



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**MONDAY  
April 24, 2006**

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**Budget Mark-up Session**

**10-06**

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**DS:ds**

At the Budget Mark-up meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, April 24, 2006, at 10:04 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Dana Kauffman, Lee District
- Supervisor Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise Scott, Deputy Clerk to the Board of Supervisors; and Dianne Tomasek, Administrative Assistant, Office of the Clerk.

1. **MOMENT OF SILENCE** (10:04 a.m.)

Supervisor McConnell asked everyone to keep in thoughts the family of Mr. William 'Bill' Burris, who died recently. She said Bill was the former Chief of the Burke Volunteer Fire Department for many years, and was also a former member of her staff.

2. **10 A.M. – BOARD DECISION ON THE COUNTY'S AND SCHOOLS' FISCAL YEAR (FY) 2006 THIRD QUARTER REVIEW AND BOARD MARKUP OF THE COUNTY EXECUTIVE'S FY 2007 ADVERTISED BUDGET PLAN WITH REVENUE AND ADMINISTRATIVE ADJUSTMENTS INCLUDED IN THE FY 2007 ADD-ON PACKAGE**  
(10:06 a.m.)

(SARs)  
(FPR)

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding employee compensation and the pay-for-performance system. Mr. Griffin noted that:

- The proposal is to have an outside consultant conduct a study of the current compensation system and provide recommendations in time for the FY 2008 budget process.
- A fifth bar has been added to the pay-for-performance system for FY 2007.
- The average increase for employees under the current pay-for-performance system is 4.3 percent.

(NOTE: Later in the meeting, the Board took action regarding employee compensation issues. See Clerk's Summary Item #4, Budget Guideline 5.

**PMH:pmh**

Following an opening statement, Supervisor Bulova moved approval of the *FY 2006 Third Quarter Review* including approval of SAR AS 06057 and Amendment to the FPR AS 06901 which includes the revenue, expenditure, and transfer adjustments and grant awards and adjustments contained in the County and School's Third Quarter Review as advertised and SAR AS 05131 which reflects final FY 2005 audit adjustments. With this action, \$30 million of the FY 2006 Third Quarter balance will fully fund the County's Revenue Stabilization Fund (RSF). The RSF Reserve will be maintained at three percent of General Fund Disbursements. Supervisor Kauffman seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

Supervisor Bulova moved approval of the County Executive's recommendations

for the *FY 2007 Advertised Budget Plan*, including Board Salary recommendations, with the FY 2007 revenue and administrative adjustments as identified in the FY 2007 Add-on memorandum dated April 6, 2006, and with adjustments outlined in the Board of Supervisors' "Adjustments to the FY 2007 Budget Proposal" contained in the Board Agenda item. These actions result in a balanced budget for FY 2007. Supervisor Hyland seconded the motion.

Supervisor Hyland moved to amend the motion that the Board refer to the Legislative Committee discussion and consideration of an amendment to the urban county executive form of government that would require any person elected to the Board to serve in that office on a full time basis without outside employment. This discussion should be scheduled prior to the Board's adoption of the County Legislative Program for the 2007 Session of the General Assembly. Supervisor Gross seconded the motion and it carried by unanimous vote.

Supervisor Frey moved to amend the motion that the Board fund a one percent cost of living adjustment for all employees funded by reducing the amount transferred to RSF by \$5.5 million. Supervisor Hyland seconded the motion.

Following discussion of the amendment, the question was called on the amendment to the motion and it **FAILED** by a recorded vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, and Supervisor Hyland voting "AYE."

With regard to the Consideration Item concerning the Urban Forester, Supervisor Smyth asked to amend the motion to modify the language as follows:

- . . . the additional positions will be used to increase . . .

This was accepted.

Supervisor Hudgins moved to amend the motion that the Board reduce the tax rate for Small District #5, Reston Community Center, from \$0.052 per \$100 of assessed value to \$0.047 per \$100 of assessed value. This one-half cent reduction in the rate will result in a revenue loss of approximately \$750,000. Based on current revenue and expenditure projections for the community center, this rate reduction will not adversely impact center operations. Chairman Connolly seconded the amendment to the motion and it carried by unanimous vote.

