District 1 Within Franconia District (Wilton Woods Area 1)	Create	Refuse & Recycling	Approve
DTA Local District 1B Within Franconia District (Bush Hill Woods Area 1)	De-Create/ Re-Create	Refuse/ Recycling, & Add Vacuum Leaf	Approve

TIMING:

Board of Supervisors authorized to advertise on March 19, 2024, for a public hearing to be held on May 7, 2024, at 4:00 p.m.

BACKGROUND:

The administrative responsibility for the Creation/Enlargement/De-Creation/Re-Creation of Sanitary Districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of Sanitary Districts is accomplished through the action of the Board of Supervisors at

Board Agenda Item
May 7, 2024

public hearings. Prior to any action by the Board of Supervisors on a proposed Sanitary District, certain relevant standards and criteria must be met in accordance with the Board of Supervisors' adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

The submitted petitions have been reviewed, and it has been determined that the petitions should be submitted to the Board of Supervisors for approval.

Staff recommends that the creation of Wilton Woods Area 1 and de-creation/re-creation of Bush Hill Woods Area 1 Sanitary Districts for refuse/recycling and/or leaf collection be approved. If approved, the modification will become permanent on July 1, 2024.

EQUITY IMPACT:

None.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1: Summary Sheet

Attachment 2: Data Sheet with Proposed Resolution and Map
(Wilton Woods Area 1)

Attachment 3: Data Sheet with Proposed Resolution and Map
(Bush Hill Woods Area 1)

STAFF:

Rachel Flynn, Deputy County Executive

Christopher S. Herrington, Director, Department of Public Works and Environmental Services (DPWES)

Eric Forbes, Deputy Director, DPWES

ASSIGNED COUNSEL:

Joanna Faust, Assistant County Attorney

SUMMARY SHEET

Proposed alterations to the following Sanitary Districts for refuse/recycling and/or vacuum leaf collection service:

1. Create Wilton Woods Area 1 Sanitary District in DTA Small District 1 within Franconia District for the purpose of providing refuse/recycling collection services.
2. De-create/re-create Bush Hill Woods Area 1 Sanitary District in DTA Local District 1B within Franconia District for the purpose of providing refuse/recycling and adding vacuum leaf collection services.

DATA SHEET
Create Wilton Woods Area 1 Sanitary District
DTA Small District 1
Within the Franconia District

Purpose: To provide County refuse/recycling collection service to Wilton Woods Area 1 Sanitary District.

- Petition requesting service initially received September 8, 2022; and petition process started September 12, 2023.
- Petition Area: 105 Properties.
- 72 Property owners in favor.
- 8 Property owners opposed.
- 25 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO CREATE WILTON WOODS AREA 1 SANITARY DISTRICT
DTA SMALL DISTRICT 1
WITHIN FRANCONIA DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to create a district known as Wilton Woods Area 1 Sanitary District in DTA Small District 1 within Franconia District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by creating the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed creation of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Wilton Woods Area 1 Sanitary District in DTA Small District 1 within Franconia District, Fairfax County, Virginia, which said creation of the Sanitary District shall be described as follows:

The creation of Wilton Woods Area 1 Sanitary District in DTA Small District 1 within Franconia District located in the County of Fairfax, Virginia, and as shown on the attached map.

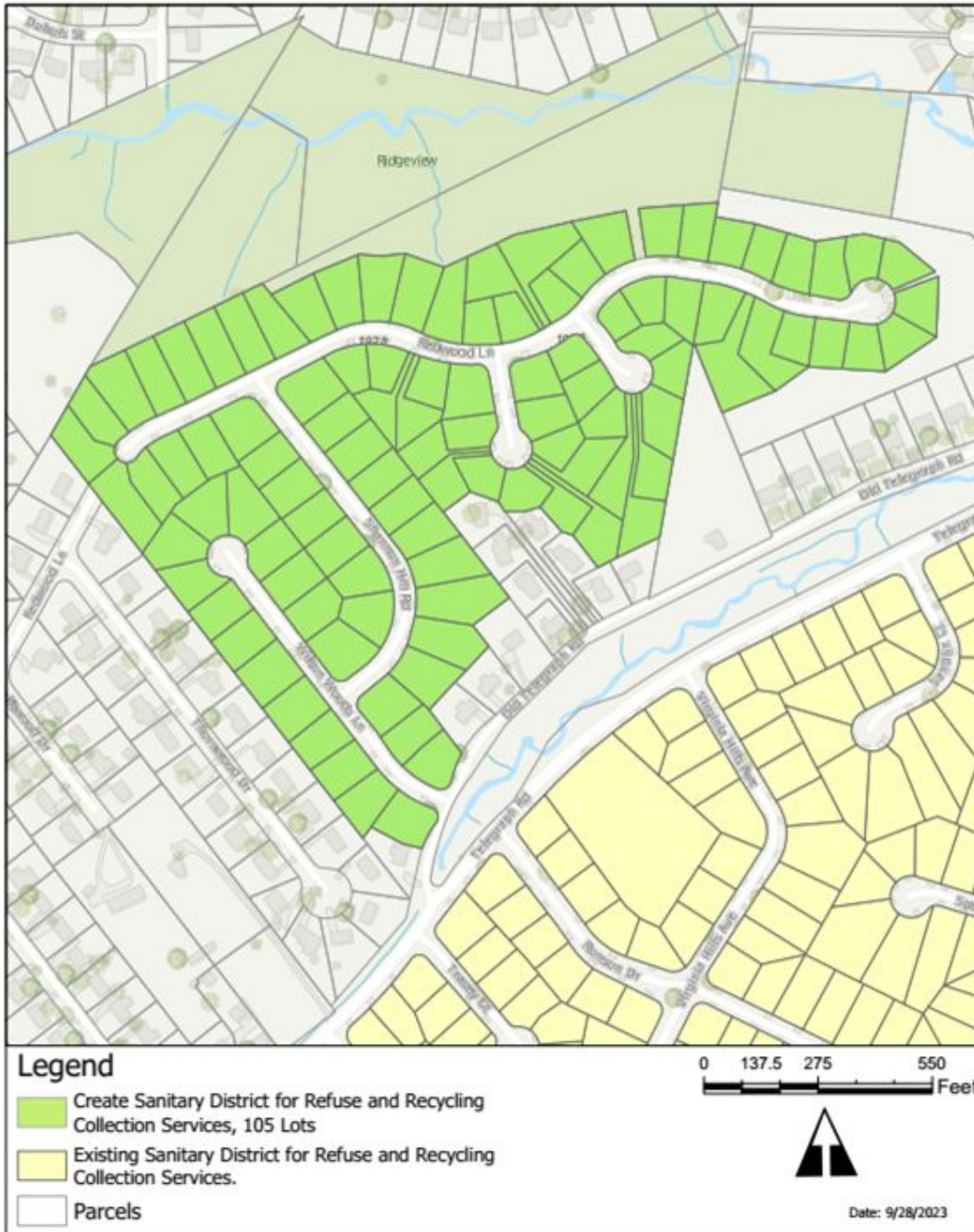
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Wilton Woods Area 1 Sanitary District in DTA Small District 1 within Franconia District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Wilton Woods Area 1 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

