

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
March 1, 2016**

**AGENDA**

8:00	<b>Held</b>	Reception for Alternative Dispute Resolution Month, Conference Reception Area
8:30	<b>Held</b>	Reception for Woman's History Month, The Forum
9:30	<b>Done</b>	<a href="#">Presentations</a>
10:00	<b>Adopted Legislative Report #3</b>	<a href="#">Report on General Assembly Activities</a>
10:10	<b>Done</b>	<a href="#">Items Presented by the County Executive</a>

**ADMINISTRATIVE  
ITEMS**

1	<b>Approved</b>	<a href="#">Additional Time to Commence Construction for Special Exception SE 2012-PR-012, TD Bank (Providence District)</a>
2	<b>Approved</b>	<a href="#">Designation of Plans Examiner Status under the Expedited Land Development Review Program</a>
3	<b>Approved</b>	<a href="#">Authorization to Advertise a Public Hearing for a Sewer Ordinance Amendment to Revise the Sewer Service Charges, Base Charges and the Equivalent Flow Factor and to Maintain the Availability Charges and Fixture Unit Charge</a>
4	<b>Approved</b>	<a href="#">Resolution for Endorsement of Bellview Road to Be Considered for Cut-Through Measures as Part of the Residential Traffic Administration Program (Dranesville District)</a>
5	<b>Approved</b>	<a href="#">Authorization to Advertise Publication of the FY 2017 Budget and Required Tax Rates, the FY 2017 Effective Tax Rate Increase, and the Advertised Capital Improvement Program for Fiscal Years 2017-2021 (With Future Fiscal Years to 2026)</a>

**ACTION ITEMS**

1	<b>Approved</b>	<a href="#">Approval of an Off-Site Parking Request for 6862 Elm Street (Dranesville District)</a>
2	<b>Approved</b>	<a href="#">Calendar Year 2016 Forest Pest Management Program</a>

**FAIRFAX COUNTY  
BOARD OF SUPERVISORS  
March 1, 2016**

**ACTION ITEMS  
(Continued)**

3	<b>Approved</b>	Grant Agreement Between the Virginia Department of Environmental Quality and Fairfax County for the Accotink Tributary at Wakefield Park, South; Accotink Tributary at Wakefield Park, North; Paul Spring Branch at Gilbert McCutcheon Park; Colony Park; Accotink Tributary at Daventry; Difficult Run at Oakton Estates; Inverchapel Road Outfall Rehabilitation; and Flatlick Branch, Phase I Projects (Braddock, Mason, Mount Vernon, Springfield, and Sully Districts)
4	<b>Approved</b>	Approval of the Disease Carrying Insects Program
5	<b>Approved</b>	Approval of Project Funding Adjustments for the Transportation Priorities Plan
10:20	<b>Done</b>	Matters Presented by Board Members
11:10	<b>Done</b>	Closed Session
2:30	<b>Done</b>	<i>Snowzilla Snow Summit</i>

**PUBLIC HEARINGS**

3:30	<b>Approved</b>	Public Hearing on SEA 79-D-071-02 (The Tea Center, LLC) (Dranesville District)
3:30	<b>Approved</b>	Public Hearing on SE 2015-SU-010 (Claudio A. Vargas) (Sully District)
3:30	<b>Decision Only deferred to 3/15/16 at 3:00 p.m.</b>	Public Hearing on SE 2015-SP-022 (Eileen Meade DBA Meade Family Daycare) (Springfield District)
3:30	<b>Approved</b>	Public Hearing on RZ 2015-SP-007 (MRD Properties LLC) (Springfield District)
3:30	<b>Public Hearing deferred to 3/15/16 at 3:30 p.m.</b>	Public Hearing on PCA 2011-PR-023/CDPA 2011-PR-023 (Cityline Partners LLC) (Providence District)

# **REVISED**



## ***Fairfax County, Virginia*** ***BOARD OF SUPERVISORS*** ***AGENDA***

**Tuesday**  
**March 1, 2016**

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9:30 a.m.

### **PRESENTATIONS**

Presentation to Fairfax County of a check from the United Way of the National Capital Area representing the amount that was contributed through the Fairfax-Falls Church Community Impact Fund in 2015.

### **SPORTS/SCHOOLS**

- CERTIFICATE – To recognize the James Madison High School volleyball team for winning the Virginia High School League 6A championship. Requested by Supervisor Hudgins.

### **DESIGNATIONS**

- PROCLAMATION – To designate March 2016 as Alternative Dispute Resolution Month in Fairfax County. Requested by Supervisor Cook.

— more —

Board Agenda Item  
March 1, 2016

- PROCLAMATION – To designate March 2016 as Women's History Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate March 7-14, 2016, as Restaurant Week in Fairfax County. Requested by Supervisor Herrity.

STAFF:

Tony Castrilli, Director, Office of Public Affairs  
Bill Miller, Office of Public Affairs



Board Agenda Item  
March 1, 2016

10:00 a.m.

Report on General Assembly Activities

ENCLOSED DOCUMENTS:

None. Materials to be distributed to the Board of Supervisors on March 1, 2016

PRESENTED BY:

Supervisor Jeff McKay, Chairman, Board of Supervisors' Legislative Committee  
Edward L. Long Jr., County Executive



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** March 1, 2016  
**TO:** Board of Supervisors  
**FROM:** Edward L. Long, Jr., County Executive  
**SUBJECT:** 2016 Legislative Report No. 3—Board Legislative Committee Meetings of February 19, 2016 and February 26, 2016

With less than two weeks remaining in the 2016 General Assembly session, negotiations on the state budget are now a top priority for both houses, although committees are still meeting on other legislation ahead of the March 7 deadline for committee action. The House Appropriations and Senate Finance committees reported their respective budgets on February 21, and the full House and Senate approved these proposals on February 25. As the budget moves into the conference process, staff will work with the County's representatives on the conference committee on County priorities and will keep the Board informed as negotiations unfold.

The Legislative Committee met on February 19 and February 26 to consider several issues of importance to the County, and the Committee offers the following report and recommendations for action to the Board.

### Legislative Committee Actions of February 19, 2016:

Members Present: Legislative Chairman McKay  
Chairman Bulova  
Supervisor Cook  
Supervisor Foust  
Supervisor Gross  
Supervisor Herrity  
Supervisor Hudgins  
Supervisor Smith  
Supervisor Smyth

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### **Specific Issues**

Pending Proffer Legislation: The Committee discussed amendments to the pending proffer legislation (see handout on handwritten pages 101-103).

Pending Limited Residential Lodging Legislation: The Committee received an update on the pending Limited Residential Lodging Act and discussed the versions under consideration as of February 19, 2016 (see handouts on handwritten pages 105-111).

Select Studies of Interest: The Committee received a handout on select studies of interest (see handout on handwritten pages 113-115).

Letters in Support of Full Restoration for the Cost of Competing Adjustment: The Committee received copies of two letters urging General Assembly members to support full restoration of the Cost of Competing Adjustment for school support positions. One letter was sent from the Mayors and Chairs of the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. The second letter was sent from the Northern Virginia Business Community (see handouts on handwritten pages 117-122).

### **Priority Principles for Reviewing Legislation**

1. Adequately fund K-12 education.
2. The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.
3. Restore the funding partnership between the state and localities with adequate state funding.
4. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.

### **Specific Legislation**

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions and discussed changing positions on a number of bills. The Committee's positions on these bills are noted in the attached tracking chart.

### **New Bills-2016 General Assembly**

**HB 1379** (LeMunyon) (Passed House; SPE) requires the information received through the Electronic Registration Information Center (ERIC) and the Interstate Voter Registration Crosscheck Program to be used as part of the regular periodic review of registration records conducted by the Department of Elections. Within seven days of receiving information from these programs, the Department of Elections is required to send that information to the general registrars. Within 21 days of receiving that information from the Department of Elections, the

general registrars are required to send notice to the voters by forwardable mail along with a postage prepaid, pre-addressed return card for correcting or verifying the information. The bill also requires Virginia, through the Department of Elections, to have active and continuous participation in ERIC and the Interstate Voter Registration Crosscheck Program. Oppose unless amended to continue state's responsibility to send mailings related to voter registration list maintenance rather than shifting this responsibility to localities. (16104925D-H1)

#### **Legislation Provided for Discussion**

**SB 552** (Cosgrove) (Passed Senate; HGL) provides that the names and training records of law-enforcement officers as defined in § 9.1-101 and fire marshals as defined in § 27-30 shall be considered personnel records and excluded from mandatory disclosure under the Virginia Freedom of Information Act. Monitor. (16105187D-ES1)

#### **Legislation Requiring Further Review**

**HB 1345** (Jones) (Passed House; SFIN) revises the Line of Duty Act (the Act) by codifying revisions to the Act from the appropriation act and, among other changes, transferring overall administration of the Act to the Virginia Retirement System, transferring administration of health insurance benefits under the Act to the Department of Human Resource Management, and creating the Line of Duty Health Benefits Plan, a separate health benefits plan for beneficiaries under the Act. The bill has a delayed effective date of July 1, 2017. (16103506D)

**HB 378** (Farrell) (Passed House; SCL) directs the Workers' Compensation Commission (the Commission) to adopt regulations establishing fee schedules setting the maximum pecuniary liability of the employer for medical services provided to an injured person pursuant to the Virginia Workers' Compensation Act, in the absence of a contract under which the provider has agreed to accept a specified amount for the medical service. The regulations implementing the fee schedules shall become effective on January 1, 2018. The initial fee schedules will set amounts based on a reimbursement objective, which is the average of all amounts paid to providers in the same category of providers for the medical service in the same medical community. The Commission is required to retain a firm to assist it in establishing the initial fee schedules. The firm will recommend a methodology that will provide statistically valid estimates of the reimbursement objective for fee scheduled medical services within the medical communities. Reimbursements for medical services provided to treat traumatic injuries and serious burns are excluded from the fee schedules and liability for their treatment costs will be based, absent a contract, on 80 percent of the provider's charges. However, the required reimbursement will be 100 percent of the provider's charges if the employer unsuccessfully contests the compensability of the claim. The Commission is required to review and revise the fee schedules in the year after they become effective and biennially thereafter. The liability of the employer for certain medical services not included in a fee schedule will be set by the Commission. A stop-loss feature allows hospitals to receive payments or reimbursements that exceed the fee schedule amount for certain claims when the total charges exceed a charge outlier threshold, which initially is 150 percent of the maximum fee for the service set forth in

the applicable fee schedule. Providers are prohibited from using a different charge master or schedule of fees for any medical service provided for workers' compensation patients than the provider uses for health care services provided to patients who are not claimants. The measure requires the Commission, when determining whether the employee's attorney's work with regard to a contested claim resulted in an award of benefits that inure to the benefit of a third-party insurance carrier or health care provider, and in determining the reasonableness of the amount of any fee awarded to an attorney, to consider only the amount paid by the employer or insurance carrier to the third-party insurance carrier or health care provider for medical services rendered to the employee through a certain date and not to consider additional amounts previously paid to a health care provider or reimbursed to a third-party insurance carrier. The Commission shall have an independent, peer-reviewed study conducted every two years. The regulations setting fee schedules are exempt from the Administrative Process Act if the Commission utilizes a regulatory advisory panel to assist in the development of such regulations and provides an opportunity for public comment on the regulations prior to adoption. The measure prohibits certain practices involving the use by third parties of contracts whereby a provider agrees to accept payment of less than the fee scheduled amount, including restricting the sale, lease, or other dissemination of information regarding the payment amounts or terms of a provider contract without the express written consent and prior notification of all parties to the provider contract and prohibiting an employer from shopping for the lowest discount for a specific provider among the provider contracts held in multiple PPO networks. The regulatory advisory panel is directed to make recommendations to the Commission prior to July 1, 2017, on workers' compensation issues relating to (i) pharmaceutical costs not previously included in the fee schedules; (ii) durable medical equipment costs not previously included in the fee schedules; (iii) certain awards of attorney fees; (iv) peer review of medical costs; (v) prior authorization for medical services; and (vi) other issues that the Commission assigns to it. The existing peer review provisions are repealed. The measure has an emergency clause. (16100358D)

**SB 736** (Obenshain) (Passed Senate; HGL) provides that local government regulation of the installation or use of landscape cover materials shall be deemed to affect the manner of construction or materials to be used in the erection, alteration, repair, or use of a building or structure and shall not be permitted. The bill contains technical amendments. (16103884D)

**HJ 1** (Bell, Robert B.) (Passed House; SPE) grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth. (16100594D)

### **Courts**

**HB 537** (Minchew) (Passed House; SCT) directs the clerk of the circuit court to pay local fees and fines collected by the general district or juvenile and domestic relations district courts directly the local government. (16102991D)

### **Economic Development**

**HB 834** (Cox) (Passed House; SFIN)/ **SB 449** (Norment) (Passed Senate; HAPP) establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils will be established across the Commonwealth, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis. (16105060D-H1, 16102375D)

**HB 846** (Hugo) (Passed House; SFIN)/ **SB 459** (Ruff) (Passed Senate; HAPP) creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 new jobs with average salaries at least 25 percent higher than the average wage and (ii) makes a capital investment of at least \$25 million. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 50 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. Of each annual installment of the grant, 85 percent will be distributed to the participating localities in accordance with the terms of the collaborative economic development plan, and 15 percent will be retained by the Virginia Economic Development Partnership to be used to enhance regional and statewide economic development marketing and promotion. (16105102D-H1, 16102376D)

**HB 1343** (Jones) (Passed House; SFIN) establishes the Commonwealth Competitiveness Board to administer the Commonwealth Competitiveness Fund, which will be used to award grants for bioscience, biotechnology, commercialization of research, cybersecurity, genomics, other technological or scientific projects, regional economic development projects, and such other projects and programs specified in the general appropriation act. The Board is required to develop criteria for awarding grants, including the potential for the project or program to (i) culminate in the commercialization of research; (ii) culminate in the formation or spin-off of viable bioscience, biotechnology, cybersecurity, genomics, or similar companies; (iii) promote the build-out of centers of excellence in science or technology; (iv) promote research and development; (v) provide modern facilities or infrastructure for research and development; (vi) result in significant capital investment and job creation; (vii) foster regional economic development or diversification; or (viii) address workforce shortages in high-demand fields. In awarding grants, preference will be given to projects and programs for which matching funds are allocated by businesses or local government entities. Decisions of the Board will be final and not subject to review or appeal. (16105185D-H1)

### **Elections**

**HB 832** (Landes) (Passed House; SPE)/ **SB 308** (Hanger) (Passed Senate; HPE) allows the governing body of a county or city in which a vacancy in a constitutional office has occurred to request in its petition for a writ of election that the circuit court order the special election to be held at the next ensuing general election and allows the court to issue such writ. The bill also authorizes the governing body to petition the circuit court to request that no special election be ordered when the vacancy occurs within the 12 months immediately preceding the end of the term of that office and requires the court to grant such a request. The bill also contains technical amendments. (16103844D, 16103711D)

### **Environment**

**SB 443** (Hanger) (Passed Senate; HAG) directs the State Water Control Board (the Board) to establish a system for priority consideration of an application for a land conversion project, with a \$10,000 fee. The Department of Environmental Quality will be required to review such a priority application ahead of normal applications and approve it within 30 days. The bill also directs the Board to certify credits that are located in tributaries outside the Chesapeake Bay Watershed. (16102219D-E)

**HB 1250** (Wilt) (Passed House; SACNR) / **SB 673** (Hanger) (Passed Senate; House Floor) combines existing statutory programs relating to soil erosion and stormwater management and operated by localities, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff. Also, directs depositing charges or penalties to the Stormwater Local Assistance Fund and DEQ to evaluate fees for erosion and stormwater management. (16103814D, 16104330D)

### **Freedom of Information Act**

**HB 818** (LeMunyon) (Passed House; SGL) requires certain local public bodies to post a FOIA rights and responsibilities document on its respective public government website. The bill also requires all state public bodies created in the executive branch of state government, including state authorities, and all local public bodies that are subject to FOIA to designate and publicly identify one or more FOIA officers whose responsibility is to serve as a point of contact for members of the public in requesting public records and to oversee the public body's compliance with the provisions of FOIA. The bill sets out where contact information for the designated FOIA officer is to be posted. The bill requires that any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council. (16103655D)

**HB 1318** (Fowler) (Passed House; SGL) clarifies that the FOIA exclusion for noncriminal incidents and reports applies to any public body that engages in criminal law-enforcement activities and does not rely on the definition of "noncriminal incidents records" in § 15.2-1722

of the Code of Virginia. The bill addresses a decision of the Virginia Supreme Court in *Fitzgerald v. Loudoun County Sheriff's Office*. (16104029D)

### **Procurement**

**HB 145** (Webert) (Passed House; SGL) prohibits states agencies from requiring bidders, offerors, contractors, or subcontractors to pay, or require the payment of, wages, salaries, benefits, or other remuneration to persons employed to perform services in connection with a public works project at a rate that is based on the wages and benefits prevailing for the corresponding classes of labors and mechanics employed. A corresponding prohibition is made applicable to state agencies providing grants or other financial assistance for public works projects, unless otherwise required under federal law. The measure further states that it is the policy of the Commonwealth not to implement, adopt, enforce, or require any program, policy, or provision that requires a public works contract that requires the payment of wages or other remuneration at a rate based on the prevailing wage, whether modeled on the federal Davis-Bacon Act or similar state law. (16102604D)

**HB 578** (Albo) (Passed House; SGL) provides that for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked. (16101832D)

**HB 930** (Davis) (Passed House; SGL) prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science. (16101931D)

**SB 150** (Reeves) (Passed Senate; HGL) prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science. (16101094D)

**SB 169** (Ruff) (Passed Senate; HGL) provides that in the case of the selection process for a Request for Proposals for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked. (16104901D-S1)



## **Public Safety**

### *Drones*

**SB 729** (Stuart) (Passed Senate; HCT) provides that a person is guilty of a Class 1 misdemeanor if he uses or attempts to use an unmanned aircraft system while committing or attempting to commit a crime or obstructing or attempting to obstruct law-enforcement officers, animal control officers, or emergency medical services agency personnel in the performance of their duties. (16103638D)

## **Taxation**

**HB 127** (Knight) (Passed House; SFIN) clarifies that "killed in action" includes a determination by the U.S. Department of Defense of "died of wounds received in action" for purposes of the real property tax exemption on the residence of the surviving spouse. (16100683D)

**SB 99** (Cosgrove) (Passed Senate; HFIN) clarifies that "killed in action" includes a service member who dies of wounds received in action after reaching a medical treatment center, for purposes of the real property tax exemption on the residence of the surviving spouse. (16101278D)

**HB 1305** (Miller) (House Floor) provides a sales and use tax exemption for machinery, tools, and equipment of a public service corporation used to generate energy derived from sunlight or wind. The bill also reduces the maximum megawatts, from 20 to one, for projects of solar photovoltaic (electric energy) systems to qualify for real and personal property tax exemptions on photovoltaic equipment and facilities and exempts from such property taxes 80% of the assessed value of such equipment and facilities used in projects equaling more than one megawatt. Under current law, the exemption is only for projects equaling 20 megawatts or less and is based on the total value of the equipment and facilities. The bill has a delayed effective date of January 1, 2017, and does not apply to solar and wind energy equipment, facilities, and devices placed in service on or before December 31, 2016. (16104142D)

## **Legislation to be Monitored by Staff; State Revenue/Policy Implications**

**HB 919** (Mason) (Passed House; SLG) shortens from two months to 30 days the period after which a locality providing water or sewer service may shut off service for unpaid charges and shortens from 60 days to 45 days the period during which the locality is required to shut off service to a lessee or tenant if it wishes to place a lien on the property for unpaid charges. (16102730D)

**SB 109** (Petersen) (Passed Senate; HCT) requires commissioners in eminent domain proceedings to be summoned at least 30 days prior to service. Under current law, such summons is required at least one week prior to service. (16103009D)

### **Environment**

**HB 448** (Cox) (Passed House; SACNR) allows a new or expanding facility registered under the Watershed General Permit to acquire nutrient offset credits, on land located in the same tributary as the facility, on which best management practices have been implemented that would achieve reductions greater than those currently required by federal or state law or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill provides that any such acquisition is subject to approval by the State Water Control Board. The bill also enables an applicant under the Watershed General Permit to join the Virginia Nutrient Credit Exchange Association. (16101504D)

**SB 314** (Dance) (Passed Senate; House Floor) allows a new or expanding facility registered under the Watershed General Permit to acquire nutrient offset credits, on land located in the same tributary as the facility, on which best management practices have been implemented that would achieve reductions greater than those currently required by federal or state law or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill provides that any such acquisition is subject to approval by the State Water Control Board. The bill also enables an applicant under the Watershed General Permit to join the Virginia Nutrient Credit Exchange Association. (16101628D)

**SB 37** (Carrico) (Passed Senate; House Floor) directs the Board of Game and Inland Fisheries to adopt regulations exempting the black vulture (*Coragyps atratus*) from the prohibition against taking or possessing a wildlife species that is not classified as game, furbearer, or nuisance. The bill also prohibits the Department of Game and Inland Fisheries (the Department) from devoting any state resources to the enforcement of provisions of the federal Migratory Bird Treaty Act or the regulations adopted thereunder by the U.S. Fish and Wildlife Service that protect the black vulture. In addition, the bill allows the Department to continue to participate in federally permitted black vulture studies and management programs, including obtaining or supporting the issuance of federal migratory bird depredation permits to allow, in some cases, the killing of black vultures. (16104253D-S1)

### **Public Safety**

**HB 1197** (Stolle) (Passed Senate; SCT) prohibits the Commonwealth from publishing on a publically accessible website the personal information of any law-enforcement officer without first obtaining written permission from such law-enforcement officer. The bill provides that it is a Class 1 misdemeanor for any person to publish, sell, solicit, or trade on the Internet the personal information of any law-enforcement officer or his immediate family member knowing that he is a law-enforcement officer and with the intent to cause imminent bodily harm or the threat of imminent bodily harm to such individual. The bill contains a technical amendment. (16103488D)

*Asset Forfeiture*

**HB 771** (Gilbert) (Passed House; SCT)/ **SB 423** (Howell) (Passed Senate; HCT) prohibits a law-enforcement agency from requesting, requiring, or otherwise inducing a person who asserts a lawful right to property seized for the purpose of forfeiture to waive his interest in or rights to the property until an information is filed. The bill allows attorneys for the Commonwealth to electronically notify the Department of Motor Vehicles, in a manner approved by the Commissioner, that a vehicle has been seized. A provision is added allowing a forfeiture proceeding to be stayed if it is also related to a warrant. The Department of Criminal Justice Services will be required to prepare an annual report to the Governor and General Assembly regarding information on all drug and nondrug asset seizures and forfeitures. The report shall be available to the public. This bill is a recommendation of the Virginia State Crime Commission. (16102895D, 16102898D)

**SB 457** (Carrico) (Passed Senate; HCT) changes the Commonwealth's burden of proof to clear and convincing evidence from preponderance of the evidence in proving that the property is subject to forfeiture in civil asset forfeiture cases. (16102622D)

**Firearms**

**HB 766** (Gilbert) (Passed House; SCT) authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. The bill provides that if the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a \$25 civil penalty. (16100429D-E)

**Transportation**

**HB 1070** (Jones) (Passed House; STRAN) allows the Commonwealth to enter into agreements with other states to provide for the enforcement of tolling violations occurring in Virginia on out-of-state residents and to enforce tolling violations in other states on Virginia residents. Reciprocity agreements with other states would provide for notification of the Commissioner of the Department of Motor Vehicles (DMV) or other similar entity in another state so that violators who have not paid would have their registration suspended in accordance with the agreement. The bill allows for agreements between toll operators or high-occupancy toll (HOT) lanes operators and DMV to include necessary information to enforce reciprocity agreements. The bill states that a toll violation on the HOT lanes is a traffic infraction and that a HOT lanes operator shall mail the statutorily required invoice for unpaid tolls, as is the case for other toll violations. The bill clarifies references to the issuance of summonses for toll

violations. The bill provides for a two-year statute of limitations for all toll violations. The bill contains technical amendments. (16104954D-H1)

#### **Legislation Provided for Information**

**HB 481** (Marshall, Robert G.) (Passed House; SRSS) requires the Director of the Department of Corrections or other official in charge of the facility in which an alien is incarcerated to comply with any detainer received from U.S. Immigration and Customs Enforcement. The bill provides that no alien subject to the detainer shall be released except to transfer custody of the alien to another facility or to the U.S. Immigration and Customs Enforcement, provided that no alien may be held in custody in excess of the date that he would otherwise be released from custody. The bill also waives sovereign immunity for any tortious injury or act committed by an alien released in violation of this requirement after his release. (16104781D-H1)

**HB 1231** (Collins) (Passed House; SACNR) allows the district court to order the confinement indoors or in a securely enclosed and locked structure that prevents escape or direct contact with persons or other animals any dog that has been found to have injured or killed livestock or poultry. The bill requires a dog under such disposition to be leashed and muzzled when off the owner's property. Under current law, the court is required to order that dogs found to be livestock or poultry killers be killed immediately or removed to another state and prohibited from returning to the Commonwealth. (16104040D)

**HB 264** (Davis) (Passed House; SGL) prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The prohibition shall not affect contracts between a locality and another party that were executed prior to January 1, 2017, or the renewal or future rebids of services thereof. Also, localities shall not be prohibited from entering into contracts for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees. (16100770D-E)

**SB 78** (Wexton) (Passed Senate; HCCT) allows Loudoun County and any town located within Loudoun County, in adopting a voluntary boundary agreement, to attach to their petitions to the circuit court a Geographic Information System (GIS) map depicting the boundary change. Under current law, such use of a GIS map is permitted only regarding the boundary between the Counties of Louisa and Goochland. The bill contains a technical amendment. (16101904D)

**SB 116** (Petersen) (Passed Senate; HGL) establishes the Virginia-Korea Advisory Board to advise the Governor on ways to improve mutually beneficial trade relationships between the Commonwealth and the Republic of Korea (South Korea). The Board would expire on July 1, 2019. (16100875D)

### **Administration of Government**

**HB 773** (Gilbert) (Passed House; SGL) creates the Government Nondiscrimination Act (the Act), which prohibits a government entity from taking any discriminatory action against a person on the basis that such person believes, speaks, or acts in accordance with a sincerely held religious belief that marriage is or should be recognized as the union of one man and one woman and that the terms "man" and "woman" refer to an individual's immutable biological sex as objectively determined by anatomy and genetics of the individual at the time of birth. For purposes of the Act, discriminatory actions include actions that adversely affect the tax treatment of a person or that withhold or otherwise make unavailable any (i) grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, or employment; (ii) entitlement or benefit under a benefit program; or (iii) entitlement to utilize state property. The Act also provides that a person shall be considered to be validly accredited, licensed, or certified for any purpose under state law if such person would otherwise have been accredited, licensed, or certified but for a determination based upon such person's sincerely held religious belief or moral conviction. (16105495D-H1)

**HB 1371** (Miller) (Passed House; SLG) provides that a locality shall not enact any policy that requires an employer within the locality to provide an employee with a wage or employment benefit that exceeds the requirements of state or federal law. Any such local policy shall be unenforceable. (16103889D)

**SB 737** (Obenshain) (Senate Floor) prohibits public employers from paying leave or benefits to any public employee to directly or indirectly work for or on behalf of an employee organization, professional association, labor union, or labor organization. A violation is a Class 5 felony. (16105133D-S1)

### **Education**

**HB 389** (LaRock) (Passed House; SEH) permits the parents of certain students with disabilities to apply to their resident school division for a Parental Choice Education Savings Account, to consist of the student's Standards of Quality per pupil funds and to be used for certain expenses of the student, including (i) tuition, fees, or required textbooks at a private elementary or secondary school or preschool that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin; (ii) educational therapies or services for the student from a practitioner or provider, including paraprofessionals or educational aides; (iii) tutoring services; (iv) curriculum; (v) tuition or fees for a private online learning program; (vi) fees for a nationally standardized norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; or (vii) tuition fees or required textbooks at a public two-year or four-year institution of higher education in the Commonwealth or at an accredited private institution of higher education in the Commonwealth. The bill also contains provisions for the audit and revocation of such accounts. (16105467D-H1)

**HB 357** (Loupassi) (Passed House; Senate Floor) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2018-2019 school year. The current requirement for a program of physical activity available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year is not changed. (16100009D)

**SB 211** (Miller) (Passed Senate; House Floor) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2018-2019 school year. The current requirement for a program of physical activity available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year is not changed. (16101487D)

**HB 131** (Bell, Robert B.) (Passed House; Senate Floor)/ **SB 612** (Garrett) (Passed Senate; House Floor) prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) receives home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill provides that no local school board is required to establish a policy to permit students who receive home instruction to participate in interscholastic programs. The bill permits reasonable fees to be charged to students who receive home instruction to cover the costs of participation in such interscholastic programs, including the costs of additional insurance, uniforms, and equipment. The bill has an expiration date of July 1, 2021. (16102337D, 16103767D)

**HB 954** (Keam) (Passed House; Senate Floor) requires each local school division's policies and procedures regarding the identification and handling of suspected concussions in student-athletes to include a "Return to Learn Protocol" that requires school personnel to be alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury, including (i) difficulty with concentration, organization, and long-term and short-term memory, (ii) sensitivity to bright lights and sounds, and (iii) short-term problems with speech and language, reasoning, planning, and problem solving, and to accommodate the gradual return to full participation in academic activities of a student who has suffered a concussion or other head injury as appropriate, based on the recommendation of the student's licensed health care provider as to the appropriate amount of time that such student needs to be away from the classroom. The bill also broadens the scope of the "Return to Learn Protocol" in the Board of Education's guidelines for school division policies and procedures on concussions in student-athletes to require school personnel to (i) be alert to

cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury and (ii) accommodate the gradual return to full participation in academic activities of a student who has suffered a concussion or other head injury. Under current law, the "Return to Learn Protocol" only imposes such requirements on school personnel with respect to student-athletes. (16100630D)

**HB 1234** (Lingamfelter) (Passed House; SCT) authorizes a school security officer to carry a firearm in the performance of his duties if he is a retired law-enforcement officer and the local school board grants him the authority to carry a firearm in the performance of his duties. (16104073D)

**HB 1377** (LeMunyon) (Passed House; SEH) provides that any time the number of students in a class exceeds the statutorily prescribed class size limit, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limits. The bill requires such notification to state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with the limit. (16105430D-H1)

**SB 224** (Miller) (Passed Senate; HED) requires each school board, by July 1, 2017, to develop and implement a policy to prohibit the use of tobacco products on a school bus, on school property, or at a school-sponsored activity. The bill also replaces the term "electronic cigarette" with a defined term, "nicotine vapor product." (16101813D)

**SB 360** (Howell) (Passed Senate; HED) requires the Superintendent of Public Instruction to develop and implement a system to track teacher turnover and to annually report his findings to the General Assembly and the Governor. (16101735D)

**SB 740** (Surovell) (Passed Senate; HED) prohibits school boards requiring the use of any electronic textbook in any course in grades six through 12 unless the school board adopts a plan to ensure that by July 1, 2019, (i) each student enrolled in such course will have access to a personal computing device capable of supporting such textbooks and (ii) the relevant school has adequate connectivity, which the bill defines as bandwidth of at least one megabit per second per student. The bill permits a local school board to establish a pilot program for the use of electronic textbooks at any secondary school in the local school division, provided that (a) each student at the secondary school has access to a personal computing device capable of supporting such textbooks, (b) each student at the secondary school has access to adequate connectivity, and (c) the secondary school is receiving federal funds pursuant to Title I of the federal Elementary and Secondary Education Act of 1965 or no more than five percent of the students in the local school division or 300 students, whichever is greater, participate in the pilot program. (16105573D-S1)

**HJ 112** (Landes) (Passed House; SRUL)/ **SJ 85** (Deeds) (Passed Senate; HRUL) establishes a two-year joint committee consisting of seven members of the House Committee on Education and five members of the Senate Committee on Education and Health to study the need for revisions to or reorganization of the standards of quality set forth in Chapter 13.2 (§ 22.1-

253.13:1 et seq.) of the Code of Virginia, with a particular emphasis on the role that the effective use of educational technology plays in ensuring that an educational program of high quality that meets the standards of quality is established and continually maintained. (16102865D, 16102585D)

### **Elections**

**HB 104** (O'Bannon) (Passed GA and Sent to Governor)/ **SB 315** (Dance) (Passed Senate; HPE) provides that if a voting or counting machine secured by removal of a data storage device containing the only record of votes cast for any office or on any question and the machine itself does not contain such a record, that machine is not required to remain locked and sealed until the deadline to request a recount has passed or any contest or recount has been concluded. The sealed envelopes containing the equipment keys for such machines are required to be delivered to the electoral board no later than noon on the day following the election. The bill also provides that the requirements for locking and sealing voting equipment do not apply to any ballot marking device and its data storage device provided to meet accessibility requirements, where the number of persons voting in the election or the number of votes cast for any office or on any question are not recorded by the ballot marking device. All other voting systems are subject to current provisions for the locking and sealing of equipment. (16101461D, 16101528D)

**SB 43** (Carrico) (Passed Senate; HPE) clarifies that a city or town may move the time of its local elections pursuant to statutory authority notwithstanding any contrary provisions of its charter. (16101686D)

**SB 89** (Marsden) (Passed Senate; HPE) requires the posting of minutes of the local electoral boards' meetings on the local electoral board's website or the official website of the county or city. Draft meeting minutes are required to be posted no later than 10 days after the meeting and final approved meeting minutes are required to be posted within three working days of approval. (16100826D-E)

**SB 664** (Surovell) (Passed Senate; HPE) provides that the names of candidates for school boards shall be listed on the ballot in an order determined by the order of the priority of time of filing for that office. Currently, all candidates not nominated by a political party or a recognized political party are listed on the ballot in alphabetical order. The bill contains technical amendments. (16100725D-E)

**SB 686** (Petersen) (Passed Senate; HPE) prohibits a political party holding a presidential primary from requiring voters to sign any pledge when offering to vote in that primary. Current law allows the political party to determine the requirements for participation in its primary, including the requirement that a voter sign a pledge of his intention to support the party's candidate. The bill contains an emergency clause. (16104183D)

**SB 767** (Suetterlein) (Passed Senate; HPE) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his



political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. (16103756D)

### **Energy**

**HB 1053** (Kilgore) (Passed House; SCL) directs the State Corporation Commission (SCC) to evaluate the establishment of uniform protocols for measuring, verifying, validating, and reporting the impacts of energy efficiency measures implemented by investor-owned electric utilities and the establishment of a methodology for estimating annual kilowatt savings for such energy efficiency measures. The SCC shall submit a report of its findings and recommendations to the Governor and the General Assembly by December 1, 2016. (16105453D-H1)

**SB 748** (Wagner) (Passed Senate; HLC) authorizes an electric or natural gas public utility to conduct an Economic Development Program. Under such a Program, the utility is authorized to acquire utility right of way for a qualified economic development site. The measure establishes criteria for the Virginia Economic Development Partnership Authority to certify that a site is a qualified economic development site. The State Corporation Commission (SCC) is authorized to approve a proposal for a Program that satisfies certain conditions, including a finding that implementation of the Program will provide material economic development benefits that might not otherwise be attained absent its approval. A utility's capital investment is capped at \$10 million in the aggregate of all of the utility's Programs and at \$5 million for any specific qualified economic development site. The Commission's approval of a proposed Program authorizes the utility to recover costs incurred in implementing the Program through a rate adjustment clause. The SCC's approval is contingent on finding that the associated charges resulting from implementation of the Program will not in the aggregate impact an average residential consumer by more than one dollar on an annual basis. The measure does not permit a utility to convert existing retail propane customers to electric or natural gas. (16105172D-ES1)

### **Environment**

**SB 282** (Lewis) (Passed Senate; HAG) establishes the Virginia Shoreline Resiliency Fund for the purpose of creating a low-interest loan program to help residents and businesses that are subject to recurrent flooding. Moneys from the Fund may be used to mitigate future flood damage. (16104854D-S1)

**SB 598** (DeSteph) (Passed Senate; House Floor) clarifies that certain flow rate capacity and velocity requirements for plans approved on and after July 1, 2014, shall be satisfied by compliance with Virginia Stormwater Management Program (VSMP) Permit Regulations where the land-disturbing activity is conducted in accordance with extended permit coverage regulations. (16102415D)

**SB 407** (Wexton) (Passed Senate; HHWI) provides that any locality that has a record of the location of conventional onsite sewage systems and alternative discharging systems and that

meet certain other criteria may adopt an ordinance establishing a uniform schedule of civil penalties for violations of specified provisions for the operation and maintenance of such systems. Currently, the provisions apply only to alternative onsite sewage systems. (16101922D-E)

### **Freedom of Information Act**

**SB 645** (McPike) (Passed Senate; HGL) defines the terms "critical infrastructure," "government infrastructure," "interdependency," and "security information" for purposes of FOIA and revises the related FOIA public safety record exemption to incorporate those terms. The bill also sets out conditions precedent in cases where a custodian of any public safety records elects to exercise his discretion to release such records. The bill contains technical amendments. (16103916D)

### **Health and Human Services**

**HB 312** (Orrock) (Passed House; Senate Floor) directs the Department of Health to work with stakeholders, which shall include representatives of hospitals and other health care providers in the Commonwealth, to (i) evaluate interoperability of electronic health records systems between health systems and health care providers and the ability of health systems and health care providers to share patient records in electronic format and (ii) develop recommendations for improving the ability of health systems and health care providers to share electronic health records with the goal of ensuring that all health care providers in the Commonwealth are able to share electronic health information to reduce the cost of health care and improve the efficiency of health care services. The Department shall report its findings and recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2016. The bill contains an emergency clause. (16104617D-H1)

**HB 314** (Orrock) (Passed House; Senate Floor) provides that a prescriber may authorize an employee of a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or a private school accredited in accordance with standards prescribed by the Board of Education pursuant to § 22.1-19 by a state-recognized accrediting member approved by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia pursuant to a written order or standing protocol and provides immunity from civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment to such employees, provided that the insulin is administered in accordance with the child's medication schedule or such employee has reason to believe the individual receiving the glucagon is suffering or about to suffer life-threatening hypoglycemia. The bill also allows nurse practitioners and physician assistants to provide training programs on the administration of drugs to students of private schools accredited in accordance with standards prescribed by the

Board of Education by state-recognized accrediting members approved by the Virginia Council for Private Education. (16104564D-H1)

**HB 477** (Cox) (Passed House; SFIN) authorizes the Virginia Public Building Authority to issue bonds in the amount of \$29.3 million plus financing costs to construct veterans care centers in Northern Virginia and Hampton Roads. (16102049D)

**HB 543** (Watts) (Passed House; SCT)/ **SB 566** (Barker) (Passed Senate; HCT) clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other officer in charge of the local correctional facility where the inmate is incarcerated. (16102369D, 16103564D)

**HB 648** (Knight) (Passed House; SEH) provides for the State Health Commissioner to develop a procedure for processing requests to approve an installed treatment works. The bill authorizes the Commissioner or his agent to approve a nonconforming treatment works under certain conditions and for an owner of real property to accept a voluntary upgrade as a condition for the approval of a nonconforming treatment works. In addition, the bill designates persons who may certify that the sewage treatment available for a building is safe, adequate, and proper. (16103556D)

#### **Land Use**

**HB 746** (Bell, John J.) (Passed House; SGL) requires the disclosure to purchasers of the zoning classification or permitted uses of parcels adjacent to the parcel that is being purchased. (16102880D)

#### **Public Safety/Criminal Justice**

**HB 198** (Lingamfelter) (Passed House; SCT) provides that no official or employee of a school board or locality may apply for the appointment of a special conservator of the peace without attaching a written assessment of the need for such appointment from the sheriff or chief of police to the application. (16100766D-E)

**HB 1182** (Aird) (Passed House; SLG)/ **SB 266** (Dance) (Passed Senate; HCCT) allows sheriffs' offices to use marked motor vehicles painted in any solid color. Current law requires the sheriff to obtain the concurrence of the local governing body to use any color other than dark brown. (16103368D, 16101480D)

**HB 1160** (Bell, Robert B.) (Passed House; SCT)/ **SB 291** (Black) (Passed Senate; HCT) establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a

longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights. (16104138D, 16104943D-S1)

**SB 23** (Reeves) (Passed Senate; HCT) increases from \$200 to \$500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. (16104569D-S1)

**SB 79** (Wexton) (Passed Senate; HCCT) allows any locality to fund the cost of participation in mental health treatment and counseling programs by a member of a volunteer fire or rescue company. A mental health program in which such volunteers are eligible to participate must be comparable to an employee assistance program offered to paid employees of the locality. (16104529D-S1)

**SB 128** (Edwards) (Passed House; HCT) requires an insurance company to disclose the physical address of an alleged tortfeasor upon request of an injured person, personal representative, or attorney in a cause of action for personal injury or wrongful death due to a motor vehicle accident within 30 days of the request. (16104913D-S1)

**SB 281** (Wexton) (Passed Senate; House Floor) removes the authority of the mayor to take command of the police during emergencies and deputize assistant policemen to maintain order and enforce laws during such emergency. (16102517D)

**SB 527** (Stuart) (Passed Senate; HCCT) authorizes any locality to provide by ordinance that a person convicted of a felony violation of the bomb threat statute or the statute that penalizes the incitement of a bomb threat shall be liable for the reasonable expense, not to exceed \$1,000, of an appropriate emergency response to the threat. Current law allows such an ordinance to subject a person to liability for the expense of the emergency response to an imitation version of a weapon of terrorism or fire bomb or other explosive device. (16100380D)

**SB 651** (Cosgrove) (Passed Senate; House Floor) requires animal control officers hired on or after July 1, 2017, to complete a basic animal control course within one year after the date of hire. Current law requires completion of such training course within two years after the date of hire. (16103320D)

## **Transportation**

### *Miscellaneous*

**HB 97** (Cole) (Passed House; STRAN) directs the Department of Transportation to enter into negotiations with the toll operator of the existing HOT lanes on Interstate 95 to extend the HOT lanes south to U.S. Route 17 in Stafford County by 2020. (16100566D)

**HB 407** (Bulova) (Passed House; STRAN) prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation prior to January 1, 2020. (16102796D)

**HB 728** (LeMunyon) (Passed House; STRAN) requires that the results of Department of Transportation reviews of proposed local comprehensive plan amendments for issues related to homeland security be provided concurrently to the submitting locality and the Northern Virginia Transportation Authority. (16102290D)

**HB 1060** (Hugo) (Passed House; STRAN) provides that localities in Planning District 8 shall establish by ordinance (i) an initial hookup and towing fee of at least \$135; (ii) an additional fee of at least \$25 for towing at night, on weekends, or on a holiday; and (iii) that no fee pursuant to clause (ii) shall be charged more than twice for a tow. Under current law, \$135 is the maximum hookup and initial towing fee and \$25 is the permissible charge for towing at night, on weekends, or on a holiday. (16103047D)

**HB 1383** (Keam) (Passed House; STRAN) requires the Commissioner of Highways to make his annual report public in an accessible format. Currently such report is only provided to the Governor, the General Assembly, the Joint Legislative Audit and Review Commission, and the Commonwealth Transportation Board. The bill requires such report to include all aspects of traffic modeling and any cost-benefit analyses performed. (16103446D)

### *Transportation Funding*

**HB 1122** (Bloxom) (Passed House; SGL)/ **SB 46** (Carrico) (Passed Senate; HST) extends through fiscal year 2020-2021 the annual transfer of \$9.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund. Under current law, the transfer would cease in fiscal year 2016-2017. (16102808D, 16102284D-E)

### *Hampton Road Transportation Accountability Commission*

**HB 274** (Yancey) (Passed House; STRAN) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. (16101176D)

**HB 1111** (Villanueva) (Passed House; STRAN) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year. (16103721D)

**SB 476** (Wagner) (Passed Senate; HAPP) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year. (16103742D)

**Legislative Committee Actions of February 26, 2016:**

Members Present:     Legislative Chairman McKay  
                                 Chairman Bulova  
                                 Supervisor Cook  
                                 Supervisor Foust  
                                 Supervisor Gross  
                                 Supervisor Herrity  
                                 Supervisor Hudgins  
                                 Supervisor Smith  
                                 Supervisor Smyth

**Specific Issues**

Overview of House and Senate Budgets: The Committee received a briefing on the budget proposals approved by the House and Senate and their respective impacts on the County. More detailed information can be found on handwritten pages 123-135.

Highlights of K-12 Proposals—2016 General Assembly: The Committee received a handout with highlights of K-12 funding in the budget proposed by the Governor and the budgets approved by the House and Senate. The handout was supplemented with information from Senate Finance Education Subcommittee and House Appropriations Elementary and Secondary Education Subcommittee reports, which provided the impact of proposed budget amendments to each school division in Virginia (see handouts on handwritten pages 137-156).

**Priority Principles for Reviewing Legislation**

1. **Adequately fund K-12 education.**
2. **The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.**
3. **Restore the funding partnership between the state and localities with adequate state funding.**
4. **Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

**Specific Legislation**

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions and discussed changing positions on a number of bills. The Committee's positions on these bills are noted in the attached tracking chart.

### **New Bill-2016 General Assembly**

**SB 767** (Suetterlein) (HPE) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. Monitor. (16103756D)

### **Legislation Requiring Further Review**

**HB 1345** (Jones) (Passed House; SFIN) revises the Line of Duty Act (the Act) by codifying revisions to the Act from the appropriation act and, among other changes, transferring overall administration of the Act to the Virginia Retirement System, transferring administration of health insurance benefits under the Act to the Department of Human Resource Management, and creating the Line of Duty Health Benefits Plan, a separate health benefits plan for beneficiaries under the Act. The bill has a delayed effective date of July 1, 2017. (16103506D)

### **Economic Development**

**HB 834** (Cox) (Passed House; SFIN)/ **SB 449** (Norment) (Passed Senate; HAPP) establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils will be established across the Commonwealth, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis. (16105060D-H1, 16102375D)

**HB 846** (Hugo) (Passed House; SFIN)/ **SB 459** (Ruff) (Passed Senate; HAPP) creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 new jobs with average salaries at least 25 percent higher than the average wage and (ii) makes a capital investment of at least \$25 million. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 50 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. Of each annual installment of the grant, 85 percent will be distributed to the participating localities in accordance with the terms of the collaborative economic development plan, and 15 percent will be retained by the Virginia Economic Development Partnership to be used to enhance regional and statewide economic development marketing and promotion. (16105102D-H1, 16102376D)

**HB 1343** (Jones) (Passed House; SFIN) establishes the Commonwealth Competitiveness Board to administer the Commonwealth Competitiveness Fund, which will be used to award



grants for bioscience, biotechnology, commercialization of research, cybersecurity, genomics, other technological or scientific projects, regional economic development projects, and such other projects and programs specified in the general appropriation act. The Board is required to develop criteria for awarding grants, including the potential for the project or program to (i) culminate in the commercialization of research; (ii) culminate in the formation or spin-off of viable bioscience, biotechnology, cybersecurity, genomics, or similar companies; (iii) promote the build-out of centers of excellence in science or technology; (iv) promote research and development; (v) provide modern facilities or infrastructure for research and development; (vi) result in significant capital investment and job creation; (vii) foster regional economic development or diversification; or (viii) address workforce shortages in high-demand fields. In awarding grants, preference will be given to projects and programs for which matching funds are allocated by businesses or local government entities. Decisions of the Board will be final and not subject to review or appeal. (16105185D-H1)

### **Procurement**

**HB 145** (Webert) (Passed GA) prohibits states agencies from requiring bidders, offerors, contractors, or subcontractors to pay, or require the payment of, wages, salaries, benefits, or other remuneration to persons employed to perform services in connection with a public works project at a rate that is based on the wages and benefits prevailing for the corresponding classes of labors and mechanics employed. A corresponding prohibition is made applicable to state agencies providing grants or other financial assistance for public works projects, unless otherwise required under federal law. The measure further states that it is the policy of the Commonwealth not to implement, adopt, enforce, or require any program, policy, or provision that requires a public works contract that requires the payment of wages or other remuneration at a rate based on the prevailing wage, whether modeled on the federal Davis-Bacon Act or similar state law. (16102604D)

**HB 578** (Albo) (Passed GA) provides that for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked. (16101832D)

**HB 930** (Davis) (Passed GA) prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science. (16101931D)

**SB 150** (Reeves) (Passed GA) prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation. This bill is a recommendation of the Joint Commission on Technology and Science. (16101094D)

**SB 169** (Ruff) (Passed GA) provides that in the case of the selection process for a Request for Proposals for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions until after the qualified offerors are ranked. (16104901D-S1)

### **Taxation**

**HB 127** (Knight) (Passed Senate with Substitute) clarifies that "killed in action" includes a determination by the U.S. Department of Defense of "died of wounds received in action" for purposes of the real property tax exemption on the residence of the surviving spouse. (16104783D-H1).

**SB 99** (Cosgrove) (Passed House with Substitute) defines "killed in action" to include a service member who dies of wounds received in action, including when such member is in transport to or while at a medical treatment center, for purposes of the real property tax exemption on the residence of the surviving spouse. (16105645D-H1)

**HB 1305** (Miller) (Passed House; SFIN) provides a sales and use tax exemption for machinery, tools, and equipment of a public service corporation used to generate energy derived from sunlight or wind. The bill also reduces the maximum megawatts, from 20 to one, for projects of solar photovoltaic (electric energy) systems to qualify for real and personal property tax exemptions on photovoltaic equipment and facilities and exempts from such property taxes 80% of the assessed value of such equipment and facilities used in projects equaling more than one megawatt. Under current law, the exemption is only for projects equaling 20 megawatts or less and is based on the total value of the equipment and facilities. The bill has a delayed effective date of January 1, 2017, and does not apply to solar and wind energy equipment, facilities, and devices placed in service on or before December 31, 2016. (16104142D)

### **Legislation to be Monitored by Staff; State Revenue/Policy Implications**

**HB 919** (Mason) (Passed House; SLG) shortens from two months to 30 days the period after which a locality providing water or sewer service may shut off service for unpaid charges and shortens from 60 days to 45 days the period during which the locality is required to shut off service to a lessee or tenant if it wishes to place a lien on the property for unpaid charges. (16102730D)

### **Environment**

**HB 448** (Cox) (Passed House; SACNR)/ **SB 314** (Dance) (Passed GA) allows a new or expanding facility registered under the Watershed General Permit to acquire nutrient offset credits, on land located in the same tributary as the facility, on which best management practices have been implemented that would achieve reductions greater than those currently required by federal or state law or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill provides that any such acquisition is subject to approval by the State Water

Control Board. The bill also enables an applicant under the Watershed General Permit to join the Virginia Nutrient Credit Exchange Association. (16105252D-H1, 16105182D-S1)

### **Public Safety**

#### *Asset Forfeiture*

**HB 771** (Gilbert) (Passed GA)/ **SB 423** (Howell) (Passed Senate; House Floor) prohibits a law-enforcement agency from requesting, requiring, or otherwise inducing a person who asserts a lawful right to property seized for the purpose of forfeiture to waive his interest in or rights to the property until an information is filed. The bill allows attorneys for the Commonwealth to electronically notify the Department of Motor Vehicles, in a manner approved by the Commissioner, that a vehicle has been seized. A provision is added allowing a forfeiture proceeding to be stayed if it is also related to a warrant. The Department of Criminal Justice Services will be required to prepare an annual report to the Governor and General Assembly regarding information on all drug and nondrug asset seizures and forfeitures. The report shall be available to the public. This bill is a recommendation of the Virginia State Crime Commission. (16102895D, 16102898D)

**SB 457** (Carrico) (Passed Senate; HCT) changes the Commonwealth's burden of proof to clear and convincing evidence from preponderance of the evidence in proving that the property is subject to forfeiture in civil asset forfeiture cases. (16102622D)

### **Transportation**

**HB 1070** (Jones) (Passed House; STRAN) allows the Commonwealth to enter into agreements with other states to provide for the enforcement of tolling violations occurring in Virginia on out-of-state residents and to enforce tolling violations in other states on Virginia residents. Reciprocity agreements with other states would provide for notification of the Commissioner of the Department of Motor Vehicles (DMV) or other similar entity in another state so that violators who have not paid would have their registration suspended in accordance with the agreement. The bill allows for agreements between toll operators or high-occupancy toll (HOT) lanes operators and DMV to include necessary information to enforce reciprocity agreements. The bill states that a toll violation on the HOT lanes is a traffic infraction and that a HOT lanes operator shall mail the statutorily required invoice for unpaid tolls, as is the case for other toll violations. The bill clarifies references to the issuance of summonses for toll violations. The bill provides for a two-year statute of limitations for all toll violations. The bill contains technical amendments. (16104954D-H1)

### **Legislation Provided for Information**

**HB 1231** (Collins) (Passed House; SACNR) allows the district court to order the confinement indoors or in a securely enclosed and locked structure that prevents escape or direct contact with persons or other animals any dog that has been found to have injured or killed livestock or poultry. The bill requires a dog under such disposition to be leashed and muzzled when off the

owner's property. Under current law, the court is required to order that dogs found to be livestock or poultry killers be killed immediately or removed to another state and prohibited from returning to the Commonwealth. (16104040D)

**HB 264** (Davis) (Passed GA) prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The prohibition shall not affect contracts between a locality and another party that were executed prior to January 1, 2017, or the renewal or future rebids of services thereof. Also, localities shall not be prohibited from entering into contracts for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees. (16100770D-E)

**SB 41** (Carrico) (Passed Senate; HGL) provides that no individual authorized to solemnize any marriage shall be required to do so and no religious organization shall be required to provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization of any marriage if the action would cause the individual or organization to violate a sincerely held religious belief. The bill also provides that no liability shall arise from a refusal to solemnize a marriage or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization of any marriage and that the Commonwealth or its political subdivisions shall not take any other action to penalize such individual or organization for such a refusal. (16101522D-E)

**SB 109** (Petersen) (Passed Senate; House Floor) requires commissioners in eminent domain proceedings to be summoned at least 30 days prior to service. Under current law, such summons is required at least one week prior to service. (16103009D)

**SB 116** (Petersen) (Passed Senate; HAPP) establishes the Virginia-Korea Advisory Board to advise the Governor on ways to improve mutually beneficial trade relationships between the Commonwealth and the Republic of Korea (South Korea). The Board would expire on July 1, 2019. (16100875D)

**SB 646** (McDougle) (Passed GA) creates the Fantasy Contests Act (the Act), which applies to fantasy contests with an entry fee offered in Virginia. The bill defines "fantasy contest" as any fantasy or simulated game or contest in which (i) the value of all prizes and awards offered to winning participants is established and made known to the participants in advance of the contest; (ii) all winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individuals, including athletes in the case of sports events; and (iii) no winning outcome is based on the score, point spread, or any performance of any single actual team or combination of teams or solely on any single performance of an individual athlete or player in any single actual event. The bill requires a fantasy contest operator, as a conditions for registration, to establish procedures that including ensuring that individuals who participate in a game or contest that is the subject of a fantasy contest are restricted from entering a fantasy contest that

is determined, in whole or in part, on the accumulated statistical results of a team of individuals in the game or contest in which they are a participant. The bill requires operators of fantasy contests to register annually with the Department of Agriculture and Consumer Services and to contract with a testing laboratory to verify the procedures for fantasy contests. The bill sets forth penalties for violation of the Act. The bill provides that fantasy contests conducted in accordance with these measures are not illegal gambling. (16105621D-H1)

### **Administration of Government**

**HB 773** (Gilbert) (Passed House; Senate Floor) creates the Government Nondiscrimination Act (the Act), which prohibits a government entity from taking any discriminatory action against a person on the basis that such person believes, speaks, or acts in accordance with a sincerely held religious belief that marriage is or should be recognized as the union of one man and one woman and that the terms "man" and "woman" refer to an individual's immutable biological sex as objectively determined by anatomy and genetics of the individual at the time of birth. For purposes of the Act, discriminatory actions include actions that adversely affect the tax treatment of a person or that withhold or otherwise make unavailable any (i) grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, or employment; (ii) entitlement or benefit under a benefit program; or (iii) entitlement to utilize state property. The Act also provides that a person shall be considered to be validly accredited, licensed, or certified for any purpose under state law if such person would otherwise have been accredited, licensed, or certified but for a determination based upon such person's sincerely held religious belief or moral conviction. (16105495D-H1)

**HB 1371** (Miller) (Passed House; Senate Floor) provides that a locality shall not enact any policy that requires an employer within the locality to provide an employee with a wage or employment benefit that exceeds the requirements of state or federal law. Any such local policy shall be unenforceable. (16103889D)

**SB 737** (Obenshain) (Senate Floor) prohibits public employers from paying leave or benefits to any public employee to directly or indirectly work for or on behalf of an employee organization, professional association, labor union, or labor organization. A violation is a Class 5 felony. (16105133D-S1)

### **Education**

**HB 389** (LaRock) (Passed House; SFIN) permits the parents of certain students with disabilities to apply to their resident school division for a Parental Choice Education Savings Account, to consist of the student's Standards of Quality per pupil funds and to be used for certain expenses of the student, including (i) tuition, fees, or required textbooks at a private elementary or secondary school or preschool that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin; (ii) educational therapies or services for the student from a practitioner or provider, including paraprofessionals or educational aides; (iii) tutoring services; (iv) curriculum; (v) tuition or fees for a private online learning program; (vi) fees for a nationally standardized norm-referenced achievement test, an

Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; or (vii) tuition fees or required textbooks at a public two-year or four-year institution of higher education in the Commonwealth or at an accredited private institution of higher education in the Commonwealth. The bill also contains provisions for the audit and revocation of such accounts. (16105467D-H1)

**HB 357** (Loupassi) (Passed GA) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2018-2019 school year. The current requirement for a program of physical activity available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year is not changed. (16100009D)

**SB 211** (Miller) (Passed GA) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2018-2019 school year. The current requirement for a program of physical activity available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year is not changed. (16101487D)

**HB 131** (Bell, Robert B.) (Passed GA)/ **SB 612** (Garrett) (Passed GA) prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) receives home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill provides that no local school board is required to establish a policy to permit students who receive home instruction to participate in interscholastic programs. The bill permits reasonable fees to be charged to students who receive home instruction to cover the costs of participation in such interscholastic programs, including the costs of additional insurance, uniforms, and equipment. The bill has an expiration date of July 1, 2021. (16102337D, 16103767D)

**HB 954** (Keam) (Passed GA) requires each local school division's policies and procedures regarding the identification and handling of suspected concussions in student-athletes to include a "Return to Learn Protocol" that requires school personnel to be alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury, including (i) difficulty with concentration, organization, and long-term and short-term memory, (ii) sensitivity to bright lights and sounds, and (iii) short-term problems with speech and language, reasoning, planning, and problem solving, and to accommodate the gradual return to full participation in academic activities of a student who has suffered a

concussion or other head injury as appropriate, based on the recommendation of the student's licensed health care provider as to the appropriate amount of time that such student needs to be away from the classroom. The bill also broadens the scope of the "Return to Learn Protocol" in the Board of Education's guidelines for school division policies and procedures on concussions in student-athletes to require school personnel to (i) be alert to cognitive and academic issues that may be experienced by a student who has suffered a concussion or other head injury and (ii) accommodate the gradual return to full participation in academic activities of a student who has suffered a concussion or other head injury. Under current law, the "Return to Learn Protocol" only imposes such requirements on school personnel with respect to student-athletes. (16100630D)

**HB 1234** (Lingamfelter) (Passed House; Senate Floor) authorizes a school security officer to carry a firearm in the performance of his duties if he is a retired law-enforcement officer and the local school board grants him the authority to carry a firearm in the performance of his duties. (16104073D)

**HB 1377** (LeMunyon) (Passed House; Senate Floor) provides that any time the number of students in a class exceeds the statutorily prescribed class size limit, the local school division shall notify the parent of each student in such class of such fact no later than 10 days after the date on which the class exceeded the class size limits. The bill requires such notification to state the reason that the class size exceeds the class size limit and describe the measures that the local school division will take to reduce the class size to comply with the limit. (16105430D-H1)

**SB 224** (Miller) (Passed Senate; HED) requires each school board, by July 1, 2017, to develop and implement a policy to prohibit the use of tobacco products on a school bus, on school property, or at a school-sponsored activity. The bill also replaces the term "electronic cigarette" with a defined term, "nicotine vapor product." (16101813D)

**SB 360** (Howell) (Passed Senate; House Floor) requires the Superintendent of Public Instruction to develop and implement a system to track teacher turnover and to annually report his findings to the General Assembly and the Governor. (16101735D)

**SB 740** (Surovell) (Passed Senate; HED) prohibits school boards requiring the use of any electronic textbook in any course in grades six through 12 unless the school board adopts a plan to ensure that by July 1, 2019, (i) each student enrolled in such course will have access to a personal computing device capable of supporting such textbooks and (ii) the relevant school has adequate connectivity, which the bill defines as bandwidth of at least one megabit per second per student. The bill permits a local school board to establish a pilot program for the use of electronic textbooks at any secondary school in the local school division, provided that (a) each student at the secondary school has access to a personal computing device capable of supporting such textbooks, (b) each student at the secondary school has access to adequate connectivity, and (c) the secondary school is receiving federal funds pursuant to Title I of the federal Elementary and Secondary Education Act of 1965 or no more than five percent of the

students in the local school division or 300 students, whichever is greater, participate in the pilot program. (16105573D-S1)

**HJ 112** (Landes) (Passed GA)/ **SJ 85** (Deeds) (Passed Senate; HRUL) establishes a two-year joint committee consisting of seven members of the House Committee on Education and five members of the Senate Committee on Education and Health to study the need for revisions to or reorganization of the standards of quality set forth in Chapter 13.2 (§ 22.1-253.13:1 et seq.) of the Code of Virginia, with a particular emphasis on the role that the effective use of educational technology plays in ensuring that an educational program of high quality that meets the standards of quality is established and continually maintained. (16102865D, 16102585D)

### **Elections**

**HB 104** (O'Bannon) (Governor's Recommendation Received by House)/ **SB 315** (Dance) (Passed Senate; HPE) provides that if a voting or counting machine secured by removal of a data storage device containing the only record of votes cast for any office or on any question and the machine itself does not contain such a record, that machine is not required to remain locked and sealed until the deadline to request a recount has passed or any contest or recount has been concluded. The sealed envelopes containing the equipment keys for such machines are required to be delivered to the electoral board no later than noon on the day following the election. The bill also provides that the requirements for locking and sealing voting equipment do not apply to any ballot marking device and its data storage device provided to meet accessibility requirements, where the number of persons voting in the election or the number of votes cast for any office or on any question are not recorded by the ballot marking device. All other voting systems are subject to current provisions for the locking and sealing of equipment. (16101461D, 16101528D)

**HB 832** (Landes) (Passed House; Senate Floor)/ **SB 308** (Hanger) (Passed Senate; HPE) allows the governing body of a county or city in which a vacancy in a constitutional office has occurred to request in its petition for a writ of election that the circuit court order the special election to be held at the next ensuing general election and allows the court to issue such writ. The bill also authorizes the governing body to petition the circuit court to request that no special election be ordered when the vacancy occurs within the 12 months immediately preceding the end of the term of that office and requires the court to grant such a request. The bill also contains technical amendments. (16103844D, 16103711D)

**SB 43** (Carrico) (Passed Senate; HPE) clarifies that a city or town may move the time of its local elections pursuant to statutory authority notwithstanding any contrary provisions of its charter. (16101686D)

**SB 89** (Marsden) (Passed Senate; HPE) requires the posting of minutes of the local electoral boards' meetings on the local electoral board's website or the official website of the county or city. Draft meeting minutes are required to be posted no later than 10 days after the meeting



and final approved meeting minutes are required to be posted within three working days of approval. (16100826D-E)

**SB 664** (Surovell) (Passed Senate; HPE) provides that the names of candidates for school boards shall be listed on the ballot in an order determined by the order of the priority of time of filing for that office. Currently, all candidates not nominated by a political party or a recognized political party are listed on the ballot in alphabetical order. The bill contains technical amendments. (16100725D-E)

**SB 686** (Petersen) (Passed Senate; HPE) prohibits a political party holding a presidential primary from requiring voters to sign any pledge when offering to vote in that primary. Current law allows the political party to determine the requirements for participation in its primary, including the requirement that a voter sign a pledge of his intention to support the party's candidate. The bill contains an emergency clause. (16104183D)

### **Energy**

**HB 1053** (Kilgore) (Passed House; SCL) directs the State Corporation Commission (SCC) to evaluate the establishment of uniform protocols for measuring, verifying, validating, and reporting the impacts of energy efficiency measures implemented by investor-owned electric utilities and the establishment of a methodology for estimating annual kilowatt savings for such energy efficiency measures. The SCC shall submit a report of its findings and recommendations to the Governor and the General Assembly by December 1, 2016. (16105453D-H1)

**SB 136** (Favola) (Passed GA) requires the State Corporation Commission (SCC) to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any county or municipality through which the line is proposed to be built. Currently the SCC is required to conduct a hearing in the affected area if requested by 20 or more interested parties. The measure also provides that the affected localities are given the same protections whenever a significantly different route is deemed desirable by the SCC. (16101617D)

**SB 748** (Wagner) (Passed Senate; HLC) authorizes an electric or natural gas public utility to conduct an Economic Development Program. Under such a Program, the utility is authorized to acquire utility right of way for a qualified economic development site. The measure establishes criteria for the Virginia Economic Development Partnership Authority to certify that a site is a qualified economic development site. The State Corporation Commission (SCC) is authorized to approve a proposal for a Program that satisfies certain conditions, including a finding that implementation of the Program will provide material economic development benefits that might not otherwise be attained absent its approval. A utility's capital investment is capped at \$10 million in the aggregate of all of the utility's Programs and at \$5 million for any specific qualified economic development site. The Commission's approval of a proposed Program authorizes the utility to recover costs incurred in implementing the Program through a rate adjustment clause. The SCC's approval is contingent on finding that the associated charges

resulting from implementation of the Program will not in the aggregate impact an average residential consumer by more than one dollar on an annual basis. The measure does not permit a utility to convert existing retail propane customers to electric or natural gas. (16105172D-ES1)

### **Environment**

**HB 1250** (Wilt) (Passed House; SACNR) / **SB 673** (Hanger) (Passed GA) combines existing statutory programs relating to soil erosion and stormwater management and operated by localities, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff. Also, directs depositing charges or penalties to the Stormwater Local Assistance Fund and DEQ to evaluate fees for erosion and stormwater management. (16103814D, 16104330D)

**SB 443** (Hanger) (Passed Senate; House Floor) directs the State Water Control Board (the Board) to establish a system for priority consideration of an application for a land conversion project, with a \$10,000 fee. The Department of Environmental Quality will be required to review such a priority application ahead of normal applications and approve it within 30 days. The bill also directs the Board to certify credits that are located in tributaries outside the Chesapeake Bay Watershed. (16102219D-E)

### **Freedom of Information Act**

**SB 202** (Stuart) (Passed Senate; HGL) Provides that public access to records of the official salaries or rates of pay of public employees whose annual rate of pay is the annual equivalent of twice the federal minimum wage or less is not required under FOIA. Currently, public access to salary information is required for public employees whose annual rate of pay is more than \$10,000. The bill also provides that publicly available databases of public employees' salaries shall not include the name of any public officer, appointee, or employee. The bill contains a technical amendment. (16100443D)

**SB 645** (McPike) (Passed Senate; HGL) defines the terms "critical infrastructure," "government infrastructure," "interdependency," and "security information" for purposes of FOIA and revises the related FOIA public safety record exemption to incorporate those terms. The bill also sets out conditions precedent in cases where a custodian of any public safety records elects to exercise his discretion to release such records. The bill contains technical amendments. (16103916D)

**SB 727** (McDougle) (Passed GA) clarifies public access to noncriminal records maintained by public bodies engaged in criminal law-enforcement activities. The bill reverses an April 2015 Virginia Supreme Court decision in *Fitzgerald v. Loudoun County Sheriff's Office*, which held that a noncriminal record must be a compilation in order for the exemption for noncriminal records to apply. The bill was also the subject of a Virginia Freedom of Information Advisory Council opinion (AO-08-15) concerning this exemption, which highlighted the need for

clarification of this exemption based on the Fitzgerald holding. This bill incorporates SB 676. (16105373D-S1)

### **Health and Human Services**

**HB 312** (Orrock) (Passed GA) directs the Department of Health to work with stakeholders, which shall include representatives of hospitals and other health care providers in the Commonwealth, to (i) evaluate interoperability of electronic health records systems between health systems and health care providers and the ability of health systems and health care providers to share patient records in electronic format and (ii) develop recommendations for improving the ability of health systems and health care providers to share electronic health records with the goal of ensuring that all health care providers in the Commonwealth are able to share electronic health information to reduce the cost of health care and improve the efficiency of health care services. The Department shall report its findings and recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2016. The bill contains an emergency clause. (16104617D-H1)

**HB 314** (Orrock) (Passed GA) provides that a prescriber may authorize an employee of a school for students with disabilities as defined in § 22.1-319 licensed by the Board of Education, or a private school accredited in accordance with standards prescribed by the Board of Education pursuant to § 22.1-19 by a state-recognized accrediting member approved by the Virginia Council for Private Education who is trained in the administration of insulin and glucagon to assist with the administration of insulin or administer glucagon to a student diagnosed as having diabetes and who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia pursuant to a written order or standing protocol and provides immunity from civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment to such employees, provided that the insulin is administered in accordance with the child's medication schedule or such employee has reason to believe the individual receiving the glucagon is suffering or about to suffer life-threatening hypoglycemia. The bill also allows nurse practitioners and physician assistants to provide training programs on the administration of drugs to students of private schools accredited in accordance with standards prescribed by the Board of Education by state-recognized accrediting members approved by the Virginia Council for Private Education. (16104564D-H1)

**HB 350** (Byron) (Passed House; SEH) makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill removes various behavioral health facilities from the list of medical care facilities and projects subject to the requirement of a certificate of public need and makes various changes to procedures governing the certificate of public need process including (i) defining "charity care" for purposes of the certificate of public need program; (ii) establishing an expedited 45-day review process for applicants for projects determined by the Department of Health (the Department) to be uncontested and to present minimal health planning impacts and for which the applicant agrees to comply with quality assurance requirements established by the Board of Health (the Board) and consents to provide

charity care in an amount specified by the Board; (iii) establishing an expedited 120-day review process for applicants for projects identified by the Department to be uncontested and to present limited health planning impacts that require an intermediate level of scrutiny and for which the applicant agrees to comply with quality assurance requirements established by the Board and consents to provide charity care in an amount specified by the Board; (iv) clarifies the content of a completed application for a certificate; (v) eliminates the requirement for a public hearing on applicants for certificates; (vi) reduces the timeline from 80 calendar days to four days for a person to be made party to the case for good cause following completion of the review and submission of recommendations related to an application; (vii) requires the Department to establish a website to make information about the certificate of public need program, including information about letters of intent received by the Department, available to the public; and (viii) establishes a permit process for projects that are no longer subject to the requirement for a certificate of public need which includes provisions for charity care requirements and quality assurance. The bill also (a) directs the Secretary of Health and Human Resources to review requirements governing imposition and satisfaction of charity care requirements for certificates of public need, including provisions for defining charity care and calculating the amount and value of charity care required and provided, develop recommendations for standardizing and enforcing such requirements, and report his recommendations to the Governor and the General Assembly by December 1, 2016, and (b) requires the Department to work cooperatively with Virginia Health Information to develop a process for the collection of utilization data for recipients of certificates of public need describing specific types of equipment utilized. (16105312D-H1)

**HB 477** (Cox) (Passed GA) authorizes the Virginia Public Building Authority to issue bonds in the amount of \$29.3 million plus financing costs to construct veterans care centers in Northern Virginia and Hampton Roads. (16102049D)

**HB 543** (Watts) (Passed House; Senate Floor)/ **SB 566** (Barker) (Passed Senate; House Floor) clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other officer in charge of the local correctional facility where the inmate is incarcerated. (16102369D, 16103564D)

**HB 648** (Knight) (Passed GA) provides for the State Health Commissioner to develop a procedure for processing requests to approve an installed treatment works. The bill authorizes the Commissioner or his agent to approve a nonconforming treatment works under certain conditions and for an owner of real property to accept a voluntary upgrade as a condition for the approval of a nonconforming treatment works. In addition, the bill designates persons who may certify that the sewage treatment available for a building is safe, adequate, and proper. (16103556D)

**SB 422** (Vogel) (Passed Senate; HFIN) increases from \$9 million to \$11 million the maximum amount of tax credits that may be issued each year by the Superintendent of Public Instruction for education-related programs and increases from \$8 million to \$11 million the maximum amount of tax credits that may be issued each year by the Commissioner of the State

Department of Social Services for all other programs. The increases are effective beginning with fiscal year 2017.

The bill eliminates the requirement that at least 10 percent of the available amount of neighborhood assistance tax credits each year must be reserved for nonprofit organizations that did not receive an allocation of such credits in the preceding year.

For credit allocations beginning in fiscal year 2016-2017 from the Department of Social Services, the requirement that at least 50 percent of the persons served by a neighborhood organization be low-income persons does not apply if the neighborhood organization is primarily operated to provide on-site services to individuals with intellectual or developmental disabilities. (16101917D-E)

### **Land Use**

**HB 746** (Bell, John J.) (Passed GA) requires the disclosure to purchasers of the zoning classification or permitted uses of parcels adjacent to the parcel that is being purchased. (16102880D)

### **Firearms**

**HB 766** (Gilbert) (Passed GA) authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. The bill provides that if the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a \$25 civil penalty. (16100429D-E)

### **Public Safety/Criminal Justice**

**HB 1160** (Bell, Robert B.) (Passed House; SCT)/ **SB 291** (Black) (Passed Senate; House Floor) establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit

forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights. (16104138D, 16104943D-S1)

**HB 1197** (Stolle) (Passed Senate; SCT) prohibits the Commonwealth from publishing on a publically accessible website the personal information of any law-enforcement officer without first obtaining written permission from such law-enforcement officer. The bill provides that it is a Class 1 misdemeanor for any person to publish, sell, solicit, or trade on the Internet the personal information of any law-enforcement officer or his immediate family member knowing that he is a law-enforcement officer and with the intent to cause imminent bodily harm or the threat of imminent bodily harm to such individual. The bill contains a technical amendment. (16103488D)

**SB 39** (Carrico) (Passed Senate; HGL) makes it a Class 1 misdemeanor for any person to whom an alcoholic beverage may not lawfully be sold (persons who are under age 21, interdicted, or intoxicated) to knowingly transport alcoholic beverages. Under current law the purchase, possession, or consumption of alcohol by such persons is a Class 1 misdemeanor. (16100620D-E)

**SB 128** (Edwards) (Passed Senate; House Floor) requires an insurance company to disclose the physical address of an alleged tortfeasor upon request of an injured person, personal representative, or attorney in a cause of action for personal injury or wrongful death due to a motor vehicle accident within 30 days of the request. (16104913D-S1)

**SB 281** (Wexton) (Passed GA) removes the authority of the mayor to take command of the police during emergencies and deputize assistant policemen to maintain order and enforce laws during such emergency. (16102517D)

### **Taxation**

**SB 690** (Petersen) (Passed GA) authorizes treasurers, commissioners of the revenue, and other local tax officials to convey tax bills and other tax documents via electronic means, with the consent of the taxpayer, in lieu of mailing the bill or document. Current law only authorizes the treasurer to convey tax bills via electronic means. The bill also clarifies that consent of the taxpayer may be obtained electronically, so long as the taxpayer's identity is reasonably verified. (16104192D)

## **Transportation**

### *Miscellaneous*

**HB 97** (Cole) (Passed House; Senate Floor) directs the Department of Transportation to conduct an evaluation with the Fredericksburg Area Metropolitan Planning Organization to address traffic congestion on the Interstate 95 corridor in the George Washington Regional Commission Region. (16105221D-H1)

**HB 407** (Bulova) (Passed House; STRAN) prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation prior to January 1, 2020. (16102796D)

**HB 728** (LeMunyon) (Passed House; Senate Floor) requires that the results of Department of Transportation reviews of proposed local comprehensive plan amendments for issues related to homeland security be provided concurrently to the submitting locality and the Northern Virginia Transportation Authority. (16102290D)

**HB 1060** (Hugo) (Passed House; Senate Floor) provides that localities in Planning District 8 shall establish by ordinance (i) an initial hookup and towing fee of at least \$135; (ii) an additional fee of at least \$25 for towing at night, on weekends, or on a holiday; and (iii) that no fee pursuant to clause (ii) shall be charged more than twice for a tow. Under current law, \$135 is the maximum hookup and initial towing fee and \$25 is the permissible charge for towing at night, on weekends, or on a holiday. (16103047D)

**HB 1383** (Keam) (Passed House; Senate Floor) requires the Commissioner of Highways to make his annual report public in an accessible format. Currently such report is only provided to the Governor, the General Assembly, the Joint Legislative Audit and Review Commission, and the Commonwealth Transportation Board. The bill requires such report to include all aspects of traffic modeling and any cost-benefit analyses performed. (16103446D)

### *Transportation Funding*

**HB 1122** (Bloxom) (Passed GA)/ **SB 46** (Carrico) (Passed GA) extends through fiscal year 2020-2021 the annual transfer of \$9.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund. Under current law, the transfer would cease in fiscal year 2016-2017. (16102808D, 16102284D-E)

### *Hampton Road Transportation Accountability Commission*

**HB 1111** (Villanueva) (Passed House; SFIN) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on

administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year. (16103721D)

**SB 476** (Wagner) (Passed Senate; HAPP) ensures that the moneys in the Hampton Roads Transportation Fund are distributed to the Hampton Roads Transportation Accountability Commission and allows the Commission to invest moneys in excess of those required to meet current needs in accordance with applicable law. Allows the Hampton Roads Transportation Accountability Commission to spend Hampton Roads Transportation Fund moneys on administrative and operating expenses and removes the requirement that, if no other funds are available, administrative expenses of the Commission be allocated among the localities within Planning District 23 on the basis of relative population. The bill states that it does not result in the expiration of the contingently effective provisions of Chapter 896 of the Acts of Assembly of 2007 or Chapter 766 of the Acts of Assembly of 2013. The bill allows an elected official of any of the four counties embraced by the Hampton Roads Transportation Accountability Commission who serves on the county's governing body and has been appointed by resolution of such governing body to represent the county on the Commission to serve on the Commission. Currently, only the chief elected officer of such county may serve on the Commission. The bill also allows a member representing a city or county to designate a current elected officer of the same governing body to serve in his place on the Commission after making such designation to the Chairman and limits such designation to two meetings or 25% percent of the Commission's meetings per year. (16103742D)

Attachments: Supplementary documents

cc: Joe Mondoro, Chief Financial Officer  
Patricia Harrison, Deputy County Executive  
David J. Molchany, Deputy County Executive  
Dave Rohrer, Deputy County Executive  
Robert A. Stalzer, Deputy County Executive  
David P. Bobzien, County Attorney  
Catherine A. Chianese, Assistant County Executive and Clerk to the Board  
Richmond Team  
Tom Biesiadny, Director, Department of Transportation  
Gail Langham, Deputy County Attorney



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March 1, 2016

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**FAIRFAX COUNTY  
LEGISLATIVE SUMMARY**

***2016 GENERAL ASSEMBLY***

February 27, 2016

# Fairfax County Legislative Summary 2016 General Assembly

## Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	<b>Bold</b> = Date Position taken by full Board of Supervisors <b>[ ]</b> = Date position taken by BOS Legislative Committee <i>Italics</i> = <i>Date position recommended by staff</i>
<a href="#"><b>HB 589</b></a> - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.	1/10/2006 House: Referred to Committee on Transportation	<b>12/5/2005</b>
<b>Initiate</b> (067916260) <b>Summary:</b> Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."		

**Bold = Board Position**, **[ ]** = BOS Legislative Committee Position, *Italics=Staff Recommended Position Changes* (LD No. is version of bill on which position was taken)  
**Summary** -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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<a href="#"><u>HB 237</u></a> Lingamfelter, L	Absentee voting by electronic means; overseas military voters.
<a href="#"><u>HB 308</u></a> Morris, R	Virginia Freedom of Information Act; use of government email accounts required.
<a href="#"><u>HB 354</u></a> Greason, T	Lyme disease; prevention pilot program.
<a href="#"><u>HB 370</u></a> Poindexter, C	Elections; run-off elections for statewide offices and United States Senate.
<a href="#"><u>HB 380</u></a> Marshall, R	Interstate 66; tolls prohibited from Haymarket to Interstate 495.
<a href="#"><u>HB 391</u></a> Krizek, P	Motor vehicle title loan offices; distance from military base.
<a href="#"><u>HB 429</u></a> Villanueva, R	Virginia Human Rights Act; public employment, prohibited discrimination.
<a href="#"><u>HB 449</u></a> Taylor, S	VPPA; procurement of construction by certain localities using competitive negotiation.
<a href="#"><u>HB 464</u></a> Hope, P	Behavioral Health and Developmental Services Trust Fund; use of funds.
<a href="#"><u>HB 474</u></a> Filler-Corn, E	Child-care providers; criminal history background checks.
<a href="#"><u>HB 479</u></a> Kory, K	Water pollution; signage notice to public.
<a href="#"><u>HB 495</u></a> Simon, M	Synthetic turf; three-year moratorium on installation at schools and parks.
<a href="#"><u>HB 532</u></a> Murphy, K	Composite index of local ability to pay; additional factors to be considered.
<a href="#"><u>HB 544</u></a> Watts, V	Retail sales and transient occupancy taxes; taxes on room rentals.
<a href="#"><u>HB 546</u></a> Watts, V	Certain counties; additional powers.

<a href="#"><u>HB 547</u></a> Watts, V	Standards of Quality; apportionment of state and local share.
<a href="#"><u>HB 589</u></a> Campbell, J	Social Services, Department of; filing of petitions by designated nonattorney employees.
<a href="#"><u>HB 594</u></a> Marshall, R	Traffic or motor vehicle laws; enforcement of laws, marked law-enforcement vehicles.
<a href="#"><u>HB 631</u></a> Bell, J	Tolling on Interstate 66.
<a href="#"><u>HB 634</u></a> Bell, J	Payday loan offices and motor vehicle title loan offices; distance from military installation.
<a href="#"><u>HB 636</u></a> Marshall, III, D	Clerk of circuit court; recordation of certain deeds.
<a href="#"><u>HB 650</u></a> Marshall, R	Local government; mandatory provisions of a subdivision ordinance, notice to homeowner associations.
<a href="#"><u>HB 712</u></a> Marshall, R	Interstate 66; tolls prohibited from Haymarket to Interstate 495.
<a href="#"><u>HB 713</u></a> Marshall, R	Interstate 66; advisory referendum on collection of tolls.
<a href="#"><u>HB 717</u></a> LeMunyon, J	Transportation projects; evaluation of in Northern Virginia.
<a href="#"><u>HB 720</u></a> LeMunyon, J	Transportation projects in Planning District 8; public hearings.
<a href="#"><u>HB 721</u></a> LeMunyon, J	Toll Facilities Revolving Account; statewide prioritization process.
<a href="#"><u>HB 722</u></a> LeMunyon, J	Tolls; prohibits imposition or collection of tolls on certain highways in Planning District 8.
<a href="#"><u>HB 723</u></a> LeMunyon, J	NOVA; transfer of powers and duties to NOVA Authority.
<a href="#"><u>HB 725</u></a> LeMunyon, J	Northern Virginia Transportation Commission; membership.
<a href="#"><u>HB 726</u></a> LeMunyon, J	Northern Virginia Excess Toll Revenue Fund; created.
<a href="#"><u>HB 732</u></a> LeMunyon, J	State and local transportation planning; review of proposed rezoning, impact on roads.
<a href="#"><u>HB 764</u></a> Yost, J	Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program; created.
<a href="#"><u>HB 774</u></a> Gilbert, C	Conditions of release; pretrial services agency.
<a href="#"><u>HB 776</u></a> Gilbert, C	Conditions of release; pretrial services agency.
<a href="#"><u>HB 787</u></a> Adams, L	Construction activities; acquisition of nutrient credits.
<a href="#"><u>HB 792</u></a> James, M	Virginia Pathway to Middle Class: Noncredit Workforce Credentials Act; established, report.

<a href="#"><u>HB 800</u></a> Morris, R	Virginia Freedom of Information Act; audio recording of closed meetings required.
<a href="#"><u>HB 828</u></a> Torian, L	TANF eligibility; drug-related felonies.
<a href="#"><u>HB 836</u></a> Cline, B	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
<a href="#"><u>HB 841</u></a> Webert, M	Interstate 66; prohibits tolls on any component.
<a href="#"><u>HB 853</u></a> Cline, B	Traffic lights; use of photo-monitoring systems.
<a href="#"><u>HB 901</u></a> Marshall, R	Northern Virginia Transportation Authority; use of certain revenues.
<a href="#"><u>HB 913</u></a> Toscano, D	Discrimination; prohibited in employment and housing.
<a href="#"><u>HB 916</u></a> Bulova, D	Interstate 66; prohibits imposition or collection of tolls on any component.
<a href="#"><u>HB 941</u></a> Toscano, D	Clean energy programs; expands scope by including certain residential properties.
<a href="#"><u>HB 949</u></a> Kearney, M	Northern Virginia Transportation Authority (NVTA); membership composition.
<a href="#"><u>HB 960</u></a> Carr, B	Fines under certain local ordinances; payment to local school division and Literary Fund.
<a href="#"><u>HB 977</u></a> Lopez, A	State waters; unlawful discharge of deleterious substance into waters.
<a href="#"><u>HB 992</u></a> Lopez, A	TANF eligibility; drug-related felonies.
<a href="#"><u>HB 998</u></a> Levine, M	Law-enforcement agencies, local; body-worn cameras.
<a href="#"><u>HB 1004</u></a> Levine, M	Provisional voting; voter photograph taken at polling place.
<a href="#"><u>HB 1008</u></a> Levine, M	Motor vehicle fuels; sales tax in certain transportation districts, price floor.
<a href="#"><u>HB 1043</u></a> Rasoul, S	Reckless driving; raises threshold for speeding.
<a href="#"><u>HB 1085</u></a> Bulova, D	Stormwater Local Assistance Fund; established.
<a href="#"><u>HB 1125</u></a> Loupassi, G	Number of judges; general district court; 25th Judicial District.
<a href="#"><u>HB 1140</u></a> Ransone, M	Subdivision plats; approval before recordation.
<a href="#"><u>HB 1143</u></a> Lindsey, J	Body-worn cameras; required policies.
<a href="#"><u>HB 1144</u></a> Cole, M	Local taxes; interest on refunds.
<a href="#"><u>HB 1164</u></a> Morris, R	Local stormwater utility; waiver of charges for church or religious body.

<a href="#"><u>HB 1206</u></a> Greason, T	Comprehensive community colleges; Noncredit Workforce Credentials Act.
<a href="#"><u>HB 1216</u></a> Aird, L	Elections; absentee voting by persons age 65 or older.
<a href="#"><u>HB 1243</u></a> Marshall, R	Interstate 66; referendum for tolling.
<a href="#"><u>HB 1244</u></a> Marshall, R	Interstate 66; referendum for tolling.
<a href="#"><u>HB 1268</u></a> Taylor, S	Limited Residential Lodging and Short-term Rental Lodging Act; established, penalty.
<a href="#"><u>HB 1278</u></a> Levine, M	Washington Metropolitan Area Transit Authority Compact of 1966; membership.
<a href="#"><u>HB 1293</u></a> Hugo, T	Employee grievance procedure, local; impartial panel hearing, etc.
<a href="#"><u>HB 1327</u></a> Davis, G	Local law-enforcement agencies; body-worn cameras.
<a href="#"><u>HB 1337</u></a> James, M	Local fiscal stress; task force appointed by Governor to review state mandates imposed on locality.
<a href="#"><u>HB 1374</u></a> Bulova, D	Interstate 66; Commonwealth Transportation Board may impose tolls to use.
<a href="#"><u>HB 1382</u></a> Keam, M	Real property tax; tax on commercial and industrial property in certain localities.
<a href="#"><u>HJ 110</u></a> LeMunyon, J	Interstate 66; Secretary of Transportation to study tolling alternatives.
<a href="#"><u>HJ 124</u></a> Hugo, T	Unaccompanied alien minors; reimbursement to Fairfax County for cost.
<a href="#"><u>HJ 136</u></a> Sickles, M	United States Constitution; ratifies Equal Rights Amendment that was proposed by Congress in 1972.
<a href="#"><u>HJ 149</u></a> Sickles, M	Motor vehicle title loans; Bureau of Financial Inst of State Corporation Commission to study.
<a href="#"><u>SB 208</u></a> Garrett, T	Statewide Fire Prevention Code; authorizes use of consumer fireworks, penalties.
<a href="#"><u>SB 234</u></a> Petersen, J	Interstate 66; tolls on existing components east of mile marker 67 prohibited.
<a href="#"><u>SB 238</u></a> Petersen, J	Virginia Property Owners' Association Act; home-based businesses.
<a href="#"><u>SB 258</u></a> Surovell, S	Commonwealth Transportation Board; voting weighted by population.
<a href="#"><u>SB 295</u></a> Lucas, L	Toll violations at all-electronic toll facilities; administrative fees and period of nonpayment.
<a href="#"><u>SB 405</u></a> Vogel, J	Tolling additional capacity and designations of HOV and HOT lanes on Interstate 66.
<a href="#"><u>SB 426</u></a> Vogel, J	Virginia Community Impact Authority and Fund; created, report.

<a href="#"><u>SB 469</u></a> Wagner, F	Local stormwater utility; payment to best management practice (BMP) operator accepting runoff.
<a href="#"><u>SB 471</u></a> Wagner, F	Commonwealth Transportation Board; increases regional membership.
<a href="#"><u>SB 477</u></a> Wagner, F	Motor vehicle fuels; sales tax in certain transportation districts, price floor.
<a href="#"><u>SB 484</u></a> DeSteph, Jr., B	Stormwater management regulations; water quality and quantity design criteria.
<a href="#"><u>SB 490</u></a> DeSteph, Jr., B	Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.
<a href="#"><u>SB 516</u></a> McPike, J	Tolls; use for additional lanes on interstate highways.
<a href="#"><u>SB 547</u></a> Edwards, J	Water and sewer service; certain liens for delinquent charges.
<a href="#"><u>SB 575</u></a> Ruff, Jr., F	Comprehensive community colleges; noncredit workforce credentials.
<a href="#"><u>SB 581</u></a> McEachin, A	Discharge of deleterious substance into state waters; notice.
<a href="#"><u>SB 681</u></a> Vogel, J	Annexation moratorium; extends for city annexations and county immunity actions.
<a href="#"><u>SB 735</u></a> Obenshain, M	Local planning commission; action on proposed plat, commercial real estate.
<a href="#"><u>SB 751</u></a> DeSteph, Jr., B	Limited Residential Lodging and Short-term Rental Lodging Act; penalty.
<a href="#"><u>SB 778</u></a> Barker, G	Use of handheld personal communications devices while driving; penalty.

