



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
April 12, 2011**

This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.fairfaxcounty.gov/bosclerk/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).

Budget Mark-Up Session

09-11

DET:det

At a 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 Tuesday, April 12, 2011, at 10:09 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee 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 County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Dianne Tomasek, Administrative Assistant, Office of the Clerk to the Board of Supervisors, and Ekua Brew-Ewool, Administrative Assistant, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (10:10 a.m.)

Supervisor Hudgins asked the Board to keep in thoughts the family of Ms. Susan Mockenhaupt, a resident of Reston, who died Saturday. Supervisor Hudgins noted that Ms. Mockenhaupt worked for the US Forest Service and was actively engaged in the planning process in the community; she was also the spouse of Mr. David Stroh, a former assistant County Attorney.

AGENDA ITEMS2. **10 A.M. – BOARD DECISION ON THE COUNTY'S AND SCHOOLS' FISCAL YEAR (FY) 2011 THIRD QUARTER REVIEW****AND****10 A.M. – BOARD MARKUP OF THE COUNTY EXECUTIVE'S FISCAL YEAR (FY) 2012 ADVERTISED BUDGET PLAN AND THE FY 2012 ADD-ON PACKAGE** (10:12 a.m.)

(SARs)

(FPR)

Chairman Bulova announced that the Board would be considering the following items this morning:

- Board decision on the County's and Schools FY 2011 Third Quarter Review
- The County Executive's FY 2012 Advertised Budget Plan
- FY 2012 Add-on Package
- Board decision on the County Capital Improvement Program (CIP) for FY 2012-2016

Supervisor Hyland inquired as to the results of the impact of recent congressional budget reductions and the ripple effect on state and local budgets with input from Susan Datta, Director, Department of Management and Budget, regarding:

- An identified reserve of \$2.3 million to be available.
- A guideline addressing the issue of providing additional information regarding impacts of the budget and suggested alternatives.

Supervisor Hudgins called the Board's attention to a letter from the National Association of Counties (NACo) concerning the block grant of Medicaid which will result in pushing Medicaid costs down to the localities. She noted other

states are making this case and asked unanimous consent that the Board direct staff to comment as well. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide preliminary numbers for this afternoon's public hearing about potential costs of the State redistricting on the localities. Without objection, it was so ordered.

Chairman Bulova stated that a reserve has been set aside in the package before the Board for State and Federal reductions.

Supervisor Herrity recommended that a letter to the Governor be prepared expressing the Board's concerns, particularly concerning split districts and the ensuing cost and confusion. Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to determine the time available to weigh in on the costs and confusion associated with the State redistricting plan. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item #13.)

ADDITIONAL BOARD MATTER

3. ORDERS OF THE DAY (10:18 a.m.)

Chairman Bulova noted that staff will be circulating a draft letter among Board Members today regarding the Metropolitan Washington Airports Authority (MWAA) vote and the Board weighing in on that issue because of serious cost implications. She stated that at that end of the day, following completion of the public hearing on redistricting, the Board would discuss and vote on sending the letter.

Discussion ensued concerning inclusion of language regarding the project labor agreement which included Davis-Bacon Act provisions which will increase the cost of the project by at least 10 percent. Chairman Bulova noted that the draft letter already contained such language.

Chairman Bulova stated that Supervisor McKay had suggested another recent decision regarding the Mark Centre I-395 ramp, the need for a complete environmental assessment, and the opportunity for the Board to provide input to accelerate the process. She stated that this would also be discussed and considered at the end of the day.

(NOTE: Later in the meeting, these issues were discussed. See Clerk's Summary Items #11 and #12.)

AGENDA ITEMS

4. **CONTINUATION OF BOARD DECISION ON THE COUNTY'S AND SCHOOLS' FISCAL YEAR (FY) 2011 THIRD QUARTER REVIEW AND BOARD MARKUP OF THE COUNTY EXECUTIVE'S FY 2012 ADVERTISED BUDGET PLAN AND THE FY 2012 ADD-ON PACKAGE**
(10:20 a.m.)

Chairman Bulova presented remarks on the Markup package, noting that each budget has its own “personality.” She explained that the budget for FY 2012 continues in the effort of engaging the community and the workforce in the implementation of reorganizational changes, efficiencies, and reduction that have allowed the County to right-size the cost of services to a vastly reduced revenue stream while maintaining the quality of life County residents value.