DATA SHEET
De-Create/Re-Create Bush Hill Woods Area 1 Sanitary District
DTA Local District 1B
Within the Franconia District

Purpose: To provide County refuse/recycling and add vacuum leaf collection services to Bush Hill Woods Area 1 Sanitary District.

- Petition requesting service initially received October 10, 2022; and petition process started October 6, 2023.
- Petition Area: 1 Property.
- 1 Property owner in favor.
- 0 Property owners opposed.
- 0 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO DE-CREATE/RE-CREATE
BUSH HILL WOODS AREA 1 SANITARY DISTRICT
DTA LOCAL DISTRICT 1B
WITHIN FRANCONIA DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to de-create/re-create a district known as Bush Hill Woods Area 1 Sanitary District in DTA Local District 1B within Franconia District for the purpose of providing for refuse/recycling and adding vacuum leaf collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by de-creating/re-creating the Sanitary District for the purpose of providing for refuse/recycling and adding vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation/re-creation of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Bush Hill Woods Area 1 Sanitary District in DTA Local District 1B within Franconia District, Fairfax County, Virginia, which said de-creation/re-creation of the Sanitary District shall be described as follows:

The de-creation/re-creation of Bush Hill Woods Area 1 Sanitary District in DTA Local District 1B within Franconia District located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Bush Hill Woods Area 1 Sanitary District in DTA Local District 1B within Franconia District is hereby created to wit:

To provide refuse/recycling and adding vacuum leaf collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Bush Hill Woods Area 1 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

Board Agenda Item
May 7, 2024

4:00 p.m.

Public Hearing for the Creation of McLean Manor Area 6 Sanitary District and Enlargements of Balls Area 1, Churchill Area 2, McLean Manor Area 7, Westmoreland Area 1, and Willow Run Park Area 1 Sanitary Districts for Refuse/Recycling Collection Services (Dranesville District)

ISSUE:

Board of Supervisors to conduct a public hearing for the creation and enlargements of Sanitary Districts for refuse/recycling and/or vacuum leaf collection services.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approves the proposed petitions to change Sanitary Districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisors' adopted criteria for the creation of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
DTA Local District 1A1 Within Dranesville District (McLean Manor Area 6)	Create	Refuse & Recycling	Approve
DTA Local District 1A1 Within Dranesville District (Balls Hill Area 1)	Enlarge	Refuse & Recycling	Approve
DTA Local District 1A1 Within Dranesville District (Churchill Area 2)	Enlarge	Refuse & Recycling	Approve
DTA Local District 1A1 Within Dranesville District (McLean Manor Area 7)	Enlarge	Refuse & Recycling	Approve
DTA Local District 1A1 Within Dranesville District (Westmoreland Area 1)	Enlarge	Refuse & Recycling	Approve

Board Agenda Item
May 7, 2024

DTA Local District 1A1
Within Dranesville District
(Willow Run Park Area 1)

Enlarge

Refuse &
Recycling

Approve

TIMING:

Board of Supervisors authorized to advertise on March 19, 2024, for a public hearing to be held on May 7, 2024, at 4:00 p.m.

BACKGROUND:

The administrative responsibility for the Creation/Enlargement/De-Creation/Re-Creation of Sanitary Districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of Sanitary Districts is accomplished through the action of the Board of Supervisors at public hearings. Prior to any action by the Board of Supervisors on a proposed Sanitary District, certain relevant standards and criteria must be met in accordance with the Board of Supervisors' adopted criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts.

The submitted petitions have been reviewed, and it has been determined that the petitions should be submitted to the Board of Supervisors for approval.

Staff recommends that the creation of McLean Manor Area 6 and enlargements of Balls Hill Area 1, Churchill Area 2, McLean Manor Area 7, Westmoreland Area 1, and Willow Run Park Area 1 Sanitary Districts for refuse/recycling and/or leaf collection be approved. If approved, the modification will become permanent on July 1, 2024.

EQUITY IMPACT:

None.

FISCAL IMPACT:

None.