## ***Fairfax County Initiatives***

### ***Bills Introduced at Fairfax County's Request***

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>HB 541</u></a> - Watts (39) Juveniles; disclosure of law-enforcement records.</p>	<p>1/9/2016 House: Referred to Committee for Courts of Justice 1/27/2016 Criminal Law Subcommittee recommends reporting (8-Y 0-N) 2/3/2016 House: Reported from Courts of Justice (21-Y 0-N) 2/9/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/10/2016 Senate: Referred to Committee for Courts of Justice 2/22/2016 Senate: Reported from Courts of Justice (14-Y 0-N) 2/24/2016 Passed Senate (40-Y 0-N) 2/25/2016 House: Bill text as passed House and Senate (HB541ER) 2/25/2016 House: Signed by Speaker 2/26/2016 Senate: Signed by President</p>	<p>2/2/2016</p>
<p><b>Initiate</b> (16101947D) <b>Summary:</b> Law-enforcement records concerning juveniles; disclosure. Allows the disclosure of law-enforcement records concerning a juvenile who is referred to a court services unit-authorized diversion program. The bill prohibits further disclosure of such records by the diversion program or participants in the program. Law-enforcement officers may prohibit disclosure to protect a criminal investigation or intelligence information.</p>		
<p><a href="#"><u>HB 1032</u></a> - Sickles (43) Vehicle registration; locality may impose penalty on owner annually as long as vehicle unregistered.</p>	<p>1/13/2016 House: Referred to Committee on Transportation 1/28/2016 House: Reported from Transportation (21-Y 0-N) 2/2/2016 House: VOTE: PASSAGE (89-Y 8-N) 2/3/2016 Senate: Referred to Committee on Transportation 2/17/2016 Senate: Reported from Transportation (9-Y 3-N 1-A) 2/22/2016 Passed Senate (28-Y 12-N) 2/22/2016 Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/22/2016 Passed Senate (25-Y 14-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB1032ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016</p>	<p>2/2/2016</p>
<p><b>Initiate</b> (16103965D) <b>Summary:</b> Vehicle registration. Clarifies that a locality may impose a penalty of up to \$250 upon the resident owner annually for as long as the motor vehicle remains unregistered in Virginia.</p>		



***Fairfax County Positions***  
***(Oppose or Amend)***

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>HB 9</u></b> - Cole (88) Voter registration; required information on application form.</p>	<p>11/16/2015 House: Referred to Committee on Privileges and Elections 2/2/2016 House: Subcommittee recommends reporting with amendment(s) (5-Y 2-N) 2/5/2016 House: Reported from Privileges and Elections with amendments (14-Y 7-N) 2/9/2016 House: Committee amendments agreed to 2/10/2016 House: VOTE: PASSAGE (64-Y 31-N) 2/11/2016 Referred to Committee on Privileges and Elections 2/11/2016 Senate: Referred to Committee on Privileges and Elections 2/23/2016 Senate: Reported from Privileges and Elections with amendments (7-Y 6-N) 2/26/2016 Passed Senate with amendments (22-Y 18-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16100569D) - Could create additional burden for voters. <b>Summary:</b> Voter registration; application; form and required information. Specifies in greater detail the information that applicants for voter registration are required to provide on the voter registration application form. The bill also requires the general registrars to deny the application of any applicant who fails to provide his first and last name or his date of birth; fails to provide his social security number or indicate that he does not have a social security number; fails to provide his citizenship status or provides that he is not a U.S. citizen; fails to provide his residence address or indicate rural residence location or homelessness; fails to provide information regarding the circumstances of restoration of his voting rights after felony convictions, if any, or adjudications of mental incapacity, if any; fails to provide previous voter registration information or indicate lack thereof; or fails to indicate that he will be, or indicates that he will not be, at least 18 years of age on or before the date of the next general election.</p>		
<p><b><u>HB 181</u></b> - Minchew (10) Northern Virginia Transportation Commission; increases membership.</p>	<p>12/23/2015 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation 2/17/2016 Senate: Reported from Transportation (13-Y 0-N) 2/22/2016 Passed Senate (40-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB181ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16102789D) - Membership should be addressed holistically instead of piecemeal. See also SB 277 (Wexton). <b>Summary:</b> Northern Virginia Transportation Commission; membership. Increases the number of nonlegislative citizen members of the Northern Virginia Transportation Commission from 13 to 14 by increasing from one to two the members who represent Loudoun County.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 724</u></a> - LeMunyon (67) Northern Virginia Transportation Commission; quorum and voting procedures.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with substitute (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation	2/2/2016
<b>Oppose</b> (16101437D) <b>Summary:</b> Quorum and action by the Northern Virginia Transportation Commission. Provides quorum and voting procedures for the Northern Virginia Transportation Commission that are analogous to those followed by the Northern Virginia Transportation Authority.		
<a href="#"><u>HB 730</u></a> - LeMunyon (67) Commuter parking; lot signage in Planning District 8.	1/11/2016 House: Referred to Committee on Transportation 2/1/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/4/2016 House: Reported from Transportation with amendment (18-Y 3-N) 2/4/2016 House: Referred to Committee on Appropriations 2/10/2016 Subcommittee recommends reporting (5-Y 0-N) 2/12/2016 House: Reported from Appropriations (22-Y 0-N) 2/15/2016 Engrossed by House as amended HB730E 2/16/2016 House: VOTE: PASSAGE (91-Y 8-N) 2/17/2016 Senate: Referred to Committee on Transportation	2/2/2016
<b>Oppose</b> (16102700D) <b>Summary:</b> Commuter parking lot signage. Requires that signage in commuter parking lots owned by the Virginia Department of Transportation in Planning District 8 clearly indicate that parking in such lots is only for commuters using mass transit or who are car pool riders before 10:00 a.m. Monday through Friday except holidays.		
<a href="#"><u>HB 770</u></a> - Gilbert (15) Conditional zoning; provisions applicable to all rezoning proffers, definitions.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 1/29/2016 House: Reported from Counties, Cities and Towns with substitute (19-Y 2-N) 2/4/2016 House: VOTE: PASSAGE (68-Y 27-N 2-A) 2/5/2016 Senate: Referred to Committee on Local Government	2/2/2016
<b>Oppose</b> (16103862D) - See also SB 549 (Obenshain). <b>Summary:</b> Conditional zoning. Provides that no locality shall (i) request or accept any unreasonable proffer in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application, including an application for amendment to an existing proffer, for a new residential development or new residential use where such denial is based on an applicant's failure or refusal to submit, or remain subject to, an unreasonable proffer. A proffer shall be deemed unreasonable unless it addresses an impact that is specifically attributable to a proposed new residential development or other new residential use applied for. An off-site proffer shall be deemed unreasonable pursuant to the above unless it addresses an impact to an off-site public facility, such that, (a) the		

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Bills	General Assembly Actions	Date of BOS Position
<p>new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment, and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit, or remain subject to, an unreasonable proffer that it has proven was suggested, requested, or required, formally or informally, by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial. The bill also provides that certain conditional rezoning proffers related to building materials, finishes, methods of construction, or design features on a new residential development are prohibited.</p>		
<p><b><u>HB 812</u></b> - Peace (97) Limited Residential Lodging Act; established, penalty.</p>	<p>1/12/2016 House: Referred to Committee on General Laws 1/28/2016 House: Reported from General Laws with substitute (18-Y 3-N) 2/2/2016 Committee substitute agreed to and Amendments by Delegate Peace agreed to 2/4/2016 House: VOTE: PASSAGE (75-Y 22-N) 2/5/2016 Senate: Referred to Committee on General Laws and Technology</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16103926D) - See also SB 416 (Vogel). <b>Summary:</b> Limited Residential Lodging Act; penalty. Establishes the Limited Residential Lodging Act (the Act), which allows property owners to rent out their homes or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform, under certain circumstances. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill defines "limited residential lodging," "booking transaction," and "hosting platform" and provides for penalties for violations of the Act. The bill also requires the Housing Commission to convene a work group with representation from the hotel industry, hosting platform providers, local government, state and local tax officials, property owners, and other interested parties to explore issues related to expansion of the framework set forth in the bill related to the registration, land use, tax, and other issues of public interest associated with the short-term rental of dwelling and other units that are not a person's principal residence. The work group shall take into consideration existing structures governing the activities of bed and breakfast inns, vacation rentals, and other transient occupancy venues. The work group shall complete its work by December 1, 2016, with the goal of developing draft legislation for consideration by the 2017 Session of the General Assembly.</p>		
<p><b><u>HB 879</u></b> - Hugo (40) Alcoholic beverage control; farm wineries and limited brewery licenses, "land zoned agricultural."</p>	<p>1/12/2016 House: Referred to Committee on General Laws 2/2/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/4/2016 House: Reported from General Laws with substitute (15-Y 2-N) 2/9/2016 Committee substitute agreed to 16105111D-H1 2/10/2016 House: VOTE: PASSAGE (86-Y 10-N 1-A) 2/11/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/26/2016 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 1-N)</p>	<p>[2/26/2016] <b>2/16/2016</b> <b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Oppose Unless Amended] (16105747D-S1) - Oppose unless amended to allow for local regulation in the "residential conservation" district. <del>Support w/ Amend. (16105111D-H1) - Support with amendment to allow local regulation and to clarify the applicable local zoning districts. Amend (16102102D) - Amend to allow local regulation and to clarify the applicable local zoning districts.</del></p> <p><b>Summary:</b> Alcoholic beverage control; farm wineries and limited brewery licenses; land zoned agricultural. Clarifies that for farm wineries or limited breweries "land zoned agricultural" means land zoned as (i) an agricultural district or classification or (ii) a classification that permits agricultural use. "Land zoned agricultural" does not include land zoned "residential conservation." The bill provides that it does not apply to any farm winery or limited brewery holding a valid license granted by the Alcoholic Beverage Control Board before July 1, 2016.</p>		
<a href="#"><u>HJ 123</u></a> - Hugo (40) Constitutional amendment; real property tax exemption.	1/12/2016 House: Referred to Committee on Privileges and Elections 1/29/2016 House: Reported from Privileges and Elections (21-Y 0-N) 2/2/2016 House: VOTE: ADOPTION (98-Y 0-N) 2/3/2016 Senate: Referred to Committee on Privileges and Elections 2/9/2016 Senate: Reported from Privileges and Elections (13-Y 0-N) 2/15/2016 Agreed to by Senate (40-Y 0-N)	<b>2/2/2016</b>
<p><b>Amend</b> (16101303D) - Amend to provide state funding for this initiative.</p> <p><b>Summary:</b> Constitutional amendment (second resolution); real property tax exemption. Provides that the General Assembly may provide for a local option to exempt from taxation the real property that is the primary residence of the surviving spouse of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel killed in the line of duty. Such tax exemption may not be claimed by a surviving spouse who has remarried.</p>		
<a href="#"><u>SB 113</u></a> - Petersen (34) Northern Virginia Transportation Authority; membership composition.	12/28/2015 Senate: Referred to Committee on Rules 2/3/2016 Senate: Rereferred to Transportation 2/3/2016 Rereferred from Rules (14-Y 0-N) 2/10/2016 Senate: Reported from Transportation (11-Y 1-N 1-A) 2/15/2016 Passed Senate (25-Y 15-N) 2/17/2016 House: Referred to Committee on Transportation 2/25/2016 Subcommittee recommends laying on the table (5-Y 1-N)	<b>2/2/2016</b>
<p><b>Oppose</b> (16100883D) - Board has historically opposed. See also HB 949 (Kearney).</p> <p><b>Summary:</b> Northern Virginia Transportation Authority (NVTA); membership composition. Increases from 17 to 18 the membership of the NVTA and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.</p>		
<a href="#"><u>SB 270</u></a> - Garrett (22) Sanctuary policies; prohibited.	1/7/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government (7-Y 5-N 1-A) 2/9/2016 Passed Senate (21-Y 19-N) 2/11/2016 House: Referred to Committee for Courts of Justice 2/22/2016 Subcommittee recommends reporting (6-Y 3-N)	<b>2/16/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (16100723D) - Scope of bills is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate.</p> <p><b>Summary:</b> Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. The General Assembly shall reduce state funding to the extent permitted by state and federal law to any locality found to have violated the provisions of the bill.</p>		
<p><b><u>SB 277</u></b> - Wexton (33) Northern Virginia Transportation Commission; increases membership.</p>	<p>1/7/2016 Senate: Referred to Committee on Rules 1/29/2016 Senate: Rereferred to Transportation 1/29/2016 Rereferred from Rules (14-Y 0-N) 2/10/2016 Senate: Reported from Transportation (12-Y 0-N) 2/15/2016 Passed Senate (39-Y 0-N) 2/17/2016 House: Referred to Committee on Transportation 2/25/2016 House: Reported from Transportation (22-Y 0-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16102452D) - Membership should be addressed holistically instead of piecemeal. See also HB 181 (Minchew).</p> <p><b>Summary:</b> Northern Virginia Transportation Commission; membership. Increases the membership of the Northern Virginia Transportation Commission from 14 to 15 by increasing the members from Loudoun County from one to two.</p>		
<p><b><u>SB 288</u></b> - DeSteph, Jr. (8) Conflict of Interests Act, State and Local Government; advisory opinions for local officers.</p>	<p>1/7/2016 Senate: Referred to Committee on Rules 2/11/2016 Senate: Reported from Rules (14-Y 1-N) 2/15/2016 Passed Senate (40-Y 0-N) 2/17/2016 House: Referred to Committee for Courts of Justice</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16101519D)</p> <p><b>Summary:</b> State and Local Government Conflict of Interests Act; advisory opinions for local officers and employees. Removes the provision that allows a county, city, or town attorney to issue to a local officer or employee an advisory opinion that would shield that officer or employee from future prosecution for knowing violations of the State and Local Government Conflict of Interests Act. An advisory opinion issued by the attorney for the Commonwealth or the Virginia Conflict of Interest and Ethics Advisory Council will still shield the officer or employee from such prosecution. The bill provides that an advisory opinion issued to a local officer or employee by his county, city, or town attorney may be introduced at a trial for a knowing violation as evidence that he did not knowingly violate the Act.</p>		
<p><b><u>SB 416</u></b> - Vogel (27) Limited Residential Lodging Act; established, penalty.</p>	<p>1/12/2016 Senate: Referred to Committee for Courts of Justice 1/18/2016 Rereferred from Courts of Justice (14-Y 0-N) 1/18/2016 Senate: Rereferred to General Laws and Technology 1/25/2016 Senate: Reported from General Laws and Technology with substitute (12-Y 2-N) 1/25/2016 Senate: Rereferred to Finance 2/16/2016 Senate: Reported from Finance with substitute (7-Y 6-N 1-A)</p>	<p><b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
	2/16/2016 Amendments #1, #2 by Senator Norment rejected (17-Y 22-N) and Amendment #3 by Senator Norment withdrawn 2/16/2016 Passed Senate (20-Y 19-N) 2/18/2016 House: Referred to Committee on General Laws 2/25/2016 House: Referred from General Laws by voice vote 2/25/2016 House: Referred to Committee on Appropriations	
<p><b>Oppose</b> (16101163D) - See also HB 812 (Peace).  <b>Summary:</b> Limited Residential Lodging Act; penalty. Establishes the Limited Residential Lodging Act (the Act), which allows persons to rent out their primary residences or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform. Localities are preempted from adopting ordinances or zoning restriction prohibiting such short-term rentals. A hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill defines "limited residential lodging," "booking transaction," and "hosting platform" and provides for penalties for violations of the Act.</p>		
<p><u><b>SB 478</b></u> - Obenshain (26)            Eminent domain; reimbursement of costs.</p>	1/12/2016 Senate: Referred to Committee for Courts of Justice 2/10/2016 Senate: Reported from Courts of Justice with substitute (14-Y 0-N) 2/15/2016 Committee substitute agreed to 16105458D-S1 2/15/2016 Passed Senate (37-Y 2-N) 2/17/2016 House: Referred to Committee for Courts of Justice 2/22/2016 Subcommittee recommends reporting with amendment(s) (7-Y 3-N)	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16102425D)  <b>Summary:</b> Provides that costs and fees may be awarded in condemnation actions where the amount the owner is awarded at trial as compensation for the taking of or damage to his property is 25 percent or more greater than the amount of the condemnor's initial written offer. Under current law, such costs and fees may be awarded if the amount awarded as compensation at trial is 30 percent or more greater than the petitioner's final offer. The bill removes an exception for meeting the requirements for payment of costs and fees for condemnation actions involving easements valued at less than \$10,000 and adds an exception for public service companies, public service corporations, and railroads that have been delegated the power of eminent domain.</p>		
<p><u><b>SB 549</b></u> - Obenshain (26)            Conditional zoning; provisions applicable to certain rezoning proffers.</p>	1/13/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government with substitute (10-Y 2-N 1-A) 2/5/2016 Substitute by Senator Obenshain agreed to 16105216D-S2 2/9/2016 Read third time and passed Senate (29-Y 8-N 2-A) 2/11/2016 House: Referred to Committee on Counties, Cities and Towns 2/17/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/19/2016 House: Reported from Counties, Cities and Towns with substitute (17-Y 4-N) 2/23/2016 House: VOTE: PASSAGE (72-Y 26-N 2-A) 2/23/2016 Committee substitute agreed to 16105559D-H1 2/23/2016 Substitute by Delegate Cole rejected 16105756D-H2 2/23/2016 Amendments by Delegate Marshall, R.G. rejected	<p><b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
	2/23/2016 Engrossed by House - committee substitute SB549H1 2/23/2016 Passed House with substitute (72-Y 26-N 2-A) 2/25/2016 House substitute agreed to by Senate (33-Y 5-N 2-A) 2/26/2016 Senate: Enrolled 2/26/2016 Senate: Bill text as passed Senate and House (SB549ER)	
<p><b>Oppose</b> (16103808D) - See also HB 770 (Gilbert).  <b>Summary:</b> Conditional zoning. Provides that no locality shall (i) request or accept any unreasonable proffer in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application, including an application for amendment to an existing proffer, for a new residential development or new residential use where such denial is based on an applicant's failure or refusal to submit, or remain subject to, an unreasonable proffer. A proffer shall be deemed unreasonable unless it addresses an impact that is specifically attributable to a proposed new residential development or other new residential use applied for. An off-site proffer shall be deemed unreasonable pursuant to the above unless it addresses an impact to an off-site public facility, such that, (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment, and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit, or remain subject to, an unreasonable proffer that it has proven was suggested, requested, or required, formally or informally, by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial.</p>		
<p><b><u>SB 578</u></b> - Barker (39)            Alcoholic beverage control; limited brewery licenses.</p>	1/13/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/12/2016 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N 1-A) 2/15/2016 Committee substitute agreed to 16105513D-S1 2/15/2016 Passed Senate (31-Y 9-N) 2/17/2016 House: Referred to Committee on General Laws 2/23/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	<p><b>2/16/2016</b></p>
<p><b>Oppose</b> (16103917D)  <b>Summary:</b> Provides that for the purposes of eligibility for a limited brewery license, "land zoned agricultural" means land zoned as (i) an agricultural district or classification or (ii) any classification that permits agricultural use and has been designated by local ordinance as eligible for a limited brewery license, but does not include land zoned residential conservation. The bill exempts from its provisions any limited brewery or any person who acquires an interest in the licensed premises of a limited brewery holding a valid license or with an application pending for such license with the Alcoholic Beverage Control Board on July 1, 2016. Under current law, such license may be granted only if the land is zoned agricultural.</p>		
<p><b><u>SB 579</u></b> - Barker (39)            Alcoholic beverage control; limited distiller's licenses, "land</p>	1/13/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/12/2016 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N 1-A)	<p><b>2/16/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
zoned agricultural."	2/15/2016 Committee substitute agreed to 16105514D-S1 2/15/2016 Passed Senate (31-Y 9-N) 2/17/2016 House: Referred to Committee on General Laws 2/23/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N)	
<b>Oppose</b> (16103933D) <b>Summary:</b> Alcoholic beverage control; limited distiller's licenses. Provides that for the purposes of eligibility for a limited distiller's license, "land zoned agricultural" means land zoned as (i) an agricultural district or classification or (ii) any classification that permits agricultural use and has been designated by local ordinance as eligible for a limited distiller's license, but does not include land zoned residential conservation. The bill exempts from its provisions any limited distiller or any person who acquires an interest in the licensed premises of a limited distiller holding a valid license or with an application pending for such license with the Alcoholic Beverage Control Board on July 1, 2016. Under current law, such license may be granted only if the land is zoned agricultural.		
<a href="#"><u>SB 705</u></a> - Black (13) Sanctuary cities; liability for certain injuries and damages caused by an illegal alien.	1/21/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government (7-Y 6-N) 2/9/2016 Substitute by Senator Black agreed to 16105360D-S1 2/9/2016 Passed Senate (21-Y 19-N) 2/11/2016 House: Referred to Committee for Courts of Justice	<b>2/16/2016</b>
<b>Oppose</b> (16103669D) - Scope of bills is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. <b>Summary:</b> Liability of sanctuary cities for certain injuries and damages. Provides that a sanctuary city, defined in the bill as any locality that adopts any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, shall be responsible for the full amount of any personal injury or property damage caused by an illegal alien within such locality.		
<a href="#"><u>SB 768</u></a> - Suetterlein (19) Reckless driving; exceeding speed limit.	1/22/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Reported from Transportation (7-Y 3-N 1-A) 2/10/2016 Read third time and passed Senate (26-Y 14-N) 2/12/2016 House: Referred to Committee on Transportation 2/18/2016 House: Referred from Transportation by voice vote 2/18/2016 House: Referred to Committee for Courts of Justice 2/22/2016 House: Subcommittee recommends laying on the table by voice vote	<b>2/16/2016</b>
<b>Oppose</b> (16104348D) - Board has historically opposed. See also HB 1043 (Rasoul). <b>Summary:</b> Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.		

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***Fairfax County Positions***  
***(Support)***

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 46</b></a> - Greason (32) School Readiness Committee; Secretary of Education, et al., to establish, membership.	11/25/2015 House: Referred to Committee on Education 2/9/2016 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/10/2016 House: Reported from Education with substitute (19-Y 3-N) 2/12/2016 Committee substitute agreed to 16103691D-H1 2/15/2016 House: VOTE: PASSAGE (92-Y 7-N) 2/16/2016 Senate: Referred to Committee on Education and Health	2/16/2016
<b>Support</b> (16100918D) <b>Summary:</b> Secretary of Education; establishment of School Readiness Committee. Directs the Secretary of Education to establish a School Readiness Committee with the first goal of addressing the development and alignment of an effective professional development and credentialing system for the early childhood education workforce in the Commonwealth, including the (i) development of a competency-based professional development pathway for practitioners who teach children birth to age five in both public and private early childhood education programs; (ii) consideration of articulation agreements between associate and baccalaureate degree programs; (iii) refinement of teacher licensure and education programs to address competencies specific to early childhood development; (iv) alignment of existing professional development funding streams; and (v) development of innovative approaches to increasing accessibility, availability, affordability, and accountability of the Commonwealth's workforce development system for early childhood education teachers and providers.		
<a href="#"><b>HB 47</b></a> - Greason (32) Mixed-Delivery Preschool Services Fund and Grant Program; established, report.	11/25/2015 House: Referred to Committee on Education 2/10/2016 Subcommittee recommends reporting (6-Y 0-N) 2/10/2016 House: Reported from Education (18-Y 4-N) 2/10/2016 House: Referred to Committee on Appropriations 2/12/2016 House: Reported from Appropriations (22-Y 0-N) 2/16/2016 Read third time and passed House (86-Y 13-N) 2/16/2016 House: VOTE: PASSAGE (86-Y 13-N) 2/17/2016 Senate: Referred to Committee on Education and Health 2/25/2016 Senate: Reported from Education and Health (15-Y 0-N) 2/25/2016 Senate: Rereferred to Finance	2/16/2016
<b>Support</b> (16100919D) <b>Summary:</b> Mixed-Delivery Preschool Services Fund and Grant Program established. Establishes the Mixed-Delivery Preschool Services Fund and Grant Program for the purpose of awarding grants on a competitive basis to urban, suburban, and rural community applicants to field-test innovative strategies and evidence-based practices that support a robust system of mixed-delivery preschool services in the Commonwealth. The bill requires the Virginia Early Childhood Foundation to administer a request for proposals process to invite community applicants to respond with localized innovations and approaches to a mixed-delivery preschool services system and a review and selection committee consisting of representatives of the Department of Education, the Virginia Early Childhood Foundation, and the House Appropriations Committee to award two-		

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<p>year grants to six applicants in each year of the 2016-2018 biennium, giving priority to applicants who (i) commit to pursuing models of local governance that promote the successful mixed delivery of preschool services, (ii) compare classroom and child outcomes among teachers with different credentials and qualifications, (iii) utilize incentives to encourage participation, and (iv) utilize strategic assessment to discern outcomes. The bill has an expiration date of July 1, 2019.</p>		
<p><b><u>HB 118</u></b> - Albo (42) Urban county executive form of government; animal protection police officer.</p>	<p>12/16/2015 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/10/2016 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N) 2/12/2016 Committee substitute agreed to 16105328D-H1 2/15/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/16/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/25/2016 Senate: Reported from Agriculture, Conservation and Natural Resources (15-Y 0-N)</p>	<p><b>2/16/2016</b> <b><del>2/2/2016</del></b></p>
<p><b>Support</b> (16105328D-H1) <del><b>Support w/ Amend.</b> (16101373D) — Support with amendment to address technical issue with legislation.</del></p> <p><b>Summary:</b> Amends the form of government applicable to Fairfax County by providing that the department of police may include an animal protection police officer who shall have all of the powers of an animal control officer conferred by general law. In addition, the animal protection police officer and his deputies shall have all of the powers vested in law-enforcement officers, provided that they have met the minimum qualifications and have been certified.</p>		
<p><b><u>HB 168</u></b> - LaRock (33) Passing stopped school buses; mailing of summons.</p>	<p>12/23/2015 House: Referred to Committee on Transportation 1/26/2016 House: Referred from Transportation by voice vote 1/26/2016 House: Referred to Committee for Courts of Justice 2/3/2016 Subcommittee recommends reporting (8-Y 0-N) 2/10/2016 House: Reported from Courts of Justice (21-Y 0-N) 2/16/2016 House: VOTE: PASSAGE (94-Y 5-N) 2/17/2016 Senate: Referred to Committee on Transportation 2/24/2016 Senate: Rereferred from Transportation (13-Y 0-N) to Courts of Justice</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103068D)</p> <p><b>Summary:</b> Provides that a locality that has authorized by ordinance the installation and operation of a video-monitoring system on school buses for recording violations of unlawfully passing a stopped school bus may execute a summons for such violation by mailing a copy of the summons to the owner of a vehicle that unlawfully passed a stopped school bus.</p>		
<p><b><u>HB 268</u></b> - Marshall, III (14)</p>	<p>12/31/2015 House: Referred to Committee on Counties, Cities and Towns</p>	<p><b>2/16/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
Land Bank Entities Act; established.	2/5/2016 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 2/9/2016 Committee amendments agreed to 2/10/2016 House: VOTE: PASSAGE (80-Y 19-N) 2/11/2016 Senate: Referred to Committee on Finance 2/24/2016 Senate: Reported from Finance (14-Y 0-N) 2/26/2016 Passed Senate (39-Y 0-N)	
<b>Support</b> (16103273D) - See also SB 414 (Barker). <b>Summary:</b> Land Bank Entities Act. Authorizes the establishment of a land bank entity by any locality or two or more localities combined to assist in addressing vacant, abandoned, and tax-delinquent real properties. Under the bill, the locality has the option of (i) creating an authority or a nonprofit, nonstock corporation or (ii) designating an existing nonprofit entity that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code and eligible to receive donations from a locality pursuant to § 15.2-953 to carry out the functions of such land entity. The bill provides that land bank entities may acquire real property within participating localities or receive transfers and conveyances from the participating localities. Land bank entities are authorized to receive funding through grants and loans from participating localities, the Commonwealth, the federal government, and other public and private sources. In addition, the bill authorizes a locality to deem paid in full all accumulated taxes, penalties, interest, and other costs on any tax-delinquent property in exchange for conveyance of the property by the owner to a land bank entity. The bill also authorizes a participating locality to remit to the land bank entity up to 50 percent of the real property taxes collected on real property conveyed by a land bank entity for up to 10 years after the conveyance. This bill is a recommendation of the Virginia Housing Commission.		
<b>HB 313</b> - Orrock, Sr. (54) Immunizations; adds type of health professionals who may administer.	1/5/2016 House: Referred to Committee on Health, Welfare and Institutions 1/21/2016 House: Reported from Health, Welfare and Institutions with amendments (21-Y 1-N) 1/27/2016 House: VOTE: PASSAGE (99-Y 0-N) 1/28/2016 Senate: Referred to Committee on Education and Health 2/18/2016 Senate: Reported from Education and Health (15-Y 0-N) 2/22/2016 Passed Senate (40-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB313ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016	<b>2/2/2016</b>
<b>Support</b> (16101493D-E) <b>Summary:</b> Administration of immunizations. Adds physician assistants, nurse practitioners, and licensed practical nurses and pharmacists who administer pursuant to a valid prescription to the types of health professionals who may administer vaccinations to children and who may provide to the person who presents		

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the child for immunizations a certificate stating that such immunizations have been administered. Under current law, physicians and registered nurses are authorized to administer vaccinations and provide such certificates.		
<b><u>HB 329</u></b> - Villanueva (21) Amber lights, flashing; allows publicly owner or operated transit buses to use.	1/5/2016 House: Referred to Committee on Transportation 1/21/2016 House: Reported from Transportation (20-Y 0-N) 1/27/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 1/28/2016 Senate: Referred to Committee on Transportation 2/17/2016 Senate: Reported from Transportation (13-Y 0-N) 2/22/2016 Passed Senate (40-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB329ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016	<b>2/2/2016</b>
<b>Support</b> (16102601D) - See also SB 299 (Ebbin). <b>Summary:</b> Amber lights on public transit buses. Allows publicly owned or operated transit buses to use flashing amber lights. This bill is identical to SB 299.		
<b><u>HB 369</u></b> - Bell (20) State Executive Council for Children's Services; state and local advisory team; membership.	1/5/2016 House: Referred to Committee on General Laws 1/26/2016 House: Reported from General Laws (21-Y 0-N) 2/1/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/2/2016 Senate: Referred to Committee on General Laws and Technology 2/15/2016 Senate: Reported from General Laws and Technology (15-Y 0-N) 2/15/2016 Senate: Rereferred to Finance 2/24/2016 Senate: Reported from Finance (14-Y 0-N) 2/26/2016 Passed Senate (39-Y 0-N)	<b>2/2/2016</b>
<b>Support</b> (16101738D) <b>Summary:</b> Adds to the membership of the State Executive Council for Children's Services (the Council)(i) the chairman of the state and local advisory team and (ii) a representative who has previously received services through the Children's Services Act, to be appointed by the Governor with recommendations from certain entities. The bill also adds to the membership of the state and local advisory team a representative who has previously received services through the Children's Services Act, to be appointed by the Council with recommendations from certain entities.		
<b><u>HB 629</u></b> - Hodges (98) Prescription drugs; pharmacies may participate in voluntary drug disposal programs.	1/11/2016 House: Referred to Committee on Health, Welfare and Institutions 1/26/2016 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/29/2016 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/1/2016 Senate: Referred to Committee on Education and Health 2/18/2016 Senate: Reported from Education and Health (15-Y 0-N) 2/22/2016 Passed Senate (40-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB629ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016	
<b>Support</b> (16102708D-E) <b>Summary:</b> Prescription drug disposal. Provides that pharmacies may participate in voluntary drug disposal programs, provided that such programs are operated in accordance with state and federal law by a pharmacy, and requires the Board of Pharmacy to maintain a list of such pharmacies on a website maintained by the Board. The bill also provides that no person that participates in a drug disposal program shall be liable for any theft, robbery, or other criminal act related to participation in the pharmacy drug disposal program or for any acts of simple negligence in the collection, storage, or destruction of prescription drugs collected through such pharmacy drug disposal program, provided that the pharmacy practice site is acting in good faith and in accordance with applicable state and federal law and regulations.		
<b><u>HB 647</u></b> - Sullivan, Jr. (48) Tree conservation; locality to post signs on private property that is proposed to be redeveloped.	1/11/2016 House: Referred to Committee on Counties, Cities and Towns 1/20/2016 Subcommittee recommends reporting with amendment(s) (8-Y 1-N) 2/3/2016 Reconsidered by Counties, Cities and Towns Subcommittee #2 2/3/2016 Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/5/2016 House: Reported from Counties, Cities and Towns with substitute (20-Y 2-N) 2/9/2016 Committee substitute agreed to 16104912D-H1 2/10/2016 House: VOTE: PASSAGE (83-Y 16-N) 2/11/2016 Senate: Referred to Committee on Local Government 2/23/2016 Senate: Reported from Local Government (8-Y 5-N) 2/26/2016 Passed Senate (24-Y 16-N)	<b>2/16/2016</b> <b>2/2/2016</b>
<b>Support</b> (16104912D-H1) - The bill has been amended to address concern. See also SB 361 (Favola). <b>Support w/ Amend.</b> (16103958D) - <del>Support with amendment to clarify that an infill lot grading plan can be approved by a county agency.</del> <b>Summary:</b> Tree conservation ordinance. Provides that the ordinance may allow a locality to post signs on private property that is proposed to be redeveloped with one single family home that notifies the public that an infill lot grading plan is pending for review before the locality. The locality may not require the applicant to be responsible for such posting and the failure to post the property shall not be a ground for denial of such grading plan.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 675</u></a> - Peace (97) Auxiliary grants; supportive housing providers.	1/11/2016 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/28/2016 House: Referred to Committee on Appropriations 2/12/2016 House: Reported from Appropriations with substitute (21-Y 1-N) 2/15/2016 Committee substitute from HHWI rejected 16104862D-H1 and Committee substitute from HAPP agreed to 16105485D-H2 2/16/2016 House: VOTE: PASSAGE (97-Y 2-N) 2/17/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/19/2016 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/19/2016 Senate: Rereferred to Finance	2/16/2016
<b>Support</b> (16104862D-H1) <b>Summary:</b> Auxiliary grants; supportive housing. Extends eligibility for auxiliary grants to include individuals residing in supportive housing, provided that the supportive housing provider has entered into an agreement for the provision of supportive housing with the Department of Behavioral Health and Developmental Services. The bill establishes requirements for providers of supportive housing that enter into agreements with the Department.		
<a href="#"><u>HB 676</u></a> - Peace (97) Financial exploitation of adults; DARS work group to study.	1/11/2016 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/2/2016 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/2016 Senate: Referred to Committee on Rehabilitation and Social Services 2/19/2016 Senate: Reported from Rehabilitation and Social Services with amendments (15-Y 0-N) 2/24/2016 Passed Senate with amendments (40-Y 0-N) 2/26/2016 House: VOTE: ADOPTION (97-Y 0-N)	2/2/2016
<b>Support</b> (16104738D-H1) <b>Summary:</b> DARS; work group to study financial exploitation of adults in the Commonwealth. Directs the Commissioner of the Department for Aging and Rehabilitative Services, together with the Director of the Department for Planning and Budget or his designee, representatives of the Department of Social Services' Adult Protective Services Unit and local department of social services' adult protective services units, law enforcement agencies, financial institutions in the Commonwealth, and organizations representing elderly individuals and adults with disabilities, to determine the cost of financial exploitation of adults in the Commonwealth and develop recommendations for improving the ability of financial institutions to identify		

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Bills	General Assembly Actions	Date of BOS Position
financial exploitation of adults, the process by which financial institutions report suspected financial exploitation of adults, and interactions between financial institutions and local adult protective services units investigating reports of suspected financial exploitation of adults and to report on his activities and recommendations to the Governor and the General Assembly by January 1, 2017.		
<b><u>HB 727</u></b> - LeMunyon (67) Northern Virginia Transportation Authority; decision-making procedure.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with amendment (21-Y 0-N) 1/29/2016 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation 2/17/2016 Senate: Reported from Transportation with amendment (13-Y 0-N) 2/22/2016 Passed Senate with amendment (40-Y 0-N) 2/24/2016 House: VOTE: ADOPTION (98-Y 0-N) 2/25/2016 House: Enrolled 2/25/2016 House: Bill text as passed House and Senate (HB727ER) 2/25/2016 House: Signed by Speaker 2/26/2016 Senate: Signed by President	<b>2/2/2016</b>
<b>Support</b> (16102294D) <b>Summary:</b> Requires the Northern Virginia Transportation Authority to make certain information concerning projects in its regional transportation plan publicly available at least 15 days prior to any decision for the expenditure of funds to create or improve a transportation facility.		
<b><u>HB 734</u></b> - Hope (47) Noxious weeds; advisory committee to evaluate risks of a plant.	1/12/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/20/2016 House: Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N) 1/26/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 1/27/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2016 Senate: Reported from Agriculture, Conservation and Natural Resources (15-Y 0-N) 2/23/2016 Passed Senate (39-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB734ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 02/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016	<b>2/2/2016</b>
<b>Support</b> (16102674D) <b>Summary:</b> Noxious weeds. Establishes an advisory committee to evaluate the risks of a plant or part thereof that is being considered for designation as a noxious weed. The bill requires the advisory committee to assess		

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Bills	General Assembly Actions	Date of BOS Position
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the plant's (i) impact on water bodies, other plants, livestock, land, public health, the environment, and the economy and (ii) current and potential in-state commercial viability. The bill exempts from the definition of noxious weed any plant whose in-state production is commercially viable.

<b>HB 945</b> - Wilt (26) Annexation; extends current moratorium on city annexations and county immunity actions.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 2/3/2016 Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/5/2016 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/9/2016 Committee substitute agreed to 16105251D-H1 2/10/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee on Local Government 2/23/2016 Senate: Reported from Local Government (13-Y 0-N) 2/26/2016 Passed Senate (39-Y 0-N)	<b>2/2/2016</b>
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**Support** (16103789D) - Board has historically supported. See also SB 309 (Hanger).

**Summary:** Annexation. Extends the current moratorium on city annexations and county immunity actions by six years to 2024. Provisions that would trigger the early expiration of the moratorium if the General Assembly fails to appropriate certain amounts for local law-enforcement expenditures are exempted through the 2022-2024 biennium. The Commission on Local Government is directed to evaluate the structure of cities and counties in the Commonwealth and the impact of annexation upon localities. In doing so, the Commission shall consider alternatives to the current moratorium on annexation by cities. The Commission shall issue its findings and recommended policy changes to the General Assembly no later than December 1, 2018.

<b>HB 1030</b> - Sickles (43) Officers of election; required training every two years.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/5/2016 House: Reported from Privileges and Elections with substitute (21-Y 0-N) 2/9/2016 Committee substitute agreed to 16105049D-H1 2/10/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee on Privileges and Elections 2/23/2016 Senate: Reported from Privileges and Elections (11-Y 0-N 2-A) 2/26/2016 Passed Senate (40-Y 0-N)	<b>2/16/2016</b>
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**Support w/ Amend.** (16102856D) - Support with amendment to allow County-developed training materials to be used as an alternative or supplement to state-developed materials when appropriate. See also SB 574 (McEachin).

**Summary:** Officers of election; required training. Requires each officer of election to receive training at least once during the term for which he was appointed and whenever there is a change to election procedures that alters the duties or conduct of the officers of election. The State Board of Election is required to (i) develop standardized training programs, (ii) provide standardized training materials, and (iii) offer on the Department of Elections website an online training course. The bill requires the training of the officers of election to be conducted by the local electoral boards and general registrars, using the standardized training programs and materials developed by the State Board, but gives the local electoral boards and general registrars the option to instead require the officers of election complete the online training course offered by the State Board.

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 1223</b></a> - Watts (39) Polling place; voter may give full name and current address orally or in writing.	1/18/2016 House: Referred to Committee on Privileges and Elections 2/5/2016 House: Reported from Privileges and Elections with amendment (21-Y 0-N) 2/9/2016 Committee amendment agreed to 2/10/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/10/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee on Privileges and Elections 2/23/2016 Senate: Reported from Privileges and Elections (13-Y 0-N) 2/26/2016 Passed Senate with amendment (39-Y 0-N)	<b>2/16/2016</b>
<b>Support</b> (16104000D) <b>Summary:</b> Procedures at polling place; provision of voter's full name and current residence address. Permits a voter to give his full name and current residence address orally or in writing to the officer of election when offering to vote.		
<a href="#"><b>HB 1260</b></a> - Hodges (98) Declaration of local emergency; increases time in which localities call a session.	1/20/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting (9-Y 0-N) 2/12/2016 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/16/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on General Laws and Technology	<b>2/2/2016</b>
<b>Support</b> (16103664D) <b>Summary:</b> Declaration of local emergency. Increases from 14 days to 45 days the time in which a local governing body shall call a special session, if a regularly scheduled session is not held, in order to confirm the declaration of a local emergency.		
<a href="#"><b>HB 1359</b></a> - Peace (97) Transit Capital Project Revenue Advisory Board; established, report, sunset provision.	1/22/2016 House: Referred to Committee on Transportation 2/3/2016 Subcommittee recommends reporting (7-Y 0-N) 2/9/2016 House: Reported from Transportation (22-Y 0-N) 2/12/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/15/2016 Senate: Referred to Committee on Transportation 2/24/2016 Senate: Reported from Transportation (11-Y 0-N)	<b>2/16/2016</b>
<b>Support</b> (16103888D) <b>Summary:</b> Transit Capital Project Revenue Advisory Board. Establishes the Transit Capital Project Revenue Advisory Board (the Board) within the Department of Rail and Public Transit to examine the effects of the loss of state transit capital funds and identify additional sources of revenue. The Advisory Board shall expire on July 1, 2018.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>SB 12</u></a> - Ebbin (30) Public employment; prohibited discrimination based on sexual orientation or gender identity.	12/2/2015 Senate: Referred to Committee on General Laws and Technology 1/25/2016 Senate: Reported from General Laws and Technology with amendment (9-Y 4-N 1-A) 1/29/2016 Read third time and passed Senate (25-Y 15-N) 2/3/2016 House: Referred to Committee on General Laws 2/18/2016 House: Subcommittee recommends laying on the table by voice vote	<b>2/16/2016</b>
<p><b>Support</b> (16100354D-E) - Board has historically supported. See also HB 429 (Villanueva) and HB 913 (Toscano).</p> <p><b>Summary:</b> Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran.</p>		
<a href="#"><u>SB 50</u></a> - Howell (32) Courthouse and courtroom security; assessment.	12/16/2015 Senate: Referred to Committee for Courts of Justice 1/18/2016 Senate: Reported from Courts of Justice (10-Y 5-N) 1/18/2016 Senate: Rereferred to Finance 2/3/2016 Senate: Reported from Finance (12-Y 3-N) 2/9/2016 Read third time and passed Senate (30-Y 9-N 1-A) 2/11/2016 House: Referred to Committee for Courts of Justice 2/22/2016 Subcommittee recommends reporting (10-Y 0-N) 2/22/2016 Subcommittee recommends referring to Committee on Appropriations	<b>2/2/2016</b>
<p><b>Support</b> (16101096D) - Board has historically supported. See also HB 223 (Stolle).</p> <p><b>Summary:</b> Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.</p>		
<a href="#"><u>SB 56</u></a> - Locke (2) Grass, weeds, and other foreign growth; local cutting ordinances include overgrown shrubs and trees.	12/16/2015 Senate: Referred to Committee on Local Government 1/19/2016 Senate: Reported from Local Government with amendments (12-Y 1-N) 1/26/2016 Read third time and passed Senate (27-Y 11-N) 2/3/2016 House: Referred to Committee on Counties, Cities and Towns 2/26/2016 House: Tabled in Counties, Cities and Towns by voice vote	<b>2/2/2016</b>
<p><b>Support</b> (16101344D-E)</p> <p><b>Summary:</b> Cutting of grass, weeds, and other foreign growth. Provides that in local grass cutting ordinances as applied to vacant developed property, foreign growth includes overgrown shrubs and trees.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>SB 57</u></a> - Howell (32) Judges; increases number in 19th and 25th Judicial Districts.	12/16/2015 Senate: Referred to Committee for Courts of Justice 1/18/2016 Senate: Reported from Courts of Justice with substitute (10-Y 5-N) 1/18/2016 Senate: Rereferred to Finance 1/18/2016 Senate: Incorporates SB347 2/3/2016 Reported from Finance (15-Y 0-N) 2/3/2016 Senate: Reported from Finance (15-Y 0-N) 2/8/2016 Read third time and passed Senate (39-Y 1-N) 2/11/2016 House: Referred to Committee for Courts of Justice 2/22/2016 Subcommittee recommends reporting (10-Y 0-N)	2/2/2016
<b>Support</b> (16104448D-S1) - See also HB 1125 (Loupassi). <b>Summary:</b> Number of district court judges. Increases from seven to eight the number of juvenile and domestic relations district court judges in the 19th Judicial District (Fairfax, Fairfax County) and increases from three to four the number of general district court judges in the 25th Judicial District (Covington, Lexington, Staunton, Buena Vista, Waynesboro, Highland, Augusta, Rockbridge, Bath, Alleghany, Botetourt, and Craig). This bill is a recommendation of the Committee on District Courts. This bill incorporates SB 347.		
<a href="#"><u>SB 60</u></a> - Hanger, Jr. (24) Commonwealth of Virginia Transform I-66 Corridor Outside the Beltway Bond Act of 2016; created.	12/17/2015 Senate: Referred to Committee on Finance 2/9/2016 Senate: Reported from Finance with substitute (15-Y 0-N) 2/11/2016 Committee substitute agreed to 16104967D-S1 2/15/2016 Passed Senate (27-Y 11-N) 2/17/2016 House: Referred to Committee on Appropriations	2/2/2016
<b>Support</b> (16103324D) - See also HB 1067 (Jones). <b>Summary:</b> Bonds; tolls on I-66. Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to \$1.5 billion plus financing costs to finance the costs of acquiring, constructing, and equipping dynamically tolled lanes on a portion of Interstate 66. Issuance of the bonds is contingent on (i) the Commissioner of Highways finding that the private parties are unable to deliver the I-66 project outside the Beltway in a way that meets the term sheet, (ii) the Transportation Public-Private Partnership Advisory Committee concurs with the Commissioner's finding, and (iii) that the Secretary of Finance further concurs and finds that the issuance of bonds is in the public interest. The bill is contingently effective on the requirements for changing the HOV-2 designation on I-66 being met and the Secretary certifying that such requirements have been met. No bonds shall be issued prior to February 20, 2017.		
<a href="#"><u>SB 106</u></a> - Dance (16) Absentee voting; no-excuse, in-person.	12/28/2015 Senate: Referred to Committee on Privileges and Elections 1/26/2016 Senate: Reported from Privileges and Elections (7-Y 6-N) 2/1/2016 Passed Senate (21-Y 19-N) 2/3/2016 House: Referred to Committee on Privileges and Elections 2/16/2016 House: Subcommittee recommends laying on the table by voice vote	2/2/2016

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Bills	General Assembly Actions	Date of BOS Position
<b>Support</b> (16101476D) - Board has historically supported. <b>Summary:</b> Elections; absentee voting; no-excuse, in-person. Allows qualified voters to vote absentee in person without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.		
<b><u>SB 120</u></b> - Carrico, Sr. (40) Passing stopped school buses; mailing of summons, rebutting presumption.	12/28/2015 Senate: Referred to Committee on Transportation 1/20/2016 Senate: Reported from Transportation with substitute (10-Y 1-N 1-A) 1/20/2016 Senate: Rereferred to Courts of Justice 1/20/2016 Incorporates SB 16 and SB 74 2/8/2016 Senate: Reported from Courts of Justice with amendment (12-Y 3-N) 2/11/2016 Read third time and passed Senate (35-Y 5-N) 2/15/2016 House: Referred to Committee for Courts of Justice 2/24/2016 House: Reported from Courts of Justice with substitute (22-Y 0-N) 2/26/2016 Passed House with substitute (89-Y 8-N)	<b>2/2/2016</b>
<b>Support</b> (16104540D-S1) <b>Summary:</b> Passing stopped school buses; mailing of summons; rebutting presumption. Provides that a locality that has authorized by ordinance the installation and operation of a video-monitoring system on school buses for recording violations of unlawfully passing a stopped school bus may execute a summons for such violation by mailing a copy of the summons to the owner of a vehicle that unlawfully passed a stopped school bus. The bill also provides a means by which the existing presumption that the registered owner of the vehicle was the vehicle operator at the time of the violation can be rebutted and requires that this information be included with the mailing of the summons. The bill gives the summoned person 30 business days from the mailing of the summons to inspect information collected by a video-monitoring system in connection with the violation. The bill incorporates SB 16 and SB 74.		
<b><u>SB 188</u></b> - Miller (1) Elections; absentee voting by persons age 65 or older.	1/4/2016 Senate: Referred to Committee on Privileges and Elections 1/26/2016 Senate: Reported from Privileges and Elections with substitute (12-Y 1-N) 1/26/2016 Incorporates SB 68, SB 143, and SB 320 2/1/2016 Senate: Read third time and passed Senate (33-Y 7-N) 2/3/2016 House: Referred to Committee on Privileges and Elections 2/16/2016 House: Subcommittee recommends laying on the table by voice vote	<b>2/2/2016</b>
<b>Support</b> (16104805D-S1) - Board has historically supported. See also HB 1216 (Aird). <b>Summary:</b> Entitles persons who will be age 65 or older on the date of an election for which an absentee ballot is requested to vote absentee. This bill incorporates SB 68, SB 143, and SB 320.		
<b><u>SB 292</u></b> - Hanger, Jr. (24) Sediment reduction credits.	1/7/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/28/2016 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N)	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/2/2016 Senate: Committee substitute agreed to 16104664D-S1 2/3/2016 Read third time and passed Senate (40-Y 0-N) 2/5/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/10/2016 House: Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N) 2/12/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/15/2016 Senate: Bill text as passed Senate and House (SB292ER) 2/15/2016 Senate: Signed by President 2/15/2016 House: Signed by Speaker 2/16/2016 House: Enrolled Bill communicated to Governor on 2/16/16 2/16/2016 Governor: Governors Action Deadline Midnight, February 23, 2016 2/23/2016 Governor: Approved by Governor-Chapter 8 (effective 7/1/16) 2/23/2016 Governor: Acts of Assembly Chapter text (CHAP0008)	
<b>Support</b> (16101611D) <b>Summary:</b> Authorizes Municipal Separate Storm Sewer System (MS4) permittees to acquire and use sediment reduction credits as part of a compliance strategy for implementing the Chesapeake Bay TMDL. Currently, MS4s have similar authority for nitrogen and phosphorus; the bill adds a third pollutant, sediment. The sediment credits cannot be used if they are associated with phosphorus credits used in stormwater nonpoint nutrient runoff water quality criteria. This bill is identical to HB 438.		
<b><u>SB 299</u></b> - Ebbin (30) Amber lights, flashing; allows publicly owned or operated transit buses to use.	1/8/2016 Senate: Referred to Committee on Transportation 1/20/2016 Senate: Reported from Transportation with amendment (12-Y 0-N) 1/27/2016 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2016 House: Referred to Committee on Transportation 2/18/2016 House: Reported from Transportation with amendment (21-Y 0-N) 2/22/2016 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/25/2016 Senate: Enrolled 2/25/2016 Senate: Bill text as passed Senate and House (SB299ER) 2/25/2016 House: Signed by Speaker 2/26/2016 Senate: Signed by President	<b>2/2/2016</b>
<b>Support</b> (16100712D-E) - See also HB 329 (Villanueva). <b>Summary:</b> Amber lights on public transit buses. Allows publicly owned or operated transit buses to use flashing amber lights. This bill is identical to HB 329.		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>SB 309</u></a> - Hanger, Jr. (24) Annexation; extends current moratorium on city annexations and county immunity actions.</p>	<p>1/8/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/5/2016 Committee substitute agreed to 16105140D-S1 2/8/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on Counties, Cities and Towns 2/19/2016 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/23/2016 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/23/2016 House: VOTE: BLOCK VOTE PASSAGE #2 (100-Y 0-N) 2/24/2016 Senate: Enrolled 2/24/2016 Senate: Bill text as passed Senate and House (SB309ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 Senate: Enrolled Bill Communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103788D) - Board has historically supported. See also HB 945 (Wilt). <b>Summary:</b> Annexation. Extends the current moratorium on city annexations and county immunity actions by six years to 2024. Provisions that would trigger the early expiration of the moratorium if the General Assembly fails to appropriate certain amounts for local law-enforcement expenditures are exempted through the 2022-2024 biennium. The Commission on Local Government is directed to evaluate the structure of cities and counties in the Commonwealth and the impact of annexation upon localities. In doing so, the Commission shall consider alternatives to the current moratorium on annexation by cities. The Commission shall issue its findings and recommended policy changes to the General Assembly no later than December 1, 2018.</p>		
<p><a href="#"><u>SB 361</u></a> - Favola (31) Tree conservation; locality to post signs on private property that is proposed to be redeveloped.</p>	<p>1/11/2016 Senate: Referred to Committee on Local Government 1/19/2016 Senate: Reported from Local Government with substitute (7-Y 3-N) 1/26/2016 Senate: Passed Senate (25-Y 15-N) 2/3/2016 House: Referred to Committee on Counties, Cities and Towns 2/17/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/19/2016 House: Reported from Counties, Cities and Towns with substitute (19-Y 2-N) 2/23/2016 Passed House with substitute (86-Y 13-N) 2/25/2016 House substitute agreed to by Senate (30-Y 10-N) 2/26/2016 Senate: Enrolled 2/26/2016 Senate: Bill text as passed Senate and House (SB361ER)</p>	<p>[2/19/2016] <b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Support] (16105649D-H1) - The bill was amended to address prior concerns. See also HB 647 (Sullivan). <del>Support w/ Amend. (16104480D-S1) - Support with amendment to clarify that an infill lot grading plan can be approved by a county agency.</del></p> <p><b>Summary:</b> Tree conservation ordinance. Provides that the ordinance may allow a locality to post signs on private property that is proposed to be redeveloped with one single family home that notifies the public that an infill lot grading plan is pending for review before the locality. The locality may not require the applicant to be responsible for such posting and the failure to post the property shall not be a ground for denial of such grading plan.</p>		
<a href="#"><u>SB 414</u></a> - Barker (39) Land Bank Entities Act.	<p>1/12/2016 Senate: Referred to Committee on Local Government</p> <p>2/2/2016 Senate: Reported from Local Government with amendments (11-Y 0-N)</p> <p>2/5/2016 Committee amendments agreed to</p> <p>2/8/2016 Read third time and passed Senate (40-Y 0-N)</p> <p>2/11/2016 House: Referred to Committee on Counties, Cities and Towns</p> <p>2/19/2016 House: Reported from Counties, Cities and Towns (20-Y 1-N)</p> <p>2/23/2016 House: VOTE: PASSAGE (82-Y 17-N)</p> <p>2/24/2016 Senate: Enrolled</p> <p>2/24/2016 Senate: Bill text as passed Senate and House (SB414ER)</p> <p>2/24/2016 House: Signed by Speaker</p> <p>2/25/2016 Senate: Signed by President</p> <p>2/25/2016 Senate: Enrolled Bill Communicated to Governor on 2/25/16</p> <p>2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016</p>	<b>2/16/2016</b> <b>2/2/2016</b>
<p><b>Support</b> (16103380D) - See also HB 268 (Marshall, D.W.) <del><b>Monitor</b> (16103380D)</del></p> <p><b>Summary:</b> Authorizes the establishment of a land bank entity by any locality or two or more localities combined to assist in addressing vacant, abandoned, and tax-delinquent real properties. Under the bill, the locality has the option of (i) creating an authority or a nonprofit, nonstock corporation or (ii) designating an existing nonprofit entity that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code and eligible to receive donations from a locality pursuant to § 15.2-953 to carry out the functions of such land entity. The bill provides that land bank entities may acquire real property within participating localities or receive transfers and conveyances from the participating localities. Land bank entities are authorized to receive funding through grants and loans from participating localities, the Commonwealth, the federal government, and other public and private sources. In addition, the bill authorizes a locality to deem paid in full all accumulated taxes, penalties, interest, and other costs on any tax-delinquent property in exchange for conveyance of the property by the owner to a land bank entity. The bill also authorizes a participating locality to remit to the land bank entity up to 50 percent of the real property taxes collected on real property conveyed by a land bank entity for up to 10 years after the conveyance. This bill is a recommendation of the Virginia Housing Commission.</p>		
<a href="#"><u>SB 417</u></a> - Vogel (27) Social Services, Department of; unauthorized practice of law.	<p>1/12/2016 Senate: Referred to Committee on Rehabilitation and Social Services</p> <p>2/5/2016 Senate: Reported from Rehabilitation and Social Services (8-Y 6-N 1-A)</p>	<b>2/16/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/10/2016 Read third time and passed Senate (20-Y 17-N 1-A) 2/12/2016 House: Referred to Committee on Health, Welfare and Institutions 2/18/2016 House: Referred from Health, Welfare and Institutions by voice vote 2/18/2016 House: Referred to Committee for Courts of Justice 2/22/2016 Subcommittee recommends reporting (9-Y 1-N)	
<b>Support</b> (16101307D) <b>Summary:</b> Department of Social Services; unauthorized practice of law. Allows designated nonattorney employees of a local department of social services to (i) initiate a case on behalf of the local department by appearing before an intake officer and (ii) complete, sign, and file with the clerk of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, and motions for a rule to show cause. The bill also directs directors of local departments of social services to designate nonattorney employees who are authorized to perform such tasks.		
<a href="#"><u>SB 433</u></a> - Favola (31) Kinship Guardianship Assistance program; established.	1/12/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/29/2016 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 1/29/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance with amendment (15-Y 0-N) 2/12/2016 Engrossed by Senate as amended SB433E 2/12/2016 Passed Senate (39-Y 0-N) 2/17/2016 House: Referred to Committee on Health, Welfare and Institutions 2/18/2016 Subcommittee recommends reporting (9-Y 0-N) 2/23/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/23/2016 House: Referred to Committee on Appropriations	<b>2/16/2016</b>
<b>Support</b> (16101539D) <b>Summary:</b> Kinship Guardianship Assistance program. Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program.		
<a href="#"><u>SB 436</u></a> - Favola (31) Fostering Futures program; established.	1/12/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/29/2016 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 1/29/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance (15-Y 0-N)	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/12/2016 Passed Senate (39-Y 0-N) 2/17/2016 House: Referred to Committee on Health, Welfare and Institutions 2/18/2016 House: Reported from Health, Welfare and Institutions (21-Y 0-N) 2/18/2016 House: Referred to Committee on Appropriations	
<b>Support</b> (16101846D) <b>Summary:</b> Fostering Futures program. Establishes the Foster Futures program to provide services and support to individuals between the ages of 18 and 21 who were formerly in foster care as a minor and are transitioning to full adulthood and self-sufficiency.		
<a href="#"><b>SB 468</b></a> - Wagner (7) Local stormwater utility; waiver of charges where stormwater retained on site.	1/12/2016 Senate: Referred to Committee on Local Government 2/9/2016 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/12/2016 Committee substitute agreed to 16105352D-S1 2/15/2016 Engrossed by Senate - committee substitute with amendments SB468ES1 2/15/2016 Passed Senate (39-Y 0-N) 2/17/2016 House: Referred to Committee on Counties, Cities and Towns 2/24/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/26/2016 House: Reported from Counties, Cities and Towns with amendment (20-Y 2-N)	[2/26/2016] [2/19/2016] <b>2/2/2016</b>
<p>[Support] (as amended by HCCT) - The bill was amended to address prior concerns. <del>[Amend] (16105352D-ES1) - Amend to remove waiver for railroad right-of-way. <b>Oppose</b> (16101308D)</del></p> <p><b>Summary:</b> Local stormwater utility; public-private partnership; waiver of charges to railroad right-of-way. Authorizes the creation of public-private stormwater management programs and adds contracting for the construction and operation of stormwater management facilities to the list of activities for which a local stormwater utility is authorized to recover charges. The bill also requires any locality adopting a system of stormwater service charges to waive charges to land located within a railroad right-of-way that is covered with ballast and rail.</p>		
<a href="#"><b>SB 535</b></a> - Deeds (25) Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program; created.	1/13/2016 Senate: Referred to Committee on Education and Health 1/21/2016 Senate: Reported from Education and Health (15-Y 0-N) 1/21/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance with amendments (15-Y 0-N) 2/12/2016 Engrossed by Senate as amended SB535E 2/12/2016 Passed Senate (39-Y 0-N) 2/17/2016 House: Referred to Committee on Appropriations	<b>2/2/2016</b>
<b>Support</b> (16100825D) - See also HB 764 (Yost). <b>Summary:</b> Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program. Establishes the Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program to provide student loan repayment grants to eligible behavioral health practitioners who agree to a 24-month employment obligation with a community services board, behavioral health authority, or Department of Behavioral Health		

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Bills	General Assembly Actions	Date of BOS Position
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and Developmental Services facility or with an entity that has entered into a contract with a community services board, behavioral health authority or Department of Behavioral Health and Developmental Services facility to provide behavioral health services. Grants may be up to \$10,000 per recipient per year, and the Department of Behavioral Health and Developmental Services may award up to 250 grants per year. The provisions of this bill are contingent on funding in a general appropriation act.

<b><u>SB 556</u></b> - Wexton (33) Opiate addiction treatment; nonmethadone opioid replacements.	1/13/2016 Senate: Referred to Committee on Education and Health 1/28/2016 Senate: Reported from Education and Health (12-Y 3-N) 2/2/2016 Read third time and passed Senate (34-Y 4-N) 2/5/2016 House: Referred to Committee on Health, Welfare and Institutions 2/18/2016 Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/23/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/25/2016 Committee substitute agreed to 16105656D-H1 2/25/2016 House: Passed House with substitute BLOCK VOTE (99-Y 0-N) 2/25/2016 Reconsideration of House passage agreed to by House 2/25/2016 House: Passed House with substitute BLOCK VOTE (100-Y 0-N)	<b>2/16/2016</b>
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**Support** (16101464D)

**Summary:** Removes certain restrictions for licensure of a provider who provides treatment for persons with opiate addiction using nonmethadone opioid replacements. Such restrictions include the proximity of the provider to a school and community notice requirements.

<b><u>SB 574</u></b> - McEachin (9) Officers of election; required training every two years.	1/13/2016 Senate: Referred to Committee on Privileges and Elections 2/2/2016 Senate: Reported from Privileges and Elections with substitute (12-Y 1-N) 2/2/2016 Incorporates SB 772 2/5/2016 Committee substitute agreed to 16105054D-S1 2/9/2016 Passed Senate (39-Y 1-N) 2/11/2016 House: Referred to Committee on Privileges and Elections 2/18/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/26/2016 House: Reported from Privileges and Elections with substitute (21-Y 1-N)	<b>2/16/2016</b>
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**Support w/ Amend.** (16105054D-S1) - Support with amendment to allow County-developed training materials to be used as an alternative or supplement to state-developed materials when appropriate. See also HB 1030 (Sickles).

**Summary:** Officers of election; required training. Requires each officer of election to receive training at least once during the term for which he was appointed and whenever there is a change to election procedures that alters the duties or conduct of the officers of election. The State Board of Elections is required to (i) develop standardized training programs, (ii) provide standardized training materials, and (iii) offer on the Department of Elections website an online training course. The bill requires the training of the officers of election to be conducted by the local electoral boards and general registrars, using the standardized training programs and

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Bills	General Assembly Actions	Date of BOS Position
materials developed by the State Board, but gives the local electoral boards and general registrars the option to instead require the officers of election complete the online training course offered by the State Board.		
<a href="#"><u>SB 603</u></a> - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.	1/13/2016 Senate: Referred to Committee on Privileges and Elections 1/26/2016 Senate: Reported from Privileges and Elections (12-Y 1-N) 2/1/2016 Read third time and passed Senate (27-Y 13-N) 2/3/2016 House: Referred to Committee on Privileges and Elections 2/16/2016 House: Subcommittee recommends striking from docket by voice vote	<b>2/2/2016</b>
<b>Support</b> (16103418D) <b>Summary:</b> Allows for any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning the twenty-first day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons.		
<a href="#"><u>SB 742</u></a> - Wagner (7) Motor vehicles; fuels sales tax in certain transportation districts.	1/22/2016 Senate: Referred to Committee on Finance 2/9/2016 Senate: Reported from Finance with substitute (12-Y 3-N) 2/11/2016 Committee substitute agreed to 16104968D-S1 2/12/2016 Read third time and passed Senate (23-Y 11-N) 2/17/2016 House: Referred to Committee on Finance 2/26/2016 House: Subcommittee recommends continuing to 2017 by voice vote	<b>2/16/2016</b>
<b>Support</b> (16104266D) <b>Summary:</b> Motor vehicle fuels sales tax in certain transportation districts. Changes the regional gas tax in Hampton Roads from a percentage to a cents per gallon tax that decreases as the price of gas increases. The regional gas tax in Hampton Roads would have a floor of \$0.05 per gallon and a ceiling of \$0.14 per gallon and would be determined based on the average wholesale price of unleaded regular gasoline. The bill places a floor on the price of gasoline that the regional gas tax is imposed on in Northern Virginia that is identical to the floor used for the statewide gas tax and increases the regional gas tax in Northern Virginia from 2.1% to 3%.		
<a href="#"><u>SJ 1</u></a> - Surovell (36) United States Constitution; ratifying the Equal Rights Amendment.	11/22/2015 Senate: Referred to Committee on Privileges and Elections 1/19/2016 Senate: Reported from Privileges and Elections with substitute (7-Y 6-N) 1/26/2016 Read third time and agreed to by Senate (21-Y 19-N) 2/3/2016 House: Referred to Committee on Privileges and Elections	<b>2/2/2016</b>
<b>Support</b> (16100133D) - Board has historically supported. See also HJ 136 (Sickles). <b>Summary:</b> United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. This resolution incorporates SJ 11.		

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***Fairfax County Positions***  
***(Monitor)***

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 66</u></a> - Byron (22) New Economy Industry Credential Assistance Training Grants; grants for earning training credentials.	12/4/2015 House: Referred to Committee on Education 2/9/2016 Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/10/2016 House: Reported from Education with substitute (21-Y 1-N) 2/12/2016 Engrossed by House - committee substitute with amendments HB66EH1 2/15/2016 House: VOTE: PASSAGE (96-Y 3-N) 2/16/2016 Senate: Referred to Committee on Education and Health 2/25/2016 Senate: Reported from Education and Health with amendment (14-Y 0-N)	<b>2/2/2016</b>
<p><b>Monitor</b> (16101082D) - Monitor legislation; support associated funding in Governor's budget.  <b>Summary:</b> New Economy Workforce Credential Grant Fund and Program established. Establishes the New Economy Workforce Credential Grant Fund and Program, to be administered by the State Council of Higher Education for Virginia, for the purpose of disbursing funds to certain public institutions of higher education and other educational institutions in the Commonwealth to provide grants to Virginia students who complete certain noncredit workforce training programs at the institution and subsequently attain a relevant noncredit workforce credential. The bill also includes provisions relating to the amount and terms of such grants, academic credit for the attainment of noncredit workforce credentials, and reporting on completion of noncredit workforce training programs and attainment of noncredit workforce credentials, among other things.</p>		
<a href="#"><u>HB 190</u></a> - Bulova (37) Northern Virginia Transportation Authority; use of population estimate in connection with decisions.	12/26/2015 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation (21-Y 0- N) 1/29/2016 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97- Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation 2/17/2016 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/22/2016 Passed Senate with substitute (40-Y 0-N) 2/24/2016 House: VOTE: ADOPTION (100-Y 0-N) 2/25/2016 House: Bill text as passed House and Senate (HB190ER) 2/25/2016 House: Signed by Speaker 2/25/2016 House: Enrolled 2/26/2016 Senate: Signed by President	[2/19/2016] <b>2/2/2016</b>
<p>[Monitor] (16105607D-S1) See also SB 413 (Barker). <del><b>Oppose</b> (16102274D) — Oppose if amended to broaden intent.</del>  <b>Summary:</b> Northern Virginia Transportation Authority. Provides that the population criterion required for</p>		

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Bills	General Assembly Actions	Date of BOS Position
decisions of the Northern Virginia Transportation Authority shall be the estimates, not the projections, made by the Weldon Cooper Center for Public Service of the University of Virginia.		
<a href="#"><b>HB 213</b></a> - LeMunyon (67) Motor vehicle safety inspection; exceptions to inspection requirement.	12/28/2015 House: Referred to Committee on Transportation 1/21/2016 House: Reported from Transportation (20-Y 0-N) 1/27/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 1/28/2016 Senate: Referred to Committee on Transportation 2/24/2016 Senate: Reported from Transportation with amendment (13-Y 0-N)	<b>2/2/2016</b>
<b>Monitor</b> (16100509D) <b>Summary:</b> Exceptions to motor vehicle inspection requirement. Exempts from the motor vehicle inspection requirement vehicles that are parked in the designated parking area of an official inspection station. The bill contains technical amendments.		
<a href="#"><b>HB 301</b></a> - Herring (46) Officer-involved shootings; VSP shall include in annual Crime in Virginia report.	1/4/2016 House: Referred to Committee on Militia, Police and Public Safety 2/1/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/5/2016 House: Reported from Militia, Police and Public Safety with substitute (22-Y 0-N) 2/9/2016 Committee substitute agreed to 16104964D-H1 2/10/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/11/2016 Senate: Referred to Committee for Courts of Justice 2/22/2016 Senate: Reported from Courts of Justice with amendment (14-Y 0-N) 2/24/2016 Passed Senate with amendment (40-Y 0-N) 2/26/2016 House: VOTE: ADOPTION (97-Y 0-N)	<b>2/2/2016</b>
<b>Monitor</b> (16102619D) <b>Summary:</b> Officer-involved shootings; reporting requirement. Requires the Department of State Police to include any officer-involved shooting in the annual Crime in Virginia report. The bill requires that any law-enforcement or public safety officer required to make such report receive training concerning such reporting requirement.		
<a href="#"><b>HB 367</b></a> - Davis (84) Nonconforming uses; uses that do not conform to zoning prescribed for district, etc.	1/5/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting with amendment(s) (7-Y 3-N) 2/12/2016 House: Reported from Counties, Cities and Towns with substitute (19-Y 2-N) 2/15/2016 Committee substitute agreed to 16105454D-H1 2/16/2016 Read third time and passed House (99-Y 0-N) 2/16/2016 House: VOTE: PASSAGE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on Local Government	<b>2/2/2016</b>
<b>Monitor</b> (16102442D)		

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Bills	General Assembly Actions	Date of BOS Position
<b>Summary:</b> Nonconforming uses. Provides that if a use does not conform to the zoning prescribed for the district in which such use is situated, and if (i) a business license was issued by the locality for such use and (ii) the holder of such business license has operated continuously for at least 15 years and has paid all local taxes related to such use, the locality shall permit the holder of such business license to apply for a rezoning or a special use permit without charge by the locality or any agency affiliated with the locality for fees associated with such filing.		
<b><u>HB 412</u></b> - Kilgore (1) Aircraft, certain; local regulation.	1/7/2016 House: Referred to Committee for Courts of Justice 1/27/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/3/2016 House: Reported from Courts of Justice with amendments (21-Y 0-N) 2/9/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/10/2016 Senate: Referred to Committee on Local Government 2/23/2016 Senate: Reported from Local Government (13-Y 0-N) 2/26/2016 Passed Senate (38-Y 2-N)	<b>2/2/2016</b>
<b>Monitor</b> (16101685D) <b>Summary:</b> Local regulation of certain aircraft. Provides that no locality may regulate the use of privately owned, unmanned aircraft systems within its boundaries. The provisions of the bill expire on July 1, 2019.		
<b><u>HB 665</u></b> - Howell (28) Employee Retirement Security & Pension Reform, Commission on; established, report, sunset provision.	1/11/2016 House: Referred to Committee on Rules 2/4/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/4/2016 Subcommittee recommends referring to Committee on Appropriations 2/9/2016 House: Referred from Rules by voice vote 2/9/2016 House: Referred to Committee on Appropriations 2/11/2016 Subcommittee recommends reporting (6-Y 0-N) 2/12/2016 House: Reported from Appropriations with substitute (22-Y 0-N) 2/15/2016 Committee substitute agreed to 16105503D-H1 2/16/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on Rules	<b>2/2/2016</b>
<b>Monitor</b> (16103269D) <b>Summary:</b> Creates the Commission on Employee Retirement Security and Pension Reform in the legislative branch to study and make recommendations relating to the financial soundness of retirement plans covering state and local government employees; the suitability of retirement plans offered or maintained for current state and local government employees and the attributes of retirement plans that will be suitable for future employees; the impact on state and local governments of the anticipated retirement of experienced employees between 2016 and 2026 and strategies for replacing such employees; and the elements of compensation and benefits packages that are essential to attracting and retaining a highly productive state and local government workforce.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 715</u></a> - LeMunyon (67) Interstate 66; requirements that VDOT must satisfy prior to change in HOV-2 designation.	1/11/2016 House: Referred to Committee on Transportation 2/2/2016 Subcommittee recommends reporting (5-Y 1-N) 2/11/2016 House: Reported from Transportation with substitute (21-Y 0-N) 2/15/2016 Committee substitute agreed to 16105405D-H1 2/16/2016 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on Transportation	[2/19/2016] <b>2/2/2016</b>
<p>[Monitor] (16105405D-H1) <b>Oppose</b> (16100367D)</p> <p><b>Summary:</b> HOV designation on Interstate 66. Adds to the criteria on which the Commonwealth Transportation Board must base its decision whether the change in HOV-2 designation to a more restrictive designation on Interstate 66 has been screened and evaluated by the Department of Transportation in accordance with its responsibilities for analysis of transportation projects in the Northern Virginia Transportation District. The bill contains a delayed effective date.</p>		
<a href="#"><u>HB 731</u></a> - LeMunyon (67) Members of transportation district commissions; compensation.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with substitute (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Transportation 2/17/2016 Senate: Reported from Transportation (13-Y 0-N) 2/22/2016 Passed Senate (40-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB731ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 2/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016	<b>2/2/2016</b>
<p><b>Monitor</b> (16100791D)</p> <p><b>Summary:</b> Allows the Northern Virginia Transportation Commission to reimburse its nonelected members appointed to the board of directors of the Washington Metropolitan Area Transit Authority for expenses incurred and compensate them in the amount of \$50 per day for attending WMATA meetings.</p>		
<a href="#"><u>HB 817</u></a> - LeMunyon (67) Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.	1/12/2016 House: Referred to Committee on General Laws 2/4/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/11/2016 House: Reported from General Laws with substitute (22-Y 0-N) 2/15/2016 Committee substitute agreed to 16105030D-H1 2/16/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on General Laws and Technology	<b>2/16/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (16103657D) - See also SB 494 (Surovell).</p> <p><b>Summary:</b> Virginia Freedom of Information Act; record exclusions; rule of redaction; no weight accorded to public body's determination. Reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill defines the term "information" and provides that it is declaratory of the law as is it existed prior to the September 17, 2015 decision of the Supreme Court of Virginia in the case of the Department of Corrections v. Surovell. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.</p>		
<p><b>HB 883</b> - Habeeb (8) Telecommunications towers; in accordance with comprehensive plan.</p>	<p>1/12/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/12/2016 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N) 2/15/2016 Committee substitute agreed to 16105384D-H1 2/16/2016 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on Local Government</p>	<p>[2/19/2016] <b>2/16/2016</b> <b>2/2/2016</b></p>
<p>[Monitor] (16105384D-H1) - Bill has been amended to address concerns. <del><b>Amend</b> (16102883D)</del> <del><b>Amend to exclude Planning District 8.</b></del> <del><b>Oppose</b> (16102883D)</del></p> <p><b>Summary:</b> Comprehensive plan; telecommunications towers. Provides that a proposed telecommunications tower, and certain other facilities, shall be deemed to be substantially in accord with the comprehensive plan and planning commission approval shall not be required if the proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right. The provisions of the bill do not apply in Planning District 8.</p>		
<p><b>HB 910</b> - Minchew (10) Appeal of tax assessments; prior to receipt of information, person to sign acknowledgment of order.</p>	<p>1/12/2016 House: Referred to Committee for Courts of Justice 1/20/2016 Subcommittee failed to recommend reporting (4-Y 6-N) 2/3/2016 Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/10/2016 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/15/2016 Committee substitute agreed to 16105127D-H1 2/16/2016 House: Read third time and passed House BLOCK</p>	<p>[2/19/2016] <b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
	VOTE (99-Y 0-N) 2/17/2016 Senate: Referred to Committee on Finance	
<p>[Monitor] (16105127D-H1) - See also SB 597 (Cosgrove). <del><b>Oppose</b></del> (16102860D)</p> <p><b>Summary:</b> Appeal of local tax assessments; confidentiality. Provides that, prior to the release of any confidential tax information pursuant to a discovery order, with regard to an application for relief to a circuit court to correct erroneous assessments of local taxes, the court shall issue an order stating that no entity or person who has obtained such confidential information shall disclose, exhibit, or discuss the information except as otherwise provided in the order. The bill requires that any outside expert or person who may be called as a witness given access to such confidential information be required to sign an acknowledgment of the order and agree to be bound by its terms and subject to the jurisdiction of the court for its enforcement.</p>		
<p><b>HB 1069</b> - Jones (76) Tolls; limitation on tolling, tolls for use of Interstate System components, etc.</p>	<p>1/13/2016 House: Referred to Committee on Transportation 2/2/2016 Subcommittee recommends reporting with amendment(s) (6-Y 1-N) 2/4/2016 House: Reported from Transportation with substitute (17-Y 4-N) 2/4/2016 House: Referred to Committee on Appropriations 2/10/2016 Subcommittee recommends reporting with amendment(s) (5-Y 1-N) 2/12/2016 House: Reported from Appropriations with substitute (22-Y 0-N) 2/12/2016 Incorporates HB169 2/15/2016 Committee substitute from HTRAN rejected 16104873D-H1 and Committee substitute from HAPP agreed to 16105418D-H2 2/15/2016 Amendment A by Delegate Marshall, R.G. rejected and Amendment B by Delegate Marshall, R.G. withdrawn 2/15/2016 Engrossed by House - committee substitute HB1069H2 2/16/2016 House: VOTE: PASSAGE (85-Y 12-N) 2/17/2016 Senate: Referred to Committee on Transportation</p>	<p><b>2/2/2016</b></p>
<p><b>Monitor</b> (16103861D) - See also SB 295 (Lucas).</p> <p><b>Summary:</b> Tolling civil penalties; period of nonpayment; limitations on tolling; notification of toll violations. The bill prohibits tolling any highway, bridge, or tunnel without approval of the General Assembly except in limited circumstances. The bill requires the Department of Transportation to allow E-ZPass account holders to provide an email or phone number and to electronically notify account holders of a toll violation and further requires toll operators to notify the Department of such toll violations. The bill amends the definition of high-occupancy toll (HOT) lanes to ensure that mass transit vehicles and commuter buses meet the high-occupancy requirement. The bill lengthens from 30 to 60 days the period following notification of an unpaid toll on HOT lanes after which, if the toll is still unpaid, the owner or operator of the vehicle is in violation. The bill decreases the civil penalties for an unpaid toll violation on the HOT lanes, making them equal to civil penalties for other toll violations, and allows the HOT lanes operator to offer reduced civil penalties if the owner of the vehicle pays within 14 days prior to the hearing date, which is also permitted for other toll operators. For violations on any toll road, the bill provides that for a first court appearance there are reduced civil penalties and places a cap of \$2,200 on civil penalties and administrative fees. Finally, the bill provides for a 10-day grace period for unpaid tolls and requires toll operators to attempt to process and collect unpaid tolls twice during such period.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 1211</u></a> - Leftwich (78) Animal control officers; training.	1/18/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2016 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (22-Y 0-N) 2/8/2016 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/9/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2016 Senate: Reported from Agriculture, Conservation and Natural Resources (15-Y 0-N) 2/23/2016 Passed Senate (39-Y 0-N) 2/24/2016 House: Enrolled 2/24/2016 House: Bill text as passed House and Senate (HB1211ER) 2/24/2016 House: Signed by Speaker 2/25/2016 Senate: Signed by President 2/25/2016 House: Enrolled Bill communicated to Governor on 02/25/16 2/25/2016 Governor: Governors Action Deadline Midnight, March 3, 2016	<b>2/16/2016</b>
<b>Monitor</b> (16103893D) <b>Summary:</b> Requires animal control officers hired on or after July 1, 2017, to complete a basic animal control course within one year after the date of hire, or within two years of the date of hire if the officer is attending a law enforcement academy. Current law requires completion of such training course within two years after the date of hire.		
<a href="#"><u>SB 87</u></a> - Garrett (22) Circuit court clerks; disaster plan for recovery of any land record maintained electronically.	12/22/2015 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/4/2016 Read third time and passed Senate (40-Y 0-N) 2/8/2016 House: Referred to Committee for Courts of Justice 2/24/2016 House: Reported from Courts of Justice (22-Y 0-N) 2/26/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)	<b>2/2/2016</b>
<b>Monitor</b> (16100681D) <b>Summary:</b> Circuit court clerks; disaster recovery plan for electronic land records. Requires circuit court clerks to maintain a disaster plan for recovery of any land record in possession of the clerk that is maintained as an electronic record. The bill has a delayed effective date of July 1, 2017.		
<a href="#"><u>SB 111</u></a> - Petersen (34) Punitive damages; raises cap for any action accruing on or after July 1, 2016.	12/28/2015 Senate: Referred to Committee for Courts of Justice 1/27/2016 Senate: Reported from Courts of Justice (11-Y 4-N) 2/2/2016 Read third time and passed Senate (26-Y 14-N) 2/5/2016 House: Referred to Committee for Courts of Justice 2/17/2016 House: Subcommittee recommends laying on the table by voice vote	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
<b>Monitor</b> (16101414D) <b>Summary:</b> Punitive damages cap. Raises the punitive damages cap from \$350,000 to \$500,000 for any action accruing on or after July 1, 2016.		
<b><u>SB 237</u></b> - Petersen (34) Virginia Property Owners' Association Act; condemnation of common area.	1/6/2016 Senate: Referred to Committee on General Laws and Technology 1/18/2016 Senate: Rereferred to Courts of Justice 1/18/2016 Rereferred from General Laws and Technology (15-Y 0-N) 2/3/2016 Senate: Reported from Courts of Justice with substitute (14-Y 0-N) 2/8/2016 Committee substitute agreed to 16104518D-S1 2/9/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on General Laws 2/23/2016 Subcommittee recommends reporting with amendment(s) (6-Y 1-N)	<b>2/16/2016</b>
<b>Monitor</b> (16104518D-S1) <b>Summary:</b> Virginia Property Owners' Association Act; condemnation of common area; valuation. Provides that, for the purposes of condemnation, the value of a portion of a common area of a property owners' association shall be based on the common area's highest and best use as though it were free from restriction to sole use as a common area.		
<b><u>SB 413</u></b> - Barker (39) Northern Va. Transportation Authority; use of population estimates in connection with decisions.	1/12/2016 Senate: Referred to Committee on Transportation 1/27/2016 Senate: Reported from Transportation (13-Y 0-N) 2/2/2016 Read third time and passed Senate (39-Y 0-N) 2/5/2016 House: Referred to Committee on Transportation 2/25/2016 House: Reported from Transportation (22-Y 0-N)	[2/19/2016] <b>2/2/2016</b>
[Monitor] (16102469D) - See also HB 190 (Bulova). <del><b>Oppose</b> (16102469D) – Oppose if amended to broaden intent.</del> <b>Summary:</b> Northern Virginia Transportation Authority. Provides that the population criterion required for decisions of the Northern Virginia Transportation Authority shall be the estimates, not the projections, made by the Weldon Cooper Center for Public Service of the University of Virginia and provides that the population estimates shall be adjusted once the estimates are available for July 1 of the fifth year after the decennial census. Under current law the population estimates are adjusted on July 1 of the fifth year, which requires them to use the previous year's data.		
<b><u>SB 494</u></b> - Surovell (36) Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.	1/12/2016 Senate: Referred to Committee on General Laws and Technology 2/15/2016 Senate: Reported from General Laws and Technology with substitute (10-Y 5-N) 2/18/2016 House: Referred to Committee on General Laws 2/18/2016 House: Reported from General Laws (19-Y 1-N) 2/22/2016 House: VOTE: PASSAGE (98-Y 2-N) 2/23/2016 Senate: Enrolled 2/23/2016 Senate: Bill text as passed Senate and House (SB494ER) 2/23/2016 Senate: Signed by President	<b>2/16/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/23/2016 House: Signed by Speaker 2/23/2016 Senate: Enrolled Bill Communicated to Governor on 2/23/16 2/23/2016 Governor: Governors Action Deadline Midnight, March 1, 2016	
<p><b>Monitor</b> (16103660D) - See also HB 817 (LeMunyon).</p> <p><b>Summary:</b> Virginia Freedom of Information Act; record exclusions; rule of redaction; no weight accorded to public body's determination. Reverses the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of Department of Corrections v. Surovell by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.</p>		
<p><b><u>SB 515</u></b> - McPike (29) Mobile food vending; allows units in commuter lots in Planning District 8, fees to pay for security.</p>	<p>1/13/2016 Senate: Referred to Committee on Transportation 1/27/2016 Senate: Reported from Transportation with substitute (11-Y 0-N) 2/2/2016 Read third time and passed Senate (38-Y 2-N) 2/5/2016 House: Referred to Committee on Transportation 2/22/2016 Subcommittee recommends reporting (4-Y 3-N)</p>	<p><b>2/16/2016</b></p>
<p><b>Monitor</b> (16104817D-S1)</p> <p><b>Summary:</b> Mobile food vending in commuter lots in Planning District 8; fees; security. Allows mobile food vending units to apply for a permit and pay a fee to the Department of Transportation that would allow them to sell food in commuter lots in Planning District 8. The Department would use the fees to increase security and provide maintenance in such commuter lots. The bill also requires the Department to establish criteria for the program, publish the permit application on its website, and establish a fee for the permit.</p>		
<p><b><u>SB 542</u></b> - Obenshain (26) Delinquent sewer charges; lien on property, delinquent charges.</p>	<p>1/13/2016 Senate: Referred to Committee on Local Government 2/9/2016 Senate: Reported from Local Government with amendments (9-Y 4-N) 2/12/2016 Engrossed by Senate as amended SB542E 2/15/2016 Read third time and passed Senate (37-Y 2-N) 2/17/2016 House: Referred to Committee on Counties, Cities and Towns 2/24/2016 Subcommittee recommends reporting (10-Y 0-N) 2/26/2016 House: Reported from Counties, Cities and Towns (21-Y 1-N)</p>	<p><b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (16102424D)  <b>Summary:</b> Delinquent sewer charges; lien; unlimited time. Allows a locality that provides water or sewer service to a property owner, rather than to a tenant, to place a lien on the property receiving the service in the amount of the number of months of delinquent charges. Current law allows the placement of liens in the amount of up to three months of delinquent water and sewer charges.</p>		
<p><b><u>SB 543</u></b> - Obenshain (26)  Inverse condemnation proceeding; reimbursement of owner's costs.</p>	<p>1/13/2016 Senate: Referred to Committee for Courts of Justice  2/10/2016 Senate: Reported from Courts of Justice (14-Y 0-N)  2/15/2016 Passed Senate (39-Y 0-N)  2/17/2016 House: Referred to Committee for Courts of Justice  2/24/2016 House: Reported from Courts of Justice with amendment (22-Y 0-N)  2/26/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Monitor</b> (16102426D)  <b>Summary:</b> Directs the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding for "damaging" property if a judgment is entered for the plaintiff. Under current law, the court is directed to award costs only for the "taking" of property. The change made in this bill corresponds with the language of amendments to Article 1, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013</p>		
<p><b><u>SB 552</u></b> - Cosgrove (14)  Virginia Freedom of Information Act; mandatory disclosure of public employee.</p>	<p>1/13/2016 Senate: Referred to Committee on General Laws and Technology  2/8/2016 Senate: Reported from General Laws and Technology with substitute (8-Y 7-N)  2/17/2016 House: Referred to Committee on General Laws  2/25/2016 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[2/19/2016]</p>
<p>[Monitor] (16105187D-ES1)  <b>Summary:</b> Virginia Freedom of Information Act; exclusion from mandatory disclosure; names and training records of law-enforcement officers and fire marshals. Provides that the names and training records of law-enforcement officers as defined in § 9.1-101 and fire marshals as defined in § 27-30 shall be considered personnel records and excluded from mandatory disclosure under the Virginia Freedom of Information Act.</p>		
<p><b><u>SB 576</u></b> - Ruff, Jr. (61)  New Economy Workforce Credential Grant Program; established, Fund created, report.</p>	<p>1/13/2016 Senate: Referred to Committee on Education and Health  2/11/2016 Senate: Reported from Education and Health with substitute (15-Y 0-N)  2/15/2016 Engrossed by Senate - committee substitute with amendments SB576ES1  2/15/2016 Passed Senate (39-Y 0-N)  2/17/2016 House: Referred to Committee on Education  2/22/2016 House: Reported from Education with amendment</p>	<p><b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
	(21-Y 1-N) 2/22/2016 House: Referred to Committee on Appropriations	
<b>Monitor</b> (16103188D) - Monitor legislation; support associated funding in Governor's budget. <b>Summary:</b> New Economy Workforce Credential Grant Fund and Program established. Establishes the New Economy Workforce Credential Grant Fund and Program, to be administered by the State Council of Higher Education for Virginia, for the purpose of disbursing funds to certain public institutions of higher education and other educational institutions in the Commonwealth to provide grants to Virginia students who complete certain noncredit workforce training programs at the institution and subsequently attain a relevant noncredit workforce credential. The bill also includes provisions relating to the amount and terms of such grants, academic credit for the attainment of noncredit workforce credentials, and reporting on completion of noncredit workforce training programs and attainment of noncredit workforce credentials, among other things.		
<a href="#"><b>SB 597</b></a> - Cosgrove (14) Appeal of tax assessments; prior to receipt of information, person to sign acknowledgment of order.	1/13/2016 Senate: Referred to Committee on Finance 2/3/2016 Senate: Reported from Finance with substitute (15-Y 0-N) 2/8/2016 Engrossed by Senate - committee substitute with amendment SB597ES1 2/9/2016 Read third time and passed Senate (40-Y 0-N) 2/11/2016 House: Referred to Committee on Finance 2/22/2016 House: Referred from Finance by voice vote 2/22/2016 House: Referred to Committee for Courts of Justice 2/24/2016 House: Reported from Courts of Justice (22-Y 0-N) 2/26/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)	[2/19/2016] <b>2/2/2016</b>
[Monitor] (16104868D-ES1) - See also HB 910 (Minchew). <b>Oppose</b> (16101076D) <b>Summary:</b> Appeal of local tax assessments; confidentiality. Provides that, prior to the release of any confidential tax information pursuant to a discovery order, with regard to an application for relief to a circuit court to correct erroneous assessments of local taxes, the court shall issue an order stating that no entity or person who has obtained such confidential information shall disclose, exhibit, or discuss the information except as otherwise provided in the order. The bill requires that any outside expert or person who may be called as a witness given access to such confidential information be required to sign an acknowledgment of the order and agree to be bound by its terms and subject to the jurisdiction of the court for its enforcement.		
<a href="#"><b>SB 611</b></a> - Stanley, Jr. (20) Tort claim; notice of claim against the Commonwealth, transportation district, or locality.	1/13/2016 Senate: Referred to Committee for Courts of Justice 2/3/2016 Senate: Reported from Courts of Justice (8-Y 5-N 1-A) 2/10/2016 Passed Senate (25-Y 14-N) 2/12/2016 House: Referred to Committee for Courts of Justice 2/17/2016 Subcommittee recommends reporting with amendment(s) (10-Y 0-N)	[2/19/2016] <b>2/16/2016</b>
[Monitor] (as amended by HCT subcommittee) - Amendments address concerns. <b>Oppose</b> (16103209D) <b>Summary:</b> Notice of tort claim against the Commonwealth, transportation district, or locality. Provides that the bar to a tort claim against the Commonwealth, a transportation district, or a locality for failure to file a		