Chairman Bulova noted that over \$20 million in reductions are included in the budget which is in addition to \$180 million in reductions that have been taken during the two past two fiscal years.

Chairman Bulova recapped some of the highlights of the Markup package:

- A Tax Rate of **\$1.07, a decrease of 2 cents** from the Advertised Rate of \$1.09.
- **Additional flexibility identified to reduce the tax rate; \$4.7 million** resulting from the FY 2011 Third Quarter Review, **\$350,000** from the County Executive’s “Add-On Package,” and **\$4 million** identified by the Auditor to the Board.
- **\$2.3 million** included in the County Executive’s Budget for **Information Technology Communication Enhancement** and for renovations to a **fourth courtroom** in the Jennings Building **is deferred.**
- **Reduce the Personal Property Tax Rate to \$0.01** per \$100 of assessed value for one vehicle for fully disabled veterans.
- **A Reserve of \$2.3 million** is set aside as a hedge against potential State and Federal reductions.
- **The School Transfer is maintained at the FY 2011 level with the following exception:**
 - Consistent with widespread community input the Board strongly supports the School Board’s implementation of the full phase in of **Full Day**

Kindergarten (FDK) and provides additional assistance toward making that happen.

- **All County employee compensation** has been frozen during the past two fiscal years. In this package, direction is given to the County Executive to analyze the County's fiscal condition at the end of FY 2011 and, based on this review, to identify funding to provide **County employees with a market-rate adjustment estimated to be 1.12 percent.**
- The Board of Supervisors **urges the School Board to treat compensation adjustments for School employees in a manner that is equitable** to General County employee compensation adjustments.
- \$1.5 million is included for the Fire and Rescue Department to support **Advanced Life Support Incumbent Training (ALS).**
- An increase in funding of **\$1.3 million** for high school graduates with intellectual disabilities, as well as the Medical Detoxification and the Diversion to Detoxification programs.
- **\$175,000** to provide **liability insurance** for the Office of the Sheriff recognizing services provided outside of the Office's state mandate.
- **\$120,000** from the County's Pest Management Fund for the 4 Poster Program aimed at reducing the occurrence of Lyme disease.
- The contribution for the **Herndon Visitors Center** will be provided directly to the Town of Herndon for tourism-related uses.
- Identified existing resources to continue the **homeless youth initiative** and staff is also directed to review funding requirements for the **Housing Blueprint** for FY 2012 and identify flexibility in Fund 319 generated from program income/savings from the Crescent refinancing and grant opportunities and report to a future Housing Committee so that necessary funding adjustments may be addressed at Carryover.
- Accepts the County Executive's recommendation that the **increased School Bond program of \$155 million a year (or \$125 million in increased capacity over the five year period of the Capital Improvement Program [CIP]) be maintained.**

- Board Guidance includes a number of recommendations regarding benefits including a **review of retirement benefits**.

NV:nv

FY 2011 Third Quarter Review

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the *FY 2011 Third Quarter Review* including approval of Supplemental Appropriation Resolution (SAR) AS 11123 and Amendment to the Fiscal Planning Resolution AS 11901 which includes the revenue, expenditure, and transfer adjustments, and grant awards and adjustments, and associated reserve adjustments contained in the County and School's Third Quarter Review and SAR AS 10193 which reflects final FY 2010 audit adjustments. As a result of this action, there is a balance of \$4,722,358.

FY 2012 Budget Mark-Up

Chairman Bulova moved approval of the FY 2012 Mark-up Budget proposal and approval of the Code amendments described below to implement the fee changes advertised by the Board. She noted that this budget:

- Sets the real property tax rate at **\$1.07 per \$100 of assessed value**. As a result of this action, the real property tax rate for FY 2012 will decrease by \$0.02 from the real property tax rate for FY 2011 of \$1.09 per \$100 of assessed value.
- Amends the Code of the County of Fairfax, Chapters 2 (Property under County Control), 61 (Building Provisions), 101 (Subdivision Provisions), 104 (Erosion and Sediment Control), and 112 (Zoning Ordinance), to adjust **fees charged by Land Development Services** for FY 2012.
- Amends the Zoning Ordinance, Section 18-106, to increase **Zoning filing fees**.
- Amends the Code of the County of Fairfax, Chapter 67.1, (Sanitary Sewers and Sewage Disposal), Article 10, Section 2, Subsection (d) Service Charges, to change the **sewer service charges** on a multi-year basis as included in the ordinance amendment. The effect of this approval for FY 2012 is a sewer service charge rate of **\$6.01 per 1,000 gallons**. This is an increase from the FY 2011 service charge of \$5.27 per 1,000 gallons.
- Amends the Code of the County of Fairfax, Chapter 67.1, (Sanitary Sewers and Sewage Disposal) Article 10, Section 2, Subsection (a) Availability Charges, to maintain the **availability charges** on a