Board Agenda Item
May 7, 2024

ENCLOSED DOCUMENTS:

- Attachment 1: Summary Sheet
- Attachment 2: Data Sheet with Proposed Resolution and Map
(McLean Manor Area 6)
- Attachment 3: Data Sheet with Proposed Resolution and Map
(Balls Hill Area 1)
- Attachment 4: Data Sheet with Proposed Resolution and Map
(Churchill Area 2)
- Attachment 5: Data Sheet with Proposed Resolution and Map
(McLean Manor Area 7)
- Attachment 6: Data Sheet with Proposed Resolution and Map
(Westmoreland Area 1)
- Attachment 7: Data Sheet with Proposed Resolution and Map
(Willow Run Park Area 1)

STAFF:

Rachel Flynn, Deputy County Executive
Christopher S. Herrington, Director, Department of Public Works and Environmental
Services (DPWES)
Eric Forbes, Deputy Director, DPWES

SUMMARY SHEET

Proposed alterations to the following Sanitary Districts for refuse/recycling and/or vacuum leaf collection service:

1. Create McLean Manor Area 6 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing refuse/recycling collection services.
2. Enlarge Balls Hill Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing refuse/recycling collection services.
3. Enlarge Churchill Area 2 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing refuse/recycling collection services.
4. Enlarge McLean Manor Area 7 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing refuse/recycling collection services.
5. Enlarge Westmoreland Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing refuse/recycling collection services.
6. Enlarge Willow Run Park Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing refuse/recycling collection services.

DATA SHEET
Create McLean Manor Area 6 Sanitary District
DTA Local District 1A1
Within the Dranesville District

Purpose: To provide County refuse/recycling collection service to McLean Manor Area 6 Sanitary District.

- Petition requesting service initially received October 18, 2022; and petition process started October 11, 2023.
- Petition Area: 51 Properties plus 3 Vacant Lots.
- 28 Property owners in favor.
- 4 Property owners opposed.
- 19 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO CREATE MCLEAN MANOR AREA 6 SANITARY DISTRICT
DTA LOCAL DISTRICT 1A1
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to create a district known as McLean Manor Area 6 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by creating the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed creation of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as McLean Manor Area 6 Sanitary District in DTA Local District 1A1 within Dranesville District, Fairfax County, Virginia, which said creation of the Sanitary District shall be described as follows:

The creation of McLean Manor Area 6 Sanitary District in DTA Local District 1A1 within Dranesville District located in the County of Fairfax, Virginia, and as shown on the attached map.

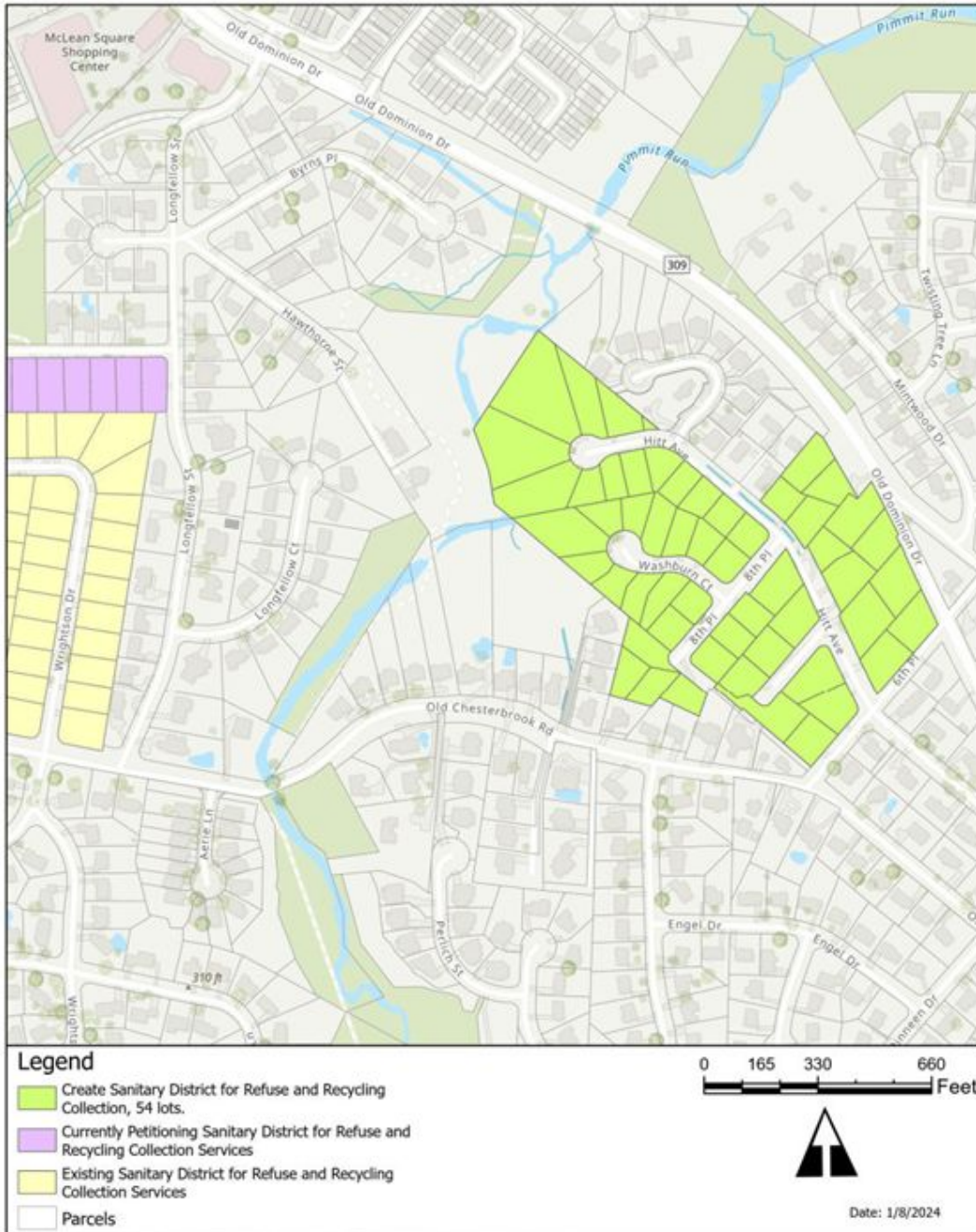
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said McLean Manor Area 6 Sanitary District in DTA Local District 1A1 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

McLean Manor Area 6 Sanitary District Map



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DATA SHEET
Enlarge Balls Hill Area 1 Sanitary District
DTA Local District 1A1
Within the Dranesville District

Purpose: To provide County refuse/recycling collection services to Balls Hill Area 1 Sanitary District.