The question was called on the motion, as amended, and it **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey voting "NAY."

Supervisor Bulova further moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to repeal

Article 12 relating to the County motor vehicle license tax and to amend and readopt Article 5, Section 26 and Article 5A, Sections 10-11. If adopted, the elimination of the motor vehicle license tax and decal fee would become effective on and after July 1, 2006. The proposed elimination of the motor vehicle decal will result in a loss of revenue of \$20.7 million. The fiscal impact of this fee elimination has been included in the FY 2007 Board Mark-up Package. Chairman Connolly seconded the motion.

**NV:nv**

Following a brief discussion, with input from Mr. Griffin regarding identification of the vehicles of County residents, the question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

3. **APPROVAL OF THE FISCAL YEAR (FY) 2007 – FY 2011 CAPITAL IMPROVEMENT PROGRAM (CIP) (WITH FUTURE FYs TO 2016)**  
(11:01 a.m.)

Supervisor Bulova moved approval of the proposed FY 2007 – FY 2011 CIP (with future FYs to 2016) with the following amendments:

- Increase the annual bond sale limit from \$200 million per year to \$275 million per year including an additional \$25 million per year for the schools for six years and an additional \$50 million per year for the County.
- Include a Park Authority Bond Referendum for the fall 2006 in the amount of \$25 million. Staff is directed to return to the Board with recommendations on the allocation of these funds for purposes to include land acquisition and synthetic turf field development.
- Include a Transportation Bond Referendum for fall 2007 in the amount of \$100 million. Staff is directed to return to the Board with a recommended project list to include prioritized roads, sidewalks, trails, bus stop improvements and pedestrian connections and other components of the transportation network.
- Staff is directed to review the County's commercial and neighborhood revitalization programs and to provide recommendations on strategies to enhance the effectiveness of the programs, to identify and make available appropriate financing mechanisms, and to put in place the organizational supports necessary to sustain the programs.

- Accelerate the development of the Lorton Community Center\*, which is currently shown in the CIP in the "Beyond 5-Year CIP Period", to the "5-Year CIP period" and direct staff to return to the Board as part of the FY 2006 Carryover Review with information and recommendations as to the appropriate timing for construction of the project and funding requirements for planning and design of the facility.
- Make all necessary adjustments to reflect actions taken during the Board's decision on the FY 2007 Adopted Budget Plan that impact the CIP.

Supervisor DuBois seconded the motion.

\*Supervisor Hyland asked to amend the motion to insert the word "Action" in the fifth bullet to correct the name to the Lorton Community *Action* Center, and this was accepted.

With reference to the issue of neighborhood improvements and their relation to transportation, Supervisor Kauffman asked to amend the motion to include the assumption that related neighborhood improvements, such as Jefferson Manor, might be incorporated in the transportation bond, and this was accepted

Discussion ensued regarding the school bond and community use of schools and their fields, the park bond and the importance of development of playing fields; proposed Board discussions on transportation projects at upcoming Transportation Committee meetings to be scheduled; use of transportation bond funds for commercial revitalizations; the fact that revitalization is Board, not staff, driven; an upcoming reorganization of the Board in reference to dealing with revitalization; and the need for a Countywide bus study in terms of transportation.

Supervisor Smyth asked to amend the motion to include bike routes as part of the third motion on the transportation bond, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

4. **BUDGET GUIDELINES FOR FISCAL YEAR (FY) 2008** (11:11 a.m.)

Supervisor Bulova moved the following Budget Guidelines for FY 2008:

1. Information on the FY 2008 revenue and economic outlook should be forwarded with a financial forecast to the Board for discussion. This financial forecast will provide the framework for the continued County-School discussion on the budget and will help identify resources available for Board priorities, including tax relief. Based on current market trends, it appears that growth in

residential real estate assessments and overall County revenues will be very moderate and significantly less than that experienced in the last several years. As a result, increases in County and School spending will likely also be limited in FY 2008. **The Board directs the County Executive to develop a budget for FY 2008 that limits increases to what is needed to accommodate growth and cost factors, and clearly identifies funding requirements driven by state and/or federal mandates and major County initiatives. In addition, the Board directs that increases in the transfer to the School Operating Fund also be contained within the same parameters as the General County Budget. Funding requirements beyond this increase will be identified and discussed in terms of initiatives to be undertaken if funding is available. Specific direction on targeted budget growth rates should be provided to staff and the School Board by the July 31, 2006, Board meeting, which is the last meeting prior to the Board's August break.**