multi-year basis as included in the ordinance amendment. As a result of this motion, the availability fee for a single family residence **remains at \$7,750.**

- Amends the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewer and Sewage Disposal) to adjust **connection charges** to assist in the funding of the County's Extension and Improvement Program for extension of sanitary sewers to properties with failing onsite sewage disposal systems within the approved sewer service area. The connection charge is increased from \$6.00 per foot to **\$152.50 per foot** as identified in the March 29, 2011, Board Item.
- Approves the County Executive's recommendations for the FY 2012 Advertised Budget Plan, as advertised, with FY 2012 revenue and administrative adjustments as identified in the FY 2012 Add-on memo dated March 31, 2011, and with adjustments outlined in the Board's "Adjustments to the FY 2012 Budget Proposal" package.

As a result of the adjustments, and having provided public notice and conducted a public hearing as required by Virginia law, Chairman Bulova moved approval of the FY 2012 Budget as advertised, with the changes to revenue and administrative adjustments included in the FY 2012 Add-On Package dated March 31, 2011. The real property tax rate, the land development and zoning fee increases, the sewer service charge, availability fee, and connection charge increases and Board adjustments outlined in the "Adjustments to the FY 2012 Budget Proposal" package and required Managed Reserve adjustments. The tax and fee increases become effective on and after July 1, 2011. These actions result in a balanced budget for FY 2012.

Supervisor Hyland seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Bulova clarified that she made one motion that included Third Quarter, sewer service charges, and the FY 2012 Budget.

Supervisor Smyth pointed out, for the record, that the \$500,000 in saving from the School Age Child Care program that will be transferred to the Schools will materialize only if the Schools institute full day kindergarten.

Discussion ensued regarding a modest tax increase, a recommendation for an independent School Board auditor, and the Schools' unspent construction reserve.

Supervisor Herrity asked unanimous consent that the Board direct staff request again that the Schools provide an answer as to why it has a \$66 million unspent construction reserve. Following input from Susan W. Datta, Director, Department of Management and Budget, without objection, it was so ordered.

Discussion ensued regarding Supervisor Herrity's alternate budget proposal that had been presented in writing at the Board's Budget Committee meeting on Friday, April 8.

Following further comments about the budget, a brief discussion ensued about the increase in sewer service connection charges, with input from Ms. Datta.

PMH:pmh

Following further comments, the question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Hudgins, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Cook, Supervisor Frey, and Supervisor Herrity voting "NAY."

Vice-Chairman Gross returned the gavel to Chairman Bulova.

5. **BUDGET GUIDANCE FOR FISCAL YEAR (FY) FY 2012 AND FY 2013**
(11:28 a.m.)

Chairman Bulova summarized the following elements of the Budget Guidance for FY 2012 and 2013 as distributed to the Board:

Forecast

- **Directs the County Executive to provide a financial forecast for FY 2013 by Fall 2011** to assist the Boards' decision-making as it relates to guidance to the County and the Schools on the strategic priorities and the budgetary support for programs and services in FY 2013. This forecast shall include revenue projections with a focus on the real estate market and disbursement requirements for FY 2013 and the next several years. Special focus should also be given to the longer term capital requirements of the County.
- **Directs the County Executive to prepare an FY 2013 budget proposal that continues to consider the affordability of taxes** for County residents and businesses and attempts to keep taxes steady with FY 2012.

County and School Collaboration

During FY 2012, the Board would like to continue the successful pursuit of opportunities for collaborations that can result in efficiencies, reductions, and improvements. Some of the areas that may be explored are in the areas of security, transportation, and human services.