- Petition requesting service initially received November 4, 2022; and petition process started November 13, 2023.
- Petition Area: 36 Properties.
- 25 Property owners in favor.
- 1 Property owners opposed.
- 10 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE BALLS HILL AREA 1 SANITARY DISTRICT
DTA LOCAL DISTRICT 1A1
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as Balls Hill Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Balls Hill Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of Balls Hill Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District located in the County of Fairfax, Virginia, and as shown on the attached map.

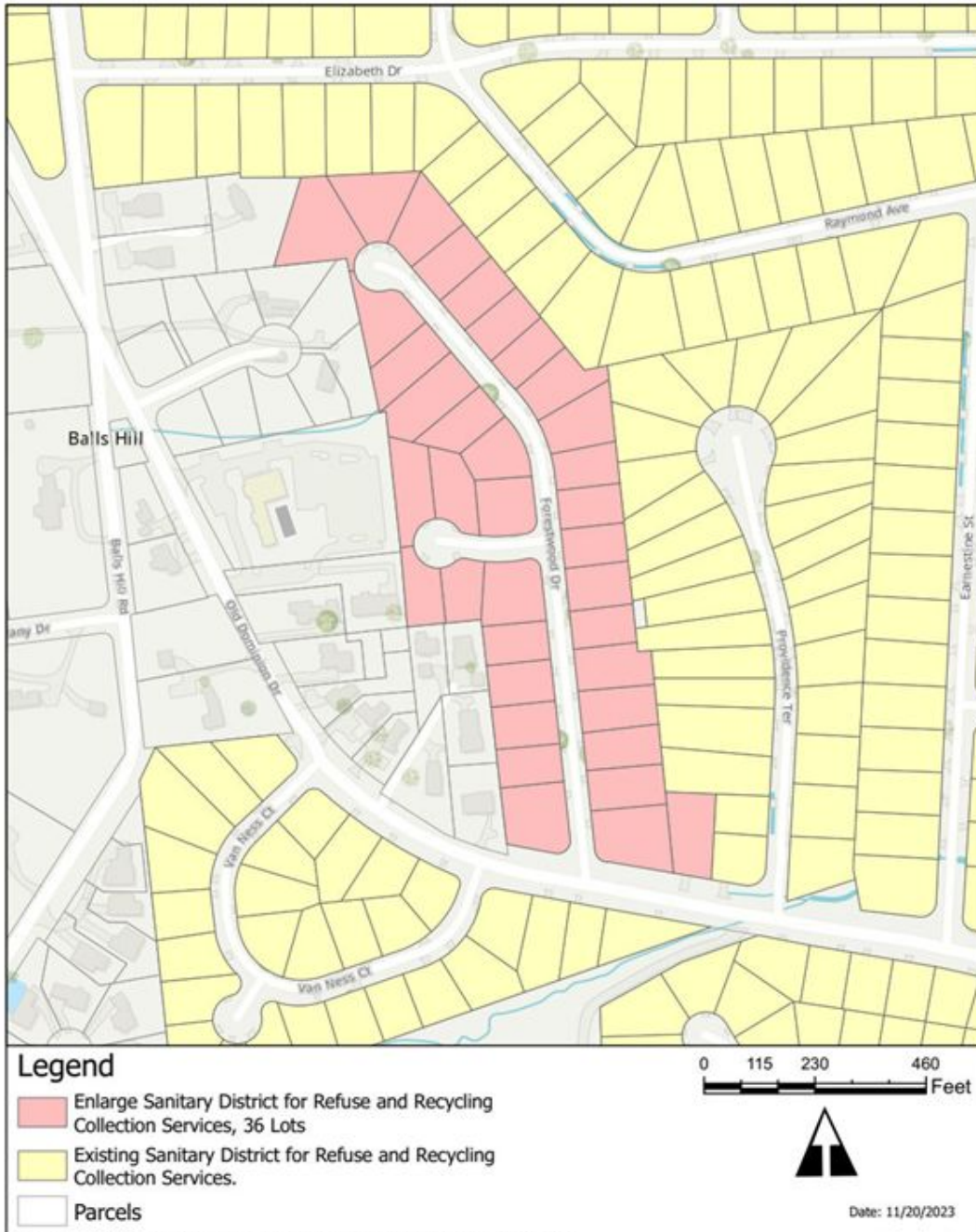
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Balls Hill Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Balls Hill Area 1 Sanitary District Map



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DATA SHEET
Enlarge Churchill Area 2 Sanitary District
DTA Local District 1A1
Within the Dranesville District

Purpose: To provide County refuse/recycling collection services to Churchill Area 2 Sanitary District.

- Petition requesting service initially received November 22, 2022; and petition process started December 27, 2023.
- Petition Area: 13 Properties.
- 12 Property owners in favor.
- 0 Property owners opposed.
- 1 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE CHURCHILL AREA 2 SANITARY DISTRICT
DTA LOCAL DISTRICT 1A1
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as Churchill Area 2 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Churchill Area 2 Sanitary District in DTA Local District 1A1 within Dranesville District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of Churchill Area 2 Sanitary District in DTA Local District 1A1 within Dranesville District located in the County of Fairfax, Virginia, and as shown on the attached map.