2. The Board directs that the County Budget presentation continue to focus on Board priorities and County vision elements. The County Executive and staff will also provide contextual information regarding the growth in the budget, including but not limited to population growth, market forces impacting the budget, demographic changes, mandates and other primary drivers for growth. In addition, the presentation of the budget should continue to include a clear identification of the resources and new initiatives targeted for seniors, a rapidly growing group in the County's population.
3. In order to avoid structural imbalances between County resources and requirements, resources should be allocated with consideration for the continued availability of these funds:
  - Non-recurring funds will be directed toward non-recurring uses.
  - Only recurring resources may be targeted toward recurring expenses.
  - The County's policy concerning the utilization of recurring and non-recurring funds should be followed by the School Board.
4. Any available balances materializing at the Carryover and Third Quarter Reviews that are not required to support County expenditures of a critical nature should be held in reserve to offset future requirements or to address one-time requirements such as

GASB 45 liability, unfunded capital paydown projects, the County's commitment of \$8 million to the School Board for No Child Left Behind Requirements, and for equipment replacement. In addition, the Schools should identify its system's GASB 45 liability and provide information to the Board of Supervisors as to how this liability will be addressed and over what time period. This information should be provided to the prior to the FY 2008 budget.

5. The Board directs the following reviews of County programs:

**COMPENSATION – General County Employees**

In the area of compensation, the Board understands concerns expressed by some general County employees as it relates to pay and the competitiveness of County salaries to the market. The Board values the contributions of all County staff who consistently provide high quality effective services to County residents.

The Board therefore directs the County Executive to oversee a comprehensive review of the current compensation system, including retirement benefits, for general County employees. Such a review should consider a market-based component to the determination of employees' annual increases to maintain the competitiveness of County salaries, especially for those employees who are at the beginning of the pay scales and are losing relative ground when compared to newer hires. Proposals for across the board adjustments will not address the compression issues or inequities in the current system highlighted by the Employees Advisory Council (EAC) and other employees and do not provide long term solutions to the compensation program.

**As such, the County Executive is further directed to provide a more detailed scope of the review to the Board by June 1, 2006. The comprehensive review of the current compensation system must be completed in time for its incorporation into the FY 2008 budget. Status reports and recommendations associated with the study will be provided as part of discussions with the Personnel Committee of the Board. Incremental**

actions should be considered by the Board throughout FY 2007 and not just in time for FY 2008.

This review shall provide specific recommendations and alternatives to the Board to address problematic areas and to highlight the beneficial aspects of the system. The review is to be directed by staff and supplemented by contracted compensation experts as necessary, and must also include input from employees, including the EAC, who can provide their experiences with the current system that have been beneficial and/or problematic, and by offering suggestions to be considered in the study.

### **OTHER COMPENSATION-RELATED GUIDELINES**

The Board directs that the County Executive review and make recommendations on the following items with recommendations for action to be made available in time for the Board's deliberations on the FY 2008 budget:

#### **Animal Control Officer Pay Plan**

The Board directs staff to review the appropriateness of the pay plan for the County's animal control officers including an analysis of how like positions in other jurisdictions are handled in terms of pay.

#### **Police Retirement**

The Board directs the County Executive to review the benefits and employer/employee contributions of the Police Retirement System including the multiplier, spousal benefit and social security offset in relation to the other County retirement systems.

### **ADDITIONAL POLICE OFFICERS**

The Board directs the County Executive to prioritize available County resources during the development of the FY 2008 budget toward new police officer positions as part of a multi-year strategy to increase the size of the County's police force and that additional revenues available during FY 2007 be considered to begin the process of



adding additional police officers for assignment to higher crime areas of the County. The effectiveness of the department's community policing strategies is apparent in the County's sustained low crime rates. Yet, increases in the population, the complexity of criminal trends in the community, and the continued need to staff prevention efforts require continued support and staff increases in the Police Department which maintains one of the lowest ratios of officers-to-residents in the nation.