Budget Process

The Board recognizes the hard work of its various district budget committees in providing analysis and recommendations on the FY 2012 budget and directs staff to continue to support these groups during their work on the FY 2013 process. The work of these groups was extremely valuable in assisting the FY 2012 budget process as well as the last several years. Individual supervisors have used a variety of approaches in establishing their committees or identifying key budget advisors within their districts, which has greatly enhanced the public input process. In addition, the ability of committee chairs to share their ideas and research with other groups provided for a robust exchange of ideas in the best tradition of citizen involvement in County government and the budget process.

Fairfax County Public Schools (FCPS)

The Board acknowledges the continued spirit of cooperation and collaboration demonstrated by the FCPS School Board and staff in working through the significant budget challenges during the last several years.

The Board is extremely supportive of the School Board efforts to fully implement Full Day Kindergarten (FDK) within existing school resources in FY 2012. As heard overwhelmingly during Board meetings on the budget, FDK is a community issue and clearly the Board of Supervisors would, if it could, approve the expansion of FDK to all remaining elementary schools in the County. To assist the School Board with funding and re-prioritizing its resources to accomplish implementation of FDK countywide, the Board of Supervisors will provide the savings from the elimination of the Kindergarten SACC program (\$500,000), which will no longer be necessary if all FCPSs have FDK. In addition the Board of Supervisors has identified additional Cable funding of \$641,904 that can be added to the School Budget. More flexibility is identified in the \$1.9 million in funding for the School Nurse Health Program that is being returned from the County to the School Budget. Without this action, this \$1.9 million would have reverted to the County to offset its existing School Health expenses in the Health Department. Lastly, as a result of the Board Auditor's work, there may be additional flexibility within the Cable programming funds which go to the Schools. To be available, this would require a reprioritization by Schools of this funding.

The Board of Supervisors endorses the County Executive's recommendation that **the increased School Bond program of \$155 million a year (or \$125 million in increased capacity over the 5 year period of the CIP) be maintained.**

In addition, during the current budget process, the Schools approached the County with a proposal for **accelerating construction projects** in order to take advantage of the favorable construction market by using short-term financing alternatives for energy-related improvements. To accomplish this, County staff is directed to work very closely with the FCPS staff to identify short-term financing alternatives

for energy improvements which are anticipated to result in significant energy savings. The savings can be used to pay off the short term debt. **As a result it is anticipated that the FCPS capital program will gain additional capacity by as much as \$30 million.**

Available Balances

The Board of Supervisors directs that remaining balances made available at the Carryover and Third Quarter Reviews that are not required to support critical requirements be held in reserve to address FY 2013 budget challenges and requests that the School Board also reserve available balances for FY 2013 requirements. Recognizing that with the slow economic recovery and the budgetary reductions taken by agencies that have reduced their flexibility it is more important than ever that the County maintain adequate reserve funding for unforeseen requirements.

County Staff

The Board of Supervisors has a strong and consistent record of meeting our financial obligations relative to retirement. **The Fairfax County Retirement Systems are sufficiently funded to meet all benefit payments into the foreseeable future. Even though County systems, as with all systems nationwide, have experienced significant challenges related to the financial crisis in FY 2009, County systems have had exceptional investment returns, with the Employees' system placing first and the Police Officers system placing second in the nation among all corporate, public, and endowment plans.**

The Board looks forward to reviewing the study on County retirement benefits once completed which will include a comprehensive understanding of the long term liabilities of the retirement system, recommended options for system affordability and benefits and specific programs. In addition, the Board directs that staff include as part of this discussion a review of the concept of a health insurance opt-back-in for retirees, a review of health savings accounts, i.e. Voluntary Employees Beneficiary Associations (VEBAs), and further changes to the employee contribution to Police retirement.

In conjunction with this analysis, the Board directs the County Executive to include at the *FY 2011 Carryover Review* funding for a reduction in the Social Security offset from 30 percent to 25 percent for service-connected disability retirees in the Uniformed and Employees' Retirement Systems. The Board also directs the County Executive to take necessary action to seek amendments to the Fairfax County Code reflecting this change. This will continue the previous commitment to reducing the offset for these retirees which we have been unable to fund during the most recent budget difficulties.