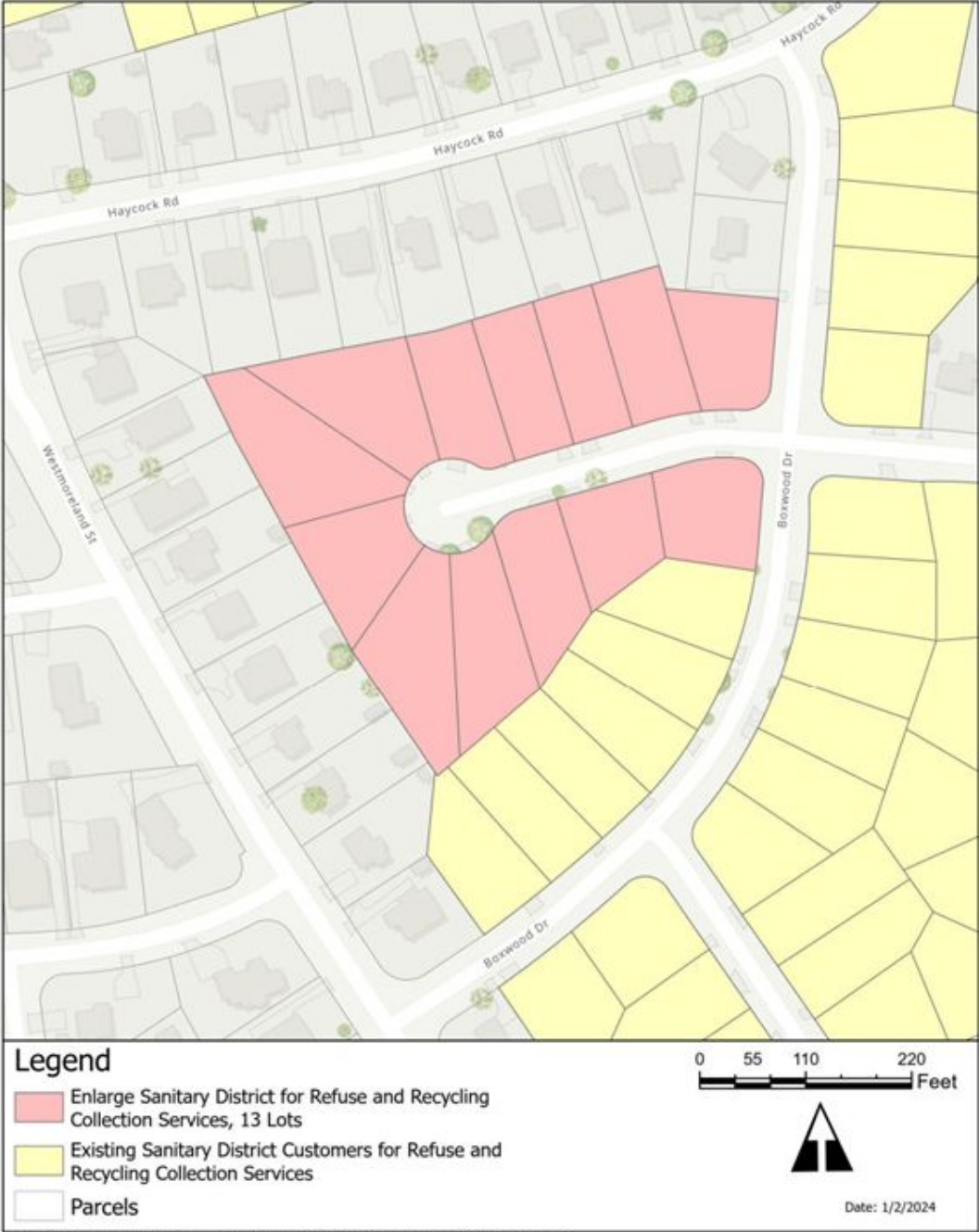
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Churchill Area 2 Sanitary District in DTA Local District 1A1 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Churchill Area 2 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

DATA SHEET
Enlarge McLean Manor Area 7 Sanitary District
DTA Local District 1A1
Within the Dranesville District

Purpose: To provide County refuse/recycling collection services to McLean Manor Area 7 Sanitary District.

- Petition requesting service initially received November 4, 2022; and petition process started November 6, 2023.
- Petition Area: 76 Properties.
- 41 Property owners in favor.
- 7 Property owners opposed.
- 28 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE MCLEAN MANOR AREA 7 SANITARY DISTRICT
DTA LOCAL DISTRICT 1A1
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as McLean Manor Area 7 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as McLean Manor Area 7 Sanitary District in DTA Local District 1A1 within Dranesville District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of McLean Manor Area 7 Sanitary District in DTA Local District 1A1 within Dranesville District located in the County of Fairfax, Virginia, and as shown on the attached map.