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written statement of the nature of the claim within one year after the cause of action accrues does not apply where there was actual knowledge of the claim within one year by the Commonwealth, its agency alleged to be liable, the Division of Risk Management, or any insurer or entity providing coverage or indemnification of the claim, the Attorney General, the transportation district, or the locality, as applicable.		
<a href="#"><u>SB 629</u></a> - Stanley, Jr. (20) Camping; special use permit.	1/15/2016 Senate: Referred to Committee on Local Government 1/26/2016 Senate: Reported from Local Government (12-Y 1-N) 2/1/2016 Read third time and passed Senate (40-Y 0-N) 2/3/2016 House: Referred to Committee on Counties, Cities and Towns 2/17/2016 Subcommittee recommends reporting (6-Y 1-N) 2/26/2016 House: Tabled in Counties, Cities and Towns by voice vote	<b>2/2/2016</b>
<b>Monitor</b> (16103257D) <b>Summary:</b> Special use permit; camping in tent or recreational vehicle. Prohibits any locality from barring or requiring a special use permit for camping by a landowner and his family or nonpaying guests in a tent or recreational vehicle on the landowner's property for a total of no more than two months per year.		
<a href="#"><u>SB 710</u></a> - Ebbin (30) Composition of the Washington Metropolitan Area Transit Authority Compact of 1966.	1/21/2016 Senate: Referred to Committee on Rules 2/3/2016 Senate: Rereferred to Transportation 2/3/2016 Rereferred from Rules (14-Y 0-N) 2/10/2016 Senate: Reported from Transportation with amendment (13-Y 0-N) 2/15/2016 Emergency clause added and engrossed by Senate as amended SB710E 2/15/2016 Passed Senate (39-Y 0-N) 2/17/2016 House: Referred to Committee on Transportation 2/25/2016 Subcommittee recommends reporting (6-Y 0-N)	<b>2/2/2016</b>
<b>Monitor</b> (16104585D) - See also HB 1278 (Levine). <b>Summary:</b> Appointing authority for Board of Directors of Washington Metropolitan Area Transit Authority. Changes from the U.S. Administrator of General Services to the Secretary of the U.S. Department of Transportation the appointing authority for the two federal members of the Board of Directors of the Authority and their alternates. The change is made in the WMATA Compact found in Title 33.2 of the Code of Virginia in order to conform with federal law.		
<a href="#"><u>SB 746</u></a> - Wagner (7) Governmental entities; liability for certain inspections.	1/22/2016 Senate: Referred to Committee for Courts of Justice 2/8/2016 Senate: Reported from Courts of Justice with substitute (14-Y 1-N) 2/11/2016 Read third time and passed Senate (24-Y 16-N) 2/15/2016 House: Referred to Committee for Courts of Justice 2/22/2016 Subcommittee recommends reporting with amendment(s) (10-Y 0-N)	[2/26/2016] <b>2/16/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Monitor] (as amended by HCT subcommittee) - The bill has been amended and no longer applies to localities.  <b>Oppose</b> (16104254D)  <b>Summary:</b> Liability of governmental entity for certain inspections. Provides that a governmental entity employing a person who exceeds the scope of his authority when performing an inspection of a private entity to determine compliance with any law, regulation, or ordinance shall be liable for any damages arising from any enforcement action taken against the entity on the basis of the employee's inspection. The provisions of this bill do not apply to law-enforcement officers or fire marshals.</p>		
<p><a href="#"><b>SB 767</b></a> - Suetterlein (19)  Form of ballot; party  identification of candidates.</p>	<p>1/22/2016 Senate: Referred to Committee on Privileges and Elections  2/2/2016 Senate: Reported from Privileges and Elections (7-Y 6-N)  2/8/2016 Passed Senate (24-Y 16-N)  2/11/2016 House: Referred to Committee on Privileges and Elections</p>	<p>[2/26/2016]</p>
<p>[Monitor] (16103756D)  <b>Summary:</b> Provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified.</p>		

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# ***Fairfax County Positions***

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## ***Legislation No Longer Under Consideration (Continued to 2017)***

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 96</b></a> - Lingamfelter (31) Problem-Solving Court Act; established, report.	12/14/2015 House: Referred to Committee for Courts of Justice 2/10/2016 House: Continued to 2017 in Courts of Justice by voice vote	<b>2/2/2016</b>
<p><b>Support</b> (16101603D) - Board has historically supported.</p> <p><b>Summary:</b> Problem-Solving Courts; established. Establishes the Problem-Solving Court Act (the Act). The bill allows the establishment of problem-solving courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service, mental illness, or societal reentry. The bill establishes a state problem-solving court docket advisory committee and requires localities intending to establish such courts to establish local advisory committees. The Supreme Court of Virginia is given administrative oversight for the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).</p>		
<a href="#"><b>HB 461</b></a> - Anderson (51) Handheld personal communications devices; use while driving, penalty.	1/8/2016 House: Referred to Committee on Militia, Police and Public Safety 1/15/2016 House: Referred from Militia, Police and Public Safety by voice vote 1/15/2016 House: Referred to Committee on Transportation 2/8/2016 Subcommittee recommends reporting (6-Y 1-N) 2/11/2016 House: Continued to 2017 in Transportation by voice vote	<b>2/2/2016</b>
<p><b>Support</b> (16100911D)</p> <p><b>Summary:</b> Use of handheld personal communications devices while driving; penalty. Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global position system for the purposes of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.</p>		
<a href="#"><b>HB 500</b></a> - Filler-Corn (41) Child care providers; criminal history background checks.	1/8/2016 House: Referred to Committee on Health, Welfare and Institutions 2/3/2016 House: Subcommittee recommends continuing to 2017 by voice vote 2/9/2016 House: Continued to 2017 in Health, Welfare and Institutions by voice vote	<b>2/2/2016</b>
<p><b>Support</b> (16103492D) - See also SB 601 (Wexton).</p> <p><b>Summary:</b> Requires all applicants for licensure as a family day system, registration as a family day home, and approval as a family day home by a family day system, all child day centers that are exempt from licensure by</p>		

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<p>the Department of Social Services, and all child day centers and family day homes that enter into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant, as well as all applicants for employment, employees, applicants to volunteer, and volunteers at such child day centers, family day homes, and family day systems, to undergo fingerprint-based national criminal history background checks beginning July 1, 2017. The bill also requires individuals currently employed by or serving as volunteers at a licensed child day center, family day home, or family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, family day home approved by a family day system, or child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant to undergo a national background check to be completed by July 1, 2017. In addition, every (i) person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system; (ii) agent of a person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system or who will be involved in the day-to-day operations of the child day center, family day home, or family day system or who is or will be alone with, in control of, or supervising one or more children in a child day center, family day home, or family day system; and (iii) adult living in a licensed child day center or family day home, registered family day home, or family day home approved by a family day system, shall undergo a national background check to be completed by July 1, 2017.</p>		
<p><b><u>HB 545</u></b> - Watts (39) License tax, local; staffing firm deductions.</p>	<p>1/9/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends continuing to 2017 by voice vote 2/8/2016 House: Continued to 2017 in Finance by voice vote</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16102363D) <b>Summary:</b> Local license tax; staffing firms. Provides that a staffing firm may deduct from otherwise taxable gross receipts salaries, wages, and other benefits it pays to independent contractors hired to provide professional employer organization services or temporary help services on behalf of or for the benefit of the staffing firm's clients.</p>		
<p><b><u>HB 1067</u></b> - Jones (76) Bonds; tolls on I-66.</p>	<p>1/13/2016 House: Referred to Committee on Appropriations 2/12/2016 House: Continued to 2017 in Appropriations by voice vote</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103031D) - See also SB 60 (Hanger). <b>Summary:</b> Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to \$1.5 billion plus financing costs to finance the costs of acquiring, constructing, and equipping dynamically tolled lanes on a portion of Interstate 66. Issuance of the bonds is contingent on the Transportation Public-Private Partnership Advisory Committee, prior to January 1, 2018, finding that the issuance is necessary due to the inability of private parties to meet the term sheet published by the Department of Transportation in September 2015 pursuant to the procurement initiated under the Public-Private Transportation Act of 1995.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 1121</b></a> - Anderson (51) Absentee voting; verification of signatures by officers of elections.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/9/2016 Subcommittee recommends reporting with amendment(s) (5-Y 2-N) 2/12/2016 House: Continued to 2017 in Privileges and Elections by voice vote	<b>2/2/2016</b>
<p><b>Oppose</b> (16103099D)</p> <p><b>Summary:</b> Absentee voting; signature requirement; verification of signatures by officers of elections. Requires the officers of elections to compare the signature on an absentee ballot envelope with the signature on that voter's voter registration application. Three officers, including one representative of each political party, are required to agree that the signatures match in order for the absentee ballot to be accepted. If less than three agree, the ballot is given provisional status and the electoral board makes the final determination of its validity. Notice by certified mail is required to be given to the voter. The bill also requires absentee ballot applications to be signed by the applicant's own handwriting or by electronic means, if such electronic signature is created by using a cursor, stylus, or similar device moved by the applicant to capture his signature. Any application signed by any other means shall be rejected.</p>		
<a href="#"><b>HB 1346</b></a> - Villanueva (21) Commonwealth Transportation Board; regional membership.	1/21/2016 House: Referred to Committee on Transportation 2/4/2016 Subcommittee recommends reporting (4-Y 3-N) 2/9/2016 House: Continued to 2017 in Transportation by voice vote	<b>2/2/2016</b>
<p><b>Support</b> (16103803D) - See also SB 471 (Wagner).</p> <p><b>Summary:</b> Increases from 17 to 19 the membership of the Commonwealth Transportation Board by the addition of two nonlegislative citizen members: one from the Hampton Roads Transportation Accountability Commission and one from the Northern Virginia Transportation Authority. The terms of the new nonlegislative citizen members begin July 1, 2016.</p>		
<a href="#"><b>HB 1347</b></a> - Heretick (79) Wireless communications; infrastructure established.	1/21/2016 House: Referred to Committee on Commerce and Labor 2/11/2016 House: Continued to 2017 in Commerce and Labor by voice vote	[2/5/2016]
<p>[Oppose] (16104657D)</p> <p><b>Summary:</b> Wireless communications infrastructure. Prohibits a locality from charging an application fee, consulting fee, or other fee associated with the submission, review, processing and approval of an application to construct a new wireless support structure, for the substantial modification of a wireless support structure, or for collocation of a wireless facility or replacement of a wireless facility on an existing structure or utility pole that is not required for similar types of commercial development within the locality's jurisdiction. The measure permits a locality to charge fees for the costs directly incurred by it relating to the granting or processing of an application. Such fees are capped at the lesser of the amount charged by the locality for a building permit for any other type of commercial development or land use development, or \$500 for a collocation application, small cell facility or distributed antenna system or \$1,000 for a new wireless support structure or for a substantial modification of a wireless support structure. Localities are prohibited from (i) requiring an applicant to submit information about, or evaluate an applicant's business decisions with respect to its designed</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>service, customer demand for service, or quality of its service to or from a particular area or site, or information that concerns the specific need for the wireless support structure; (ii) evaluating an application based on the availability of other potential locations for the placement of wireless support structures or wireless facilities; (iii) dictating the type of wireless facilities, infrastructure or technology to be used by the applicant; and (iv) requiring the removal of existing wireless support structures or wireless facilities, as a condition for approval of an application. The measure grants to any domestic or foreign telecommunications provider or broadband provider to construct, maintain, and operate conduit, poles, cable, switches and related appurtenances and facilities along, across, upon and under any public highway or rights-of-way in the Commonwealth. Localities are barred from (a) imposing certain environmental testing, sampling, or monitoring requirements or (b) instituting any moratorium on the permitting, construction or issuance of approvals of new wireless support structures, substantial modifications of wireless support structures, or collocations.</p>		
<p><b><u>HB 1379</u></b> - LeMunyon (67) Voter list maintenance; use of Electronic Registration Information Center, etc.</p>	<p>1/22/2016 House: Referred to Committee on Privileges and Elections 2/12/2016 House: Reported from Privileges and Elections with substitute (15-Y 7-N) 2/16/2016 House: VOTE: PASSAGE (64-Y 35-N) 2/17/2016 Senate: Referred to Committee on Privileges and Elections 2/23/2016 Senate: Continued to 2017 in Privileges and Elections (12-Y 0-N 1-A)</p>	<p>[2/19/2016]</p>
<p>[Oppose Unless Amended] (16104925D-H1) - Oppose unless amended to continue state's responsibility to send mailings related to voter registration list maintenance rather than shifting this responsibility to localities. <b>Summary:</b> Voter list maintenance; use of information received through certain list comparisons and data matching exchanges with other states. Requires the information received through the Electronic Registration Information Center (ERIC) and the Interstate Voter Registration Crosscheck Program to be used as part of the regular periodic review of registration records conducted by the Department of Elections. Within seven days of receiving information from these programs, the Department of Elections is required to send that information to the general registrars. Within 21 days of receiving that information from the Department of Elections, the general registrars are required to send notice to the voters by forwardable mail along with a postage prepaid, pre-addressed return card for correcting or verifying the information. The bill also requires Virginia, through the Department of Elections, to have active and continuous participation in ERIC and the Interstate Voter Registration Crosscheck Program.</p>		
<p><b><u>HJ 50</u></b> - Webert (18) Composite Index of Local Ability to Pay; DOE to study effect of local use value assessment</p>	<p>12/28/2015 House: Referred to Committee on Rules 1/28/2016 Subcommittee recommends reporting (3-Y 1-N) 2/9/2016 House: Continued to 2017 in Rules by voice vote</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16101687D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. <b>Summary:</b> Study; Department of Education; effect of local use value assessment of certain real estate on the Composite Index of Local Ability to Pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>certain real estate, the use value of all applicable (a) real estate devoted to agricultural use, (b) real estate devoted to horticultural use, (c) real estate devoted to forest use, and (d) real estate devoted to open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the Composite Index of Local Ability to Pay for each locality after taking into consideration such use values. This resolution was continued to the 2017 Session of the General Assembly.</p>		
<p><b><u>SB 26</u></b> - Reeves (17) Problem-Solving Docket Act; established, report.</p>	<p>12/10/2015 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16100297D) - Board has historically supported. <b>Summary:</b> Problem-Solving Dockets; established. Establishes, by the Problem-Solving Docket Act (the Act), problem-solving courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service, mental illness, or societal reentry. The bill establishes a state problem-solving docket advisory committee and requires localities intending to establish such dockets to establish local problem-solving docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).</p>		
<p><b><u>SB 236</u></b> - Petersen (34) Government Data Collection &amp; Dissemination Practices Act; collection &amp; use of personal information.</p>	<p>1/6/2016 Senate: Referred to Committee on General Laws and Technology 2/8/2016 Senate: Continued to 2017 in General Laws and Technology (15-Y 0-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Monitor</b> (16102870D) - Board has historically monitored. Retention period in bill may be insufficient. <b>Summary:</b> Government Data Collection and Dissemination Practices Act; collection and use of personal information by law-enforcement agencies. Provides that, unless a criminal or administrative warrant has been issued, law-enforcement and regulatory agencies shall not use surveillance technology to collect or maintain personal information where such data is of unknown relevance and is not intended for prompt evaluation and potential use regarding suspected criminal activity or terrorism by any individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided that such information is held for no more than seven days and is not subject to any outside inquiries or internal usage, except in the investigation of a crime or a missing persons report. After seven days, such collected information must be purged from the system unless it is being utilized in an ongoing investigation. The bill also adds to the definition of "personal information," for the purposes of government data collection and dissemination practices, vehicle license plate numbers and information that affords a basis for inferring an individual's presence at any place.</p>		
<p><b><u>SB 317</u></b> - Alexander (5) Veterans Docket Act; established, report.</p>	<p>1/8/2016 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16101974D) - Board has historically supported. <b>Summary:</b> Veterans Dockets; established. Establishes, by the Veterans Docket Act (the Act), problem-solving</p>		

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Bills	General Assembly Actions	Date of BOS Position
courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service. The bill establishes a state veterans docket advisory committee and requires localities intending to establish such dockets to establish local veterans docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).		
<a href="#"><u>SB 365</u></a> - Chafin (38) Prioritization of statewide transportation projects; exceptions.	1/11/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Reported from Transportation with amendments (7-Y 5-N 1-A) 2/3/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Continued to 2017 in Finance (12-Y 3-N)	<b>2/2/2016</b>
<b>Oppose</b> (16102524D) <b>Summary:</b> Provides that projects on U.S. Route 460 and U.S. Route 121 are not subject to the prioritization process that the Commonwealth Transportation Board applies to projects eligible for state funding.		
<a href="#"><u>SB 380</u></a> - Vogel (27) Behavioral Health Docket Act; established, report.	1/11/2016 Senate: Referred to Committee for Courts of Justice 2/3/2016 Senate: Continued to 2017 in Courts of Justice (14-Y 1-N)	<b>2/2/2016</b>
<b>Support</b> (16103760D) - Board has historically supported. <b>Summary:</b> Behavioral Health Dockets; established. Establishes, by the Behavioral Health Docket Act (the Act), behavioral health courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have mental illness and co-occurring substance abuse issues. The bill establishes a state behavioral health docket advisory committee and requires localities intending to establish such dockets to establish local behavioral health docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).		
<a href="#"><u>SB 439</u></a> - Obenshain (26) Voter identification; information contained in electronic pollbook.	1/12/2016 Senate: Referred to Committee on Privileges and Elections 2/2/2016 Senate: Continued to 2017 in Privileges and Elections (13-Y 0-N)	<b>2/2/2016</b>
<b>Oppose</b> (16101744D) - Board has historically opposed. <b>Summary:</b> Voter identification; photograph and identifying information contained in electronic pollbook; challenge of voter. Requires electronic pollbooks to contain a photograph and identifying information received by the Department of Elections from the Department of Motor Vehicles for each registered voter for whom the Department of Motor Vehicles has such a photograph and identifying information. The bill prohibits lists of voters furnished pursuant to current law from containing any voter's photograph or identifying physical information. The bill also provides that if the electronic pollbook contains the voter's photograph and identifying information, the officer of election is required to access that photograph and identifying information and the voter is not required to present one of the statutorily required forms of identification. However, the bill requires the officer of election to challenge the voter's vote if the voter does not appear to be the same person depicted in the photograph or in the pollbook. The bill has a delayed effective date of July 1, 2017.		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 601</u></b> - Wexton (33) Child care providers; criminal history background checks.</p>	<p>1/13/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/29/2016 Senate: Reported from Rehabilitation and Social Services with amendments (14-Y 0-N) 1/29/2016 Senate: Rereferred to Finance 2/10/2016 Senate: Reported from Finance (15-Y 0-N) 2/12/2016 Engrossed by Senate as amended SB601E 2/12/2016 Passed Senate (38-Y 0-N) 2/17/2016 House: Referred to Committee on Health, Welfare and Institutions 2/25/2016 House: Subcommittee recommends continuing to 2017 by voice vote 2/25/2016 House: Continued to 2017 in Health, Welfare and Institutions by voice vote</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103633D) - See also HB 500 (Filler-Corn). <b>Summary:</b> Requires all applicants for licensure as a family day system, registration as a family day home, and approval as a family day home by a family day system, all child day centers that are exempt from licensure by the Department of Social Services, and all child day centers and family day homes that enter into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant, as well as all applicants for employment, employees, applicants to volunteer, and volunteers at such child day centers, family day homes, and family day systems, to undergo fingerprint-based national criminal history background checks beginning July 1, 2017. The bill also requires individuals currently employed by or serving as volunteers at a licensed child day center, family day home, or family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, family day home approved by a family day system, or child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant to undergo a national background check to be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth. In addition, every (i) person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system; (ii) agent of a person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system or who will be involved in the day-to-day operations of the child day center, family day home, or family day system or who is or will be alone with, in control of, or supervising one or more children in a child day center, family day home, or family day system; and (iii) adult living in a licensed child day center or family day home, registered family day home, or family day home approved by a family day system, shall undergo a national background check to be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth.</p>		
<p><b><u>SB 644</u></b> - Alexander (5) Battery; public transportation operators; penalty.</p>	<p>1/18/2016 Senate: Referred to Committee for Courts of Justice 2/1/2016 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103746D) <b>Summary:</b> Provides that the punishment for battery of a person who is the operator of a vehicle operated by a public transportation service who is engaged in the performance of his duties is a Class 1 misdemeanor, including a term of confinement of 15 days in jail, two days of which shall be a mandatory minimum term of confinement.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>SJ 84</u></a> - Surovell (36) Public transportation services; DRPT to evaluate study necessary to identify, etc.	1/13/2016 Senate: Referred to Committee on Rules 2/11/2016 Senate: Continued to 2017 in Rules by voice vote	<b>2/2/2016</b>
<p><b>Monitor</b> (16102006D)</p> <p><b>Summary:</b> Study; Department of Rail and Public Transportation; improved transportation services; report. Requests that the Department of Rail and Public Transportation (the Department) evaluate the level of study necessary to identify and advance potential public transportation services from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William and Stafford Counties, including the feasibility of extending the Blue Line and other multimodal options such as bus rapid transit along Interstate 95 and U.S. Route 1. Following the evaluation, the Department shall proceed to the recommended level of study for improved public transportation services along the U.S. Route 1 corridor. The Department shall report on its findings and recommendations on the first day of the 2017 and 2018 Regular Sessions of the General Assembly. This resolution was continued to the 2017 Session of the General Assembly.</p>		

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## ***Fairfax County Positions***

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### ***Legislation No Longer Under Consideration***

***(Failed to Report, Incorporated into other  
Legislation, Tabled, etc.)***

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 1</b></a> - LeMunyon (67) Interstate 66; tolls on existing components east of mile marker 67 prohibited.	11/16/2015 House: Referred to Committee on Transportation 2/4/2016 Subcommittee recommends reporting with amendment(s) (6-Y 2-N) 2/9/2016 House: Reported from Transportation with substitute (15-Y 7-N) 2/9/2016 House: Referred to Committee on Appropriations 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/18/2016 Left in Appropriations	<b>2/2/2016</b>
<b>Oppose</b> (16100913D) - See also HB 631 (Bell, John J.). <b>Summary:</b> Tolling on Interstate 66. Prohibits tolls on existing components of Interstate 66 inside the Beltway. This bill contains a technical amendment.		
<a href="#"><b>HB 45</b></a> - Krizek (44) Payday loan offices and motor vehicle title loan offices; distance from casino facility.	11/24/2015 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N) 2/16/2016 Left in Commerce and Labor	<b>2/2/2016</b>
<b>Support</b> (16101091D) <b>Summary:</b> Prohibits the State Corporation Commission (SCC) from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within 20 miles of a casino facility located in any state. Casino facilities include Indian gaming operations conducted pursuant to the federal Indian Gaming Regulatory Act. The measure includes limitations on the SCC's authority to revoke or suspend an existing license when a violation of the 20-mile provision exists on July 1, 2016, or when a violation would be created by the opening of a casino facility after a license was issued.		
<a href="#"><b>HB 61</b></a> - Morris (64) Virginia Freedom of Information Act; misdemeanor violations, penalty.	12/4/2015 House: Referred to Committee on General Laws 2/11/2016 House: Subcommittee recommends laying on the table by voice vote	<b>2/2/2016</b>
<b>Oppose</b> (16100894D) - Board has historically opposed. <b>Summary:</b> Virginia Freedom of Information Act; misdemeanor violations; penalty. Provides that in addition to the civil enforcement provisions of the Virginia Freedom of Information Act (FOIA), any officer, employee, or member of a public body who, without legal excuse or justification, deliberately, willfully, and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor.		
<a href="#"><b>HB 86</b></a> - Morris (64) VIEW; pilot program for substance abuse screening and assessment.	12/10/2015 House: Referred to Committee on Health, Welfare and Institutions 2/16/2016 Left in Health, Welfare and Institutions	<b>2/2/2016</b>
<b>Oppose Unless Amended</b> (16100987D) - Oppose unless amended to provide that added costs for additional drug		

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Bills	General Assembly Actions	Date of BOS Position
<p>testing will be paid by the state; Board has historically opposed similar bills unless amended.</p> <p><b>Summary:</b> Department of Social Services; pilot program for substance abuse screening and assessment for VIEW; report. Requires the Department of Social Services to develop a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare program for use of illegal substances. The bill requires the Department to provide an interim report on implementation of the pilot program to the Governor and the General Assembly no later than December 1, 2016, and a final report on the results of the pilot program no later than December 1, 2017.</p>		
<p><a href="#"><b>HB 99</b></a> - Cole (88) High-occupancy vehicle (HOV) lanes; certain vehicles use of HOT lanes on Interstate 395, exceptions.</p>	<p>12/14/2015 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in House Transportation</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16100671D) <b>Summary:</b> Use of HOV lanes; exceptions. Allows vehicles that have fewer than three occupants that display an installed E-ZPASS transponder and have paid the toll on the Interstate 95 HOT lanes to use HOV lanes of Interstate 395 during peak traffic periods.</p>		
<p><a href="#"><b>HB 109</b></a> - Lingamfelter (31) Secondary state highway system; maintenance or improvement of components within county.</p>	<p>12/15/2015 House: Referred to Committee on Transportation 2/1/2016 House: Subcommittee recommends striking from docket by voice vote 2/16/2016 Left in Transportation</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16100755D) <b>Summary:</b> Program Recognition of Maintenance Priorities in Transportation. Allows counties that have not withdrawn from the state secondary highway system to submit requests for maintenance and improvement of components of the state secondary highway system to the Department of Transportation (VDOT) and requires VDOT to take such requests into consideration when establishing priority in expending funds allocated for maintenance or improvement of the state secondary highway system. The bill requires the Department of Transportation and the Virginia Information and Technology Agency to develop a website on which (i) such counties may electronically submit such requests and (ii) the Commonwealth's secondary state highway maintenance and improvement plan is available to the public.</p>		
<p><a href="#"><b>HB 141</b></a> - Marshall (13) Government Data Collection and Dissemination Practices Act; license plate readers.</p>	<p>12/21/2015 House: Referred to Committee on Militia, Police and Public Safety 2/16/2016 Left in Militia, Police and Public Safety</p>	<p><b>2/2/2016</b></p>
<p><b>Monitor</b> (16100776D) - Board has historically monitored. Retention period in bill may be insufficient. <b>Summary:</b> Codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act by limiting the ability of law-enforcement and regulatory agencies to use license plate readers to collect and maintain personal information on individuals where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individuals. The bill provides that information collected by a license plate reader without a warrant shall only be retained for seven days and shall only be used for the investigation of a crime or a report of a missing person. The bill also prohibits an agency from</p>		

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acquiring personal information collected from license plate readers from a third-party private vendor if the agency would not have been permitted to collect or retain the information on its own.		
<a href="#"><u>HB 191</u></a> - Minchew (10) Composite index of local ability-to-pay; use value of real estate in certain localities.	12/27/2015 House: Referred to Committee on Education 2/3/2016 Subcommittee recommends referring to Committee on Appropriations 2/10/2016 House: Tabled in Education by voice vote	<b>2/2/2016</b>
<p><b>Oppose</b> (16102974D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living.</p> <p><b>Summary:</b> Requires, for the purpose of determining the state and local shares of basic aid funding, that the composite index of local ability-to-pay or "local composite index" utilize the use value of all applicable real estate (i) devoted to agricultural use, horticultural use, forest use, and open-space use in each locality that has adopted an ordinance by which it provides for the use valuation and taxation of such real estate and (ii) used in agricultural and forestal production within an agricultural district, forestal district, agricultural and forestal district, or agricultural and forestal district of local significance in each locality that provides for the use valuation and taxation of such real estate, regardless of whether it has adopted a local land-use plan or local ordinance for such valuation and taxation.</p>		
<a href="#"><u>HB 203</u></a> - Lingamfelter (31) Extended Foster Care Services and Support Program; established.	12/28/2015 House: Referred to Committee on Health, Welfare and Institutions 1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/28/2016 House: Referred to Committee on Appropriations 2/18/2016 Left in Appropriations	<b>2/2/2016</b>
<p><b>Support</b> (16104060D-H1)</p> <p><b>Summary:</b> Extended foster care services and support. Creates the Extended Foster Care Services and Support Program to provide foster care services and support, including foster care maintenance payments, to qualifying individuals age 18 to 21 who were formerly in the custody of a local board of social services.</p>		
<a href="#"><u>HB 214</u></a> - LeMunyon (67) Tax reform, state and local; joint subcommittee to study.	12/28/2015 House: Referred to Committee on Rules 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Rules	<b>2/2/2016</b>
<p><b>Amend</b> (16103343D) - Amend to provide representation from local government on the study panel.</p> <p><b>Summary:</b> Study; state and local tax reform; report. Creates a joint subcommittee to perform a one-year study on reforming state and local taxes. The joint subcommittee will assume the tasks of the Joint Subcommittee to Evaluate Tax Preferences, which the bill dissolves.</p>		
<a href="#"><u>HB 223</u></a> - Stolle (83) Courthouse and courtroom security; assessment.	12/29/2015 House: Referred to Committee for Courts of Justice 1/27/2016 House: Reported from Courts of Justice (15-Y 7-N) 1/27/2016 House: Referred to Committee on Appropriations	<b>2/2/2016</b>

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	2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/18/2016 Left in Appropriations	
<b>Support</b> (16101144D) - Board has historically supported. See also SB 50 (Howell). <b>Summary:</b> Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.		
<a href="#"><b>HB 224</b></a> - Marshall (13) Interstate System components; approval of tolls.	12/29/2015 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16101289D) <b>Summary:</b> Tolls for use of Interstate System components. Requires prior approval by the General Assembly before any tolls may be imposed or collected for the use of any component of the Interstate System.		
<a href="#"><b>HB 225</b></a> - Albo (42) Interstate System components; approvals of tolls on I-395.	12/29/2015 House: Referred to Committee on Transportation 2/2/2016 Subcommittee failed to recommend reporting (2-Y 4-N)	<b>2/2/2016</b>
<b>Oppose</b> (16101375D) <b>Summary:</b> Tolls for use of Interstate System components. Requires approval of the General Assembly prior to the imposition and collection of tolls for the use of Interstate 395. The bill contains a technical amendment. The bill contains an emergency clause.		
<a href="#"><b>HB 237</b></a> - Lingamfelter (31) Absentee voting by electronic means; overseas military voters.	12/29/2015 House: Referred to Committee on Privileges and Elections 2/9/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Privileges and Elections	<b>2/2/2016</b>
<b>Support</b> (16100759D) - Support concept; implementation issues need to be resolved. <b>Summary:</b> Provides that a person qualified to vote by absentee ballot because of his status as a member of a uniformed service on active duty may choose to receive and return his absentee ballot by electronic means. The bill requires the State Board of Elections to develop standards for the secure transmission and return, storage, and processing of these ballots, including methods for authentication and the encryption of ballots. The bill has a delayed effective date of January 1, 2017.		
<a href="#"><b>HB 308</b></a> - Morris (64) Virginia Freedom of Information Act; use of government email accounts required.	1/4/2016 House: Referred to Committee on General Laws 2/16/2016 Left in General Laws	<b>2/2/2016</b>

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<p><b>Monitor</b> (16101186D)  <b>Summary:</b> Requires that any person elected, reelected, appointed or reappointed to any public body not excepted from FOIA must use only official government-provided email accounts to conduct public business. The bill also provides that public officers, appointees, and employees shall use only official government-provided email accounts to conduct public business. However, if a public officer, appointee, or employee inadvertently uses a nongovernment email account to conduct public business, then the email and email address shall be forwarded to the appropriate official for retention as designated by the public body. The bill contains a technical amendment.</p>		
<p><b>HB 354</b> - Greason (32)  Lyme disease; prevention pilot program.</p>	<p>1/5/2016 House: Referred to Committee on Health, Welfare and Institutions  1/28/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)  2/1/2016 House: Referred to Committee on Appropriations  2/9/2016 House: Subcommittee recommends laying on the table by voice vote  2/18/2016 Left in Appropriations</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16104466D-H1)  <b>Summary:</b> Directs the Department of Health to conduct a two-year point of disease Lyme disease prevention pilot program.</p>		
<p><b>HB 370</b> - Poindexter (9)  Elections; run-off elections for statewide offices and United States Senate.</p>	<p>1/6/2016 House: Referred to Committee on Privileges and Elections  2/4/2016 House: Subcommittee recommends laying on the table by voice vote  2/16/2016 Left in Privileges and Elections</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16102393D)  <b>Summary:</b> Elections; run-off elections. Provides that no candidate shall be deemed to have been elected at a general election to any statewide office or to the United States Senate unless such candidate receives more than 50 percent of the total votes cast for that office. The bill requires that when no candidate for an office receives more than 50 percent of the total votes cast at the general election for that office, a run-off election between the candidates receiving the highest and next-highest number of votes for that office shall be held. However, no run-off election shall be held if the total number of write-in votes cast for an office and the total number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office. The bill requires run-off elections to be held on the fourth Tuesday following the date of the certification of the results of the general election or, if a recount is conducted after the general election, on the fourth Tuesday following the date of the certification of the results of the recount, unless the fourth Tuesday falls on a legal holiday, in which case the run-off election will be held on the sixth Tuesday. The bill provides that in all other elections, including a general election of electors for the President and Vice-President of the United States, the person having the highest number of votes for an office shall be deemed to have been elected to such office and shall receive the certificate of election. Under current law, except in the case of a recount, the person having the highest number of votes cast at any election is deemed to have been elected to that office.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 380</u></a> - Marshall (13) Interstate 66; tolls prohibited from Haymarket to Interstate 495.	1/6/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16101826D) <b>Summary:</b> Tolls for use of Interstate 66. Prohibits the imposition or collection of any toll on Interstate 66 from Haymarket to Interstate 495.		
<a href="#"><u>HB 391</u></a> - Krizek (44) Motor vehicle title loan offices; distance from military base.	1/6/2016 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N) 2/16/2016 Left in Commerce and Labor	<b>2/2/2016</b>
<b>Support</b> (16100125D) <b>Summary:</b> Prohibits the State Corporation Commission from issuing a license for the operation of a motor vehicle title loan office if such office is within 10 miles of a military base.		
<a href="#"><u>HB 429</u></a> - Villanueva (21) Virginia Human Rights Act; public employment, prohibited discrimination.	1/7/2016 House: Referred to Committee on General Laws 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in General Laws	<b>2/16/2016</b>
<b>Support</b> (16102590D) - Board has historically supported. See also HB 913 (Toscano) and SB 12 (Ebbin). <b>Summary:</b> Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. Prohibits discrimination in employment on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.		
<a href="#"><u>HB 449</u></a> - Taylor (85) VPPA; procurement of construction by certain localities using competitive negotiation.	1/7/2016 House: Referred to Committee on General Laws 2/11/2016 House: Subcommittee recommends striking from docket by voice vote 2/11/2016 House: Stricken from docket by General Laws by voice vote	[2/5/2016]
<b>[Support]</b> (16102051D) <b>Summary:</b> Virginia Public Procurement Act (VPPA); procurement of construction by certain localities using competitive negotiation. Authorizes any locality with a population in excess of 200,000 to enter into contracts using competitive negotiation for nontransportation-related construction valued at more than \$500,000 but less than \$2 million, provided such locality uses procedures consistent with the VPPA for the procurement of nonprofessional services.		
<a href="#"><u>HB 464</u></a> - Hope (47)	1/8/2016 House: Referred to Committee on Appropriations	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
Behavioral Health and Developmental Services Trust Fund; use of funds.	2/18/2016 Left in Appropriations	
<b>Support</b> (16103534D) <b>Summary:</b> Provides that the proceeds from the sale of vacant buildings and land resulting from the closure or downsizing of any state training center that are deposited in the Behavioral Health and Developmental Services Trust Fund shall be used only for the purpose of providing community-based services to individuals with intellectual and developmental disabilities.		
<a href="#"><b>HB 474</b></a> - Filler-Corn (41) Child-care providers; criminal history background checks.	1/8/2016 House: Referred to Committee on Health, Welfare and Institutions 2/9/2016 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/9/2016 House: Referred to Committee on Rules 2/11/2016 House: Tabled in Rules by voice vote	<b>2/2/2016</b>
<b>Support</b> (16103491D) <b>Summary:</b> Secretary of Health and Human Resources; task force to study requirements for criminal history background checks for child-care providers; report. Directs the Secretary of Health and Human Resources to convene a task force composed of child-care providers and other stakeholders to review requirements for certain categories of child-care providers, including those exempt from licensure pursuant to Â¿ 63.2-1715, and to develop recommendations to promote the health, safety, and development of children in child-care settings. The task force shall submit a report on its activities, findings, and conclusions to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Rehabilitation and Social Services by November 1, 2016.		
<a href="#"><b>HB 479</b></a> - Kory (38) Water pollution; signage notice to public.	1/8/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Agriculture, Chesapeake and Natural Resources	<b>2/2/2016</b>
<b>Monitor</b> (16101024D) <b>Summary:</b> Posting notice of possible water pollution. Requires a locality, upon receipt of notification from the Department of Environmental Quality that a water quality violation has occurred that poses an imminent threat to the health, safety, or welfare of the public, to post signage at public access points to affected waters warning residents that the water body may be polluted.		
<a href="#"><b>HB 495</b></a> - Simon (53) Synthetic turf; three-year moratorium on installation at schools and parks.	1/8/2016 House: Referred to Committee on Education 2/8/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Education	<b>2/2/2016</b>
<b>Amend</b> (16100846D) - Amend to remove moratorium on installation of synthetic turf while a comprehensive study is conducted.		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Three-year moratorium on installation of synthetic turf that contains recycled crumb rubber from waste tires at schools and recreational parks. Places a three-year moratorium on the installation of synthetic turf that contains recycled crumb rubber from waste tires within the boundaries of a public or private elementary or secondary school, public or private preschool, or recreational park by any (i) public or private elementary or secondary school, (ii) public or private preschool, or (iii) local governing body. The bill also requires the Virginia Department of Health, in coordination with the Virginia Department of Conservation and Recreation and the Virginia Department of Education, to analyze the potential adverse health effects of synthetic turf that contains recycled crumb rubber from waste tires and report its findings to the General Assembly no later than July 1, 2017.</p>		
<p><a href="#"><b>HB 532</b></a> - Murphy (34) Composite index of local ability to pay; additional factors to be considered.</p>	<p>1/9/2016 House: Referred to Committee on Education 2/3/2016 Subcommittee recommends referring to Committee on Appropriations 2/10/2016 House: Tabled in Education by voice vote</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16101018D) <b>Summary:</b> Composite index of local ability to pay; additional factors. Requires the state and local funding share formula, the composite index of local ability to pay, to take into consideration the population of the relevant locality, the number of enrolled English-language learners, and the number of enrolled students who are eligible to receive free or reduced-price lunch.</p>		
<p><a href="#"><b>HB 544</b></a> - Watts (39) Retail sales and transient occupancy taxes; taxes on room rentals.</p>	<p>1/9/2016 House: Referred to Committee on Finance 2/1/2016 House: Stricken from docket by Finance by voice vote</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16102062D) <b>Summary:</b> Retail sales and transient occupancy taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.</p>		
<p><a href="#"><b>HB 546</b></a> - Watts (39) Certain counties; additional powers.</p>	<p>1/9/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends laying on the table by voice vote 2/17/2016 Left in Finance</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16102064D) - Support concept of equalizing taxing authority between counties and cities, although the County has historically opposed any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties. <b>Summary:</b> Additional powers of certain counties. Grants counties with a population density greater than 2,000 persons per square mile certain powers related to taxation, borrowing and payments for highway maintenance. Such powers currently are generally granted to cities and towns.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 547</u></a> - Watts (39) Standards of Quality; apportionment of state and local share.	1/9/2016 House: Referred to Committee on Education 2/3/2016 Subcommittee recommends referring to Committee on Appropriations 2/10/2016 House: Tabled in Education by voice vote	[2/5/2016]
<p>[Support] (16102351D)</p> <p><b>Summary:</b> Directs the General Assembly, in apportioning the state and local share of the costs of meeting the Standards of Quality, beginning July 1, 2016, to implement a formula that determines each locality's ability to pay based on the ratios of (i) the reimbursement payment made to the locality for providing tangible personal property tax relief to the reimbursement payments made statewide for providing tangible personal property tax relief; (ii) the total value of real estate in the locality adjusted by the average of the cost of competing index if used for instructional personnel and for support positions to the statewide value of real estate per person; (iii) the local one percent sales tax revenue collected by the locality to the statewide total local sales tax revenue collected; (iv) the assessed value of the personal property taxed by the locality to the statewide assessed value of the local personal property tax; and (v) revenue collected from local lodging, local cigarette, and local meals taxes to the revenue collected statewide from such local lodging, cigarette, and meals taxes. To determine each locality's composite index of ability to pay, (a) the sum of the ratios calculated on the basis of average daily membership for each locality shall be divided by the sum of the average daily membership ratios for all localities; (b) the sum of the ratios calculated on a per capita basis for each locality shall be divided by the sum of the per capita ratios for all localities; and (c) the locality's ratio calculated on the basis of average daily membership shall be multiplied by 0.66, and the locality's ratio calculated on a per capita basis shall be multiplied by 0.33. The sum of the two adjusted ratios in clause (c) shall be the local composite index of ability to pay.</p>		
<a href="#"><u>HB 589</u></a> - Campbell (6) Social Services, Department of; filing of petitions by designated nonattorney employees.	1/11/2016 House: Referred to Committee for Courts of Justice 1/27/2016 House: Reported from Courts of Justice with substitute (22-Y 0-N) 2/2/2016 House: VOTE: PASSAGE (93-Y 4-N) 2/3/2016 Senate: Referred to Committee for Courts of Justice 2/24/2016 Senate: Passed by indefinitely in Courts of Justice (6-Y 3-N)	<b>2/16/2016</b>
<p><b>Support</b> (16104108D-H1)</p> <p><b>Summary:</b> Filing of petitions and motions by designated nonattorney employees of the Department of Social Services; practice of law; duties of local directors of social services. Allows designated nonattorney employees of the Department of Social Services to file certain petitions and motions relating to child protective services and foster care services and provides that such filing is not considered the unauthorized practice of law. The bill further requires a local director of social services to designate nonattorney employees who are authorized to file certain petitions and motions relating to child protective services, foster care services, and support and states that all petitions or motions filed by nonattorney employees of local departments of social services prior to July 1, 2016, are valid.</p>		
<a href="#"><u>HB 594</u></a> - Marshall (13) Traffic or motor vehicle laws;	1/11/2016 House: Referred to Committee on Transportation 1/19/2016 House: Referred from Transportation by voice	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
enforcement of laws, marked law-enforcement vehicles.	vote 1/19/2016 House: Referred to Committee on Militia, Police and Public Safety 2/5/2016 House: Tabled in Militia, Police and Public Safety by voice vote	
<b>Oppose</b> (16103547D) <b>Summary:</b> Enforcement of traffic or motor vehicle laws; marked law-enforcement vehicles. Requires that any law-enforcement vehicle used by an officer for enforcing traffic or motor vehicle laws be (i) marked in some distinctive manner that identifies the law-enforcement agency employing such officer and (ii) equipped with warning lights. The bill provides exceptions for an officer who (a) stops at the scene of an accident or to assist a disabled motor vehicle, (b) has probable cause to believe the operator of a motor vehicle has committed a felony or is driving under the influence, or (iii) stops the operator of a motor vehicle who the officer reasonably believes constitutes a risk of causing imminent and serious bodily injury to any person.		
<b>HB 631</b> - Bell (87) Tolling on Interstate 66.	1/11/2016 House: Referred to Committee on Transportation 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16102609D) - See also HB 1 (LeMunyon). <b>Summary:</b> Prohibits tolls on existing components of Interstate 66 east of mile marker 67. The bill contains a technical amendment.		
<b>HB 634</b> - Bell (87) Payday loan offices and motor vehicle title loan offices; distance from military installation.	1/11/2016 House: Referred to Committee on Commerce and Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N) 2/16/2016 Left in Commerce and Labor	<b>2/2/2016</b>
<b>Support</b> (16102668D) <b>Summary:</b> Payday loan offices and motor vehicle titleloan offices; distance from military installation. Prohibits the State Corporation Commission (SCC) from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within five miles of a military installation. The measure includes limitations on the SCC's authority to revoke or suspend an existing license when a violation of the five-mile provision exists on July 1, 2016, or when a violation would be created by the opening of a military installation after a license was issued.		
<b>HB 636</b> - Marshall, III (14) Clerk of circuit court; recordation of certain deeds.	1/11/2016 House: Referred to Committee for Courts of Justice 2/3/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Monitor</b> (16102854D) <b>Summary:</b> Provides that the governing body of a county or city may by ordinance require the clerk of the circuit court not to accept any deed transferring real property for recordation unless the locality has certified		

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Bills	General Assembly Actions	Date of BOS Position
that no delinquent county or city taxes, fines, or similar charges or taxes are a lien on the property described in the deed. The ordinance shall provide that the clerk of the circuit court shall accept without certification certain deeds submitted for recordation under the supervision of a closing attorney.		
<a href="#"><u>HB 650</u></a> - Marshall (13) Local government; mandatory provisions of a subdivision ordinance, notice to homeowner associations.	1/11/2016 House: Referred to Committee on Counties, Cities and Towns 2/3/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Counties, Cities and Towns	<b>2/2/2016</b>
<b>Monitor</b> (16103677D) <b>Summary:</b> Local government; mandatory provisions of a subdivision ordinance; notice to homeowner associations. Requires a locality to include in its subdivision ordinance a provision requiring a developer of property to give written notice to incorporated property owners' associations within a planned unit development at such time as prescribed in the ordinance under certain circumstances.		
<a href="#"><u>HB 712</u></a> - Marshall (13) Interstate 66; tolls prohibited from Haymarket to Interstate 495.	1/11/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16100730D) <b>Summary:</b> Interstate 66. Prohibits the imposition or collection of any toll on Interstate 66 from Haymarket to Interstate 495 and requires the same portion of Interstate 66 to include not less than four lanes in each direction.		
<a href="#"><u>HB 713</u></a> - Marshall (13) Interstate 66; advisory referendum on collection of tolls.	1/11/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Privileges and Elections	<b>2/2/2016</b>
<b>Oppose</b> (16103503D) <b>Summary:</b> Voter referendum; tolling on I-66. Provides for an advisory referendum in each county and city in Planning District 8 on the questions of whether tolls should be imposed and collected on Interstate 66 inside the Capital Beltway and whether tolls should be imposed and collected on Interstate 66 outside the Capital Beltway. The results of the referendum would be advisory only and are intended to demonstrate the preference of the qualified voters in those counties and cities that would be affected by tolling on Interstate 66.		
<a href="#"><u>HB 717</u></a> - LeMunyon (67) Transportation projects; evaluation of in Northern Virginia.	1/11/2016 House: Referred to Committee on Transportation 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16100543D) <b>Summary:</b> Evaluation of significant transportation projects in Northern Virginia. Directs the Department of Transportation to complete evaluations of certain significant transportation projects in the Northern Virginia Transportation District by December 31, 2016.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 720</u></a> - LeMunyon (67) Transportation projects in Planning District 8; public hearings.	1/11/2016 House: Referred to Committee on Transportation 2/8/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16103849D) <b>Summary:</b> Department of Transportation; transportation projects in Planning District 8. Requires the Department of Transportation (VDOT) or the Department of Rail and Public Transportation to hold a public hearing regarding any transportation project valued in excess of \$10 million in Planning District 8 at the conclusion of the project's preliminary design phase but before the detailed design phase begins and requires VDOT to evaluate such projects and make public the results of such evaluations not less than 14 days prior to such hearing.		
<a href="#"><u>HB 721</u></a> - LeMunyon (67) Toll Facilities Revolving Account; statewide prioritization process.	1/11/2016 House: Referred to Committee on Transportation 2/4/2016 Subcommittee failed to recommend reporting (3-Y 3-N)	<b>2/2/2016</b>
<b>Oppose</b> (16101248D) <b>Summary:</b> Requires funds allocated from the Toll Facilities Revolving Account to be evaluated using the statewide prioritization process.		
<a href="#"><u>HB 722</u></a> - LeMunyon (67) Tolls; prohibits imposition or collection of tolls on certain highways in Planning District 8.	1/11/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/4/2016 Subcommittee failed to recommend reporting (3-Y 3-N)	<b>2/2/2016</b>
<b>Oppose</b> (16101113D) <b>Summary:</b> Tolling on highway systems. Prohibits the imposition or collection of tolls on primary, secondary, or urban highways in Planning District 8 not tolled as of January 1, 2016.		
<a href="#"><u>HB 723</u></a> - LeMunyon (67) NOVA; transfer of powers and duties to NOVA Authority.	1/11/2016 House: Referred to Committee on Transportation 2/11/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16101990D) - Board has historically opposed. <b>Summary:</b> Northern Virginia Transportation Commission; Northern Virginia Transportation Authority. Transfers the powers and duties of the Northern Virginia Transportation Commission to the Northern Virginia Transportation Authority.		
<a href="#"><u>HB 725</u></a> - LeMunyon (67) Northern Virginia Transportation Commission; membership.	1/11/2016 House: Referred to Committee on Transportation 1/26/2016 House: Reported from Transportation with amendment (21-Y 0-N) 1/29/2016 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 2/1/2016 Senate: Referred to Committee on Rules	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/19/2016 Senate: Rereferred from Rules (12-Y O-N) and rereferred to Transportation 2/24/2016 Senate: Passed by indefinitely in Transportation (12-Y 1-N)	
<b>Oppose</b> (16101103D) <b>Summary:</b> Allows the governing body of each participating county and city in the Northern Virginia Transportation Commission (NVTC) to appoint commissioners to the NVTC who are not members of the governing body.		
<a href="#"><b>HB 726</b></a> - LeMunyon (67) Northern Virginia Excess Toll Revenue Fund; created.	1/11/2016 House: Referred to Committee on Transportation 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16100314D) <b>Summary:</b> Northern Virginia Excess Toll Revenue Fund. Establishes the Northern Virginia Excess Toll Revenue Fund into which all moneys collected by a toll facility in Planning District 8 that exceed amounts necessary for the design, development, operation, maintenance, or financing of the highway where the toll is collected will be deposited. Moneys in the Northern Virginia Excess Toll Revenue Fund will be distributed to the Northern Virginia Transportation Authority and used for alleviating highway congestion.		
<a href="#"><b>HB 732</b></a> - LeMunyon (67) State and local transportation planning; review of proposed rezoning, impact on roads.	1/11/2016 House: Referred to Committee on Transportation 2/8/2016 Subcommittee recommends continuing to 2017 by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16102707D) <b>Summary:</b> State and local transportation planning. Provides that in Planning District 8 (Northern Virginia) the Department of Transportation's review of a proposed rezoning shall consider the transportation impact of the proposed rezoning on all interstate, primary, and secondary roads within a five-mile radius of the proposed rezoning.		
<a href="#"><b>HB 764</b></a> - Yost (12) Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program; created.	1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 1/26/2016 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/26/2016 House: Referred to Committee on Appropriations 2/18/2016 Left in Appropriations	<b>2/2/2016</b>
<b>Support</b> (16102766D) - See also SB 535 (Deeds). <b>Summary:</b> Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program. Establishes the Virginia Behavioral Health Practitioner Student Loan Repayment Fund and Program to provide student loan repayment grants to eligible behavioral health practitioners who agree to a 12-month employment obligation with a community services board, behavioral health authority, or Department of Behavioral Health and Developmental Services facility or with an entity that has entered into a contract with a community services board, behavioral health authority or Department of Behavioral Health and Developmental Services		

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facility to provide behavioral health services. Grants may be up to \$10,000 per recipient per year, and the Department of Behavioral Health and Developmental Services may award up to 250 grants per year.		
<a href="#"><u>HB 774</u></a> - Gilbert (15) Conditions of release; pretrial services agency.	1/12/2016 House: Referred to Committee for Courts of Justice 2/1/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Oppose</b> (16102820D) - Board has historically opposed. <b>Summary:</b> Provides that no person arrested for a felony or misdemeanor may be released into the custody of a pretrial services agency without a secured bond unless he is determined by a court to be indigent.		
<a href="#"><u>HB 776</u></a> - Gilbert (15) Conditions of release; pretrial services agency.	1/12/2016 House: Referred to Committee for Courts of Justice 2/1/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Oppose</b> (16102826D) <b>Summary:</b> Provides that a person may be released into the custody of a pretrial services agency only if he has been arrested (i) for a felony or certain misdemeanors involving acts or threats of violence, sexual offenses, or driving under the influence or (ii) if he has been determined to be indigent and incapable of executing a secure bond, for any other misdemeanor.		
<a href="#"><u>HB 787</u></a> - Adams (16) Construction activities; acquisition of nutrient credits.	1/12/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/16/2016 Left in Agriculture, Chesapeake and Natural Resources	<b>2/16/2016</b> <b>2/2/2016</b>
<b>Monitor</b> (as amended by HAG subcommittee) - Bill has been amended to address concerns. <b>Oppose</b> (16100968D) <b>Summary:</b> Acquisition of nutrient credits for construction activities. Allows persons applying for a stormwater permit to acquire nutrient credits for construction activities from credit providers located outside the tributary where the construction activity is occurring. Currently, the acquisition of such credits is generally limited to the same or adjacent eight-digit hydrologic code as defined by the U.S. Geological Survey.		
<a href="#"><u>HB 792</u></a> - James (80) Virginia Pathway to Middle Class: Noncredit Workforce Credentials Act; established, report.	1/12/2016 House: Referred to Committee on Commerce and Labor 2/9/2016 House: Tabled in Commerce and Labor by voice vote	<b>2/2/2016</b>
<b>Monitor</b> (16102554D) - Monitor legislation; support associated funding in Governor's budget. See also HB 1206 (Greason) and SB 575 (Ruff). <b>Summary:</b> Comprehensive community colleges; noncredit workforce credentials; Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Act. Establishes the Virginia Pathway to the Middle Class:		

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<p>Noncredit Workforce Credentials Program (Program), to be administered by the Virginia Community College System (System). The bill requires the System to approve (i) a plan and funding formula to support capacity building for and development and expansion of noncredit workforce credential programs at comprehensive community colleges that prepare students for in-demand noncredit workforce credentials that are aligned with the knowledge and skill sets that are required for the available occupations in each region, (ii) a plan for providing financial incentives to comprehensive community colleges that demonstrate exceptional performance or improvement in the development and expansion of such noncredit workforce credential programs, and (iii) a plan and timeline for assessing the impact of a pilot set of noncredit workforce credentials on short-term and long-term job attainment and wages. The bill requires the System to submit a report to the General Assembly and the Virginia Board of Workforce Development no later than January 1 of each year with certain data from the previous fiscal year on noncredit workforce credential attainment by students at comprehensive community colleges.</p>		
<p><b>HB 800</b> - Morris (64) Virginia Freedom of Information Act; audio recording of closed meetings required.</p>	<p>1/12/2016 House: Referred to Committee on General Laws 1/28/2016 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/9/2016 House: Reported from General Laws with substitute (11-Y 10-N) 2/9/2016 House: Referred to Committee on Appropriations 2/18/2016 Left in Appropriations</p>	<p><b>2/2/2016</b></p>
<p><b>Monitor</b> (16101188D) <b>Summary:</b> Virginia Freedom of Information Act (FOIA); audio recording of closed meetings required. Provides that a public body shall (i) make an audio recording of the entirety of every meeting that is closed to the public; (ii) use a means of recording that fully captures and can clearly reproduce all statements made during a closed meeting; and (iii) preserve the recording for a period of no less than two years. The bill provides that a recording made shall not be subject to the disclosure provisions of FOIA, but its production may be compelled, and the recording used as evidence, in a proceeding to enforce the provisions of FOIA.</p>		
<p><b>HB 828</b> - Torian (52) TANF eligibility; drug-related felonies.</p>	<p>1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 2/3/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Health, Welfare and Institutions</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103602D) - Board has historically supported. <b>Summary:</b> Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families benefits shall not be denied such benefits solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he is not using illegal drugs, complies with all obligations imposed by the criminal court and the Department of Social Services, and is actively engaged in or has completed substance abuse treatment.</p>		
<p><b>HB 836</b> - Cline (24) VIEW; substance abuse screening and assessment of public assistance applicants</p>	<p>1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 2/16/2016 Left in Health, Welfare and Institutions</p>	<p><b>2/2/2016</b></p>

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Bills	General Assembly Actions	Date of BOS Position
and recipients.		
<p><b>Oppose Unless Amended</b> (16102825D) - Oppose unless amended to provide that added costs for additional drug testing will be paid by the state; Board has historically opposed similar bills unless amended</p> <p><b>Summary:</b> Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.</p>		
<a href="#"><u>HB 841</u></a> - Webert (18) Interstate 66; prohibits tolls on any component.	1/12/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<p><b>Oppose</b> (16101320D)</p> <p><b>Summary:</b> Tolling additional capacity and designations of HOV and HOT lanes on Interstate 66. Prohibits tolls on any component of Interstate 66 outside the Capital Beltway existing prior to July 1, 2016. The bill provides that if additional lanes are added to an interstate highway, those additional lanes may be tolled. The bill prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation and prohibits a HOT lane occupancy requirement of more than two. The bill allows vehicles bearing clean special fuel vehicle license plates to use HOT lanes; such vehicles may currently use HOV lanes. The bill contains a technical amendment.</p>		
<a href="#"><u>HB 853</u></a> - Cline (24) Traffic lights; use of photo-monitoring systems.	1/12/2016 House: Referred to Committee on Militia, Police and Public Safety 1/29/2016 House: Passed by indefinitely in Militia, Police and Public Safety (12-Y 9-N)	<b>2/2/2016</b>
<p><b>Oppose</b> (16102829D) - Board has historically opposed.</p> <p><b>Summary:</b> Use of photo-monitoring systems for traffic lights; repeal. Repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program.</p>		
<a href="#"><u>HB 901</u></a> - Marshall (13) Northern Virginia Transportation Authority; use of certain revenues.	1/12/2016 House: Referred to Committee on Transportation 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<p><b>Oppose</b> (16100729D)</p> <p><b>Summary:</b> Use of certain revenues by the Northern Virginia Transportation Authority. Requires that 50% of the funds the Northern Virginia Transportation Authority has remaining after distribution to localities be used for bus rapid transit on Interstate 66 or expansion of Virginia Railway Express that benefit the Interstate 66 corridor from Haymarket to Interstate 495, or Interstate 66 construction outside the Capital Beltway until July 1, 2031.</p>		
<a href="#"><u>HB 913</u></a> - Toscano (57)	1/12/2016 House: Referred to Committee on General Laws	<b>2/16/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
Discrimination; prohibited in employment and housing.	2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in General Laws	
<b>Support</b> (16102226D) - Board has historically supported. See also HB 429 (Villanueva) and SB 12 (Ebbin). <b>Summary:</b> Prohibited discrimination in employment and housing. Prohibits discrimination in private or public employment on the basis of sexual orientation or gender identity. The bill also adds discrimination on the basis of sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill defines "sexual orientation" and "gender identity." The bill also conforms various provisions prohibiting discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, or disability.		
<a href="#"><b>HB 916</b></a> - Bulova (37) Interstate 66; prohibits imposition or collection of tolls on any component.	1/12/2016 House: Referred to Committee on Transportation 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16102207D) <b>Summary:</b> Tolling on interstate highways. Prohibits the imposition or collection of tolls on any component of Interstate 66 existing prior to July 1, 2016.		
<a href="#"><b>HB 941</b></a> - Toscano (57) Clean energy programs; expands scope by including certain residential properties.	1/12/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Counties, Cities and Towns	<b>2/16/2016</b>
<b>Monitor</b> (16102233D) <b>Summary:</b> Financing of clean energy programs. Expands the scope of clean energy programs by including certain residential properties that are currently excluded from the voluntary special lien assessment provisions.		
<a href="#"><b>HB 949</b></a> - Keam (35) Northern Virginia Transportation Authority (NVTa); membership composition.	1/12/2016 House: Referred to Committee on Transportation 2/11/2016 Subcommittee failed to recommend reporting (2-Y 3-N)	<b>2/2/2016</b>
<b>Oppose</b> (16103101D) - Board has historically opposed. See also SB 113 (Petersen). <b>Summary:</b> Increases from 17 to 18 the membership of the NVTa and provides that the additional non-legislative citizen member represent towns that receive funds for urban highway systems.		
<a href="#"><b>HB 960</b></a> - Carr (69) Fines under certain local ordinances; payment to local school division and Literary Fund.	1/12/2016 House: Referred to Committee on Appropriations 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/18/2016 Left in Appropriations	<b>2/2/2016</b>
<b>Oppose</b> (16101595D) - Potential loss of revenue.		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Fines under certain local ordinances paid to local school division and Literary Fund. Provides that fines imposed under certain local ordinances dealing with DUI, disposition of children in juvenile and domestic relations district courts, and appropriate provisions of Title 46.2 (Motor Vehicles) of the Code of Virginia, when those ordinances incorporate Code of Virginia provisions, are to be paid in the following proportions: 50 percent to the school division of the locality in which the fines were imposed and 50 percent into the state treasury to the credit of the Literary Fund.</p>		
<p><b>HB 977</b> - Lopez (49) State waters; unlawful discharge of deleterious substance into waters.</p>	<p>1/12/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 Subcommittee recommends reporting with amendment(s) (4-Y 1-N) 2/10/2016 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (14-Y 8-N) 2/15/2016 Committee amendment agreed to 2/15/2016 House: VOTE: ENGROSSMENT REFUSED (37-Y 56-N)</p>	<p><b>2/16/2016</b> <b>2/2/2016</b></p>
<p><b>Monitor</b> (as amended by HAG subcommittee) - Bill has been amended to satisfy concerns. <del><b>Amend</b> (16102493D) - Amend to remove reduced notification time due to potential impossibility. See also SB 581 (McEachin).</del> <b>Summary:</b> Discharge of deleterious substance into state waters; notice. Requires any person who unlawfully discharges any deleterious substance into state waters to notify the State Water Control Board (the Board), the Department of Environmental Quality (the Department), or the coordinator of emergency services of the affected locality within 12 hours. Current law allows such a person 24 hours to give notice. The bill also requires that written notice follow to the Board, in addition to the Department, and specifies that the required report of potentially detrimental discharges by the Board or the Department to local newspapers, television stations, and radio stations be provided to such media outlets as soon as practicable after receiving it.</p>		
<p><b>HB 992</b> - Lopez (49) TANF eligibility; drug-related felonies.</p>	<p>1/12/2016 House: Referred to Committee on Health, Welfare and Institutions 2/9/2016 House: Reported from Health, Welfare and Institutions (15-Y 7-N) 2/9/2016 House: Referred to Committee on Appropriations 2/9/2016 House: Subcommittee recommends laying on the table by voice vote 2/18/2016 Left in Appropriations</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16103802D) - Board has historically supported. <b>Summary:</b> Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families (TANF) shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed a substance abuse treatment program, and participates in drug screenings. The bill provides that a person who fails or refuses to participate in periodic drug testing or who tests positive for the use of illegal substances shall be ineligible to receive TANF benefits for a period of 12 months; however, such person is given one opportunity during the 12-month period to comply with the testing requirement and be reinstated to eligibility for TANF benefits.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 998</u></a> - Levine (45) Law-enforcement agencies, local; body-worn cameras.	1/13/2016 House: Referred to Committee for Courts of Justice 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Monitor</b> (16102838D) - See also HB 1327 (Davis). <b>Summary:</b> Local law-enforcement agencies; body-worn cameras. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.		
<a href="#"><u>HB 1004</u></a> - Levine (45) Provisional voting; voter photograph taken at polling place.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/2/2016 House: Subcommittee recommends passing by indefinitely by voice vote 2/16/2016 Left in Privileges and Elections	<b>2/2/2016</b>
<b>Support</b> (16103105D) - Support concept of enabling provisional voters to meet voter ID requirements on Election Day rather than supplying a form of identification to the electoral board after Election Day. Support the state Department of Elections working with localities to develop a procedure to allow voter ID requirements to be met by provisional voters. Amend to retain current procedure for provisional voting to provide identification as an option for voters until an alternative is fully developed. <b>Summary:</b> Provides that a voter who does not have one of the forms of identification required by law shall be permitted to vote provisionally, in which case he shall have his photograph taken by an officer of election. That photograph shall be transmitted to the electoral board, and no further action by the voter is required. If the electoral board determines that the voter was a qualified voter in the precinct in which he cast the provisional vote and confirms that a photograph of him taken by an officer of election has been received, the voter's provisional vote is required to be counted.		
<a href="#"><u>HB 1008</u></a> - Levine (45) Motor vehicle fuels; sales tax in certain transportation districts, price floor.	1/13/2016 House: Referred to Committee on Finance 2/3/2016 House: Subcommittee recommends striking from docket by voice vote 2/8/2016 House: Stricken from docket by Finance by voice vote	<b>2/2/2016</b>
<b>Support</b> (16101983D) <b>Summary:</b> Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1		

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Bills	General Assembly Actions	Date of BOS Position
percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the average sales price be no less than the statewide average sales price on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax.		
<a href="#"><b>HB 1043</b></a> - Rasoul (11) Reckless driving; raises threshold for speeding.	1/13/2016 House: Referred to Committee for Courts of Justice 1/29/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Oppose</b> (16102108D) - Board has historically opposed. <b>Summary:</b> Speeding; reckless driving. Raises the threshold for per se reckless driving for speeding from driving in excess of 80 miles per hour to driving in excess of 85 miles per hour. The threshold for per se reckless driving for speeding for driving at or more than 20 miles per hour in excess of the speed limit remains unchanged.		
<a href="#"><b>HB 1085</b></a> - Bulova (37) Stormwater Local Assistance Fund; established.	1/13/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Agriculture, Chesapeake and Natural Resources	<b>2/2/2016</b>
<b>Support</b> (16102371D) <b>Summary:</b> Stormwater Local Assistance Fund. Establishes the Stormwater Local Assistance Fund to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads.		
<a href="#"><b>HB 1125</b></a> - Loupassi (68) Number of judges; general district court; 25th Judicial District.	1/13/2016 House: Referred to Committee for Courts of Justice 1/27/2016 House: Reported from Courts of Justice (22-Y 0-N) 1/27/2016 House: Referred to Committee on Appropriations 2/11/2016 House: Subcommittee recommends laying on the table by voice vote 2/18/2016 Left in Appropriations	<b>2/2/2016</b>
<b>Support</b> (16102150D) - See also SB 57 (Howell). <b>Summary:</b> Adds a fourth judge to the maximum number allowed in the 25th Judicial District, general district court (Alleghany, Augusta, Bath, Botetourt, Buena Vista, Covington, Craig, Highland, Lexington, Rockbridge, Staunton, and Waynesboro) and increases from seven to eight the number of juvenile and domestic relations district court judges in the 19th Judicial District (Fairfax, Fairfax County). This is a recommendation of the Committee on District Courts.		
<a href="#"><b>HB 1140</b></a> - Ransone (99) Subdivision plats; approval	1/13/2016 House: Referred to Committee on Counties, Cities and Towns	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
before recordation.	2/3/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Counties, Cities and Towns	
<b>Support</b> (16100838D) <b>Summary:</b> Prohibits a circuit court clerk from recording a subdivision plat unless the plat is approved by the local planning commission and meets other requirements.		
<a href="#"><u>HB 1143</u></a> - Lindsey (90) Body-worn cameras; required policies.	1/13/2016 House: Referred to Committee for Courts of Justice 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Monitor</b> (16104109D) <b>Summary:</b> Law-enforcement agencies; body-worn cameras; required policies. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to review any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 30 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias.		
<a href="#"><u>HB 1144</u></a> - Cole (88) Local taxes; interest on refunds.	1/13/2016 House: Referred to Committee on Finance 2/17/2016 Left in Finance	<b>2/2/2016</b>
<b>Support</b> (16100738D) <b>Summary:</b> Permits localities to not pay interest on tax refunds caused by erroneous assessments that are due to the failure of taxpayers to file timely tax returns.		
<a href="#"><u>HB 1164</u></a> - Morris (64) Local stormwater utility; waiver of charges for church or religious body.	1/14/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Counties, Cities and Towns	<b>2/2/2016</b>
<b>Oppose</b> (16103512D) - Board has historically opposed. Stormwater management is a shared responsibility for all members of the community. Waiving charges for some entities will require others to bear a disproportionate burden of the costs. <b>Summary:</b> Local stormwater utility; waiver of charges; religious body. Requires any locality establishing a stormwater management utility to waive charges for real estate exclusively occupied or used by a church or religious body for religious worship or for the residence of its minister.		
<a href="#"><u>HB 1206</u></a> - Greason (32) Comprehensive community colleges; Noncredit Workforce Credentials Act.	1/18/2016 House: Referred to Committee on Education 2/2/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Education	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (16104243D) - Monitor legislation; support associated funding in Governor's budget. See also HB 792 (James) and SB 575 (Ruff).</p> <p><b>Summary:</b> Comprehensive community colleges; noncredit workforce credentials; Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Act. Establishes the Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Program (Program), to be administered by the Virginia Community College System (System). The bill requires the System to approve (i) a plan and funding formula to support capacity building for and development and expansion of noncredit workforce credential programs at comprehensive community colleges that prepare students for in-demand noncredit workforce credentials that are aligned with the knowledge and skill sets that are required for the available occupations in each region, (ii) a plan for providing financial incentives to comprehensive community colleges that demonstrate exceptional performance or improvement in the development and expansion of such noncredit workforce credential programs, and (iii) a plan and timeline for assessing the impact of a pilot set of noncredit workforce credentials on short-term and long-term job attainment and wages. The bill requires the System to submit a report to the General Assembly and the Virginia Board of Workforce Development no later than January 1 of each year with certain data from the previous fiscal year on noncredit workforce credential attainment by students at comprehensive community colleges.</p>		
<p><b>HB 1216</b> - Aird (63) Elections; absentee voting by persons age 65 or older.</p>	<p>1/18/2016 House: Referred to Committee on Privileges and Elections 2/9/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Privileges and Elections</p>	<p><b>2/2/2016</b></p>
<p><b>Support</b> (16102488D) - Board has historically supported. See also SB 188 (Miller).</p> <p><b>Summary:</b> Entitles persons who will be age 65 or older on the date of an election for which an absentee ballot is requested to vote absentee.</p>		
<p><b>HB 1243</b> - Marshall (13) Interstate 66; referendum for tolling.</p>	<p>1/19/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Privileges and Elections</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16104445D)</p> <p><b>Summary:</b> Referendum for tolling Interstate 66. Requires that localities in Planning District 8 that are located wholly or partially inside the Capital Beltway have voter approval by referendum before the imposition and collection of tolls for the use of Interstate 66 inside the Capital Beltway.</p>		
<p><b>HB 1244</b> - Marshall (13) Interstate 66; referendum for tolling.</p>	<p>1/19/2016 House: Referred to Committee on Privileges and Elections 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Privileges and Elections</p>	<p><b>2/2/2016</b></p>
<p><b>Oppose</b> (16104460D)</p> <p><b>Summary:</b> Referendum for tolling Interstate 66. Requires that localities in Planning District 8 that are located wholly or partially outside the Capital Beltway have voter approval by referendum before the imposition and</p>		

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Bills	General Assembly Actions	Date of BOS Position
collection of tolls for the use of Interstate 66 outside the Capital Beltway.		
<a href="#"><b>HB 1268</b></a> - Taylor (85) Limited Residential Lodging and Short-term Rental Lodging Act; established, penalty.	1/20/2016 House: Referred to Committee on General Laws 2/9/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in General Laws	<b>2/2/2016</b>
<p><b>Oppose</b> (16104250D) - See also SB 751 (DeSteph).</p> <p><b>Summary:</b> Limited Residential Lodging and Short-term Rental Lodging Act; penalty. Establishes the Limited Residential Lodging and Short-term Rental Lodging Act (the Act), which allows (i) property owners to rent out their homes or portions thereof for a charge for periods of less than 30 consecutive days or (ii) short-term rentals of residential or commercial units; both of which may be transacted through a hosting platform, under certain circumstances. The bill requires an operator of either limited residential lodging or short-term rental lodging to register with the Department of Taxation. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill provides for the amount of license tax on such operators. The bill provides that any local ordinance requiring the use of the special exception, special use, or conditional use permit for short-term rental lodging contain specific provisions relating to noise, trash or recycling collection, and the posting of emergency information. The bill defines "limited residential lodging," "booking transaction," "hosting platform," "short-term lodger," short-term lodging operator," and "short-term rental lodging," and provides for penalties for violations of the Act.</p>		
<a href="#"><b>HB 1278</b></a> - Levine (45) Washington Metropolitan Area Transit Authority Compact of 1966; membership.	1/20/2016 House: Referred to Committee on Transportation 2/11/2016 Subcommittee failed to recommend reporting (2-Y 4-N) 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<p><b>Monitor</b> (16104205D) - See also SB 710 (Ebbin).</p> <p><b>Summary:</b> Appointing authority for Board of Directors of Washington Metropolitan Area Transit Authority. Changes from the U.S. Administrator of General Services to the Secretary of the U.S. Department of Transportation the appointing authority for the two federal members of the Board of Directors of the Authority and their alternates. The change is made in the WMATA Compact found in Title 33.2 of the Code of Virginia in order to conform with federal law. The bill contains an emergency clause.</p>		
<a href="#"><b>HB 1293</b></a> - Hugo (40) Employee grievance procedure, local; impartial panel hearing, etc.	1/21/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 Subcommittee recommends reporting (9-Y 1-N) 2/12/2016 House: Tabled in Counties, Cities and Towns by voice vote	<b>2/2/2016</b>
<p><b>Oppose</b> (16104131D) - Board has historically opposed.</p> <p><b>Summary:</b> Local employee grievance procedure. Provides that qualifying grievances shall advance to either an impartial panel hearing or a hearing before an administrative hearing officer as agreed upon by both parties, as set forth in the locality's grievance procedure; however, if both parties cannot come to an agreement, an impartial panel shall be used. The bill contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 1327</u></a> - Davis (84) Local law-enforcement agencies; body-worn cameras.	1/21/2016 House: Referred to Committee for Courts of Justice 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Courts of Justice	<b>2/2/2016</b>
<b>Monitor</b> (16104389D) - See also HB 998 (Levine). <b>Summary:</b> Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.		
<a href="#"><u>HB 1337</u></a> - James (80) Local fiscal stress; task force appointed by Governor to review state mandates imposed on locality.	1/21/2016 House: Referred to Committee on Counties, Cities and Towns 2/10/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Counties, Cities and Towns	<b>2/2/2016</b>
<b>Support</b> (16103020D) <b>Summary:</b> Local fiscal stress. Provides that a task force appointed by the Governor to review state mandates imposed on localities and to recommend temporary suspension or permanent repeal of such mandates, in making its recommendations, shall consider the measure for Fiscal Stress published by the Commission on Local Government of the Department of Housing and Community Development and the impact of such fiscal stress upon the ability of certain localities to meet state mandates. In addition to its other responsibilities, the task force shall consider and recommend possible state incentives to encourage those localities that are designated by the Commission on Local Government as having above average fiscal stress to take actions or adopt procedures that may help alleviate such fiscal stress.		
<a href="#"><u>HB 1374</u></a> - Bulova (37) Interstate 66; Commonwealth Transportation Board may impose tolls to use.	1/22/2016 House: Referred to Committee on Transportation 2/4/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Transportation	<b>2/2/2016</b>
<b>Oppose</b> (16103824D) <b>Summary:</b> Tolls for use of Interstate 66. Provides that the Commonwealth Transportation Board may impose tolls for the use of Interstate 66 from Interstate 495 to Route 29 in Rosslyn only if such tolls are collected at the same time Interstate 66 eastbound is being widened from the Dulles Connector Road to Ballston.		
<a href="#"><u>HB 1382</u></a> - Keam (35)	1/22/2016 House: Referred to Committee on Finance	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
Real property tax; tax on commercial and industrial property in certain localities.	2/3/2016 House: Subcommittee recommends laying on the table by voice vote 2/17/2016 Left in Finance	
<b>Oppose</b> (16103084D) - Board has historically opposed. <b>Summary:</b> Real property tax on commercial and industrial property. Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.		
<a href="#"><u>HJ 110</u></a> - LeMunyon (67) Interstate 66; Secretary of Transportation to study tolling alternatives.	1/11/2016 House: Referred to Committee on Rules 2/16/2016 Left in Rules	<b>2/2/2016</b>
<b>Oppose</b> (16102491D) <b>Summary:</b> Study; Secretary of Transportation; tolling alternatives on Interstate 66; report. Requests the Secretary of Transportation to study alternatives to add vehicle capacity to Interstate 66 inside the Capital Beltway.		
<a href="#"><u>HJ 124</u></a> - Hugo (40) Unaccompanied alien minors; reimbursement to Fairfax County for cost.	1/12/2016 House: Referred to Committee on Rules 2/11/2016 House: Subcommittee recommends laying on the table by voice vote 2/16/2016 Left in Rules	<b>2/2/2016</b>
<b>Support</b> (16102152D) - Support concept; the County's federal legislative package includes support for federal funding for federally-connected children, including reimbursement for costs associated with unaccompanied minors placed in Fairfax County through the Office of Refugee Resettlement, and full funding of the federal Impact Aid program. <b>Summary:</b> Memorializing Congress regarding unaccompanied alien minors in Fairfax County. Memorializes the Congress of the United States to reimburse Fairfax County for the cost of resettling and providing services to unaccompanied alien minors.		
<a href="#"><u>HJ 136</u></a> - Sickles (43) United States Constitution; ratifies Equal Rights Amendment that was proposed by Congress in 1972.	1/13/2016 House: Referred to Committee on Privileges and Elections 2/16/2016 Left in Privileges and Elections	<b>2/2/2016</b>
<b>Support</b> (16101109D) - Board has historically supported. See also SJ 1 (Surovell). <b>Summary:</b> United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.		
<a href="#"><u>HJ 149</u></a> - Sickles (43)	1/13/2016 House: Referred to Committee on Commerce and	<b>2/2/2016</b>

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action



Bills	General Assembly Actions	Date of BOS Position
Motor vehicle title loans; Bureau of Financial Inst of State Corporation Commission to study.	Labor 2/4/2016 Subcommittee recommends laying on the table (7-Y 0-N) 2/16/2016 Left in Commerce and Labor	
<b>Support</b> (16101587D) <b>Summary:</b> Study; reasonableness of interest rates on motor vehicle title loans; report. Requests the Bureau of Financial Institutions of the State Corporation Commission to study the reasonableness of interest rates on motor vehicle title loans, including the profitability of such loans and how such rates and profit levels compare with those for alternative types of loans. The Bureau is directed to report its findings to the Governor and the General Assembly by the 2017 Regular Session of the General Assembly.		
<a href="#"><b>SB 208</b></a> - Garrett (22) Statewide Fire Prevention Code; authorizes use of consumer fireworks, penalties.	1/5/2016 Senate: Referred to Committee on General Laws and Technology 1/18/2016 Senate: Reported from General Laws and Technology (8-Y 5-N 2-A) 1/27/2016 Senate: Rereferred to Finance 2/17/2016 Left in Finance	<b>2/16/2016</b>
<b>Oppose</b> (16100528D) - Board has historically opposed. <b>Summary:</b> Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks, (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property, or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2017. The bill contains technical amendments.		
<a href="#"><b>SB 234</b></a> - Petersen (34) Interstate 66; tolls on existing components east of mile marker 67 prohibited.	1/6/2016 Senate: Referred to Committee on Transportation 2/10/2016 Senate: Passed by indefinitely in Transportation (13-Y 0-N)	<b>2/2/2016</b>
<b>Oppose</b> (16100868D) <b>Summary:</b> Tolling on Interstate 66. Prohibits tolls on existing components of Interstate 66 east of mile marker 67. The bill provides that if additional lanes are added after January 1, 2017, toll revenues from use of the additional lanes shall be used only for the construction and maintenance of such additional lanes.		
<a href="#"><b>SB 238</b></a> - Petersen (34) Virginia Property Owners'	1/6/2016 Senate: Referred to Committee on General Laws and Technology	[2/5/2016]

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
Association Act; home-based businesses.	2/8/2016 Senate: Passed by indefinitely in General Laws and Technology with letter (15-Y 0-N)	
<p>[Oppose] (16102882D)</p> <p><b>Summary:</b> Virginia Property Owner's Association Act; home-based businesses. Provides that an association may not prohibit a lot owner from operating a home-based business within his personal residence if the operation of the home-based business is in compliance with all applicable state laws and local ordinances. Under current law, operation of a home-based business is prohibited only to the extent that the declaration is silent on the operation of home-based businesses. The association continues to be authorized to establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the owner's lot related to such home-based business.</p>		
<a href="#"><u>SB 258</u></a> - Surovell (36) Commonwealth Transportation Board; voting weighted by population.	1/6/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Passed by indefinitely in Transportation (13-Y 0-N)	<b>2/2/2016</b>
<p><b>Support</b> (16100159D) - Board has historically supported.</p> <p><b>Summary:</b> CTB; voting weighted by population. Provides that the votes of the nine nonlegislative citizen members of the Commonwealth Transportation Board who represent the nine highway construction districts shall be weighted on the basis of the population of each member's district as a percentage of the total population of the Commonwealth.</p>		
<a href="#"><u>SB 295</u></a> - Lucas (18) Toll violations at all- electronic toll facilities; administrative fees and period of nonpayment.	1/8/2016 Senate: Referred to Committee on Transportation 2/10/2016 Senate: Passed by indefinitely in Transportation with letter (13-Y 0-N) 2/10/2016 Incorporates SB 334 (Locke), SB 405 (Vogel), and SB 516 (McPike).	[2/5/2016]
<p>[Monitor] (16102028D) - See also HB 1069 (Jones).</p> <p><b>Summary:</b> Lowers the administrative fee that is paid after 30 days of nonpayment of an unpaid toll from \$100 to \$50 and lengthens such period of nonpayment from 30 days to 60 days. The time period for notice to contest liability for a toll violation is extended from 60 to 90 days. The time period to file an affidavit stating that the owner of the vehicle was not the operator of the vehicle during the unpaid toll violation is extended from 14 to 30 days. This bill incorporates SB 334 , SB 405, and SB 516.</p>		
<a href="#"><u>SB 405</u></a> - Vogel (27) Tolling additional capacity and designations of HOV and HOT lanes on Interstate 66.	1/12/2016 Senate: Referred to Committee on Transportation 2/10/2016 Incorporated by Transportation (SB295-Lucas) (13-Y 0-N)	<b>2/2/2016</b>
<p><b>Oppose</b> (16103688D)</p> <p><b>Summary:</b> Prohibits tolls on any component of Interstate 66 outside the Capital Beltway existing prior to July 1, 2016. The bill provides that if additional lanes are added to an interstate highway, those additional lanes may be tolled. The bill prohibits HOV-2 lanes of Interstate 66 from being converted to HOV-3 lanes or a more restrictive designation and prohibits a HOT lane occupancy requirement of more than two. The bill allows</p>		

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[ ] Indicates BOS Legislative Committee Action



Bills	General Assembly Actions	Date of BOS Position
vehicles bearing clean special fuel vehicle license plates to use HOT lanes; such vehicles may currently use HOV lanes. The bill contains a technical amendment. This bill was incorporated into SB 295.		
<a href="#"><u>SB 426</u></a> - Vogel (27) Virginia Community Impact Authority and Fund; created, report.	1/12/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Passed by indefinitely in Local Government with letter (13-Y 0-N)	2/2/2016
<b>Monitor</b> (16100552D) <b>Summary:</b> Virginia Community Impact Authority and Fund. Establishes the Virginia Community Impact Authority with the authority to (i) provide grants, investments, and loans to support job training programs, health care delivery systems, and affordable housing programs and initiatives; (ii) provide start-up capital and loans to assist private enterprises; (iii) provide grants to local community impact funds; (iv) support clean and energy-efficient programs and initiatives; and (v) support other initiatives that are determined by the Authority to have a meaningful community impact. The grants, investments, and loans are to be made from the Virginia Community Impact Fund, established by the bill, which is to be funded by allocation of one percent of the total consideration paid by state public bodies in state procurement contracts valued at more than \$300,000.		
<a href="#"><u>SB 469</u></a> - Wagner (7) Local stormwater utility; payment to best management practice (BMP) operator accepting runoff.	1/12/2016 Senate: Referred to Committee on Local Government 2/9/2016 Stricken at request of Patron in Local Government (13-Y 0-N)	2/2/2016
<b>Oppose</b> (16101309D) <b>Summary:</b> Local stormwater utility; payment to BMP operator accepting runoff. Requires any locality that operates a local stormwater management program to pay the private operator of a nutrient-reducing best management practice (BMP) if it requires such operator to accept stormwater runoff from an upstream property. The BMP operator is to be paid 50 percent of the stormwater utility charge assessed to the upstream owner.		
<a href="#"><u>SB 471</u></a> - Wagner (7) Commonwealth Transportation Board; increases regional membership.	1/12/2016 Senate: Referred to Committee on Rules 2/3/2016 Rereferred from Rules (14-Y 0-N) and Rereferred to Transportation 2/3/2016 Senate: Rereferred to Transportation 2/10/2016 Stricken at request of Patron in Transportation (13-Y 0-N)	2/2/2016
<b>Support</b> (16101332D) - See also HB 1346 (Villanueva). <b>Summary:</b> Commonwealth Transportation Board; regional membership. Increases from 17 to 19 the membership of the Commonwealth Transportation Board by the addition of two nonlegislative citizen members: one from the Hampton Roads Transportation Accountability Commission and one from the Northern Virginia Transportation Authority. The terms of the new nonlegislative citizen members begin July 1, 2016.		
<a href="#"><u>SB 477</u></a> - Wagner (7) Motor vehicle fuels; sales tax in certain transportation	1/12/2016 Senate: Referred to Committee on Finance 2/9/2016 Stricken at request of Patron in Finance (15-Y 0-N)	2/2/2016

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Bills	General Assembly Actions	Date of BOS Position
districts, price floor.		
<b>Support</b> (16103951D) <b>Summary:</b> Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the tax is not imposed on a sales price less than the statewide average sales price on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax.		
<a href="#"><b>SB 484</b></a> - DeSteph, Jr. (8) Stormwater management regulations; water quality and quantity design criteria.	1/12/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2016 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources with letter (11-Y 4-N)	<b>2/2/2016</b>
<b>Oppose</b> (16102418D) <b>Summary:</b> Stormwater management regulations; water quality and quantity design criteria; unenforceable unless amended. Prohibits the enforcement of any design criterion concerning water quality or quantity contained in Part II B of the stormwater management regulations until the State Water Control Board amends the design criteria to bring them up to date, correct the errors they contain, and coordinate them with the rest of the stormwater management regulations. Until the regulations are reissued, the design criteria contained in Part II C shall apply instead.		
<a href="#"><b>SB 490</b></a> - DeSteph, Jr. (8) Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.	1/12/2016 Senate: Referred to Committee on Privileges and Elections 2/2/2016 Failed to report (defeated) in Privileges and Elections (6-Y 6-N)	<b>2/2/2016</b>
<b>Support</b> (16103934D) - Support concept; implementation issues need to be resolved. <b>Summary:</b> Provides that any active duty member of a uniformed service who has been called to duty for deployment to a combat zone shall be permitted to use his digital signature associated with his Common Access Card issued by the U.S. Department of Defense to sign his application for a military-overseas ballot, the statement of voter accompanying his cast military-overseas ballot, and any other related documents. The bill also requires the system through which a covered voter may apply for and receive voter registration materials, military-overseas ballots, and other information to be capable of accepting the submission of voted military-overseas ballots cast by active duty member of a uniformed service who has been called to duty for deployment to a combat zone.		
<a href="#"><b>SB 516</b></a> - McPike (29) Tolls; use for additional lanes on interstate highways.	1/13/2016 Senate: Referred to Committee on Transportation 2/10/2016 Incorporated by Transportation (SB295-Lucas) (13-Y 0-N)	<b>2/2/2016</b>
<b>Oppose</b> (16101817D) <b>Summary:</b> Tolling on interstate highways. Prohibits tolls on any component of interstate highways existing prior to July 1, 2016. The bill provides that if additional lanes are added to an interstate highway, those additional lanes may be tolled. The bill contains a technical amendment. This bill was incorporated into SB 295.		
<a href="#"><b>SB 547</b></a> - Edwards (21)	1/13/2016 Senate: Referred to Committee on Local	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
Water and sewer service; certain liens for delinquent charges.	Government 2/2/2016 Left in Local Government	
<b>Monitor</b> (16103511D) <b>Summary:</b> Water and sewer service provided by locality. Provides that certain liens for the unpaid fees and charges of a lessee or tenant shall be placed only if the owner of the property has agreed in writing at the time service is initiated to be responsible for such unpaid fees and charges.		
<a href="#"><b>SB 575</b></a> - Ruff, Jr. (61) Comprehensive community colleges; noncredit workforce credentials.	1/13/2016 Senate: Referred to Committee on Education and Health 2/11/2016 Stricken at request of patron in Education and Health (13-Y 0-N)	<b>2/2/2016</b>
<b>Monitor</b> (16102555D) - Monitor legislation; support associated funding in Governor's budget. See also HB 792 (James) and HB 1206 (Greason). <b>Summary:</b> Comprehensive community colleges; noncredit workforce credentials; Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Act. Establishes the Virginia Pathway to the Middle Class: Noncredit Workforce Credentials Program (Program), to be administered by the Virginia Community College System (System). The bill requires the System to approve (i) a plan and funding formula to support capacity building for and development and expansion of noncredit workforce credential programs at comprehensive community colleges that prepare students for in-demand noncredit workforce credentials that are aligned with the knowledge and skill sets that are required for the available occupations in each region, (ii) a plan for providing financial incentives to comprehensive community colleges that demonstrate exceptional performance or improvement in the development and expansion of such noncredit workforce credential programs, and (iii) a plan and timeline for assessing the impact of a pilot set of noncredit workforce credentials on short-term and long-term job attainment and wages. The bill requires the System to submit a report to the General Assembly and the Virginia Board of Workforce Development no later than January 1 of each year with certain data from the previous fiscal year on noncredit workforce credential attainment by students at comprehensive community colleges.		
<a href="#"><b>SB 581</b></a> - McEachin (9) Discharge of deleterious substance into state waters; notice.	1/13/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2016 Failed to report (defeated) in Agriculture, Conservation and Natural Resources (7-Y 7-N)	<b>2/2/2016</b>
<b>Amend</b> (16102719D) - Amend to remove reduced notification time due to potential impossibility. See also HB 977(Lopez). <b>Summary:</b> Requires any person who unlawfully discharges any deleterious substance into state waters to notify the State Water Control Board (the Board), the Department of Environmental Quality (the Department), or the coordinator of emergency services of the affected locality within 12 hours. Current law allows such a person 24 hours to give notice. The bill also requires that written notice follow to the Board, in addition to the Department, and specifies that the required report of potentially detrimental discharges by the Board or the Department to local newspapers, television stations, and radio stations be provided to such media outlets as soon as practicable after receiving it.		
<a href="#"><b>SB 681</b></a> - Vogel (27)	1/20/2016 Senate: Referred to Committee on Local	<b>2/2/2016</b>

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Bills	General Assembly Actions	Date of BOS Position
Annexation moratorium; extends for city annexations and county immunity actions.	Government 2/2/2016 Incorporated by Local Government (SB309-Hanger) (13-Y 0-N)	
<b>Support</b> (16104027D) - Board has historically supported. <b>Summary:</b> Annexation moratorium. Extends the current moratorium on city annexations and county immunity actions by two years to 2020. Provisions that would trigger the early expiration of the moratorium if the General Assembly fails to appropriate certain amounts for local law-enforcement expenditures are exempted through the 2016-2018 biennium.		
<a href="#"><u>SB 735</u></a> - Obenshain (26) Local planning commission; action on proposed plat, commercial real estate.	1/22/2016 Senate: Referred to Committee on Local Government 2/9/2016 Senate: Passed by indefinitely in Local Government (9-Y 3-N 1-A)	[2/5/2016]
<b>[Oppose]</b> (16103897D) <b>Summary:</b> Local planning commission; action on proposed plat; commercial real estate. Shortens the period within which a local planning commission or other agent must act on a proposed plat, site plan, or plan of development that solely involves parcels of commercial real estate. The bill shortens from 60 days to 30 days the period within which the commission shall act on a plat that has been officially submitted for approval and reduces from 45 days to 20 days the period for action on a plat that the commission has previously disapproved. The bill reduces from 10 business days to seven business days the period within which the commission is required to forward the plat to a state agency if a review by the agency is required, and the agency's initial review period is reduced from 45 days to 20 days. The agency's second review period, for a plat that has previously been disapproved, is reduced from 45 days to 15 days. Once a plat receives all state agency approvals, the period for planning commission action on it is reduced from 35 days to 15 days. Finally, the bill reduces the periods of time that must pass before the subdivider is allowed to petition the circuit court for a decision on the plat from 60 days to 30 days after official submission for approval, from 45 days to 20 days after official resubmission following a previous disapproval, and from 35 days to 15 days from receipt of any state agency response. The bill also reduces the notice period required for the subdivider's petition to the court from 10 days to five days.		
<a href="#"><u>SB 751</u></a> - DeSteph, Jr. (8) Limited Residential Lodging and Short-term Rental Lodging Act; penalty.	1/22/2016 Senate: Referred to Committee on Local Government 2/2/2016 Senate: Rereferred to Finance 2/2/2016 Rereferred from Local Government (11-Y 0-N) 2/16/2016 Senate: Reported from Finance with substitute (7-Y 6-N 1-A) 2/16/2016 Committee substitute rejected 16105584D-S1 2/16/2016 Amendment by Senator DeSteph agreed to 2/16/2016 Recommitted to Finance 2/17/2016 Left in Finance	<b>2/2/2016</b>
<b>Oppose</b> (16104260D) - See also HB 1268 (Taylor). <b>Summary:</b> Establishes the Limited Residential Lodging and Short-term Rental Lodging Act (the Act), which allows (i) property owners to rent out their homes or portions thereof for a charge for periods of less than 30		

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Bills	General Assembly Actions	Date of BOS Position
consecutive days or (ii) short-term rentals of residential or commercial units; both of which may be transacted through a hosting platform, under certain circumstances. The bill requires an operator of either limited residential lodging or short-term rental lodging to register with the Department of Taxation. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill provides for the amount of license tax on such operators. The bill provides that any local ordinance requiring the use of the special exception, special use, or conditional use permit for short-term rental lodging contain specific provisions relating to noise, trash or recycling collection, and the posting of emergency information. The bill defines "limited residential lodging," "booking transaction," "hosting platform," "short-term lodger," short-term lodging operator," and "short-term rental lodging," and provides for penalties for violations of the Act.		
<a href="#"><b>SB 778</b></a> - Barker (39) Use of handheld personal communications devices while driving; penalty.	1/25/2016 Senate: Referred to Committee on Transportation 2/3/2016 Senate: Reported from Transportation (10-Y 3-N) 2/9/2016 Read third time and defeated by Senate (18-Y 22-N)	<b>2/2/2016</b>
<b>Support</b> (16104156D) <b>Summary:</b> Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global positioning system for the purposes of navigation.		