Staff is directed to continue to monitor the impact of the reductions in public safety overtime, especially for Police, and report to the Board any necessary changes or unanticipated impacts that need to be addressed during FY 2012. Staff is directed to complete its work on changes to the Pay for Performance program for Board approval at an upcoming Personnel Committee meeting so that any funding implications can be included in the FY 2013 budget. The changes already approved by the Board for FY 2013 include the implementation of a single anniversary date for performance reviews for non-public safety employees and endorsement of a revised pay for performance system that will include a market rate adjustment increase and a variable rate increase based on performance. Both of the increases would be dependent on funding availability.

Human Services

In its testimony on the FY 2012 budget, the Human Services Council commended the budget's support of the safety net it has worked so hard to establish and maintain. There were a number of recommendations made by the Council, many of which have been resolved through adjustments to County revenues or included in the Board's budget proposal. In addition, staff has identified FY 2012 resources to continue the **homeless youth initiative** which was begun using ARRA funding, and the Board directs that this service be considered within the County's homelessness and housing planning processes as well as the funding pool process in the future. Staff is also encouraged to continue working on leveraging County funds with the private sector to maximize the ability of the community to combat homelessness. Finally, in light of potential federal budget reductions to key services to County residents including Head Start and CDBG, staff is directed to monitor and quantify the impacts and identify options for potential offset of these service reductions.

Staff is also directed to review funding requirements for the Housing Blueprint for FY 2012 and identify flexibility in Fund 319 generated from program income, savings from the Crescent refinancing and grant opportunities, and report to the Housing Committee at an upcoming meeting so that any necessary funding adjustments may be made at Carryover.

Direct staff to work with community stakeholders to review the Ending Homelessness Strategic Plan and develop a framework for providing a full continuum of supports that address the root causes of homelessness. The Housing Blueprint and the Preventing and Ending Homelessness Strategic plan are excellent foundations for addressing homelessness and the availability of adequate affordable housing resources, but to ensure positive and sustainable outcomes, we must work to enhance the capacity of the system to provide support services for those most in need. The strategy must include new housing resources but also the full continuum of housing supports including customized employment services, affordable health care and childcare in an effort to prevent homelessness and end the cycle of chronic homelessness.

SAFER Grant

The Fire Chief is directed to evaluate SAFER Grant funding opportunities to enhance the local fire departments' abilities to comply with staffing, response and operational standards.

Therefore, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Budget Guidance for FY 2012 and 2013 as distributed to the Board. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

EBE:ebe

Supervisor Herrity referred to the end of page 17 under Fairfax County Public Schools of the document entitled "April 12, 2011, FY 2012 Budget Markup Process," and asked to amend the motion to read: "The Board encourages the School Board to establish an independent auditor position that would report directly to the School Board. The Board has had an independent auditor since the 1990s and their work has saved millions of taxpayer dollars and resulted in more efficient delivery of services." This was accepted.

Supervisor Herrity referred to page 16 of the document entitled "FY 2012 Budget Markup Process," and moved to amend the motion under the FY 2013 Budget Development, paragraph two, to read: "The Board directs the County Executive to present a 2013 proposed budget that keeps the average property tax bill flat." Supervisor Frey seconded the motion.

Following discussion, Supervisor Frey asked to amend the amendment to the motion to direct the County Executive to present a 2013 proposed budget that keeps taxes the same as FY 2012, and this was accepted.

Following discussion regarding the amendment, the question was called on the amendment, as amended, and it **FAILED** by a recorded vote of seven, Supervisor Cook, Supervisor Frey, and Supervisor Herrity voting "AYE."

The question was called on the main motion, as amended, and it **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

6. **10 A.M. – BOARD DECISION ON THE COUNTY'S CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYS 2012 – 2016 (WITH FUTURE FYS TO 2021)** (11:56 a.m.)

Chairman Bulova moved approval of the FY 2012-FY 2016 Capital Improvement Program (with future fiscal years to 2021) with the following amendments:

- Make all necessary adjustments to reflect actions taken during the Board's decision on the FY 2012 Adopted Budget Plan that impacts the CIP.

- Staff will return to the Board for approval of the details related to the Fall 2012 and Fall 2014 bond referenda. The Fall 2014 referendum for roads and transit will be based on an evaluation of transportation projects countywide.

Supervisor McKay seconded the motion.

Discussion ensued, regarding the CIP, maintenance of existing infrastructure, the amount of the bonds, and the projects that are being considered.