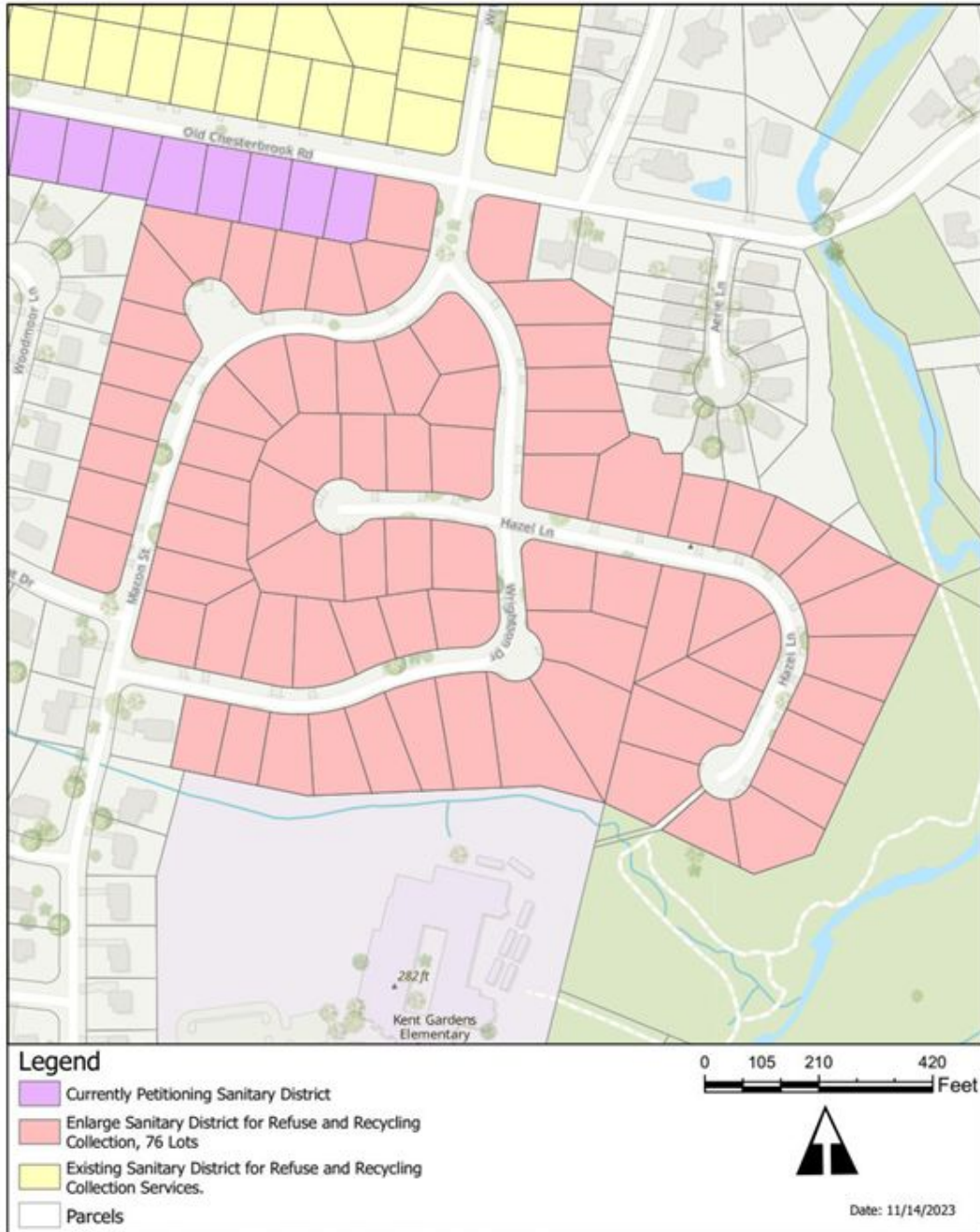
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said McLean Manor Area 7 Sanitary District in DTA Local District 1A1 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

McLean Manor Area 7 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

DATA SHEET
Enlarge Westmoreland Area 1 Sanitary District
DTA Local District 1A1
Within the Dranesville District

Purpose: To provide County refuse/recycling collection services to Westmoreland Area 1 Sanitary District.

- Petition requesting service initially received August 16, 2022; and petition process started August 21, 2023.
- Petition Area: 5 Properties.
- 3 Property owners in favor.
- 0 Property owners opposed.
- 2 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE WESTMORELAND AREA 1 SANITARY DISTRICT
DTA LOCAL DISTRICT 1A1
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as Westmoreland Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Westmoreland Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of Westmoreland Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District located in the County of Fairfax, Virginia, and as shown on the attached map.

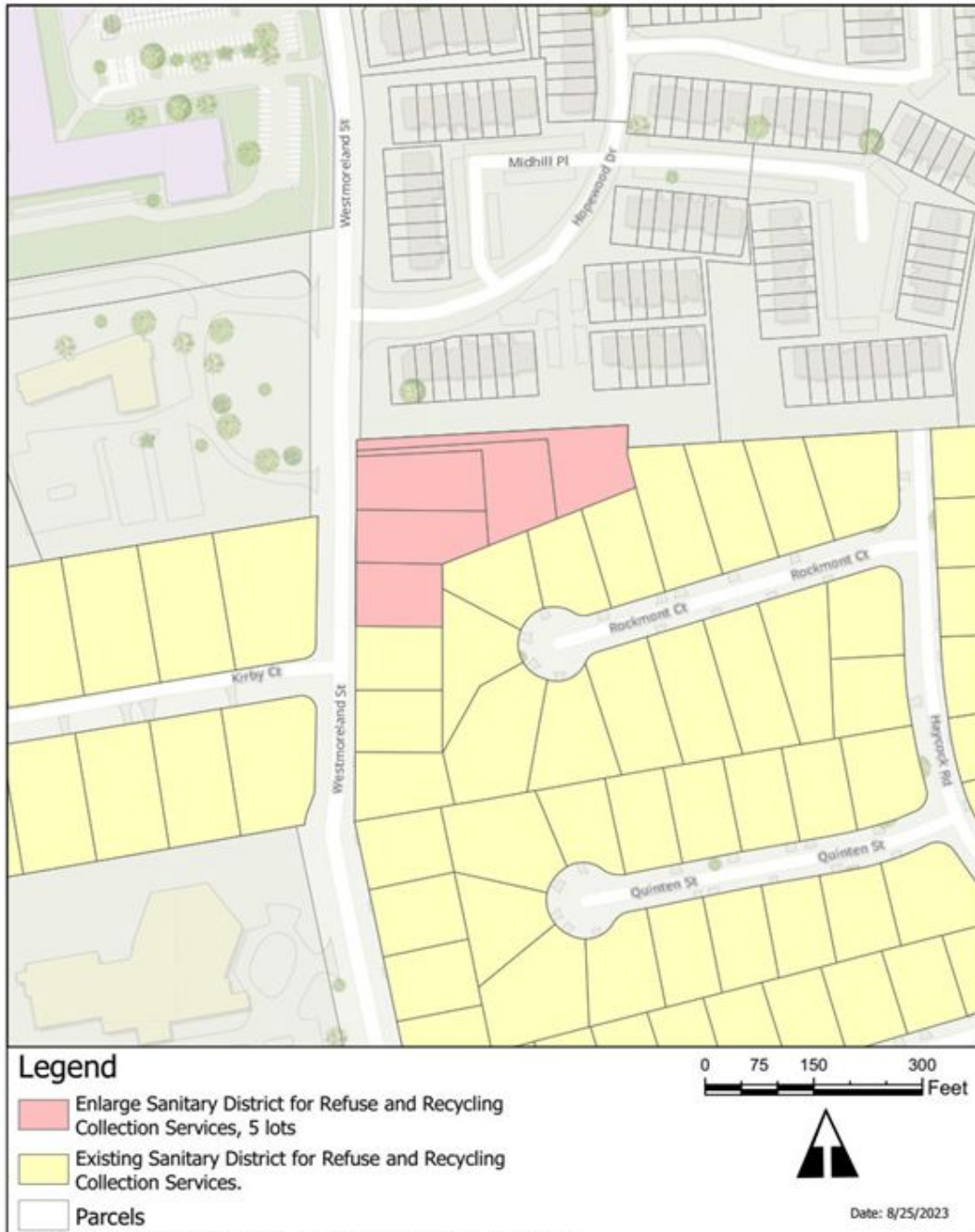
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Westmoreland Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Westmoreland Area 1 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