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## **HB 770/SB 549 – Proffer Legislation**

*HB 770 (Gilbert) is expected to be conformed to  
SB 549 (Obenshain, Saslaw, Chafin, Reeves)*

### **Status of HB 770/SB 549**

HB 770 passed the House (68-27) with amendments, and is expected to be conformed to the current version of SB 549. HB 770 will be considered by the Senate Committee on Local Government on February 23, 2016. SB 549 passed the Senate (29-8-2) with a substitute. The substitute was further amended and reported out of the House Committee on Counties, Cities and Towns (17-4) on February 19, 2016. HB 770 and SB 549 are expected to be identical when they pass both houses and are not expected to go to conference.

### **Summary of HB 770/SB 549**

*(The summary includes all amendments made to both bills to date. Changes since the last Legislative Committee meeting are highlighted. Some of these changes were in response to proposals by the County; other County proposals were rejected by the bills' proponents.)*

HB 770/SB 549 would:

- Regulate rezonings and proffered condition amendment applications only for residential development, including multifamily housing and any residential component of a mixed-use development.
- Apply to cash and non-cash proffers.
- Require all proffers for such residential development to only address impacts that are “specifically attributable” to the proposed development.
- Further restrict off-site proffers to only address needs created by the development to expand existing capacity of transportation facilities (including transit); public safety facilities; public school facilities; and parks. **Parks now includes “playgrounds and other recreational facilities.”** Cash and other proffers for off-site affordable housing (including the housing trust fund), libraries, or other items could no longer be offered by developers or be accepted by the County.
- Define “transportation facilities” as: new roads (but not necessarily appurtenances like sidewalks); improvement or expansion of existing roads and appurtenances; and structures (including parking) related to transit. This definition may not include stand-alone pedestrian and bicycle projects, or transit operating assistance (for example, proffered shuttles that run to Metrorail and other transit stations).
- Define “small area comprehensive plan” as a portion of a locality-wide comprehensive plan that is specifically applicable to a designated area within a locality (a small area comprehensive plan could not encompass an entire locality, but there could be multiple small area comprehensive plans within a locality). **This**



definition allows the Board to designate such areas within the County (this would be accomplished through the Comprehensive Plan amendment process which includes public hearings and Planning Commission consideration).

- Only allow off-site proffers that provide a “direct and material benefit” to the development. If the development creates some negative effect on the community, a proffer could not address the issue beyond the public facilities above, and only if it confers a benefit back to the development.
- Allow only applicants and property owners to challenge the grant or denial of a rezoning in circuit court.
- Increase the burden of proof on a locality that denies a rezoning or a proffered condition amendment application if the applicant proves that it refused or failed to submit a proffer that would not have been allowed by this section (the ability to challenge a proffer that an applicant “remains subject to” has been removed).
- Require a plaintiff to show only that such a proffer was “suggested, requested, or required” by the locality (the terms “formally or informally” have been removed). The locality has to prove it complied with this statute by “clear and convincing evidence,” the highest standard of proof in civil cases.
- Allow the court to grant attorney fees and costs to a successful court challenge against a locality.
- Allow the court to remand the case to the locality, ordering it to approve the rezoning without a proffer that violates this statute. The locality would have 90 days to act, and if it does not, it would be prohibited from interfering with the proposed use without the illegal proffer (in such a case, the Board would not be required to again provide public notice and conduct additional public hearings on the case).
- Applications for rezonings or proffer condition amendments filed before July 1, 2016, are grandfathered from the provisions of the legislation.

#### **Exemptions Included in HB 770/SB 549**

HB 770/SB 549 would not apply to the following:

- any residential development in an approved small area comprehensive plan, if a portion of that plan allows a density of at least 3.0 floor area ratio (FAR) in a revitalization area that encompasses mass transit and mixed-use development (the FAR has been lowered from 4.0 to 3.0);
- an approved small area comprehensive plan that encompasses an existing or planned Metrorail station, or is adjacent to one in a neighboring locality, that allows additional density within the vicinity of the station (this exemption addresses a concern of the City of Falls Church); or
- an approved area of a service district created pursuant to § 15.2-2400, if that area encompasses an existing or planned Metrorail station.

**Areas of Fairfax County that are Likely Exempt from HB 770/SB 549**

*(This analysis is still in progress, and these are not final determinations)*

- Tysons (approved service district encompassing existing Metro stations).
- Ten designated Transit Station Areas (all include additional density in vicinity of existing Metro stations).
- Annandale Community Business Centers (revitalization area served by mass transit with no maximum FAR specified).
- Dulles Suburban Center and Merrifield Suburban Center (small area plan that includes an existing Metro station with additional density).
- Fairfax Center Area (small area plan that includes a planned Metro station with additional density).
- Richmond Highway Corridor Area (small area plan, a portion with at least 3.0 FAR, Beacon Groveton, in a revitalization area served by mass transit).

**Areas of Fairfax County Likely Included in the Restrictions of HB 770/SB 549**

1. The following Suburban Centers:

- Centreville
- Flint Hill
- Lorton-South Route 1

2. The following Community Business Centers:

- Baileys
- Seven Corners
- Kingstowne
- McLean
- Springfield

3. All of the County's Suburban Neighborhoods and Low Density Residential Areas



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# 2016 SESSION

ENGROSSED

16104604D

## HOUSE BILL NO. 812 AMENDMENT IN THE NATURE OF A SUBSTITUTE (Proposed by the House Committee on General Laws) (Patron Prior to Substitute—Delegate Peace) House Amendments in [ ] — February 3, 2016

A BILL to amend the Code of Virginia by adding in Title 55 a chapter numbered 13.4, consisting of sections numbered 55-248.53 through 55-248.57, relating to establishing the Limited Residential Lodging Act; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 55 a chapter numbered 13.4, consisting of sections numbered 55-248.53 through 55-248.57, as follows:

### CHAPTER 13.4.

### LIMITED RESIDENTIAL LODGING ACT.

#### § 55-248.53. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Applicable taxes" means any state or local tax imposed on a booking transaction provided pursuant to Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, § 58.1-1742, or Article 6 (§ 58.1-3819 et seq.) of Chapter 38 of Title 58.1 and any transaction tax imposed on a booking transaction established by city or town charter or otherwise pursuant to § 15.2-1104 or 58.1-3840, so long as such tax is uniform upon operators and other subjects of the same class, within the territorial limits of the city or town levying the tax.

"Booking transaction" means any transaction in which there is a charge to an occupant by an operator for the occupancy of any dwelling, sleeping, or lodging accommodations.

"Hosting platform" means any person or entity that is not an operator and that facilitates reservations or collects payments for any booking transaction on behalf of an operator through an online digital platform.

"Department" means the Department of Taxation.

"Limited lodger" means a person who occupies a residential dwelling unit for the purpose of limited residential lodging.

"Limited residential lodging" means the accessory or secondary use of a residential dwelling unit or a portion thereof by a limited residential lodging operator to provide room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy, provided only that (i) the primary use of the residential dwelling unit shall remain as a household living unit, (ii) any applicable taxes required to be collected and remitted for each booking transaction are collected and remitted either by the limited residential lodging operator directly or by a hosting platform that has registered and entered into an agreement with the Department pursuant to subsection C of § 55-248.56 for such collection and remission, and (iii) such use does not include simultaneous occupancy by more than one party under separate contracts.

"Limited residential lodging operator" means an operator who is the primary resident of a residential dwelling unit offered for limited residential lodging purposes.

"Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered for a charge to occupants, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity, and includes a limited residential lodging operator.

"Primary resident" means either (i) the owner of the residential dwelling unit [ ~~that~~ who occupies the dwelling unit as his principal place of residence and domicile and who ] is entitled to a homestead exclusion pursuant to § 34-4 or (ii) a tenant (a) who has lived in the residential dwelling unit for at least 60 days and (b) who treats the residential dwelling unit as such tenant's [ ~~primary residence~~ principal place of residence and domicile ].

#### § 55-248.54. Use of residential dwelling unit by primary resident for limited residential lodging; record keeping; inspection.

A. Notwithstanding any other provision of law, general or special, and subject to compliance with the provisions of this chapter, any residential dwelling unit may be used for limited residential lodging. Any such limited residential lodging shall (i) be deemed consistent with residential use, (ii) be authorized in any zoning district established pursuant to Article 7 (§ 15.2-2280 et seq.) of Chapter 22 of Title 15.2 allowing residential use, and (iii) not be deemed a hotel, motel, bed and breakfast inn, lodging house, or any other commercial enterprise.

B. The limited residential lodging operator shall maintain records for a minimum of four years demonstrating primary residency and the dates of any limited residential lodging use along with the

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60 number of limited lodgers per any such activity.

61 C. A limited residential lodging operator shall only be required to make the records required under  
62 subsection B available in response to a valid legal process served by the Department or locality with  
63 the authority to enforce any ordinance enacted pursuant to § 55-248.56, which process shall provide an  
64 opportunity for pre-enforcement review.

65 **§ 55-248.55. Preemption of certain state and local law.**

66 A. Notwithstanding any other provision of law, general or special, and except as expressly provided  
67 in this chapter, this chapter shall supersede and preempt:

68 1. Any state or local law that imposes or purports to impose any additional regulation or obligation  
69 on or otherwise restricts or prohibits:

70 a. The operation of a limited residential lodging operator by virtue of the fact that such operator's  
71 residential dwelling unit is being used for limited residential lodging purposes; or

72 b. The use of a residential dwelling unit for limited residential lodging purposes; and

73 2. Any local law that imposes or purports to impose any additional regulation or obligation on, or  
74 otherwise restricts or prohibits the operation of, a hosting platform that collects and remits any  
75 applicable taxes pursuant to § 55-248.57.

76 B. Notwithstanding any other provision of law, general or special, neither the conduct of limited  
77 residential lodging by a limited residential lodging operator on fewer than 45 days of a calendar year  
78 nor the conduct of a hosting platform pursuant to this chapter shall constitute a business for purposes  
79 of § 58.1-3700.1, or any local ordinances adopted pursuant thereto, or be subject to the fee or tax  
80 authorized by Chapter 37 (§ 58.1-3700 et seq.) of Title 58.1.

81 C. Notwithstanding any other provision of law, general or special, the Commonwealth or any  
82 political subdivision of the Commonwealth, including any county, city, town, or other jurisdiction, shall  
83 not impose any applicable tax that is not uniform upon operators, and other subjects of the same class,  
84 within the territorial limits of the jurisdiction levying such tax.

85 D. The provisions of this chapter shall not be applied to limit or otherwise impinge upon contracts  
86 or agreements between or among individuals or private entities relating to the use of real property,  
87 including the provisions of condominium instruments of a condominium created pursuant to the  
88 Condominium Act (§ 55-79.39 et seq.), the declaration of a common interest community as defined in  
89 § 55-528, or the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate  
90 Cooperative Act (§ 55-424 et seq.).

91 **§ 55-248.56. Optional local regulation of limited residential lodging activity; notice.**

92 A. To ensure that limited residential lodging shall not be a detriment to the character and livability  
93 of the surrounding neighborhood, any locality may enact an ordinance to regulate limited residential  
94 lodging that consists of any one or more of the following provisions:

95 1. Limited residential lodging shall not generate noise, vibration, glare, odors, or other effects that  
96 unreasonably interfere with any primary resident's enjoyment of his residence;

97 2. There shall be no accessory signs signifying the property as used for limited residential lodging;

98 3. Guests of limited lodgers shall be allowed only between the hours of 8:00 a.m. and 12:00 a.m.;

99 4. Limited lodgers and guests of limited lodgers shall comply with all on-street parking restrictions;

100 5. The maximum number of adults permitted at a limited residential lodging unit at any one time  
101 shall not exceed twice the number of sleeping rooms plus four;

102 6. Limited lodgers shall be notified of the trash and recycle collection days for the property and any  
103 applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property,  
104 and proper containers shall be made available to the limited lodgers;

105 7. Limited lodgers shall be notified of any applicable local noise ordinances and that violation of  
106 any such ordinance may result in fines and penalties;

107 8. The limited residential lodging operator or his designee shall provide contact information to a  
108 limited lodger for the purpose of allowing the limited lodger to contact the limited lodging operator or  
109 his designee regarding issues or complaints relating to the residential dwelling unit;

110 9. The limited residential lodging operator shall post or provide within the residential dwelling unit  
111 a clearly visible list of emergency information, including emergency numbers, emergency exit  
112 information, and the location of fire extinguishers or pull fire alarms in the residential dwelling unit  
113 offered for limited residential lodging purposes and the common areas of the building;

114 10. The limited residential lodging operator shall ensure that the residential dwelling unit is  
115 equipped with functioning smoke and fire detection systems and carbon monoxide alarms as required by  
116 applicable law and codes for the residential dwelling unit; or

117 11. The limited residential lodging operator shall ensure that he has no less than \$500,000 of  
118 liability insurance covering the limited residential lodging use or that each limited residential lodging  
119 use is conducted through a hosting platform that provides equal or greater coverage for such use.

120 B. The penalty for violation of any local ordinance established pursuant to this section shall not  
121 exceed \$200 per violation.

C. Any hosting platform that has registered with the Department for the collection and remission of applicable taxes pursuant to § 55-248.57 shall provide notice to any limited residential lodging operator utilizing the hosting platform's digital platform for the purpose of providing limited residential lodging, that such operator should review any applicable state and local laws prior to listing a limited residential lodging unit for occupancy pursuant to this chapter.

**§ 55-248.57. Collection and remittance of certain taxes; registration with Department; audit.**

A. Except as provided in subsection C of § 55-248.55, limited residential lodging shall be subject only to applicable taxes.

B. Except as provided in subsection D, any limited residential lodging operator who engages in limited residential lodging shall obtain a taxpayer identification number from the Department and shall collect and remit to the appropriate authority any applicable taxes on any booking transaction that may be required pursuant to subsection A.

C. Any hosting platform may register with the Department for the collection and remission of applicable taxes on any booking transaction facilitated by the hosting platform on behalf of an operator within the territorial limits of any one or more jurisdictions within the Commonwealth authorized to collect such applicable taxes and may enter into any agreement with the Department related to such collection and remission.

D. Any hosting platform that has registered with the Department pursuant to subsection C shall, with respect to each booking transaction facilitated by the hosting platform on behalf of an operator within the territorial limits of a jurisdiction for which such hosting platform has registered to collect and remit applicable taxes, collect any applicable taxes and remit the total amount so collected to the Department on a monthly basis along with a schedule, on an aggregate basis, listing the total amounts owed to the Commonwealth and to each applicable and respective jurisdiction within the Commonwealth for the relevant period. After the direct costs of administering this section are recovered by the Department, the remaining revenues shall be distributed by the Tax Commissioner in the same manner as the applicable taxes are distributed pursuant to Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, § 58.1-1742, and Articles 6 (§ 58.1-3819 et seq.) and 8 (§ 58.1-3840 et seq.) of Chapter 38 of Title 58.1, *mutatis mutandis*.

No operator shall be responsible for obtaining a taxpayer identification number from the Department or for collecting or remitting any applicable taxes on any booking transaction when it has received notice from a hosting platform that such hosting platform has or will be collecting and remitting such applicable taxes. Any such notice shall itself be proof sufficient regarding the absence of any operator liability for such applicable taxes for the time period covered by the notice.

E. Information provided to or obtained by the Department pursuant to this chapter, including information contained in a return filed by a hosting platform, information on underlying transactions, or information relating to an audit or investigation, shall be considered confidential and shall not be disclosed without the written consent of the hosting platform or in accordance with the provisions of any agreement between the hosting platform and the Department. Notwithstanding any provision of law to the contrary, such information shall not be subject to disclosure pursuant to the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and shall not be provided to any other agency of the Commonwealth or political subdivision thereof.

F. Applicable taxes payable by a registered hosting platform in accordance with this section shall be subject to audit only by the Department or its authorized agent. Any such audit shall be conducted on the basis of returns and supporting documents filed by the hosting platform with the Department and shall not be conducted directly or indirectly on any individual operator or occupant to whom rooms, lodgings, dwellings, or accommodations are furnished in exchange for a charge for occupancy. Audits of a registered hosting platform for applicable taxes shall be conducted on an anonymous numbered account basis and shall not require the production of any personally identifiable information relating to any booking transaction or individual operator or occupant to whom rooms, lodgings, dwellings, or accommodations are furnished in exchange for a charge for occupancy.

No commissioner of the revenue, director of finance, or other similar collector of taxes for any county, city, town, or other political subdivision of the Commonwealth may conduct an audit of applicable taxes payable by a registered hosting platform pursuant to this section.

G. Notwithstanding any other provision of law, general or special, any hosting platform that has registered with the Department that fails to file a return required or pay the full amount of applicable tax due as required herein shall be subject to:

1. A penalty in the amount of \$500 for failure to file a return within one month of the due date, with an additional penalty of \$1,000 for each additional month, or fraction thereof; thereafter during the period in which the failure continues, a penalty not to exceed the lesser of five percent of the tax due on such return or \$10,000 in the aggregate. Such penalty shall apply whether or not any tax is due for the period for which such return was required. If such failure is due to providential or other good cause shown to the satisfaction of the Department, such return with or without remittance may be accepted

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183 *exclusive of penalties;*

184 2. A penalty in the amount of three percent of the underpayment if the failure to pay the full amount  
185 of applicable tax due is for not more than one month, with an additional three percent of the  
186 underpayment for each additional month, or fraction thereof, during which the failure continues, not to  
187 exceed 15 percent of the underpayment in the aggregate; and

188 3. In the case of a false or fraudulent return where willful intent exists to defraud the  
189 Commonwealth of any applicable tax due pursuant to this section, or in the case of a willful failure to  
190 file a return with the intent to defraud the Commonwealth of any such tax, a specific penalty of 50  
191 percent of the difference between the amount reported and the amount of the proper tax.

192 H. All penalties and interest imposed by this section shall be payable by the hosting platform and  
193 collectible by the Department in the same manner as if they were a part of the tax imposed. Interest at  
194 a rate determined in accordance with § 58.1-15 shall accrue on the tax until the same is paid.

195 I. The Department of Taxation may develop procedures or guidelines for implementation of the  
196 provisions of this chapter. Any such procedures or guidelines shall be exempt from the provisions of the  
197 Administrative Process Act (§ 2.2-4000 et seq.).

198 2. That the provisions of this act shall become effective on September 1, 2016.

199 3. That no limited residential lodging operator shall be required to obtain a taxpayer identification  
200 number pursuant to subsection B of § 55-248.56 of the Code of Virginia, as created by this act,  
201 prior to November 1, 2016.

202 4. That the Housing Commission shall convene a work group with representation from the hotel  
203 industry, hosting platform providers, local government, state and local tax officials, property  
204 owners, and other interested parties to explore issues related to expansion of the framework set  
205 forth in this act related to the registration, land use, tax, and other issues of public interest  
206 associated with the short-term rental of dwelling and other units that are not a person's principal  
207 residence. The work group shall take into consideration existing structures governing the activities  
208 of bed and breakfast inns, vacation rentals, and other transient occupancy venues. The work  
209 group shall complete its work by December 1, 2016, with the goal of developing draft legislation  
210 for consideration by the 2017 Session of the General Assembly.

# 2016 SESSION

## SENATE SUBSTITUTE

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### SENATE BILL NO. 416 AMENDMENT IN THE NATURE OF A SUBSTITUTE (Proposed by the Senate Committee on Finance on February 16, 2016) (Patron Prior to Substitute—Senator Vogel)

A BILL to amend the Code of Virginia by adding in Title 55 a chapter numbered 13.4, consisting of sections numbered 55-248.53 through 55-248.56, relating to establishing the Limited Residential Lodging Act; penalty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 55 a chapter numbered 13.4, consisting of sections numbered 55-248.53 through 55-248.56, as follows:

#### CHAPTER 13.4.

#### LIMITED RESIDENTIAL LODGING ACT.

##### § 55-248.53. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Applicable taxes" means any state or local tax imposed on a booking transaction pursuant to § 15.2-1104, Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, § 58.1-1742, Article 6 (§ 58.1-3819 et seq.) of Chapter 38 of Title 58.1, § 58.1-3840, or any other transaction tax imposed by a city or town charter.

"Booking transaction" means any transaction in which there is a charge to an occupant by an operator for the occupancy of any dwelling, sleeping, or lodging accommodations.

"Department" means the Department of Taxation.

"Hosting platform" means any person or entity that is not an operator and that facilitates reservations or collects payments for any booking transaction on behalf of an operator through an online digital platform.

"Limited lodger" means a person who occupies a residential dwelling unit for the purpose of limited residential lodging.

"Limited residential lodging" means the accessory or secondary use of a residential dwelling unit or a portion thereof by a limited residential lodging operator to provide room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy, provided only that (i) the primary use of the residential dwelling unit shall remain residential, (ii) any applicable taxes required to be collected and remitted by state and local law for each booking transaction are collected and remitted by a registered hosting platform pursuant to the provisions of this chapter or directly by the limited residential lodging operator, and (iii) such accessory or secondary use does not regularly include simultaneous occupancy by more than one party under separate contracts.

"Limited residential lodging operator" means an operator who is the primary resident of a residential dwelling unit offered for limited residential lodging purposes.

"Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered for a charge to occupants, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity, and includes a limited residential lodging operator.

"Primary resident" means either (i) the owner of the residential dwelling unit who occupies the dwelling unit as his principal place of residence and domicile or (ii) a tenant who has lived in the residential dwelling unit for at least 60 days and who treats the residential dwelling unit as his principal place of residence and domicile.

"Registered hosting platform" means a hosting platform that has registered with the Department for the collection and remittance of applicable taxes pursuant to this chapter.

"Residential dwelling unit" means a residence where one or more persons maintain a household, including a manufactured home. "Residential dwelling unit" does not include:

1. Residence at a public or private institution, if incidental to detention or the provisions of medical, geriatric, educational, counseling, religious, or similar services;

2. Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

3. Occupancy in a hotel, motel, extended stay facility, vacation residential facility, boardinghouse, or similar lodging where the occupant does not reside in such lodging as a primary resident;

4. Occupancy under a rental agreement covering premises used by the occupancy primarily in connection with business, commercial, or agricultural purposes; or

5. Occupancy in a campground as defined in § 35.1-1.

##### § 55-248.54. Preemption of certain laws; authorized local ordinances.

A. Notwithstanding any other law, general or special, and except as expressly provided in this

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chapter, no local ordinance or other law shall:

1. Prohibit or restrict any residential dwelling unit from being used for limited residential lodging. Any such limited residential lodging shall (i) be deemed to be consistent with residential use; (ii) be authorized in any zoning district established pursuant to Article 7 (§ 15.2-2280 et seq.) of Chapter 22 of Title 15.2 allowing residential use; and (iii) not require the residential dwelling unit or the owner or primary resident of the residential dwelling unit to adhere to any zoning or licensing requirements applicable to hotels, motels, bed and breakfast inns, lodging houses, or other commercial enterprises;

2. Impose or purport to impose any additional regulation or obligation on a limited residential lodging operator based on the use of such operator's residential dwelling unit for limited residential lodging purposes; or

3. Prohibit, impose additional regulations or obligations on, or otherwise restrict the operation of a hosting platform that collects and remits any taxes pursuant to this chapter.

B. Any local tax or fee authorized by law to be imposed upon (i) operators or (ii) occupants of any dwelling, lodging, or sleeping accommodations offered for a charge shall be applied in a uniform manner upon all operators, including a limited residential lodging operator, or occupants, including a limited lodger.

C. For purposes of the imposition of any local tax imposed pursuant to the provisions of Chapter 37 (§ 58.1-3700 et seq.) of Title 58.1, neither the conduct of limited residential lodging by a limited residential lodging operator for fewer than 45 days in a calendar year, nor the conduct of a hosting platform pursuant to this chapter, shall constitute a business or be subject to taxes or fees pursuant to Chapter 37 of Title 58.1.

D. Nothing in this section shall be construed to prohibit a locality from:

1. Adopting and enforcing ordinances and regulations generally applicable to residential use and zoning including those related to noise, health and safety, the quiet enjoyment of property, parking, litter, yard signs, and other related issues, so long as such ordinances shall not be drawn or applied in such a manner as to create burdens or restrictions on limited residential lodging not placed on other authorized uses of residential property; or

2. Adopting and enforcing an ordinance requiring that any limited residential lodging operator maintain a minimum of \$500,000 of liability insurance specifically covering the limited residential lodging use of property held out for such use. Such requirement by an ordinance shall be deemed to have been met by an operator that conducts the limited residential lodging through a hosting platform that provides a minimum of \$500,000 of liability insurance for such use. The penalty for the violation of such ordinance shall not exceed \$200 per violation.

**§ 55-248.55. Inapplicability of chapter to contracts.**

Nothing in this chapter shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Condominium Act (§ 55-79.39 et seq.), the declaration of a common interest community as defined in § 55-528, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55-424 et seq.), or any declaration of a property owners' association created pursuant to the Virginia Property Owners' Association Act (§ 55-508 et seq.)

**§ 55-248.56. Registration of hosting platform; collection and remittance of certain taxes; audit.**

A. A hosting platform may register with the Department for the collection and remission of applicable taxes on any booking transactions facilitated by the hosting platform on behalf of operators within any one or more localities within the Commonwealth, and may enter into any agreement with the Department related to such collection and remission.

B. A registered hosting platform shall, with respect to each booking transaction facilitated by the hosting platform on behalf of an operator within any locality for which such hosting platform has registered to collect and remit applicable taxes, collect any applicable taxes and remit the total amount so collected to the Department on a monthly basis along with a schedule, on an aggregate basis, listing the total amounts owed to the Commonwealth and to each applicable locality for the relevant period. After the direct costs of administering this section are recovered by the Department, the remaining revenues shall be distributed by the Tax Commissioner in the same manner as the applicable taxes are distributed pursuant to Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, § 58.1-1742, and Articles 6 (§ 58.1-3819 et seq.) and 8 (§ 58.1-3840 et seq.) of Chapter 38 of Title 58.1, *mutatis mutandis*.

C. Any registered hosting platform shall provide notice to any operator utilizing the hosting platform of such registration and advising the operator that such operator should review any applicable state and local laws prior to listing a limited residential lodging unit for occupancy.

D. No operator utilizing a registered hosting platform shall be responsible for collecting or remitting any applicable taxes on any booking transaction when it has received notice pursuant to subsection C that such hosting platform will be collecting and remitting such applicable taxes. Any such notice shall itself be proof sufficient regarding the absence of any operator liability for such applicable taxes for the



122 time period covered by the notice, and the hosting platform shall be liable for any such taxes.

123 E. Information provided to or obtained by the Department by a registered hosting platform shall be  
124 confidential pursuant to § 58.1-3. However, notwithstanding any provisions of § 58.1-3 to the contrary,  
125 such information shall not be provided to any other agency of the Commonwealth or political  
126 subdivision or officer thereof.

127 F. Applicable taxes payable by a registered hosting platform in accordance with this section shall be  
128 subject to audit only by the Department or its authorized agent. Any such audit shall be conducted on  
129 the basis of returns and supporting documents filed by the registered hosting platform with the  
130 Department and shall not be conducted directly or indirectly on any individual operator or occupant to  
131 whom rooms, lodgings, dwellings, or accommodations were furnished in exchange for a charge for  
132 occupancy. Audits of a registered hosting platform for applicable taxes shall be conducted on an  
133 anonymous numbered account basis and shall not require the production of any personally identifiable  
134 information relating to any booking transaction or individual operator or occupant. No commissioner of  
135 the revenue, director of finance, or other similar local tax official may conduct any audit of applicable  
136 taxes paid by a registered hosting platform.

137 G. Notwithstanding any other provision of law, general or special, any registered hosting platform  
138 that fails to file a required return or pay the full amount of the applicable taxes due shall be subject to:

139 1. A penalty in the amount of \$500 for failure to file a return within one month of the due date, with  
140 an additional penalty of \$1,000 for each additional month, or fraction thereof; thereafter during the  
141 period in which the failure continues, a penalty not to exceed the lesser of five percent of the taxes due  
142 on such return or \$10,000 in the aggregate. Such penalty shall apply whether or not any tax is due for  
143 the period for which such return was required. If such failure is due to providential or other good cause  
144 shown to the satisfaction of the Department, such return with or without remittance may be accepted  
145 exclusive of penalties;

146 2. A penalty in the amount of three percent of the underpayment if the failure to pay the full amount  
147 of applicable tax due is for not more than one month, with an additional three percent of the  
148 underpayment for each additional month, or fraction thereof, during which the failure continues, not to  
149 exceed 15 percent of the underpayment in the aggregate; and

150 3. In the case of a false or fraudulent return where willful intent exists to defraud the  
151 Commonwealth of any applicable tax due pursuant to this section, or in the case of a willful failure to  
152 file a return with the intent to defraud the Commonwealth of any such tax, a specific penalty of 50  
153 percent of the difference between the amount reported and the amount of the tax actually due.

154 H. All penalties and interest imposed by this section shall be payable by the hosting platform and  
155 collectible and distributable by the Department in the same manner as if they were part of the tax  
156 imposed. Interest at a rate determined in accordance with § 58.1-15 shall accrue on the tax until the  
157 same is paid.

158 I. The Department shall develop regulations for the implementation of this chapter. Initial regulations  
159 shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.), but any  
160 updates or amendments to the regulations shall be subject thereto.

161 2. That the provisions of this act shall become effective on September 1, 2016.

162 3. That nothing in this act shall be construed to subject any taxpayer to any additional taxes not  
163 currently imposed by law, nor shall this act be construed to relieve any taxpayer from any tax  
164 liability except as expressly set forth therein.

165 4. That the Housing Commission shall convene a work group with representation from the hotel  
166 industry, hosting platform providers, local government, state and local tax officials, property  
167 owners, and other interested parties to explore issues related to expansion of the framework set  
168 forth in this act related to the registration, land use, tax, and other issues of public interest  
169 associated with the short-term rental of dwelling and other units that are not a person's principal  
170 residence. The work group shall take into consideration existing structures governing the activities  
171 of bed and breakfast inns, vacation rentals, and other transient occupancy venues. The work  
172 group shall complete its work by December 1, 2016, with the goal of developing draft legislation  
173 for consideration by the 2017 Session of the General Assembly.

SENATE SUBSTITUTE

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**Select Studies of Interest**  
**February 19, 2016**

**HB 451** (Miyares) (SRUL) establishes a 12-member legislative Commission on Economic Opportunity for Virginians in Aspiring and Diverse Communities (the Commission) to determine the need for and ways to achieve economic opportunities for members of aspiring and diverse communities in Virginia. The bill provides that the Commission sunsets on July 1, 2019.

**HB 525** (LeMunyon) (SRUL) requires the Standards of Learning Innovation Committee to review and, no later than November 1, 2016, make recommendations to the General Assembly on the number, subjects, and question composition of standardized tests administered to public high school students in the Commonwealth.

**HB 1059** (Bell, R.B.) (SRUL) requests the Virginia Criminal Sentencing Commission to evaluate judge-sentencing and jury-sentencing patterns and practices in cases of manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute heroin across the Commonwealth and recommend adjustments in the sentencing guidelines previously adopted by the Commission.

**HJ 7** (Byron) (SRUL) directs the Joint Legislative Audit and Review Commission to review the Virginia Economic Development Partnership Authority. This is a two-year study.

**HJ 45** (Byron) (SRUL) continues the study by the Health Insurance Reform Commission of mandating health insurance coverage for abuse deterrent formulations for opioid medications.

**HJ 69** (Loupassi) (SRUL) establishes a joint subcommittee to study the use of driver's license suspension as a collection method for unpaid court fines and costs and make recommendations for improvements to the current law.

**HJ 84** (Stolle) (SRUL)/**SJ 58** (Locke) (HRUL) continues the Joint Subcommittee to Formulate Recommendations for the Development of a Comprehensive and Coordinated Planning Effort to Address Recurrent Flooding for two additional years and renames the Joint Subcommittee as the joint subcommittee on coastal flooding to more accurately reflect its mission.

**HJ 97** (Yancey) (SRUL) directs the Joint Commission on Technology and Science (JCOTS) to (i) identify strategies to grow Denbigh High School's Aviation Academy and encourage its transformation into a statewide program, to be named the Virginia Aviation Academy; (ii) research and identify federally funded research and development activities in the Commonwealth and recommend strategies to create additional opportunities for such activities; (iii) collect information regarding practices and efforts used successfully in other states to grow their aerospace industries; (iv) analyze the potential advantages and disadvantages of eliminating taxation on aerospace and aviation parts and labor; (v) gather information regarding opportunities in the Commonwealth related to maintenance and rehabilitation of aerospace equipment; (vi) explore any other topics related to growing the Commonwealth's aerospace industry; and (vii) consult with representatives of all relevant stakeholders, including but not limited to public and private institutions of higher education, the Virginia Academy of Science, Engineering, and Medicine, the

NASA Langley Research Center, the NASA Wallops Flight Facility, and the Mid-Atlantic Regional Spaceport. **SJ 97** (Newman) (HRUL) is similar.

**HJ 112** (Landes) (SRUL)/**SJ 85** (Deeds) (HRUL) establishes a two-year joint committee consisting of seven members of the House Committee on Education and five members of the Senate Committee on Education and Health to study the future of public elementary and secondary education in the Commonwealth, including emerging issues and the need for revisions to or reorganization of the standards of quality, with a particular emphasis on the effective use of educational technology.

**HJ 120** (Landes) (SRUL) directs the Joint Legislative Audit and Review Commission to analyze scientific literature on the health effects of biosolids (treated sewage sludge) and industrial residuals (wastes resulting from industrial processes), evaluate the feasibility of requiring municipal utilities that are currently permitted to generate "Class B" material to upgrade their facilities to generate "Class A" material, and undertake other analyses. This is a two-year study.

**HJ 157** (Jones) (SRUL) directs JLARC to review the Virginia Community College System to i) evaluate the system's success in providing Virginians with the education, training, and credentials needed to succeed in the workforce; (ii) determine whether the system's mission is aligned with the Commonwealth's educational and workforce development priorities and complements the missions of the Commonwealth's secondary and four-year higher education systems and its higher education centers, including through dual enrollment and transfer agreements; (iii) assess the system's success in making educational and training opportunities affordable; (iv) assess the spending and allocation of funds within the system; (v) assess how well the system's central office supports each institution; (vi) assess the adequacy of centralized data and information systems to measure institutional effectiveness and to support sound funding decisions; (vii) compare Virginia's Community College System to the community college systems in other states; and (viii) review other issues and make recommendations as appropriate.

**HJ 160** (Orrock) (SRUL) requests the Virginia Department of Health to study Virginia's procedures for licensing dogs and cats.

**SJ 51** (Dance) (HRUL) directs the Virginia State Crime Commission to study the feasibility and costs of establishing a comprehensive indigent defense system at the appellate level in the Commonwealth.

**SJ 63** (Hanger) (HRUL) requests the Department of Social Services to (i) review all categories of child day programs exempt from licensure under § 63.2-1715, (ii) formulate recommendations regarding whether such programs should remain exempt from licensure or whether any modifications are necessary to protect the health and well-being of the children receiving care in such programs, and (iii) consult with all relevant stakeholders.

**SJ 71** (Carrico) (HRUL) directs the Joint Commission on Health Care (the Commission) to study placement options for individuals with brain injury, post-traumatic stress disorder, or dementia who experience aggression. In conducting the study, the Commission shall identify the various placement options and identify the barriers to placement for such individuals and make recommendations for improving access to safe, appropriate placements. The Commission shall complete its work by November 30, 2017.

**SJ 73** (Favola) (HRUL) requests the Department of Social Services (the Department) to (i) review the Commonwealth's current barrier crime statutes that apply to kinship foster care and adoptive placements, (ii) assess the feasibility of lessening and formulate recommendations to lessen the restrictions of such statutes in a manner that would promote kinship foster care and adoptive placements while continuing to ensure the safe placement of children, and (iii) consult with all relevant stakeholders. The resolution requests that the Department present its findings and recommendations to the Commission on Youth and that the Department submit to the Governor and the General Assembly an executive summary and report no later than the first day of the 2017 Regular Session of the General Assembly.

**SJ 80** (Locke) (HRUL) directs the Virginia Housing Commission to study mandatory disclosure of relevant information by sellers of historic properties without homeowner associations to prospective purchasers of such properties.

**SJ 83** (Chafin) (HRUL) requests that the Department of Medical Assistance Services (DMAS) and the Department of Social Services consult with all relevant stakeholders and (i) analyze the potential benefits and issues of allowing local departments of social services (local departments) to investigate cases of suspected fraud that involve Medicaid and any other public assistance program administered in whole or in part by the local departments, including the Supplemental Nutrition Assistance Program; (ii) identify the most efficient methods of implementing the conferral of such authority to local departments; and (iii) analyze whether local departments should be permitted to collect a percentage of the funds recovered in cases investigated by such local departments that involve Medicaid and another public assistance program administered in whole or in part by local departments. The provisions of the resolution are contingent on the Centers for Medicare and Medicaid Services issuing guidance on whether the costs associated with this study are available for federal financial participation.

**SJ 87** (Ebbin) (HRUL) directs the Virginia Housing Commission to study the feasibility of requiring (i) the owner of every multifamily residential dwelling and (ii) the executive organ or common interest community manager for every condominium to develop and implement a plan for recycling solid waste generated by the multifamily residential dwelling or condominium.

**SJ 88** (Norment) (HRUL) directs the Joint Legislative Audit and Review Commission to study specific early childhood development programs, prenatal to age five, in the Commonwealth in order for the General Assembly to determine the best strategy for future early childhood development investments.

**SJ 95** (Favola) (HRUL) directs the Commission on Youth to (i) evaluate the Department of Social Services' administration of the Temporary Assistance for Needy Families (TANF) Program and identify the amount of and reasoning for unused TANF funds; (ii) determine whether TANF funds are being used for the intended purposes of the TANF Program or whether such funds are being diverted to other programs or non-TANF purposes; (iii) determine whether and how TANF funds can be better used to stabilize families economically, help provide educational opportunities, and provide parenting classes and identify other support services that could be made available through TANF funding to strengthen families; and (iv) consult with all relevant stakeholders.

**SJ 96** (Dunnavant) (HRUL) requests the State Council of Higher Education for Virginia, the Virginia Community College System, and the Department of Education to jointly study strategies for improving college readiness in the Commonwealth.

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Mayors and Chairs of the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the  
Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park

February 17, 2016

Northern Virginia General Assembly Delegation  
General Assembly Building  
Capitol Square  
Richmond, VA 23219

Dear Northern Virginia General Assembly Delegation Members:

As the Mayors and Chairs of Northern Virginia, we are writing to you about an issue of great importance to our region – funding for Cost of Competing Adjustment (COCA) for school support positions in the 2016-2018 biennium budget. We thank you for your efforts to restore COCA funding in previous years. As you know, Governor McAuliffe included full restoration for COCA in FY 2018 in his 2016-2018 biennium budget, which is a significant positive step in returning to full funding levels. We respectfully urge you to support full restoration of COCA for K-12 support positions in FY 2017 as well, which would be approximately \$41 million for all COCA recipients (a figure which includes recipients of the “phased-in” COCA – the Counties of Clarke, Culpeper, Fauquier, Frederick, Spotsylvania, Stafford, and Warren, and the Cities of Winchester and Fredericksburg). We appreciate your work on budget amendments requesting this funding, which is particularly critical as localities and school divisions prepare their budgets for the upcoming fiscal year.

As you know, the Cost of Competing Adjustment is an additional factor that has historically been used in the state K-12 funding formula, recognizing the higher salaries required in certain high-cost areas of the Commonwealth to attract and retain highly qualified teachers and support staff. COCA was first proposed as a specific factor in Virginia’s education funding formula in a 1988 JLARC report to address the salary school divisions must pay in order to compete in a regional labor market, and was reaffirmed as essential in a 2012 JLARC report. The COCA factor merely reflects the reality of running school systems in our region – hiring and retaining employees is simply more expensive in the Northern Virginia area than in other parts of the state.

According to the ACCRA Cost of Living Index (widely used by the federal government, economists, researchers and corporations to measure relative cost of living), the cost of living in Northern Virginia is 35-66% *higher* than other regions of the Commonwealth. In fact, the Commonwealth utilizes a broader pay scale for state employees working in Northern Virginia, which includes a potential pay supplement of up to 20-30%, reflecting the increased cost of hiring and retaining high quality employees in our region.

As you know, through the bipartisan efforts of our region’s legislative delegation, numerous efforts to eliminate COCA for support positions were defeated, and funding was partially restored in prior years. However, during the unexpected and massive revenue shortfall the state experienced at the end of FY 2014, COCA funding for support positions was totally eliminated from the budget. The



Mayors and Chairs of the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park

elimination of COCA was all the more troubling following the 2009 imposition of a cap on K-12 support positions, which cut approximately 40 percent of funding for support positions statewide.

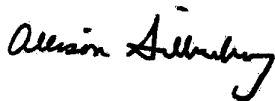
It is essential to note that the localities that receive COCA funding have approximately 485,000 school children, or 39 percent of the school children in the Commonwealth. These 18 school divisions are also those that have an increasing number of children. The jurisdictions being harmed by the elimination of COCA lost nearly \$73 million in COCA funds over the 2014-2016 biennium, while they also gained a projected 16,000 school children over that time.

Full funding of COCA would ensure that our localities remain competitive for vital support positions, which include assistant superintendents, instructional professional staff, security, technical, clerical, attendance, health and technology staff, and operations and maintenance staff. It would be impossible to operate a school system without such staff.


Strong public schools are vital to our region maintaining its economic competitiveness. For these reasons, we strongly support full funding for Cost of Competing funding for K-12 support positions in both years of the 2016-2018 biennium budget, and look forward to working with you to strengthen the local-state partnership, ensuring that our public education system is the first class system Virginians deserve.

Thank you for your time and consideration.

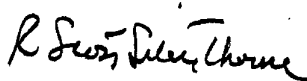
Sincerely,



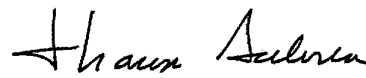
Allison Silberberg  
Mayor, City of Alexandria



Libby Garvey  
Chair, Arlington County Board



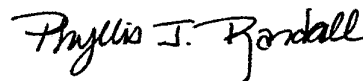
R. Scott Silverthorne  
Mayor, City of Fairfax



Sharon Bulova  
Chair, Fairfax County Board of Supervisors



David Tarter  
Mayor, City of Falls Church



Phyllis J. Randall  
Chair, Loudoun County Board of Supervisors

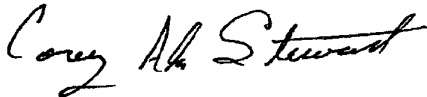
Mayors and Chairs of the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the  
Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park



Harry J. Parrish II  
Mayor, City of Manassas



Frank Jones  
Mayor, City of Manassas Park



Corey A. Stewart  
Chair, Prince William County Board of County Supervisors

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## **A Letter from the Northern Virginia Business Community to Members of the Virginia General Assembly Money Committees**

*February 10, 2016*

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On behalf of the business organizations listed on this letter, we urge your strong support of increased education funding for northern Virginia. As business leaders, we recognize that having a world class K-12 education system is critically important to our economic success, as well as our region's ability to attract and retain businesses.

As you consider support for increased K-12 education dollars broadly, we ask for special consideration of the importance of the Cost of Competing Adjustment (COCA) for school support positions in the northern Virginia region. As you are aware, COCA is an additional factor that has historically been used in the state K-12 funding formula, recognizing the higher salaries required in certain high-cost areas of the Commonwealth to attract and retain highly qualified teachers and support staff. The COCA factor reflects the reality of running school systems in our region – hiring and retaining employees is simply more expensive in northern Virginia than in other parts of the state. The business community pushes our school systems to increase efficiency and that will continue. That being said, the Commonwealth must continue to recognize the unique challenges associated with finding and retaining top talent in northern Virginia to support our school systems and our kids.

According to the ACCRA Cost of Living Index (widely used by the federal government, economists, researchers and corporations to measure relative cost of living), the cost of living in northern Virginia is 35-66 percent higher than other regions of the Commonwealth. In fact, the Commonwealth utilizes a broader pay scale for state employees working in northern Virginia, which includes a potential pay supplement of up to 20-30 percent, reflecting the increased cost of hiring and retaining high quality state employees in our region. We are simply seeking equitable treatment of K-12 support staff in our region.

As a result of the Commonwealth's significant revenue shortfall at the end of FY 2014, COCA funding for support positions was completely eliminated from the budget. The elimination of COCA is all the more troubling following the 2009 imposition of a cap on K-12 support positions, which cut approximately 40 percent of funding for support positions statewide.

While we sincerely appreciate the proposal to restore a portion of the COCA funds in the 2016-2018 biennial budget that has been proposed, the lack of sufficient state funding to hire and retain support staff in to ensure our K-12 system can operate as effectively and efficiently as possible in northern Virginia is becoming more and more challenging. Therefore, we respectfully urge you to support **full restoration of COCA for K-12 support positions**. According to Department of Education estimates, this would total approximately \$41 million/year for all COCA recipients (includes recipients of the "phased-in" COCA – the counties of Clarke, Culpeper, Fauquier, Frederick, Spotsylvania, Stafford, and Warren, and the Cities of Winchester and Fredericksburg).

Northern Virginia's public school system is responsible for educating more than 485,000 children. They have become accustomed to doing more with less, as many in the business community have to do on a daily basis. That being said, without appropriately qualified and compensated support staff, efficiency and effectiveness will be impacted. We urge your support of full restoration of the COCA in order to ensure that efficient operations by our public school system and that our future workforce receives the world class education they deserve.

Thank you for your leadership and for your consideration of our thoughts on this critical business community priority.

Sincerely,

***Northern Virginia Chamber Partnership:***  
**Dulles Regional Chamber of Commerce**  
**Greater Reston Chamber of Commerce**  
**Loudoun County Chamber of Commerce**  
**Mt. Vernon-Lee Chamber of Commerce**

**Northern Virginia Chamber of Commerce**

**Northern Virginia Technology Council**

**Prince William Chamber of Commerce**

**Tysons Regional Chamber of Commerce**

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION  
as of February 26, 2016**

**Estimated Impact to Fairfax County - Increase Over Prior Fiscal Year (\$million)**

<b>Direct County Impact</b>	<b>Governor</b>		<b>House</b>		<b>Senate</b>	
	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2017</b>	<b>FY 2018</b>
HB 599 Law Enforcement Funding	\$0.90	\$0.00	\$0.70	\$0.00	\$0.90	\$0.00
Address Salary Compression for Sheriff's Employees	\$0.30	\$0.30	\$0.00	\$0.00	\$0.30	\$0.30
Increased Salary Reimbursement - Constitutional Officers	\$0.00	\$0.40	\$0.35	\$0.20	\$0.23	\$0.37
<b>TOTAL DIRECT COUNTY IMPACT</b>	<b>\$1.20</b>	<b>\$0.70</b>	<b>\$1.05</b>	<b>\$0.20</b>	<b>\$1.43</b>	<b>\$0.67</b>
<b>TOTAL OVER THE BIENNIUM</b>	<b>\$1.90</b>		<b>\$1.25</b>		<b>\$2.10</b>	

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION**  
as of February 26, 2016

Budget Bill Item #	Issue	Fairfax County Impact
	<b>Compensation Board</b>	
	<b><u>State-Supported Employee Compensation</u></b>	
69	<p><b><u>Sheriffs</u></b></p> <p><b>Governor McAuliffe's Budget:</b> Provides \$3.6 million in FY 2017 and \$8.7 million in FY 2018 to address salary compression for sheriff's employees.</p> <p><b>House:</b> Redirects the funding included in the Governor's budget for the sheriff's salary compression adjustment to an amendment related to providing salary increase to all state supported local employees.</p> <p><b>Senate:</b> No change from the introduced budget.</p>	<p>Results in additional salary reimbursement for Fairfax County of approximately \$290,000 in FY 2017 and \$580,000 in FY 2018.</p> <p>No additional salary reimbursement for salary compression for Fairfax County.</p> <p>Results in additional salary reimbursement for Fairfax County of approximately \$290,000 in FY 2017 and \$580,000 in FY 2018.</p>
475	<p><b><u>All Constitutional Officers</u></b></p> <p><b>Governor McAuliffe's Budget:</b> Provides 2% salary increase for all constitutional officers and employees effective August 1, 2017, contingent on a stable revenue forecast in FY 2018.</p> <p><b>House:</b> Provides 3% salary increase for all constitutional officers and employees effective December 1, 2016, and an additional 1% salary increase effective August 1, 2017, contingent on a stable revenue forecast.</p> <p><b>Senate:</b> Provides 2% salary increase for all constitutional officers and employees effective December 1, 2016, contingent on a stable revenue forecast. Keeps the Governor's proposed 2% salary increase effective August 1, 2017.</p>	<p>Results in additional salary reimbursement of approximately \$360,000 for Fairfax County in FY 2018.</p> <p>Results in additional salary reimbursement of approximately \$350,000 for Fairfax County in FY 2017 and an additional \$200,000 in FY 2018.</p> <p>Results in additional salary reimbursement of approximately \$230,000 for Fairfax County in FY 2017 and an additional \$370,000 in FY 2018.</p>
67 of Caboose/ 70	<p><b><u>Inmate Per Diem Funding</u></b></p> <p><b>Governor McAuliffe's Budget:</b> Includes \$11.3 million in FY 2016 to address the increased cost of housing inmates. However, no additional funding was recommended for the projected growth in FY 2017 and FY 2018.</p> <p><b>House:</b> Retains the Governor's FY 2016 funding and includes \$10.4 million in FY 2017 and \$11.1 million in FY 2018 for jail per diem payments.</p> <p><b>Senate:</b> Retains the Governor's FY 2016 funding and includes \$11.3 million in FY 2017 for jail per diem payments.</p>	<p>Funding to localities will be based on actual inmate population.</p>
	<b>Public Safety</b>	
400	<p><b><u>State Aid to Localities with Police Departments (HB 599)</u></b></p> <p><b>Governor McAuliffe's Budget:</b> Provides \$6.7 million in FY 2017 and \$6.7 million in FY 2018 based on an assumed General Fund revenue growth rate of 3.9%. HB 599 has remained flat in recent years despite the statutory policy of growing payments at the rate of GF revenue growth.</p> <p><b>House:</b> Decreases by \$1.5 million in each year the amount provided in the introduced budget to reflect assumed growth in General Fund revenues of 3% in FY 2017 rather than the 3.9% assumed in the Governor's budget.</p> <p><b>Senate:</b> No change from the introduced budget.</p>	<p>Results in an increase of \$920,000 for Fairfax County in FY 2017 with level funding for FY 2018.</p> <p>Results in an increase of \$700,000 for Fairfax County in FY 2017 with level funding at that higher level for FY 2018.</p> <p>Results in an increase of \$920,000 for Fairfax County in FY 2017 with level funding at that higher level for FY 2018.</p>
	<b>Central Appropriations</b>	
468 of Caboose	<p><b><u>Reimbursement of Presidential Primary Expenses</u></b></p> <p><b>Governor McAuliffe's Budget:</b> Includes \$3.8 million in FY 2016 for reimbursement of presidential primary expenses.</p> <p><b>House/Senate:</b> No change from the introduced budget.</p>	<p>The Office of Elections estimates that the County's cost for this year's presidential primary will be between \$650,000 to \$750,000. This proposal results in a reimbursement in the amount of \$400,000 in FY 2016.</p>

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION  
as of February 26, 2016**

Budget Bill Item #	Issue	Fairfax County Impact
<b>Other Items of Interest</b>		
370	<p><b><u>Water Quality Improvement Fund</u></b>  <b>Governor McAuliffe's Budget:</b> Provides \$59 million in bonds to upgrade nutrient removal technology at wastewater treatment plants with grant agreements with Department of Environmental Quality.  <b>House:</b> Shifts bond authorization into separate legislation (HB 1344).  <b>Senate:</b> Retains Governor's proposal.</p>	Potentially positive impact. Because of a lack of funds, the WQIF has been reimbursing just 85% of the approved grant amount.
301 of Caboose	<p><b><u>Department of Justice Settlement Agreement Costs</u></b>  <b>Governor McAuliffe's Budget:</b> Includes a total of \$14.6 million for facility closure costs and savings resulting from compliance with the Department of Justice settlement agreement. Reflects the estimated impact of closing the Northern Virginia Training Center in March 2016.  <b>House/Senate:</b> No change from the introduced budget.</p>	
c-47.5	<p><b><u>Stormwater Local Assistance Fund</u></b>  <b>Governor McAuliffe's Budget:</b> No funding included.  <b>House:</b> No funding included.  <b>Senate:</b> Provides \$20 million in bond proceeds.</p>	
53	<p><b><u>Judgeships</u></b>  <b>Governor McAuliffe's Budget:</b> No funding included.  <b>House:</b> Provides funding to fill judgeships that will be vacant as of July 1, 2016, including one Circuit Court judge and two General District Court judges for Fairfax County (funding was not included for the vacancy on the Juvenile and Domestic Relations Court).  <b>Senate:</b> Provides funding to fill judgeships that will be vacant as of July 1, 2016, including one Circuit Court judge and one General District Court judge for Fairfax County (funding was not included for the vacancy on the Juvenile and Domestic Relations Court).</p>	
	<p><b><u>Limited Residential Lodging Act</u></b>  <b>Senate:</b> Includes an amendment requiring that any legislation passed by the 2016 General Assembly (GA) related to limited residential lodging shall not become effective until it is reenacted by the 2017 GA and the Virginia Housing Commission completes a study.</p>	This legislation potentially limits the County's ability to ensure that the commercial use of residential property is not adverse to neighborhoods. The County does not oppose the concept of Airbnb or similar business models, but there are substantial issues that could best be addressed by studying this issue first, as the unintended consequences of passing legislation before such concerns are addressed could have significant repercussions.
348 h/ 345 s	<p><b><u>Birmingham Green</u></b>  <b>Governor's McAuliffe's Budget:</b> No funding included.  <b>House:</b> Provides \$150,000 each year of the biennium for the Birmingham Green assisted living facility.  <b>Senate:</b> Provides \$890,000 each year of the biennium to enhance Auxiliary Grant funding for assisted living facilities meeting certain criteria.</p>	Potentially positive impact. Fairfax County supports this facility through the County's Contributory Fund.



**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION**  
as of February 26, 2016

Budget Bill Item #	Issue	Fairfax County Impact
<b>Human Services</b>		
<b><u>Housing</u></b>		
108	<b>Governor McAuliffe's Budget:</b> Adds \$6 million GF in each year of the biennium to the Virginia Housing Trust Fund, for a total of \$10 million per year. Language is included to place priority on addressing homelessness among youth and families.	Support for increased appropriations to the Trust Fund is included in the County's Human Services Issue Paper.
108 #1h; #2h	<b>House:</b> Removes proposed increase and instead provides level funding of \$4 million per year to the Trust Fund; provides \$1.5 million GF per year for rapid re-housing, with priority given to veterans, victims of domestic abuse, and individuals with serious mental illness.	
108 #1s	<b>Senate:</b> Reduces proposed increase and instead provides funding of \$6 million per year.	
<b><u>Pre-K</u></b>		
138	<b>Governor McAuliffe's Budget:</b> Provides \$3 million GF over the biennium to provide grants to incentivize local solutions for public-private delivery of pre-K services to at-risk children. <b>House:</b> No change. <b>Senate:</b> No change.	TBD.
<b><u>Virginia Preschool Initiative</u></b>		
139	<b>Governor McAuliffe's Budget:</b> Adds language on eligibility criteria to permit up to 15 percent of a division's slots to be filled based on locally-established eligibility criteria.	Likely positive. Changes to eligibility criteria included in budget language passed in 2015 would have limited the participation of some County children in VPI; this proposal provides some flexibility to meet local needs.
139 #7s	<b>House:</b> No change; retains proposed eligibility criteria. <b>Senate:</b> Retains proposed eligibility criteria. Provides \$2.9 million per year to re-benchmark the per-pupil amount to mirror the increase of Basic Aid for K-12. This action increases the per-pupil amount for VPI from \$6000 to \$6250.	
<b><u>Medicaid Expansion</u></b>		
306; 477	<b>Governor McAuliffe's Budget:</b> Directs DMAS to implement coverage for newly-eligible individuals under the Affordable Care Act by July 1, 2016, or as soon as feasible thereafter. To provide the state's share of the costs, DMAS is provided the authority to require payment of an assessment on private acute care hospitals; DMAS is to work with stakeholders to develop an assessment methodology; the assessment is not to exceed 3 percent of a hospital's annual net patient revenue.	Support for the expansion of Medicaid as envisioned by the Affordable Care Act is included in the County's Legislative Program.
306 #11h	<b>House:</b> Eliminates proposal for Medicaid expansion and restores previous budget language prohibiting Medicaid expansion unless funding is included in an appropriations bill adopted by the General Assembly.	
306 #1s	<b>Senate:</b> Eliminates proposal for Medicaid expansion and restores previous budget language prohibiting Medicaid expansion unless funding is included in an appropriations bill adopted by the General Assembly	

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION**  
as of February 26, 2016

Budget Bill Item #	Issue	Fairfax County Impact
	<b><u>Medicaid Waivers</u></b>	
306; 313	<b>Governor McAuliffe's Budget:</b> Funds the implementation of three redesigned Medicaid waivers, including a 5.4 percent average rate increase. Also funds 16 new positions in the Department of Behavioral Health and Developmental Services (DBHDS) to work with Community Service Boards to assist in the transition of individuals into the new system.	TBD; full funding of this initiative will be critical to ensure that an appropriate level of services continues for individuals who are presently receiving those services in the community.
306 #4h, #9h; #12h	<b>House:</b> Reduces funding by \$2.1 million GF/\$2.1 million NGF in the first year to defer some proposed new services until FY 2018. DMAS and DBHDS are to report on implementation of the redesigned waivers by August 1, 2016. Adds 100 slots to the new Individual and Family Supports (IFS) waiver for individuals at the top of the DD waiver waiting list as of June 30, 2016, and an additional 50 waiver slots in FY 2018.	
306 #9s, #17s	<b>Senate:</b> Adds reporting requirements for proposed rate increases and new services. Adds \$3.1 million GF/\$3.1 million NGF per year to move up to 400 individuals on the DD waiver waiting list (who are currently receiving some services through the Elderly and Disabled with Consumer Direction waiver) to the new IFS waiver on July 1, 2016.	
306	<b>Governor McAuliffe's Budget:</b> Provides funding for enhancements necessary to meet federal requirements to allow the state to apply for a waiver to expand substance abuse disorder treatment coverage.	TBD; likely positive. The Board supported the Commonwealth's efforts to redesign its substance use disorder treatment package in a letter to DMAS in fall 2015.
306 #18s	<b>House:</b> No change. <b>Senate:</b> Adds implementation details and reporting requirements for the proposed waiver application.	
306	<b>Governor McAuliffe's Budget:</b> Provides funding to increase rates for personal care, respite care, and companion care by two percent in the EDCD and ID/DD waivers. <b>House:</b> No change.	TBD; likely positive.
306 #22s	<b>Senate:</b> Provides funding for an additional one percent increase in FY 2018.	
306	<b>Governor McAuliffe's Budget:</b> Provides authority for DMAS to limit overtime hours for attendants providing care under the Medicaid waivers' consumer-directed service option. This action is taken in response to federal regulations.	TBD
306 #8h	<b>House:</b> Eliminates funding and language in the introduced budget authorizing payment of overtime for such attendants.	
306 #5s	<b>Senate:</b> Eliminates funding and language in the introduced budget authorizing payment of overtime for such attendants.	
	<b><u>Early Intervention/Part C</u></b>	
315	<b>Governor McAuliffe's Budget:</b> Provides \$1.7 million GF in FY 2017 and \$2.5 million GF in FY 2018 to address anticipated caseload growth in the Early Intervention/Part C program. <b>House:</b> No change. <b>Senate:</b> No change.	Likely positive; support for Early Intervention/Part C is included in the County's Human Services Issue Paper.
	<b><u>Behavioral Health</u></b>	
315	<b>Governor McAuliffe's Budget:</b> Provides \$4.3 million GF in FY 2017 and \$5.3 million GF in FY 2018 for crisis stabilization services. This appropriation includes funding for two eight-bed therapeutic homes, in addition to funds for mobile crisis services, respite services for children; crisis coordinators in each region; and crisis specialists in mental health facilities to reduce unnecessary institutionalization.	TBD
315 #3h	<b>House:</b> Provides \$1 million GF each year for child psychiatry and children's crisis response services.	
315 #3s	<b>Senate:</b> Requires the Department of Behavioral Health and Developmental Services to submit a report with information on mobile crisis intervention services, including availability and adequacy.	
315	<b>Governor McAuliffe's Budget:</b> Provides \$5.6 million over the biennium to expand rental assistance programs for individuals with ID/DD and \$800,000 over the biennium to provide ongoing support for the Rental Choice VA program, which offers assistance with housing costs to individuals with intellectual and developmental disabilities who are currently living in institutional or congregate residential settings to enable them to live more independently in safe, affordable housing in the community. <b>House:</b> No change. <b>Senate:</b> No change.	TBD

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION  
as of February 26, 2016**

Budget Bill Item #	Issue	Fairfax County Impact
	<b><u>Northern Virginia Training Center (NVTCT)</u></b>	
306	<b>Governor McAuliffe's Budget:</b> Adds a total of 855 new waiver slots to the ID and DD waiver programs over the biennium, as mandated by the DOJ settlement agreement; this total includes 180 slots for individuals transitioning out of facilities (90 each year). <b>House:</b> No change. <b>Senate:</b> No change.	TBD; likely positive.
306	<b>Governor McAuliffe's Budget:</b> Funds 100 reserve slots in the ID, DD, and Day Support waivers; among other purposes, reserve slots may be used for individuals transitioning from an Intermediate Care Facility or nursing facility to the community in compliance with the DOJ settlement. <b>House:</b> No change. <b>Senate:</b> Eliminates proposed reserve waivers.	TBD
306 #7s 313	<b>Governor McAuliffe's Budget:</b> Funds 19 positions in the Department of Behavioral Health and Developmental Services (DBHDS) to support DOJ settlement compliance. <b>House:</b> Removes four of the proposed additional positions. <b>Senate:</b> Removes nine of the proposed additional positions.	TBD
313 #5h 313 #10s 314	<b>Governor McAuliffe's Budget:</b> Funds five additional positions in the Individual and Family Supports Program to link individuals on the ID/DD waitlists with available services and supports, pursuant to the Independent Reviewer's interpretation of the DOJ settlement. <b>House:</b> No change. <b>Senate:</b> No change.	TBD
314	<b>Governor McAuliffe's Budget:</b> Provides \$500,000 GF per year to transition individuals into the community who are not eligible for Medicaid. <b>House:</b> Changes the fund source from GF to the Behavioral Health and Developmental Services Trust Fund. <b>Senate:</b> No change.	TBD
315 313 #1h 315 #5s; 313 #12s	<b>Governor McAuliffe's Budget:</b> Provides \$1.1 million GF over the biennium to support individuals leaving the training center. The funding will support needs that are not covered by Medicaid, including assistive technology, home and vehicle modifications, and specialized durable medical equipment. <b>House:</b> Appropriates up to \$4.6 million in FY 2017 from the Behavioral Health and Developmental Services Trust Fund for development of housing options, specialized services, and capital improvements for individuals transitioning from Southwestern Virginia Training Center or Central Virginia Training Center; remaining funding is to be used to build additional capacity in Northern Virginia for residents with intensive behavioral or medical needs. <b>Senate:</b> Replaces GF with funding from the Trust Fund. Additionally, provides \$4 million from the Trust Fund in FY 2017 to facilitate the transition of individuals from state training centers to community-based services and to develop housing options; 75 percent of the funding must be used in Northern Virginia.	TBD
333 333 #1s	<b>Governor McAuliffe's Budget:</b> Provides \$1.5 million GF over the biennium for publicly-appointed guardians for individuals with intellectual disabilities who have been determined to be incapacitated. Funding is intended to support individuals who are residing in training centers but do not have an assigned guardian; in order to move an individual from a training center, he/she must have an assigned decision maker. <b>House:</b> No change. <b>Senate:</b> Reduces proposed guardianships by 95 in FY 2018 (the introduced budget proposed 343 new guardianships).	TBD

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2016 GENERAL ASSEMBLY SESSION**  
as of February 26, 2016

Budget Bill Item #	Issue	Fairfax County Impact
	<b><u>Mental Health</u></b>	
315	<b>Governor McAuliffe's Budget:</b> Provides \$1.2 million over the biennium for post-booking diversion pilot programs for persons with mental illness.	TBD
315 #4h	<b>House:</b> Removes this proposed funding, as well as proposal for community residential treatment home and transitional group home and reprograms funding for permanent supportive housing. Directs that the funding be prioritized for individuals who are ready for discharge from state mental health hospitals or at risk of institutionalization.	
315 #7s	<b>Senate:</b> No change to Governor's proposal. Provides \$2.1 million GF/year for permanent supportive housing and requires a report on the use and effectiveness of the funding.	
315	<b>Governor McAuliffe's Budget:</b> Provides \$4.5 million over the biennium for services for the mentally ill, including discharge assistance planning funds to assist in placements from state hospitals to the community, and one position to monitor, evaluate, and prioritize individuals waiting for transfer to a state facility from local jails.	TBD
306 #13h	<b>House:</b> Includes language requiring DMAS to conduct outreach activities with the Department of Corrections and local and regional jails on the Medicaid demonstration waiver program for individuals with serious mental illness who are released from custody. <b>Senate:</b> No change.	
388	<b>Governor McAuliffe's Budget:</b> Provides \$4.4 million GF over the biennium for mental health services for offenders on probation or parole, and cognitive programming in pilot local or regional jails for offenders who will be released from jail to probation supervision.	TBD
388 #1h	<b>House:</b> Removes this funding. <b>Senate:</b> No change. (Technical amendment to correct budget item number.)	
398	<b>Governor McAuliffe's Budget:</b> Provides \$5 million over the biennium for pilot programs in local and regional jails for inmates with mental illness.	TBD
398 #2h	<b>House:</b> Removes proposed funding and directs the Department of Criminal Justice Services to solicit proposals for jails to establish pilot programs and make recommendations for three pilot sites by August 15, 2016. <b>Senate:</b> No change.	
	<b><u>Foster Care/Adoption Assistance</u></b>	
285; 346	<b>Governor McAuliffe's Budget:</b> Includes support for the Fostering Futures Initiative, which implements a provision in the federal Fostering Connections Act that permits an extension to age 21 of foster care supports and services to youth who turn 18 in foster care. The Governor's budget removes \$512,000 GF in FY 2017 and \$1.5 million GF in FY 2018 from the Children's Services Act and includes \$1 million GF/\$1 million NGF in FY 2017 and \$3 million GF/\$2.9 million NGF in FY 2018 in the Department of Social Services appropriation.	Positive; support for this initiative is included in the County's Human Services Issue Paper.
285 #2h; 346 #2h	<b>House:</b> Removes funding for this initiative. <b>Senate:</b> No change.	
285; 346	<b>Governor McAuliffe's Budget:</b> Includes \$428,000 GF each year of the biennium in CSA for a two percent increase for non-IV-E foster care payments. Also includes \$826,000 GF/\$586,000 NGF each year of the biennium for VDSS to increase foster care and adoption rates by two percent. <b>House:</b> No change. <b>Senate:</b> No change.	TBD; positive.
	<b><u>Local Eligibility Workers</u></b>	
343	<b>Governor McAuliffe's Budget:</b> Provides \$1.4 million GF/\$4 million NGF in FY 2017 and \$2.2 million GF/\$6.4 million NGF in FY 2018 to provide additional resources for local workers to handle a portion of the increased volume of applications associated with an expansion of Medicaid.	TBD; likely positive.
343 #6h; #8h	<b>House:</b> Removes this proposed funding. Provides \$1 million GF/\$3 million NGF each year for the administrative operations of local departments of social services for Medicaid application and renewal processing under current eligibility criteria.	
343 #1s	<b>Senate:</b> Removes this proposed funding.	
	<b><u>Healthy Families</u></b>	
348	<b>Governor McAuliffe's Budget:</b> Increases funding for programs following the Healthy Families America home visiting model by \$6.75 million NGF (TANF funds) in each year of the biennium. <b>House:</b> No change.	TBD; likely positive.
348 #2s	<b>Senate:</b> Reduces proposed increase by \$2 million per year.	

**Budget Proposals for the 2014 - 2016 Biennium Caboose - Transportation**

Budget Item #	Issue	Fairfax County Impact
<b>HB 2313 Regional Implementation</b>		
447	<p><b>Governor's Budget:</b> includes the regional funds provided for in HB 2313, including \$614.2 million for distribution of Northern Virginia Transportation Authority Fund Revenues over the biennium, which is \$17.8 million more than originally projected.</p> <p><b>House:</b> No Change <b>Senate:</b> No Change</p>	<p>Over the biennium, Fairfax County should receive approximately \$92 million to allocate for local projects approved by the Board of Supervisors, minus the respective shares provided to Vienna and Herndon (30% funding returned to localities). NVTA will allocate approximately \$430 million, of which approximately \$215 million should benefit the County (70% funding retained by NVTA). Fairfax County should benefit from approximately \$8.9 million of the increase.</p>
<b>I-95 Transit/Transportation Demand Management (TDM)</b>		
439	<p><b>Governor's Budget:</b> retains language directing the allocation of funding from the Mass Transit Fund to implement transit and transportation demand management improvements identified in the I-95 corridor, including direct transit capital and operating costs and TDM activities.</p> <p><b>House:</b> No Change <b>Senate:</b> No Change</p>	<p>Fairfax County has worked with the Commonwealth to fund the purchase and operations of five buses on this corridor.</p>
<b>Highway Maintenance and Construction</b>		
444	<p><b>Governor's Budget:</b> increases overall funding for Highway System Acquisition and Construction by \$337 million for the biennium. Within that account, dedicated and statewide construction increases by \$41.7 million; interstate construction increases by \$57.9 million, primary construction increases by \$178.2 million, secondary construction increases by \$30.1 million, and urban construction increases by \$27.9 million.</p> <p><b>House:</b> No Change <b>Senate:</b> No Change</p>	<p>Many of these funds are expected to be subject to the new HB 2 prioritization process, so the impact to Fairfax County is currently unclear.</p>
445	<p><b>Governor's Budget:</b> increases funding for Highway System Maintenance and Operations by \$15.8 million for the biennium; with a \$40.6 million increase for Interstates, an \$85.4 million increase for primaries, a \$81.8 million decrease for secondaries, and a \$27.3 million decrease for Transportation Operations Services.</p> <p><b>House:</b> No Change <b>Senate:</b> No Change</p>	<p>Using historical estimates, an estimated additional \$2.7 million may be available for maintenance within Northern Virginia.</p>

**Budget Proposals for the 2016-2018 Biennium - Transportation**

<b>Budget Item #</b>	<b>Issue</b>	<b>Fairfax County Impact</b>
<b>HB 2313 Regional Implementation</b>		
277	<p><b>Governor's Budget:</b> retains language authorizing the Department of Taxation to request and receive a treasury loan to fund the necessary start-up costs associated with the regional taxes imposed by HB 2313. The treasury loan will be repaid by the tax revenues. Additionally, the Department is authorized to retain sufficient revenues to recover its costs incurred administering these taxes.</p> <p>House: No Change Senate: No Change</p>	<p>Funds retained by Taxation could be used, instead, on regional projects. As Fairfax County is expected to benefit from approximately half of the Northern Virginia regional funds, approximately half of the NVTA funds retained by Taxation could be allocated to projects within the County. As such, Taxation should ensure that their expenses are reasonable. Between October 2013 and January 2015, \$933,627 was retained by Taxation. No funds have been retained since that time.</p>
456	<p><b>Governor's Budget:</b> includes the regional funds provided for in HB 2313, including \$672.8 million for distribution of Northern Virginia Transportation Authority Fund Revenues over the biennium, which is an additional \$58.6 million increase from the FY2016 budget.</p> <p>House: No Change Senate: No Change</p>	<p>Over the biennium, Fairfax County should receive approximately \$100 million to allocate for local projects approved by the Board of Supervisors, minus the respective shares provided to Vienna and Herndon (30% funding returned to localities). NVTA will allocate approximately \$470 million, of which approximately \$235 million should benefit the County (70% funding retained by NVTA). Fairfax County should benefit from approximately \$29 million of the increase.</p>
<b>Local Project Funding</b>		
	<p><b>Governor's Budget:</b> removes language directing the Secretary of Transportation to report to the General Assembly by December 1, 2014, on methods to provide assistance for local transportation projects. The recommendations must consider geographic equity, as well as the needs of local governments, transit agencies, and metropolitan planning organizations.</p> <p>House: No Change Senate: No Change</p>	<p>To date, the report has not been released. It is currently unclear how the changes to roadway funding formulas provided for in HB 1887 (2015) will affect this issue.</p>
<b>Dulles Airport Funding</b>		
438	<p><b>Governor's Budget:</b> includes language providing \$50 million for the Metropolitan Washington Airports Authority to reduce the passenger cost per enplanement at Dulles International Airport to help attract and retain air carriers. The funding will be provided from the Highway Maintenance and Operations Fund, which is expected to increase by \$255 million over the biennium.</p>	<p>The County may not directly benefit from these funds, but the funds could help improve the competitiveness of Dulles, which is consistent with the Board's Federal Legislative Strategy.</p>
436	<p><b>House:</b> moves the appropriation to the Office of the Secretary of Transportation and includes a number of requirements governing receipt of these funds. The state funding is premised on the Secretary of Transportation certifying that such expenditures are in the public interest and will be matched by equal savings generated by MWAA. Second year funding is contingent upon MWAA entering into a long-term agreement with a hub airline to continue operating as a hub at Dulles through at least calendar year 2024.</p>	<p>Same as above.</p>
436	<p><b>Senate:</b> moves the appropriation to the Office of the Secretary of Transportation and includes a number of requirements governing receipt of these funds. The state funding can not be provided either year unless MWAA has entered into a long-term agreement with a hub airline to continue operating as a hub at Dulles through at least calendar year 2025.</p>	<p>Same as above.</p>
	<p><b>Governor's Budget:</b> removes language requiring sound walls to be constructed along residential property from the beginning of the Dulles Toll Road to I-66.</p> <p>House: No Change Senate: No Change</p>	<p>The implementation of this project is underway.</p>
	<p><b>Governor's Budget:</b> removes language prohibiting the state from providing an incentive in their scoring favoring entities entering into project labor agreements.</p> <p>House: No Change Senate: No Change</p>	<p>Since Dulles Rail Phase II is under contract, the removal of this language has no impact on the project. Existing statutory language addresses this issue.</p>

Budget Item #	Issue	Fairfax County Impact
<b>Mass Transit Funding</b>		
448	<p><b>Governor's Budget:</b> increases funding for Financial Assistance for Public Transportation for FY 2016 biennium by \$49.6 million, with \$8 million more available for Operating Assistance and \$6.5 million more available for Capital Assistance.</p> <p><b>House:</b> retains Governor's funding levels, but also directs the Department of Rail and Public Transportation to examine how to evaluate and prioritize transit capital projects. The intent would be to replicate the HB 2 process, that would be used in addition to the current tiered process created following SB 1140 (2013).</p> <p><b>Senate:</b> No Change</p>	<p>Fairfax County will receive approximately the same amount of funds received in years past, for funds allocated through the old formula. Any new funds, allocated through the formula created by SB 1140 (2013), will be based on performance metrics and the proposed capital programs for the County and its transit systems. As a result, it is unclear what portion of the increase will be ultimately allocated to Fairfax County.</p> <p>Extensive changes have been made to the distribution of these funds in the past two years pursuant to SB 1140 (2013). Additionally, capital funds are already prioritized for rolling stock (buses and trains), many of which are replacement vehicles (which is more analogous to road maintenance and is not prioritized through HB 2). Further, the majority of statewide transit service exists in Northern Virginia - changing current formulas is likely to reduce funding for the region.</p>
<b>Vanpool Service Expansion</b>		
448	<p><b>Governor's Budget:</b> provides \$3.9 million for the expansion of vanpool service.</p> <p><b>House:</b> No Change</p> <p><b>Senate:</b> No Change</p>	<p>This may help to create additional vanpools in Fairfax County.</p>
<b>Washington Metropolitan Area Transit Authority (WMATA)</b>		
448	<p><b>Governor's Budget:</b> retains language requiring WMATA to submit quarterly reports to the Department of Rail and Public Transportation Director, the Chairs of the House and Senate Transportation Committees, and the Chairs of the House Appropriations and Senate Finance Committees on actions taken to address recommendations of the USDOT's 2014 Systems Review. The language also requires WMATA to provide a copy of the audited financial statements and plans to remedy any deficiencies.</p> <p><b>House:</b> No Change</p> <p><b>Senate:</b> No Change</p>	<p>WMATA continues to provide the reports, as required.</p>
<b>Virginia Railway Express (VRE)</b>		
452	<p><b>House:</b> directs VDOT, with the assistance of DRPT, to review the long range plan and financial analysis of the Virginia Railway Express and evaluate the impact of its services on the I-66, 95 and 395 corridors.</p>	<p>VRE requested this amendment - its Legislative Program noted that VRE needs to explore, identify and secure a long term, dependable funding source for both existing and future operations and capital costs.</p>
436	<p><b>Senate:</b> directs the Commonwealth Transportation Board to create a subcommittee for the purposes of reviewing the long range strategic and financial plans, as well as service impacts, of the Virginia Railway Express.</p>	<p>Same as above.</p>
<b>Highway Maintenance</b>		
454	<p><b>Governor's Budget:</b> increases funding for Highway System Maintenance and Operations by \$205.2 million for the biennium from the FY2016 budget; with \$46 million more for Interstates, \$122.2 million more for primaries, and \$50.4 million more for secondaries, and \$17.4 million more for Transportation Operations Services.</p> <p><b>House:</b> No Change</p> <p><b>Senate:</b> No Change</p>	<p>Using historical estimates, an estimated additional \$34.9 million may be available for maintenance within Northern Virginia.</p>

Budget Item #	Issue	Fairfax County Impact
<b>Highway Construction</b>		
<b>Overall Funding</b>		
1	<p><b>Governor's Budget:</b> funds previously provided to primary, secondary, and urban construction formulas prior to FY 2010 that are not committed and expected to be expended by January 1, 2018, may be consolidated to fund and advance priority projects within the respective district or locality. If any funds remain, the funds will be deallocated and transferred to the State of Good Repair (SOGR) unless such funds are allocated to a fully funded and active project.</p> <p><b>House:</b> No Change <b>Senate:</b> No Change</p>	<p>Since there have been no new secondary road funds since 2010, funds the County received through that program have already been allocated to projects. The only funds that may be at risk are approximately \$300,000 in unpaved road funds, which is not sufficient to complete a paving project on the few unpaved roads in the County.</p>
453	<p><b>Governor's Budget:</b> increases Highway Construction Programs overall funding by \$64.5 million above the FY 2016 budget amendments. Within that account, \$20.2 million is provided for State of Good Repair; \$150.9 for the High Priority Projects Program; \$150.9 million for the Construction District Grant Programs; \$2.1 billion for Specialized State and Federal Programs; and \$1.3 billion is available for Legacy Construction Formula Programs. Of the Specialized State and Federal Programs: \$180 million is for the Regional Surface Transportation Program (RSTP); \$106 million is for the Highway Safety Improvement Program (HSIP); \$131.6 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; \$250 million is for Revenue Sharing; \$37.7 million is for the Transportation Alternatives Program (TAP); \$6.9 million is for the Virginia Transportation Infrastructure Bank; and \$3.5 million is for the Transportation Partnership Opportunity Fund.</p> <p><b>House:</b> increases Highway Construction Programs overall funding by \$355.4 million above the FY 2016 budget amendments. Within that account, \$268.8 million is provided for State of Good Repair; \$141.2 for the High Priority Projects Program; \$141.2 million for the Construction District Grant Programs; \$2.16 billion for Specialized State and Federal Programs; and \$1.3 billion is available for Legacy Construction Formula Programs. Of the Specialized State and Federal Programs: \$205.3 million is for RSTP; \$109.1 million is for HSIP; \$140.8 million is for CMAQ; \$250 million is for Revenue Sharing; \$40.6 million is for TAP; \$6.9 million is for the Virginia Transportation Infrastructure Bank; and \$3.5 million is for the Transportation Partnership Opportunity Fund.</p> <p><b>Senate:</b> increases Highway Construction Programs overall funding by \$355.4 million above the FY 2016 budget amendments. Within that account, \$268.8 million is provided for State of Good Repair; \$141.2 for the High Priority Projects Program; \$141.2 million for the Construction District Grant Programs; \$2.16 billion for Specialized State and Federal Programs; and \$1.3 billion is available for Legacy Construction Formula Programs. Of the Specialized State and Federal Programs: \$205.3 million is for RSTP; \$109.1 million is for HSIP; \$140.8 million is for CMAQ; \$378.3 million is for Revenue Sharing; \$40.6 million is for TAP; \$2.9 million is for the Virginia Transportation Infrastructure Bank; and \$3.5 million is for the Transportation Partnership Opportunity Fund.</p>	<p>Many of these funds are subject to the new HB 1887 formula and HB 2 prioritization process, so the impact to Fairfax County is currently unclear. However, the decrease in Revenue Sharing funding (it received approximately \$185 million in FY 2016) could be detrimental to the County, which regularly applies for, and receives, the \$10 million maximum award. RSTP, HSIP, CMAQ, and TAP funds are similar to what was allocated in previous years.</p> <p>Same as Above in regards to most programs. RSTP, HSIP, CMAQ, and TAP funds are slightly increased from what was allocated in previous years.</p> <p>Same as above. However, the Senate budget provides level funding for Revenue Sharing (compared to the Introduced Budget that would have decreased the funding significantly). The Senate funding level would benefit the County, which regularly applies for, and receives, the \$10 million maximum award. RSTP, HSIP, CMAQ, and TAP funds are slightly increased from what was allocated in previous years.</p>
<b>I-66 Projects</b>		
453	<p><b>House:</b> requires that the Commonwealth Transportation Board (CTB) provide up to \$140 million in the FY 2017-2022 Six Year Improvement Program (SYIP) to add a third eastbound travel lane on I-66 from the Dulles Connector Road to the Glebe Road/Fairfax Drive exit; begin environmental work on such project by July 15, 2016; and complete a minimum of 30 percent of the design work by November 1, 2017.</p> <p><b>Senate:</b> requires that the CTB provide up to \$140 million in the FY 2017-2022 SYIP to add a third eastbound travel lane on I-66 from the Dulles Connector Road to the Glebe Road/Fairfax Drive exit; begin environmental work on such project by July 15, 2016; and complete a minimum of 30 percent of the design work by November 1, 2017.</p>	<p>Provides funding for the widening of I-66 Inside the Beltway. The funding will not be taken from other projects in the region.</p> <p>Same as above.</p>
436	<p><b>House:</b> directs the CTB to enter into discussions with Fairfax and Arlington Counties regarding use of air rights over I-66 in their respective jurisdictions no later than October 1, 2016. A report on the progress and outcome of such discussions shall be submitted by July 15, 2017.</p> <p><b>Senate:</b> No Language</p>	
453	<p><b>House:</b> directs VDOT to work with affected parties to develop a plan to allow for toll-free access on I-66 Inside the Beltway for those driving only to reach the West Falls Church Metro Station.</p> <p><b>Senate:</b> No Language</p>	<p>County will participate in, and monitor, these discussions.</p>



Budget  
Item #

Issue	Fairfax County Impact
<p><b>Air Quality Monitoring - 95 HOT Lane NB Terminus</b></p> <p><b>Governor's Budget:</b> no longer includes language dedicating funding for air quality monitoring at the I-395 express lanes terminus.</p> <p>House: No Change Senate: No Change</p>	<p>There is no fiscal impact to the County. The previous provision may have been associated with the air quality monitoring requested by the Overlook neighborhood in Fairfax County. This may no longer be needed now that the Express Lanes are open.</p>
<p><b>Other Highway Construction Provisions</b></p> <p><b>Governor's Budget:</b> includes language noting that the proceeds from the lease or sale of surplus and residue property will be applied to the State of Good Repair Program. The proceeds were previously directed to the system and locality where the property was located.</p> <p>House: No Change Senate: No Change</p>	<p>Impacts currently unknown.</p>
<p><b>Governor's Budget:</b> provides \$31.1 million in funds remaining from Transportation Partnership Opportunity Fund (TPOF) funds authorized in the 2007-2008 budget to road improvements at military installations and improvements at interstate rest areas.</p> <p>House: No Change</p> <p><b>Senate:</b> directs this funding to two specific projects in Hampton Roads: Paradise Creek Bridge on State Route 239 over the Southern Branch of the Elizabeth River shipyard and improvements to the Ft. Eustis Boulevard interchange with I-64 at mile marker 250.</p>	<p>Depending on how the funding is allocated, the County may benefit from this transfer. However, the impact is currently unclear.</p> <p>Under this language, the County would be unable to receive any of these funds.</p>
<p><b>Governor's Budget:</b> states that the State of Good Repair (SOGR) funding will not be subject to the distribution requirements set forth in HB 1887 (2015). Additionally, before the funds are provided to state of good repair projects, \$12 million will be provided for improvements to interstate rest areas.</p> <p>House: No Change Senate: No Change</p>	<p>Impacts to the County are currently unknown, as decisions will be made by the CTB. However, Northern Virginia was expected to receive approximately 10.6% of SOGR funds (approximately \$2.1 million). Additionally, there are currently only 2 rest areas in Northern Virginia, neither of which is in Fairfax County.</p>

Budget Item #	Issue	Fairfax County Impact
	<b>Other Set-Asides</b>	Such set-asides potentially reduce funding currently distributed through various funding formulas.
448	<b>Senate:</b> provides for the one-time allocation of \$3.0 million mass transit operating and capital reserve funds or other unobligated mass transit funds in fiscal year 2017 to PRTC to address shortfalls in transit funding directly related to the decline in wholesale motor fuels in Northern Virginia.	
453	<b>Senate:</b> directs the CTB to provide such funding as may be necessary for the conversion of I-95 shoulder lanes to travel lanes.	
453	<b>Senate:</b> dedicates \$4 million for unpaved roads. From these amounts, priority is given to the paving of State Route 622 in Loudoun County and the additional funding will then be made available for other unpaved roads in the Northern Virginia.	
463	<b>Senate:</b> dedicates \$135 million in unobligated balances of the Priority Transportation Fund to the Virginia Port Authority for terminal improvement projects.	
	<b>Tolling Policy</b>	
4-14	<b>House:</b> adds a statewide tolling policy (identical to HB 1069 - Jones) to the budget. Included in the provisions are: prohibiting tolling without approval of the General Assembly except in certain circumstances; requiring VDOT to electronically notify account holders of a toll violation and requiring toll operators to notify the Department of such toll violations; providing a 10-day grace period for unpaid tolls and requiring toll operators to attempt to process and collect unpaid tolls twice during such period; and providing that for a first court appearance there are reduced civil penalties, including a cap of \$2,200 on civil penalties and administrative fees.  <b>Senate:</b> No Language	The language provides some limitations on the ability to toll facilities in the future. The Board is currently Monitoring HB 1069.
	<b>Other Provisions</b>	
	<b>House:</b> No Language	
459	<b>Senate:</b> reduces the proposed increase of 315.0 FTE at VDOT by the number of staff specifically related to Information Technology, Land Use, and Right of Way. An additional 215.0 FTE are authorized for District and Residency based design, inspection, and maintenance personnel.	A significant number of projects and rezonings are currently ongoing in the County, and an increase in VDOT staffing for such projects could improve timelines.