The question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

ADDITIONAL BOARD MATTER

7. **ANNOUNCEMENTS** (12:08 p.m.)

Chairman Bulova announced that a Revitalization Committee meeting is scheduled for today at 1:30 p.m., in Government Center Conference Rooms 9 and 10.

Chairman Bulova referred to a draft letter addressed to the Chair of the Metropolitan Washington Airports Authority (MWAA) and distributed to Board Members at the dais, regarding a tunnel alternative station. She announced that the Board would take action on it later in the meeting.

(NOTE: Later in the meeting, the Board took action regarding this letter. See Clerk's Summary Item #12.)

Chairman Bulova called the Board's attention to this year's "All Fairfax Reads" book which had been distributed around the dais, entitled *Little Princess: One Man's Promise to Bring Home the Lost Children of Nepal* by Conor Grennan, and encouraged everyone to read it.

8. **BOARD RECESS** (12:10 p.m.)

At 12:10 p.m. the Board recessed, and at 4:02 p.m., reconvened in the Board Auditorium, with all members being present, and with Chairman Bulova presiding.

9. **REQUEST FOR THERMOSTAT ADJUSTMENT IN THE BOARD AUDITORIUM** (4:02 p.m.)

Chairman Bulova noted the cold temperature in the Board Auditorium and asked that the thermostat be adjusted.

AGENDA ITEM

10. **4 P.M. – PH ON THE ALTERNATIVE PLANS SUBMITTED TO THE BOARD BY THE 2011 ADVISORY CITIZEN REAPPORTIONMENT COMMITTEE AND THE PUBLIC TO REAPPORTION THE ELECTION DISTRICTS OF THE BOARD** (4:03 p.m.)

(BACs) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 1 and 8, 2011.

Katherine K. Hanley, Chairman, 2011 Advisory Citizen Reapportionment Committee, made a brief presentation and introduced the following committee members:

- Ralph Hubbard, Sully District Representative
- Kristin Cabral, Democratic Party Representative
- Bettie Baca, Hispanic Community Representative

On behalf of the Board, Chairman Bulova warmly welcomed them to the Board Auditorium.

Michael Long, Deputy County Attorney, presented the staff report.

The Board held the public hearing, and heard testimony from five speakers.

A decision on this issue is scheduled for April 26, 2011, at 10:45 a.m.

(NOTE: Later in the meeting, an additional committee member was introduced to the Board. See Clerk's Summary Item #14.)

ADDITIONAL BOARD MATTERS

11. **DELAY IN THE CONSTRUCTION OF THE PROPOSED I-395 RAMP AT SEMINARY ROAD (LEE DISTRICT)** (4:36 p.m.)

In a joint Board Matter with Supervisor Gross and Chairman Bulova, Supervisor McKay said that in September thousands of Base Realignment and Closure (BRAC) workers will try to commute to the Mark Center. The Virginia Department of Transportation (VDOT) traffic studies show near gridlock conditions will occur on Seminary Road, Beauregard Street, and I-395. He said that the hope of some relief by the end of 2014 is about to be extinguished with the federal decision to require an Environmental Assessment (EA) for the proposed I-395 ramp at Seminary Road. This ramp will move carpools and buses

from I-395 to the Mark Center and it will ease some of the gridlock. The Board is sensitive to environmental concerns and wants those issues fully addressed.

The federal decision to require an EA rather than a Categorical Exclusion (CE) will delay the ramp by up to 18 months. With a CE, VDOT would begin construction of the ramp under a design-build contract with completion by 2014. VDOT believes that a CE is the appropriate level of environmental documentation because the ramp will be built entirely within the existing I-395 right-of-way. The ramp will improve air quality in the non-attainment area by making transit and carpooling more convenient for Mark Center employees.

Supervisor McKay noted that by the end of this year, 6,400 Department of Defense employees will be relocated to the Mark Center.

Therefore, Supervisor McKay moved that the Board direct staff to draft a letter from the Chairman to the Federal Highway Administration and the congressional delegation expressing the Board's grave concern about any delays to the construction of this ramp and urging that all efforts be taken to hasten completion of the environmental review. Supervisor Gross, Supervisor Herrity, and Chairman Bulova jointly seconded the motion.

Following discussion, regarding the project, the question was called on the motion and it carried by unanimous vote.