### **DULLES RAIL PROJECT**

The Board directs the County Executive to review possible strategies to procure State funding for traffic enforcement and congestion mitigation efforts resulting from the Dulles Rail project and return to the Board with recommendations.

### **DEVELOPER DEFAULT PROGRAM**

The Board directs the County Executive to review the current developer default program and return to the Board with process changes and staff requirements to handle current developer default caseload and maximize County's ability to recover the cost of mitigation.

### **COURT OPERATIONS**

Recognizing the significant commitment that the County has already made to funding both operating and construction/expansion costs for the State courts serving the County, the Board directs the Courts to review potential ongoing savings and efficiencies in operations that may be available to partially offset these costs and report to the Board prior to the FY 2008 budget.

Supervisor Hyland seconded the motion.

Discussion ensued regarding the guidelines as they relate to additional police officers.

Following input from Anthony H. Griffin, County Executive, Supervisor Bulova asked to amend her budget guidelines motion, under Court Operations, to direct the County Executive to work with the Courts, and this was accepted.

Supervisor Smyth noted that, in terms of transportation demand management, one position is funded in FY 2007, but additional positions will need to be funded in the future as there will be more developments with transportation demand management plans.

Following a brief discussion regarding County demographics and court operations, the question was called on the motion, as amended, which carried by unanimous vote.

## **BOARD MATTERS**

### 5. **EXPRESSIONS OF APPRECIATION** (11:26 a.m.)

Chairman Connolly expressed appreciation to Supervisor Bulova for her diligent leadership as Chairman of the Budget Committee. He thanked Members of the Board, recapped the budget actions including the elimination of the decal, and noted that the tax rate of \$.89 per hundred is the lowest in the County's history.

Supervisor Bulova expressed appreciation to Susan Datta, Director, Department of Management and Budget (DMB); Joe Mondoro, Assistant Director, DMB; Edward L. Long, Jr., Deputy County Executive; and Anthony H. Griffin, County Executive, and others for their outstanding assistance in the budget process.

### 6. **TRAILFEST DAY IN FAIRFAX COUNTY** (11:28 a.m.)

Chairman Connolly noted that the Park Authority is celebrating Trailfest Day on May 6 and has requested a proclamation to be presented at the Board's next meeting. While acknowledging that this adds a twelfth presentation on May 1, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board proclaim Saturday, May 6, 2006, as "*Trailfest Day*" in Fairfax County and that the Board direct staff to invite members of the community and the Park Authority to appear before the Board to receive a proclamation at the May 1 meeting. Supervisor McConnell seconded the motion, which carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

### 7. **TUNNEL FOR DULLES CORRIDOR METRORAIL PROJECT** (11:29 a.m.)

Jointly with Supervisor DuBois, Supervisor Hudgins, and Supervisor Smyth, Supervisor Kauffman noted that approximately six months ago, a new method of tunneling for transportation projects was identified for possible use on the Dulles Corridor Metrorail Project. The 'Large Bore' tunnel or 'Single Pass' tunnel creates one large tunnel sufficient to provide for two Metrorail tracks and stations, rather than the smaller 'two pass' tunnel system that has been employed

throughout the existing Metrorail system. The 'Large Bore' tunnel has been successfully employed for rail transit systems in Barcelona, Spain and Southeast Asia. The 'Large Bore' tunnel could be used through Tysons Corner to replace a combination of aerial structure and a short tunnel.

Supervisor Kauffman said that an analysis of engineering conditions and project design was conducted by Dragados of Spain in conjunction with the Department of Rail and Public Transportation (DRPT), Dulles Transit Partners (DTP), and the Washington Metropolitan Area Transit Authority (WMATA). The review of these results was conducted by DRPT and DTP and they concluded that a tunnel option would be more expensive than the aerial structure, but the magnitude of the difference varies depending on who performs the analysis. Some estimates indicate that the tunnel may only be \$200 million more expensive than the aerial structure, while other estimates indicate that the cost of the tunnel may be as much as \$650 million more than the aerial structure.