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Highlights of K-12 Proposals – 2016 General Assembly  
February 26, 2016

**Governor McAuliffe's Budget**

- **Recalculation of Local Composite Index:** The Local Composite Index (LCI) is calculated every two years for the state's biennium budget. Counties and cities with a lower composite index receive more state funding, while those with a higher index receive less funding. The recalculation of the LCI results in additional state funding of \$25.2 million in the first year and \$25.3 million in the second year (this funding benefits localities with declining LCIs – Fairfax County's LCI increased from .6807 to .6844).
- **Update Costs of the Standards of Quality (SOQ), Sales Tax and Basic Aid:** Provides \$183.2 million in FY 2017 and \$214.9 million in FY 2018 to fully fund the biennial rebenchmarking of K-12 SOQ costs. These increases do not reflect changes in policy but adjust the cost of continuing current programs with the required data revisions. Also updates Sales Tax revenue projections, increasing state funding by \$31.3 million in FY 2017 and \$53.3 million in FY 2018.
- **Update Lottery Proceeds:** Total Lottery proceeds are projected to increase by \$9.6 million, for a total of \$541.2 million in each year of the biennium.
- **Salary Increase:** Provides \$83.3 million in FY 2018 for the state's share of 2% salary increase for instructional and support positions, effective July 10, 2017. This is contingent on a stable revenue forecast in FY 2018.
- **Virginia Retirement System Contributions:** Increases state funding for fringe benefit rates by \$15.9 million in FY 2017 and \$71.0 million in FY 2018, based on VRS contribution rate of 14.66% for FY 2017 (up from 14.06% in FY 2016) and 16.32% in FY 2018; retiree health care credit rate of 1.11% in FY 2017 and 1.23% in FY 2018; employer rate for group life of 0.47% in FY 2017 and 0.52% in FY 2018. The rates are based on 90% of VRS actuarial rates in FY 2017 and 100% in FY 2018 (increasing the VRS rate in FY 2018 will create significant costs for local governments).
- **Cost of Competing Adjustment for Support Positions:** Provides \$40.6 million (which is the full funding level) in FY 2018 to fully restore Cost of Competing funding for support staff in Northern Virginia.
- **At-Risk Program:** Provides \$24.8 million in FY 2017 and \$24.9 million in FY 2018 to enhance funding for the At-Risk program, which provides funding to support the additional costs of educating at-risk students.
- **Additional Instructional Positions:** Provides \$42.7 million in FY 2017 and \$96.4 million in FY 2018 for the state's share of funding nearly 2,500 new teachers statewide. Maintenance of effort is required, and funding cannot be used to support existing or central office positions.
- **Governor's Schools:** Provides an increase for Academic-Year Governor's Schools (TJHSST) of \$500,000 due to a change in the funding formula.

Highlights of K-12 Proposals – 2016 General Assembly  
February 26, 2016

**House Budget**

- **Salary Increases:** Provides additional flexibility to school divisions in satisfying the local match requirements for the two percent salary increase for instructional and support positions included in the introduced budget. School divisions will be allowed to receive credit for salary increases provided to instructional and support positions in FY 2017 and FY 2018, in order to draw down the state's share of a two percent salary increase. The local salary increases must be provided by January 1, 2018, to qualify for the state funding, which will be effective July 10, 2017.
- **Sales Tax Adjustment:** Reduces sales tax estimate by \$11 million, and includes a corresponding Basic Aid increase of \$6.2 million each year.
- **Lottery Proceeds:** Distributes \$272.7 million in lottery proceeds to school divisions based on a per-pupil amount using Average Daily Membership (ADM) and LCI. This proposal redirects \$202.9 million for new or expanded initiatives included in the Governor's budget, and adds \$50.3 million in additional lottery, Literary Fund, and General Fund revenues. Half of the funding may be used for operating expenses and half for capital needs, maintenance, or equipment. There is no required match by local governments, though there is a maintenance of effort requirement.
- **Governor's Schools:** Maintains the current funding formula for Academic Year Governor's Schools. Directs the Department of Education to review the distribution methodology, with the intent to provide an equitable distribution of tuition payments based on the length of the academic program day, the appropriate state and local shares, and the academic model used by Governor's schools.
- **Cost of Competing Adjustment for Support Positions:** Retains Governor's proposal providing \$40.6 million in FY 2018 to fully restore Cost of Competing funding for support staff in Northern Virginia.

Highlights of K-12 Proposals – 2016 General Assembly  
February 26, 2016

**Senate Budget**

- **Salary Increases:** Includes funding for state's share of a two percent teacher salary increase, effective December 2016 (this proposal advances the effective date included in the Governor's budget from July 10, 2017, to December 1, 2016).
- **Sales Tax Adjustment:** Reduces sales tax estimate by \$11 million, and includes a corresponding Basic Aid increase of \$6.2 million each year.
- **Flexible Classroom Support:** Allocates \$96.4 million in FY 2018 for support for the classroom needs of school divisions. This proposal redirects funding for an additional 2,500 teaching positions included in the Governor's budget, and is allocated in the same manner (the equivalent of the state's share of one instructional position per elementary school and two instructional positions per middle and high school). Funds may not be used for central office positions, and at least half must be used for non-recurring expenses. No local match is required.
- **Additional Support for Classroom Needs:** Provides \$24.2 million in FY 2018 for additional support for classroom needs. Funds may not be used for central office purposes and must be used for non-recurring expenses. No local match is required. Funding is distributed based on the state's share of a per pupil amount.
- **Cost of Competing Adjustment for Support Positions:** Provides \$15.9 million in FY 2017 and \$16.4 million in FY 2018 for partial restoration of COCA. Though the Senate budget includes less total funding for COCA than what is included in the Governor's budget or the House budget, it restores some COCA funding in FY 2017, which is not included in the other budgets.
- **At-Risk Add-On:** Adjusts percentage range downward to capture \$21.5 million in GF savings over the biennium; also corrects an error in budget as introduced to capture an additional \$15.3 million over the biennium.
- **Virginia Preschool Initiative (VPI):** Provides \$2.9 million GF each year to rebenchmark the per pupil amount, resulting in an increase in the per pupil amount from \$6000 to \$6250. While this proposal will increase state funding for VPI, it will also require an increased local match (Fairfax County's LCI for the VPI program is capped at .5, so half of the additional per pupil funding would come from the state, and half from the County).
- **Governor's Schools:** Increase the cap on the number of funded students in academic year Governor's schools from 1,725 to 1,800.

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February 21, 2016 Report of the Education Subcommittee of Senate Finance  
Distribution Summary of Recommended Amendments to SB 30 As Introduced

School Division	2016-2018 Composite Index	FY 2017 Projected Unadjusted ADM Enrollment	SB 29 Estimated SFC Distribution FY 2016	SB 30, Introduced Budget FY 2017	Technical Updates; and Group Life Rate Increase	At-Risk Add-On: Correction	Revised Sales Tax Forecast; and Impact of SB 444	2% Salary Increase Effective December 1, 2016	Reverse Requirement to Hire New Additional Positions	Adjust Support COCA 10% (2.5% Phased)	Adjust At-risk add on to 1-14%	Rebenchmark VPI Per Pupil Amount (\$6,000 to \$6,250)	Increase the Cap for Governor's Schools by 75 to 1,800	Estimated SFC Distribution FY 2017
ACCOMACK	0.3462	5,172	\$ 31,390,829	\$ 33,999,954	\$ 6,353	\$ (27,060)	\$ (13,172)	\$ 255,610	\$ (209,463)	\$ (3,631)	\$ (37,879)	\$ 27,623	0	\$ 33,997,157
ALBEMARLE	0.6394	13,417	47,365,846	50,679,171	(4,137)	(53,065)	(79,113)	329,219	(367,762)	(4,899)	(74,281)	21,625	0	50,437,184
ALLEGHANY	0.2423	2,126	14,854,393	14,732,508	5,214	(21,208)	(4,437)	119,058	(139,450)	(1,658)	(29,693)	10,418	0	14,670,710
AMELIA	0.3182	1,800	10,438,028	11,218,578	3,734	(16,393)	(4,936)	88,147	(43,736)	(1,265)	(22,950)	4,602	0	11,225,768
AMHERST	0.3132	3,952	25,466,266	26,350,933	14,816	(35,829)	(11,812)	199,639	(299,349)	(2,806)	(50,154)	12,706	0	26,187,413
APPOMATTOX	0.2917	2,204	13,322,636	14,389,216	3,882	(20,893)	(5,540)	110,727	(89,780)	(1,612)	(29,251)	9,916	0	14,366,650
ARLINGTON	0.8000	25,102	60,909,472	65,310,100	10,514	(58,925)	(150,676)	376,173	(328,968)	478,919	(81,016)	63,750	0	65,621,462
AUGUSTA	0.3508	10,095	54,195,254	56,267,289	19,964	(81,396)	(31,068)	421,098	(448,949)	(6,684)	(113,939)	26,455	0	56,057,908
BATH	0.8000	488	1,639,663	1,701,945	302	(1,578)	(3,690)	8,568	(23,063)	(199)	(2,207)	0	0	1,680,078
BEDFORD	0.3132	9,409	55,073,178	56,223,621	(1,497)	(78,089)	(31,453)	434,617	(551,207)	(6,578)	(109,329)	16,655	0	55,881,444
BLAND	0.3002	776	4,730,266	4,955,904	1,260	(6,965)	(2,056)	41,198	(42,769)	(552)	(9,749)	525	0	4,936,790
BOTETOURT	0.3766	4,589	24,305,338	24,992,020	7,799	(27,100)	(16,058)	195,897	(270,217)	(2,884)	(37,934)	7,949	0	24,851,437
BRUNSWICK	0.2808	1,569	12,973,684	13,293,265	4,209	(4,203)	(5,048)	101,689	(127,059)	(1,174)	(5,885)	6,653	0	13,262,658
BUCHANAN	0.3171	2,785	17,732,849	19,181,222	5,814	(21,286)	(7,765)	153,269	(166,013)	(2,008)	(29,796)	5,634	0	19,119,022
BUCKINGHAM	0.3405	1,798	12,627,569	12,686,161	2,298	(12,312)	(6,049)	93,104	(78,750)	(1,261)	(17,235)	11,541	0	12,687,394
CAMPBELL	0.2746	7,502	45,084,047	46,278,154	53,140	(87,233)	(18,726)	361,719	(314,954)	(11,178)	(94,096)	32,643	0	46,265,998
CAROLINE	0.3258	4,151	24,612,516	25,278,114	8,803	(36,353)	(12,257)	193,558	(127,162)	(2,899)	(50,897)	16,350	0	25,267,099
CARROLL	0.2722	3,928	24,230,938	26,439,153	18,109	(35,420)	(9,279)	208,329	(337,885)	(2,958)	(49,591)	17,467	0	26,256,807
CHARLES CITY	0.4910	691	4,206,392	4,175,675	693	(4,942)	(3,437)	30,306	(32,735)	(368)	(6,918)	1,909	0	4,160,157
CHARLOTTE	0.2539	1,797	12,934,410	13,317,119	(84,287)	(17,935)	(4,025)	104,877	(138,774)	(1,397)	(25,105)	10,632	0	13,073,989
CHESTERFIELD	0.3510	59,042	302,790,425	317,861,330	79,754	(448,728)	(166,890)	2,476,148	(1,562,185)	(38,953)	(628,243)	150,893	0	317,722,019
CLARKE	0.5437	2,017	8,815,177	8,930,874	922	(8,440)	(9,712)	66,404	(60,148)	22,511	(11,864)	1,500	0	8,932,019
CRAIG	0.3026	579	4,156,921	4,331,589	(67,548)	(5,784)	(1,886)	33,229	(42,590)	(417)	(8,097)	0	0	4,169,593
CULPEPER	0.3576	7,989	43,706,587	45,361,541	17,423	(65,363)	(24,833)	351,056	(251,586)	117,461	(91,890)	18,630	0	45,433,556
CUMBERLAND	0.2817	1,253	9,308,005	9,752,492	1,811	(9,355)	(3,465)	66,547	(43,775)	(958)	(13,094)	7,722	0	9,757,912
DICKENSON	0.2700	2,153	14,239,601	15,386,289	4,771	(20,379)	(4,976)	120,813	(136,037)	(1,643)	(28,531)	9,308	0	15,329,548
DINWIDDIE	0.2777	4,439	26,880,102	29,012,952	10,058	(41,662)	(9,800)	226,836	(229,943)	(3,326)	(58,328)	13,001	0	28,919,647
ESSEX	0.4316	1,387	8,493,422	8,683,134	2,421	(7,965)	(5,549)	59,639	(34,897)	(839)	(11,151)	5,116	0	8,689,896
FAIRFAX	0.6844	179,758	606,117,613	628,967,386	117,548	(606,552)	(1,006,925)	4,302,855	(2,993,641)	5,280,921	(862,615)	286,125	138,712	633,619,379
FAUQUIER	0.5827	10,821	45,602,197	45,704,609	(5,715)	(45,156)	(55,547)	327,470	(293,342)	110,799	(63,480)	6,250	0	45,670,475
FLOYD	0.3402	2,008	11,876,107	12,227,651	4,245	(17,531)	(6,337)	94,485	(166,826)	(1,358)	(24,545)	6,103	0	12,115,679
FLUVANNA	0.3759	3,381	19,096,836	19,451,919	4,260	(24,234)	(12,143)	146,759	(164,318)	(2,064)	(33,924)	5,929	0	19,381,985
FRANKLIN	0.3948	6,821	38,512,516	43,019,554	(2,321,370)	(53,611)	(25,723)	294,469	(488,514)	(4,276)	(75,046)	24,965	0	38,040,001
FREDERICK	0.3889	13,049	69,620,178	72,648,074	15,575	(95,414)	(43,409)	549,793	(434,216)	196,626	(134,145)	30,707	0	72,731,493
GILES	0.2740	2,397	15,098,302	15,194,872	3,209	(22,228)	(5,729)	125,108	(136,892)	(1,787)	(31,115)	3,993	0	15,129,307
GLOUCESTER	0.3730	5,360	27,730,245	29,353,530	12,415	(40,150)	(16,720)	225,058	(197,446)	(3,419)	(56,203)	9,405	0	29,291,300
GOOCHLAND	0.8000	2,503	6,676,465	7,004,927	1,567	(5,425)	(20,175)	35,485	(37,851)	(506)	(7,597)	3,750	0	6,974,175
GRAYSON	0.3338	1,560	10,256,476	11,272,551	1,104	(13,354)	(5,715)	83,326	(242,415)	(1,093)	(18,696)	6,163	0	11,079,705
GREENE	0.3281	3,114	17,917,658	19,286,144	31,150	(26,312)	(8,619)	145,260	(128,956)	(2,134)	(36,832)	6,887	0	19,293,104
GREENSVILLE	0.2236	1,369	9,966,308	10,483,172	539	(8,350)	(2,517)	77,072	(55,183)	(1,142)	(11,689)	8,347	0	10,489,699
HALIFAX	0.3024	4,919	33,811,663	34,727,634	23,576	(40,807)	(13,525)	269,327	(301,511)	(3,808)	(57,123)	27,206	0	34,647,490
HANOVER	0.4285	17,708	86,367,951	88,607,757	19,858	(85,422)	(61,947)	688,526	(539,986)	(10,183)	(119,573)	16,145	0	86,514,246
HENRICO	0.4158	50,943	249,404,892	262,750,853	80,277	(366,801)	(173,439)	1,987,885	(1,717,344)	(60,989)	(513,447)	170,441	0	262,174,427
HENRY	0.2331	7,009	47,666,170	50,498,744	13,216	(52,647)	(14,204)	377,718	(483,004)	(5,681)	(73,695)	53,491	0	50,313,598
HIGHLAND	0.8000	194	1,587,147	1,670,963	288	(754)	(660)	5,166	(12,836)	(128)	(1,057)	1,125	0	1,662,117
ISLE OF WIGHT	0.4011	5,265	27,300,481	28,632,827	7,859	(39,723)	(18,551)	214,607	(187,103)	(3,212)	(55,615)	14,523	0	28,566,439
JAMES CITY	0.5641	10,552	41,691,093	42,247,781	15,083	(52,588)	(49,647)	314,398	(231,823)	(4,666)	(73,613)	13,375	0	42,183,427



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February 21, 2016 Report of the Education Subcommittee of Senate Finance  
Distribution Summary of Recommended Amendments to SB 30 As Introduced

School Division	2016-2018 Composite Index	FY 2017 Projected Unadjusted ADM Enrollment	SB 29 Estimated SFC Distribution FY 2016	SB 30, Introduced Budget FY 2017	Technical Updates, and Group Life Rate Increase	At-Risk Add-On: Correction	Revised Sales Tax Forecast, and Impact of SB 444	2% Salary Increase Effective December 1, 2016	Reverse Requirement to Hire New Additional Positions	Adjust Support COCA 10% (2.5% Phased)	Adjust At-risk add on to 1-14%	Rebenchmark VPI Per Pupil Amount (\$6,000 to \$6,250)	Increase the Cap for Governor's Schools by 75 to 1,800	Estimated SFC Distribution FY 2017
KING GEORGE	0.3564	4,209	21,491,805	23,200,042	5,246	(33,812)	(13,299)	178,617	(119,044)	(2,718)	(47,330)	8,237	0	23,175,803
KING & QUEEN	0.4154	779	4,962,764	5,405,212	2,062	(5,394)	(3,329)	38,426	(71,909)	(483)	(7,552)	7,162	0	5,365,317
KING WILLIAM	0.3120	2,256	13,345,554	14,026,288	3,550	(19,540)	(5,107)	119,174	(87,991)	(1,510)	(27,352)	3,440	0	14,010,928
LANCASTER	0.7566	1,145	3,468,308	3,986,277	526	(2,046)	(7,577)	23,097	(15,401)	(301)	(2,863)	6,000	0	3,987,674
LEE	0.1701	2,981	24,695,757	25,766,217	5,455	(29,504)	(4,773)	207,763	(305,601)	(2,612)	(41,300)	2,283	0	25,587,857
LOUDOUN	0.5497	78,255	293,498,524	320,670,065	71,664	(255,137)	(322,369)	2,459,109	(1,800,239)	3,294,924	(362,932)	70,875	0	323,824,464
LOUISA	0.5436	4,684	19,938,911	22,007,989	(250,246)	(28,359)	(22,164)	151,019	(115,216)	(4,398)	(39,703)	14,250	0	21,453,703
LUNENBURG	0.2434	1,491	10,877,933	11,483,229	3,451	(11,676)	(3,376)	85,177	(94,856)	(1,198)	(16,347)	12,673	0	11,457,014
MADISON	0.4411	1,689	8,947,517	9,297,288	1,907	(12,827)	(7,324)	69,881	(68,736)	(967)	(17,954)	2,654	0	9,263,636
MATHEWS	0.5232	1,061	4,962,557	5,318,224	560	(7,026)	(4,908)	39,831	(29,289)	(519)	(9,835)	875	0	5,307,448
MECKLENBURG	0.3491	4,257	25,558,253	26,282,053	(16,882)	(32,160)	(12,329)	202,160	(162,116)	(2,913)	(45,026)	22,945	0	26,209,837
MIDDLESEX	0.6335	1,178	4,103,868	5,310,643	2,015	(5,592)	(6,231)	30,404	(23,136)	(450)	(7,830)	2,750	0	5,303,266
MONTGOMERY	0.3832	9,562	51,276,658	53,778,284	13,079	(73,203)	(33,065)	416,727	(430,634)	(5,972)	(102,469)	30,840	0	53,693,491
NELSON	0.5933	1,905	8,450,970	8,637,462	2,369	(10,453)	(9,767)	59,298	(51,562)	(805)	(14,632)	4,000	0	8,616,703
NEW KENT	0.4152	2,987	13,713,925	15,020,528	3,486	(16,921)	(10,468)	118,249	(74,267)	(1,762)	(23,685)	4,240	0	15,019,363
NORTHAMPTON	0.4913	1,595	9,038,294	9,384,328	(24,753)	(5,292)	(6,397)	67,506	(64,944)	(866)	(7,408)	7,122	0	9,322,543
NORTHUMBERLAND	0.7542	1,250	4,080,718	4,197,423	586	(3,772)	(8,669)	22,992	(15,052)	(322)	(5,280)	3,875	0	4,191,745
NOTTOWAY	0.2366	2,046	15,002,652	15,987,568	5,324	(15,736)	(4,162)	126,864	(188,937)	(1,606)	(22,030)	8,016	0	15,895,242
ORANGE	0.3811	4,752	25,776,083	27,110,130	9,081	(38,375)	(16,180)	196,064	(230,169)	0	(53,737)	12,069	0	26,990,657
PAGE	0.2960	3,234	20,351,081	20,922,094	6,323	(30,273)	(8,539)	159,730	(175,196)	(4,707)	(42,377)	11,088	0	20,837,227
PATRICK	0.2479	2,829	18,683,898	20,042,817	6,622	(28,269)	(5,150)	162,523	(286,577)	(2,213)	(39,579)	15,606	0	19,865,704
PITTSYLVANIA	0.2410	8,831	57,689,045	60,300,733	20,615	(83,446)	(18,273)	481,914	(477,020)	(13,900)	(116,807)	43,832	0	60,137,543
POWHATAN	0.4033	4,304	21,316,866	21,759,374	7,793	(19,859)	(13,970)	176,153	(154,244)	(2,546)	(27,803)	3,133	0	21,726,954
PRINCE EDWARD	0.3377	1,900	13,353,594	13,480,287	3,862	(13,443)	(7,512)	96,265	(40,364)	(1,336)	(18,820)	11,756	0	13,510,683
PRINCE GEORGE	0.2454	6,309	39,194,655	39,876,468	10,443	(64,705)	(10,779)	324,237	(286,037)	0	(76,590)	21,317	0	39,804,173
PRINCE WILLIAM	0.3848	85,955	463,289,053	490,791,825	371,059	(680,882)	(256,450)	3,672,739	(2,490,102)	4,976,637	(968,656)	258,230	0	495,877,384
PULASKI	0.3105	4,127	25,997,391	26,769,679	5,773	(36,980)	(11,229)	204,436	(214,029)	(2,951)	(51,765)	14,824	0	26,677,558
RAPPAHANNOCK	0.7398	838	2,766,768	2,865,770	27,162	(2,956)	(5,929)	16,704	(15,954)	(221)	(4,139)	0	0	2,907,157
RICHMOND	0.3180	1,264	7,811,543	8,398,558	2,975	(11,225)	(2,892)	65,219	(43,860)	(897)	(15,716)	4,774	0	8,397,260
ROANOKE	0.3587	14,136	72,556,730	77,509,782	27,628	(89,704)	(41,696)	628,696	(653,975)	0	(125,612)	24,049	0	77,278,469
ROCKBRIDGE	0.4522	2,562	13,400,247	14,406,081	4,458	(20,449)	(10,749)	108,196	(138,728)	(1,439)	(28,629)	5,615	0	14,322,280
ROCKINGHAM	0.3561	11,334	60,995,086	64,657,259	30,628	(90,756)	(36,674)	478,183	(610,741)	(7,448)	(127,064)	40,244	0	64,340,145
RUSSELL	0.2375	3,763	26,780,917	27,470,961	6,357	(36,424)	(7,531)	221,628	(423,227)	(2,877)	(49,587)	23,638	0	27,203,780
SCOTT	0.1888	3,484	25,794,953	27,280,891	6,018	(37,671)	(4,761)	229,781	(453,080)	(2,886)	(52,733)	7,098	0	26,952,578
SHENANDOAH	0.3663	5,589	32,089,840	33,094,630	4,278	(46,675)	(19,430)	244,629	(115,360)	(3,634)	(63,937)	17,585	0	33,109,296
SMYTH	0.2136	4,319	29,984,587	31,279,818	(24,288)	(41,628)	(7,969)	245,094	(340,502)	(3,549)	(58,272)	20,250	0	31,037,739
SOUTHAMPTON	0.2856	2,614	17,473,924	18,328,945	(42,508)	(26,179)	(6,047)	133,256	(179,684)	(1,923)	(36,646)	11,609	0	18,134,434
SPOTSYLVANIA	0.3617	22,816	125,544,334	130,165,607	110,309	(182,201)	(68,892)	996,576	(690,809)	330,575	(256,116)	53,937	0	130,523,133
STAFFORD	0.3445	27,850	140,984,446	148,060,211	37,714	(191,254)	(75,573)	1,200,603	(729,738)	429,985	(268,873)	38,347	0	148,500,673
SURRY	0.8000	764	2,608,337	2,587,484	515	(1,964)	(5,143)	13,508	(12,256)	(160)	(2,751)	3,375	0	2,581,608
SUSSEX	0.3481	973	7,359,095	7,614,124	1,391	(1,048)	(3,690)	54,671	(39,463)	(699)	(1,467)	326	0	7,624,055
TAZEWELL	0.2745	5,817	36,597,173	37,755,561	9,268	(52,582)	(13,821)	299,661	(404,804)	(4,385)	(73,604)	20,495	0	37,535,847
WARREN	0.4043	5,347	27,386,114	28,261,696	13,512	(40,108)	(20,216)	215,665	(230,937)	69,444	(56,386)	12,212	0	28,224,766
WASHINGTON	0.3494	7,076	38,017,352	41,445,990	(95,967)	(58,121)	(21,025)	311,055	(287,359)	(4,750)	(81,358)	20,494	0	41,123,002
WESTMORELAND	0.4557	1,527	9,928,907	12,578,763	1,768	(10,577)	(6,440)	74,803	(67,817)	(870)	(14,807)	9,389	0	12,564,174
WISE	0.2669	5,684	36,511,356	37,273,442	17,095	(47,831)	(12,054)	291,936	(137,654)	(8,678)	(66,967)	29,324	0	37,338,417
WYTHE	0.3122	4,022	23,554,719	24,411,925	(2,447)	(35,883)	(10,612)	189,238	(257,643)	(2,834)	(50,238)	12,380	0	24,242,881

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Distribution Summary of Recommended Amendments to SB 30 As Introduced

School Division	2016-2018 Composite Index	FY 2017 Projected Unadjusted ADM Enrollment	SB 29 Estimated SFC Distribution FY 2016	SB 30, Introduced Budget FY 2017	Technical Updates; and Group Life Rate Increase	At-Risk Add-On: Correction	Revised Sales Tax Forecast; and Impact of SB 444	2% Salary Increase Effective December 1, 2016	Reverse Requirement to Hire New Additional Positions	Adjust Support COCA 10% (2.5% Phased)	Adjust At-risk add on to 1-14%	Rebenchmark VPI Per Pupil Amount (\$6,000 to \$6,250)	Increase the Cap for Governor's Schools by 75 to 1,800	Estimated SFC Distribution FY 2017
YORK	0.3905	12,615	59,975,931	62,588,315	(43,172)	(58,012)	(38,376)	502,565	(386,765)	0	(81,220)	5,028	0	62,429,304
ALEXANDRIA	0.8000	14,818	39,637,878	43,315,271	8,602	(34,677)	(97,821)	221,692	(171,302)	288,903	(49,361)	74,125	0	43,554,367
BRISTOL	0.3043	2,171	15,013,766	16,458,126	4,750	(14,592)	(6,274)	108,846	(174,804)	(1,585)	(20,428)	13,044	0	15,367,057
BUENA VISTA	0.1773	939	7,156,391	7,403,730	1,918	(9,833)	(1,437)	60,286	(151,498)	(794)	(13,766)	0	0	7,288,606
CHARLOTTESVILLE	0.6590	4,094	18,658,022	19,141,845	2,107	(16,501)	(23,893)	96,875	(162,036)	(1,458)	(23,103)	21,750	0	19,043,042
COLONIAL HEIGHT	0.4182	2,690	13,103,130	14,407,158	3,387	(19,466)	(8,969)	110,871	(108,541)	(1,613)	(27,249)	11,054	0	14,366,613
COVINGTON	0.2803	952	6,283,182	6,602,526	2,104	(8,766)	(2,121)	52,575	(91,866)	(712)	(12,272)	6,297	0	6,547,753
DANVILLE	0.2629	5,871	40,772,744	42,256,205	9,021	(18,565)	(13,260)	305,966	(278,782)	(4,716)	(25,986)	39,619	0	42,271,470
FALLS CHURCH	0.8000	2,522	5,850,591	6,313,091	1,460	(2,213)	(16,228)	36,048	(28,211)	49,104	(3,152)	1,625	0	6,351,443
FREDERICKSBURG	0.6071	3,350	13,311,967	14,312,034	73,653	(16,700)	(16,720)	97,507	(51,553)	32,076	(23,474)	10,500	0	14,488,196
GALAX	0.2609	1,316	8,469,222	9,374,072	(227,707)	(8,508)	(2,344)	67,634	(93,726)	(1,037)	(11,909)	9,978	0	8,876,709
HAMPTON	0.2773	19,682	121,611,015	126,308,821	300,376	(161,970)	(46,065)	967,575	(816,626)	(14,874)	(226,766)	114,187	0	126,679,465
HARRISONBURG	0.3855	5,965	32,407,117	37,664,580	17,590	(27,241)	(16,659)	262,704	(208,007)	(3,943)	(38,132)	66,673	0	37,730,676
HOPEWELL	0.2108	4,027	26,890,821	29,095,988	6,841	(19,874)	(6,478)	221,878	(149,930)	(3,431)	(27,819)	31,766	0	29,148,964
LYNCHBURG	0.3630	8,051	50,119,439	52,529,610	(9,972)	(53,071)	(29,502)	367,212	(437,097)	(5,386)	(74,290)	38,539	0	52,310,110
MARTINSVILLE	0.2111	1,983	14,545,777	16,021,304	(36,030)	(5,666)	(3,524)	112,368	(96,454)	(1,709)	(7,832)	11,439	0	15,954,574
NEWPORT NEWS	0.2821	27,310	174,604,425	184,766,369	64,074	(202,478)	(63,668)	1,377,184	(1,126,559)	(20,609)	(283,480)	180,552	0	184,691,064
NORFOLK	0.2988	29,539	188,161,023	196,843,243	87,654	(192,294)	(74,423)	1,416,324	(1,369,645)	(21,921)	(269,172)	244,544	0	196,707,953
NORTON	0.2857	843	4,843,917	5,268,971	12,626	(6,769)	(1,568)	41,969	(46,433)	(631)	(9,461)	3,750	0	5,274,471
PETERSBURG	0.2365	3,796	27,838,248	29,796,906	76,984	0	(8,032)	220,122	(237,059)	(3,194)	0	36,266	0	29,952,866
PORTSMOUTH	0.2506	13,959	90,778,478	94,498,157	38,470	(100,634)	(29,124)	700,677	(611,700)	(11,096)	(140,892)	103,417	0	94,452,575
RADFORD	0.2512	1,581	9,635,775	10,143,293	2,712	(14,724)	(3,152)	83,693	(93,308)	(1,216)	(20,611)	3,182	0	10,099,811
RICHMOND CITY	0.4758	21,938	134,106,043	140,071,490	100,898	(49,404)	(93,250)	924,769	(862,766)	(12,511)	(69,157)	133,278	0	140,208,448
ROANOKE CITY	0.3443	12,778	81,958,192	88,882,531	(59,858)	(43,895)	(38,567)	598,759	(704,366)	(9,064)	(61,456)	84,760	0	88,570,451
STAUNTON	0.3827	2,482	17,097,143	17,797,570	1,740	(18,754)	(9,848)	110,193	(115,297)	(1,543)	(26,252)	11,574	0	17,749,107
SUFFOLK	0.3409	13,862	78,649,807	82,819,450	26,986	(115,143)	(42,930)	619,434	(500,473)	(9,404)	(161,207)	57,507	0	82,691,853
VIRGINIA BEACH	0.3925	67,121	333,810,113	350,871,815	158,756	(476,185)	(220,007)	2,657,957	(2,120,514)	(82,948)	(686,662)	177,998	0	350,331,221
WAYNESBORO	0.3556	3,030	16,589,002	17,183,364	6,681	(22,503)	(9,387)	129,210	(161,812)	(2,040)	(31,507)	12,083	0	17,104,064
WILLIAMSBURG	0.7747	914	4,203,355	4,360,055	413	(2,396)	(6,733)	14,498	(10,381)	(209)	(3,355)	0	0	4,351,877
WINCHESTER	0.4326	4,316	21,990,426	23,964,273	236,191	(27,638)	(14,128)	174,517	(150,254)	59,849	(38,864)	18,298	0	24,450,347
FAIRFAX CITY	0.8000	3,131	7,726,654	8,272,626	1,318	(6,722)	(22,053)	47,840	(33,047)	60,860	(9,565)	5,875	0	8,317,132
FRANKLIN CITY	0.2930	1,004	8,015,934	8,366,091	2,466	(3,251)	(3,228)	58,521	(42,657)	(774)	(4,551)	6,540	0	8,369,152
CHESAPEAKE CITY	0.3439	39,151	216,719,738	231,424,532	34,593	(307,494)	(113,758)	1,777,219	(1,166,340)	(26,116)	(430,430)	89,886	0	231,263,249
LEXINGTON	0.4054	649	2,972,234	3,199,042	1,161	(3,609)	(1,966)	26,108	(37,255)	(389)	(5,053)	0	0	3,178,020
EMPORIA	0.2163	1,054	7,017,941	7,955,124	(119,713)	(6,464)	(1,957)	60,243	(42,907)	(887)	(9,048)	6,465	0	7,719,178
SALEM	0.3704	3,713	19,158,644	19,863,641	(10,039)	(24,699)	(10,627)	152,321	(157,815)	(2,368)	(34,673)	3,305	0	19,763,974
POQUOSON	0.3797	2,123	10,338,163	11,190,913	(45,362)	(10,232)	(6,643)	88,287	(79,530)	0	(14,329)	2,326	0	11,076,073
MANASSAS CITY	0.3582	7,298	45,757,491	48,410,268	201,967	(57,757)	(20,919)	347,518	(268,325)	460,416	(82,188)	45,247	0	49,227,860
MANASSAS PARK	0.2676	3,420	22,886,384	24,782,340	36,008	(30,731)	(6,061)	184,726	(103,708)	251,760	(43,796)	16,845	0	25,088,075
COLONIAL BEACH	0.3402	674	3,699,376	4,484,089	1,357	(4,985)	(1,375)	37,270	(48,968)	(472)	(6,978)	2,804	0	4,472,699
WEST POINT	0.2422	695	4,248,922	4,577,085	(11,479)	(6,245)	(1,272)	36,558	(44,207)	(534)	(8,744)	0	0	4,527,914
<b>TOTAL:</b>		<b>1,245,710</b>	<b>\$ 6,250,711,605</b>	<b>\$ 6,581,334,947</b>	<b>\$ (480,350)</b>	<b>\$ (7,619,489)</b>	<b>\$ (4,539,115)</b>	<b>\$ 48,879,197</b>	<b>\$ (42,738,796)</b>	<b>\$ 15,949,898</b>	<b>\$ (10,709,707)</b>	<b>\$ 3,867,502</b>	<b>\$ 138,712</b>	<b>\$ 6,581,841,743</b>

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Distribution Summary of Recommended Amendments to SB 30 As Introduced

School Division	2016-2018 Composite Index	FY 2018 Projected Unadjusted ADM	SB 29 Estimated SFC Distribution FY 2016	HB/SB 30, Introduced Budget FY 2018	Technical Updates	At-Risk Add-On: Correction	Revised Sales Tax Forecast; and Impact of SB 444	2% Salary Increase Effective December 1, 2016	Reverse Mandate to Hire Addtl Positions; Instead: Provide \$96M Flexible Addtl Support for Classroom Needs (Same Distribution)	Additional Support for Classroom Needs (Per Pupil/LCI Calculation)	Adjust Support COCA 10% (2.5% Phased)	Adjust At-Risk Add On to 1-14%	Rebenchmark VPI Per Pupil Amount (from \$6,000 to \$6,250)	Increase the Governor's Schools Cap by 75 to 1,800	Estimated SFC Distribution FY 2018
ACCOMACK	0.3462	5,245.75	\$ 31,390,829	\$ 35,816,737	\$ (913)	\$ (27,488)	\$ (13,172)	\$ 11,219	0	\$ 118,598	\$ 7,364	\$ (38,497)	\$ 28,277	0	\$ 35,901,212
ALBEMARLE	0.6394	13,554.35	47,365,846	52,916,908	(17,925)	(53,687)	(79,113)	14,396	0	169,017	4,950	(75,178)	22,000	0	52,883,443
ALLEGHANY	0.2423	2,101.45	14,854,393	15,142,223	(43)	(21,001)	(4,438)	5,097	0	55,061	3,278	(29,413)	10,229	0	15,160,952
AMELIA	0.3182	1,835.75	10,438,028	11,890,269	(69)	(16,727)	(4,937)	3,884	0	43,281	2,581	(23,427)	4,773	0	11,899,559
AMHERST	0.3132	3,894.50	25,466,266	26,932,382	28,372	(35,340)	(11,811)	8,533	0	92,493	5,532	(49,494)	12,362	0	27,011,400
APPOMATTOX	0.2917	2,204.45	13,322,636	14,934,022	(3,301)	(20,918)	(5,541)	4,791	0	53,994	3,226	(29,297)	9,916	0	14,943,590
ARLINGTON	0.8000	26,074.80	60,909,472	70,406,457	(421)	(61,609)	(150,676)	17,516	0	180,333	(733,632)	(84,253)	66,500	0	69,639,793
AUGUSTA	0.3508	10,039.30	54,195,254	58,202,644	30,859	(81,044)	(31,068)	18,147	0	225,376	6,646	(113,485)	26,293	0	58,315,227
BATH	0.8000	437.85	1,639,663	1,657,590	0	(1,413)	(3,690)	332	0	3,028	90	(1,980)	0	0	1,653,957
BEDFORD	0.3132	9,217.60	55,073,178	57,101,064	(18,437)	(76,599)	(31,453)	18,474	0	218,914	6,444	(107,260)	15,969	0	57,108,678
BLAND	0.3002	751.75	4,730,266	5,022,984	(18)	(6,786)	(2,058)	1,731	0	18,192	1,071	(9,505)	350	0	5,025,925
BOTETOURT	0.3766	4,515.85	24,305,338	25,606,829	10,539	(26,734)	(16,058)	8,349	0	97,349	2,838	(37,436)	7,793	0	25,664,007
BRUNSWICK	0.2808	1,439.05	12,973,684	12,614,079	176	(3,863)	(5,048)	4,089	0	35,789	2,144	(5,410)	5,574	0	12,647,685
BUCHANAN	0.3171	2,670.95	17,732,849	19,341,020	(170)	(20,451)	(7,765)	6,412	0	63,074	3,851	(28,642)	4,781	0	19,361,940
BUCKINGHAM	0.3405	1,656.05	12,627,569	12,061,850	(173)	(11,361)	(6,049)	3,724	0	37,787	2,325	(15,910)	10,552	0	12,082,551
CAMPBELL	0.2746	7,373.90	45,084,047	47,237,838	53,639	(66,151)	(18,728)	15,399	0	184,969	5,493	(92,631)	32,099	0	47,405,569
CAROLINE	0.3258	4,144.10	24,612,516	26,065,162	(215)	(36,356)	(12,256)	8,386	0	96,815	2,895	(50,909)	16,350	0	26,089,436
CARROLL	0.2722	4,284.50	24,230,938	29,496,461	10,303	(38,705)	(9,278)	9,856	0	107,829	6,459	(54,208)	19,651	0	29,558,671
CHARLES CITY	0.4910	723.15	4,206,392	4,514,977	(84)	(5,185)	(3,437)	1,368	0	12,728	770	(7,262)	2,036	0	4,515,827
CHARLOTTE	0.2539	1,763.75	12,934,410	13,621,834	(115,720)	(17,642)	(4,025)	4,481	0	45,505	2,744	(24,709)	10,445	0	13,407,173
CHESTERFIELD	0.3510	59,245.65	302,790,425	328,803,312	1,549	(450,923)	(166,891)	107,517	0	1,329,616	78,175	(631,543)	151,542	0	329,223,903
CLARKE	0.5437	2,094.15	8,815,177	9,650,213	(87)	(8,842)	(9,713)	3,018	0	33,043	(34,397)	(12,306)	1,625	0	9,622,467
CRAIG	0.3026	555.10	4,156,921	4,385,695	(76,598)	(5,545)	(1,888)	1,383	0	13,387	799	(7,766)	0	0	4,232,888
CULPEPER	0.3576	8,120.00	43,706,587	47,881,842	3,491	(67,252)	(24,833)	15,615	0	180,379	(185,952)	(93,588)	19,272	0	47,732,465
CUMBERLAND	0.2817	1,208.40	9,308,005	9,929,884	(61)	(9,041)	(3,465)	2,791	0	30,015	1,848	(12,661)	7,362	0	9,946,611
DICKENSON	0.2700	2,120.10	14,239,601	15,431,558	(120)	(19,837)	(4,976)	5,013	0	53,519	3,236	(27,782)	9,125	0	15,449,616
DINWIDDIE	0.2777	4,513.45	25,880,102	30,352,250	(229)	(42,403)	(9,800)	9,979	0	112,733	6,763	(59,388)	13,363	0	30,383,039
ESSEX	0.4316	1,349.70	8,493,422	8,460,732	(62)	(7,774)	(5,548)	2,513	0	26,529	1,633	(10,887)	4,974	0	8,462,048
FAIRFAX	0.6844	181,160.20	606,117,613	666,235,458	(7,672)	(636,434)	(1,006,925)	194,510	0	1,977,082	(7,961,035)	(870,989)	288,750	156,446	658,361,520
FAUQUIER	0.5827	10,670.10	45,602,197	46,977,591	(21,134)	(45,033)	(55,547)	14,111	0	153,972	(156,199)	(62,885)	6,125	0	46,780,067
FLOYD	0.3402	2,012.30	11,876,107	12,643,883	(241)	(17,596)	(6,337)	4,103	0	45,912	2,723	(24,643)	6,103	0	12,653,666
FLUVANNA	0.3759	3,318.95	19,096,836	19,803,744	(4,917)	(23,799)	(12,143)	6,243	0	71,628	4,080	(33,332)	5,773	0	19,812,360
FRANKLIN	0.3948	6,834.80	38,512,516	45,122,040	(3,073,894)	(53,787)	(25,723)	12,779	0	143,037	8,568	(75,331)	24,965	0	39,008,760
FREDERICK	0.3889	13,067.70	69,620,178	75,613,796	7,340	(96,633)	(43,409)	24,071	0	276,145	(273,309)	(134,520)	30,707	0	75,411,528
GILES	0.2740	2,381.50	15,098,302	15,679,586	(386)	(22,129)	(5,729)	5,380	0	59,788	3,550	(30,993)	3,993	0	15,692,673
GLOUCESTER	0.3730	5,341.30	27,730,245	30,249,180	9,929	(40,084)	(16,720)	9,708	0	115,808	3,407	(56,130)	9,248	0	30,294,276
GOOCHLAND	0.8000	2,522.80	6,676,465	7,286,638	0	(5,473)	(20,174)	1,548	0	17,448	510	(7,665)	3,750	0	7,276,581
GRAYSON	0.3338	1,503.55	10,256,476	11,251,868	1,808	(12,875)	(5,714)	3,475	0	34,638	2,108	(18,031)	5,829	0	11,264,914
GREENE	0.3281	3,162.60	17,917,658	20,217,057	67,640	(26,722)	(8,619)	6,382	0	73,481	2,167	(37,419)	7,055	0	20,368,663
GREENSVILLE	0.2236	1,365.20	9,966,308	10,817,588	4,560	(8,344)	(2,517)	3,323	0	36,653	2,278	(11,685)	8,347	0	10,854,763
HALIFAX	0.3024	4,819.90	33,811,663	35,066,663	31,580	(40,017)	(13,525)	11,410	0	116,270	7,071	(58,044)	26,509	0	35,181,497
HANOVER	0.4285	17,681.30	86,367,961	89,342,742	(1,169)	(85,407)	(61,947)	29,767	0	349,426	10,167	(119,594)	16,145	0	89,478,961
HENRICO	0.4158	51,709.25	249,404,892	274,589,804	35,238	(372,859)	(173,438)	87,354	0	1,044,611	30,953	(522,117)	173,362	0	274,927,945
HENRY	0.2331	7,008.45	47,666,170	52,211,249	16,083	(52,701)	(14,204)	16,354	0	185,860	11,361	(73,810)	53,491	0	52,369,766
HIGHLAND	0.8000	196.15	1,587,147	1,736,841	0	(762)	(651)	227	0	1,357	259	(1,068)	1,125	0	1,737,128
ISLE OF WIGHT	0.4011	5,229.00	27,300,481	29,478,061	3,144	(39,497)	(18,551)	9,224	0	108,292	3,190	(55,308)	14,374	0	29,506,073
JAMES CITY	0.5641	10,797.20	41,691,093	44,481,474	5,171	(53,766)	(49,647)	13,990	0	162,751	4,773	(75,287)	13,875	0	44,508,505

February 21, 2016 Report of the Education Subcommittee of Senate Finance  
Distribution Summary of Recommended Amendments to SB 30 As Introduced

School Division	2016-2018 Composite Index	FY 2018 Projected Unadjusted ADM	SB 29 Estimated SFC Distribution FY 2016	HB/SB 30, Introduced Budget FY 2018	Technical Updates	At-Risk Add-On: Correction	Revised Sales Tax Forecast, and Impact of SB 444	2% Salary Increase Effective December 1, 2016	Reverse Mandate to Hire Add'l Positions; Instead: Provide \$96M Flexible Add'l Support for Classroom Needs (Same Distribution)	Additional Support for Classroom Needs (Per Pupil/LCI Calculation)	Adjust Support COCA 10% (2.5% Phased)	Adjust At-risk Add On to 1-14%	Rebenchmark VPI Per Pupil Amount (from \$6,000 to \$6,250)	Increase the Governor's Schools Cap by 75 to 1,800	Estimated SFC Distribution FY 2018
KING GEORGE	0.3664	4,127.95	21,491,805	23,532,847	(191)	(33,228)	(13,299)	7,578	0	90,443	2,866	(46,529)	8,078	0	23,548,175
KING & QUEEN	0.4154	767.60	4,962,764	5,495,077	2,242	(5,323)	(3,330)	1,637	0	15,517	951	(7,455)	7,015	0	5,508,574
KING WILLIAM	0.3120	2,283.10	13,345,554	14,717,236	(81)	(19,783)	(5,107)	5,208	0	54,317	3,089	(27,706)	3,440	0	14,730,531
LANCASTER	0.7566	1,142.80	3,468,308	4,143,738	(198)	(2,049)	(7,577)	1,010	0	9,619	800	(2,869)	6,000	0	4,148,076
LEE	0.1701	2,884.65	24,695,757	25,880,783	(74)	(28,485)	(4,773)	8,722	0	82,784	5,056	(39,906)	1,452	0	25,915,475
LOUDOUN	0.5497	81,256.00	293,498,524	350,877,864	(2,994)	(275,780)	(322,369)	114,910	0	1,265,268	(5,063,047)	(377,380)	74,000	0	346,287,478
LOUISA	0.5436	4,685.35	19,938,911	22,758,973	(282,277)	(28,398)	(22,164)	6,551	0	73,946	2,200	(39,765)	14,250	0	22,201,039
LUNENBURG	0.2434	1,490.50	10,877,933	11,541,585	(118)	(11,689)	(3,375)	3,686	0	38,996	2,396	(16,372)	12,673	0	11,567,643
MADISON	0.4411	1,636.80	8,947,517	9,424,726	(370)	(12,455)	(7,325)	2,949	0	31,634	1,874	(17,445)	2,375	0	9,425,592
MATHEWS	0.5232	1,035.00	4,962,557	5,463,153	(578)	(6,872)	(4,909)	1,682	0	17,065	1,013	(9,625)	750	0	5,461,101
MECKLENBURG	0.3491	4,202.85	25,558,253	26,938,995	(19,230)	(31,799)	(12,330)	8,643	0	94,598	5,754	(44,537)	22,618	0	26,943,483
MIDDLESEX	0.6336	1,182.35	4,103,868	5,620,801	202	(5,610)	(6,232)	1,318	0	14,981	902	(7,858)	2,750	0	5,621,455
MONTGOMERY	0.3832	9,604.00	51,276,658	55,986,047	(315)	(73,631)	(33,065)	18,130	0	204,843	11,997	(103,124)	30,994	0	56,041,562
NELSON	0.5933	1,912.60	8,450,970	8,977,604	(480)	(10,498)	(9,766)	2,581	0	26,898	1,619	(14,702)	4,000	0	8,976,776
NEW KENT	0.4152	3,003.10	13,713,925	15,627,104	(119)	(17,032)	(10,468)	5,153	0	60,730	1,770	(23,850)	4,240	0	15,647,409
NORTHAMPTON	0.4913	1,610.10	9,038,294	9,819,932	(38,065)	(5,344)	(6,397)	2,989	0	28,323	1,750	(7,484)	7,249	0	9,764,868
NORTHUMBERLAND	0.7542	1,216.50	4,080,718	4,256,107	(186)	(3,681)	(8,669)	969	0	10,340	629	(5,155)	3,750	0	4,253,918
NOTTOWAY	0.2366	2,010.00	15,002,652	16,320,801	(75)	(15,491)	(4,162)	5,397	0	53,061	3,154	(21,695)	7,634	0	16,348,349
ORANGE	0.3811	4,661.85	25,776,083	26,773,114	(307)	(37,714)	(16,180)	8,410	0	99,771	2,959	(52,809)	11,760	0	26,788,597
PAGE	0.2960	3,180.50	20,351,081	21,469,168	(3,137)	(28,829)	(8,539)	6,803	0	77,427	4,629	(41,777)	10,912	0	21,482,520
PATRICK	0.2479	2,860.85	18,683,898	20,851,820	(106)	(28,626)	(5,149)	7,116	0	74,404	4,476	(40,091)	15,795	0	20,879,534
PITTSYLVANIA	0.2410	8,796.70	57,689,045	62,334,237	(318)	(83,203)	(18,273)	20,786	0	230,880	6,901	(116,509)	43,643	0	62,417,826
POWHATAN	0.4033	4,340.90	21,316,866	22,647,457	(162)	(20,057)	(13,971)	7,639	0	89,570	2,577	(28,085)	3,282	0	22,688,088
PRINCE EDWARD	0.3377	1,839.95	13,353,594	13,580,263	(61)	(13,039)	(7,512)	4,044	0	42,139	2,587	(18,261)	11,280	0	13,601,359
PRINCE GEORGE	0.2454	6,328.80	39,194,655	41,193,449	(213)	(54,950)	(10,779)	14,067	0	165,144	4,844	(78,948)	21,507	0	41,255,907
PRINCE WILLIAM	0.3848	87,068.10	463,289,053	524,283,478	635,178	(717,953)	(256,450)	167,420	0	1,852,253	(7,540,013)	(982,547)	262,229	0	518,338,773
PULASKI	0.3105	4,060.10	25,997,391	27,396,537	(244)	(36,434)	(11,230)	8,702	0	96,805	5,804	(51,027)	14,480	0	27,423,160
RAPPAHANNOCK	0.7398	809.30	2,766,768	2,963,309	(142)	(2,852)	(8,014)	698	0	7,282	6	(3,994)	0	0	2,956,152
RICHMOND	0.3180	1,289.05	7,811,543	8,851,128	307	(11,440)	(2,892)	2,873	0	30,400	1,831	(16,021)	4,945	0	8,861,437
ROANOKE	0.3587	14,353.30	72,556,730	81,493,819	(1,131)	(91,235)	(41,696)	27,620	0	318,301	9,284	(127,758)	24,530	0	81,610,602
ROCKBRIDGE	0.4522	2,570.55	13,400,247	14,938,936	(158)	(20,532)	(10,749)	4,609	0	48,694	2,890	(28,754)	5,615	0	14,940,393
ROCKINGHAM	0.3561	11,344.05	60,995,086	66,990,203	22,860	(90,961)	(36,673)	20,708	0	252,587	7,454	(127,374)	40,244	0	67,101,907
RUSSELL	0.2375	3,677.90	26,780,917	27,899,507	(237)	(34,676)	(7,531)	9,397	0	96,976	5,619	(48,565)	23,086	0	27,943,321
SCOTT	0.1888	3,417.75	25,794,953	27,860,293	(110)	(37,014)	(4,761)	9,766	0	95,872	5,684	(51,839)	6,692	0	27,884,451
SHENANDOAH	0.3663	5,279.80	32,089,840	32,858,837	(1,122)	(43,215)	(19,429)	10,011	0	115,698	6,867	(60,526)	16,476	0	32,882,476
SMYTH	0.2136	4,243.25	29,984,587	32,115,344	(26,885)	(40,980)	(7,988)	10,452	0	115,390	6,974	(57,366)	19,660	0	32,107,758
SOUTHAMPTON	0.2856	2,593.30	17,473,924	18,839,057	(55,196)	(26,008)	(6,047)	5,738	0	64,065	3,817	(36,424)	11,430	0	18,745,238
SPOTSYLVANIA	0.3617	22,342.61	125,544,334	133,031,708	225,382	(180,483)	(68,891)	42,664	0	493,155	(489,623)	(251,244)	52,500	0	133,080,550
STAFFORD	0.3445	28,259.05	140,984,446	156,235,198	(1,147)	(196,341)	(75,572)	53,275	0	640,553	(631,624)	(273,275)	39,330	0	155,789,250
SURRY	0.8000	759.10	2,608,337	2,695,512	0	(1,954)	(6,142)	581	0	5,250	319	(2,787)	3,375	0	2,694,204
SUSSEX	0.3481	936.00	7,359,095	7,694,643	(141)	(1,011)	(3,690)	2,278	0	21,100	1,347	(1,417)	0	0	7,712,967
TAZEWELL	0.2745	5,710.55	36,597,173	38,584,189	(287)	(51,710)	(13,822)	12,752	0	143,265	8,609	(72,423)	19,951	0	38,630,236
WARREN	0.4043	5,351.40	27,386,114	29,365,151	(201)	(40,629)	(20,217)	9,454	0	110,235	(113,352)	(56,538)	12,212	0	29,265,915
WASHINGTON	0.3494	7,066.50	38,017,352	43,292,904	(118,923)	(58,103)	(21,024)	13,448	0	158,980	9,465	(81,376)	20,494	0	43,096,962
WESTMORELAND	0.4557	1,505.85	9,928,907	12,832,503	(115)	(10,439)	(6,440)	3,181	0	28,343	1,718	(14,617)	9,254	0	12,843,273
WISE	0.2669	5,664.25	36,511,356	38,914,328	(320)	(47,744)	(12,053)	12,592	0	143,592	4,292	(66,856)	29,324	0	36,976,635
WYTHE	0.3122	3,961.40	23,554,719	25,220,003	4,562	(35,392)	(10,611)	8,070	0	84,218	5,583	(49,567)	12,208	0	25,253,637

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Distribution Summary of Recommended Amendments to SB 30 As Introduced

School Division	2016-2018 Composite Index	FY 2018 Projected Unadjusted ADM	SB 29 Estimated SFC Distribution FY 2016	HB/SB 30, Introduced Budgeted FY 2018	Technical Updates	At-Risk Add-On: Correction	Revised Sales Tax Forecast; and Impact of SB 444	2% Salary Increase Effective December 1, 2016	Reverse Mandate to Hire Addtl Positions; Instead: Provide \$96M Flexible Addtl Support for Classroom Needs (Same Distribution)	Additional Support for Classroom Needs (Per Pupil/LCI Calculation)	Adjust Support COCA 10% (2.5% Phased)	Adjust At-risk Add On to 1-14%	Rebenchmark VPI Per Pupil Amount (from \$6,000 to \$6,250)	Increase the Governor's Schools Cap by 75 to 1,800	Estimated SFC Distribution FY 2018
YORK	0.3905	12,713.00	59,975,931	65,390,922	(56,530)	(58,514)	(38,377)	21,903	0	267,946	7,788	(81,938)	5,181	0	65,401,852
ALEXANDRIA	0.8000	15,405.90	39,637,878	46,483,992	731	(37,582)	(97,821)	10,349	0	106,547	(444,373)	(51,392)	77,875	0	46,049,057
BRISTOL	0.3043	2,159.50	15,013,766	15,948,862	(1,480)	(14,535)	(6,274)	4,698	0	51,952	3,154	(20,356)	13,044	0	15,977,585
BUENA VISTA	0.1773	915.30	7,156,391	7,534,851	(709)	(9,601)	(1,437)	2,559	0	26,039	1,545	(13,446)	0	0	7,539,093
CHARLOTTESVILLE	0.6590	4,153.60	18,658,022	19,863,412	2,457	(16,782)	(23,894)	4,251	0	48,978	2,959	(23,478)	22,125	0	19,882,507
COLONIAL HEIGHT	0.4182	2,655.85	13,103,130	14,766,260	(45)	(19,253)	(8,970)	4,738	0	53,432	1,593	(26,960)	10,909	0	14,781,659
COVINGTON	0.2803	954.85	6,283,182	6,882,982	(27)	(8,794)	(2,120)	2,284	0	23,764	1,427	(12,316)	6,297	0	6,893,469
DANVILLE	0.2629	5,833.30	40,772,744	43,374,081	(34)	(18,468)	(13,260)	13,175	0	148,665	9,372	(25,866)	39,067	0	43,526,719
FALLS CHURCH	0.8000	2,602.60	5,850,591	6,815,566	(84)	(2,385)	(16,227)	1,677	0	18,000	(76,122)	(3,258)	1,625	0	6,738,709
FREDERICKSBURG	0.6071	3,420.30	13,311,967	15,119,148	72,951	(17,238)	(16,720)	4,354	0	46,470	(47,416)	(24,003)	10,875	0	15,221,372
GALAX	0.2609	1,328.75	8,469,222	9,837,180	(270,491)	(8,594)	(2,344)	2,963	0	33,960	2,095	(12,036)	10,163	0	9,322,405
HAMPTON	0.2773	19,543.90	121,611,015	129,675,378	312,918	(161,070)	(48,065)	41,710	0	488,421	29,541	(225,591)	113,284	0	130,541,445
HARRISONBURG	0.3855	6,489.80	32,407,117	41,740,233	25,310	(29,655)	(16,659)	12,352	0	137,904	8,579	(41,534)	73,433	0	41,935,273
HOPEWELL	0.2108	4,047.20	26,890,821	30,178,408	(5)	(19,994)	(6,476)	9,658	0	110,450	6,897	(28,004)	31,963	0	30,282,893
LYNCHBURG	0.3630	7,997.30	50,119,439	54,082,982	(3,365)	(52,773)	(29,503)	15,799	0	176,160	10,709	(73,911)	38,061	0	54,140,775
MARTINSVILLE	0.2111	1,919.15	14,545,777	15,310,098	(38,964)	(5,494)	(3,524)	4,719	0	52,355	3,310	(7,694)	10,847	0	15,286,689
NEWPORT NEWS	0.2821	27,309.77	174,604,425	190,593,347	(21,060)	(202,771)	(63,669)	59,838	0	677,965	41,210	(283,994)	176,603	0	190,956,209
NORFOLK	0.2988	29,513.90	188,161,023	202,694,679	3,692	(192,376)	(74,423)	61,311	0	715,638	43,866	(269,437)	244,193	0	203,230,834
NORTON	0.2857	885.00	4,843,917	5,745,016	11,960	(7,123)	(1,567)	1,911	0	21,860	1,326	(9,976)	4,108	0	5,779,476
PETERSBURG	0.2365	3,783.15	27,838,248	30,564,592	70,629	0	(8,032)	9,517	0	99,882	6,368	0	36,075	0	30,849,659
PORTSMOUTH	0.2506	13,959.20	90,778,478	97,344,858	(9,984)	(100,765)	(29,125)	30,333	0	361,742	22,191	(141,129)	103,417	0	97,571,554
RADFORD	0.2512	1,535.30	9,635,775	10,309,239	(65)	(14,303)	(3,152)	3,514	0	39,754	1,181	(20,029)	2,808	0	10,318,843
RICHMOND CITY	0.4758	22,014.85	134,106,043	145,453,405	66,767	(49,637)	(93,249)	40,265	0	399,060	25,144	(69,519)	134,064	0	145,973,067
ROANOKE CITY	0.3443	12,812.35	81,958,192	92,064,898	16,694	(44,066)	(38,568)	26,024	0	290,509	18,186	(61,717)	85,077	0	92,373,731
STAUNTON	0.3827	2,457.30	17,097,143	18,138,019	(8,748)	(18,598)	(9,848)	4,728	0	52,454	3,072	(26,048)	11,420	0	18,141,703
SUFFOLK	0.3409	13,889.00	78,649,807	85,608,074	31,240	(115,527)	(42,929)	26,869	0	316,554	18,845	(161,803)	57,671	0	85,770,233
VIRGINIA BEACH	0.3925	66,167.70	333,810,113	357,422,385	129,657	(470,013)	(220,007)	113,421	0	1,390,008	40,885	(658,163)	175,264	0	358,053,095
WAYNESBORO	0.3556	3,026.75	16,589,002	17,768,203	(52)	(22,522)	(9,387)	5,589	0	67,446	4,078	(31,544)	12,083	0	17,793,840
WILLIAMSBURG	0.7747	894.40	4,203,355	4,429,009	(471)	(2,349)	(6,733)	618	0	6,968	205	(3,290)	0	0	4,423,486
WINCHESTER	0.4326	4,475.50	21,990,426	25,633,564	223,030	(28,981)	(14,129)	7,909	0	87,812	(92,496)	(40,326)	19,150	0	26,018,563
FAIRFAX CITY	0.8000	3,143.40	7,726,654	8,713,849	0	(7,030)	(22,054)	2,158	0	21,740	(91,439)	(9,612)	6,000	0	8,613,609
FRANKLIN CITY	0.2930	966.00	8,015,934	8,247,129	(4,717)	(3,132)	(3,227)	2,453	0	23,617	1,489	(4,386)	6,186	0	8,260,696
CHESAPEAKE CITY	0.3439	39,366.20	216,719,738	239,875,367	79,081	(309,576)	(113,758)	77,331	0	893,138	52,519	(433,576)	90,542	0	240,290,170
LEXINGTON	0.4054	643.80	2,972,234	3,340,894	(59)	(3,591)	(1,966)	1,124	0	13,237	772	(5,030)	0	0	3,345,322
EMPORIA	0.2163	1,063.05	7,017,941	8,269,803	(124,684)	(6,517)	(1,957)	2,626	0	28,809	1,791	(9,129)	6,661	0	8,062,519
SALEM	0.3704	3,692.10	19,158,644	20,046,810	(25,609)	(24,595)	(10,628)	6,549	0	80,383	2,356	(34,441)	3,148	0	20,018,364
POQUOSON	0.3797	2,189.50	10,338,163	11,990,421	(29,895)	(10,569)	(6,842)	3,940	0	46,965	1,365	(14,800)	2,481	0	11,953,771
MANASSAS CITY	0.3582	7,403.55	45,757,491	51,638,264	239,291	(61,053)	(20,918)	15,869	0	164,310	(698,656)	(83,501)	45,889	0	51,478,786
MANASSAS PARK	0.2676	3,535.20	22,886,384	26,990,252	65,572	(33,111)	(6,061)	8,581	0	89,534	(389,393)	(45,267)	17,578	0	26,763,257
COLONIAL BEACH	0.3402	874.70	3,699,376	6,015,496	(90)	(6,475)	(1,377)	2,097	0	19,957	1,223	(9,069)	4,124	0	6,025,796
WEST POINT	0.2422	643.00	4,348,922	4,560,073	(14,986)	(5,781)	(1,272)	1,455	0	16,850	494	(8,095)	0	0	4,533,742
<b>TOTAL:</b>		<b>1,252,627</b>	<b>\$6,250,711,605</b>	<b>\$ 6,861,334,685</b>	<b>\$ (1,945,904)</b>	<b>\$ (7,727,430)</b>	<b>\$ (4,541,200)</b>	<b>\$ 2,145,186</b>	<b>\$ -</b>	<b>\$ 24,216,259</b>	<b>\$ (24,220,269)</b>	<b>\$ (10,767,322)</b>	<b>\$ 3,881,472</b>	<b>\$ 156,446</b>	<b>\$ 6,840,596,018</b>

# **HB 30**

# **APPENDIX A**

Direct Aid to Public Education  
2016-17

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## Proposed Amendments to HB 30, As Introduced: 2016-2017 Direct Aid to Public Education Estimated Distribution

School Division	Key Data					FY 2017 TOTAL Estimated Distribution HB 30	Technical Updates					Proposed Policy Changes						FY 2017 Estimated Distribution House Appropriations
	2014-16 Comp Index	2016-18 Comp Index	Proj Unadjt ADM for FY 2016 Chap 665	FY 2016 Adopted Budget Chap 665	Proj Unadjt ADM FY 2017 HB 30		Update Free Lunch Percentages for CEP Schools	Update Foster Care, Remedial Summer School & PPA for Voc Educ	Update Special Ed Regional Tuition Projected Payments	Correction to Remove Bedford City from At-Risk Free Lunch Percentages	Update Revised Sales Tax Estimates	Repurpose New Additional Instructional Position Initiative to Lottery PPA	Repurpose New At-Risk Add-on Increase to Lottery PPA	Repurpose New Governor's Schools formula to Lottery PPA	Repurpose New FY 2017 No Loss to Lottery PPA	Reinstate Lottery PPA Distribution	Update Group Life for FY 2017 from 0.47% to 0.52%	
ACCOMACK	0.3555	0.3462	5,054	\$32,045,921	5,172	\$33,999,954	\$0	\$0	(\$1,114)	(\$27,060)	(\$13,971)	(\$209,527)	(\$233,874)	\$0	\$0	\$511,637	\$7,044	\$34,033,088
ALBEMARLE	0.6506	0.6394	13,492	48,070,625	13,417	50,679,171	0	(1,969)	(7,300)	(53,065)	(83,908)	(368,068)	(105,167)	0	0	731,708	5,108	50,796,510
ALLEGHANY	0.2423	0.2423	2,141	14,613,460	2,126	14,732,508	0	(42)	0	(21,208)	(4,706)	(139,450)	(61,465)	(31,612)	0	243,855	4,933	14,722,813
AMELIA	0.3309	0.3182	1,769	10,556,288	1,800	11,218,578	0	0	0	(16,393)	(5,235)	(43,749)	(49,239)	0	0	185,512	3,747	11,293,221
AMHERST	0.3079	0.3132	4,000	25,531,165	3,952	26,350,933	0	(75)	9,432	(35,829)	(12,528)	(299,436)	(114,620)	0	0	410,259	5,546	26,313,681
APPOMATTOX	0.3080	0.2917	2,140	13,102,975	2,204	14,389,216	0	(22)	(967)	(20,893)	(5,876)	(89,806)	(65,093)	0	0	236,145	4,769	14,447,474
ARLINGTON	0.8000	0.8000	24,684	61,993,421	25,102	65,310,100	0	(408)	0	(56,925)	(159,809)	(328,968)	(116,438)	0	0	759,271	10,586	65,417,408
AUGUSTA	0.3545	0.3508	9,934	53,256,977	10,095	56,267,289	0	37	5,240	(81,396)	(32,951)	(449,087)	(191,801)	(74,254)	0	992,202	13,312	56,448,590
BATH	0.8000	0.8000	545	1,662,278	488	1,701,945	0	0	0	(1,578)	(3,914)	(23,063)	(3,793)	0	0	14,759	302	1,684,658
BEDFORD	0.3132	0.3132	9,664	55,488,399	9,409	56,223,621	0	79	(15,375)	(78,089)	(33,360)	(551,207)	(175,889)	0	0	977,329	13,310	56,360,419
BLAND	0.3254	0.3002	807	4,759,800	776	4,955,904	0	0	0	(6,965)	(2,180)	(42,775)	(15,344)	0	0	82,240	1,102	4,971,982
BOTETOURT	0.3720	0.3766	4,770	24,778,780	4,589	24,992,020	0	(42)	2,094	(27,100)	(17,032)	(270,304)	(47,693)	0	0	432,422	5,834	25,070,199
BRUNSWICK	0.2985	0.2808	1,727	13,293,265	1,569	13,250,113	0	246	0	(4,203)	(5,353)	(127,095)	(98,242)	0	(200,235)	170,861	3,722	13,032,966
BUCHANAN	0.3572	0.3171	2,877	17,668,993	2,785	19,181,222	0	0	0	(21,286)	(8,235)	(166,062)	(110,776)	0	0	287,598	5,767	19,168,227
BUCKINGHAM	0.3347	0.3405	1,915	12,696,161	1,798	12,660,548	0	(67)	0	(12,312)	(6,416)	(78,786)	(80,729)	0	(196,632)	179,215	2,401	12,502,835
CAMPBELL	0.2760	0.2746	7,552	44,845,680	7,502	46,278,154	0	(370)	46,942	(67,233)	(19,861)	(314,997)	(184,929)	0	0	823,705	5,588	46,566,999
CAROLINE	0.3272	0.3258	4,163	24,944,604	4,151	25,278,114	0	(120)	(1)	(36,353)	(13,000)	(127,200)	(122,140)	0	0	423,443	8,559	25,411,303
CARROLL	0.2696	0.2722	3,567	23,360,765	3,928	26,439,153	0	(43)	9,016	(35,420)	(9,842)	(337,977)	(138,236)	0	0	432,400	8,949	26,368,001
CHARLES CITY	0.4432	0.4910	661	4,125,741	691	4,175,675	0	0	0	(4,942)	(3,646)	(32,761)	(20,773)	0	0	53,204	719	4,167,476
CHARLOTTE	0.2505	0.2539	1,825	12,911,841	1,797	13,317,119	0	0	(87,079)	(17,935)	(4,268)	(138,811)	(68,671)	0	0	202,729	2,735	13,205,818
CHESTERFIELD	0.3496	0.3510	59,919	311,929,886	59,042	317,861,330	0	(867)	(1)	(448,728)	(177,006)	(1,562,425)	(980,363)	(128,952)	0	5,794,794	78,639	320,436,421
CLARKE	0.5153	0.5437	1,942	8,689,798	2,017	8,930,874	0	0	(1)	(8,440)	(10,301)	(60,175)	(14,215)	0	0	139,110	950	8,977,803
CRAIG	0.3157	0.3026	584	4,199,949	579	4,331,589	0	0	(68,890)	(5,784)	(2,001)	(42,603)	(17,709)	0	0	61,147	1,239	4,256,988
CULPEPER	0.3445	0.3576	7,908	43,938,606	7,989	45,361,541	0	0	1,235	(65,363)	(26,339)	(251,703)	(182,124)	0	0	776,307	15,794	45,629,348
CUMBERLAND	0.2781	0.2817	1,315	9,421,407	1,253	9,752,492	0	0	0	(9,355)	(3,674)	(43,788)	(61,176)	(80,327)	0	136,030	1,824	9,692,025
DICKENSON	0.2711	0.2700	2,236	14,565,745	2,153	15,386,289	0	(30)	0	(20,379)	(5,277)	(136,074)	(83,549)	0	0	237,614	4,838	15,383,432
DINWIDDIE	0.2882	0.2777	4,357	26,878,802	4,439	29,012,952	0	(45)	0	(41,662)	(10,395)	(230,038)	(143,036)	0	0	485,032	9,861	29,082,669
ESSEX	0.4023	0.4316	1,452	8,683,134	1,387	8,683,134	0	0	0	(7,965)	(5,885)	(34,910)	(52,429)	0	(395,902)	119,148	2,434	8,307,624
FAIRFAX	0.6807	0.6844	179,821	613,926,779	179,758	628,967,386	0	(641)	0	(606,552)	(1,067,962)	(2,997,434)	(1,145,899)	(346,359)	0	8,578,714	119,383	631,500,636
FAUQUIER	0.5586	0.5827	10,950	45,704,609	10,821	45,704,609	0	74	(15,205)	(45,156)	(58,814)	(293,624)	(80,686)	(64,311)	(192,451)	682,976	9,352	45,646,665
FLOYD	0.3470	0.3402	1,950	11,594,379	2,008	12,227,651	0	(157)	0	(17,531)	(6,721)	(165,877)	(46,635)	0	0	200,681	4,084	12,194,495
FLUVANNA	0.3836	0.3759	3,481	19,273,012	3,381	19,451,919	0	(150)	0	(24,234)	(12,879)	(154,367)	(48,869)	(60,048)	0	319,019	4,459	19,474,850
FRANKLIN	0.4138	0.3948	7,138	38,699,761	6,821	43,019,554	0	(922)	(2,329,364)	(53,611)	(27,282)	(488,676)	(178,366)	0	0	624,598	8,474	40,574,405
FREDERICK	0.3719	0.3889	13,048	70,466,579	13,049	72,648,074	0	(183)	(1,774)	(95,414)	(46,039)	(434,358)	(204,534)	0	0	1,206,869	16,258	73,088,899
GILES	0.2867	0.2740	2,395	15,043,853	2,397	15,194,872	0	(286)	0	(22,228)	(6,076)	(136,730)	(60,523)	0	0	263,025	3,533	15,235,587
GLOUCESTER	0.3661	0.3730	5,257	27,556,535	5,380	29,353,530	0	0	4,893	(40,150)	(17,734)	(197,509)	(88,910)	0	0	508,789	6,808	29,529,717
GOOCHLAND	0.8000	0.8000	2,382	6,521,608	2,503	7,004,927	0	0	0	(5,425)	(21,398)	(37,851)	(10,331)	0	0	75,718	1,525	7,007,165
GRAYSON	0.3461	0.3338	1,670	10,537,933	1,560	11,272,551	0	0	(2,056)	(13,354)	(6,061)	(242,524)	(63,475)	0	0	157,142	3,269	11,105,492
GREENE	0.3568	0.3281	3,130	18,271,501	3,114	19,286,144	0	(330)	26,885	(26,312)	(9,142)	(128,994)	(62,236)	0	0	316,632	4,263	19,406,910

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GREENSVILLE	0.2259	0.2236	1,331	9,603,282	1,369	10,483,172	0	(44)	(500)	(8,350)	(2,670)	(55,190)	(75,618)	0	0	160,642	1,090	10,502,533
HALIFAX	0.3011	0.3024	5,165	34,691,780	4,919	34,727,634	0	13,973	2,435	(40,807)	(14,345)	(301,598)	(192,542)	0	0	519,007	6,992	34,720,749
HANOVER	0.4070	0.4285	17,507	85,544,624	17,708	86,607,757	0	(741)	0	(85,422)	(65,702)	(540,175)	(142,184)	0	0	1,530,143	20,495	87,324,171
HENRICO	0.4059	0.4158	50,254	251,669,004	50,943	262,750,853	0	(720)	(213)	(366,801)	(183,952)	(1,699,419)	(960,242)	0	0	4,500,570	61,639	264,101,715
HENRY	0.2408	0.2331	7,077	48,254,569	7,009	50,496,744	0	(162)	1,884	(52,647)	(15,065)	(483,067)	(317,445)	(76,541)	0	812,915	11,194	50,377,811
HIGHLAND	0.8000	0.8000	178	1,503,018	194	1,670,963	0	0	0	(754)	(690)	(12,836)	(3,881)	0	0	5,850	288	1,658,940
ISLE OF WIGHT	0.4195	0.4011	5,483	28,181,924	5,265	28,632,827	0	(310)	1,200	(39,723)	(19,676)	(187,165)	(91,631)	0	0	477,238	6,445	28,779,205
JAMES CITY	0.5632	0.5641	10,287	41,764,630	10,552	42,247,781	0	0	5,287	(52,588)	(52,657)	(231,983)	(108,853)	0	0	695,930	9,337	42,512,254
KING GEORGE	0.3774	0.3664	4,323	22,048,693	4,209	23,200,042	0	(99)	0	(33,812)	(14,105)	(119,082)	(78,746)	0	0	403,110	5,383	23,362,691
KING & QUEEN	0.4338	0.4154	875	5,405,212	779	5,405,212	0	1,171	0	(5,394)	(3,530)	(71,959)	(30,483)	0	(47,221)	68,883	941	5,317,620
KING WILLIAM	0.3166	0.3120	2,169	13,163,856	2,256	14,028,288	0	0	0	(19,540)	(5,417)	(88,016)	(42,148)	0	0	234,800	3,452	14,109,419
LANCASTER	0.7792	0.7566	1,005	3,209,516	1,145	3,986,277	0	0	0	(2,046)	(8,036)	(15,439)	(20,769)	0	0	42,145	564	3,982,696
LEE	0.1886	0.1701	3,068	24,718,817	2,981	25,758,217	0	(72)	0	(29,504)	(5,063)	(305,601)	(155,318)	0	0	374,416	5,064	25,640,139
LOUDOUN	0.5618	0.5497	75,400	294,090,511	78,255	320,670,065	0	(298)	0	(255,137)	(341,909)	(1,801,438)	(397,955)	0	0	5,327,417	72,700	323,273,445
LOUISA	0.5644	0.5436	4,714	19,976,979	4,684	22,007,989	0	(111)	(259,258)	(28,359)	(23,507)	(115,317)	(80,681)	0	0	323,665	8,737	21,833,158
LUNENBURG	0.2502	0.2434	1,585	11,483,229	1,491	11,483,229	0	(38)	0	(11,676)	(3,581)	(94,881)	(72,589)	0	(388,676)	170,476	3,514	11,085,778
MADISON	0.4471	0.4411	1,718	8,917,357	1,689	9,297,288	0	(249)	0	(12,827)	(7,769)	(68,773)	(33,311)	0	0	142,959	1,915	9,319,233
MATHEWS	0.5437	0.5232	1,113	5,122,357	1,061	5,318,224	0	(439)	0	(7,026)	(5,206)	(29,314)	(19,105)	0	0	76,446	1,024	5,334,603
MECKLENBURG	0.3609	0.3491	4,274	25,584,505	4,257	26,282,053	0	0	(25,821)	(32,160)	(13,076)	(162,191)	(151,434)	0	0	419,341	8,547	26,325,259
MIDDLESEX	0.7449	0.6336	1,252	4,780,840	1,178	5,310,643	0	0	725	(5,592)	(6,609)	(23,168)	(21,221)	(64,624)	0	65,251	1,322	5,256,727
MONTGOMERY	0.3866	0.3832	9,326	50,475,030	9,562	53,776,284	0	43	0	(73,203)	(35,069)	(430,773)	(170,798)	0	0	892,535	12,212	53,973,231
NELSON	0.5689	0.5933	1,810	8,199,568	1,905	8,637,462	0	0	856	(10,453)	(10,359)	(51,825)	(38,175)	0	0	117,139	1,576	8,646,421
NEW KENT	0.4298	0.4152	3,010	13,991,498	2,987	15,020,528	0	0	0	(16,921)	(11,103)	(74,305)	(29,819)	0	0	264,063	3,524	15,155,967
NORTHAMPTON	0.4840	0.4913	1,487	8,572,137	1,595	9,384,328	0	0	(26,714)	(5,292)	(6,785)	(64,982)	(65,078)	0	0	122,919	1,747	9,340,143
NORTHUMBERLAND	0.7431	0.7542	1,315	4,197,423	1,250	4,197,423	0	0	0	(3,772)	(9,194)	(15,088)	(17,621)	0	(36,498)	46,451	622	4,162,323
NOTTOWAY	0.2478	0.2366	2,124	15,286,429	2,046	15,987,558	0	(23)	0	(15,736)	(4,414)	(188,962)	(101,103)	0	0	236,323	5,118	15,918,760
ORANGE	0.3618	0.3811	5,101	27,110,130	4,752	27,110,130	0	(150)	0	(38,375)	(17,161)	(230,244)	(102,698)	0	(817,077)	444,838	9,019	26,358,282
PAGE	0.2985	0.2980	3,278	20,463,089	3,234	20,922,094	0	50	(917)	(30,273)	(9,057)	(175,246)	(96,219)	0	0	344,383	6,978	20,961,794
PATRICK	0.2726	0.2479	2,908	19,248,059	2,829	20,042,817	0	0	0	(28,269)	(5,462)	(286,653)	(103,151)	0	0	321,790	6,597	19,947,669
PITTSYLVANIA	0.2507	0.2410	8,854	57,652,276	8,831	60,300,733	0	21	(1)	(83,446)	(19,380)	(477,146)	(302,794)	0	0	1,013,257	20,721	60,451,965
POWHATAN	0.3913	0.4033	4,132	21,032,879	4,304	21,759,374	0	0	0	(19,859)	(14,817)	(154,321)	(31,643)	0	0	388,275	7,870	21,934,679
PRINCE EDWARD	0.3274	0.3377	1,972	13,396,260	1,900	13,486,287	0	0	0	(13,443)	(7,967)	(40,376)	(81,693)	0	0	190,178	3,874	13,530,860
PRINCE GEORGE	0.2430	0.2454	6,317	39,581,001	6,309	39,876,468	0	(143)	0	(64,705)	(11,433)	(286,075)	(113,070)	0	0	720,652	9,652	40,141,346
PRINCE WILLIAM	0.3822	0.3848	84,814	470,718,608	85,955	490,791,625	0	(675)	204,668	(680,882)	(271,995)	(2,490,912)	(1,669,106)	(70,099)	0	7,995,918	165,731	493,974,274
PULASKI	0.3113	0.3105	4,260	26,398,866	4,127	26,769,679	0	(168)	0	(36,980)	(11,911)	(214,060)	(125,281)	(110,418)	0	430,373	5,779	26,707,013
RAPPAHANNOCK	0.7916	0.7398	865	2,779,340	838	2,865,770	0	26,756	0	(2,956)	(6,287)	(15,991)	(6,194)	0	0	32,970	443	2,894,511
RICHMOND	0.3354	0.3180	1,216	7,709,667	1,264	8,398,558	0	337	0	(11,225)	(3,067)	(43,873)	(41,887)	0	0	130,316	2,651	8,431,810
ROANOKE	0.3704	0.3587	13,917	72,274,716	14,136	77,509,782	0	(495)	0	(89,704)	(44,224)	(654,179)	(164,061)	0	0	1,371,099	27,608	77,955,828
ROCKBRIDGE	0.4740	0.4522	2,547	13,415,553	2,562	14,406,081	0	0	0	(20,449)	(11,401)	(138,804)	(54,963)	0	0	212,357	4,305	14,397,126

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ROCKINGHAM	0.3702	0.3581	11,271	61,036,458	11,334	64,657,259	0	(47)	6,751	(90,756)	(38,896)	(610,931)	(217,263)	0	0	1,104,955	22,436	64,833,507
RUSSELL	0.2486	0.2375	3,889	26,965,972	3,763	27,470,961	0	(47)	0	(35,424)	(7,986)	(423,338)	(142,993)	0	0	433,785	6,503	27,301,460
SCOTT	0.1940	0.1888	3,533	25,806,906	3,484	27,260,891	0	(2)	0	(37,671)	(5,050)	(453,136)	(134,480)	0	0	427,209	6,076	27,063,837
SHENANDOAH	0.3653	0.3663	5,963	32,935,665	5,589	33,094,630	0	197	(3,969)	(45,675)	(20,607)	(115,378)	(123,496)	(51,980)	0	536,232	7,209	33,277,162
SMYTH	0.2252	0.2136	4,398	29,918,730	4,319	31,279,818	0	(65)	(31,088)	(41,628)	(8,451)	(340,545)	(169,380)	0	0	513,419	6,928	31,208,988
SOUTHAMPTON	0.2878	0.2856	2,537	17,084,140	2,614	18,328,945	0	0	(46,313)	(26,179)	(6,414)	(179,759)	(77,003)	0	0	282,374	3,802	18,279,453
SPOTSYLVANIA	0.3555	0.3617	23,328	127,299,327	22,816	130,165,607	0	(579)	64,941	(182,201)	(73,067)	(691,025)	(422,412)	(110,045)	0	2,203,235	44,480	130,998,935
STAFFORD	0.3412	0.3445	27,340	141,202,461	27,850	148,060,211	0	(535)	0	(191,254)	(80,153)	(729,961)	(365,953)	0	0	2,760,835	37,318	149,490,507
SURRY	0.8000	0.8000	768	2,576,397	764	2,587,484	0	0	0	(1,964)	(6,514)	(12,256)	(9,287)	0	0	23,156	471	2,581,090
SUSSEX	0.3585	0.3481	1,053	7,614,124	973	7,614,124	0	(77)	(1)	(1,048)	(3,914)	(39,475)	(63,246)	0	(8,834)	96,034	1,285	7,594,848
TAZEWELL	0.2756	0.2745	5,882	36,432,438	5,817	37,755,551	0	(22)	0	(52,582)	(14,659)	(404,715)	(187,163)	0	0	638,770	8,604	37,743,784
WARREN	0.3871	0.4043	5,160	26,812,372	5,347	28,261,696	0	0	0	(40,108)	(21,442)	(231,053)	(104,879)	0	0	482,116	13,006	28,359,336
WASHINGTON	0.3813	0.3494	7,004	37,995,311	7,076	41,445,990	0	(1,038)	(104,829)	(58,121)	(22,300)	(287,448)	(176,313)	(83,746)	0	696,626	9,326	41,418,147
WESTMORELAND	0.4633	0.4557	1,617	10,331,293	1,527	12,578,763	0	0	0	(10,577)	(6,830)	(67,854)	(93,706)	0	0	125,640	1,805	12,527,241
WISE	0.2538	0.2669	5,719	36,516,811	5,584	37,273,442	0	(177)	0	(47,831)	(12,785)	(137,673)	(213,825)	0	0	629,900	17,291	37,508,342
WYTHE	0.3183	0.3122	4,122	23,831,791	4,022	24,411,925	0	(303)	(10,627)	(35,883)	(11,255)	(257,718)	(107,059)	0	0	418,207	8,558	24,415,845
YORK	0.4026	0.3905	12,580	60,145,830	12,615	62,588,315	0	0	(58,932)	(58,012)	(40,702)	(386,892)	(92,588)	0	0	1,162,578	15,594	63,129,361
ALEXANDRIA	0.8000	0.8000	14,324	40,270,621	14,818	43,315,271	0	0	(1,075)	(34,677)	(103,751)	(171,302)	(148,827)	0	0	448,206	9,489	43,313,334
BRISTOL	0.3085	0.3043	2,151	14,874,165	2,171	15,458,126	0	0	0	(14,592)	(6,655)	(174,829)	(88,004)	0	0	228,269	4,775	15,407,089
BUENA VISTA	0.1756	0.1773	997	7,388,542	939	7,403,730	0	0	0	(9,833)	(1,524)	(151,498)	(32,044)	0	0	117,030	1,688	7,327,549
CHARLOTTESVILLE	0.6683	0.6590	4,042	18,673,885	4,094	19,141,845	0	(373)	(1,992)	(16,501)	(25,342)	(152,215)	(66,185)	0	0	211,320	4,362	19,094,919
COLONIAL HEIGHTS	0.4323	0.4182	2,860	13,854,166	2,590	14,407,158	0	0	0	(19,466)	(9,514)	(108,559)	(57,753)	0	0	236,800	3,188	14,451,854
COVINGTON	0.2818	0.2803	940	6,289,989	952	6,602,526	0	0	0	(8,766)	(2,250)	(91,878)	(30,583)	0	0	103,597	2,116	6,574,763
DANVILLE	0.2649	0.2629	5,961	41,187,326	5,871	42,256,205	0	(33)	0	(18,565)	(14,063)	(276,782)	(320,607)	0	0	654,372	8,817	42,289,345
FALLS CHURCH	0.8000	0.8000	2,474	5,870,487	2,522	6,313,091	0	(81)	0	(2,213)	(17,211)	(28,211)	(3,099)	0	0	76,244	1,541	6,340,061
FREDERICKSBURG	0.6135	0.6071	3,300	13,429,436	3,350	14,312,034	70,899	0	0	(16,700)	(17,733)	(51,579)	(70,919)	0	0	198,966	2,780	14,427,848
GALAX	0.2738	0.2609	1,368	9,044,338	1,316	9,374,072	0	(236,244)	6,525	(8,508)	(2,485)	(93,751)	(59,208)	0	0	148,980	2,037	9,129,418
HAMPTON	0.2878	0.2773	19,571	120,609,103	19,682	126,308,821	233,454	(405)	21,870	(161,970)	(48,858)	(816,739)	(668,620)	(63,420)	0	2,152,036	43,765	126,999,935
HARRISONBURG	0.4009	0.3855	5,462	32,231,304	5,965	37,664,580	0	0	13,178	(27,241)	(17,668)	(208,074)	(251,714)	0	0	554,373	4,256	37,731,690
HOPEWELL	0.2298	0.2108	4,042	27,378,237	4,027	29,095,988	0	40	0	(19,874)	(6,868)	(149,949)	(213,206)	0	0	480,845	6,457	29,193,433
LYNCHBURG	0.3680	0.3630	8,310	51,093,680	8,051	52,529,610	0	(268)	(15,526)	(53,071)	(31,290)	(437,235)	(297,884)	(64,802)	0	775,686	5,567	52,410,787
MARTINSVILLE	0.2222	0.2111	2,257	16,021,304	1,983	15,931,369	0	(256)	(38,955)	(5,666)	(3,737)	(96,466)	(117,974)	0	(835,496)	236,453	3,193	15,162,400
NEWPORT NEWS	0.2908	0.2821	27,474	174,899,805	27,310	184,766,389	0	(308)	301	(202,478)	(67,528)	(1,126,873)	(1,107,825)	0	0	2,966,829	61,357	185,289,844
NORFOLK	0.3123	0.2988	29,836	191,741,500	29,539	196,843,243	0	(146)	0	(192,294)	(78,934)	(1,325,857)	(1,209,310)	(124,581)	0	3,132,428	42,730	197,087,280
NORTON	0.3102	0.2857	802	4,752,457	843	5,268,971	0	12,019	0	(8,759)	(1,663)	(46,446)	(29,823)	0	0	91,017	620	5,287,937
PETERSBURG	0.2475	0.2365	3,804	27,756,018	3,796	29,796,906	70,905	0	(1)	0	(8,519)	(237,090)	(248,173)	0	0	438,174	6,111	29,818,313
PORTSMOUTH	0.2678	0.2506	14,211	91,976,238	13,959	94,498,157	0	411	4,971	(100,634)	(30,889)	(611,782)	(594,569)	0	0	1,582,283	32,300	94,780,228
RADFORD	0.2675	0.2512	1,631	9,852,560	1,581	10,143,293	0	(46)	0	(14,724)	(3,343)	(93,320)	(40,047)	0	0	179,366	2,407	10,173,586
RICHMOND CITY	0.4636	0.4758	22,239	138,407,129	21,938	140,071,490	64,649	440	341	(49,404)	(98,902)	(863,095)	(901,889)	(203,677)	0	1,738,785	35,464	139,794,203

Proposed Amendments to HB 30, As Introduced: 2016-2017 Direct Aid to Public Education Estimated Distribution

School Division	Key Data					FY 2017- TOTAL Estimated Distribution HB 30	Technical Updates					Proposed Policy Changes						FY 2017 Estimated Distribution House Appropriations
	2014-15 Comp Index	2016-18 Comp Index	Proj Unadjt ADM for FY 2016 Chap 665	FY 2016 Adopted Budget Chap 665	Proj Unadjt ADM FY 2017 HB 30		Update Free Lunch Percentages for CEP Schools	Update Foster Care, Remedial Summer School & PPA for Voc Educ	Update Special Ed Regional Tuition Projected Payments	Correction to Remove Bedford City from At-Risk Free Lunch Percentages	Update Revised Sales Tax Estimates	Repurpose New Additional Instructional Position Initiative to Lottery PPA	Repurpose New At-Risk Add-on Increase to Lottery PPA	Repurpose New Governor's Schools formula to Lottery PPA	Repurpose New FY 2017 No Loss to Lottery PPA	Reinstate Lottery PPA Distribution	Update Group Life for FY 2017 from 0.47% to 0.52%	
ROANOKE CITY	0.3592	0.3443	12,880	82,454,671	12,778	88,882,531	0	(260)	(78,016)	(43,895)	(40,905)	(704,473)	(618,850)	(49,825)	0	1,266,962	18,191	88,631,460
STAUNTON	0.3923	0.3827	2,622	17,797,570	2,482	17,797,570	0	(239)	0	(18,754)	(10,444)	(115,334)	(70,197)	0	(99,648)	231,787	1,847	17,716,588
SUFFOLK	0.3490	0.3409	13,747	78,049,798	13,862	82,819,450	65,750	(157)	(67,809)	(115,143)	(45,532)	(500,625)	(333,056)	0	0	1,382,632	27,878	83,233,389
VIRGINIA BEACH	0.4034	0.3925	67,949	335,638,305	67,121	350,871,815	0	(1,370)	32,629	(476,185)	(233,343)	(2,120,863)	(1,053,907)	0	0	6,167,844	124,102	353,310,722
WAYNESBORO	0.3493	0.3556	3,111	16,875,845	3,030	17,183,364	0	0	0	(22,503)	(9,956)	(161,837)	(90,829)	0	0	295,793	6,043	17,200,075
WILLIAMSBURG	0.8000	0.7747	917	4,195,407	914	4,360,055	0	0	0	(2,396)	(7,141)	(10,395)	(4,961)	0	0	31,137	426	4,366,724
WINCHESTER	0.4376	0.4326	4,162	22,334,224	4,316	23,964,273	0	222,901	5,255	(27,638)	(14,984)	(150,307)	(125,608)	0	0	370,589	7,733	24,252,213
FAIRFAX CITY	0.8000	0.8000	3,238	8,055,372	3,131	8,272,626	0	0	0	(6,722)	(23,390)	(33,047)	(12,699)	0	0	94,673	1,317	8,292,758
FRANKLIN CITY	0.2978	0.2930	1,063	8,356,091	1,004	8,300,945	0	0	0	(3,251)	(3,423)	(42,663)	(55,283)	0	(210,058)	107,516	2,229	8,151,158
CHESAPEAKE	0.3610	0.3439	38,555	216,164,550	39,151	231,424,532	0	(1,558)	(15,929)	(307,494)	(120,653)	(1,166,695)	(673,762)	0	0	3,884,477	52,048	233,073,965
LEXINGTON	0.4510	0.4054	615	2,832,629	649	3,199,042	0	0	0	(3,609)	(2,085)	(37,274)	(6,395)	0	0	58,336	1,180	3,208,195
EMPORIA	0.2495	0.2163	1,048	7,034,882	1,054	7,955,124	(121,667)	0	0	(6,464)	(2,075)	(42,918)	(58,534)	0	0	125,193	1,677	7,850,336
SALEM	0.3695	0.3704	3,822	19,863,641	3,713	19,863,641	0	(37)	(15,085)	(24,699)	(11,272)	(157,865)	(49,571)	0	(376,525)	353,760	4,759	19,587,107
POQUOSON	0.3895	0.3797	2,068	10,170,381	2,123	11,190,913	0	(181)	(49,137)	(10,232)	(7,046)	(79,568)	(16,709)	0	0	199,057	3,994	11,231,091
MANASSAS CITY	0.3662	0.3582	7,270	46,255,351	7,298	48,410,268	0	192,039	(281)	(57,757)	(22,187)	(268,450)	(233,500)	0	0	708,063	10,334	48,738,530
MANASSAS PARK	0.2683	0.2676	3,378	23,863,993	3,420	24,752,340	0	0	30,647	(30,731)	(6,429)	(103,722)	(127,123)	0	0	378,630	5,375	24,898,987
COLONIAL BEACH	0.3520	0.3402	491	3,233,518	674	4,494,069	0	0	0	(4,985)	(1,450)	(48,991)	(27,962)	0	0	67,236	1,380	4,479,287
WEST POINT	0.2581	0.2422	785	4,520,218	695	4,577,085	0	0	(13,241)	(6,245)	(1,349)	(44,213)	(13,148)	0	0	79,809	1,610	4,580,308
<b>TOTAL:</b>			<b>1,244,215</b>	<b>\$6,307,733,010</b>	<b>1,245,710</b>	<b>\$6,581,111,101</b>	<b>\$383,990</b>	<b>\$214,257</b>	<b>(\$2,886,156)</b>	<b>(\$7,619,489)</b>	<b>(\$4,814,253)</b>	<b>(\$42,691,943)</b>	<b>(\$24,672,790)</b>	<b>(\$1,859,617)</b>	<b>(\$3,805,253)</b>	<b>\$105,549,483</b>	<b>\$1,705,525</b>	<b>\$6,600,838,702</b>

Note: This analysis includes state funds for the Standards of Quality, Incentive, Categorical, and Lottery-funded program accounts. Federal funds are not included in this distribution table.