Supervisor Gross asked unanimous consent that the Board direct staff to address the timing of the letter. Without objection, it was so ordered.

12. **METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA)
DECISION REGARDING THE PROPOSED METRORAIL STATION AT
DULLES INTERNATIONAL AIRPORT** (4:41 p.m.)

(NOTE: Earlier in the meeting, this issue was discussed. See Clerk's Summary Item #3.)

Chairman Bulova referred to the Board's disappointment with MWAA's April 6 decision regarding the alignment for the proposed Metrorail station at Dulles International Airport.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board direct staff to:

- Send the proposed letter to MWAA expressing the Board's disappointment. She noted that the letter indicates that for Fairfax County and Loudoun County to make the decision about participation in Phase 2, an alternative alignment must be identified with a cost as near to the MWAA original Phase 2 estimate of \$2.5 billion as possible. She said that there are a

number of steps that MWAA must undertake to make this happen as outlined in the letter.

- Send copies of the letter to the representatives at the Federal level as well as the representatives at the State level.

Supervisor Herrity and Supervisor Smyth jointly seconded the motion.

Supervisor Frey asked unanimous consent that the Board direct staff to correct the references in the letter from Mr. Charles D. Snelling to Chairman Charles D. Snelling. Without objection, it was so ordered.

Vice-Chairman Gross relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that the Board direct staff to correct the following:

- In the second paragraph of the letter where it says “principal’s” should be corrected by deleting the apostrophe and should read “principals.”

Without objection, it was so ordered.

Acting-Chairman Hyland returned the gavel to Vice-Chairman Gross.

Supervisor Smyth asked unanimous consent that the Board direct staff to change the word from disappointment to outrage. Following discussion of the appropriate term, without objection, it was so ordered.

Supervisor Foust asked to amend the motion as follows:

- Page 2, Number 4, the fourth line - regarding an independent value engineering contractor must evaluate . . . add “such as the design, bid, construct method of contracting with multiple prime contracts rather than the single design bid contract method currently proposed.”

Supervisor Hyland seconded the amendment to the motion.

Following further discussion of the project, with input from Anthony H. Griffin, County Executive, Supervisor Foust withdrew his amendment and agreed to follow-up at the Board’s next meeting with an additional Board Matter regarding an evaluation of the method of contracting.

The question was called on the motion and it carried by unanimous vote.

Following discussion regarding the Phase 2 project, Supervisor Herrity moved that the Board direct the County Executive to:

- Work with the County Attorney and the transportation staff to investigate the feasibility and possibility of requesting the State to retake control of the Toll Road in the Phase 2 project.
- Report his findings in time for the Board to take action on April 26.

Supervisor Frey seconded the motion.

Discussion ensued regarding tolls.

Supervisor Frey asked unanimous consent that all available options be reviewed for Phase 2, and this was accepted.

Following discussion of the motion, Supervisor Herrity clarified his motion to:

- Direct the County Executive to work with the County Attorney and transportation staff to investigate possible and feasible ways that the Board can have more input into the Dulles Rail Phase 2 project costs and tolls.

This was accepted.

Following discussion of the motion, the question was called on the motion, as amended, and it carried by unanimous vote.

13. **SPLIT PRECINCT ISSUE** (5:13 p.m.)

(NOTE: Earlier in the meeting, this issue was discussed. See Clerk's Summary Item #2.)

Supervisor Herrity stated that he previously requested information regarding the costs for the split precincts, and Edgardo Cortes, General Registrar, provided the Board with a status report.

Supervisor Smyth asked unanimous consent that the Board direct staff to report as expeditiously as possible with a list of precincts that are still split and which ones may be addressed administratively. Without objection, it was so ordered.

A brief discussion ensued regarding the number of precincts that will change.

14. **INTRODUCTION OF A MEMBER OF THE 2011 ADVISORY CITIZEN REAPPORTIONMENT COMMITTEE** (5:17 p.m.)

(BACs) (NOTE: Earlier in the meeting, a public hearing was held regarding redistricting. See Clerk's Summary Item #10.)

Katherine K. Hanley, Chairman, 2011 Advisory Citizen Reapportionment Committee, noted that she had neglected to introduce Scott T. Robinson, Lee District Representative on the Committee, who was also present in the Board Auditorium.

15. **ADJOURNMENT** (5:17 p.m.)

The Board adjourned.