Supervisor Kauffman said that the current status of the tunnel option is in limbo while DRPT is proceeding with Phase I activities as per the Federal Transit Administration (FTA) schedule. This schedule leaves no time for a proper evaluation of the tunnel option. DRPT's Project Manager has essentially concluded that the tunnel option is not viable and has forwarded this matter to Secretary Homer for further consideration.

Supervisor Kauffman outlined the following regarding the tunnel:

- The DRPT's Project Director for the Dulles Metrorail Project has prepared a cost estimate that indicates that the tunnel would be approximately \$525 million more expensive than the aerial structure.
- This estimate was provided to the Director of the DRPT, but not to the County or other members of the project team.
- The County's estimate for the tunnel, using data provided by Dulles transit Partners, WMATA and DRPT, is approximately \$250 million more expensive than the aerial structure.
- WMATA's estimate for the tunnel is about \$200 million more expensive than the aerial estimate.
- Not only is there speculation regarding the cost of the tunnel, there is a difference of opinion on the environmental impact and possible delay to the project. Some believe an environmental assessment is only warranted while others believe a full environmental impact statement is necessary, which could delay the project between one to one-and-one-half years.

Supervisor Kauffman asserted that the need of a rail extension through Tysons

Corner and into the Dulles Corridor is unquestioned. However, the decision to construct an aerial structure or a tunnel is quite significant since an aerial structure will be in place for 50 to 75 years or longer. He said that the DRPT analysis of a tunnel option, in addition to not fully evaluating costs and environmental effects, has failed to consider that a tunnel:

- Would allow for more effective urban design and streetscapes in Tysons Corner.
- Will maintain a sense of community scale because it would not create visual barriers.
- Will allow better pedestrian and traffic movement throughout Tysons Corner.
- Will avoid the higher cost of maintenance associated with above ground structures.
- Will allow patrons to travel in a controlled environment rather than being subjected to adverse weather conditions.
- Could potentially be constructed on a 24/7 basis.
- Would substantially avoid the cost impacts associated with land acquisition, restricted construction timing, lane closures, noise, and other traffic disruption in a high activity area, all of which would adversely affect businesses in Tysons Corner.

Accordingly, jointly with Supervisor DuBois, Supervisor Hudgins, and Supervisor Smyth, Supervisor Kauffman moved that the Board direct the Chairman to immediately communicate the Board's desire for the Governor to:

- Establish an independent peer group of rail construction experts, who are not affiliated with the project and who do not stand to benefit or profit from the project, and an independent peer group of environmental experts, who are also not affiliated with the project, to review the various construction cost estimates and the environmental documentation required to proceed with the tunnel option.
- Provide a report from these peer groups to the Governor, the Secretary of Transportation, the Board, and other project stakeholders on the cost and environmental and economic impacts of the tunnel option compared to the proposed aerial alignment through Tysons Corner.

- Have the report and recommendations completed by May 15, 2006, and reported to the Board prior to the June 5, 2006, Board meeting.

Jointly with Supervisor DuBois, Supervisor Hudgins, and Supervisor Smyth, Supervisor Kauffman further moved that the Board direct the County Executive to advise the FTA of this request to the Governor.

Supervisor Bulova and Hudgins jointly seconded the motion.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to add the Metropolitan Washington Airports Authority to the second bullet, and this was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Hudgins asked to amend the motion to direct staff to notify the Fairfax Delegation, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

8. **RECESS/CLOSED SESSION** (11:36 a.m.)

Supervisor Gross moved that the Board recess and go into closed session for the following:

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

Supervisor Hyland seconded the motion.

Following discussion regarding the expected length of the session, with input from David P. Bobzien, County Attorney, the question was called on the motion and it carried by unanimous vote.

**DET:det**

At 12:38 p.m., the Board reconvened in the Board Auditorium with all Members being present.

**ACTIONS FROM CLOSED SESSION**9. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (12:38 p.m.)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

10. **BOARD ADJOURNMENT** (12:39 p.m.)

The Board adjourned.