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# **HB 30**

## **APPENDIX B**

Direct Aid to Public Education  
2017-18

Proposed Amendments to HB 30, As Introduced: 2017-2018 Direct Aid to Public Education Estimated Distribution

School Division	Key Data					FY 2018 TOTAL Estimated Distribution HB 30	Technical Updates					Proposed Policy Changes				FY 2018 Estimated Distribution House Appropriations
	2014-16 Comp Index	2016-18 Comp Index	Proj Unadjt ADM for FY 2016 Chap 665	FY 2016 Adopted Budget Chap 665	Projected Unadjt. ADM for FY 2018 HB 30		Update Free Lunch Percentages for CEP Schools	Update Foster Care, Remedial Summer School & PPA for Voc Educ	Update Special Ed Regional Tuition Projected Payments	Correction to Remove Bedford City from At-Risk Free Lunch Percentages	Update Revised Sales Tax Estimates	Repurpose New Additional Instructional Position Initiative to Lottery PPA	Repurpose New At-Risk Add-on Increase to Lottery PPA	Repurpose New Governor's Schools formula to Lottery PPA	Reinstate Lottery PPA Distribution	
ACCOMACK	0.3555	0.3462	5,054	\$32,045,921	5,246	\$35,816,737	\$0	\$0	(\$682)	(\$27,488)	(\$13,970)	(\$753,377)	(\$237,565)	\$0	\$818,731	\$35,602,385
ALBEMARLE	0.6506	0.6394	13,492	48,070,625	13,554	52,916,908	0	(2,031)	(15,170)	(53,687)	(83,908)	(870,342)	(106,397)	0	1,166,791	52,952,164
ALLEGHANY	0.2423	0.2423	2,141	14,613,460	2,101	15,142,223	0	(43)	0	(21,001)	(4,705)	(334,638)	(60,854)	(63,195)	380,106	15,037,893
AMELIA	0.3309	0.3182	1,769	10,556,288	1,836	11,890,269	0	0	0	(16,727)	(5,235)	(232,931)	(50,237)	0	298,785	11,883,924
AMHERST	0.3079	0.3132	4,000	25,531,165	3,895	26,932,382	0	(77)	28,614	(35,340)	(12,527)	(569,351)	(113,052)	0	638,515	26,869,163
APPOMATTOX	0.3080	0.2917	2,140	13,102,975	2,204	14,934,022	0	(22)	(3,200)	(20,918)	(5,877)	(280,757)	(65,160)	0	372,740	14,930,828
ARLINGTON	0.8000	0.8000	24,684	61,993,421	26,075	70,406,457	0	(421)	0	(61,609)	(159,810)	(633,612)	(126,020)	0	1,244,915	70,669,899
AUGUSTA	0.3545	0.3508	9,934	53,256,977	10,039	58,202,644	0	38	31,199	(81,044)	(32,951)	(1,226,078)	(190,971)	(148,267)	1,555,861	58,110,430
BATH	0.8000	0.8000	545	1,662,278	438	1,657,590	0	0	0	(1,413)	(3,914)	(43,004)	(3,399)	0	20,905	1,626,765
BEDFORD	0.3132	0.3132	9,664	55,488,399	9,218	57,101,064	0	82	(18,519)	(78,599)	(33,360)	(1,079,103)	(172,500)	0	1,511,252	57,232,317
BLAND	0.3254	0.3002	807	4,759,800	752	5,022,964	0	0	0	(6,786)	(2,180)	(129,561)	(14,951)	0	125,585	4,995,071
BOTETOURT	0.3720	0.3766	4,770	24,778,780	4,516	25,606,829	0	(43)	10,773	(26,734)	(17,032)	(592,812)	(47,050)	0	672,040	25,605,971
BRUNSWICK	0.2985	0.2808	1,727	13,293,265	1,439	12,614,079	0	254	0	(3,863)	(5,353)	(283,014)	(90,274)	0	247,067	12,478,895
BUCHANAN	0.3572	0.3171	2,877	17,668,993	2,671	19,341,020	0	0	0	(20,451)	(8,236)	(581,251)	(106,431)	0	435,423	19,060,073
BUCKINGHAM	0.3347	0.3405	1,915	12,696,161	1,656	12,061,850	0	(69)	0	(11,361)	(6,416)	(226,891)	(74,487)	0	260,722	12,003,348
CAMPBELL	0.2760	0.2746	7,552	44,845,680	7,374	47,237,838	0	(382)	54,141	(66,151)	(19,861)	(875,211)	(181,949)	0	1,276,920	47,425,345
CAROLINE	0.3272	0.3258	4,183	24,944,604	4,144	26,065,162	0	(123)	(1)	(36,356)	(13,000)	(308,334)	(122,128)	0	666,972	26,252,192
CARROLL	0.2896	0.2722	3,567	23,360,765	4,285	29,496,461	0	(44)	10,512	(38,705)	(9,841)	(600,983)	(151,028)	0	744,391	29,450,763
CHARLES CITY	0.4432	0.4910	661	4,125,741	723	4,514,977	0	0	0	(5,185)	(3,646)	(107,106)	(21,798)	0	87,869	4,465,111
CHARLOTTE	0.2505	0.2539	1,825	12,911,841	1,764	13,621,834	0	0	(115,631)	(17,642)	(4,268)	(330,857)	(67,552)	0	314,140	13,400,024
CHESTERFIELD	0.3496	0.3510	59,919	311,929,886	59,246	328,803,312	0	(894)	2,985	(450,923)	(177,007)	(3,518,462)	(984,980)	(267,417)	9,178,886	332,595,500
CLARKE	0.5153	0.5437	1,942	8,689,798	2,094	9,650,213	0	0	(1)	(8,842)	(10,302)	(195,453)	(14,892)	0	228,111	9,648,835
CRAIG	0.3157	0.3026	584	4,199,949	555	4,385,695	0	0	(76,551)	(5,545)	(2,002)	(127,701)	(16,977)	0	92,415	4,249,333
CULPEPER	0.3445	0.3576	7,908	43,938,606	8,120	47,881,842	0	0	3,781	(67,252)	(26,339)	(621,499)	(187,354)	0	1,245,232	48,228,411
CUMBERLAND	0.2781	0.2817	1,315	9,421,407	1,208	9,929,884	0	0	0	(9,041)	(3,674)	(220,491)	(59,126)	(160,397)	207,207	9,684,362
DICKENSON	0.2711	0.2700	2,236	14,565,745	2,120	15,431,558	0	(31)	0	(19,837)	(5,278)	(325,295)	(81,314)	0	369,460	15,369,263
DINWIDDIE	0.2882	0.2777	4,357	26,878,802	4,513	30,352,250	0	(47)	0	(42,403)	(10,395)	(437,247)	(145,558)	0	778,243	30,494,843
ESSEX	0.4023	0.4316	1,462	8,683,134	1,350	8,450,732	0	0	0	(7,774)	(5,884)	(177,385)	(51,163)	0	183,139	8,391,665
FAIRFAX	0.6807	0.6844	179,821	613,926,779	181,160	666,235,458	0	(662)	(174)	(636,434)	(1,067,962)	(5,400,665)	(1,202,354)	(687,987)	13,648,615	670,887,836
FAUQUIER	0.5586	0.5827	10,950	45,704,609	10,670	46,977,591	0	76	(20,501)	(45,033)	(58,914)	(740,113)	(80,468)	(128,435)	1,062,932	46,967,135
FLOYD	0.3470	0.3402	1,950	11,594,379	2,012	12,643,883	0	(162)	0	(17,596)	(6,721)	(260,053)	(46,798)	0	316,952	12,629,505
FLUVANNA	0.3836	0.3759	3,481	19,273,012	3,319	19,803,744	0	(155)	(4,687)	(23,799)	(12,879)	(235,647)	(47,892)	(122,617)	494,474	19,850,442
FRANKLIN	0.4138	0.3948	7,138	38,699,761	6,835	45,122,040	0	(951)	(3,072,698)	(53,787)	(27,282)	(741,885)	(178,949)	0	987,446	42,033,934
FREDERICK	0.3719	0.3889	13,048	70,466,579	13,088	75,613,796	0	(188)	7,864	(96,633)	(46,039)	(1,029,054)	(207,149)	0	1,906,339	76,148,935
GILES	0.2867	0.2740	2,395	15,043,853	2,382	15,679,586	0	(295)	0	(22,129)	(6,076)	(329,874)	(60,251)	0	412,739	15,673,699
GLOUCESTER	0.3661	0.3730	5,257	27,556,535	5,341	30,249,180	0	0	10,072	(40,084)	(17,734)	(450,402)	(88,762)	0	799,472	30,461,742
GOOCHLAND	0.8000	0.8000	2,382	6,521,608	2,523	7,286,638	0	0	0	(5,473)	(21,398)	(92,625)	(10,420)	0	120,449	7,277,171
GRAYSON	0.3461	0.3338	1,670	10,537,933	1,504	11,251,868	0	0	1,954	(12,875)	(6,060)	(322,670)	(61,188)	0	239,117	11,090,146
GREENE	0.3568	0.3281	3,130	18,271,501	3,163	20,217,057	0	(341)	68,075	(26,722)	(9,142)	(318,103)	(63,207)	0	507,268	20,374,886

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School Division	Key Data					FY 2018 TOTAL Estimated Distribution HB 30	Technical Updates					Proposed Policy Changes				FY 2018 Estimated Distribution House Appropriations
	2014-16 Comp Index	2016-18 Comp Index	Proj Unadjt ADM for FY 2016 Chap 665	FY 2016 Adopted Budget Chap 665	Projected Unadjt. ADM for FY 2018 HB 30		Update Free Lunch Percentages for CEP Schools	Update Foster Care, Remedial Summer School & PPA for Voc Educ	Update Special Ed Regional Tuition Projected Payments	Correction to Remove Bedford City from At-Risk Free Lunch Percentages	Update Revised Sales Tax Estimates	Repurpose New Additional Instructional Position Initiative to Lottery PPA	Repurpose New At-Risk Add-on Increase to Lottery PPA	Repurpose New Governor's Schools formula to Lottery PPA	Reinstate Lottery PPA Distribution	
GREENSVILLE	0.2259	0.2236	1,331	9,603,282	1,365	10,817,588	0	(45)	4,627	(8,344)	(2,671)	(172,084)	(75,561)	0	253,029	10,816,539
HALIFAX	0.3011	0.3024	5,165	34,691,780	4,820	35,066,663	0	27,254	4,464	(40,017)	(14,345)	(481,710)	(188,810)	0	802,663	35,176,162
HANOVER	0.4070	0.4285	17,507	85,544,624	17,681	89,342,742	0	(764)	0	(85,407)	(65,702)	(1,158,903)	(142,160)	0	2,412,233	90,302,039
HENRICO	0.4059	0.4158	50,254	251,669,004	51,709	274,589,604	0	(743)	(200)	(372,859)	(183,952)	(3,428,892)	(975,918)	0	7,211,384	276,838,424
HENRY	0.2408	0.2331	7,077	48,254,569	7,008	52,211,249	0	(167)	16,368	(52,701)	(15,068)	(902,996)	(317,767)	(152,881)	1,283,068	52,069,107
HIGHLAND	0.8000	0.8000	178	1,503,018	196	1,736,641	0	0	0	(782)	(691)	(40,675)	(3,923)	0	9,365	1,699,955
ISLE OF WIGHT	0.4195	0.4011	5,483	28,181,924	5,229	29,478,061	0	(320)	3,632	(39,497)	(19,676)	(503,238)	(91,094)	0	747,587	29,575,455
JAMES CITY	0.5632	0.5641	10,287	41,764,630	10,797	44,481,474	0	0	5,568	(53,766)	(52,657)	(576,328)	(111,288)	0	1,123,536	44,816,539
KING GEORGE	0.3774	0.3664	4,323	22,048,693	4,128	23,532,847	0	(102)	0	(33,228)	(14,105)	(283,573)	(77,387)	0	624,365	23,748,817
KING & QUEEN	0.4338	0.4154	875	5,405,212	768	5,495,077	0	2,343	0	(5,323)	(3,531)	(147,316)	(30,079)	0	107,123	5,418,294
KING WILLIAM	0.3196	0.3120	2,169	13,163,856	2,283	14,717,236	0	0	0	(19,783)	(5,417)	(278,395)	(42,672)	0	374,975	14,745,944
LANCASTER	0.7792	0.7566	1,005	3,209,516	1,143	4,143,738	0	0	0	(2,049)	(8,036)	(80,412)	(20,800)	0	66,402	4,098,843
LEE	0.1886	0.1701	3,068	24,718,817	2,885	25,890,783	0	(74)	0	(28,495)	(5,063)	(718,046)	(150,006)	0	571,489	25,560,588
LOUDOUN	0.5618	0.5497	75,400	294,090,511	81,256	350,877,864	0	(307)	0	(275,780)	(341,909)	(4,036,012)	(430,152)	0	8,734,664	354,528,368
LOUISA	0.5644	0.5436	4,714	19,976,979	4,685	22,758,973	0	(114)	(281,953)	(28,398)	(23,507)	(239,787)	(80,765)	0	510,477	22,614,926
LUNENBURG	0.2502	0.2434	1,585	11,483,229	1,491	11,541,565	0	(39)	0	(11,689)	(3,580)	(296,599)	(72,663)	0	269,207	11,426,202
MADISON	0.4471	0.4411	1,718	8,917,357	1,637	9,424,726	0	(256)	(2)	(12,455)	(7,769)	(208,371)	(32,349)	0	218,383	9,381,907
MATHEWS	0.5437	0.5232	1,113	5,122,357	1,035	5,463,153	0	(453)	0	(6,872)	(5,207)	(149,334)	(18,687)	0	117,805	5,400,405
MECKLENBURG	0.3609	0.3491	4,274	25,584,505	4,203	26,938,995	0	0	(18,999)	(31,799)	(13,076)	(500,560)	(149,710)	0	653,051	26,877,902
MIDDLESEX	0.7449	0.6336	1,252	4,780,840	1,182	5,620,801	0	0	367	(5,610)	(6,610)	(121,384)	(21,287)	(129,303)	103,417	5,440,390
MONTGOMERY	0.3866	0.3832	9,326	50,475,030	9,604	55,986,047	0	44	0	(73,631)	(35,070)	(1,105,391)	(171,797)	0	1,414,117	56,014,320
NELSON	0.5689	0.5933	1,810	8,199,568	1,913	8,977,604	0	0	(281)	(10,498)	(10,358)	(162,001)	(38,338)	0	185,689	8,941,817
NEW KENT	0.4298	0.4152	3,010	13,991,498	3,003	15,627,104	0	0	0	(17,032)	(11,102)	(233,529)	(30,016)	0	419,243	15,754,668
NORTHAMPTON	0.4840	0.4913	1,487	8,572,137	1,610	9,819,932	0	0	(37,944)	(5,344)	(6,785)	(205,040)	(65,715)	0	195,525	9,694,629
NORTHUMBERLAND	0.7431	0.7542	1,315	4,197,423	1,217	4,256,107	0	0	0	(3,681)	(9,194)	(76,653)	(17,198)	0	71,381	4,220,762
NOTTOWAY	0.2478	0.2366	2,124	15,286,429	2,010	16,320,601	0	(24)	0	(15,491)	(4,414)	(385,986)	(99,516)	0	366,300	16,181,470
ORANGE	0.3618	0.3811	5,101	27,110,130	4,662	26,773,114	0	(155)	0	(37,714)	(17,161)	(469,604)	(100,908)	0	688,759	26,836,331
PAGE	0.2985	0.2960	3,278	20,463,089	3,181	21,469,168	0	52	(3,036)	(29,829)	(9,057)	(538,841)	(94,791)	0	534,511	21,328,177
PATRICK	0.2726	0.2479	2,908	19,248,059	2,861	20,851,820	0	0	0	(28,626)	(5,461)	(400,188)	(104,434)	0	513,641	20,826,753
PITTSYLVANIA	0.2507	0.2410	8,854	57,652,276	8,797	62,334,237	0	22	(1)	(83,203)	(19,381)	(1,286,676)	(301,858)	0	1,593,861	62,237,001
POWHATAN	0.3913	0.4033	4,132	21,032,879	4,341	22,647,457	0	0	0	(20,057)	(14,818)	(323,527)	(31,953)	0	618,336	22,875,438
PRINCE EDWARD	0.3274	0.3377	1,972	13,396,260	1,840	13,580,263	0	0	0	(13,039)	(7,967)	(204,169)	(79,230)	0	290,904	13,566,762
PRINCE GEORGE	0.2430	0.2454	6,317	39,581,001	6,329	41,193,449	0	(147)	0	(54,950)	(11,433)	(496,404)	(113,578)	0	1,140,058	41,656,995
PRINCE WILLIAM	0.3822	0.3848	84,814	470,718,608	87,068	524,283,478	0	(696)	637,611	(717,953)	(271,995)	(5,346,278)	(1,759,369)	(140,074)	12,786,869	529,471,593
PULASKI	0.3113	0.3105	4,260	26,398,866	4,060	27,396,537	0	(174)	0	(36,434)	(11,911)	(481,871)	(123,430)	(222,302)	668,282	27,188,698
RAPPAHANNOCK	0.7916	0.7398	865	2,779,340	809	2,963,309	0	(31)	0	(2,852)	(8,499)	(48,264)	(5,976)	0	50,270	2,947,957
RICHMOND	0.3364	0.3180	1,216	7,709,667	1,289	8,851,128	0	348	0	(11,440)	(3,067)	(139,866)	(42,681)	0	209,866	8,864,288
ROANOKE	0.3704	0.3587	13,917	72,274,716	14,353	81,493,819	0	(510)	(137)	(91,235)	(44,224)	(1,554,773)	(166,833)	0	2,197,363	81,833,469
ROCKBRIDGE	0.4740	0.4522	2,547	13,415,553	2,571	14,938,936	0	0	0	(20,532)	(11,400)	(289,558)	(55,176)	0	336,153	14,898,423

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ROCKINGHAM	0.3702	0.3561	11,271	61,036,458	11,344	66,990,203	0	(48)	23,316	(90,961)	(38,896)	(1,313,788)	(217,716)	0	1,743,714	67,095,823
RUSSELL	0.2486	0.2375	3,889	26,965,972	3,678	27,899,507	0	(49)	0	(34,876)	(7,986)	(715,684)	(139,974)	0	669,466	27,670,604
SCOTT	0.1940	0.1888	3,533	25,806,906	3,418	27,860,293	0	(2)	0	(37,014)	(5,050)	(872,427)	(132,133)	0	661,846	27,475,512
SHENANDOAH	0.3653	0.3663	5,963	32,935,665	5,280	32,858,837	0	203	(1,236)	(43,215)	(20,606)	(569,028)	(116,845)	(103,880)	798,712	32,802,942
SMYTH	0.2252	0.2136	4,398	29,918,730	4,243	32,115,344	0	(87)	(26,678)	(40,960)	(8,451)	(945,820)	(166,660)	0	796,583	31,723,271
SOUTHAMPTON	0.2878	0.2856	2,537	17,084,140	2,593	18,839,057	0	0	(55,041)	(26,008)	(6,414)	(370,739)	(76,500)	0	442,265	18,746,621
SPOTSYLVANIA	0.3555	0.3617	23,328	127,299,327	22,343	133,031,708	0	(597)	226,511	(180,483)	(73,067)	(1,899,470)	(418,355)	(222,268)	3,404,455	134,068,434
STAFFORD	0.3412	0.3445	27,340	141,202,461	28,259	156,235,198	0	(552)	0	(196,341)	(80,152)	(1,951,540)	(375,685)	0	4,422,003	158,052,931
SURRY	0.8000	0.8000	768	2,576,397	759	2,695,512	0	0	0	(1,954)	(6,514)	(63,530)	(9,235)	0	36,242	2,650,520
SUSSEX	0.3585	0.3481	1,053	7,614,124	936	7,694,643	0	(79)	(1)	(1,011)	(3,914)	(198,342)	(61,057)	0	145,662	7,575,901
TAZEWELL	0.2756	0.2745	5,882	36,432,438	5,711	38,584,189	0	(22)	0	(51,710)	(14,659)	(964,625)	(184,062)	0	989,018	38,358,128
WARREN	0.3871	0.4043	5,160	26,812,372	5,351	29,365,151	0	0	0	(40,629)	(21,442)	(400,175)	(106,203)	0	780,999	29,557,702
WASHINGTON	0.3813	0.3494	7,004	37,995,311	7,067	43,292,904	0	(1,071)	(117,550)	(58,103)	(22,299)	(983,202)	(176,256)	(175,098)	1,097,507	42,856,832
WESTMORELAND	0.4633	0.4557	1,617	10,331,293	1,506	12,832,503	0	0	0	(10,439)	(6,830)	(209,183)	(92,473)	0	195,663	12,709,241
WISE	0.2538	0.2669	5,719	36,516,811	5,664	38,914,328	0	(183)	0	(47,744)	(12,784)	(1,003,565)	(213,356)	0	991,276	38,627,973
WYTHE	0.3183	0.3122	4,122	23,831,791	3,961	25,220,003	0	(313)	5,105	(35,392)	(11,254)	(793,450)	(105,574)	0	650,429	24,929,554
YORK	0.4026	0.3905	12,580	60,145,830	12,713	65,390,922	0	0	(56,157)	(58,514)	(40,703)	(1,137,201)	(93,390)	0	1,849,739	65,854,696
ALEXANDRIA	0.8000	0.8000	14,324	40,270,821	15,406	46,483,992	0	0	731	(37,582)	(103,751)	(308,527)	(161,264)	0	735,539	46,609,138
BRISTOL	0.3085	0.3043	2,151	14,874,165	2,160	15,948,862	0	0	(1,428)	(14,535)	(6,655)	(361,600)	(87,644)	0	358,644	15,835,644
BUENA VISTA	0.1756	0.1773	997	7,388,542	915	7,534,851	0	0	(709)	(9,601)	(1,524)	(255,404)	(31,284)	0	179,760	7,416,089
CHARLOTTESVILLE	0.6683	0.6590	4,042	18,673,885	4,154	19,863,412	0	(385)	3,137	(16,762)	(25,342)	(251,742)	(67,217)	0	338,118	19,843,219
COLONIAL HEIGHTS	0.4323	0.4182	2,860	13,854,166	2,656	14,766,260	0	0	0	(19,253)	(9,514)	(260,231)	(57,117)	0	368,864	14,789,010
COVINGTON	0.2818	0.2803	940	6,289,989	955	6,882,982	0	0	0	(8,794)	(2,249)	(191,533)	(30,677)	0	164,050	6,813,779
DANVILLE	0.2649	0.2629	5,961	41,187,326	5,833	43,374,081	0	(34)	0	(18,468)	(14,064)	(667,739)	(318,939)	0	1,026,430	43,381,267
FALLS CHURCH	0.8000	0.8000	2,474	5,870,487	2,603	6,815,566	0	(84)	0	(2,385)	(17,210)	(91,228)	(3,340)	0	124,259	6,825,578
FREDERICKSBURG	0.6135	0.6071	3,300	13,429,436	3,420	15,119,148	73,034	0	0	(17,238)	(17,733)	(164,731)	(73,090)	0	320,800	15,240,189
GALAX	0.2738	0.2609	1,368	9,044,338	1,329	9,837,180	0	(278,828)	8,390	(8,594)	(2,485)	(196,857)	(59,808)	0	234,442	9,533,440
HAMPTON	0.2878	0.2773	19,571	120,609,103	19,544	129,675,378	232,924	(417)	80,672	(161,070)	(48,858)	(1,874,715)	(664,782)	(127,473)	3,371,771	130,483,430
HARRISONBURG	0.4009	0.3855	5,462	32,231,304	6,490	41,740,233	0	0	25,478	(29,655)	(17,668)	(517,986)	(274,020)	0	952,011	41,878,393
HOPEWELL	0.2298	0.2108	4,042	27,378,237	4,047	30,178,408	0	41	0	(19,994)	(6,868)	(365,850)	(214,493)	0	762,484	30,333,728
LYNCHBURG	0.3680	0.3630	8,310	51,093,680	7,997	54,062,962	0	(277)	(2,818)	(52,773)	(31,290)	(861,509)	(296,206)	(132,331)	1,216,107	53,901,865
MARTINSVILLE	0.2222	0.2111	2,257	16,021,304	1,919	15,310,098	0	(264)	(38,663)	(5,494)	(3,737)	(291,888)	(114,375)	0	361,426	15,217,102
NEWPORT NEWS	0.2908	0.2821	27,474	174,999,805	27,310	190,593,347	0	(318)	(20,076)	(202,771)	(67,528)	(2,389,788)	(1,109,229)	0	4,680,269	191,483,906
NORFOLK	0.3123	0.2988	29,836	191,741,500	29,514	202,694,679	0	(150)	(40,941)	(192,376)	(78,934)	(2,661,368)	(1,209,824)	(248,704)	4,940,345	203,202,706
NORTON	0.3102	0.2857	802	4,752,457	885	5,745,016	0	12,003	0	(7,123)	(1,663)	(152,444)	(31,429)	0	150,908	5,715,269
PETERSBURG	0.2475	0.2365	3,804	27,756,018	3,783	30,564,592	70,688	0	(1)	0	(8,519)	(441,670)	(247,510)	0	689,527	30,627,107
PORTSMOUTH	0.2678	0.2506	14,211	91,976,238	13,959	97,344,858	0	424	(10,245)	(100,765)	(30,889)	(1,222,515)	(595,233)	0	2,497,256	97,882,891
RADFORD	0.2675	0.2512	1,631	9,852,560	1,535	10,309,239	0	(48)	0	(14,303)	(3,342)	(283,225)	(38,900)	0	274,440	10,243,861
RICHMOND CITY	0.4636	0.4758	22,239	138,407,129	22,015	145,453,405	66,268	454	838	(49,637)	(98,902)	(2,079,576)	(906,144)	(404,398)	2,754,873	144,737,181

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School Division	Key Data					FY 2018 TOTAL Estimated Distribution HB 30	Technical Updates					Proposed Policy Changes				FY 2018 Estimated Distribution House Appropriations
	2014-16 Comp Index	2016-18 Comp Index	Proj Unadjt ADM for FY 2016 Chap 665	FY 2016 Adopted Budget Chap 665	Projected Unadjt. ADM for FY 2018 HB 30		Update Free Lunch Percentages for CEP Schools	Update Foster Care, Remedial Summer School & PPA for Voc Educ	Update Special Ed Regional Tuition Projected Payments	Correction to Remove Bedford City from At-Risk Free Lunch Percentages	Update Revised Sales Tax Estimates	Repurpose New Additional Instructional Position Initiative to Lottery PPA	Repurpose New At-Risk Add-on Increase to Lottery PPA	Repurpose New Governor's Schools formula to Lottery PPA	Reinstate Lottery PPA Distribution	
ROANOKE CITY	0.3592	0.3443	12,880	82,454,671	12,812	92,064,898	0	(268)	17,166	(44,066)	(40,906)	(1,337,844)	(621,143)	(99,472)	2,005,501	91,943,866
STAUNTON	0.3923	0.3827	2,622	17,797,570	2,457	18,138,019	0	(247)	(6,411)	(18,598)	(10,444)	(277,227)	(69,615)	0	362,112	18,117,588
SUFFOLK	0.3490	0.3409	13,747	78,049,798	13,889	85,608,074	66,563	(161)	(34,819)	(115,527)	(45,531)	(1,130,288)	(334,107)	0	2,185,300	86,199,504
VIRGINIA BEACH	0.4034	0.3925	67,949	335,638,305	66,168	357,422,385	0	(1,413)	131,759	(470,013)	(233,343)	(4,189,938)	(1,040,058)	0	9,595,799	361,215,178
WAYNESBORO	0.3493	0.3556	3,111	16,875,845	3,027	17,768,203	0	0	0	(22,522)	(9,956)	(336,112)	(90,886)	0	465,608	17,774,335
WILLIAMSBURG	0.8000	0.7747	917	4,195,407	894	4,429,009	0	0	(438)	(2,349)	(7,141)	(24,691)	(4,862)	0	48,104	4,437,632
WINCHESTER	0.4376	0.4326	4,162	22,334,224	4,476	25,633,564	0	217,776	5,368	(28,981)	(14,985)	(324,140)	(131,682)	0	606,205	25,963,124
FAIRFAX CITY	0.8000	0.8000	3,238	8,055,372	3,143	8,713,849	0	0	0	(7,030)	(23,391)	(59,310)	(13,281)	0	150,078	8,760,914
FRANKLIN CITY	0.2978	0.2930	1,063	8,356,091	966	8,247,129	0	0	(4,686)	(3,132)	(3,422)	(214,350)	(53,237)	0	163,037	8,131,339
CHESAPEAKE	0.3610	0.3439	38,555	216,164,550	39,366	239,875,367	0	(1,608)	81,522	(309,576)	(120,853)	(2,701,949)	(678,326)	0	6,165,699	242,310,476
LEXINGTON	0.4510	0.4054	615	2,832,629	644	3,340,894	0	0	0	(3,591)	(2,085)	(115,585)	(6,363)	0	91,383	3,304,653
EMPORIA	0.2495	0.2163	1,048	7,034,882	1,063	8,289,603	(124,650)	0	0	(5,517)	(2,075)	(135,275)	(59,027)	0	198,881	8,160,940
SALEM	0.3695	0.3704	3,822	19,863,641	3,692	20,046,810	0	(38)	(25,467)	(24,595)	(11,273)	(326,334)	(49,384)	0	554,916	20,164,655
POQUOSON	0.3895	0.3737	2,068	10,170,381	2,190	11,990,421	0	(187)	(29,384)	(10,569)	(7,045)	(256,546)	(17,255)	0	324,217	11,993,652
MANASSAS CITY	0.3662	0.3582	7,270	46,255,351	7,404	51,638,264	0	194,815	44,697	(61,053)	(22,186)	(471,781)	(246,781)	0	1,134,302	52,210,277
MANASSAS PARK	0.2683	0.2676	3,378	23,863,993	3,535	26,990,252	0	0	65,618	(33,111)	(6,429)	(335,971)	(136,969)	0	618,089	27,161,480
COLONIAL BEACH	0.3520	0.3402	491	3,233,518	875	6,015,496	0	0	0	(6,475)	(1,461)	(198,715)	(36,318)	0	137,772	5,910,299
WEST POINT	0.2581	0.2422	785	4,520,218	643	4,560,073	0	0	(14,968)	(5,781)	(1,350)	(213,447)	(12,168)	0	116,320	4,428,680
<b>TOTAL:</b>			<b>1,244,215</b>	<b>\$6,307,733,010</b>	<b>1,252,627</b>	<b>\$6,861,334,685</b>	<b>\$384,827</b>	<b>\$156,395</b>	<b>(\$2,535,170)</b>	<b>(\$7,727,430)</b>	<b>(\$4,816,466)</b>	<b>(\$96,410,489)</b>	<b>(\$24,908,021)</b>	<b>(\$3,726,499)</b>	<b>\$167,174,802</b>	<b>\$6,888,926,634</b>

Note: This analysis includes state funds for the Standards of Quality, Incentive, Categorical, and Lottery-funded program accounts. Federal funds are not included in this distribution table.

Board Agenda Item  
March 1, 2016

10:10 a.m.

Items Presented by the County Executive



Board Agenda Item  
March 1, 2016

ADMINISTRATIVE - 1

Additional Time to Commence Construction for Special Exception SE 2012-PR-012,  
TD Bank (Providence District)

ISSUE:

Board consideration of additional time to commence construction for SE 2012-PR-012, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

RECOMMENDATION:

The County Executive recommends that the Board approve twelve (12) months additional time for SE 2012-PR-012 to December 18, 2016.

TIMING:

Routine.

BACKGROUND:

Under Sect. 9-015 of the Zoning Ordinance, if the use is not established or if construction is not commenced within the time specified by the Board of Supervisors, an approved special exception shall automatically expire without notice unless the Board approves additional time. A request for additional time must be filed with the Zoning Administrator prior to the expiration date of the special exception. The Board may approve additional time if it determines that the use is in accordance with the applicable provisions of the Zoning Ordinance and that approval of additional time is in the public interest.

On June 18, 2013, the Board of Supervisors approved Special Exception SE 2012-PR-012, subject to development conditions. The application was approved in the name of TD Bank, National Association, for the purpose of permitting a drive-in financial institution within the C-5 zoning district for property located at 7230 Arlington Boulevard, Tax Map 50-3 ((5)) (5) 501 (see Locator Map in Attachment 1). The drive in financial institution, a Category 5 special exception use, is permitted pursuant to Section 4-504 4. E. of the Fairfax County Zoning Ordinance. SE 2012-PR-012 was approved with a condition that the use be established or construction commenced and diligently prosecuted within thirty (30) months of the approval date unless the Board grants additional time. The development conditions for SE 2012-PR-012 are included as part of the Clerk to the Board's letter contained in Attachment 2.

On November 16, 2015, the Department of Planning and Zoning (DPZ) received a letter dated November 13, 2015, from Frederick R. Taylor, agent for the Applicant, requesting eighteen (18) months of additional time. On January 29, 2016, DPZ received a letter dated January 29, 2016 revising the request to twelve (12) months of additional time

Board Agenda Item  
March 1, 2016

(see Attachment 3). The approved Special Exception will not expire pending the Board's action on the request for additional time.

Mr. Taylor originally stated that a sight waiver request to the Virginia Department of Transportation (VDOT) was pending, delaying the approval of the site plan and the issuance of a building permit. The waiver has since been approved by VDOT, and the request for additional time was revised to twelve (12) months to finalize the approval of the site plan, obtain a building permit, and commence construction.

Staff has reviewed Special Exception SE 2012-PR-012 and has established that, as approved, it is still in conformance with all applicable provisions of the Fairfax County Zoning Ordinance to permit a drive-in financial institution in the C-5 zoning district. Further, staff knows of no change in land use circumstances that would affect compliance of SE 2012-PR-012 with the special exception standards applicable to this use, or which should cause the filing of a new special exception application and review through the public hearing process. The Comprehensive Plan recommendation for the property has not changed since approval of the Special Exception. Finally, the conditions associated with the Board's approval of SE 2012-PR-012 are still appropriate and remain in full force and effect. Staff believes that approval of the request for twelve (12) months of additional time is in the public interest and recommends that it be approved.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Locator Map

Attachment 2: Letter dated June 19, 2013, to Frederick R. Taylor

Attachment 3: Letter dated November 13, 2015, to Kevin Guinaw, and letter dated January 29, 2016, to Stephen Gardner

STAFF:

Robert A. Stalzer, Deputy County Executive

Fred R. Selden, Director, Department of Planning and Zoning (DPZ)

Barbara C. Berlin, Director, Zoning Evaluation Division (ZED), DPZ

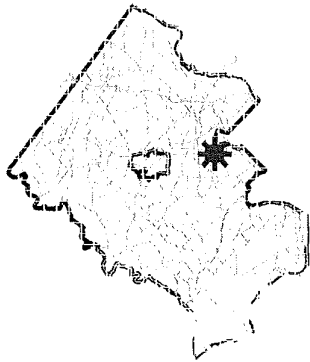
Kevin J. Guinaw, Chief, Special Projects/Applications/Management Branch, ZED, DPZ

Denise James, Chief, Environment and Development Review Branch, Planning Division, DPZ

Stephen Gardner, Staff Coordinator, ZED, DPZ

# Special Exception

SE 2012-PR-012



Applicant: TD BANK, NATIONAL ASSOCIATION  
Accepted: 06/14/2012  
Proposed: DRIVE-IN FINANCIAL INSTITUTION  
Area: 27491 SF OF LAND; DISTRICT - PROVIDENCE  
ZIP - 22042

Zoning Dist Sect: 04-0504

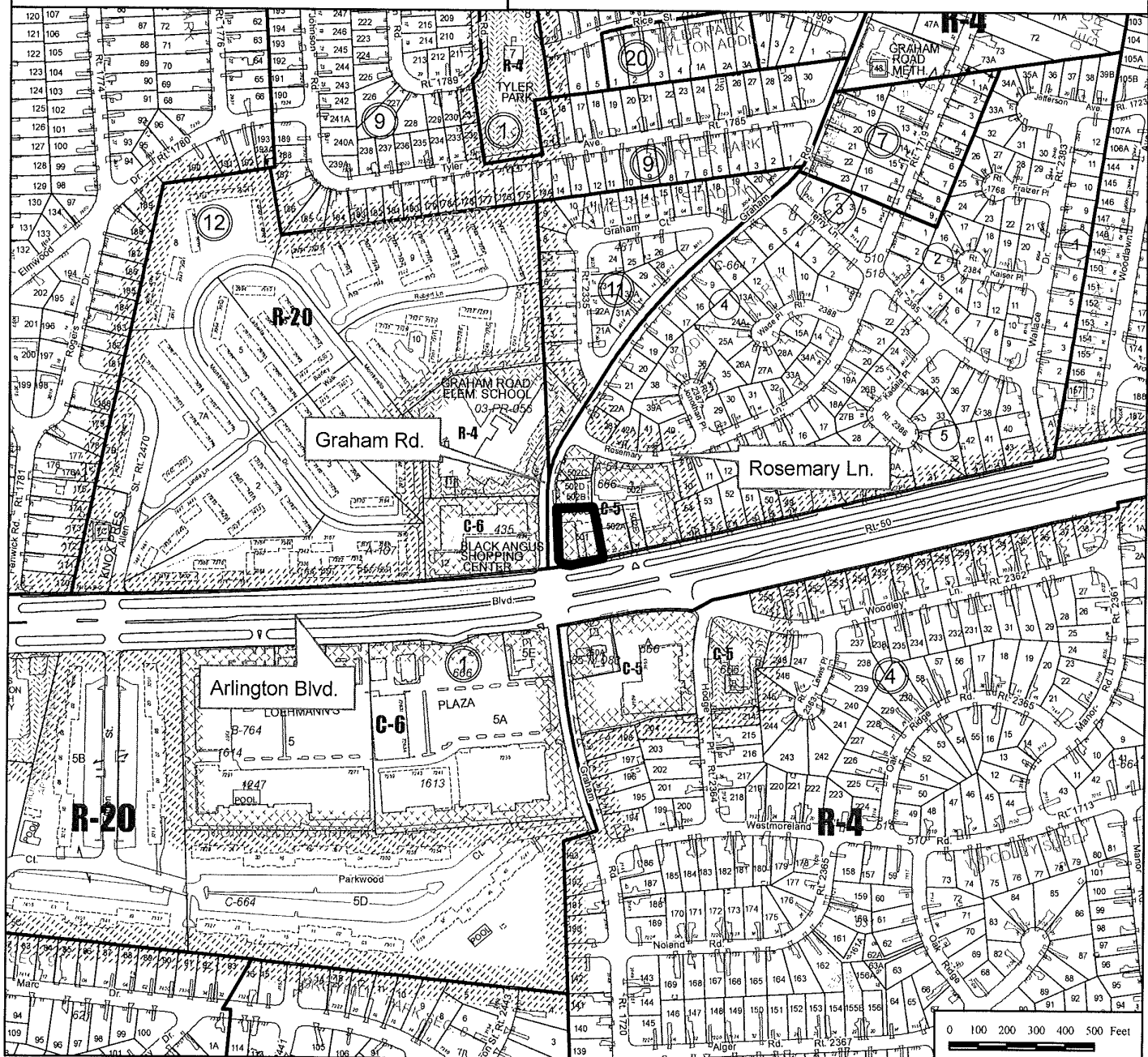
Art 9 Group and Use: 5-06

Located: 7230 ARLINGTON BOULEVARD, FALLS  
CHURCH, VA 22042

Zoning: C- 5

Plan Area: 1

Map Ref Num: 050-3- /05/05/0501





## County of Fairfax, Virginia

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

June 19, 2013

Frederick R. Taylor  
Bean, Kinney and Korman, P.C.  
2300 Wilson Boulevard, 7<sup>th</sup> Floor  
Arlington, VA 22201

Re: Special Exception Application SE 2012-PR-012

Dear Mr. Taylor:

At a regular meeting of the Board of Supervisors held on June 18, 2013, the Board approved Special Exception Application SE 2012-PR-012 in the name of TD Bank, National Association. The subject property is located at 7230 Arlington Boulevard, on approximately 27,491 square feet of land, zoned C-5 in the Providence District [Tax Map 50-3 ((5)) (5) 501]. The Board's action permits a drive-in financial institution, pursuant to Sections 4-504 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception Amendment is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception Amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception Amendment is subject to the provision of Article 17, Site Plans as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Special Exception Plat for TD" prepared by Bohler Engineering, which is dated March 22, 2012 and revised through May 22, 2013 and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

---

Office of the Clerk to the Board of Supervisors  
12000 Government Center Parkway, Suite 533  
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903  
Email: [clerktothebos@fairfaxcounty.gov](mailto:clerktothebos@fairfaxcounty.gov)  
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

**OPERATIONAL:**

5. Hours of operation of the bank shall not exceed 8:00 a.m. to 8:00 p.m. Monday through Friday, 8:00 a.m. to 3:00 p.m. on Saturdays, and 12:00 p.m. to 4:00 p.m. on Sundays.
6. There shall be a maximum of seven employees on-site at any one time.

**ENVIRONMENTAL:**

7. Prior to site plan approval, the applicant must perform a Phase I EPA assessment on the site and, if contamination is identified, must develop and begin implementation of a remediation plan to address any revealed contamination, to the satisfaction of the Virginia Department of Environmental Quality (DEQ).

**ARCHITECTURAL:**

8. Architectural elevations and building materials shall be in substantial conformance with those shown on the SE Plat.
9. All retaining walls shall incorporate split-face Concrete Masonry Unit (CMU) materials similar to the building façade.

**LANDSCAPING:**

10. Landscaping and sidewalk treatments shall be provided as generally shown on the Special Exception Plat, subject to review and approval of the Urban Forestry Management Division of the Department of Public Works and Environmental Services (DPWES).

**TRANSPORTATION:**

11. Prior to issuance of a Non-RUP, a 23-foot wide interparcel access easement shall be recorded, as depicted on the SE plat, to provide future access to the parcel to the east.

12. Prior to issuance of a Non-RUP, the applicant shall grant an easement to provide public access to the sidewalk along Graham Road. Such easement shall be subject to a private maintenance agreement in a form acceptable to the County Attorney.
13. Two drive-thru lanes shall be open to provide adequate vehicle stacking at all times.
14. The location and orientation of the retaining walls and sidewalk at the northwest corner of the site, from the Graham Road access north, shall be subject to FCDOT and VDOT review and approval at site plan.
15. Final layout of bicycle rack location and orientation shall be subject to FCDOT approval at site plan.

**STORMWATER:**

16. Stormwater management/BMP facilities shall be determined by DPWES to meet all PFM requirements prior to final site plan approval, regardless of any waiver requests.

**SIGNAGE/LIGHTING:**

17. All signage shall comply with the provisions of Article 12 of the Zoning Ordinance.
18. No freestanding commercial signs, other than the 20' pylon sign depicted on the SE plat, shall be permitted. Bank logos or other advertising shall not be placed on any directional signage.
19. All lighting, including streetlights, security lighting, signage lighting (during the allowed hours as listed within these conditions) and pedestrian or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.

**GREEN BUILDING:**

20. A. The Applicant shall include, as part of the site plan submission and building plan submission for the building, a list of specific credits within the most current version of the U. S. Green Building Council's Leadership in Energy and Environmental Design — New Construction (LEED®-NC) rating system, or other LEED rating system determined to be applicable to the financial institution by the U. S. Green Building Council (USGBC), that the Applicant anticipates attaining. At least one principal participant of the Applicant's project team shall be a Licensed Architect, Licensed Landscape Architect, or Professional Engineer, and a LEED Accredited Professional, and such professional shall provide certification statements at both the time of site plan review and the time of building plan review confirming that the

items on the list are expected to meet at least the minimum number of credits necessary to attain LEED certification for the financial institution.

B. Prior to approval of the site plan, the applicant will post a "green building escrow," in the form of cash or a letter of credit from a financial institute acceptable to DPWES as defined in the Public Facilities Manual, in the amount of \$70,000. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of certification, by the U.S. Green Building Council, under the most current version of the LEED®-NC rating system or other LEED rating system determined, by the U.S. Green Building Council, to be applicable to the building. The provision to the Environment and Development Review Branch of DPZ, within two years of issuance of the RUP/non-RUP for the building, of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment.

C. If the applicant provides to the Environment and Development Review Branch of DPZ, within two years of issuance of the RUP/non-RUP for the building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, 50% of the escrow will be released to the applicant; the other 50% will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

D. If the applicant fails to provide, within two years of issuance of the RUP/non-RUP for the building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of certification by three points or less, the entirety of the escrow for that building will be released to Fairfax County and will be posted to a fund within the county budget supporting implementation of county environmental initiatives.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the use. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must

specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**The Board also:**

- Waived the loading space requirements.
- Approved deviation from the tree preservation target in favor of the landscaping shown on SE Plat.
- Modified the major trail requirements to accept five-foot concrete sidewalks along both street frontages.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova  
Supervisor Linda Smyth, Providence, District  
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Angela K. Rodeheaver, Section Chief, Transportation Planning Division  
Donald Stephens, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation





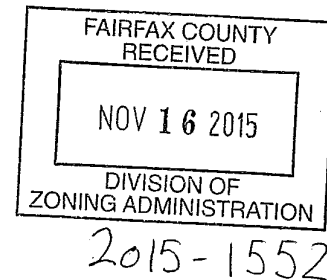
## ATTACHMENT 3

2300 WILSON BOULEVARD  
7TH FLOOR  
ARLINGTON, VA 22201  
PHONE 703.525.4000  
FAX 703.525.2207

[ftaylor@beankinney.com](mailto:ftaylor@beankinney.com)  
Admitted in VA and MD

November 13, 2015

Mr. Kevin Guinaw  
Zoning Evaluation Division  
Fairfax County  
12055 Government Center Parkway, Eighth Floor  
Fairfax, VA 22035



### REQUEST FOR ADDITIONAL TIME SE 2012-PR-012 - TD Bank

Dear Mr. Guinaw:

The purpose of this letter is to request additional time to commence construction for the above special exception. At this time, a sight waiver request to VDOT is still pending, and as a result, sight plan approval and building permits are still pending. Our engineers have reason to believe that the waiver will be granted.

TD Bank respectfully requests eighteen months' additional time within which to commence construction.

I enclose a letter from Winnie Williams.

Very truly yours,

  
Frederick R. Taylor

**KINNEY****KORMAN**

ATTORNEYS

2300 WILSON BOULEVARD  
7TH FLOOR  
ARLINGTON, VA 22201  
PHONE 703.525.4000  
FAX 703.525.2207

[ftaylor@beankinney.com](mailto:ftaylor@beankinney.com)  
Admitted in VA and MD

January 29, 2016

Mr. Steven Gardner  
Zoning Evaluation Division  
Fairfax County  
12055 Government Center Parkway, Eighth Floor  
Fairfax, VA 22035

**REQUEST FOR ADDITIONAL TIME  
SE 2012-PR-012 - TD Bank**

Dear Mr. Gardner:

In our letter of November 13, 2015, we requested additional time to commence construction for the above special exception. At the time of our request for eighteen months additional time, a sight waiver request to VDOT was still pending. Since that time, the waiver has been granted and as a result, we are able to reduce our estimate of the time necessary to initiate construction..

TD Bank respectfully requests twelve months' additional time within which to commence construction.

Very truly yours,



Frederick R. Taylor

ADMINISTRATIVE – 2

Designation of Plans Examiner Status under the Expedited Land Development Review Program

ISSUE:

Board of Supervisors' action to designate individuals as Plans Examiners to participate in the Expedited Land Development Review Program.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (the Board) take the following action:

- Designate the following individuals identified with their registration numbers, as Plans Examiners:

Jessica L. Mack, P.E.	313
Keith G. Simpson	314
Michael R. Albright	315

TIMING:

Routine.

BACKGROUND:

On August 7, 1989, the Board adopted Chapter 117 (Expedited Land Development Review) of The Code of the County of Fairfax, Virginia (the Code), establishing a Plans Examiner Program under the auspices of an Advisory Plans Examiner Board (APEB). The purpose of the Plans Examiner Program is to expedite the review of site and subdivision plans submitted by certain specially qualified applicants, i.e., Plans Examiners, to the Land Development Services, Department of Public Works and Environmental Services.

Board Agenda Item  
March 1, 2016

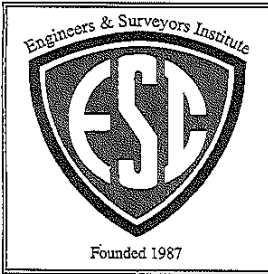
The Code requires that the Board designate an individual's status under the Expedited Land Development Review Program.

Plans Examiner Status: Candidates for status as Plans Examiners must meet the education and experience requirements contained in Chapter 117. After review of their applications and credentials, the APEB has found that the candidates listed above satisfy these requirements. This finding was documented in a letter dated January 7, 2016, from the Chairman of the APEB, James H. Scanlon, P.E., L.S., to Chairman Bulova.

FISCAL IMPACT:  
None.

ENCLOSED DOCUMENTS:  
Attachment I – Letter dated January 7, 2016, from the Chairman of the APEB to the Chairman of the Board of Supervisors.

STAFF:  
Robert A. Stalzer, Deputy County Executive  
William D. Hicks, P.E., Deputy Director, Department of Public Works and Environmental Services, Land Development Services



# Engineers & Surveyors Institute

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Fairfax County-DPW&ES

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Town of Leesburg

James R. Ashley  
Curson, Ashley & Associates

Phillip DeLeon, P.E.  
VA Dept. Rail & Public  
Transportation

David S. Dwornik  
Rinker Design & Associates, P.C.

Kimberley P. Fogle, AICP  
Fauquier County

Gregory Prelewicz  
Fairfax Water

Kayvan Jaboori, P.E.  
KJ & Associates

Paul B. Johnson, P.E.  
Charles P. Johnson & Associates, Inc.

Paul J. Kraucunas, P.E.  
Virginia Department of  
Transportation

David Logan, P.E.  
Bohler Engineering, P.C.

Peter J. Rigby, Jr., P.E.  
Paciulli, Simmons & Associates, Ltd

J. Keith Sinclair, Jr., P.E.  
A. Morton Thomas & Associates, Inc.

William J. Skrabak  
City of Alexandria, T&ES

Blake A. Smith, P.E.  
Smith Engineering

Anita M. Tierney  
Loudoun County, B&D

Susan S. Wolford, CLA, AICP  
Pennoni Associates

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William H. Gordon, P.E.  
John T. DeBell, P.E., L.S.  
James H. Scanlon, P.E., L.S.  
J. Keith Sinclair, Jr., P.E.  
John F. Amatetti, P.E.  
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Joseph G. Paciulli, L.S.  
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Edward B. Snider, Jr., P.E.  
Adam J. Volanth, P.E.  
Phillip DeLeon, P.E.  
Blake A. Smith, P.E.  
Susan S. Wolford, CLA, AICP  
John S. Matusik, P.E.  
James R. Ashley

Current Past Chairman  
Dennis M. Thomas, P.E.  
Burgess & Niple, Inc.

EXECUTIVE DIRECTOR  
Farrance C. Ryan PhD, P.E.

January 7, 2016

Hon. Sharon Bulova, Chairman  
Fairfax County Board of Supervisors  
12000 Government Center Parkway  
Fairfax, VA 22035

Dear Chairman Bulova:

The following named individuals, were approved by the Advisory Plans Examiner Board for recommendation as Designated Plans Examiners:

Name	Reg. No.
Jessica L. Mack, PE	#313
Keith G. Simpson	#314
Michael R. Albright	#315

They have been found to meet the qualifications outlined in Chapter 117-1-2 of the Code of Fairfax County and is in accordance with the criteria adopted by the Fairfax County Board of Supervisors on February 11, 1991.

Sincerely,

James H. Scanlon, P.E., L.S.

Chairman

Fairfax County Advisory Plans Examiner Board

**Received**

JAN 20 2016

Land Development Services  
Directors Office

ADMINISTRATIVE – 3

Authorization to Advertise a Public Hearing for a Sewer Ordinance Amendment to Revise the Sewer Service Charges, Base Charges and the Equivalent Flow Factor and to Maintain the Availability Charges and Fixture Unit Charge

ISSUE:

Board authorization is needed to advertise a public hearing for the purpose of amending the County's sewer ordinance. As shown in the proposed advertisements provided in Attachments Ia, Ib, and II, the sewer ordinance is being proposed to be amended to revise Sewer Service Charges, Base Charges and the Equivalent Flow Factor for Significant Industrial Users and other industrial or commercial users deemed by the Director, Department of Public Works and Environmental Services (DPWES) to have processes generating significant wastewater flows, and to maintain Availability Charges for both Residential and Nonresidential uses and Fixture Unit Charge for Nonresidential uses. This is consistent with the Wastewater Management Program's "Revenue Sufficiency and Rate Analysis" (the Rate Study) for the Sewer System, prepared in cooperation with its consultant, Public Resources Management Group, Inc. (PRMG). The effects of these revisions are as follows:

1. To re-affirm and establish the Sewer Service Charge for FY 2016 through FY 2020
2. To re-affirm and establish the Base Charge for FY 2016 through FY 2020
3. To re-affirm and establish the Availability Charges for FY 2016 through FY 2020
4. To re-affirm and establish the Fixture Unit Charge for FY 2016 through FY 2020
5. To reduce the equivalent unit flow rate of 320 gallons per day to 300 gallons per day

Although the sewer charges in the sewer ordinance are multi-year, all sewer charges are reviewed, adjusted as necessary, and adopted annually to ensure sewer charges are accurately priced.

RECOMMENDATION:

The County Executive recommends that the Board authorize two advertisements, one for Sewer Service Charges and the Base Charges, another for Availability Charges, Fixture Unit Charge and the Equivalent Flow Factor as proposed in Attachments Ia and Ib.

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TIMING:

Action must be taken on March 1 2016, to provide adequate notice of a public hearing for comments on the proposed sewer rate revisions. The public hearing will be held on April 05, 2016, at 3:00 p.m. Decision on the sewer rate revisions will coincide with the markup and adoption of the FY 2017 Advertised Budget Plan. FY 2017 new charges will become effective on July 1, 2016.

BACKGROUND:

In December 2015, the Wastewater Management Program and its consultants, Public Resources Management Group, completed the Rate Study. To adequately support the Program, \$194,471,344 in revenues will be needed to allow the Program to continue to meet all of the regulatory requirements, maintain competitive rates with neighboring utilities, maintain financial targets, and continue to preserve AAA sewer revenue bond rating. A 3.6 percent revenue increase will be needed in FY 2017 to meet the revenue requirements of the Program. This will result in an increase of \$20.24 in the annual cost to a typical residential customer.

The following proposed rate amendments will meet the revenue requirements by increasing both the Base Charge and Sewer Service Charge, which is the industry practice. This allows for recovering a portion of the Program's fixed costs through the Base Charge and recovering the remaining required revenues through the Sewer Service charge, based on the volume of water consumed.

The current Base Charge of \$20.15 per bill recovers 13.6 percent of the Program's fixed costs. Fixed cost recovery through Base Charge is equitably shared by all customers, as the system is available for use by all customers regardless of the amount of water consumed. It is proposed to increase the Base Charge by \$4.53 per quarter for FY 2017 for a total Base Charge of \$24.68 per quarterly bill. The proposed Base Charge will recover 16.2 percent of the fixed cost in FY 2017. Industry practice is to recover 25 to 30 percent of the total fixed costs through a Base Charge. In order to strive towards such recovery rate, a phase-in approach is being proposed through FY 2020, as shown in the following table.

To generate the remaining amount of required revenues, it is proposed to increase the Sewer Service Charge by \$0.03 from the current rate of \$6.65 to \$6.68 per 1,000 gallons of water consumed. The proposed rate increase will fund inflationary increases and the cost of rehabilitating facilities at wastewater treatment plants to maintain compliance with discharge requirements imposed by the state and the Chesapeake Bay Program.

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<b>Year</b>	<b>Current and Proposed Sewer Service Charge Per 1,000 gallons water consumed</b>	<b>Proposed Increase in Base Charge Per Quarterly Bill</b>	<b>New Base Charge Per Quarterly Bill</b>	<b>Percent Fixed Cost Recovered</b>
2016	\$6.65 current	-	\$20.15	13.6%
2017	\$6.68	\$ 4.53	\$24.68	16.2%
2018	\$6.75	\$ 2.94	\$27.62	18.0%
2019	\$6.85	\$ 2.76	\$30.38	19.3%
2020	\$7.05	\$ 3.04	\$33.42	20.5%

Base Charges for customers who require larger water meter than the standard  $\frac{3}{4}$ " meter for residential connections, would be based on meter size because the meter size determines how much capacity the sewer system has to reserve for that customer. Despite the increase in Base Charge, customers with larger meters should not see a significant difference in their overall bill because Sewer Service Charges will increase only nominally.

The County's Sewer Service Charges, Base Charges and Availability Charges remain very competitive on a local basis. Below are average annual sewer service billings and Availability Charges per Single Family Residential Equivalent (SFRE) for Fairfax County compared to other regional jurisdictions, as of January 2016 (FY 2016). Average sewer service billings for the other regional jurisdictions have been developed by applying each jurisdiction's equivalent base charge and sewer service rate to appropriate SFRE water usage determined from Fairfax Water's average water usage for SFREs.

**Comparison of Average Service Charges and Availability Charges for SFREs as of January 2016 (FY 2016)**

**\*Based on 18,000 gallons per quarter for all jurisdictions**

<b>Jurisdiction*</b>	<b>Average Annual Sewer Service Billing</b>	<b>Sewer Availability Fees</b>
<b>DCWASA</b>	<b>821</b>	<b>----</b>
<b>City of Alexandria</b>	<b>678</b>	<b>7,937</b>
<b>Arlington County</b>	<b>652</b>	<b>4,732</b>
<b>WSSC</b>	<b>607</b>	<b>3,500</b>
<b>Prince William County</b>	<b>570</b>	<b>10,300</b>
<b>Fairfax County</b>	<b>559</b>	<b>7,750</b>
<b>Loudoun Water</b>	<b>438</b>	<b>7,658</b>



The table below outlines base charges by other regional utilities for comparison to Fairfax County's current Base Charge of \$20.15 and the proposed Base Charge of \$24.68 per quarter, as of January 2016 (FY 2016):

<b>Quarterly Base Charges for Sewer Service for Residential Customers</b>	
DC Water	\$ 66.69
Loudoun Water	\$ 30.60
Prince William County Service Authority	\$ 26.70
Alexandria Renew Enterprises	\$ 25.15
Washington Suburban Sanitation Commission	\$ 21.51
<b>Fairfax County</b>	<b>\$ 20.15</b>
<b>Neighboring Utilities Average</b>	<b>\$ 34.13</b>

### **PROPOSED BASE CHARGE AND SEWER SERVICE CHARGE SCHEDULES**

<b>BASE CHARGE SCHEDULE</b>					
Cost (\$) per Quarterly Bill					
Proposed New and Revised Rates in <b>Bold</b>					
Type of Connection	Current Rate	Previously Adopted and <b>Revised Rates</b>			<b>New Rate</b>
	FY 2016	FY 2017	FY 2018	<b>FY 2019</b>	<b>FY 2020</b>
Residential (3/4" meter)	\$20.15	\$24.68	\$27.62	<b>\$30.38</b>	<b>\$33.42</b>
All customers based on meter size					
3/4" and smaller, or no meter	\$20.15	\$24.68	\$27.62	<b>\$30.38</b>	<b>\$33.42</b>
1"	\$50.38	\$61.70	\$69.05	<b>\$75.95</b>	<b>\$83.55</b>
1 1/2"	\$100.75	\$123.40	\$138.10	<b>\$151.90</b>	<b>\$167.10</b>
2"	\$161.20	\$197.44	\$220.96	<b>\$243.04</b>	<b>\$267.36</b>
3"	\$302.25	\$370.20	\$414.30	<b>\$455.70</b>	<b>\$501.30</b>
4"	\$503.75	\$617.00	\$690.50	<b>\$759.50</b>	<b>\$835.50</b>
6"	\$1,007.50	\$1,234.00	\$1,381.00	<b>\$1,519.00</b>	<b>\$1,671.00</b>
8"	\$1,612.00	\$1,974.40	\$2,209.60	<b>\$2,430.40</b>	<b>\$2,673.60</b>
10" and larger	\$2,317.25	\$2,838.20	\$3,176.30	<b>\$3,493.70</b>	<b>\$3,843.30</b>

<b>SEWER SERVICE CHARGE SCHEDULE</b> Per 1,000 gallons of water consumption Proposed New and Revised Rates in <b>Bold</b>					
	Current Rate	Previously Adopted and <b>Revised Rates</b>			<b>New Rate</b>
	FY 2016	FY 2017	FY 2018	<b>FY 2019</b>	<b>FY 2020</b>
Sewer Service Charge	\$6.65	\$6.68	\$6.75	<b>\$6.85</b>	<b>\$7.05</b>

### PROPOSED AVAILABILITY CHARGE SCHEDULE

The County has completed reviewing the adequacy of the amount of the Availability Charge. Based upon the results of this review, the Availability Charge will remain the same as the FY 2015 rate. The revised, five-year rate schedule for the Availability Charge for a single-family residence is as follows:

<b>Availability CHARGE SCHEDULE</b> Proposed New and Revised Rates in <b>Bold</b>					
	Current Rate	Previously Adopted Rates			<b>New Rate</b>
	FY 2016	FY 2017	FY 2018	FY 2019	<b>FY 2020</b>
Availability Charge	\$7,750	\$7,750	\$7,750	\$7,750	<b>\$7,750</b>

Availability Charges for all nonresidential uses will be computed as the number of fixture units (including roughed-in fixture units) in accordance with Part I of the current Virginia Uniform Statewide Building Code, Section 101.2, Note 1, which incorporates by reference the 2012 International Plumbing Code (Chapter 7, Section 709), times the fixture unit rate with a minimum charge equivalent to one (1) single family detached dwelling per premises.

The revised, five-year rate schedule for the fixture unit charge for nonresidential uses is as follows:

<b>Fixture CHARGE SCHEDULE</b> Proposed New and Revised Rates in <b>Bold</b>					
	Current Rate	Previously Adopted Rates			<b>New Rate</b>
	FY 2016	FY 2017	FY 2018	FY 2019	<b>FY 2020</b>
Commercial and all other uses:					
Fixture unit rate	\$401	\$401	\$401	\$401	<b>\$401</b>

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The availability charge for Significant Industrial users and other industrial and commercial users deemed by the Director, DPWES, to have processes generating significant wastewater flows is calculated on the basis of “equivalent units,” rather than fixture units. The current one equivalent flow factor of 320 gallons per day is proposed to be reduced to 300 gallons per day within Section 67.1-10-2(a) (2) Commercial and all other uses. This change is based on a reduction by 20 gallons per day in the current level of service for the average single family residence, as derived from water consumption data.

FISCAL IMPACT:

In FY 2017, assuming a water usage for a typical residential customer of 18,000 gallons/quarter (or 72,000 gallons/year), the annual sewer bill will be approximately \$580 per year, which is an increase of \$20.24 (or \$1.69 per month) over the FY 2016 sewer bill. In FY 2017, approximately \$8.1 million in additional revenues will be generated with the proposed Sewer Service Charge and the Base Charge. Revenues from the collection of Sewer Service Charges, Base Charges, and Availability Charges are recorded in Fund 690-C69000, Sewer Revenue Fund.

ENCLOSED DOCUMENTS:

Attachment I: The Proposed Amendment to Chapter 67.1 Article 10 (Charges), Section 2 of the Code of the County of Fairfax  
Attachments Ia, and Ib: Proposed Public Hearing Advertisements

STAFF:

Robert A. Stalzer, Deputy County Executive  
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)  
Randy W. Bartlett, Deputy Director, Stormwater and Wastewater Management Divisions, DPWES  
Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, DPWES

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**Section 67.1-10-1. Generally.**

Any person who is connected or who shall hereafter connect the sewerage facilities of any premises to the Facilities of the County shall pay or cause to be paid sums as hereinafter provided for the availability of, connection to, and/or use of such Facilities of the County. (39-93-67.1; 36-95-67.1; 6-98-67.1; 15-99-67.1; 16-00-67.1; 12-01-67.1; 21-02-67.1; 19-03-67.1; 15-04-67.1; 19-05-67.1; 09-06-67.1; 13-07-67.1; 29-08-67.1; 28-09-67.1; 11-10-67.1.)

**Section 67.1-10-2. Availability, Connection, Lateral Spur and Service Charges.**

(a) *Availability Charges.*

- (1) *Residential uses:* The following schedule of availability charges for residential uses desiring to connect to the Facilities of the County is hereby established and imposed:

		Fiscal Year (July 1-June 30)				
	Customer Class	FY <del>2015</del> 2016	FY <del>2016</del> 2017	FY <del>2017</del> 2018	FY <del>2018</del> 2019	FY <del>2019</del> 2020
(A)	Single Family Detached	\$7,750	\$7,750	\$7,750	\$7,750	\$7,750
(B)	Lodging House, Hotel, Inn or Tourist Cabin	7,750	7,750	7,750	7,750	7,750
(C)	Townhouse	6,200	6,200	6,200	6,200	6,200
(D)	Apartment	6,200	6,200	6,200	6,200	6,200
(E)	Mobile Home	6,200	6,200	6,200	6,200	6,200
(F)	Any other residential dwelling unit	6,200	6,200	6,200	6,200	6,200
(G)	Hotel, Motel, or Dormitory rental unit	1,938	1,938	1,938	1,938	1,938

All availability fees paid after February 24, 1976, will be updated by or refunded without interest to the current property owners whose properties have not been connected to public sewer within five years of the initial date of payment or any subsequent payment update(s). (See Section 10-5(d), "Refunds Updates".)

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- (2) *Commercial and all other uses:* The following schedule of fixture unit rates for computing availability charges for all nonresidential uses is hereby established and imposed:

	Fiscal Year (July 1-June 30)				
	FY <del>2015</del> 2016	FY <del>2016</del> 2017	FY <del>2017</del> 2018	FY <del>2018</del> 2019	FY <del>2019</del> 2020
Fixture unit rate	\$401	\$401	\$401	\$401	\$401

The availability charge will be computed as the number of fixture units (including roughed-in fixture units) in accordance with Part I of the current Virginia Uniform Statewide Building Code (as amended), Section 101.2, Note 1, which incorporates by reference the 2012 International Plumbing Code (Chapter 7, Section 709) ("VUSBC"), times the fixture unit rate with a minimum charge equivalent to one single-family detached dwelling per premises. For Significant Industrial Users with wastewater discharge permits authorizing discharge into the Integrated Sewer System and other industrial or commercial Users determined by the Director to have processes generating significant wastewater flows, the availability fee will be calculated on the basis of equivalent units. One equivalent unit is equal to ~~320~~300 gallons per day and rated equal to one single-family detached dwelling unit. Therefore, the availability charge for Significant Industrial Users and other industrial or commercial Users determined by the Director to have processes generating significant flow will be equal to the current rate for a single family detached dwelling unit times the number of equivalent units associated with the permitted flow. The number of equivalent units is equal to the permitted or projected flow in gallons per day divided by ~~320~~300 gallons per day. Fixture unit counts, for Users having fixtures discharging continuously or semi-continuously to drainage system leading to the County sanitary sewer facilities, shall be increased by two fixture units for each gallon per minute of such continuous or semi-continuous discharge. The rate of such discharge shall be deemed to be that rate certified by the manufacturer of the fixture or other equipment, or such other rates as the Director shall determine.

- (3) *Effective date:* The rate will change on July 1st of each new fiscal year. The rate applicable to each fiscal year is subject to annual review by the Board of Supervisors.

(b) *Connection Charges.*

- (1) *Residential and community uses:* Except as otherwise provided herein, [t]here is hereby established and imposed a connection charge of \$152.50 per front foot of premises (with a minimum of \$7,625 and a maximum of \$15,250 for the connection of single-family detached and attached dwellings, churches, schools, fire stations, community centers or other such similar community uses to the Facilities of the County.

- (A) The above Connection Charges are effective beginning on July 1, 2011, for all Facilities of the County constructed after July 1, 2011. During the period of July 1, 2011, through June 30, 2012, Connection Charges for connections to Facilities of the County constructed prior to July 1, 2011, will be \$6.00 per front foot of premises (with a minimum of \$300.00 and a maximum of \$600.00). Provided,

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however, the Director may extend the deadline for connection to Facilities of the County from July 1, 2012, to December 31, 2012, if the Director determines that for reasons beyond the control of the owner of the premises, at least one of the following conditions are met:

- (i) All applicable fees and charges have been paid to the County and other appropriate governmental agencies prior to June 30, 2012;
- (ii) All applicable permits have either been applied for or obtained prior to June 30, 2012;
- (iii) The owner of the premises can show diligent and active efforts to connect to the Facilities of the County prior to June 30, 2012;
- (iv) The owner has been delayed by the actions of a third party, e.g., delays in the issuance of permits or inspections by any government agency or other party; or
- (v) The delays have been caused by an Act of God.

(B) Connection Charges for connection to the Facilities of the County in the County's Extension and Improvement (E&I) Program that were under design for construction on or before April 12, 2011, and that were not completed on or before that date, will be \$6.00 per front foot of premises (with a minimum of \$300.00 and a maximum of \$600.00) provided all of the following conditions are met:

- (i) property owners in the E&I project area agree to grant all required easements within four months from the completion of the design;
- (ii) 50 percent of the property owners in the E&I project area pay the required Availability Charges within four months from the completion of the design; and
- (iii) connections to the Facilities of the County are made by no later than June 30, 2012, or within one year from the completion of the construction of the E&I project, whichever comes last, provided, however, the Director shall have [the] power to extend this deadline [by up to six months] for the hardship reasons set forth in subsections (A)(i) through (A)(v), above [, provided, however, that in lieu of the date June 30, 2012, the operative date for such extensions shall be one year from the date of completion of construction of the E&I project for which a connection is requested].

(2) *All other uses:* There is hereby established and imposed a connection charge of \$152.50 per front foot of premises (with a minimum charge of \$15,250) for the connection of all other uses to the Facilities of the County.

(3) The connection charges established and imposed above shall not apply to premises to be connected to the Facilities of the County if such Facilities of the County are constructed totally at private expense.

(4) For the purposes of Section 67.1-10-2 (b), front foot of premises will be determined by measuring the frontage of the premises located on the street address side of the premises.

(c) *Lateral spur charges:* There is hereby established and imposed a lateral spur charge of \$600.00 for the connection of all uses to a lateral spur, where such lateral spur has been installed by the County at the expense of Fairfax County.

(d) *Service charges:* There are hereby established and imposed the following sanitary sewer service charges:

Sewer Service Charges - Fiscal Year (July 1 - June 30)
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	FY <del>2015</del> <u>2016</u>	FY <del>2016</del> <u>2017</u>	FY <del>2017</del> <u>2018</u>	FY <del>2018</del> <u>2019</u>	FY <del>2019</del> <u>2020</u>
Sewer Service Charge, \$/1,000 gallons	<del>\$6.62</del> <u>\$6.65</u>	<del>\$6.65</del> <u>\$6.68</u>	<del>\$6.68</del> <u>\$6.75</u>	<del>\$6.75</del> <u>\$6.85</u>	<del>\$6.82</del> <u>\$7.05</u>

(e) *Base charges:* There are hereby established and imposed the following quarterly base charges in addition to the sewer service charge:

BASE CHARGE Cost (\$) per Quarterly Bill Proposed New and Revised Rates in Bold					
Current Rate	Revised Rates				New Rate
FY <del>2015</del> <u>2016</u>	FY <del>2016</del> <u>2017</u>	FY <del>2017</del> <u>2018</u>	FY <del>2018</del> <u>2019</u>	FY <del>2019</del> <u>2020</u>	
Residential Base Charge	<del>\$20.15</del> <u>\$15.86</u>	<del>\$24.68</del> <u>\$20.15</u>	<del>\$27.62</del> <u>\$24.68</u>	<del>\$30.38</del> <u>\$27.62</u>	<del>\$33.42</del> <u>\$29.83</u>
Commercial: (meter size)					
¾" and smaller, or no meter	<del>\$20.15</del> <u>\$15.86</u>	<del>\$24.68</del> <u>\$20.15</u>	<del>\$27.62</del> <u>\$24.68</u>	<del>\$30.38</del> <u>\$27.62</u>	<del>\$33.42</del> <u>\$29.83</u>
1"	<del>\$50.38</del> <u>\$39.65</u>	<del>\$61.70</del> <u>\$50.38</u>	<del>\$69.05</del> <u>\$61.70</u>	<del>\$75.95</del> <u>\$69.05</u>	<del>\$83.55</del> <u>\$74.58</u>
1½"	<del>\$100.75</del> <u>\$79.30</u>	<del>\$123.40</del> <u>\$100.75</u>	<del>\$138.10</del> <u>\$123.40</u>	<del>\$151.90</del> <u>\$138.10</u>	<del>\$167.10</del> <u>\$149.15</u>
2"	<del>\$161.20</del> <u>\$126.88</u>	<del>\$197.44</del> <u>\$161.20</u>	<del>\$220.96</del> <u>\$197.44</u>	<del>\$243.04</del> <u>\$220.96</u>	<del>\$267.36</del> <u>\$238.64</u>
3"	<del>\$302.25</del> <u>\$237.90</u>	<del>\$370.20</del> <u>\$302.25</u>	<del>\$414.30</del> <u>\$370.20</u>	<del>\$455.70</del> <u>\$414.30</u>	<del>\$501.30</del> <u>\$447.45</u>

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4"	<del>\$503.75</del> <del>\$396.50</del>	<del>\$617.00</del> <del>\$503.75</del>	<del>\$690.50</del> <del>\$617.00</del>	<del>\$759.50</del> <del>\$690.50</del>	<del>\$835.50</del> <del>\$745.75</del>
6"	<del>\$1,007.50</del> <del>\$793.00</del>	<del>\$1,234.00</del> <del>\$1,007.50</del>	<del>\$1,381.00</del> <del>\$1,234.00</del>	<del>\$1,519.00</del> <del>\$1,381.00</del>	<del>\$1,671.00</del> <del>\$1,491.50</del>
8"	<del>\$1,612.00</del> <del>\$1,268.80</del>	<del>\$1,974.40</del> <del>\$1,612.00</del>	<del>\$2,209.60</del> <del>\$1,974.40</del>	<del>\$2,430.40</del> <del>\$2,209.60</del>	<del>\$2,673.60</del> <del>\$2,386.40</del>
10" and larger	<del>\$2,317.25</del> <del>\$1,823.90</del>	<del>\$2,838.20</del> <del>\$2,317.25</del>	<del>\$3,176.30</del> <del>\$2,838.20</del>	<del>\$3,493.70</del> <del>\$3,176.30</del>	<del>\$3,843.30</del> <del>\$3,430.45</del>

If requested, the Base Charge for non-residential customers who have sub-meters for irrigation and other water uses that do not enter the sewer system will be adjusted based on their sub-meter size per above table. In no case the Base Charge will be smaller than that for ¾" and smaller meter.

- (1) *Effective date:* The Service charges and Base charges will change on July 1st of each new fiscal year. For metered accounts, the change is effective with meter readings beginning October 1<sup>st</sup> of each year. For unmetered accounts, the change is effective with billings beginning October 1<sup>st</sup> of each year.
- (2) *Premises having a metered water supply:*

Category of Use	Service Charges
(A) Single-family detached and single-family attached dwellings such as townhouses, duplexes, multiplexes, semi-detached, rowhouses, garden court and patio houses with a separate water service line meter.	For each 1,000 gallons of water, based on winter-quarter consumption or current quarterly consumption, as measured by the service line meter, whichever is lower, a charge equal to the effective unit cost rate (\$/1,000 gallons).
(B) All other uses.	For each 1,000 gallons of water as measured by the water service line, a charge equal to the effective unit cost rate (\$/1,000 gallons).
(C) All users.	Base charge per billing as established in Section 67.1-10-2(e).



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- (D) The winter-quarter-maximum consumption is determined as follows:
- (i) The quarterly-daily-average consumption of water is the consumption, measured by the water service line meter for the period between meter readings divided by the number of days elapsed between meter readings.
  - (ii) The quarterly consumption is 91.5 times the quarterly-daily-average consumption of water in leap years or 91.25 times the quarterly-daily-average consumption in non-leap years.
  - (iii) The winter quarterly consumption is the quarterly consumption determined at the water service line meter reading scheduled between February 1 and April 30. The winter-quarter-consumption of each respective year shall be applicable to the four quarterly sewer billings rendered in conjunction with the regular meter reading scheduled after the next May.
  - (iv) All water delivered to the premises, as measured by the winter quarter-consumption for single-family dwellings and townhouses or the meter of all other Users, shall be deemed to have been discharged to the Facilities of the County. However, any person may procure the installation of a second water service line meter. Such person may notify the Director of such installation, in which event the Director shall make such inspection or inspections as may be necessary to ascertain that no water delivered to the premises or only the water delivered through any such additional meter may enter the Facilities of the County. If the Director determines that water delivered through an additional meter may not enter the Facilities of the County, no charge hereunder shall be based upon such volume of water delivery. If the Director determines that only the water delivered through an additional meter may enter the Facilities of the County, only the water recorded on the additional meter shall be charged. In the alternative, any person may procure the installation of a sewage meter which shall be of a type and installed in a manner approved by the Director, who shall make periodic inspection to ensure accurate operation of said meter; in such event, the charge imposed hereunder shall be based upon the volume measured by such meter. The cost of all inspections required by the foregoing provisions for elective metering, as determined by normal cost accounting methods, shall be an additional charge for sanitary sewer service to the premises on which such meter or meters are installed.
- (E) For single-family premises as in (e)(2)(A) not able to register valid meter readings for the measurement of winter-quarter-consumption the following billing method shall apply:
- (i) Premises not existing, unoccupied or occupied by a different household during the applicable winter quarter, or which due to unfavorable weather, meter failure or for any other reason of meter inaccuracy cannot register valid meter readings, shall not be considered to have a valid meter reading for the purpose of winter-quarter-consumption measurement.
  - (ii) Such premises may be billed on the basis of the average winter-quarter-consumption for similar dwelling units or the current quarterly consumption, as registered by water service line meter, or based on historical water usage. Accounts for single-family premises established by a builder for sewerage service during construction shall be considered a nonresidential use.
- (3) Premises not having metered water supply or having both well water and public metered water supply:
- (A) Single-family dwellings, as in (e)(2)(A). An amount equal to the average winter-quarter-consumption, during the applicable winter quarter, of similar dwelling units, times the effective unit cost rate (\$/1,000 gallons). In the alternative, any such single-family residential customer may apply to the County, via the water supplier providing water service to the area in which the residential customer is located, for special billing rates, based on average per capita consumption of water in similar type units.

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- (B) All other uses: The charge shall be based upon the number of fixture units and load factor in accordance with the VUSBC, Table I and Table II Fixture Units and Load Factors for All Other Premises. There shall be an additional charge equal to the effective unit cost (\$/1,000 gallons) for the volume discharged by fixtures discharging continuously or semi-continuously. Volume of continuous or semi-continuous discharge shall be deemed to be that used in determining availability charge.