DATA SHEET
Enlarge Willow Run Park Area 1 Sanitary District
DTA Local District 1A1
Within the Dranesville District

Purpose: To provide County refuse/recycling collection services to Willow Run Park Area 1 Sanitary District.

- Petition requesting service initially received September 19, 2022; and petition process started September 18, 2023.
- Petition Area: 23 Properties.
- 14 Property owners in favor.
- 3 Property owners opposed.
- 6 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services can provide the requested service using existing equipment.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved. If approved, services will become effective July 1, 2024.

ADOPTION OF A RESOLUTION
TO ENLARGE WILLOW RUN PARK AREA 1 SANITARY DISTRICT
DTA LOCAL DISTRICT 1A1
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 7th day of May, 2024, it was proposed by said Board to adopt a resolution to enlarge a district known as Willow Run Park Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District for the purpose of providing for refuse/recycling collection to be effective July 1, 2024, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
MAY 7, 2024
COMMENCING AT 4 P.M.

The said Board of Supervisors of Fairfax County, Virginia, will hold a public hearing at which time and place any interested parties may appear and be heard. The full text of the resolution to be adopted is in the following words and figures, to-wit:

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the Creation by the Board of Supervisors of Fairfax County, Virginia, of a Sanitary District by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed Sanitary District will be benefited by enlarging the Sanitary District for the purpose of providing for refuse/recycling collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a Sanitary District, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Willow Run Park Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District, Fairfax County, Virginia, which said enlargement of the Sanitary District shall be described as follows:

The enlargement of Willow Run Park Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District located in the County of Fairfax, Virginia, and as shown on the attached map.

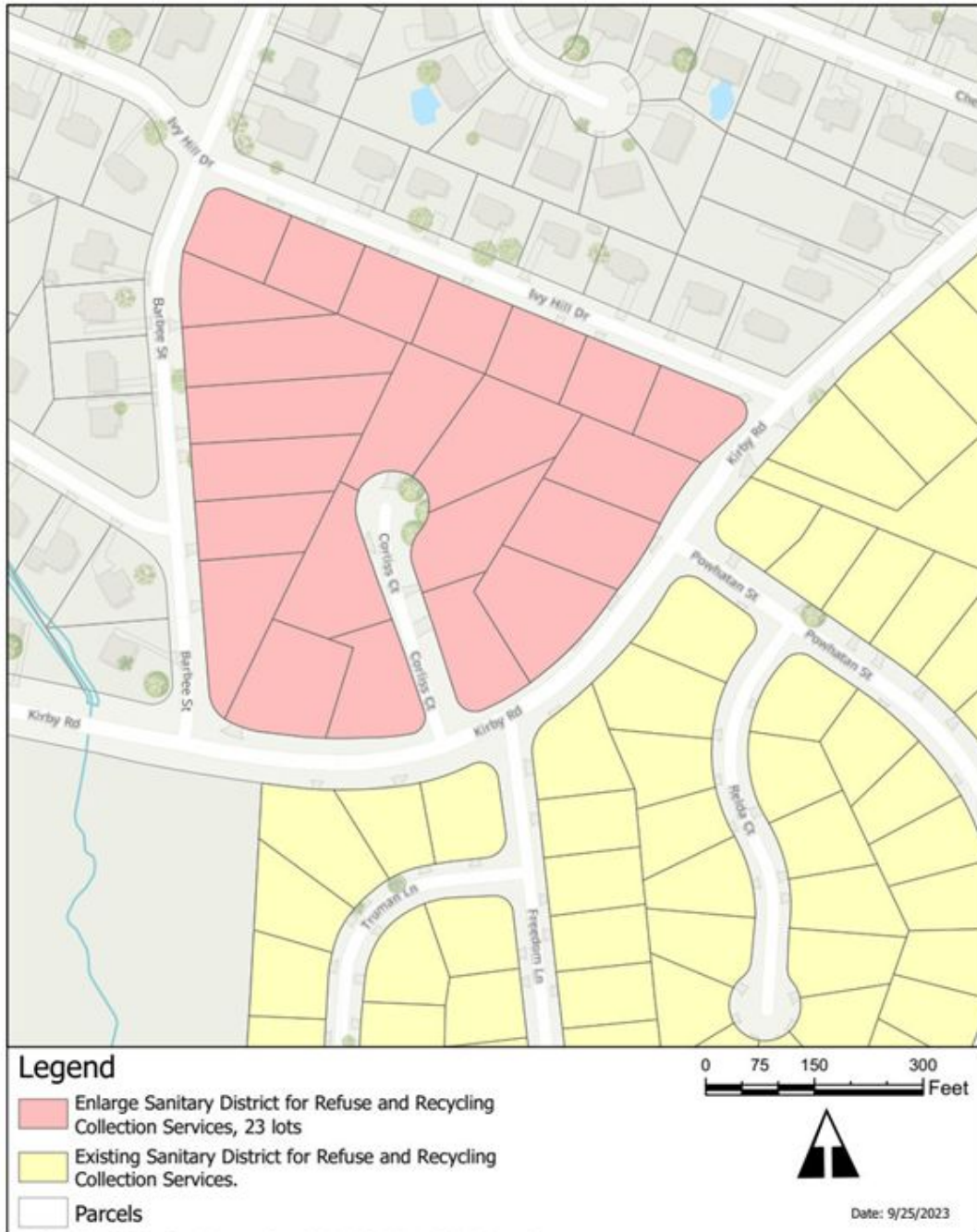
AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Willow Run Park Area 1 Sanitary District in DTA Local District 1A1 within Dranesville District is hereby created to wit:

To provide refuse/recycling collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2024

Jill G. Cooper
Clerk for the Board of Supervisors

Willow Run Park Area 1 Sanitary District Map



Path: G:\pub\DPWES\SWM\ServiceRequests\RecurringTasks\PetitionMaps\PetitionMaps_Pro.aprx

Board Agenda Item
May 7, 2024

4:00 p.m.

Public Hearing on Proposed Plan Amendment 2020-CW-1CP, Public Facilities Policy Plan

ISSUE:

Plan Amendment 2020-CW-1CP considers an amendment to the Public Facilities Element of the Policy Plan (PFEPP). The recommended revisions are comprehensive and address a wide range of policies and facility types.

PLANNING COMMISSIONER RECOMMENDATION:

On March 20, 2024, the Planning Commission voted 10-0 (Commissioners Murphy and Spain were absent from the meeting) to recommend to the Board of Supervisors the adoption of Plan Amendment 2020-CW-1CP, as shown in Appendix 5 of the staff report dated March 6, 2024, and as modified in the handout dated March 20, 2024.

RECOMMENDATION:

The County Executive Recommends that the Board of Supervisors adopt the Planning Commission recommendation.

TIMING:

Planning Commission, Public Hearing – March 20, 2024.
Board of Supervisors', Public Hearing – May 7, 2024

BACKGROUND:

On July 14, 2020, the Fairfax County Board of Supervisors authorized the consideration of a Comprehensive Plan amendment to update the Public Facilities Element of the Policy Plan and related Area Plans, including reviewing the alignment of those updates with the Capital Improvement Program.

The project was derived from recommendations from the Planning Commission Schools Committee Joint Task Force, addressing the topics of Long-range Student Population Forecasting, School Proffers, Capital Improvement Program Recommendations, Co-location of Facilities, Equity and Access, and Economic Development. In addition to these topics, the authorization for the Plan Amendment recommended a comprehensive, countywide revision to the PFEPP. Staff's coordination included

Board Agenda Item
May 7, 2024

interviews with stakeholder agencies that both plan for and review new county public facilities; alignment of the PFEPP with the Countywide Strategic Plan and One Fairfax Policy; input from the PC Land Use Process Review Committee; and multiple educational and input sessions to countywide stakeholders and residents.

EQUITY IMPACT:

The Public Facilities Element of the Policy Plan provides guidance to the county in how public facilities and infrastructure should be planned, funded, reviewed, and approved. The Plan provides guidance for how facilities and infrastructure should generally be located and the character and extent of facilities. The facilities and infrastructure that are considered within the Plan are extensive and include items from schools and public safety facilities to water and telecommunications facilities. The Policy Plan guidance within the Public Facilities Element affects all residents and visitors within Fairfax County. The proposed update furthers the One Fairfax Policy Area of Focus 11 by supporting a quality built and natural environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner that includes mixes of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life, and promotes employment opportunities, housing, amenities and services for all people.

As part of this update, staff held extensive virtual and in-person community meetings throughout the county, updated the Plan Amendment website, created informational videos, and provided public engagement meetings to show the complex process of implementing public facilities throughout the county and how important the Comprehensive Plan and Capital Improvement Program are to the overall process. As part of this outreach, staff underlined the important steps where residents and stakeholders can be part of the input process when new public facilities are being considered in the county. Additional detail on community engagement is found in Appendix 3 of the staff report.

The update included staff coordination with over 40 agencies throughout the county that provide services to residents. DPD staff worked with these agencies to determine what policies should be revised or added to provide better and more equitable facilities and infrastructure to residents. In many cases, individual agencies recommended specific revisions that will enhance equity, such as improved access to facilities, co-location of facilities, and affordable housing prioritization, among others. The prioritization and funding of facilities is a critical step in the planning for facilities and equitable distribution of resources and Objective 2, Policy b. of the proposed revisions will provide the necessary guidance for agencies planning for new services and facilities, review agency staff, the Planning Commission, and the Board of Supervisors to consider equity as part of the Capital Improvement Program process.

Board Agenda Item
May 7, 2024

In conclusion, the public was well informed of this update and its importance to public facilities, and the project included input from agencies across the county on how to create more equitable policy. The new revisions to the Public Facilities Element of the Policy Plan will further the equity goals of the county.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:

The Planning Commission Meetings Video Archive available online at:
<https://www.fairfaxcounty.gov/cableconsumer/channel-16/planning-commission-meetings-video-archives>

The Staff Report for PA 2020-CW-1CP has been previously furnished and is available online at:
<https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/Assets/Documents/compplanamend/public-facilities-policy/2020-CW-1CP-Staff-Report.pdf>

STAFF:

Rachel Flynn, Deputy Executive Director
Tracy Strunk, Director, Department of Planning and Development (DPD)
Chris Caperton, Deputy Director, DPD
Salem Bush, Branch Chief, Public Facilities and Plan Development, DPD