TABLE I. Table of Fixture Units

Type of Fixture or Group of Fixtures	Drainage Fixture Unit Value(d.f.u.)
Commercial automatic clothes washer (2" standpipe)	3
Bathroom group consisting of water closet, lavatory and bathtub or shower stall (Residential):	
Tank type closet	6
Bathtub (with or without overhead shower)	2
Combination sink-and-tray with food disposal unit	2
Combination sink-and-tray with 1½" trap	2
Dental unit or cuspidor	1
Dental lavatory	1
Drinking fountain	½
Dishwasher, domestic	2
Floor drains with 2" waste	2
Kitchen sink, domestic, with one 1½" waste	2
Kitchen sink, domestic, with food waste grinder and/or dishwasher	2

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Lavatory with 1¼" waste	1
Laundry tray (1 or 2 compartments)	2
Shower stall	2
Sinks:	
Surgeon's	3
Flushing rim (with valve)	6
Service (trap standard)	3
Service (P trap)	2
Pot, scullery, etc.	4
Urinal, pedestal, syphon jet blowout	6
Urinal, wall lip	4
Urinal stall, washout	4
Urinal trough (each 6-ft. section)	2
Wash sink (circular or multiple) each set of faucets	2
Water closet, tank-operated	4
Water closet, valve-operated	6
Fixture drain or trap size:	
1¼ inches and smaller	1

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1½ inches	2
2 inches	3
2½ inches	4
3 inches	5
4 inches	6

TABLE II.  
Fixture Units and Load Factors for All Other Premises  
Quarterly Service Charges  
Fiscal Year (July 1 - June 30)

Fixture Units	Load Factor	<del>2015</del> 2016	<del>2016</del> 2017	<del>2017</del> 2018	<del>2018</del> 2019	<del>2019</del> 2020
20 or less	1.00	<del>166.25</del> 165.50	<del>167.00</del> 166.25	<del>168.75</del> 167.00	<del>171.25</del> 168.75	<del>176.25</del> 170.50
21 to 30	1.25	<del>207.81</del> 206.88	<del>208.75</del> 207.81	<del>210.94</del> 208.75	<del>214.06</del> 210.94	<del>220.31</del> 213.43
31 to 40	1.45	<del>241.06</del> 239.98	<del>242.15</del> 241.06	<del>244.69</del> 242.15	<del>248.31</del> 244.69	<del>255.56</del> 247.23
41 to 50	1.60	<del>266.00</del> 264.80	<del>267.20</del> 266.00	<del>270.00</del> 267.20	<del>274.00</del> 270.00	<del>282.00</del> 272.80
51 to 60	1.75	<del>290.94</del> 289.63	<del>292.25</del> 290.94	<del>295.31</del> 292.25	<del>299.69</del> 295.31	<del>308.44</del> 298.38
61 to 70	1.90	<del>315.88</del> 314.45	<del>317.30</del> 315.88	<del>320.63</del> 317.30	<del>325.38</del> 320.63	<del>334.88</del> 323.95

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71 to 80	2.05	<u>340.81</u> <del>339.28</del>	<u>342.35</u> <del>340.81</del>	<u>345.94</u> <del>342.35</del>	<u>351.06</u> <del>345.94</del>	<u>361.31</u> <del>349.53</del>
81 to 90	2.20	<u>365.75</u> <del>364.10</del>	<u>367.40</u> <del>365.75</del>	<u>371.25</u> <del>367.40</del>	<u>376.75</u> <del>371.25</del>	<u>387.75</u> <del>375.40</del>
91 to 100	2.30	<u>382.38</u> <del>380.65</del>	<u>384.10</u> <del>382.38</del>	<u>388.13</u> <del>384.10</del>	<u>393.88</u> <del>388.13</del>	<u>405.38</u> <del>392.15</del>
101 to 110	2.40	<u>399.00</u> <del>397.20</del>	<u>400.80</u> <del>399.00</del>	<u>405.00</u> <del>400.80</del>	<u>411.00</u> <del>405.00</del>	<u>423.00</u> <del>409.20</del>
111 to 120	2.55	<u>423.94</u> <del>422.03</del>	<u>425.85</u> <del>423.94</del>	<u>430.31</u> <del>425.85</del>	<u>436.69</u> <del>430.31</del>	<u>449.44</u> <del>434.78</del>
121 to 130	2.65	<u>440.56</u> <del>438.58</del>	<u>442.55</u> <del>440.56</del>	<u>447.19</u> <del>442.55</del>	<u>453.81</u> <del>447.19</del>	<u>467.06</u> <del>451.83</del>
131 to 140	2.75	<u>457.19</u> <del>455.13</del>	<u>459.25</u> <del>457.19</del>	<u>464.06</u> <del>459.25</del>	<u>470.94</u> <del>464.06</del>	<u>484.69</u> <del>468.88</del>
141 to 150	2.85	<u>473.81</u> <del>471.68</del>	<u>475.95</u> <del>473.81</del>	<u>480.94</u> <del>475.95</del>	<u>488.06</u> <del>480.94</del>	<u>502.31</u> <del>485.93</del>
151 to 160	2.95	<u>490.44</u> <del>488.23</del>	<u>492.65</u> <del>490.44</del>	<u>497.81</u> <del>492.65</del>	<u>505.19</u> <del>497.81</del>	<u>519.94</u> <del>502.98</del>
161 to 170	3.05	<u>507.06</u> <del>504.78</del>	<u>509.35</u> <del>507.06</del>	<u>514.69</u> <del>509.35</del>	<u>522.31</u> <del>514.69</del>	<u>537.56</u> <del>520.03</del>
171 to 180	3.15	<u>523.69</u> <del>521.33</del>	<u>526.05</u> <del>523.69</del>	<u>531.56</u> <del>526.05</del>	<u>539.44</u> <del>531.56</del>	<u>555.19</u> <del>537.08</del>
181 to 190	3.25	<u>540.31</u> <del>537.88</del>	<u>542.75</u> <del>540.31</del>	<u>548.44</u> <del>542.75</del>	<u>556.56</u> <del>548.44</del>	<u>572.81</u> <del>554.13</del>

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191 to 200	3.35	<u>556.94</u> <del>554.43</del>	<u>559.45</u> <del>556.94</del>	<u>565.31</u> <del>559.45</del>	<u>573.69</u> <del>565.31</del>	<u>590.44</u> <del>571.18</del>
201 to 210	3.45	<u>573.56</u> <del>570.98</del>	<u>576.15</u> <del>573.56</del>	<u>582.19</u> <del>576.15</del>	<u>590.81</u> <del>582.19</del>	<u>608.06</u> <del>588.23</del>
211 to 220	3.55	<u>590.19</u> <del>587.53</del>	<u>592.85</u> <del>590.19</del>	<u>599.06</u> <del>592.85</del>	<u>607.94</u> <del>599.06</del>	<u>625.69</u> <del>605.28</del>
221 to 230	3.65	<u>606.81</u> <del>604.08</del>	<u>609.55</u> <del>606.81</del>	<u>615.94</u> <del>609.55</del>	<u>625.06</u> <del>615.94</del>	<u>643.31</u> <del>622.33</del>
231 to 240	3.75	<u>623.44</u> <del>620.63</del>	<u>626.25</u> <del>623.44</del>	<u>632.81</u> <del>626.25</del>	<u>642.19</u> <del>632.81</del>	<u>660.94</u> <del>639.38</del>
241 to 250	3.85	<u>640.06</u> <del>637.18</del>	<u>642.95</u> <del>640.06</del>	<u>649.69</u> <del>642.95</del>	<u>659.31</u> <del>649.69</del>	<u>678.56</u> <del>656.43</del>
251 to 260	3.90	<u>648.38</u> <del>645.45</del>	<u>651.30</u> <del>648.38</del>	<u>658.13</u> <del>651.30</del>	<u>667.88</u> <del>658.13</del>	<u>687.38</u> <del>664.95</del>
261 to 270	4.00	<u>665.00</u> <del>662.00</del>	<u>668.00</u> <del>665.00</del>	<u>675.00</u> <del>668.00</del>	<u>685.00</u> <del>675.00</del>	<u>705.00</u> <del>682.00</del>
271 to 280	4.05	<u>673.31</u> <del>670.28</del>	<u>676.35</u> <del>673.31</del>	<u>683.44</u> <del>676.35</del>	<u>693.56</u> <del>683.44</del>	<u>713.81</u> <del>690.53</del>
281 to 290	4.10	<u>681.63</u> <del>678.55</del>	<u>684.70</u> <del>681.63</del>	<u>691.88</u> <del>684.70</del>	<u>702.13</u> <del>691.88</del>	<u>722.63</u> <del>699.05</del>
291 to 300	4.15	<u>689.94</u> <del>686.83</del>	<u>693.05</u> <del>689.94</del>	<u>700.31</u> <del>693.05</del>	<u>710.69</u> <del>700.31</del>	<u>731.44</u> <del>707.58</del>
301 to 310	4.20	<u>698.25</u> <del>695.10</del>	<u>701.40</u> <del>698.25</del>	<u>708.75</u> <del>701.40</del>	<u>719.25</u> <del>708.75</del>	<u>740.25</u> <del>716.10</del>

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311 to 320	4.30	<u>714.88</u> <del>711.65</del>	<u>718.10</u> <del>714.88</del>	<u>725.63</u> <del>718.40</del>	<u>736.38</u> <del>725.63</del>	<u>757.88</u> <del>733.15</del>
321 to 330	4.40	<u>731.50</u> <del>728.20</del>	<u>734.80</u> <del>731.50</del>	<u>742.50</u> <del>734.80</del>	<u>753.50</u> <del>742.50</del>	<u>775.50</u> <del>750.20</del>
331 to 340	4.50	<u>748.13</u> <del>744.75</del>	<u>751.50</u> <del>748.13</del>	<u>759.38</u> <del>751.50</del>	<u>770.63</u> <del>759.38</del>	<u>793.13</u> <del>767.25</del>
341 to 350	4.60	<u>764.75</u> <del>761.30</del>	<u>768.20</u> <del>764.75</del>	<u>776.25</u> <del>768.20</del>	<u>787.75</u> <del>776.25</del>	<u>810.75</u> <del>784.30</del>
351 to 360	4.70	<u>781.38</u> <del>777.85</del>	<u>784.90</u> <del>781.38</del>	<u>793.13</u> <del>784.90</del>	<u>804.88</u> <del>793.13</del>	<u>828.38</u> <del>801.35</del>
361 to 370	4.80	<u>798.00</u> <del>794.40</del>	<u>801.60</u> <del>798.00</del>	<u>810.00</u> <del>801.60</del>	<u>822.00</u> <del>810.00</del>	<u>846.00</u> <del>818.40</del>
371 to 380	4.90	<u>814.63</u> <del>810.95</del>	<u>818.30</u> <del>814.63</del>	<u>826.88</u> <del>818.30</del>	<u>839.13</u> <del>826.88</del>	<u>863.63</u> <del>835.45</del>
381 to 390	5.00	<u>831.25</u> <del>827.50</del>	<u>835.00</u> <del>831.25</del>	<u>843.75</u> <del>835.00</del>	<u>856.25</u> <del>843.75</del>	<u>881.25</u> <del>852.50</del>
391 to 400	5.10	<u>847.88</u> <del>844.05</del>	<u>851.70</u> <del>847.88</del>	<u>860.63</u> <del>851.70</del>	<u>873.38</u> <del>860.63</del>	<u>898.88</u> <del>869.55</del>
401 to 410	5.20	<u>864.50</u> <del>860.60</del>	<u>868.40</u> <del>864.50</del>	<u>877.50</u> <del>868.40</del>	<u>890.50</u> <del>877.50</del>	<u>916.50</u> <del>886.60</del>
411 to 420	5.30	<u>881.13</u> <del>877.15</del>	<u>885.10</u> <del>881.13</del>	<u>894.38</u> <del>885.10</del>	<u>907.63</u> <del>894.38</del>	<u>934.13</u> <del>903.65</del>
421 to 430	5.40	<u>897.75</u> <del>893.70</del>	<u>901.80</u> <del>897.75</del>	<u>911.25</u> <del>901.80</del>	<u>924.75</u> <del>911.25</del>	<u>951.75</u> <del>920.70</del>

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431 to 440	5.50	<u>914.38</u> <del>910.25</del>	<u>918.50</u> <del>914.38</del>	<u>928.13</u> <del>918.50</del>	<u>941.88</u> <del>928.13</del>	<u>969.38</u> <del>937.75</del>
441 to 450	5.60	<u>931.00</u> <del>926.80</del>	<u>935.20</u> <del>931.00</del>	<u>945.00</u> <del>935.20</del>	<u>959.00</u> <del>945.00</del>	<u>987.00</u> <del>954.80</del>
451 to 460	5.70	<u>947.63</u> <del>943.35</del>	<u>951.90</u> <del>947.63</del>	<u>961.88</u> <del>951.90</del>	<u>976.13</u> <del>961.88</del>	<u>1,004.63</u> <del>971.85</del>
461 to 470	5.80	<u>964.25</u> <del>959.90</del>	<u>968.60</u> <del>964.25</del>	<u>978.75</u> <del>968.60</del>	<u>993.25</u> <del>978.75</del>	<u>1,022.25</u> <del>988.90</del>
471 to 480	5.90	<u>980.88</u> <del>976.45</del>	<u>985.30</u> <del>980.88</del>	<u>995.63</u> <del>985.30</del>	<u>1,010.38</u> <del>995.63</del>	<u>1,039.88</u> <del>1,005.95</del>
481 to 490	6.00	<u>997.50</u> <del>993.00</del>	<u>1,002.00</u> <del>997.50</del>	<u>1,012.50</u> <del>1,002.00</del>	<u>1,027.50</u> <del>1,012.50</del>	<u>1,057.50</u> <del>1,023.00</del>
491 to 500	6.10	<u>1,014.13</u> <del>1,009.55</del>	<u>1,018.70</u> <del>1,014.13</del>	<u>1,029.38</u> <del>1,018.70</del>	<u>1,044.63</u> <del>1,029.38</del>	<u>1,075.13</u> <del>1,040.05</del>
501 to 525	6.25	<u>1,039.06</u> <del>1,034.38</del>	<u>1,043.75</u> <del>1,039.06</del>	<u>1,054.69</u> <del>1,043.75</del>	<u>1,070.31</u> <del>1,054.69</del>	<u>1,101.56</u> <del>1,065.63</del>
526 to 550	6.50	<u>1,080.63</u> <del>1,075.75</del>	<u>1,085.50</u> <del>1,080.63</del>	<u>1,096.88</u> <del>1,085.50</del>	<u>1,113.13</u> <del>1,096.88</del>	<u>1,145.63</u> <del>1,108.25</del>
551 to 575	6.75	<u>1,122.19</u> <del>1,117.13</del>	<u>1,127.25</u> <del>1,122.19</del>	<u>1,139.06</u> <del>1,127.25</del>	<u>1,155.94</u> <del>1,139.06</del>	<u>1,189.69</u> <del>1,150.88</del>
576 to 600	7.00	<u>1,163.75</u> <del>1,158.50</del>	<u>1,169.00</u> <del>1,163.75</del>	<u>1,181.25</u> <del>1,169.00</del>	<u>1,198.75</u> <del>1,181.25</del>	<u>1,233.75</u> <del>1,193.50</del>
601 to 625	7.25	<u>1,205.31</u> <del>1,199.88</del>	<u>1,210.75</u> <del>1,205.31</del>	<u>1,223.44</u> <del>1,210.75</del>	<u>1,241.56</u> <del>1,223.44</del>	<u>1,277.81</u> <del>1,236.13</del>



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626 to 650	7.50	<u>1,246.88</u> <del>1,241.25</del>	<u>1,252.50</u> <del>1,246.88</del>	<u>1,265.63</u> <del>1,252.50</del>	<u>1,284.38</u> <del>1,265.63</del>	<u>1,321.88</u> <del>1,278.75</del>
651 to 675	7.75	<u>1,288.44</u> <del>1,282.63</del>	<u>1,294.25</u> <del>1,288.44</del>	<u>1,307.81</u> <del>1,294.25</del>	<u>1,327.19</u> <del>1,307.81</del>	<u>1,365.94</u> <del>1,321.38</del>
676 to 700	8.00	<u>1,330.00</u> <del>1,324.00</del>	<u>1,336.00</u> <del>1,330.00</del>	<u>1,350.00</u> <del>1,336.00</del>	<u>1,370.00</u> <del>1,350.00</del>	<u>1,410.00</u> <del>1,364.00</del>
701 to 725	8.20	<u>1,363.25</u> <del>1,357.10</del>	<u>1,369.40</u> <del>1,363.25</del>	<u>1,383.75</u> <del>1,369.40</del>	<u>1,404.25</u> <del>1,383.75</del>	<u>1,445.25</u> <del>1,398.10</del>
726 to 750	8.40	<u>1,396.50</u> <del>1,390.20</del>	<u>1,402.80</u> <del>1,396.50</del>	<u>1,417.50</u> <del>1,402.80</del>	<u>1,438.50</u> <del>1,417.50</del>	<u>1,480.50</u> <del>1,432.20</del>
751 to 775	8.60	<u>1,429.75</u> <del>1,423.30</del>	<u>1,436.20</u> <del>1,429.75</del>	<u>1,451.25</u> <del>1,436.20</del>	<u>1,472.75</u> <del>1,451.25</del>	<u>1,515.75</u> <del>1,466.30</del>
776 to 800	8.80	<u>1,463.00</u> <del>1,456.40</del>	<u>1,469.60</u> <del>1,463.00</del>	<u>1,485.00</u> <del>1,469.60</del>	<u>1,507.00</u> <del>1,485.00</del>	<u>1,551.00</u> <del>1,500.40</del>
801 to 825	9.00	<u>1,496.25</u> <del>1,489.50</del>	<u>1,503.00</u> <del>1,496.25</del>	<u>1,518.75</u> <del>1,503.00</del>	<u>1,541.25</u> <del>1,518.75</del>	<u>1,586.25</u> <del>1,534.50</del>
826 to 850	9.20	<u>1,529.50</u> <del>1,522.60</del>	<u>1,536.40</u> <del>1,529.50</del>	<u>1,552.50</u> <del>1,536.40</del>	<u>1,575.50</u> <del>1,552.50</del>	<u>1,621.50</u> <del>1,568.60</del>
851 to 875	9.35	<u>1,554.44</u> <del>1,547.43</del>	<u>1,561.45</u> <del>1,554.44</del>	<u>1,577.81</u> <del>1,561.45</del>	<u>1,601.19</u> <del>1,577.81</del>	<u>1,647.94</u> <del>1,594.18</del>
876 to 900	9.50	<u>1,579.38</u> <del>1,572.25</del>	<u>1,586.50</u> <del>1,579.38</del>	<u>1,603.13</u> <del>1,586.50</del>	<u>1,626.88</u> <del>1,603.13</del>	<u>1,674.38</u> <del>1,619.75</del>
901 to 925	9.65	<u>1,604.31</u> <del>1,597.08</del>	<u>1,611.55</u> <del>1,604.31</del>	<u>1,628.44</u> <del>1,611.55</del>	<u>1,652.56</u> <del>1,628.44</del>	<u>1,700.81</u> <del>1,645.33</del>

ATTACHMENT I

- Fairfax County Code  
CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

926 to 950	9.80	<u>1,629.25</u> <del>1,621.90</del>	<u>1,636.60</u> <del>1,629.25</del>	<u>1,653.75</u> <del>1,636.60</del>	<u>1,678.25</u> <del>1,653.75</del>	<u>1,727.25</u> <del>1,670.90</del>
951 to 975	9.95	<u>1,654.19</u> <del>1,646.73</del>	<u>1,661.65</u> <del>1,654.19</del>	<u>1,679.06</u> <del>1,661.65</del>	<u>1,703.94</u> <del>1,679.06</del>	<u>1,753.69</u> <del>1,696.48</del>
976 to 1,000	10.15	<u>1,687.44</u> <del>1,679.83</del>	<u>1,695.05</u> <del>1,687.44</del>	<u>1,712.81</u> <del>1,695.05</del>	<u>1,738.19</u> <del>1,712.81</del>	<u>1,788.94</u> <del>1,730.58</del>
1,001 to 1,050	10.55	<u>1,753.94</u> <del>1,746.03</del>	<u>1,761.85</u> <del>1,753.94</del>	<u>1,780.31</u> <del>1,761.85</del>	<u>1,806.69</u> <del>1,780.31</del>	<u>1,859.44</u> <del>1,798.78</del>
1,051 to 1,100	10.90	<u>1,812.13</u> <del>1,803.95</del>	<u>1,820.30</u> <del>1,812.13</del>	<u>1,839.38</u> <del>1,820.30</del>	<u>1,866.63</u> <del>1,839.38</del>	<u>1,921.13</u> <del>1,858.45</del>
1,101 to 1,150	11.30	<u>1,878.63</u> <del>1,870.15</del>	<u>1,887.10</u> <del>1,878.63</del>	<u>1,906.88</u> <del>1,887.10</del>	<u>1,935.13</u> <del>1,906.88</del>	<u>1,991.63</u> <del>1,926.65</del>
1,151 to 1,200	11.70	<u>1,945.13</u> <del>1,936.35</del>	<u>1,953.90</u> <del>1,945.13</del>	<u>1,974.38</u> <del>1,953.90</del>	<u>2,003.63</u> <del>1,974.38</del>	<u>2,062.13</u> <del>1,994.85</del>
1,201 to 1,250	12.00	<u>1,995.00</u> <del>1,986.00</del>	<u>2,004.00</u> <del>1,995.00</del>	<u>2,025.00</u> <del>2,004.00</del>	<u>2,055.00</u> <del>2,025.00</del>	<u>2,115.00</u> <del>2,046.00</del>
1,251 to 1,300	12.35	<u>2,053.19</u> <del>2,043.93</del>	<u>2,062.45</u> <del>2,053.19</del>	<u>2,084.06</u> <del>2,062.45</del>	<u>2,114.94</u> <del>2,084.06</del>	<u>2,176.69</u> <del>2,105.68</del>
1,301 to 1,350	12.70	<u>2,111.38</u> <del>2,101.85</del>	<u>2,120.90</u> <del>2,111.38</del>	<u>2,143.13</u> <del>2,120.90</del>	<u>2,174.88</u> <del>2,143.13</del>	<u>2,238.38</u> <del>2,165.35</del>
1,351 to 1,400	13.00	<u>2,161.25</u> <del>2,151.50</del>	<u>2,171.00</u> <del>2,161.25</del>	<u>2,193.75</u> <del>2,171.00</del>	<u>2,226.25</u> <del>2,193.75</del>	<u>2,291.25</u> <del>2,216.50</del>
1,401 to 1,450	13.25	<u>2,202.81</u> <del>2,192.88</del>	<u>2,212.75</u> <del>2,202.81</del>	<u>2,235.94</u> <del>2,212.75</del>	<u>2,269.06</u> <del>2,235.94</del>	<u>2,335.31</u> <del>2,259.13</del>

ATTACHMENT I

- Fairfax County Code  
CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

1,451 to 1,500	13.50	<u>2,244.38</u> <del>2,234.25</del>	<u>2,254.50</u> <del>2,244.38</del>	<u>2,278.13</u> <del>2,254.50</del>	<u>2,311.88</u> <del>2,278.13</del>	<u>2,379.38</u> <del>2,301.75</del>
1,501 to 1,600	14.05	<u>2,335.81</u> <del>2,325.28</del>	<u>2,346.35</u> <del>2,335.81</del>	<u>2,370.94</u> <del>2,346.35</del>	<u>2,406.06</u> <del>2,370.94</del>	<u>2,476.31</u> <del>2,395.53</del>
1,601 to 1,700	14.60	<u>2,427.25</u> <del>2,416.30</del>	<u>2,438.20</u> <del>2,427.25</del>	<u>2,463.75</u> <del>2,438.20</del>	<u>2,500.25</u> <del>2,463.75</del>	<u>2,573.25</u> <del>2,489.30</del>
1,701 to 1,800	15.15	<u>2,518.69</u> <del>2,507.33</del>	<u>2,530.05</u> <del>2,518.69</del>	<u>2,556.56</u> <del>2,530.05</del>	<u>2,594.44</u> <del>2,556.56</del>	<u>2,670.19</u> <del>2,583.08</del>
1,801 to 1,900	15.70	<u>2,610.13</u> <del>2,598.35</del>	<u>2,621.90</u> <del>2,610.13</del>	<u>2,649.38</u> <del>2,621.90</del>	<u>2,688.63</u> <del>2,649.38</del>	<u>2,767.13</u> <del>2,676.85</del>
1,901 to 2,000	16.25	<u>2,701.56</u> <del>2,689.38</del>	<u>2,713.75</u> <del>2,701.56</del>	<u>2,742.19</u> <del>2,713.75</del>	<u>2,782.81</u> <del>2,742.19</del>	<u>2,864.06</u> <del>2,770.63</del>
2,001 to 2,100	16.80	<u>2,793.00</u> <del>2,780.40</del>	<u>2,805.60</u> <del>2,793.00</del>	<u>2,835.00</u> <del>2,805.60</del>	<u>2,877.00</u> <del>2,835.00</del>	<u>2,961.00</u> <del>2,864.40</del>
2,101 to 2,200	17.35	<u>2,884.44</u> <del>2,871.43</del>	<u>2,897.45</u> <del>2,884.44</del>	<u>2,927.81</u> <del>2,897.45</del>	<u>2,971.19</u> <del>2,927.81</del>	<u>3,057.94</u> <del>2,958.18</del>
2,201 to 2,300	17.90	<u>2,975.88</u> <del>2,962.45</del>	<u>2,989.30</u> <del>2,975.88</del>	<u>3,020.63</u> <del>2,989.30</del>	<u>3,065.38</u> <del>3,020.63</del>	<u>3,154.88</u> <del>3,051.95</del>
2,301 to 2,400	18.45	<u>3,067.31</u> <del>3,053.48</del>	<u>3,081.15</u> <del>3,067.31</del>	<u>3,113.44</u> <del>3,081.15</del>	<u>3,159.56</u> <del>3,113.44</del>	<u>3,251.81</u> <del>3,145.73</del>
2,401 to 2,500	19.00	<u>3,158.75</u> <del>3,144.50</del>	<u>3,173.00</u> <del>3,158.75</del>	<u>3,206.25</u> <del>3,173.00</del>	<u>3,253.75</u> <del>3,206.25</del>	<u>3,348.75</u> <del>3,239.50</del>
2,501 to 2,600	19.55	<u>3,250.19</u> <del>3,235.53</del>	<u>3,264.85</u> <del>3,250.19</del>	<u>3,299.06</u> <del>3,264.85</del>	<u>3,347.94</u> <del>3,299.06</del>	<u>3,445.69</u> <del>3,333.28</del>

ATTACHMENT I

- Fairfax County Code  
CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

2,601 to 2,700	20.10	<u>3,341.63</u> <del>3,326.55</del>	<u>3,356.70</u> <del>3,341.63</del>	<u>3,391.88</u> <del>3,356.70</del>	<u>3,442.13</u> <del>3,391.88</del>	<u>3,542.63</u> <del>3,427.05</del>
2,701 to 2,800	20.65	<u>3,433.06</u> <del>3,417.58</del>	<u>3,448.55</u> <del>3,433.06</del>	<u>3,484.69</u> <del>3,448.55</del>	<u>3,536.31</u> <del>3,484.69</del>	<u>3,639.56</u> <del>3,520.83</del>
2,801 to 2,900	21.20	<u>3,524.50</u> <del>3,508.60</del>	<u>3,540.40</u> <del>3,524.50</del>	<u>3,577.50</u> <del>3,540.40</del>	<u>3,630.50</u> <del>3,577.50</del>	<u>3,736.50</u> <del>3,614.60</del>
2,901 to 3,000	21.75	<u>3,615.94</u> <del>3,599.63</del>	<u>3,632.25</u> <del>3,615.94</del>	<u>3,670.31</u> <del>3,632.25</del>	<u>3,724.69</u> <del>3,670.31</del>	<u>3,833.44</u> <del>3,708.38</del>
3,001 to 4,000	26.00	<u>4,322.50</u> <del>4,303.00</del>	<u>4,342.00</u> <del>4,322.50</del>	<u>4,387.50</u> <del>4,342.00</del>	<u>4,452.50</u> <del>4,387.50</del>	<u>4,582.50</u> <del>4,433.00</del>
4,001 to 5,000	29.50	<u>4,904.38</u> <del>4,882.25</del>	<u>4,926.50</u> <del>4,904.38</del>	<u>4,978.13</u> <del>4,926.50</del>	<u>5,051.88</u> <del>4,978.13</del>	<u>5,199.38</u> <del>5,029.75</del>
5,001 to 6,000	33.00	<u>5,486.25</u> <del>5,461.50</del>	<u>5,511.00</u> <del>5,486.25</del>	<u>5,568.75</u> <del>5,511.00</del>	<u>5,651.25</u> <del>5,568.75</del>	<u>5,816.25</u> <del>5,626.50</del>
6,001 to 7,000	36.40	<u>6,051.50</u> <del>6,024.20</del>	<u>6,078.80</u> <del>6,051.50</del>	<u>6,142.50</u> <del>6,078.80</del>	<u>6,233.50</u> <del>6,142.50</del>	<u>6,415.50</u> <del>6,206.20</del>
7,001 to 8,000	39.60	<u>6,583.50</u> <del>6,553.80</del>	<u>6,613.20</u> <del>6,583.50</del>	<u>6,682.50</u> <del>6,613.20</del>	<u>6,781.50</u> <del>6,682.50</del>	<u>6,979.50</u> <del>6,751.80</del>
8,001 to 9,000	42.75	<u>7,107.19</u> <del>7,075.13</del>	<u>7,139.25</u> <del>7,107.19</del>	<u>7,214.06</u> <del>7,139.25</del>	<u>7,320.94</u> <del>7,214.06</del>	<u>7,534.69</u> <del>7,288.88</del>
9,001 to 10,000	46.00	<u>7,647.50</u> <del>7,613.00</del>	<u>7,682.00</u> <del>7,647.50</del>	<u>7,762.50</u> <del>7,682.00</del>	<u>7,877.50</u> <del>7,762.50</del>	<u>8,107.50</u> <del>7,843.00</del>
10,001 to 11,000	48.85	<u>8,121.31</u> <del>8,084.68</del>	<u>8,157.95</u> <del>8,121.31</del>	<u>8,243.44</u> <del>8,157.95</del>	<u>8,365.56</u> <del>8,243.44</del>	<u>8,609.81</u> <del>8,328.93</del>

ATTACHMENT I

- Fairfax County Code  
CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

11,001 to 12,000	51.60	<u>8,578.50</u> <del>8,539.80</del>	<u>8,617.20</u> <del>8,578.50</del>	<u>8,707.50</u> <del>8,617.20</del>	<u>8,836.50</u> <del>8,707.50</del>	<u>9,094.50</u> <del>8,797.80</del>
12,001 to 13,000	54.60	<u>9,077.25</u> <del>9,036.30</del>	<u>9,118.20</u> <del>9,077.25</del>	<u>9,213.75</u> <del>9,118.20</del>	<u>9,350.25</u> <del>9,213.75</del>	<u>9,623.25</u> <del>9,309.30</del>
13,001 to 14,000	57.40	<u>9,542.75</u> <del>9,499.70</del>	<u>9,585.80</u> <del>9,542.75</del>	<u>9,686.25</u> <del>9,585.80</del>	<u>9,829.75</u> <del>9,686.25</del>	<u>10,116.75</u> <del>9,786.70</del>
14,001 to 15,000	60.00	<u>9,975.00</u> <del>9,930.00</del>	<u>10,020.00</u> <del>9,975.00</del>	<u>10,125.00</u> <del>10,020.00</del>	<u>10,275.00</u> <del>10,125.00</del>	<u>10,575.00</u> <del>10,230.00</del>

NOTES:

- (1) Baseline water use for 20 fixture units is 25 TG/Qtr.
- (2) Base charge is not included in rates above.

**FAIRFAX COUNTY NOTICE OF PROPOSED  
SEWER SERVICE CHARGE & BASE CHARGE - RATE REVISIONS**

**NOTICE** is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING** on:

**Tuesday  
April 5, 2016  
commencing at 3 p.m.**

in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on the matter of an amendment to Chapter 67.1 of the Fairfax County Code (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2 - 2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend Section 67.1-10-2 of the Fairfax County Code to change all references to the unit cost of sewer service and the base charge as follows:

<b>SEWER SERVICE CHARGE</b> Cost (\$) per 1,000 gallons of water used Proposed New and Revised Rates in <b>Bold</b>					
	Current Rate	Previously Approved and <b>Revised Rates</b>			<b>New Rate</b>
	FY 2016	FY 2017	FY 2018	<b>FY 2019</b>	<b>FY 2020</b>
Sewer Service Charge	\$6.65	\$6.68	\$6.75	<b>\$6.85</b>	<b>\$7.05</b>

<b>BASE CHARGE FOR CUSTOMERS</b> Cost (\$) per Quarterly Bill Proposed New and Revised Rates in <b>Bold</b>					
Type of Connection	Current Rate	Previously Approved and <b>Revised Rates</b>			<b>New Rate</b>
	FY 2016	FY 2017	FY 2018	<b>FY 2019</b>	<b>FY 2020</b>
Residential (3/4" meter)	\$20.15	\$24.68	\$27.62	<b>\$30.38</b>	<b>\$33.42</b>
All customers based on meter size					
3/4" and smaller, or no meter	\$20.15	\$24.68	\$27.62	<b>\$30.38</b>	<b>\$33.42</b>
1"	\$50.38	\$61.70	\$69.05	<b>\$75.95</b>	<b>\$83.55</b>
1 1/2"	\$100.75	\$123.40	\$138.10	<b>\$151.90</b>	<b>\$167.10</b>
2"	\$161.20	\$197.44	\$220.96	<b>\$243.04</b>	<b>\$267.36</b>
3"	\$302.25	\$370.20	\$414.30	<b>\$455.70</b>	<b>\$501.30</b>
4"	\$503.75	\$617.00	\$690.50	<b>\$759.50</b>	<b>\$835.50</b>
6"	\$1,007.50	\$1,234.00	\$1,381.00	<b>\$1,519.00</b>	<b>\$1,671.00</b>
8"	\$1,612.00	\$1,974.40	\$2,209.60	<b>\$2,430.40</b>	<b>\$2,673.60</b>
10" and larger	\$2,317.25	\$2,838.20	\$3,176.30	<b>\$3,493.70</b>	<b>\$3,843.30</b>

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at 703-324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as information concerning the documentation for the proposed fee, levy, or increase, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. For the convenience of the public, copies may also be distributed to the County's Regional and Community Public Libraries.

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703 324 3151, TTY: 711 (Virginia Relay Center), as soon as possible but no later than 48 hours before the public hearing. Assistive listening devices are available at the meeting.

**GIVEN** under my hand this 1st day of March 2016.

\_\_\_\_\_  
Patti Hicks  
Chief Deputy Clerk to the Board of Supervisors

**Ad Run Dates: March 4 and 11, 2016**

**FAIRFAX COUNTY NOTICE OF PROPOSED  
SEWER AVAILABILITY CHARGES, EQUIVALENT UNIT FLOW RATE, & FIXTURE UNIT RATE - RATE REVISIONS**

**NOTICE** is hereby given that the Fairfax County Board of Supervisors will hold a **PUBLIC HEARING** on:

**Tuesday  
April 5, 2016  
commencing at 3 p.m.**

in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on the matter of an amendment to Chapter 67.1 of the Fairfax County Code (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2. Pursuant to the authority of the Virginia Code, Title 15.2., Chapter 21 (including, without limitation, Sections 15.2 - 2111, 2119, and 2122), the Board of Supervisors of Fairfax County, Virginia, proposes to amend Section 67.1-10-2 of the Fairfax County Code to revise the availability charge schedule for residential, commercial and all other users desiring to connect to the County sanitary sewer facilities, and to revise the equivalent flow factor and the fixture unit rate as follows:

<b>AVAILABILITY CHARGES</b>					
Cost (\$) per Unit					
Proposed New and Revised Rates in Bold					
	Current Rate FY 2016	FY 2017	FY 2018	FY2019	\~ New ~/ FY2020
Residential uses:					
(a) Single Family Detached	\$7,750	\$7,750	\$7,750	\$7,750	<b>\$7,750</b>
(b) Lodging House, Hotel, Inn, or Tourist Cabin	7,750	7,750	7,750	7,750	<b>7,750</b>
(c) Townhouse	6,200	6,200	6,200	6,200	<b>6,200</b>
(d) Apartment	6,200	6,200	6,200	6,200	<b>6,200</b>
(e) Mobile Home	6,200	6,200	6,200	6,200	<b>6,200</b>
(f) Any other residential dwelling unit	6,200	6,200	6,200	6,200	<b>6,200</b>
(g) Hotel, Motel, or Dormitory rental unit	1,938	1,938	1,938	1,938	<b>1,938</b>

All availability fees paid after February 24, 1976 will be updated by or refunded without interest to current property owners whose properties have not been connected to public sewer within five (5) years of the initial date of payment or any subsequent payment update(s).

The availability charge for all nonresidential uses will be computed as the number of fixture units in accordance with the current Virginia Uniform Statewide Building Code (which incorporates by reference the 2012 International Plumbing Code, Chapter 7, Section 709) times the fixture unit rate with a minimum charge equivalent to one (1) single family detached dwelling per premises. The revised, five-year rate schedule for the fixture unit charge for nonresidential uses is as follows:

	Current Rate FY 2016	FY 2017	FY 2018	FY2019	\~ New ~/ FY2020
Commercial and all other uses:					
Fixture unit rate	\$401	\$ 401	\$ 401	\$401	<b>\$ 401</b>

Section 67.1-10-2 (2) Commercial and all other uses - The current one equivalent unit flow rate of 320 gallons per day is proposed to be reduced to **300** gallons per day. The equivalent unit flow rate is used to calculate the availability charge for industrial and commercial users that have processes generating significant wastewater flows.

Effective date: The rates will change on July 1st of each new fiscal year.

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at 703-324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as information concerning the documentation for the proposed fee, levy, or increase, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. For the convenience of the public, copies may also be distributed to the County's Regional and Community Public Libraries.

Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities and supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, 703 324 3151, TTY: 711 (Virginia Relay Center), as soon as possible but no later than 48 hours before the public hearing. Assistive listening devices are available at the meeting.

**GIVEN** under my hand this 1<sup>st</sup> day of March 2016.

\_\_\_\_\_  
Patti Hicks  
Chief Deputy Clerk to the Board of Supervisors

**Ad Run Dates: March 4 and 11, 2016**

Board Agenda Item  
March 1, 2016

ADMINISTRATIVE - 4

Resolution for Endorsement of Bellview Road to Be Considered for Cut-Through Measures as Part of the Residential Traffic Administration Program (Dranesville District)

ISSUE:

Board endorsement of the following street to be considered for cut-through measures as part of the Residential Traffic Administration Program (RTAP):

- Bellview Road (between Towlston Road and Georgetown Pike)

RECOMMENDATION:

The County Executive recommends that the Board endorse a resolution (see Attachment I) for the selection of the above-referenced street into the RTAP for Cut-Through traffic.

TIMING:

Board action is requested on March 1, 2016.

BACKGROUND:

As part of the RTAP, roads are reviewed for the cut-through traffic program when requested by a Board member on behalf of a homeowners' or civic association. Cut-through mitigation normally employs the use of access restrictions (turn prohibitions, etc.) and/or physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, or traffic circles to reduce the volume of traffic on a residential street. Multi-way stops may also be employed for regulatory control of traffic. Candidate streets considered for inclusion into the RTAP for cut-through must meet certain eligibility requirements, as follows:

- The street is classified as a local residential or collector roadway
- The roadway is used by at least 150 cut-through vehicles in one hour and in one direction
- At least 40% of the total traffic is cut-through
- A viable alternate route is identified

An engineering review completed by staff (see Attachments II & III) has documented the attainment of all preliminary qualifying criteria for Bellview Road.



Board Agenda Item  
March 1, 2016

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I: Proposed Resolution  
Attachment II: Documentation of Cut-Through Traffic Study Requirements  
Attachment III: Primary Use Area and Viable Alternate Route Map

STAFF:

Robert A. Stalzer, Deputy County Executive  
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)  
Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division, FCDOT  
Neil Freschman, Chief, Traffic Engineering Section, FCDOT  
Steven K. Knudsen, Transportation Planner, Traffic Engineering Section, FCDOT

**RESOLUTION**

FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION  
RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP)  
CUT-THROUGH MEASURES  
BELLVIEW ROAD  
DRANESVILLE 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, March 1, 2016, at which a quorum was present and voting, the following resolution was adopted:

**WHEREAS**, the residents in the vicinity of Bellview Road have petitioned the Dranesville District Supervisors Office of Fairfax County to consider remedial measures to reduce the volume of cut-through traffic on Bellview Road, between Towlston Road and Georgetown Pike; and

**WHEREAS**, an engineering study by Fairfax County Department of Transportation for Bellview Road indicates that all basic cut-through criteria are met pertaining to functional classification of the roadway, identification of their primary use area, identification of actual cut-through volume, and proof of community support; and

**NOW THEREFORE BE IT RESOLVED**, that the Virginia Department of Transportation is hereby requested to review and address the feasibility of implementing cut-through measures on Bellview Road as part of FCDOT's Residential Traffic Administration Program.

**ADOPTED** this 1st day of March, 2016.

A Copy Teste:

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Catherine A. Chianese  
Clerk to the Board of Supervisors

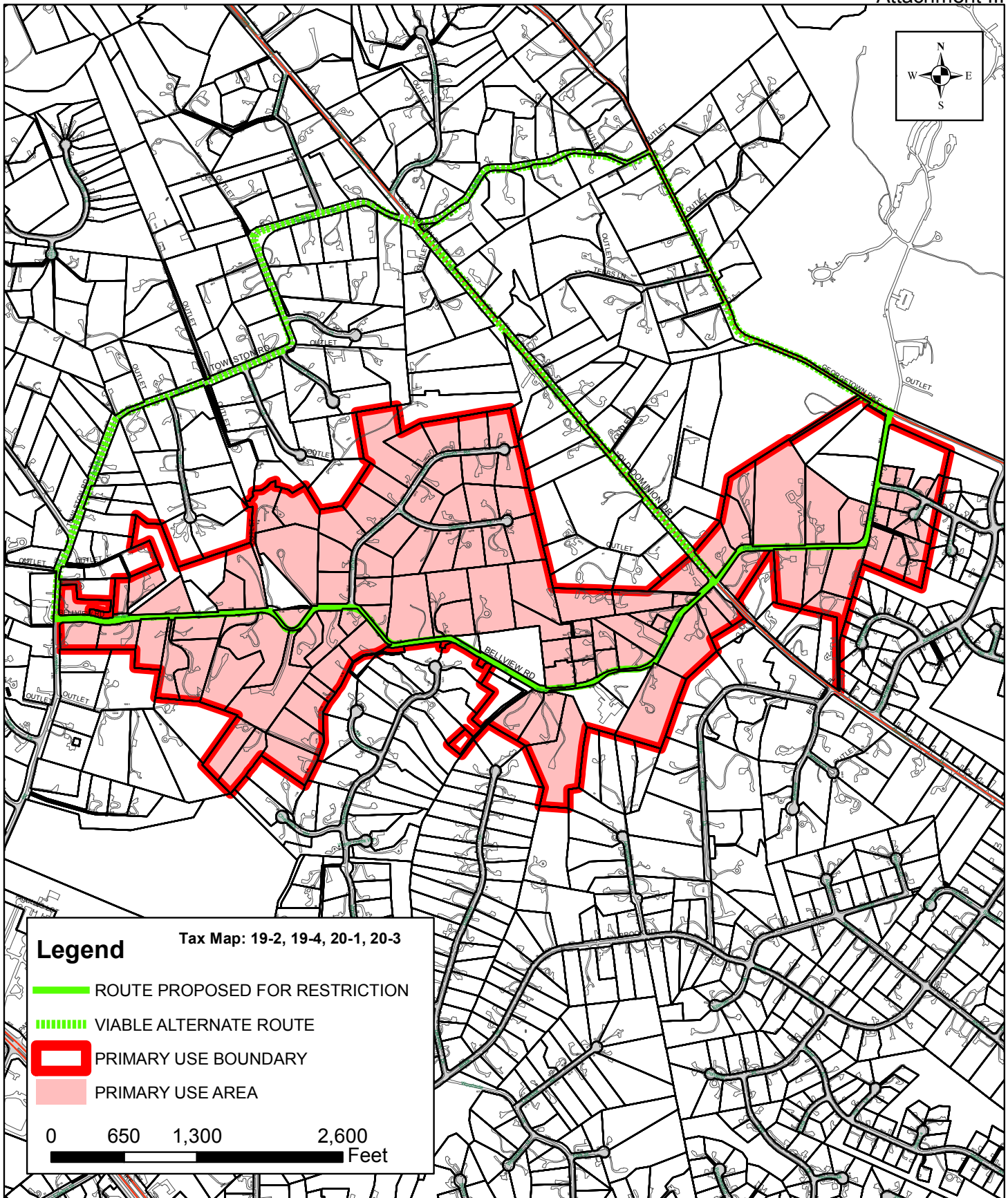
## Cut Through Traffic Analysis

**Street** Bellview Road  
**Route** 683  
**District** Dranesville  
**Fairfax County**  
**Tax Map** 19-2, 19-4, 20-1, 20-3  
**Functional Classification** Local  
**Comp Plan** Residential  
**Primary Use Area** Bellview Road

# of dwelling units in study area 106

	Count Data		Internally Generated (ITE Rates -- Single Family Detached)					Cut-Through Trips	
	Volume	Dir. Split	Rate	Dir. Split	Distributed Rate	Dwelling Units	Trips	Volume	% of Total
<b>12/17/15, 7-8 AM</b>									
<b>Entering</b>									
Towlston Road - Eastbound	50	28%	0.77	26%	0.06	106	6	44	88%
Old Tolson Mill Road - Northbound	8	4%	0.77	26%	0.01	106	1	7	88%
Old Dominion Drive - Westbound #1	37								
Old Dominion Drive - Eastbound #2	55	30%	0.77	26%	0.06	106	6	49	88%
Riding Ridge Place - Northbound	2								
Georgetown Pike - Southbound	29								
<b>Total</b>	<b>181</b>							100	
<b>Exiting</b>									
Towlston Road - Westbound	176	37%	0.77	74%	0.21	106	22	154	87%
Old Tolson Mill Road - Southbound	7	1%	0.77	74%	0.01	106	1	6	87%
Old Dominion Drive - Eastbound #1	195	41%	0.77	74%	0.23	106	25	170	87%
Old Dominion Drive - Westbound #2	29								
Riding Ridge Place - Southbound	12								
Georgetown Pike - Northbound	56								
<b>Total</b>	<b>475</b>							330	
<b>12/16/15, 4-5 PM</b>									
<b>Entering</b>									
Towlston Road - Eastbound	212	34%	1.02	64%	0.22	106	24	188	89%
Old Tolson Mill Road - Northbound	10	2%	1.02	64%	0.01	106	1	9	89%
Old Dominion Drive - Westbound #1	219	35%	1.02	64%	0.23	106	24	195	89%
Old Dominion Drive - Eastbound #2	82								
Riding Ridge Place - Northbound	3								
Georgetown Pike - Southbound	94								
<b>Total</b>	<b>620</b>							392	
<b>Exiting</b>									
Towlston Road - Westbound	122	28%	1.02	36%	0.10	106	11	111	91%
Old Tolson Mill Road - Southbound	10	2%	1.02	36%	0.01	106	1	9	91%
Old Dominion Drive - Eastbound #1	131	30%	1.02	36%	0.11	106	12	119	91%
Old Dominion Drive - Westbound #2	98								
Riding Ridge Place - Southbound	1								
Georgetown Pike - Northbound	73								
<b>Total</b>	<b>435</b>							239	

*Note: Numbers may not total due to rounding*



**Fairfax County Department of Transportation**  
**Residential Traffic Administration Program (RTAP)**  
**CUT-THROUGH STUDY BELLVIEW ROAD**  
**PRIMARY USE & VIAIBLE ALTERNATE ROUTE MAP**  
**Dranesville District**



January, 2016

A Fairfax County, Va., Publication



ADMINISTRATIVE - 5

Authorization to Advertise Publication of the FY 2017 Budget and Required Tax Rates, the FY 2017 Effective Tax Rate Increase, and the Advertised Capital Improvement Program for Fiscal Years 2017-2021 (With Future Fiscal Years to 2026)

ISSUE:

Board authorization to advertise the FY 2017 County budget, Capital Improvement Program, and the tax rates that are proposed to support the FY 2017 budget. Advertising these rates will not prevent the Board from lowering any advertised tax rate, but higher tax rates could not be imposed without advertising such rates.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a brief synopsis of the FY 2017 Budget and a real estate tax rate for FY 2017 of \$1.13 per \$100 of assessed value. The FY 2017 Advertised Budget Plan is essentially balanced based on a Real Estate Tax rate of \$1.12 per \$100 of assessed value, which is an increase of \$0.03 over the current rate for FY 2016. However, advertising a real estate tax rate of \$1.13 per \$100 of assessed value gives the Board of Supervisors flexibility during their deliberations on the FY 2017 budget. Advertising an increase in the rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate cannot be imposed without advertising the higher rate.

It should also be noted that the effective tax rate in FY 2017, based on the assessed value of existing property, has increased more than one percent. As required by Virginia Code Section 58.1-3321, a separate advertisement is included. The total increase in assessed value of existing properties is expected to be 1.94 percent. In FY 2017, the assessed value of residential real property is expected to increase by 1.64 percent and non-residential property is expected to increase by 2.87 percent. As the Board will recall, a separate advertisement for the effective tax rate increase was also required in FY 2016.

In addition, the County Executive recommends that the Board authorize advertisement of a public hearing on the FY 2017 – FY 2021 Advertised Capital Improvement Program (With Future Fiscal Years to 2026).

Please note that the draft tax resolution to be advertised includes the following recommendations regarding rates for FY 2017.

Board Agenda Item  
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The following rates are recommended to increase:

- I-95 Ash Disposal Fee from \$24.50 per ton to \$26.50 per ton.
- Stormwater Service District Levy from \$0.0250 per \$100 assessed value to \$0.0275 per \$100 assessed value.
- Tysons Service District from \$0.05 per \$100 assessed value to \$0.06 per \$100 assessed value.

The following rates are not recommended to change:

- Reston Community Center at \$0.047 per \$100 assessed value.
- McLean Community Center at \$0.023 per \$100 assessed value.
- Burgundy Village Community Center at \$0.02 per \$100 assessed value.
- Commercial and Industrial Tax for Transportation at \$0.125 per \$100 assessed value.
- Special service district for pest infestations at \$0.0010 per \$100 assessed value.
- Rail to Dulles Phase I Transportation Improvement District Levy at \$0.19 per \$100 assessed value.
- Rail to Dulles Phase II Transportation Improvement District Levy at \$0.20 per \$100 assessed value.
- Route 28 Taxing District Levy at \$0.18 per \$100 assessed value.
- Leaf Collection Districts at \$0.015 per \$100 assessed value.
- Refuse Collection Services assessment at \$345 per household unit.
- Energy Resource Recovery Facility fee at \$29 per ton.
- EMS Transport Fee: (1) a service fee of \$500 for Basic Life Support transport (BLS), (2) \$650 for Advanced Life Support, level 1 transport (ALS1), (3) \$800 for Advanced Life Support, level 2 transport (ALS2), and (4) \$12.00 per mile for ground transport mileage.

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Also included in the brief synopsis of the FY 2017 budget advertisement is information as it relates to the Personal Property Tax Relief Act (PPTRA) and the percentage of state "Car Tax" subsidy on qualifying personal property tax levy. On November 21, 2005, as part of Action Item 3, the Board of Supervisors adopted a resolution to implement the state "Car Tax" changes found in the Executive Amendments to the 2004-2006 Biennial Budget, specifically state Budget Item 503(E) of the Central Appropriations Act, in accordance with the requirements set forth in Virginia Code Sections 58.1-3524(C)(2) and 58.1-3912(E), as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503(E)(Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly.

Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of \$950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this \$950 million was fixed at 22.2436 percent, or \$211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2017 Advertised Budget Plan.

Consistent with the November 21, 2005 Board resolution, the state "Car Tax" funding is estimated to provide a 100 percent subsidy of the levy for tax year 2016 for qualifying vehicles valued at \$1,000 or less. Furthermore, the state "Car Tax" funding is estimated to provide a 62 percent subsidy of the tax year 2016 levy for all other qualifying vehicles on the value up to \$20,000.

A separate public hearing on the effective tax rate will be held on Tuesday, April 5, 2016 as required by Virginia Code Section 58.1-3321. In addition, public hearings on the FY 2017 budget, the advertised capital improvement plan (CIP) and proposed tax rates for tax year 2016 will be held on April 5-7, 2016.

Please note that a separate item recommending Board authorization to advertise public hearings for sewer rate revision notices is included in the March 1, 2016, Board package. The sewer rate revision notices authorize the increase in the Base Charge from \$20.15 per quarter, totaling \$80.60 per year, to \$24.68 per quarter, totaling \$98.72 per year. The Sewer Service Charge will increase from \$6.65 per 1,000 gallons of water consumption to \$6.68 per 1,000 gallons of water consumption. The Sewer Availability Fee will remain at the current rate of \$7,750 per new home being constructed. A separate public hearing on sewer rate revisions will be held on Tuesday, April 5, 2016.

TIMING:

Action must be taken on March 1, 2016 in order to provide adequate time to include the effective tax rate advertisement in the newspaper no later than March 4, 2016 to meet advertising legal requirements and ensure as broad a circulation as possible.

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BACKGROUND:

Virginia Code Section 15.2-2506 specifies the time frame within which the advertisements must be published. That section requires the publication of a brief synopsis of the budget at least seven days prior to the date set for public hearing.

Virginia Code Section 58.1-3321 also specifies advertisement requirements for an increase in the real estate tax levy for existing property based on an equalization increase greater than one percent. The assessed value of existing real estate is projected to increase 1.94 percent due to equalization, which exceeds the one-percent threshold for that statute. That section requires the publication of a notice in the paper at least thirty days prior to the date set for the public hearing and a separate public hearing is required to consider the effective tax increase.

Therefore, this item requests Board authorization to advertise the following items in accordance with the notification requirements listed above.

- A brief synopsis of the FY 2017 Budget, including information as it relates to the impact of the Personal Property Tax Relief Act (PPTRA) on the percentage of state “Car Tax” subsidy on qualifying personal property tax levy
- Proposed Tax Rates for tax year 2016
- The effective tax rate notice required by Virginia Code Section 58.1-3321
- Notice of public hearings on the Advertised Capital Improvement Program for Fiscal Years 2017 - 2021 (With Future Fiscal Years to 2026)

In order to meet these legal requirements and hold to the scheduled public hearing dates, the advertisements must be approved no later than March 1, 2016. This will permit the County to adhere to the following budget schedule:

- Public Hearing on the FY 2017 Effective Tax Rate – April 5, 2016. Please note the Public Hearing on the Effective Tax Rate is separate from the Public Hearings on the Budget. However, citizens may speak on the Effective Tax Rate during the Public Hearings on the FY 2017 Budget.
- Public Hearings on the FY 2017 Budget, the Advertised Capital Improvement Program for Fiscal Years 2017-2021 (With Future Fiscal Years to 2026) and proposed FY 2017 Tax Rates – April 5-7, 2016.
- Public Hearings on the *FY 2016 Third Quarter Review* – April 5-7, 2016.



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- FY 2017 Budget Mark-up and Board Adoption of the *FY 2016 Third Quarter Review* – April 19, 2016.
- Board Adoption of Fiscal Plan, Tax Levies, and Appropriation Resolution – April 26, 2016.
- School transfer set (required by May 1 or 30 days after the State approves aid to schools).

In addition, it should be noted that during FY 2017 the allowable asset limits and income limits associated with the Real Estate Tax Relief Program for the Elderly and Disabled are maintained at the FY 2016 level. In FY 2017, the income limits of the Tax Relief program provide 100 percent exemption for elderly and disabled taxpayers with incomes up to \$52,000; 50 percent exemption for eligible applicants with income between \$52,001 and \$62,000; and 25 percent exemption if income is between \$62,001 and \$72,000. The allowable asset limit in FY 2017 is \$340,000 for all ranges of tax relief and that limit does not include the value of the residence of the applicant and one acre of land on which the residence is located. In addition, veterans who have a 100 percent and total disability related to military service, or their surviving spouse, are eligible for full Real Estate Tax relief regardless of income and assets.

FISCAL IMPACT:

The FY 2017 real estate tax rate of \$1.13 per \$100 of assessed value results in the revenue projections outlined in the FY 2017 Advertised Budget Plan. If the tax rate is lowered to a rate of \$1.0692 per \$100 of assessed value as described by Virginia Code Section 58.1-3321, then the revenue projection set forth in the FY 2017 Advertised Budget Plan would decrease by \$141,708,530.

ENCLOSED DOCUMENTS:

Attachment I - Brief Synopsis of the FY 2017 Budget  
Attachment II - Draft Resolution Adopting Fairfax County Tax Rates for FY 2017  
Attachment III - Notice of a Proposed Tax Increase for FY 2017

STAFF:

Edward L. Long Jr., County Executive  
Joe Mondoro, Chief Financial Officer  
Kevin C. Greenlief, Director, Department of Tax Administration  
Corinne Lockett, Assistant County Attorney

**COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX**

In accordance with Virginia law, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on April 5 at 4:00 P.M. and April 6 and April 7 at 1:00 P.M. The purpose of these meetings shall be to consider the adoption of a FY 2017 County Budget and to consider such tax rate changes as described therein. A brief synopsis of the FY 2017 Advertised Budget Plan is shown below. Citizens may appear and be heard for and against the following estimates of revenues, expenditures, transfers and surpluses as contained in the FY 2017 Advertised Budget Plan and proposed tax rate changes. Fiscal Year 2017 begins on July 1, 2016 and ends on June 30, 2017.

At the same time, the Board of Supervisors will hear public testimony regarding proposed adoption of the FY 2017 – FY 2021 Advertised Capital Improvement Program (With Future Fiscal Years to 2026).

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at (703) 324-3151 to be placed on the Speakers List or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia. For the convenience of the public, copies may also be distributed to the County's Regional Public Libraries.

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Copies of the FY 2017 Advertised Budget Plan and the FY 2017 – FY 2021 Advertised Capital Improvement Program (With Future Fiscal Years to 2026) are available on the Internet at <http://www.fairfaxcounty.gov/dmb> and at the Office of the Clerk to the Board of Supervisors at 12000 Government Center Parkway, Suite 533, Fairfax, Virginia.

Fund	TAX REQUIRED				OTHER RESOURCES								
	EXPENDITURES	TRANSFERS OUT	TOTAL EXPENDITURES & TRANSFERS OUT	AMOUNT	FY 2017 RATE	FY 2016 RATE	FY 2015 RATE	STATE AID	FEDERAL AID	OTHER RECEIPTS	TRANSFERS IN	APPROPRIATED FROM/(ADDED TO) SURPLUS	
GOVERNMENTAL FUNDS													
General Fund Group													
10001 General Fund <sup>1</sup>	\$1,477,872,999	\$2,510,373,876	\$3,986,246,875	\$2,983,640,662	1.130 a 4.57 b	1.090 a 4.57 b	1.090 a 4.57 b	\$308,650,318 c	\$29,979,502	\$685,843,705	\$10,165,872	(\$30,033,184) d	
10010 Revenue Stabilization	0	0	0	0				0	0	1,000,000	22,468,615	(23,468,615)	
10020 Consolidated Community Funding Pool	11,141,700	0	11,141,700	0				0	0	0	11,141,700	0	
10030 Contributory Fund	13,184,484	0	13,184,484	0				0	0	0	13,158,773	25,711	
10040 Information Technology	6,814,000	0	6,814,000	0				0	0	43,760	6,770,240	0	
Total General Fund Group	\$1,509,013,183	\$2,510,373,876	\$4,019,387,059	\$2,983,640,662				\$308,650,318	\$29,979,502	\$686,887,465	\$63,705,200	(\$53,476,088)	
Debt Service Funds													
20000 Consolidated Debt Service	\$320,522,544	\$13,076,233	\$333,598,777	\$0				\$0	\$2,100,000	\$580,000	\$330,918,777	\$0	
Capital Project Funds													
30000 Metro Operations and Construction	\$41,051,989	\$2,695,571	\$43,747,560	\$0				\$0	\$0	\$30,000,000	\$13,747,560	\$0	
30010 General Construction and Contributions	28,053,427	0	28,053,427	0				0	0	4,700,000	23,353,427	0	
30020 Infrastructure Replacement and Upgrades	5,000,000	0	5,000,000	0				0	0	0	5,000,000	0	
30030 Library Construction	0	0	0	0				0	0	0	0	0	
30040 Contributed Roadway Improvement	0	189,605	189,605	0				0	0	189,605	0	0	
30050 Transportation Improvements	0	0	0	0				0	0	0	0	0	
30060 Pedestrian Walkway Improvements	400,000	0	400,000	0				0	0	0	400,000	0	
30070 Public Safety Construction	100,000	0	100,000	0				0	0	0	100,000	0	
30080 Commercial Revitalization Program	0	0	0	0				0	0	0	0	0	
30090 Pro Rate Share Drainage Construction	0	0	0	0				0	0	0	0	0	
30300 The Penny for Affordable Housing	12,251,850	0	12,251,850	11,700,000 e				0	0	551,850	0	0	
30310 Housing Assistance Program	0	0	0	0				0	0	0	0	0	
30400 Park Authority Bond Construction	0	0	0	0				0	0	0	0	0	
S310000 Public School Construction	175,955,030	0	175,955,030	0				0	0	155,806,000	20,149,030	0	
Total Capital Project Funds	\$262,812,296	\$2,885,176	\$265,697,472	\$11,700,000				\$0	\$0	\$191,247,455	\$62,750,017	\$0	
Special Revenue Funds													
40000 County Transit Systems	\$99,880,480	\$0	\$99,880,480	\$0				\$21,447,928	\$0	\$9,204,402	\$69,228,150	\$0	
40010 County and Regional Transportation Projects	63,874,776	31,602,930	95,477,706	52,754,694	0.125 f	0.125 f	0.125 f	42,723,012	0	0	0	0	
40030 Cable Communications	13,488,171	13,635,135	27,123,306	0				0	0	25,863,861	0	1,259,445	
40040 Fairfax-Falls Church Community Services Board	159,335,227	0	159,335,227	0				11,716,017	4,228,673	20,504,597	122,885,940	0	
40050 Reston Community Center	8,650,339	0	8,650,339	7,075,090	0.047 g	0.047 g	0.047 g	0	0	1,255,150	0	320,099	
40060 McLean Community Center	8,791,646	0	8,791,646	4,393,481	0.023 g	0.023 g	0.023 g	0	0	1,343,810	0	3,094,355	
40070 Burgundy Village Community Center	45,711	0	45,711	30,352	0.020 h	0.020 h	0.020 h	0	0	33,025	0	(17,666)	
40080 Integrated Pest Management Program	3,185,712	141,000	3,326,712	2,326,730	0.001 i	0.001 i	0.001 i	0	0	7,691	0	992,291	
40090 E-911	46,824,921	0	46,824,921	0				4,600,000	0	42,172,354	0	52,567	
40100 Stormwater Services	62,950,000	1,125,000	64,075,000	64,075,000	0.0275 j	0.0250 j	0.0225 j	0	0	0	0	0	
40110 Dulles Rail Phase I Transportation Improvement District	17,345,313	0	17,345,313	25,097,325	0.19 k	0.19 k	0.21 k	0	0	0	0	(7,752,012)	
40120 Dulles Rail Phase II Transportation Improvement District	500,000	0	500,000	15,814,410	0.20 l	0.20 l	0.20 l	0	0	0	0	(15,314,410)	
40125 Metrolink Parking System Pledged Revenues	8,785,213	0	8,785,213	0				0	0	5,967,000	0	2,818,213	
40130 Leaf Collection	2,187,182	0	2,187,182	0				0	0	2,316,831	0	(128,649)	
40140 Refuse Collection and Recycling Operations	19,392,040	548,000	19,840,040	0	0.345 n	0.345 n	0.345 n	128,034	0	18,634,619	0	1,077,387	
40150 Refuse Disposal	43,892,758	577,000	44,469,758	0	62 o	62 o	62 o	0	0	45,557,601 p	0	(1,087,843)	
40160 Energy Resource Recovery (ERR) Facility	26,805,549	49,000	26,854,549	0	29 q	29 q	29 q	0	0	19,716,811	0	7,137,738	
40170 195 Refuse Disposal	8,807,949	186,000	8,993,949	0	26.50 r	24.50 r	22.50 r	0	0	9,124,137	0	(130,188)	
40180 Tysons Service District	0	0	0	8,337,356	0.06 s	0.05 s	0.04 s	0	0	0	0	(8,337,356)	
40300 Housing Trust	484,155	0	484,155	0				0	0	484,155	0	0	
40330 Elderly Housing Programs	3,980,904	0	3,980,904	0				0	0	1,657,744	1,923,159	1	
40360 Homeowner and Business Loan Programs	2,331,087	0	2,331,087	0				0	26,130	0	2,250,174	54,783	
50000 Federal/State Grants	109,314,388	0	109,314,388	0				31,174,522	70,928,744	1,730,286	5,480,836	0	
50800 Community Development Block Grant	4,873,926	0	4,873,926	0				0	4,873,926	0	0	0	
50810 HOME Investment Partnerships Program	1,431,830	0	1,431,830	0				0	1,431,830	0	0	0	

Fund	TAX REQUIRED				OTHER RESOURCES			
	EXPENDITURES	TRANSFERS OUT	TOTAL EXPENDITURES & TRANSFERS OUT	AMOUNT	FY 2017 RATE	FY 2016 RATE	FY 2015 RATE	APPROPRIATED FROM/ADDED TO) SURPLUS
<b>Special Revenue Funds (Cont.)</b>								
S10000 Public School Operating <sup>2</sup>	2,576,155,067	28,988,208	2,605,143,275	0				25,032,394
S40000 Public School Food and Nutrition Services	90,153,330	0	90,153,330	0				9,033,086 t
S43000 Public School Adult and Community Education	9,510,462	0	9,510,462	0				0
S50000 Public School Grants & Self Supporting Programs	73,629,503	0	73,629,503	0				2,550,968 u
<b>Total Special Revenue Funds</b>	<b>\$3,466,107,639</b>	<b>\$76,852,273</b>	<b>\$3,542,959,912</b>	<b>\$175,904,438</b>				<b>\$20,614,203</b>
<b>TOTAL GOVERNMENTAL FUNDS</b>	<b>\$5,558,455,662</b>	<b>\$2,603,187,558</b>	<b>\$8,161,643,220</b>	<b>\$3,175,245,100</b>				<b>(\$32,861,885)</b>
<b>PROPRIETARY FUNDS</b>								
<b>Internal Service Funds</b>								
60000 County Insurance	\$25,827,740	\$0	\$25,827,740	\$0				\$944,766
60010 Department of Vehicle Services	80,886,874	0	80,886,874	0				2,240,654
60020 Document Services Division	9,742,167	0	9,742,167	0				346,536
60030 Technology Infrastructure Services	42,819,296	0	42,819,296	0				2,488,663
60040 Health Benefits	189,292,804	0	189,292,804	0				(2,954,230)
S60000 Public School Insurance	22,575,354	0	22,575,354	0				9,494,015 v
S62000 Public School Health and Flexible Benefits	429,758,354	0	429,758,354	0				38,576,888 w
<b>Total Internal Service Funds</b>	<b>\$800,912,589</b>	<b>\$0</b>	<b>\$800,912,589</b>	<b>\$0</b>				<b>\$51,107,292</b>
<b>Enterprise Funds</b>								
69000 Sewer Revenue	\$0	\$225,100,000	\$225,100,000	\$0	6.68 x	6.65 x	6.62 x	\$627,888
					7,750 y	7,750 y	7,750 y	
					24.68 z	20.15 z	15.86 z	
69010 Sewer Operation and Maintenance	98,697,646	2,850,000	101,547,646	0				(2,354)
69020 Sewer Bond Debt Service	23,510,500	0	23,510,500	0				610,500 aa
69030 Sewer Bond Debt Reserve	0	0	0	0				(5,006,173)
69040 Sewer Bond Subordinate Debt Service	26,218,147	0	26,218,147	0				218,147
69300 Sewer Construction Improvements	74,650,000	0	74,650,000	0				0
69310 Sewer Bond Construction	104,993,827	0	104,993,827	0				0
<b>Total Enterprise Funds</b>	<b>\$328,070,120</b>	<b>\$227,950,000</b>	<b>\$556,020,120</b>	<b>\$0</b>				<b>(\$3,551,992)</b>
<b>TOTAL PROPRIETARY FUNDS</b>	<b>\$1,128,982,709</b>	<b>\$227,950,000</b>	<b>\$1,356,932,709</b>	<b>\$0</b>				<b>\$47,555,300</b>
<b>FIDUCIARY FUNDS</b>								
<b>Agency Funds</b>								
70000 Route 28 Taxing District	\$11,402,824	\$0	\$11,402,824	\$10,402,824	0.18 ab	0.18 ab	0.18 ab	\$0
70040 Mosiac District Community Development Authority	5,531,544	0	5,531,544	5,531,544				0
<b>Total Agency Funds</b>	<b>\$16,934,368</b>	<b>\$0</b>	<b>\$16,934,368</b>	<b>\$15,934,368</b>				<b>\$0</b>
<b>Trust Funds</b>								
73000 Employees' Retirement Trust	\$316,052,401	\$0	\$316,052,401	\$0				(\$172,586,435)
73010 Uniformed Employees Retirement Trust	107,670,019	0	107,670,019	0				(9,167,732)
73020 Police Retirement Trust	84,233,227	0	84,233,227	0				(68,372,828)
73030 OPEB Trust	10,317,370	0	10,317,370	0				(8,227,466)
S71000 Educational Employees' Retirement	208,671,625	0	208,671,625	0				(174,025,508)
S71100 Public School OPEB Trust	17,494,500	0	17,494,500	0				(10,051,513)
<b>Total Trust Funds</b>	<b>\$744,439,142</b>	<b>\$0</b>	<b>\$744,439,142</b>	<b>\$0</b>				<b>(\$524,951,482)</b>
<b>TOTAL FIDUCIARY FUNDS</b>	<b>\$761,373,510</b>	<b>\$0</b>	<b>\$761,373,510</b>	<b>\$15,934,368</b>				<b>(\$524,951,482)</b>
<b>TOTAL ALL FUNDS</b>	<b>\$7,448,811,881</b>	<b>\$2,831,137,558</b>	<b>\$10,279,949,439</b>	<b>\$3,191,179,468</b>				<b>(\$510,238,067)</b>

<sup>1</sup> Personal Property taxes of \$21,313,944 that are reimbursed by the Commonwealth as a result of the Personal Property Tax Relief Act of 1998 are included in the Revenue from the Commonwealth category in accordance with guidelines from the State Auditor of Public Accounts.

<sup>2</sup> The proposed County General Fund transfer for school operations in FY 2017 totals \$1,879,907,945 which reflects an increase of \$54,754,600, or 3.0 percent, over the FY 2016 Adopted Budget (Plan level). It should be noted that the actual transfer request approved by the School Board on February 4, 2016 reflects a General Fund transfer of \$1,947,823,806, an increase of \$122,670,463, or 6.7 percent, over the FY 2016 Adopted Budget (Plan). The advertisement expenditure total for School Operating reflects the level that is supportable by the proposed General Fund transfer.

## FOOTNOTES

		Tax Required		
	Revenue Amount	2017 Rate	2016 Rate	2015 Rate
OTHER REAL ESTATE & PERSONAL PROPERTY TAX RATES				
PUBLIC SERVICE CORPORATIONS				
Equalized <b>a</b>	\$40,539,523	1.130	1.090	1.090
Vehicles <b>b</b>	377,182	4.57	4.57	4.57
OTHER				
Mining and Manufacturing Machinery and Tools (General Fund Revenue) <b>b</b>	1,478,539	4.57	4.57	4.57
Research and Development (General Fund Revenue) <b>b</b>	20,955	4.57	4.57	4.57
Antique Automobiles <b>b</b>	-	0.01	0.01	0.01
Mobile Homes <b>a</b>	171,293	1.130	1.090	1.090
Van Pools-Privately Owned Vans <b>b</b>	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of a Volunteer Rescue Squad or Volunteer Fire Department <b>b</b>	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of the Auxiliary Police <b>b</b>	-	0.01	0.01	0.01
Motor Vehicles Owned by Members of the Auxiliary Deputy Sheriff <b>b</b>	-	0.01	0.01	0.01
Homeowners Associations Furniture, office equipment and maintenance equipment <b>b</b>	-	0.01	0.01	0.01
Aircraft and Flight Simulators <b>b</b>	-	0.01	0.01	0.01
Motor Vehicles Specially Equipped to Provide Transportation to Physically Handicapped Individuals <b>b</b>	-	0.01	0.01	0.01
Boats <b>b</b>	-	0.01	0.01	0.01
Motor Vehicles Owned by Disabled Veterans <b>b</b>	-	0.01	0.01	0.01
Motor Vehicles Owned by Certain Qualifying Elderly and Disabled Individuals <b>b</b>	-	0.01	0.01	0.01
Special Service District for Pest Infestations <b>i</b>	2,326,730	0.001	0.001	0.001

## ATTACHMENT I

- a. Real Estate Tax Rate per \$100 of assessed value. **It should be noted that the FY 2017 Advertised Budget Plan proposes a tax rate of \$1.130 per \$100 of assessed value. The real estate tax bill for the typical residential homeowner would increase by \$304 in FY 2017 with a real estate tax rate of \$1.130 per \$100 of assessed value. Advertising an increase in the rate does not prevent the Board from lowering any advertised tax rate, but a higher tax rate cannot be imposed without advertising the higher rate.**
- b. Personal Property Tax Rate per \$100 of assessed value (excluding household furnishings). Tax collections, as a percentage of total taxes levied, are estimated as follows:
  - 10001 General Fund - Real Estate, 99.70 percent; Personal Property, 98.0 percent
  - Sanitary District - Refuse Assessments, 100 percent.
- c. Percentage of state "Car Tax" subsidy on qualifying personal property tax levy. On November 21, 2005, as part of Action Item 3, the Board of Supervisors adopted a resolution to implement the state "Car Tax" changes found in the Executive Amendments to the 2004-2006 Biennial Budget, specifically state Budget Item 503(E) of the Central Appropriations Act, in accordance with the requirements set forth in Virginia Code §§ 58.1-3524(C)(2) and 58.1-3912(E), as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503(E)(Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly.

Beginning in tax year 2006, the state "Car Tax" subsidy on qualifying vehicles was "capped" to a statewide total of \$950 million. Based on the final report from the state Auditor of Public Accounts, dated February 2006, Fairfax County's share of this \$950 million was fixed at 22.2436%, or \$211,313,944.16. The annual subsidy is frozen at this amount and is factored into the FY 2017 Advertised Budget Plan.

Consistent with the November 21, 2005, Board resolution, the state "Car Tax" funding is estimated to provide a 100% subsidy of the levy for tax year 2016 for qualifying vehicles valued at \$1,000 or less. Furthermore, the state "Car Tax" funding is estimated to provide a 62% subsidy of the tax year 2016 levy for all other qualifying vehicles on the value up to \$20,000.
- d. Fund 10001, General Fund, does not reflect carryover of FY 2015 Audit Adjustment reserve of (\$2,078,693), Reserve for Potential FY 2016 One-Time Requirements of (\$5,961,031), and FY 2016 Mid-Year Revenue Adjustment reserve of (\$12,462,861) from FY 2016 to FY 2017.
- e. Real Estate revenue reflected in Fund 30300, The Penny for Affordable Housing Fund, reflects the Board of Supervisors policy to allocate the approximate value of one penny on the real estate tax rate to this program. It should be noted that the FY 2017 Advertised Budget Plan includes the allocation of one-half penny on the real estate tax rate to this fund.
- f. Additional tax assessment per \$100 of assessed value for commercial and industrial property in the County to support transportation.
- g. Operating costs and debt service - Community Center. Tax Rate per \$100 of assessed value.
- h. Utilities and other operating costs - Community Center. Tax Rate per \$100 of assessed value.
- i. Additional special tax levy of real estate within Fairfax County, but exclusive of the Lake Barcroft Water Improvement District to control infestations of pests. Tax Rate per \$100 of assessed value.
- j. Additional special tax levy of real estate to support operating and construction requirements for the stormwater management program. Tax Rate per \$100 of assessed value.

## ATTACHMENT I

- k. Additional tax assessment per \$100 of assessed value for commercial and industrial property for the Phase I Dulles Rail Transportation Improvement District.
- l. Additional tax assessment per \$100 of assessed value for commercial and industrial property for the Phase II Dulles Rail Transportation Improvement District.
- m. Leaf Collection rate per \$100 of assessed value. (See districts listed below)

Leaf Collection:

Small District 2 Braddock  
Local District 1A11 Dranesville  
Local District 1A21 Dranesville  
Local District 1A22 Dranesville  
Local District 1A61 Dranesville  
Local District 1B1 Dranesville  
Local District 1E Dranesville  
Small District 3 Dranesville  
Small District 7 Dranesville  
Small District 8 Dranesville  
Small District 10 Dranesville  
Small District 12 Dranesville  
Small District 15 Dranesville  
Local District 1B Lee  
Local District 1C Lee  
Local District 1D Lee  
Local District 1E Lee

Small District 1 Mason  
Local District 1A Mason  
Small District 2 Mason  
Small District 4 Mason  
Local District 7A Mason  
Small District 9 Mason  
Small District 10 Mason  
Local District 1A Mount Vernon  
Local District 1B Mount Vernon  
Local District 1C Mount Vernon  
Local District 1D Mount Vernon  
Local District 1E Mount Vernon  
Small District 1 Providence  
Small District 2 Providence  
Small District 4 Providence  
Small District 6 Providence  
Small District 7 Providence  
Small District 8 Providence

- n. Refuse Collection assessment - the base annual charge for refuse collection service to be added to the regular real estate tax bill. (See districts listed below)

Refuse Service:

Small District 2 Braddock  
Small District 3 Braddock  
Small District 2 Hunter Mill  
Small District 3 Hunter Mill  
Local District 5A Hunter Mill  
Local District 1A1 Dranesville  
Local District 1A2 Dranesville  
Local District 1A3 Dranesville  
Local District 1A4 Dranesville  
Local District 1A5 Dranesville  
Local District 1A6 Dranesville  
Local District 1A8 Dranesville  
Local District 1A9 Dranesville  
Local District 1A11 Dranesville  
Local District 1A12 Dranesville  
Local District 1A21 Dranesville  
Local District 1A22 Dranesville  
Local District 1A61 Dranesville  
Local District 1B Dranesville  
Local District 1B1 Dranesville  
Local District 1B2 Dranesville  
Local District 1E Dranesville  
Small District 3 Dranesville  
Small District 4 Dranesville  
Small District 6 Dranesville  
Small District 7 Dranesville  
Small District 8 Dranesville

Small District 9 Dranesville  
Small District 10 Dranesville  
Small District 11 Dranesville  
Small District 12 Dranesville  
Small District 13 Dranesville  
Small District 14 Dranesville  
Small District 15 Dranesville  
Small District 1 Lee  
Local District 1A Lee  
Local District 1B Lee  
Local District 1C Lee  
Local District 1D Lee  
Local District 1E Lee  
Small District 2 Lee  
Small District 3 Lee  
Small District 4 Lee  
Small District 1 Mason  
Local District 1A Mason  
Local District 1B Mason  
Local District 1C Mason  
Local District 1D Mason  
Local District 1F Mason  
Small District 2 Mason  
Small District 3 Mason  
Small District 4 Mason  
Small District 5 Mason  
Small District 6 Mason  
Small District 7 Mason

## ATTACHMENT I

### Refuse Service (continued):

Local District 7A Mason  
Small District 8 Mason  
Small District 9 Mason  
Small District 10 Mason  
Small District 11 Mason  
Small District 1 Mount Vernon  
Local District 1A Mount Vernon  
Local District 1B Mount Vernon  
Local District 1C Mount Vernon  
Local District 1D Mount Vernon  
Local District 1E Mount Vernon  
Small District 2 Mount Vernon  
Local District 2A Mount Vernon  
Local District 2B Mount Vernon

Small District 1 Providence  
Local District 1A Providence  
Local District 1B Providence  
Small District 3 Providence  
Small District 4 Providence  
Small District 6 Providence  
Small District 7 Providence  
Small District 8 Providence  
Small District 9 Providence  
Small District 11 Providence  
Small District 12 Providence  
Small District 13 Providence  
Small District 4 Springfield  
Small District 6 Springfield

- o. Per ton refuse disposal fee charged to County refuse collectors, other jurisdictions, and private haulers.
- p. Includes revenues from user fees charged at the Recycling and Disposal Center. Information regarding the schedule of fees is available from the Department of Public Works and Environmental Services (DPWES) Solid Waste Management Program at 12000 Government Center Parkway, Suite 458, Fairfax, Virginia, 22035 or online at [www.fairfaxcounty.gov/dpwes](http://www.fairfaxcounty.gov/dpwes). Residents who use the Recycling and Disposal Center are charged for disposal of waste based on weight and category of waste. There are different fees for disposal of brush, yard waste, white goods, tires, and other materials.
- q. Per ton tipping fee charged to the County for the incineration of refuse and the disposal of ash generated from the process.
- r. Per ton ash disposal fee charged to the County and participating jurisdictions.
- s. Additional tax assessment per \$100 of assessed value for the Tysons Service District.
- t. Fund S40000, Public School Food and Nutrition Services, assumes carryover of General Reserve of \$9,033,086 from FY 2016 to FY 2017.
- u. Fund S50000, Public School Grants and Self Supporting Programs, assumes carryover of reserves of \$2,550,968 from FY 2016 to FY 2017.
- v. Fund S60000, Public School Insurance Fund, assumes carryover of Allocated Reserve of \$9,494,015 from FY 2016 to FY 2017.
- w. Fund S62000, Public School Health and Flexible Benefits, assumes carryover of premium stabilization reserve of \$38,576,888 from FY 2016 to FY 2017.
- x. Sewer service rate per 1,000 gallons of water.
- y. Sewer availability fee for single family homes.
- z. Sewer Service per bill Base Charge.
- aa. Fund 69020, Sewer Bond Parity Debt Service, does not reflect non-appropriated amortization expense of (\$25,000).
- ab. Additional tax assessment per \$100 of assessed value for road improvements to State Route 28.



At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Room in the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, April 26, 2016, at which meeting a quorum was present and voting, the following resolution was adopted:

**RESOLUTION ADOPTING TAX RATES  
FOR FAIRFAX COUNTY**

**FISCAL YEAR 2017**

**BE IT RESOLVED** that, pursuant to the provisions of Virginia Code § 58.1-3001, and after having first complied with the provisions of the Virginia Code §§ 15.2-2506 and 58.1-3321, the Board does hereby establish the tax levies for the fiscal budget year beginning July 1, 2016, and ending June 30, 2017, and calendar tax year beginning January 1, 2016 and ending December 31, 2016, as follows to wit:

**COUNTY LEVIES**

General provisions. The County property taxes are levied on each \$100.00 of assessed valuation of real estate and tangible personal property, excluding household furnishings, and including machinery and tools of mining, manufacturing, radio or television broadcasting, dairy, dry cleaning or laundry firms, and all personal property of research and development firms, in the County, including such property within the incorporated towns that are within the County. Except as otherwise stated herein, all such taxes are imposed generally pursuant with Virginia law on all taxable property throughout the County, including the incorporated towns therein, and the revenues derived from such levies shall be appropriated by the Board of Supervisors in accordance with Virginia law.

Real Estate\*

On each \$100.00 of the assessed valuation of real estate and improvements on real estate in the County the tax rate shall be ..... \$1.130

\*Tax will be levied and collected in two semi-annual tax billings.

Commercial and Industrial Real Estate Tax for Transportation\*

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate in the County the tax rate in support of transportation shall be an additional ..... \$0.125

\*Tax will be levied and collected in two semi-annual tax billings.

Personal Property

On each \$100.00 of assessed valuation of tangible personal property, including all property separately classified by Virginia Code § 58.1-3503, the tax rate shall be ..... \$4.57

Except for the following:

Mobile Homes

On each \$100.00 of assessed valuation of mobile homes, as separately classified by Virginia Code § 58.1-3506(A)(10), the tax rate shall be ..... \$1.130

Machinery and Tools

On each \$100.00 of assessed valuation of machinery and tools, as separately classified by Virginia Code § 58.1-3507, the tax rate shall be ..... \$4.57

Research and Development

On each \$100.00 of assessed valuation of tangible personal property used or employed in a research and development business, as separately classified by Virginia Code § 58.1-3506(A)(7), the tax rate shall be ..... \$4.57

Certain Personal Property of Homeowner Associations

On each \$100.00 of assessed valuation of furniture, office, and maintenance equipment, exclusive of motor vehicles, which are owned and used by an organization whose real property is assessed in accordance with Virginia Code § 58.1-3284.1 and which is used by that organization for the purpose of maintaining or using the open or common space within a residential development as classified by Virginia Code § 58.1-3506(A)(24), the tax rate shall be ..... \$0.01

Van Pools - Privately Owned Vans

On each \$100.00 of assessed valuation of privately owned vans, as separately classified by Virginia Code § 58.1-3506(A)(13), the tax rate shall be ..... \$0.01

Privately owned vans means vans with a seating capacity of seven to fifteen persons used exclusively pursuant to a ridesharing agreement as defined in Virginia Code § 46.2-1400, and which have been certified as such by the Director of the Department of Tax Administration.

Motor Vehicles Owned by Members of a  
Volunteer Rescue Squad or Volunteer Fire Department

On each \$100.00 of assessed valuation of motor vehicles as separately classified by Virginia Code § 58.1-3506(A)(15), the tax rate shall be ..... \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A) (15), shall be defined to mean one motor vehicle owned or leased by each member of a volunteer rescue squad or volunteer fire department which is regularly used by such members to respond to emergency calls and certified as such by the Chief or Head of the Volunteer Organization and the Department of Tax Administration.

Motor Vehicles Specially Equipped to Provide  
Transportation for Physically Handicapped Individuals

On each \$100.00 of assessed valuation of motor vehicles as separately classified by Virginia Code § 58.1-3506(A)(14), the tax rate shall be ..... \$0.01

Specially equipped means any vehicle which has been modified specifically for the purpose of transporting physically handicapped individuals and the vehicle is certified as such by the Director of the Department of Tax Administration.

Motor Vehicles Owned  
By Certain Qualifying Elderly and Disabled Individuals

On each \$100.00 of assessed valuation of certain motor vehicles as classified by Virginia Code § 58.1-3506.1, the tax rate shall be ..... \$0.01

Applies to one motor vehicle owned and used by certain elderly and disabled persons who qualify on the basis of income and net worth.

Motor Vehicles Owned  
By Persons Who Have Been Appointed to Serve as Auxiliary Police Officers

On each \$100.00 of assessed valuation of motor vehicles as classified by Virginia Code § 58.1-3506(A)(20), the tax rate shall be ..... \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A) (20), shall be defined to mean one motor vehicle owned or leased by an Auxiliary Police Officer to respond to auxiliary police duties, subject to certification as required by the provisions of the authorizing statute.

Motor Vehicles Owned  
By Persons Who Have Been Appointed to Serve as Auxiliary Deputy Sheriffs

On each \$100.00 of assessed valuation of motor vehicles as classified by Virginia Code § 58.1-3506 (A)(32), the tax rate shall be ..... \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506 (A)(32), shall be defined to mean one motor vehicle owned or leased by an Auxiliary Deputy Sheriff to respond to auxiliary deputy sheriff duties, subject to certification as required by the provisions of the authorizing statute.

Aircraft and Flight Simulators

On each \$100.00 of assessed valuation of aircraft and flight simulators, as classified by Virginia Code § 58.1-3506(A)(2), (3), (4) and (5) the tax rate shall be ..... \$0.01

Antique Motor Vehicles

On each \$100.00 of assessed valuation of antique motor vehicles, as separately classified by Virginia Code § 58.1-3506(A)(6), the tax rate shall be ..... \$0.01

Antique motor vehicles or antique automobiles means every motor vehicle which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than twenty-five years ago and is owned solely as a collector's item.

**DRAFT**  
**Resolution Adopting Tax Rates for Fairfax County**  
**Fiscal Year 2017**

**ATTACHMENT II**

Boats

On each \$100.00 of assessed valuation of boats and watercraft, as classified by Virginia Code § 58.1-3506(A)(1), (12), (28), (29), (35) and (36) the tax rate shall be ..... \$0.01

Motor Vehicles Owned By Qualified Disabled Veterans

On each \$100.00 of assessed valuation of motor vehicles, as classified by Virginia Code § 58.1-3506(A)(19), the tax rate shall be ..... \$0.01

Motor vehicles as classified by Virginia Code § 58.1-3506(A)(19) shall be defined to mean one motor vehicle owned and regularly used by qualified disabled veterans, subject to certification as required by the provisions of the authorizing statute.

**SANITARY DISTRICT LEVIES\***

Local District 1A Lee

(Burgundy Village Community Center)

On each \$100.00 of assessed valuation of real estate within the boundary of Local District 1A Lee in the County, the tax rate shall be ..... \$0.02

Small District 1 Dranesville

(McLean Community Center)

On each \$100.00 of assessed valuation of real estate within the boundary of Small District 1 Dranesville in the County, the tax rate shall be ..... \$0.023

Small District 5 Hunter Mill

(Reston Community Center)

On each \$100.00 of assessed valuation of real estate within the boundary of Small District 5 Hunter Mill in the County, the tax rate shall be ..... \$0.047

\*Tax will be levied and collected in two semi-annual tax billings.

Leaf Collection:

Small District 2 Braddock  
Local District 1A11 Dranesville  
Local District 1A21 Dranesville  
Local District 1A22 Dranesville  
Local District 1A61 Dranesville  
Local District 1B1 Dranesville  
Local District 1E Dranesville  
Small District 3 Dranesville  
Small District 7 Dranesville  
Small District 8 Dranesville  
Small District 10 Dranesville  
Small District 12 Dranesville  
Small District 15 Dranesville  
Local District 1B Lee

Local District 1C Lee  
Local District 1D Lee  
Local District 1E Lee  
Small District 1 Mason  
Local District 1A Mason  
Small District 2 Mason  
Small District 4 Mason  
Local District 7A Mason  
Small District 9 Mason  
Small District 10 Mason  
Local District 1A Mount Vernon  
Local District 1B Mount Vernon  
Local District 1C Mount Vernon  
Local District 1D Mount Vernon

**DRAFT**  
**Resolution Adopting Tax Rates for Fairfax County**  
**Fiscal Year 2017**

**ATTACHMENT II**

Leaf Collection (continued):

Local District 1E Mount Vernon  
Small District 1 Providence  
Small District 2 Providence

Small District 4 Providence  
Small District 6 Providence  
Small District 7 Providence  
Small District 8 Providence

On each \$100.00 of assessed valuation of real estate within the boundaries of the above-numerated Districts in the County, the tax rate shall be ..... \$0.015

On any real estate which is deleted from a sanitary district effective July 1, 2016, as a result of the contraction of such sanitary district, such real estate will be entitled to pro rata abatement from the amount of the annual charge hereby established for leaf collection.

On any real estate, which is added to a sanitary district effective July 1, 2016, as a result of either the creation or the enlargement of a sanitary district, such real estate will be charged a pro rata fee for the annual charge hereby established for leaf collection.

Refuse Service:

Small District 2 Braddock  
Small District 3 Braddock  
Small District 2 Hunter Mill  
Small District 3 Hunter Mill  
Local District 5A Hunter Mill  
Local District 1A1 Dranesville  
Local District 1A2 Dranesville  
Local District 1A3 Dranesville  
Local District 1A4 Dranesville  
Local District 1A5 Dranesville  
Local District 1A6 Dranesville  
Local District 1A8 Dranesville  
Local District 1A9 Dranesville  
Local District 1A11 Dranesville  
Local District 1A12 Dranesville  
Local District 1A21 Dranesville  
Local District 1A22 Dranesville  
Local District 1A61 Dranesville  
Local District 1B Dranesville  
Local District 1B1 Dranesville  
Local District 1B2 Dranesville  
Local District 1E Dranesville  
Small District 3 Dranesville  
Small District 4 Dranesville  
Small District 6 Dranesville  
Small District 7 Dranesville  
Small District 8 Dranesville  
Small District 9 Dranesville  
Small District 10 Dranesville  
Small District 11 Dranesville  
Small District 12 Dranesville  
Small District 13 Dranesville  
Small District 14 Dranesville  
Small District 15 Dranesville  
Small District 1 Lee  
Local District 1A Lee  
Local District 1B Lee  
Local District 1C Lee

Local District 1D Lee  
Local District 1E Lee  
Small District 2 Lee  
Small District 3 Lee  
Small District 4 Lee  
Small District 1 Mason  
Local District 1A Mason  
Local District 1B Mason  
Local District 1C Mason  
Local District 1D Mason  
Local District 1F Mason  
Small District 2 Mason  
Small District 3 Mason  
Small District 4 Mason  
Small District 5 Mason  
Small District 6 Mason  
Small District 7 Mason  
Local District 7A Mason  
Small District 8 Mason  
Small District 9 Mason  
Small District 10 Mason  
Small District 11 Mason  
Small District 1 Mount Vernon  
Local District 1A Mount Vernon  
Local District 1B Mount Vernon  
Local District 1C Mount Vernon  
Local District 1D Mount Vernon  
Local District 1E Mount Vernon  
Small District 2 Mount Vernon  
Local District 2A Mount Vernon  
Local District 2B Mount Vernon  
Small District 1 Providence  
Local District 1A Providence  
Local District 1B Providence  
Small District 3 Providence  
Small District 4 Providence  
Small District 6 Providence  
Small District 7 Providence

**DRAFT**  
**Resolution Adopting Tax Rates for Fairfax County**  
**Fiscal Year 2017**

**ATTACHMENT II**

Refuse Service (continued):  
Small District 8 Providence  
Small District 9 Providence  
Small District 11 Providence

Small District 12 Providence  
Small District 13 Providence  
Small District 4 Springfield  
Small District 6 Springfield

On each single-family dwelling and on each unit of two-family dwellings, excluding apartments (garden through high-rise), multi-family condominiums (garden through high-rise), and/or other multi-unit dwelling type buildings, existing or under construction January 1, 2016, within the boundaries of the above enumerated Districts, a base annual charge of \$345.00 for refuse collection service to be added to the regular real estate tax bill, and that annual charge shall be subject to penalty and interest charges and becoming a lien against the property if not paid, in the same manner as any other real estate tax.

On any dwelling that is neither completed nor occupied by June 30, 2016, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to December 5, 2016, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is neither completed nor occupied by December 31, 2016, the owner thereof shall, upon application to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling, made prior to March 31, 2017, be entitled to relief in the amount of the pro-rata portion based on the service period of the base annual charge hereby established. The claimant must provide acceptable evidence that the dwelling was not occupied, nor generating waste to the Director of the Department of Tax Administration or the Director DPWES, Solid Waste Collection and Recycling.

On any dwelling that is deleted from a sanitary district, as a result of the contraction of such sanitary district, the owner thereof will be entitled to relief in the amount of a pro rata portion of the base annual charge hereby established when service for refuse and recycling collection service is eliminated based on the service period.

On any dwelling that is added to a sanitary district, as a result of either the creation or the enlargement of a sanitary district or construction within the sanitary district, the owner thereof will be charged a pro rata portion of the base annual charge hereby established when service begins for refuse and recycling collection service based on the service period.

Water Service:

Small District One within Springfield District

On any lot within the district, an annual assessment of \$661 for thirty years commencing July 1, 1993. This annual assessment is for the purpose of providing water service to Clifton Forest, a group of homes located within the Lincoln-Lewis-Vannoy Conservation District.

Small District Three within Springfield District

On any lot within the district, an annual assessment of \$959 commencing January 1, 2003 and ending December 31, 2032. This annual assessment is for the purpose of providing water service to Colchester Road-Lewis Park, a group of 141 homes located within the Lincoln-Lewis-Vannoy Conservation District.

**TRANSPORTATION IMPROVEMENT DISTRICT LEVIES\***

State Route 28 Transportation Improvement District

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of State Route 28 Transportation Improvement District, as specified by Virginia Code § 15.2-4607, the tax rate shall be ..... \$0.18

Phase I Dulles Rail Transportation Improvement District

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase I Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.1-435, the tax rate shall be ..... \$0.19

Phase II Dulles Rail Transportation Improvement District

On each \$100.00 of assessed valuation of the taxable commercial and industrial real estate within the boundary of Phase II Dulles Rail Transportation Improvement District, as specified by Virginia Code § 33.1-435, the tax rate shall be ..... \$0.20

\*Tax will be levied and collected in two semi-annual tax billings.

**SPECIAL SERVICE DISTRICT FOR THE CONTROL OF PEST INFESTATIONS\***

On each \$100.00 of assessed valuation of real estate within Fairfax County, but exclusive of the Lake Barcroft Water Improvement District, within the service district established by Appendix I of the Fairfax County Code, the tax rate shall be ..... \$0.0010

\*Tax will be levied and collected in two semi-annual tax billings.

**SPECIAL SERVICE DISTRICT FOR STORMWATER MANAGEMENT\***

On each \$100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be ..... \$0.0275

\*Tax will be levied and collected in two semi-annual tax billings.

**SPECIAL SERVICE DISTRICT FOR TYSONS\***

On each \$100.00 of assessed valuation of real estate within Fairfax County, within the service district, the tax rate shall be ..... \$0.06

\*Tax will be levied and collected in two semi-annual tax billings.

**SERVICE CHARGES FOR AMBULANCE TRANSPORT SERVICE**

Pursuant to Fairfax County Code § 4-26-1, each person being transported by any emergency medical services vehicle that is operated or maintained by the County or for which a permit has been issued to the County by the Virginia Office of Emergency Medical Services will be charged (1) a service fee of \$500 for Basic Life Support transport (BLS), (2) \$650 for Advanced Life Support, level 1 transport (ALS1), (3) \$800 for Advanced Life Support, level 2 transport (ALS2), and (4) \$12.00 per mile for ground transport mileage. The term "emergency medical services vehicle" has the definition specified in Virginia Code § 32.1-111.1.

GIVEN under my hand this \_\_\_\_\_ day of April, 2016

By: \_\_\_\_\_  
Catherine A. Chianese  
Clerk to the Board of Supervisors



## FAIRFAX COUNTY NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

In accordance with Virginia Code Section 58.1-3321, notice is hereby given that the Board of Supervisors of Fairfax County, Virginia, will meet in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on April 5, 2016 at 3:00 P.M. At that meeting, the Board of Supervisors shall consider the matters described below.

The Fairfax County Executive has proposed the advertisement of a real estate tax rate of \$1.130 per \$100 of assessed value. The tax rate being proposed represents an increase of \$0.040 over the FY 2016 rate of \$1.090 per \$100 assessed value. It should be noted that the total increase in assessed value of existing properties is expected to be 1.94 percent, including an increase of 1.64 percent for residential real property and an increase of 2.87 percent for non-residential real property. As a result, most property owners will experience an increase in their real estate tax bill. Because the average value of real property in Fairfax County has appreciated by at least one percent, Virginia Code Section 58.1-3321 requires Fairfax County to publish the following notice.

Fairfax County, Virginia proposes to increase property tax levies.

1. **Assessment Increase:** Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 1.94 percent.
2. **Lowered Rate Necessary to Offset Increased Assessment:** The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$1.0692 per \$100 of assessed value. This rate will be known as the "lowered tax rate."
3. **Effective Rate Increase:** Fairfax County, Virginia, proposes to adopt a tax rate of \$1.130 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$0.0608 per \$100, or 5.69 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. **Proposed Total Budget Increase:** Based on the proposed real property tax rate and changes in other revenues, the total budget of Fairfax County, Virginia, will exceed last year's by 4.79 percent<sup>1</sup>.

A public hearing on this issue will be held at 3:00 P.M. on April 5, 2016 in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway.

All persons wishing to present their views on these subjects may call the Office of the Clerk to the Board at (703) 324-3151 to be placed on the Speakers List, or may appear and be heard. As required by law, copies of the full text of proposed ordinances, plans and amendments, as applicable, as well as other documents relating to the aforementioned subjects, are on file and may be examined at the Office of the Clerk to the Board of Supervisors, Suite 533 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia.

### ATTACHMENT III

Fairfax County supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities. Open captioning will be provided in the Board Auditorium. For sign language interpreters or other accommodations, please call the Clerk's Office, (703) 324-3151, TTY 711 (Virginia Relay Center) no later than 48 hours before the public hearing. Assistive listening devices will be available at the meeting.

The Board will conduct a separate public hearing on the FY 2017 Advertised Budget Plan which will commence on April 5, 2016 at 4:00 PM and on April 6 and April 7 at 1:00 PM.

Copies of the FY 2017 Advertised Budget Plan and the Advertised Capital Improvement Program for Fiscal Years 2017-2021 (With Future Fiscal Years to 2026) are available on the Internet at <http://www.fairfaxcounty.gov/dmb> and at the Office of the Clerk to the Board of Supervisors at 12000 Government Center Parkway, Suite 533, Fairfax, Virginia.

A Copy - Teste:

Catherine A. Chianese, Clerk  
Board of Supervisors

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<sup>1</sup> The total budget increase is based on all revenues received by the General Fund of Fairfax County. Projected FY 2017 disbursements reflect an increase of 2.41 percent over the FY 2016 level.

ACTION – 1

Approval of an Off-Site Parking Request for 6862 Elm Street (Dranesville District)

ISSUE:

Board of Supervisors (Board) approval to permit the use of temporary off-site parking spaces to serve the existing office building located at 6862 Elm Street, Tax Map Number 30-2 ((1)) 61, Dranesville District.

RECOMMENDATION:

The County Executive recommends that the Board approve the use of off-site parking spaces to serve the existing office building located at 6862 Elm Street during the interim construction period for the proposed development of the multi-family building and parking garage approved under RZ 2012-DR-019 pursuant to paragraph 1 of Section 11-102 of Chapter 112 (Zoning Ordinance) of the *Code of the County of Fairfax, Virginia*, based on an analysis of the parking requirements for the existing building and the Parking Plan, #3728-PKS-002-1, subject to the following conditions:

1. The Interim Construction Period shall be limited to 24 months following commencement of construction of the proposed multi-family building and parking garage with a potential six month extension period. The extension may be granted by the Director of the Department of Public Works and Environmental Services (DPWES) upon written request without the need for an additional Board action. Upon the expiration of the interim construction period and any Director approved extension, the use of off-site parking spaces shall immediately cease.
2. A minimum of 139 on-site parking spaces shall be maintained at all times during the interim construction period. Up to ten on-site spaces will be valet stacked spaces.
3. To meet the minimum code required parking, a minimum of 125 off-site parking spaces shall be provided at all times during the interim construction period using a combination of the following two off-site locations:
  - Off-site #1: 90 spaces at 1766 Old Meadow Lane, Tax Map 29-4 ((6)) 96A, (1.9 miles to the off-site parking location). This off-site location #1 may be shifted to an alternate location as specified in condition #10.
  - Off-site #2: 35 spaces at 7929 Westpark Drive, Tax Map 29-4 ((7)) 9, (3.2 miles to the off-site parking location)

Board Agenda Item  
March 1, 2016

The location of each parking area is shown on Figure 3 (Off-site Parking and Shuttle Route Preferred Alternative A) in the report titled Parking Plan for an Off-Site Parking Request, prepared by Wells + Associates, dated April 27, 2015 as revised through November 12, 2015 (Parking Plan).

4. In addition to the site's code requirement, the Applicant will provide a minimum of 39 supplemental parking spaces by leasing office space within two nearby office buildings (within 500 feet) and access shall be provided by a valet parking service for the office users arriving at 6862 Elm Street:

- Off-site #3: 8 spaces at 6888 Elm Street, Tax Map 30-2 ((5)) 7
- Off-site #4: 31 spaces at 6861 Elm Street, Tax Map 30-2 ((10)) 3

The location of each supplemental parking area is shown on Figure 3 (Off-site Parking and Shuttle Route Preferred Alternative A) of the Parking Plan.

5. The Applicant shall provide evidence satisfactory to the Director demonstrating the right to use such off-site parking spaces as permitted during the interim construction period.
6. The Site Plan for the proposed development shall include:
  - Copy of Figures 3 and 4 showing the locations of off-site parking spaces per conditions #3, #4 and #10.
  - Copy of the off-site parking request approval letter
7. The applicant will provide up to three on-site parking attendants, to be available from 7 AM to 7 PM, to efficiently manage and/or valet park vehicles on-site, and valet vehicles to the off-site nearby supplemental spaces at locations #3 and #4. The management of the spaces shall be done to prevent vehicles from queuing off-site into the public street system.
8. The Applicant will offer an on-demand taxi/shuttle service to shuttle office employees between the off-site locations #1 and #2, and the site.
9. The Applicant will work with the on-site construction firm to assist in managing the parking demand for their construction workers. As necessary, shuttles will be provided to coordinate the shift changes to and from the off-site parking areas and/or the nearby McLean metrorail station or other such site as made available.
10. In the event that construction of the future fire station begins prior to completion of the parking garage on 6862 Elm Street, the Applicant will notify the DPWES Director and make arrangements to lease up to 90 off-site parking spaces at the Cityline Partner's private park and ride facility; on Tax Map 29-4 ((5)) 10A and identified as

Board Agenda Item  
March 1, 2016

Off-site #1 on Figure 4 (Off-site Parking and Shuttle Route Alternative B) of the Parking Plan.

11. The applicant shall report to the DPWES Director the frequency of usage of off-site parking locations #1 and #2 every three months during the interim construction period.
12. All parking provided shall comply with the applicable requirements of Article 11 of the Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Virginia Uniform Statewide Building Code.
13. The conditions of approval shall be binding on the successors of the current owners and/or other applicants and shall be recorded in the Fairfax County land records in a form acceptable to the County Attorney. Upon the expiration of the interim construction period and any extension approved by the DPWES Director in accordance with these conditions, a document vacating the conditions of approval shall subsequently be recorded in the Fairfax County land records in a form acceptable to the County Attorney.
14. Unless the DPWES Director has approved an extension, this approval for the temporary use of off-site parking shall expire without notice 6 months from the date of Board approval if condition #13 has not been satisfied.

TIMING:

Board action is requested on March 1, 2016.

BACKGROUND:

The 109,600 square foot office building located at 6862 Elm Street is situated on a 4.4 acre site located in the southeast quadrant of the intersection of Elm Street (Route 3671) and Fleetwood Road (Route 1825). On July 1, 2014, the Board approved RZ 2012-DR-019 to rezone the site from the C-3, CRD, HC, and SC Districts to the PRM, CRD, HC and SC Districts to permit a mixed use development that includes a proposed multi-family building with a parking garage. The Board also modified the minimum required parking for the non-residential uses to reduce the number of parking spaces by 20 percent; this includes the spaces required for the existing 109,600 square foot office building located at 6862 Elm Street.

The Applicant, JBG, has submitted a parking request to use off-site spaces to serve the existing office building during the construction of the proposed multi-family building and parking garage. The Board may approve the use of such off-site parking spaces subject to agreements or arrangements that will ensure the permanent availability of the

Board Agenda Item  
March 1, 2016

spaces and provisions for a valet or shuttle service to ensure the operation of such service, and when there will be no adverse impact on the site of the parking spaces or the adjacent area pursuant to paragraph 1 of Section 11-102 of the Zoning Ordinance.

The Applicant's parking analysis indicates that, if the request is approved, there will not be an adverse impact to the site or adjacent areas. During the interim construction period, 178 convenient spaces will be available to meet the site's average peak demand of 176 spaces through the use of 139 on-site spaces and 39 nearby supplemental spaces located within 500 feet of the subject office building. For the few times when the demand is exceeded, there will be sufficient off-site spaces available at 1766 Old Meadow Lane (Off-site #1) and 7929 Westpark Drive (Off-site #2); although it's not anticipated that location #2 will be needed. In addition, an on-demand shuttle/taxi service will connect the site to the offsite parking spaces during the interim construction period as required by the Zoning Ordinance 11-102 (1)(B).

Based on the above, staff recommends approval of this parking request. Approval is conditioned on a requirement that the Applicant provide an alternative off-site location in the event that Off-site #1 becomes unavailable. Refer to condition #10. Off-site #1 includes a vacant office building slated to redevelop with a new fire station scheduled for delivery by 2020. It's not anticipated that an alternative location will be needed since the construction at 6862 Elm Street is targeted to be complete before the end of 2017.

Staff's recommendation reflects a coordinated review by the Department of Public Works and Environmental Services, the Department of Planning and Zoning, the Department of Transportation, and the Office of the County Attorney.

FISCAL IMPACT:  
None

ENCLOSED DOCUMENTS:

Attachment I – Parking Plan for an Off-Site Parking Request, #3728-PKS-002-1.1, dated April 27, 2015 as revised thru November 12, 2105, prepared by Wells + Associates (pgs. 1-18)

STAFF:

Robert A. Stalzer, Deputy County Executive  
James W. Patteson, Director, DPWES  
William D. Hicks, Director, Land Development Services, DPWES

**WELLS + ASSOCIATES**  
**MEMORANDUM**



11441 Robertson Drive  
 Suite 201  
 Manassas, VA 20109  
 703-365-9262  
 703-365-9265 FAX  
 www.mjwells.com

To: Jeffery Hermann  
 Fairfax County Department of Transportation  
  
 Jan Leavitt, Chief  
 Department of Public Works & Environmental Services

From: Kevin R. Fellin, P.E.

Re: RZ 2012-DR-019; Elm Street Residential L.L.C.  
 2015 Tax Map 30-2 ((1)) 61  
 6862 Elm Street

Subject: "Parking Plan" for an Off-Site Parking Request – 3<sup>rd</sup> Submission  
 003728-PKS-002-1.1

Date: April 27, 2015 as Revised Thru November 12, 2015

## INTRODUCTION

This memorandum presents a 3<sup>rd</sup> submission Parking Plan (003728-PKS-002-1.1) conducted on behalf of The JBG Companies (the Applicant). The purpose of the Parking Plan is to present an off-site parking request to permit the use of off-site spaces to meet the minimum ordinance parking requirement for an existing office building located at 6862 Elm Street in Fairfax County, Virginia. Elements of this revision are based on a meeting held with Fairfax County's Department of Public Works & Environmental Services (DPWES) and Department of Transportation (FCDOT) on June 8, 2015, their subsequent comments received on June 12, 2015 based on their review of the 1<sup>st</sup> submission parking plan dated April 27, 2015, and their comments dated October 9, 2015 based on their review of the 2<sup>nd</sup> submission parking plan dated August 31, 2015. Specifically, this revision considers:

- Responses to comments received from DPWES and FCDOT (**see Attachment I and II**).
- Two additional off-site parking locations that would provide a total of 39 off-site parking spaces within 500 feet of the subject site via a valet/parking attendant parking service
- Details for an on-site parking attendant/valet parking service that will manage and/or park arriving vehicles
- Details for an on demand taxi/shuttle service for office tenants parking at the off-site parking locations to meet code parking requirements

Transportation Consultants  
 INNOVATION + SOLUTIONS



## **WELLS + ASSOCIATES**

### **MEMORANDUM**

- Details for an alternative off-site parking location to meet code parking requirements if the primary location becomes unavailable due to redevelopment for a future fire station

The off-site parking space request would only be necessary during an interim construction period when a portion of the site's existing on-site parking supply would be displaced. Details of the "Parking Plan" supporting the off-site parking request are as follows:





## WELLS + ASSOCIATES

### MEMORANDUM

#### BACKGROUND

**Site Location:** The site is located in the southeast quadrant of the Elm Street (Route 3671)/Fleetwood Road (Route 1825) intersection within the McLean Community Business Center (CBC) in the Dranesville Magisterial District of Fairfax County, VA (**see Figure 1**).

**Tax Map #:** 2015 Tax Map 30-2 ((1)) 61

**Parcel Size:** 4.43 Acres

**Building Size/Use:** ±109,600 feet of gross floor area (GFA) of general office

**Zoning District:** On July 1, 2014, the Board of Supervisors approved RZ 2012-DR-019 (subject to proffers dated June 27, 2014) that rezoned the subject property to (**see Attachment III**): PRM (Planned Residential Mixed Use), CRD (Commercial Revitalization District), HC (Highway Corridor), and SC (Sign Control) Districts

**Approved Parking Modification:** The Board of Supervisors approved a reduction of required parking for nonresidential uses by 20%. (**see Attachment III**)

**Zoning Ordinance Applicability:** Article 11-101 provides the following:  
“...in the PDH, PDC, PRC and PRM Districts, the provisions of this Part [Part 1 11-100 OFF-STREET PARKING] shall have general application as determined by the Director.” (**see Attachment IV**)

**Zoning Ordinance Provision for Off-Site Parking Request:** Article 11-102-1 provides the following:  
“B. The applicant shall demonstrate to the Board’s satisfaction that such required space shall be generally located within 500 feet walking distance of a building entrance to the use that such space serves or such space will be provided off-site with access via a valet or shuttle service subject to agreements or arrangements approved by the Board which will ensure the operation of such service and that there will not be any adverse impacts on the site of the parking spaces or the adjacent area, or...” (**see Attachment IV**)

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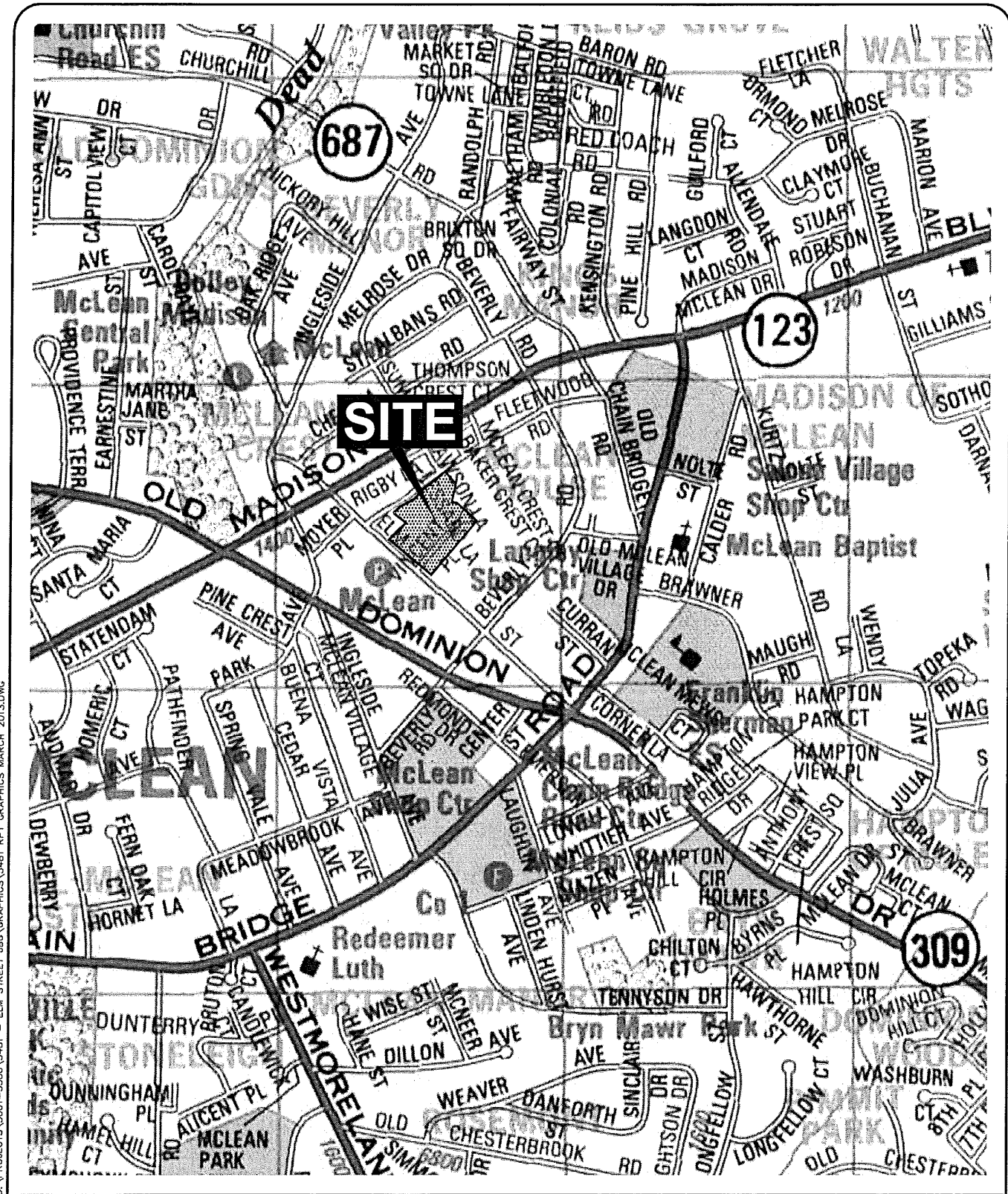


Figure 1  
Site Location Map



6862 Elm Street  
Fairfax County, Virginia

## WELLS + ASSOCIATES

### MEMORANDUM



**Approved Proffers:**

The Board accepted proffers dated June 27, 2014 provides the following proffer for off-site parking (Proffer 41.D) (**see Attachment III**):

Interim Office Parking. Prior to site plan approval for the Proposed Development, the Applicant shall prepare and submit to FCDOT a plan for parking the existing Office Uses during the period of construction for the Proposed Development (the "Parking Plan"). The Parking Plan shall identify measures demonstrating that the Applicant will provide parking for the Office Uses in accordance with applicable Zoning Ordinance requirements. Such parking measures may include, but shall not be limited to: (i) a valet service to transfer vehicles to and from the Property and one or more temporary off-site parking locations, (ii) a valet service to stack and park vehicles on the Property, (iii) one or more temporary off-site parking locations with shuttle bus service to and from the Property, (iv) a temporary parking reduction for the Office Uses subject to approval by Fairfax County, and/or (v) one or more vehicle lift structures for the stacking and parking of vehicles on the Property.



## WELLS + ASSOCIATES

### MEMORANDUM

#### PARKING ASSESSMENT

**Parking Requirement:** Based on strict application of the zoning ordinance (and inclusive of the approved 20% parking modification), the parking requirement for the office building located at 6862 Elm Street is:  
=  $\pm 109,600 \text{ GFA} \times 3.0 \text{ spaces per } 1,000 \text{ GFA} \times 0.80$   
= 264 spaces

**Current Occupancy:**  $\pm 98,640$  GFA of  $109,600$  GFA is currently leased and the remaining  $\pm 10,960$  GFA is vacant.

**Parking Occupancy  
Measurements:**

Parking occupancy counts were measured nine (9) times from the fall of 2009 to the fall of 2014 (**see Table 1**). Measurements indicated an average peak hour demand of approximately 176 spaces with a maximum daily demand of 188 spaces on Thursday, October 2, 2014. The peak demands generally occurred for single hour during a typical day and it should be noted additional tenant(s) have vacated the subject office building since this data was collected.

Based on field measurements, providing an on-site parking supply of 139 spaces supported by 39 nearby supplemental spaces and 125 off-site parking spaces that are connected by an on-demand shuttle service would more than adequately serve the office building's effective parking needs during the interim construction period.

**Construction Period:** The construction period is anticipated to last up to 24 months with a potential six (6) month extension period.

**On-Site Parking Spaces:** The subject site would maintain up to 139 spaces on-site during the interim construction period through a combination of the following types of spaces as listed below and shown on the temporary parking exhibit (see **Figure 2** and **Attachment V** for full-size plan):

- 119 proposed standard spaces
- 10 standard accessible spaces (*all existing to remain*)
- 10 proposed (non-PFM) aisle spaces served by valet assistance

Table 1  
6862 Elm Street  
Parking Summary (Code vs Demand)

Fairfax County Code Requirement			
Use	Amount (GSF)	Rate	Required (Spaces)
Office	109,600	3.0 Spaces/1,000 GSF	329
Office	109,600	3.0 Spaces/1,000 GSF & 20% CBC Reduction	264
Office (Occupied Space)	98,640	3.0 Spaces/1,000 GSF	237
Measured Parking Demand			
Use	Amount (GSF) (% Tenant Occupied)	Parking Demand Count (Day, Date, Peak Demand Time)	Peak Demand (Spaces)
Office	109,600 ±91.4% Occ.	Wed, 10/14/2009, 11:30 AM	178
Office	109,600 ±91.4% Occ.	Tue, 10/20/2009, 10:00 AM	182
Office	109,600 ±92.3% Occ.	Wed, 4/24/2013, 10:30 AM	176
Office	109,600 ±89.5% Occ.	Wed, 5/14/2014, 11:30 AM	174
Office	109,600 ±90.0% Occ.	Mon, 9/29/2014, 10:30 AM	168
Office	109,600 ±90.0% Occ.	Tue, 9/30/2014, 11:00 AM	168
Office	109,600 ±90.0% Occ.	Wed, 10/01/2014, 11:00 AM	172
Office	109,600 ±90.0% Occ.	Thurs, 10/02/2014, 11:00 AM	188
Office	109,600 ±90.0% Occ.	Fri, 10/03/2014, 11:00 AM	170
MAX: Thurs, 10/02/2014			188
MIN: Mon, 9/29 & Tue, 9/30/2014			168
AVERAGE			176
Existing On-Site Supply			411
Proposed On-Site Construction Period Supply			139
Proposed Off-Site Construction Period Supply			125
Total Construction Period Spaces			264



Plan provided by Bowman Consulting

 Wells + Associates, Inc.



## WELLS + ASSOCIATES

### MEMORANDUM

#### Off-Site Parking Spaces To Meet Code

**Preferred Alternative A:** To meet code requirements during construction, the subject site will lease a minimum of 125 off-site spaces using a combination of the following two (2) off-site locations:

**Off-Site #1 - Primary Lot (90 spaces):** The primary off-site parking lot is an existing surface parking lot controlled by Cityline located at 1766 Old Meadow Lane [2015 Tax Map 29-4 ((6)) 96 A] in the Providence Magisterial District. This off-site location is developed with a vacant office building / surface parking lot and is located approximately 2.4 miles (driving distance) from 6862 Elm Street. This off-site location corresponds to an approved parking layout that meets the parking provisions of the County's zoning ordinance as evidenced by the County approval of site plan SP-1049.

**Off-Site #2 - Secondary Lot (35 spaces):** The secondary off-site parking lot is another existing surface parking lot controlled by Cityline located at 7929 Westpark Drive [2015 Tax Map 29-4 ((7)) 9] in the Providence Magisterial District. This off-site location is developed with a vacant office building / surface parking lot and is located approximately 3.2 miles (driving distance) from 6862 Elm Street. This off-site location corresponds to an approved parking layout that meets the parking provisions of the County's zoning ordinance as evidenced by the County approval of site plan SP-1208.

Each off-site location is shown on **Figure 3** (Preferred Alternative A). Details of the lease agreements providing use of the spaces at each off-site lot is provided as Exhibit II within **Attachment I**. A letter is also included as part of Exhibit II of **Attachment I** that provides an acknowledgement from the building owner (Cityline) that both buildings are vacant where there are no tenants or uses that require parking.

#### Off-Site Parking Spaces To Meet Code Alternative B:

The construction at 6862 Elm Street is targeted to be complete before the end of 2017. The parking lot and vacant office building located at 1766 Old Meadow Lane is slated to be redeveloped with a new fire station that is

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scheduled to be delivered by 2020. If construction of the fire station begins prior to completion of the new parking garage on 6862 Elm Street, the Applicant will notify County staff and make arrangements with Cityline to either lease up to 90 off-site spaces at Cityline's private park and ride facility located proximate to the McLean Metro Station in the Providence Magisterial District. Use of the 35 spaces at 7929 Westpark Drive lot will either be continued or the full 125 required spaces will be leased at the private park and ride facility. This alternative off-site parking location (Alternative B) is summarized on **Figure 4**. As shown on **Figure 4**, the Alternative B off-site parking lot is located approximately 1.9 miles from the subject site. This off-site location corresponds to an approved parking layout that meets the parking provisions of the County's zoning ordinance as evidenced by the County approval of site plan 7788-MSP-002-2.

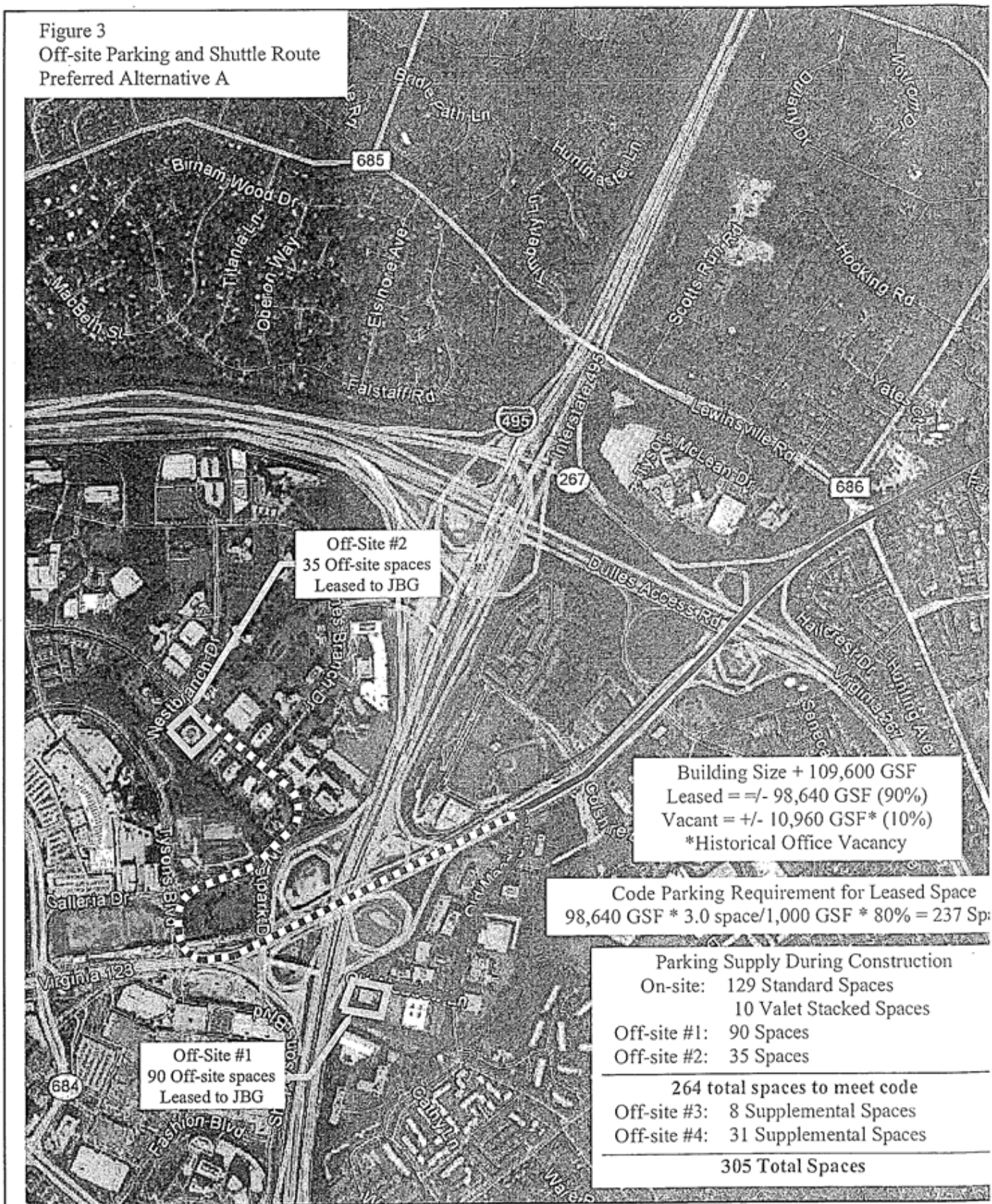
#### **Off-Site Supplemental Parking Spaces To Serve Parking Demands:**

Beyond the site's code requirement of 264 spaces, a total of 39 supplemental parking spaces will be provided by leasing office space from two (2) nearby office buildings located at 6888 Elm Street (8 spaces) and 6861 Elm Street (31 spaces). The leased office area at each nearby location would remain vacant. Each building is located within 500 feet of the subject site and access to the supplemental spaces will be provided by a valet parking service for the office users arriving at 6862 Elm Street. The location of each supplemental parking area is shown on Figure 3 and Figure 4 while being described below:

**Off-Site #3 - 6888 Elm Street [Tax Map 30-2 ((5)) 7] - 8 spaces:** The existing office building located at 6888 Elm Street is an approximate 16,512 SF office building whose minimum parking rate based on strict application of Article 11 of the County's zoning ordinance is 3.6 spaces per 1,000 SF. The Applicant is leasing approximately 2,117 SF with no plans to occupy that space in order to gain temporary use of 8 spaces at this nearby location. According to current code requirements, at 3.6 spaces per 1,000 SF, the 8 spaces leased at this location falls within the 8 spaces allotted by the code (see below):



Figure 3  
Off-site Parking and Shuttle Route  
Preferred Alternative A



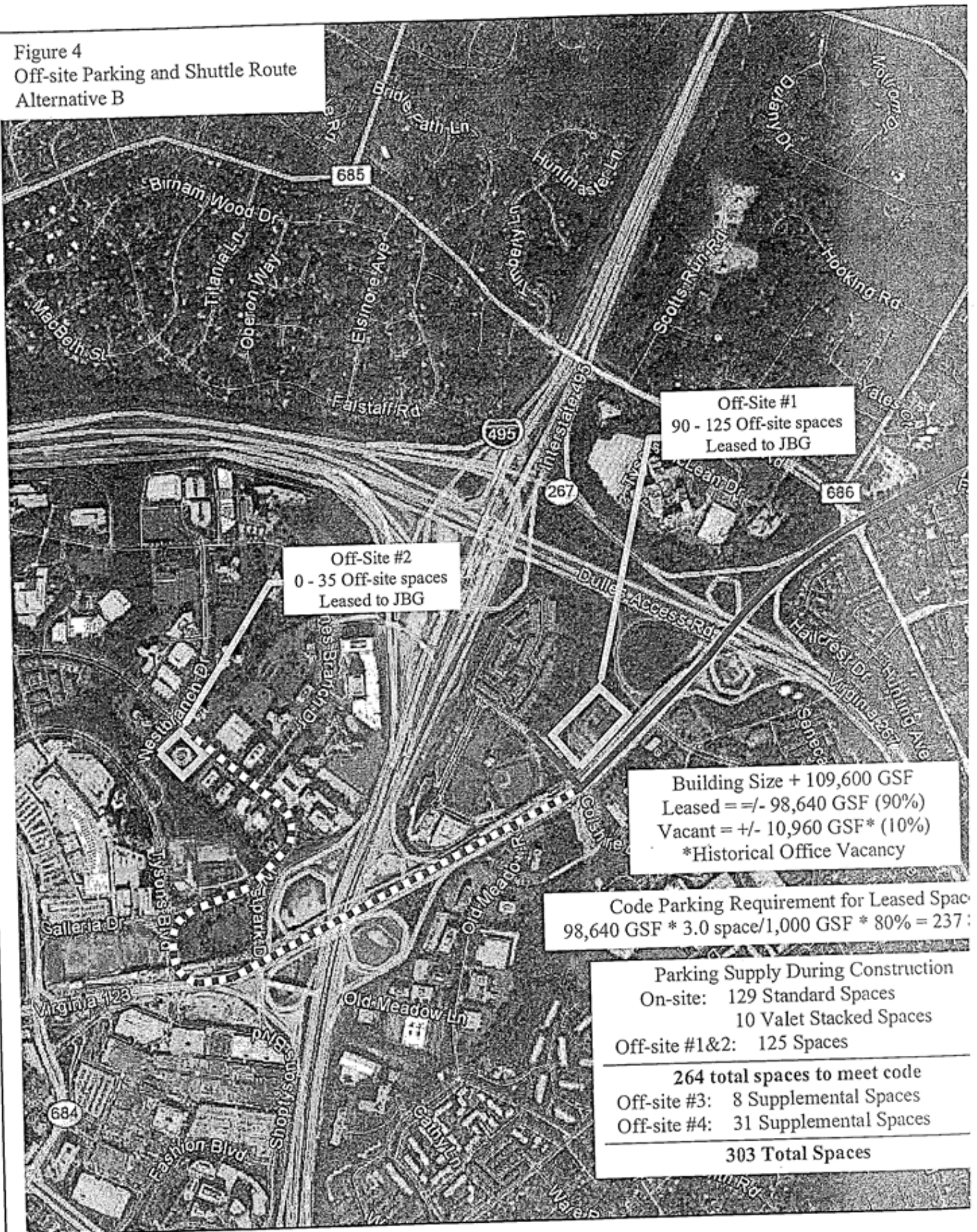
- Off-Site #1 1766 Old Meadow Lane (90 Standard Spaces)
- Off-Site #2 7929 Westpark Drive (35 Standard Spaces)
- Off-Site #3 6888 Elm Street (8 Supplemental Spaces)
- Off-Site #4 6861 Elm Street (31 Supplemental Spaces)

On Site 6862 Elm Street (129 Standard Spaces, 10 Valet Stacked Spaces)





Figure 4  
Off-site Parking and Shuttle Route  
Alternative B

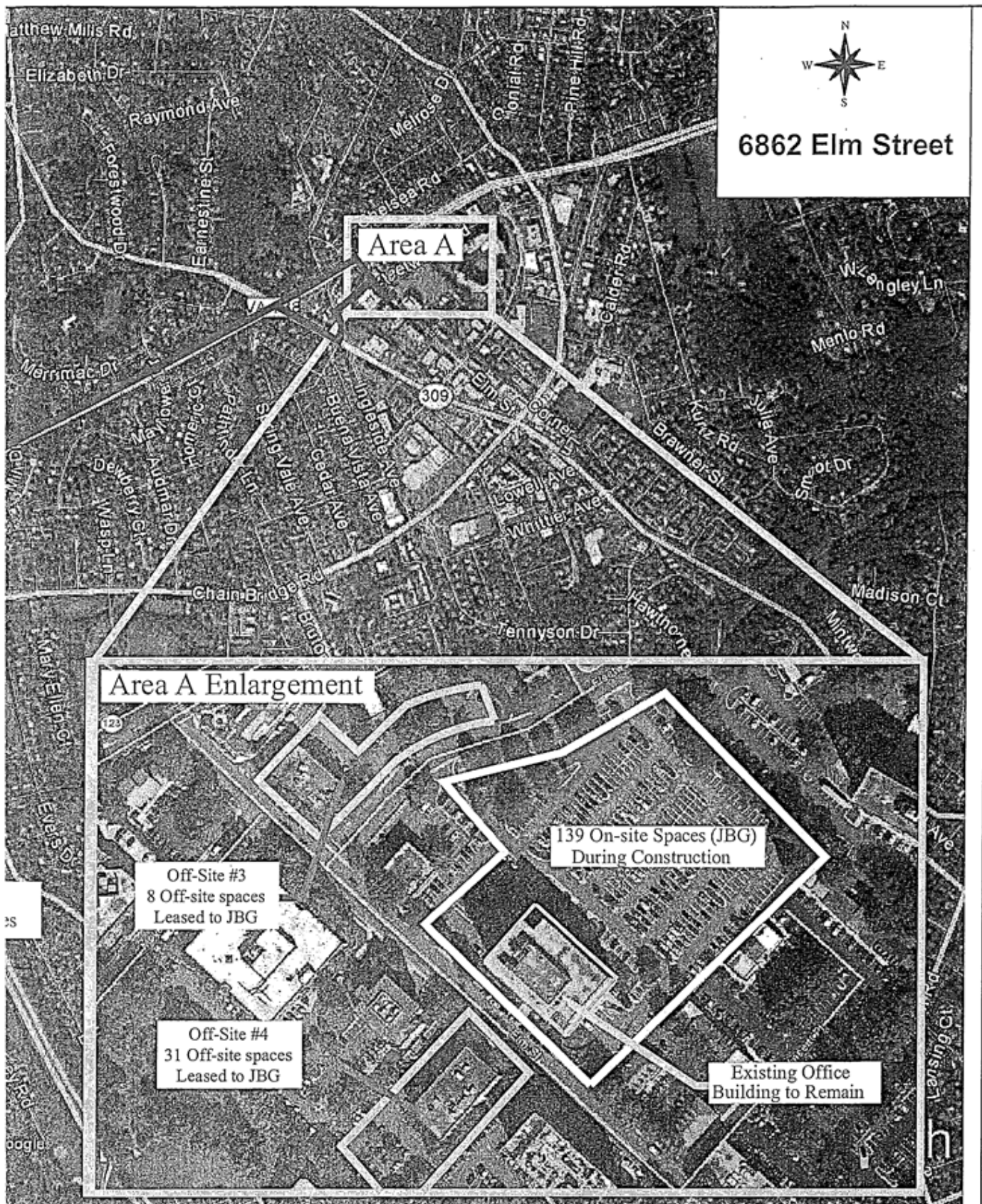


- Off-Site #1
- Off-Site #2
- Off-Site #3
- Off-Site #4

McLean Metro Station (90 - 125 Standard Spaces)  
7929 Westpark Drive (0 - 35 Standard Spaces)  
6888 Elm Street (8 Supplemental Spaces)  
6861 Elm Street (31 Supplemental Spaces)

On Site

6862 Elm Street  
(129 Standard Spaces, 10 Valet Stacked Spaces)



Off-site #1 Shuttle Route (+/- 1.9 miles to off-site parking )

Off-site #2 Shuttle Route (+/- 3.2 miles to off-site parking )

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Leased Office Area and Parking spaces:

2,117 SF with 8 spaces

Parking Allotted by Code:

2,117 SF x 3.6 spaces/1,000 SF = 8 spaces

Off-Site #4 - 6861 Elm Street [Tax Map 30-2 ((10)) 3] -

**31 spaces:** The existing office building located at 6861 Elm Street is an approximate 30,504 SF office building whose minimum parking rate based on strict application of Article 11 of the County's zoning ordinance is 3.6 spaces per 1,000 SF. The Applicant is leasing approximately 9,749 SF with no plans to occupy that space in order to gain temporary use of 31 spaces at this nearby location. According to current code requirements, at 3.6 spaces per 1,000 SF, the 31 spaces leased at this location falls within the 36 spaces allotted by the code (see below):

Leased Office Area and Parking spaces:

9,749 SF with 31 spaces

Parking Allotted by Code:

9,749 SF x 3.6 spaces/1,000 SF = 36 spaces

Lease agreements for each nearby office building are included in **Attachment VI**. Each lease provides for a 6-month renewal option, if necessary.

As a result of the supplemental parking spaces, an effective supply of 178 total spaces (139 on-site + 39 supplement = 178 spaces) will meet the average peak hour demand of 176 spaces discussed previously. For the few times when the average peak hour is exceeded, there will be sufficient off-site spaces available at 1766 Old Meadow Lane or 7929 Westpark Drive. Under the circumstance an office user chooses to use, or a specific demand requires those off-site lots, those users will be afforded an on demand taxi service to shuttle them to/from the off-site lot and the subject office building.

**Shuttle Service:**

An on-demand taxi/shuttle service will be available Monday thru Friday for pre-selected office tenants parking at the off-site parking lots (Off-Site #1/#2, or the Alternative B off-site parking lot, if applicable). Based on extensive parking occupancy measurements, the need for either facility is not anticipated, however, the taxi/shuttle

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service will be available for any office tenant requesting to park at either location.

Use of the off-site spaces will be based on pre-selected office tenants that would drive directly to the off-site lot as part of their trip to work. Through pre-arrangements made with the property manager, a scheduled taxi will meet and shuttle the office tenant between the off-site lot and the subject site.

#### Shuttle Travel Time:

Shuttle/taxi travel time trials were performed from 7 AM to 10 AM and 4 PM to 7 PM on Wednesday, April 8, 2015 between the subject office building (6852 Elm Street) and the proposed primary off-site #1 parking lot (1766 Old Meadow Lane). The following average time trials were measured:

- AM Period (7 AM – 10 AM)
  - 11 minutes from the off-site lot to the office building
  - 11 minutes from the office building to the off-site lot
- PM Period (4 PM – 7 PM)
  - 8 minutes from the off-site lot to the office building
  - 12 minutes from the office building to the off-site lot

The assumed shuttle/taxi route(s) are shown on **Figure 3** and the time trial results are summarized on **Table 2**. Under the circumstance the Alternative B site is required; its location is approximately 0.5 miles closer than 1766 Old Meadow Lane and would provide a shorter travel time. Under the circumstance the secondary off site lot #2 is required; its location is approximately 0.8 miles further than 1766 Old Meadow Lane and would provide a longer travel time. Again, it should be noted that the secondary lot is not anticipated to be needed, however, the taxi/shuttle service will be available for any office tenant requesting to park at the secondary off-site #2 location.

#### On-Site Valet Service

On-site parking attendants will assist office users to efficiently locate on-site parking spaces and/or valet park vehicles on-site or to the off-site "supplemental" areas (Off-Site #3/#4). A staff of approximately three (3) persons would serve the site from 7 AM to 7 PM. As office users arrive, their parking duration will be obtained and their vehicles will either be parked by attendants or directed by

Table 2  
6862 Elm Street  
Measured Shuttle/Taxi Travel Time Summary

	1766 Old Meadow Lane to 6852 Elm Street (Off-Site Lot to Office)			6852 Elm Street to 1766 Old Meadow Lane (Office to Off-Site Lot)		
	Start Time	Finish Time	Duration (min)	Start Time	Finish Time	Duration (min)
AM Period	7:00	7:13	0:13	7:00	7:10	0:10
	7:11	7:22	0:11	7:14	7:26	0:12
	7:34	7:46	0:12	7:24	7:33	0:09
	8:00	8:15	0:15	8:00	8:14	0:14
	8:14	8:29	0:15	8:16	8:27	0:11
	8:46	8:59	0:13	8:30	8:45	0:15
	9:00	9:10	0:10	9:00	9:12	0:12
	9:14	9:22	0:08	9:11	9:23	0:12
	9:40	9:51	0:11	9:30	9:39	0:09
	10:00	10:08	0:08	10:00	10:09	0:09
PM Period	4:00	4:08	0:08	4:00	4:13	0:13
	4:15	4:22	0:07	4:09	4:20	0:11
	4:40	4:50	0:10	4:25	4:37	0:12
	5:00	5:09	0:09	5:00	5:14	0:14
	5:15	5:22	0:07	5:10	5:22	0:12
	5:35	5:44	0:09	5:27	5:42	0:15
	6:00	6:10	0:10	6:00	6:14	0:14
	6:15	6:23	0:08	6:11	6:20	0:09
	6:30	6:38	0:08	6:30	6:43	0:13
	6:44	6:53	0:09	6:39	6:50	0:11
Average AM Period One-Way Trip			0:11	Average AM Period One-Way Trip		
Average PM Period One-Way Trip			0:08	Average PM Period One-Way Trip		

Note(s):

(1) Travel time measurements were collected on Wednesday, April 8, 2015.



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those attendants to specific spaces on-site spaces according to their stay. Those office users with all day or long term durations on-site will be valet parked to the supplemental spaces subject to availability. Any vehicle parked by a parking attendant after the valet service ends will have their car relocated to an on-site standard space with keys returned to the appropriate owners. All vehicles parked by parking attendants will have hang tags differentiating them from other vehicles. The overall parking system will be managed as to prevent vehicles from queuing off-site into the public street system. A staging area for the parking attendants is shown on the temporary parking exhibit (see **Figure 2** and **Attachment V** for full-size plan).

#### **Accessible Parking**

All the accessible parking spaces that currently serve the subject office building at 6862 Elm Street will remain on-site as currently provided. All accessible users at 6862 Elm Street would continue to have access to those spaces; therefore the entire site's accessible parking requirement will be accommodated on-site. Additional details related to the on-site accessible spaces are provided on the temporary parking exhibit (see **Figure 2** and **Attachment V** for full-size plan). Further, each off-site parking location designated to meet subject site's code parking requirements conform to an approved layout subject to their respective site plan approvals.

#### **Construction Parking**

The Applicant will work with on-site construction firm to assist in managing the parking demand for their construction workers. As needed, the off-site parking areas (Off-Site #1/#2, or the Alternative B off-site parking lot, if applicable) provided to meet code for 6862 Elm Street will more than accommodate parking demand's for construction workers. Shuttles will be provided to coordinate the shift changes to/from the off-site parking areas and/or the nearby McLean metrorail station. The Applicant and construction firm will designate points of contact in the case parking for the construction workers become an issue for the neighboring community.

#### **Basis for Request:**

According to Article 11-102-1, the following elements will ensure the operation of such a taxi/shuttle and valet service and there will not be any adverse impacts on the site of the parking spaces or the adjacent area.



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- During the interim construction period, the subject office building will provide approximately 139 on-site parking spaces and a minimum of 125 off-site parking spaces to meet the County's minimum code parking requirement of 264 spaces. The Applicant will offer its pre-selected office tenants that use the off-site parking lot an on demand taxi/shuttle service to shuttle employees between the off-site lot and subject office building.
- Based on comprehensive parking demand studies, the Applicant will lease 39 additional supplemental parking spaces within 500 feet of the subject office building. These spaces will not be counted towards meeting code parking requirements, but will provide convenient parking to serve current parking demands. These spaces will be directly served by an on-site valet service.
- There will be 178 total spaces provided between the 139 on-site spaces and 39 nearby supplemental spaces to serve the site's average peak hour parking demands. For the few times when the average peak hour is exceeded, there will be sufficient off-site spaces available at 1766 Old Meadow Lane or 7929 Westpark Drive.
- The Applicant will provide on-site parking attendants to efficiently direct, manage, and/or valet arriving vehicles on-site or valet park vehicles to the supplemental spaces.
- The Applicant is providing County staff the lease agreements for the off-site parking lots (Preferred Alternative A off-site lots #1 and #2) and supplemental parking areas (6861 Elm Street and 6888 Elm Street) with this Parking Plan submission (see **Attachment I** and **Attachment VI**).
- The off-site parking that is being requested will be limited to no more than 24 months from commencement of construction. The applicant will inform the County if the construction period will exceed 24 months and if necessary, request a 6-month extension of the off-site parking request without the need for an additional Board action.
- Public on-street parking spaces are available along roadways that front the office building's property on its south side (Elm Street) and west side (Fleetwood Road) to serve any short term parking overflow conditions.



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#### Code Requirement Request:

The full code parking requirement is being provided for the existing ±109,600 office building through a combination of off-site and on-site spaces. A portion of the on-site spaces will be “stacked” spaces within the parking aisles that do not impact emergency service circulation. It is hereby requested, that these “stacked” spaces be permitted to meet minimum code parking requirements for the interim construction period.

#### Off-Site Parking Request:

The Applicant is hereby requesting the use of 125 off-site parking spaces to be located at 1766 Old Meadow Lane (90 spaces) and 7929 Westpark Drive (35 spaces) to meet code parking requirements for an interim 24-month construction period. If the subject request was approved, there will not be any adverse impacts on the site or the adjacent area. During the interim construction period, the site will provide 178 convenient spaces to meet the site’s average peak hour parking demand of 176 spaces through:

- 139 on-site parking spaces and
- 39 nearby supplemental parking spaces located within 500 feet of the subject office building

For the few times when the average peak hour is exceeded, there will be sufficient off-site spaces available at 1766 Old Meadow Lane or 7929 Westpark Drive. An on-demand shuttle/taxi service will connect the site to the 125 off-site parking spaces over a 24-month construction period.

If required, a provision is requested for an extension period up to six (6) months without the need for an additional Board action on this item. In addition, for the purpose of maximizing and efficiently managing the on-site parking supply, a request to use non-PFM (“stacked”) spaces in the form of 10 proposed aisle spaces that will be served by valet assistance.

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Figure 2	- Interim Parking Exhibit Reduction
Figure 3	- Off Site Parking Preferred Alternative A
Figure 4	- Off Site Parking Alternative B
Table 1	- Parking Occupancy Measurements
Table 2	- Shuttle Time Trial Results
Attachment I	- Responses to comments dated June 12, 2015 (with copies of leases for Off-Site #1 & #2)
Attachment II	- Responses to comments dated October 9, 2015
Attachment III	- Board Approved Proffers dated June 27, 2014
Attachment IV	- Excerpts from Article 11 of Fairfax County’s Zoning Ordinance
Attachment V	- Full Size copy of Interim Parking Exhibit
Attachment VI	- Copies of Leases with 6888 Elm Street and 6861 Elm Street

ACTION - 2

Calendar Year 2016 Forest Pest Management Program

ISSUE:

Board approval of the Calendar Year 2016 Forest Pest Management Program.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors direct staff to take the following actions concerning Fairfax County's Calendar Year 2016 Forest Pest Management Program:

Gypsy Moth

- a. Continue a monitoring program for life stages of the gypsy moth in all areas of the County.
- b. Continue to conduct an outreach program targeting the tree care industry and residents of the County in monitoring of gypsy moth populations.

Fall Cankerworm

- a. Continue a monitoring program for all life stages of the fall cankerworm in the County.
- b. Continue fall cankerworm spring defoliation surveys.
- c. Continue community outreach to enlist community participation to assist in monitoring cankerworm populations.

Emerald Ash Borer (EAB)

- a. Continue to inventory the County for ash resources as well as investigate new control methods for EAB, including the use of biological control.

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- b. Continue a control program for this pest on high value ash trees on Fairfax County and Northern Virginia Regional Park Authority owned properties. This program will be limited to approximately 50 trees depending on surveys conducted this spring. Staff plans to use the trunk injected pesticide Tree-Age® (see Attachment I).
- c. Monitor ash trees that were treated as part of the previous year's program to determine the effectiveness of the control.
- d. Continue to implement an extensive outreach program targeting the tree care industry and residents of the County on emerald ash borer control methods.

Thousand Canker Disease of Walnut

- a. Continue to explore the potential impact of this disease that is threatening black walnut (*Juglans nigra*).
- b. Continue to provide outreach opportunities for residents on methods for protecting black walnut trees on their property.
- c. Investigate new control methods for the walnut twig beetle, including the use of biological control.

Sudden Oak Death Disease (SOD)

- a. Continue to conduct a monitoring program in order to determine if SOD is present in Fairfax County.
- b. Continue to develop a management plan in the event SOD is discovered within Fairfax County.

Hemlock Woolly Adelgid (HWA)

- a. Continue a control program for this pest in naturally occurring stands of eastern hemlock on public lands. Staff has selected two sites in the Dranesville and Springfield districts and plan to provide control on approximately 25 trees at each site (Attachment III). Staff plans to use the trunk injected pesticide TreeAzin® (Attachment II).

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- b. Monitor hemlock trees that were treated as part of the previous year's program to determine the effectiveness of control.
- c. Establish partnerships with other local and regional authorities to provide treatment for HWA.

Asian Longhorned Beetle (ALB)

- a. Continue to update the long term management plan for the ALB (*Anoplophora glabripennis*).
- b. Continue to conduct an outreach program in order to educate the public and private industry on the potential impacts of this pest.
- c. Continue the survey of ALB in areas that have been identified as being at high risk for ALB introduction.

Spotted Lanternfly

- a. Petition VDACS to add spotted lanternfly (*Lycorma delicatula*) to the list of insects and diseases that may be monitored and controlled by service districts in the Commonwealth of Virginia. (see Attachment III)

TIMING:

Board action is requested on March 1, 2016. The timing of this item corresponds with the beginning of program monitoring activities.

BACKGROUND:

*The Code of the County of Fairfax, Virginia* requires the submission of the annual Integrated Pest Management Program proposal for Board of Supervisors' approval.

**Gypsy Moth**

Based on egg mass surveys conducted during the fall of 2015, staff has determined that gypsy moth populations have remained low. The Forest Pest Program found no infestations of gypsy moth that warrant treatment in calendar year 2016.

Gypsy moth populations, like all insect populations, are cyclical in nature. Periods of high pest levels are followed by periods of low pest levels. There are many factors which influence the timing and duration of pest outbreaks and declines. Staff believes that the current low gypsy moth pest levels are the result of effective treatment programs in the past and abundant rainfall during the spring of recent years. Gypsy moth caterpillars are very susceptible to a moisture dependent fungal disease called

*Entomaphaga maimaiga*. This disease is naturally occurring in the environment and can potentially have a dramatic effect on gypsy moth populations if there is sufficient rainfall during the spring when caterpillars are small. It should be noted that all areas that have gypsy moth in the United States have experienced similar population decreases. Fairfax County experienced similar population crashes due to *Entomaphaga maimaiga* in the mid 1990's and in 2004. Each of these declines were followed by outbreaks in following years.

Attachment IV portrays the cumulative gypsy moth defoliation in Virginia from 1984 to 2009. This map shows that Fairfax County's gypsy moth suppression program continues to meet its program goals by keeping gypsy moth populations below defoliation levels.

### **Fall Cankerworm**

Fall cankerworm populations were monitored this winter in those areas of the County that have experienced outbreaks in the past, as well as those areas identified by staff as having significant cankerworm activity last spring. The method used for this monitoring for fall cankerworm is a United States Department of Agriculture (USDA), Forest Service recommended technique that involves trapping female moths as they emerge in the winter. Results of monitoring indicate that fall cankerworm populations have declined in the Mount Vernon, Lee and Mason magisterial districts. Staff has identified no areas to date that will require treatment in 2016.

Over the last two years staff received input from civic groups in regard to the strategies that are used to implement this control program. Staff has worked diligently to explore ways to refine and improve this program so that these concerns can be addressed.

- a. **Larval Study** – The purpose of this study was to corroborate the results of fall cankerworm sticky band surveys in the fall and bolster overall monitoring efforts. Forest Pest staff utilized a technique developed by researchers at the North Carolina State University which related larval density to predict defoliation. This method involved using trays of soapy water to monitor for fall cankerworm larvae. In the spring of 2015, greenhouse flat trays filled with soapy water were placed under cankerworm host trees. The soapy tray traps were used to count the number of caterpillars ballooning during peak emergence and/or before pupation. These data will be used to predict defoliation in the following year. The initial survey point was randomly generated using ArcGIS to focus within parks which corresponded to areas of either high fall cankerworm banding counts (>70) or low fall cankerworm banding counts (<30). The scope of the project was small and its goal was to determine if this would be a feasible monitoring effort for the future. Future efforts may continue with guidance from University researchers to further develop the technique.

- b. **Parasite Study** - Fall cankerworms have natural predators that can be influential in their population levels. One explanation for outbreak populations in these areas is a lack of predator controls like *Telenomus alsophilae*, an egg parasitoid. The purpose of this survey was to determine the population level of *T. alsophilae* in Fairfax County.

Collection sites were located in cankerworm banding sites that amounted to 100 or more female moths over the course of the monitoring season. Staff collected eggs from survey bands that had eggs on them as well as from small branches of trees located near the bands. Cankerworm eggs were reared indoors and the number of viable eggs were counted to determine the level of parasitism.

The data acquired from this survey should prove useful in obtaining a better understanding of overall cankerworm population dynamics in Fairfax County as well as locating areas of concern to be targeted in the ensuing year's fall cankerworm banding survey. The results of this study, in conjunction with sticky banding methods, should provide a larger picture of a potentially declining cankerworm population.

- c. **Citizen Feedback Survey** – At the conclusion of the 2015 treatment, staff conducted a survey to gauge how the public felt about the limited fall cankerworm ground suppression program. All residents in the treatment areas (130) were mailed a questionnaire. Attachment V shows the results of this survey. The majority of those that replied were very satisfied or satisfied. The lone “very dissatisfied” response was the result of foot traffic which disturbed a flower bed.
- d. **Fall Cankerworm Community Banding Campaign** - Staff implemented a fall cankerworm community banding program in early December, 2014. The goal for the pilot program was to mobilize and engage residents that were most affected by fall cankerworm, focusing on the Mount Vernon District. Efforts by volunteers would then be used to assist in Forest Pest Management's annual monitoring. Homeowner associations (HOA) that fell within the historical areas for high cankerworm populations were targeted for participation. For any HOA that requested to participate, “kits” were provided based on the size of the organization.

Each kit included a roll of tar paper banding material (approximately 15 feet in length), two cans of aerosol Tanglefoot® glue, gloves, instructions and a postcard to send back to UFMD with the data recorded from their sticky bands. Each kit was estimated to monitor 4-6 trees in the ideal diameter of 6-8 inches.

Out of over 100 total kits that were disseminated, a total of nine postcards were received by UFMD following the pilot program. The greatest return rate successes were for groups that attended UFMD's live demonstration and those which were spearheaded by Master Gardeners. In future years, a more robust outreach program should accompany the kits, including active involvement of Master Gardeners and Tree Stewards. Many residents assumed that the kits would provide good preventative control for fall cankerworm defoliation. As a result, most residents did not make the connection to record and reply with the number of females observed on the bands. This project was not implemented during the winter of 2015-2016 because the manufacturer of the sticky material discontinued the product. Staff anticipates that this product will be manufactured again in 2016 and will continue with this project as the material becomes available.

- e. **Defoliation Survey** – In 2015 staff conducted an extensive defoliation survey to measure the damage caused by fall cankerworm. The purpose of this survey was to determine those areas of Fairfax County where fall cankerworm larvae have impacted the County's urban forest resources through foliar feeding and to quantify this feeding damage as a percentage of canopy defoliated. The data acquired from this survey should prove useful in gauging a better understanding of overall cankerworm population dynamics in Fairfax County as well as locating areas of concern to be targeted in the ensuing year's fall cankerworm banding survey.

The defoliation survey for fall cankerworm consisted of two phases. The first phase of the survey consisted of a gridded ground survey (see Attachment VI). A 1,500 foot grid was established in the known area of fall cankerworm activity in the southeastern portion of the County. Defoliation was quantified at each grid point. Nearly 1,000 ground based surveys were conducted. The second phase of the defoliation survey was an aerial survey. The aerial survey was conducted to identify large areas of defoliation, as well as target large wooded tracts, such as those found on Mason Neck and in Huntley Meadows where a ground survey is impractical. The results of this survey indicated that there was no heavy defoliation from fall cankerworm in 2015 but, moderate feeding was apparent. Staff will target these areas during the winter of 2015/2016.

- f. **Fall Cankerworm Taskforce** – Due to the growing concern over fall cankerworm and the lack of science regarding cankerworm population dynamics and population monitoring, a multi-state cankerworm task force was established in the spring of 2015. The group, consisting of local and state agencies as well as representation from universities, hopes to establish standardized monitoring and treatment strategies for the future control and management of fall cankerworm. One of the outcomes of this taskforce has been a cooperative research project with Virginia Commonwealth University



(VCU) and Fairfax County. VCU analyzed Fairfax County's cankerworm data to determine appropriate threshold counts as to when control of this insect may be needed in suburban/urban areas. To date, previous Forest Service research focused on large contiguous forested tracts. Researchers at VCU determined that a trap count of 200 female moths per band is more appropriate in declining populations than the previous threshold level of 90 female moths. Ongoing research will help determine appropriate female moth threshold levels for all outbreak phases of fall cankerworm.

Staff used band counts, 2015 defoliation surveys, and parasite surveys in determining whether control for fall cankerworm was warranted in the spring of 2016. Staff plan to continue these activities in 2016.

#### **Emerald Ash Borer**

EAB was first identified in Fairfax County in 2003 at a school site in the Wolftrap area of Fairfax County. Due to the extremely destructive nature of this pest, VDACS and the United States Department of Agriculture, Animal Plant Health Inspection Service (APHIS) ordered all ash trees within a one-half mile radius of the introduction site be removed and destroyed. Staff of the Forest Pest Program carried out this project during the spring of 2004 and immediately set in place a monitoring program for EAB.

Although staff feels that this eradication effort was effective, other infestations were found in other parts of the County in 2008. As a result of these detections and others in the Commonwealth, a quarantine was established that included the entire state of Virginia.

All interstate movement of infested ash wood and wood products from Virginia is now regulated, including firewood of all hardwood species, nursery stock, green lumber, waste, compost and chips from ash trees. The Virginia Department of Agriculture and Consumer Services is responsible for enforcement of the state quarantine within the Commonwealth. Violations of the state quarantine constitute a Class 1 misdemeanor. Violations of the federal quarantine governing interstate movement of regulated articles will be enforced by USDA-APHIS and are subject to federal penalties.

This insect has the potential to eliminate all ash trees in Fairfax County and will have huge economic impacts to homeowners, parks and private business. Researchers have developed control options for emerald ash borer and staff plans to implement a modest control program on ash trees on public lands within Fairfax County.

Staff has begun, and will continue to inventory County owned ash trees. Staff will select ash trees for control if they are of historic or aesthetic value. Once a tree has been identified, staff will coordinate with the agency that is responsible for the maintenance of the tree to determine if it is a candidate for the control program.

EAB control will be accomplished using tree injection techniques that deliver the insecticide into the tree itself. Once injected, the insecticide is transported throughout

the tree and will provide control for up to two years. The insecticide that will be used is a material that contains emamectin benzoate and is sold by the trade name TreeAge® (Attachment II). Staff has the ability to conduct this control activity, therefore treatment will be cost effective, as well as biologically effective.

### **Hemlock Woolly Adelgid**

Staff continues to explore various control options for HWA. Hemlock Woolly Adelgid is an insect that attacks and kills eastern hemlock (*Tsuga canadensis*) trees (Attachment VII). Native eastern hemlock is relatively rare in Fairfax County. The rarity of this species and the natural beauty that they impart make them worthy of protection. Staff will continue to inventory the County in order to identify the natural stands of eastern hemlock. For this year's program, staff has identified two native stands in Dranesville and Springfield districts for control.

Trunk injection of the pesticide TreeAzin® is an effective method providing control to the target trees. Once injected, the insecticide is transported throughout the tree and will provide control for up to five years. The insecticide that will be used is a material that contains azadirachtin and is sold by the trade name TreeAzin® (Attachment II). Staff has the ability to conduct this control activity, therefore treatment will be cost effective, as well as biologically effective.

In addition to chemical control, staff has released parasites of HWA in hopes of providing limited control. This effort was conducted in cooperation with local universities.

### **Thousand Cankers Disease of Black Walnut**

Black walnut (*Juglans nigra*) is a native tree to Fairfax County. Foresters have observed a disease called Thousand Cankers Disease (TCD) that affects black walnut trees in the western United States in recent years, and have identified a beetle that spreads the disease. In the summer of 2010, black walnut trees were observed to be declining near Knoxville, Tennessee. Foresters confirmed that the beetle and disease had been artificially introduced to the eastern United States (Attachment VIII).

Thousand Cankers Disease was found in the vicinity of Richmond, VA in the summer of 2011 and, as a result, VDACS established a quarantine to curtail the movement of walnut material in hopes of slowing the spread of this disease. As a result of monitoring by staff in 2012 it was determined that this disease is present in Fairfax County. Staff recommends that resources, in the form of an outreach program, continue to be developed and implemented. Key targets of the outreach effort will include homeowners and private tree care companies.

### **Sudden Oak Death**

In 1995, a disease was found to be killing oak trees in California. Scientists determined that the disease was caused by a fungus called *Phytophthora ramorum* or Sudden Oak Death (SOD). This disease has caused wide scale tree mortality in the western United States (Attachment IX). Fortunately, SOD has only been found in a number of isolated

locations in the eastern United States and officials feel that these infestations have been contained.

Like other invasive insects and diseases, diligent monitoring is critical in slowing the spread of SOD. Recent testing methods have been developed that are simple and cost effective and staff will continue to monitor for this disease following VDACS recommended monitoring techniques. Staff will continue to implement an outreach component that will educate private and public groups on this disease and its control.

### **Asian Longhorned Beetle (ALB)**

Asian Longhorned Beetle (*Anoplophora glabripennis*) is currently one of the biggest threats facing the forest ecosystems of Fairfax County. This beetle is an invasive insect that is thought to have been brought to the United States via wood packing material used in shipping (Attachment X). Since the mid 1990's, ALB infestations in Chicago, Illinois, New York City, New Jersey and near Boston, Massachusetts have been discovered. Asian Longhorned Beetle will infest many hardwood species. According to recent analysis conducted by Fairfax County Urban Forest Management Division, approximately 4.2 million trees in Fairfax County are susceptible to this pest. Asian longhorned beetle larvae will infest and kill trees by boring into the heartwood of the tree and disrupting its nutrient flow causing eventual tree death.

Wood boring beetles such as EAB and ALB are difficult to detect. Most ALB infestations in the United States have been established for a number of years before being detected. This fact makes eradication particularly difficult since they have had time to spread well beyond the initial site of introduction. Asian longhorned beetle has the potential to have drastic economic and social impacts should it be introduced in Fairfax County. It is critical that private and public tree care experts remain vigilant in monitoring for this pest. According to the USDA, Forest Service, most of the infestations found in the United States have been identified by tree care professionals and informed homeowners.

### **Spotted Lanternfly**

Spotted Lanternfly (*Lycorma delicatula*) is an insect that is native to Asia and was found in suburban Philadelphia, PA in 2014. This insect feeds on a broad range of host trees including many found in Fairfax County (see Attachment III). Staff proposes adding spotted lanternfly to the list of insects that may be controlled by service district so that monitoring and outreach may be conducted. This insect is not known to be in Fairfax County but will have significant financial impact should it become established here.

It should be noted that there are many invasive forest insect pests and diseases that are potential threats to the forests of Fairfax County. Staff will continue to keep informed of developing invasive forest pest issues. Past experience with new insects and diseases has proven that diligent monitoring, detection and prevention are much more cost effective and more readily accepted by the public as compared to the use of insecticides.

Board Agenda Item  
March 1, 2016

FISCAL IMPACT:

Currently, the Forest Pest Program is funded through the Special Service District for the Control of Infestations that May Carry a Disease that is Dangerous to Humans, Gypsy Moth, Fall Cankerworm, and Certain Identified Pests. The Forest Pest Program will not be conducting any aerial treatment in 2016. Funding for the program will be used for monitoring pests, public education and outreach, treatment of ash and hemlock trees and to provide for administrative support for the program. The total amount budgeted for FY 2016 is sufficient for this program.

ENCLOSED DOCUMENTS:

Attachment I: TreeAge® Label

Attachment II: TreeAzin® Label

Attachment III: United States Forest Service Pest Alert, Spotted Lanterfly

Attachment IV: Gypsy Moth Cumulative Defoliation in Virginia (1984-2009)

Attachment V: Fall Cankerworm Citizen Feedback Survey

Attachment VI: 2015 Fall Cankerworm Defoliation Survey

Attachment VII: United States Forest Service Pest Alert, Hemlock Woolly Adelgid

Attachment VIII: United States Forest Service Pest Alert, Thousand Cankers Disease

Attachment IX: United States Forest Service Pest Alert, Sudden Oak Death

Attachment X: United States Forest Service Pest Alert, Asian Longhorned Beetle

STAFF:

Robert A. Stalzer, Deputy County Executive

James A. Patteson, Director, Department of Public Works and Environmental Services (DPWES)

Randy Bartlett, Deputy Director, Stormwater and Wastewater Management Divisions, DPWES

**RESTRICTED USE PESTICIDE**

DUE TO ACUTE TOXICITY TO HUMANS FOR RETAIL SALE TO AND USE ONLY BY CERTIFIED APPLICATORS OR PERSONS UNDER THEIR DIRECT SUPERVISION, AND ONLY FOR THOSE USES COVERED BY THE CERTIFIED APPLICATOR'S CERTIFICATION.

**TREE-äge****GROUP 6 INSECTICIDE**

Injected insecticide for two-year control of listed arthropod pests in deciduous, coniferous, and palm trees

**ACTIVE INGREDIENT:**Emamectin Benzoate<sup>1</sup>.....4.0%**OTHER INGREDIENTS**.....96.0%**TOTAL**.....100.0%CAS No. 55569-91-8 <sup>1</sup>Contains 0.36 lb emamectin per gallon.

EPA Reg. No. 100-1309-74578 Est. 74578-MA-001

**KEEP OUT OF REACH OF CHILDREN  
WARNING/AVISO**

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle. (If you do not understand the label, find someone to explain it to you in detail.)

See additional precautionary statements and directions for use on label in booklet.

SCPL ABJ 1309A-L1D 0314, Material #4036736

Net Contents: 1 Quart, 2 Fluid Ounces (1 liter)

Product ID: 040-4100

Manufactured for Arborjet, Inc. 99 Blueberry Hill Road, Woburn, MA 01801

**PRECAUTIONARY STATEMENTS****HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

**WARNING/AVISO:** Causes substantial but temporary eye injury. Do not get in eyes or on clothing. Wear protective eyewear. Harmful if swallowed. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

**FIRST AID**

**If in eyes:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

**If swallowed:** Call poison control center or doctor immediately for treatment advice. Have person sip glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

**NOTE TO PHYSICIAN**

Early signs of intoxication include dilation of pupils, muscular incoordination, and muscular tremors. Vomiting within one-half hour of exposure can minimize toxicity following accidental ingestion of the product; rapidly after exposure (< 15 minutes) administer repeatedly medical charcoal in a large quantity of water or ipecac. If toxicity from exposure has progressed to cause severe vomiting, the extent of resultant fluid and electrolyte imbalance should be gauged. Appropriate supportive parenteral fluid replacement therapy should be given, along with other required supportive measures (such as maintenance of blood pressure levels and proper respiratory functionality) as indicated by clinical signs, symptoms, and measurements. In severe cases, observations should continue for at least several days until clinical condition is stable and normal. Since emamectin benzoate is believed to enhance GABA activity in animals, it is probably wise to avoid drugs that enhance GABA activity (barbiturates, benzodiazepines, valproic acid) in patients with potentially toxic emamectin benzoate exposure.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

**HOT LINE NUMBER**

For 24-Hour Medical Emergency Assistance (Human or Animal), Or Chemical Emergency Assistance (Spill, Leak, Fire or Accident) Call **1-800-255-3924**

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Chemical-resistant gloves (Category C) such as barrier laminate; butyl rubber ≥14 mils; nitrile rubber ≥14 mils; or neoprene rubber ≥14 mils.
- Shoes and socks
- Protective eyewear

**ENVIRONMENTAL HAZARDS**

This product is highly toxic to fish, mammals and aquatic invertebrates. Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater. This product is highly toxic to bees exposed to direct treatment or residues on blooming trees.

**PHYSICAL OR CHEMICAL HAZARDS**

Do not use or store near heat or open flame.

**CONDITIONS OF SALE AND LIMITATION  
OF WARRANTY AND LIABILITY**

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Crop injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or crop conditions, presence of other materials or other influencing factors in the use of the product, which are beyond the control of ARBORJET, Inc. or Seller.

To the extent permitted by applicable law, Buyer and User agree to hold ARBORJET and Seller harmless for any claims relating to such factors.

ARBORJET warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with directions under normal use conditions. To the extent permitted by applicable law: (1) this warranty does not extend to the use of this product contrary to label instructions or under conditions not reasonably foreseeable to or beyond the control of Seller or ARBORJET, and, (2) Buyer and User assume the risk of any such use. TO THE EXTENT PERMITTED BY APPLICABLE LAW, ARBORJET MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS WARRANTED BY THIS LABEL.

To the extent permitted by applicable law, in no event shall ARBORJET be liable for any incidental, consequential or special damages resulting from the use or handling of this product.

TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF ARBORJET AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF ARBORJET OR SELLER, THE REPLACEMENT OF THE PRODUCT.

ARBORJET and Seller offer this product, and Buyer and User accept it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of ARBORJET.

**DIRECTIONS FOR USE RESTRICTED USE PESTICIDE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

**IMPORTANT:** Read entire label before using this product. Failure to follow label instructions may result in poor control or tree injury. Failure to follow label directions may cause injury to people, animals and environment.

**APPLICATION TO TREES**

TREE-äge is for control of mature and immature arthropod pests of deciduous, coniferous, and palm trees including, but not limited to, those growing in residential and commercial landscapes, parks, plantations, seed orchards, and forested sites (in private, municipal, state, tribal and national areas). TREE-äge contains the active ingredient emamectin benzoate and is formulated to translocate in the tree's vascular system when injected. This product must be placed into active sapwood and will actively control pests for up to two years.

**USE DIRECTIONS**

TREE-äge is designed for use with tree injection devices that meet the label and dose requirements (for example, the Arborjet Tree Injection Systems) for the control of listed pests of trees. Follow manufacturer's directions for equipment use.

Dosages are based on the Diameter (in inches) of the tree at Breast Height (DBH<sup>1</sup>). Tree DBH is the outside bark diameter at breast height. Breast height is defined as 4.5 feet (1.37m) above the ground on the uphill side of the tree. For the purposes of determining breast height, the ground includes the duff layer that may be present, but does not include unincorporated woody debris that may rise above the ground line.

The diameter is determined by measuring the circumference of the tree at DBH<sup>1</sup>, and dividing the circumference (in inches) by three (3). To determine DBH<sup>1</sup> for multi-stemmed woody ornamentals, measure the DBH<sup>1</sup> for each stem or branch and add together for the total DBH<sup>1</sup> per tree.

**Placement of Application/Injection Sites:** Inject at the base of the tree. Inject into the stem within 12" of the soil, into the trunk flare or into tree roots exposing them by shallow excavation. Make applications into intact, healthy sapwood. Do not inject into injured areas or areas with decay. Select injection sites associated with stem growth.

**Number of Injection Sites:** Work around the tree, spacing injection sites approximately every 4 to 8 inches of tree's circumference.

**Drill Depth:** Drill through the bark then 5/8" to 1-5/8" (hardwoods) or 1-5/8" to 2" (conifers) into the sapwood with the appropriate sized drill bit. Use clean, sharp drill bits. Brad point bits are recommended. Precautions should be taken to avoid diseased areas and transferring infected tissues to other injection sites.

## APPLICATION TO TREES (continued)

### Resinous Conifers

In resinous conifers, such as pine and spruce, start the injection immediately after drilling into the sapwood. A prolonged delay may reduce uptake on account of resin flow into opening.

### WHEN TO TREAT

TREE-äge contains the active ingredient emamectin benzoate which is a glycoside insecticide. It is active against immature and adult stages of arthropods. The primary route of toxicity is through ingestion.

**ENVIRONMENTAL CONDITIONS:** Uptake of TREE-äge is dependent upon the tree's transpiration. Transpiration is dependent on a number of abiotic and biotic factors, such as soil moisture, soil and ambient temperature, and time of day. For uptake, apply when soil is moist, soil temperatures are above 45°F, ambient temperatures are between 40° to 90°F, and during the 24 hour period when transpiration is greatest, typically before 2:00 PM. Applications to drought or heat-stressed trees may result in injury to tree tissue, poor treatment and subsequent control. Avoid treating trees that are moisture stressed or suffering from herbicide damage.

**MONITOR TREE HEALTH AND PEST INFESTATIONS:** Effective injection treatment is favored by a full canopy (i.e., leaves) and healthy vascular system. Once these tissues are compromised by arthropod damage (larval galleries, defoliation, leaf mining, etc.) an effective and uniform application of TREE-äge may be difficult to achieve and subsequent control may be poor. Optimally, treatment should be made preventively at least 2 to 3 weeks before arthropods historically infest the host tree. As a result of systemic movement and longevity of TREE-äge in trees, this interval may be extended much earlier to 6 months should tree dormancy, adverse weather, management, asynchronous life cycle of pests, etc., allow earlier application timing.

TREE-äge may also be effective as a remedial treatment against some pests, such as those with slower development or if multiple life stages are susceptible to TREE-äge. Pests that attack the stem and branches such as bark beetles and clearwing borers may disrupt vascular tissue resulting in poor distribution in an infested tree. This includes the initial larval stages of pests, such as bark beetles and clearwing borers, that attack the stem and branches, which may disrupt vascular tissue resulting in poor distribution of the product in an infested tree. Best results are achieved if applications are made prior to any vascular disruption to the tree. However, control may be achieved if larvae come into contact or feed on TREE-äge treated tissues.

## GROUP 6 INSECTICIDE

### RESISTANCE MANAGEMENT

TREE-äge Insecticide is a Group 6 insecticide (contains the active ingredient emamectin benzoate).

Because of the inherent risks of resistance development to any product, it is strongly advised that TREE-äge be used in a sound resistance management program. Treatment may not be effective against labeled pests if insect or mite tolerant strains develop. When applying to plants that are hosts of labeled pests and these labeled pests have multiple generations per year, use resistance management practices.

### USE

Use as formulated or dilute with equivalent 1 to 3 volumes of water to apply.

Tree Diameter (DBH) (Inches)	Low ml product/tree	Medium ml product/tree	High ml product/tree
4 to 6	15	25	50
7 to 9	20	40	80
10 to 12	30	55	110
13 to 15	35	70	140
16 to 18	42	85	170
19 to 21	50	100	200
22 to 24	–	115	230
25 to 27	–	130	260
28 to 30	–	145	290
31 to 33	–	160	320
34 to 36	–	175	350
37 to 39	–	190	380
40 to 42	–	205	410
43 to 45	–	220	440
46 to 48	–	235	470
49 to 51	–	250	500
52 to 54	–	265	530
55 to 57	–	280	560
58 to 60	–	295	590
61 to 63	–	310	620
64 to 66	–	325	650
67 to 69	–	340	680
70 to 72	–	355	710

The use of low, medium, and high rates are based on the professional judgment of the applicator as to what constitutes a low, medium or high infestation.

Higher rates tend to provide longer residual and control of more difficult to control insects. See **Target Pest** for additional information in choosing the amount of product to apply.

Applications in Trees			
Tree Tissue	Target Pest	Application Rate <sup>1</sup>	Comments
Seed and Cone	Pine Coneworm ( <i>Doryctia</i> spp), Pine Cone Seed Bug (suppression of <i>Leptoglossus</i> and <i>Tetyra</i> spp in the year of treatment)	Medium to High	For optimal control apply in the fall for early season pests or at least 30 days before insect attack.
Bud and Leaf	Tent Caterpillars (including Eastern, Forest, Pacific, and Western) Western Spruce Budworm Winter Moth	Low to Medium	Apply at least 2-3 weeks before the pest has historically been present. Consult with local extension agent for when this will occur in your area.
	Bagworm Fall Webworm Gypsy Moth Mimosa Webworm Oak Worm Tussock Moth Leafminers (including Lepidoptera Coleoptera Hymenoptera) Honeylocust Plant Bug Pine Needle Scale Red Palm Mite Sawfly (including Elm, Pine)	Low to High	
Shoot, Stem, Trunk and Branch	Clearwing Borers (including Ash, and Sequoia Pine Pitch Tube Moth)	Low to Medium	For control apply at least 30 days before historical egg hatch or adult flight and to trees whose vascular tissue is not damaged.
	Flat-headed Borers (including adult and larvae of Emerald Ash Borer)	Low to High	
	Roundheaded Borers (excluding Asian longhorn Borer)  Scolytids (bark beetles) Ips Engraver Beetles Mountain Pine Beetle Southern Pine Beetle Spruce Beetle Western Pine Beetle  Pinewood Nematode	Medium to High	If vascular tissue is damaged or plugged by insect galleries, nematodes or fungi, uniform treatment and control may not be achieved.

<sup>1</sup>Use medium to high rates for remedial and longer residual control.

## COMPATIBILITY

Do not mix TREE-äge before injection with other products such as insecticides, fungicides, plant growth regulators, surfactants, adjuvants, and fertilizers.

## RESTRICTIONS

Do not apply to trees that may yield food consumed by humans or used in animal feed. TREE-äge is not to be reformulated or repackaged, including custom blended.

## STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

**Pesticide Storage:** Store in a cool, dry place, away from children and pets. Keep from freezing.

**Pesticide Disposal:** Waste resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Handling:** Non-refillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use and disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Then offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration.

TREE-äge is a registered trademark of Arborjet, Inc.

Manufactured for: Arborjet, Inc.  
99 Blueberry Hill Road  
Woburn, MA 01801

SCPPL ABJ 1309A-L1D 0314, Material #4036736







# Pest Alert

Animal and Plant Health Inspection Service  
Plant Protection and Quarantine

## Spotted Lanternfly (*Lycorma delicatula*)

The spotted lanternfly is an invasive pest, primarily known to affect tree of heaven (*Ailanthus altissima*). It has been detected on many host plants, including apples, plums, cherries, peaches, nectarines, apricots, almonds, and pine. It also feeds on oak, walnut, poplar, and grapes. The insect will change hosts as it goes through its developmental stages. Nymphs feed on a wide range of plant species, while adults prefer to feed and lay eggs on tree of heaven (*A. altissima*).<sup>1</sup> If allowed to spread in the United States, this pest could seriously harm the country's grape, orchard, and logging industries.

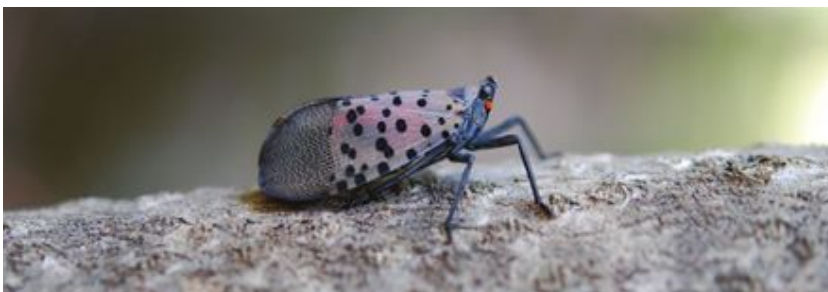
### Distribution and Spread

The spotted lanternfly is present in China, India, Japan, South Korea, and Vietnam. The insect was detected in Pennsylvania in September 2014. This was the first detection of spotted lanternfly in the United States.

Spotted lanternflies are invasive and can spread rapidly when introduced to new areas. While the insect can walk, jump, or fly short distances, its long-distance spread is facilitated by people who move infested material or items containing egg masses.

### Damage

Both nymphs and adults of spotted lanternfly cause damage when they feed, sucking sap from stems and leaves. This can reduce photosynthesis, weaken the plant, and eventually contribute to the plant's death. In addition, feeding can cause the plant to ooze or weep,



Adult spotted lanternfly

resulting in a fermented odor, and the insects themselves excrete large amounts of fluid (honeydew). These fluids promote mold growth and attract other insects.

### Description

Adult spotted lanternflies are approximately 1 inch long and one-half inch wide, and they have large and visually striking wings. Their forewings are light brown with black spots at the front and a speckled band at the rear. Their hind wings are scarlet with black spots at the front and white and black bars at the rear. Their abdomen is yellow with black bars. Nymphs in their early stages of

development appear black with white spots and turn to a red phase before becoming adults. Egg masses are yellowish-brown in color, covered with a gray, waxy coating prior to hatching.

### Life Cycle

The spotted lanternfly lays its eggs on smooth host plant surfaces and on non-host material, such as bricks, stones, and dead plants. Eggs hatch in the spring and early summer, and nymphs begin feeding on a wide range of host plants by sucking sap from young stems and leaves. Adults appear in late July and tend to focus their feeding on tree of heaven (*A. altissima*) and grapevine

<sup>1</sup> In Pennsylvania, adult spotted lanternflies have also been found feeding and egg laying on willow, maple, poplar, and sycamore, as well as on fruit trees, like plum, cherry, and peach.



(*Vitis vinifera*). As the adults feed, they excrete sticky, sugar-rich fluid similar to honeydew. The fluid can build up on plants and on the ground underneath infested plants, causing sooty mold to form.

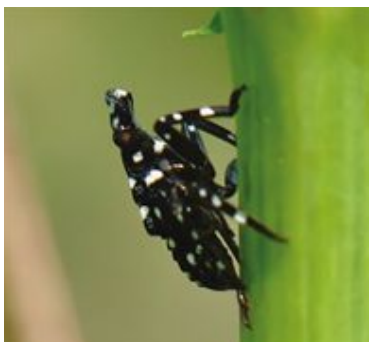
## Where To Look

Spotted lanternfly adults and nymphs frequently gather in large numbers on host plants. They are easiest to spot at dusk or at night as they migrate up and down the trunk of the plant. During the day, they tend to cluster near the base of the plant if there is adequate cover or in the canopy, making them more difficult to see. Egg masses can be found on smooth surfaces on the trunks of host plants and on other smooth surfaces, including brick, stone, and dead plants.

## Report Your Findings

If you find an insect that you suspect is the spotted lanternfly, please contact your local Extension office or State Plant Regulatory Official to have the specimen identified properly.

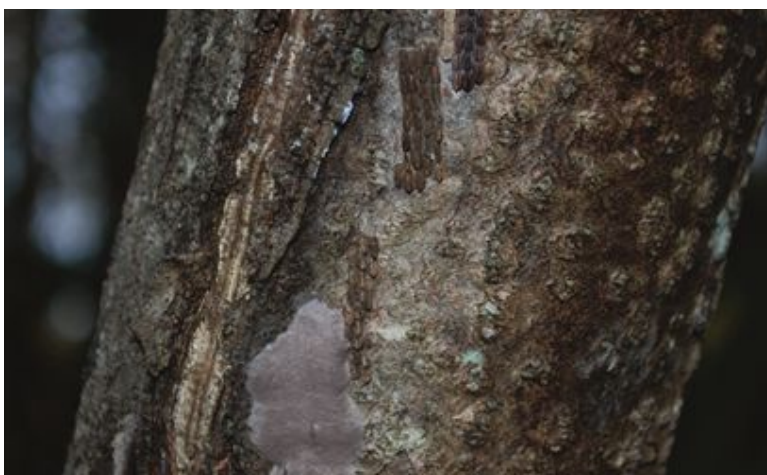
To locate an Extension specialist near you, go to the U.S. Department of Agriculture (USDA) Web site at **[www.nifa.usda.gov/Extension](http://www.nifa.usda.gov/Extension)**. A directory of State Plant Regulatory Officials is available on the National Plant Board Web site at **[www.nationalplantboard.org/membership](http://www.nationalplantboard.org/membership)**.



Nymphs are black with white spots in early stages of development. (Credit: itchydogimages)



Nymphs turn red just before becoming adults. (Credit: itchydogimages)



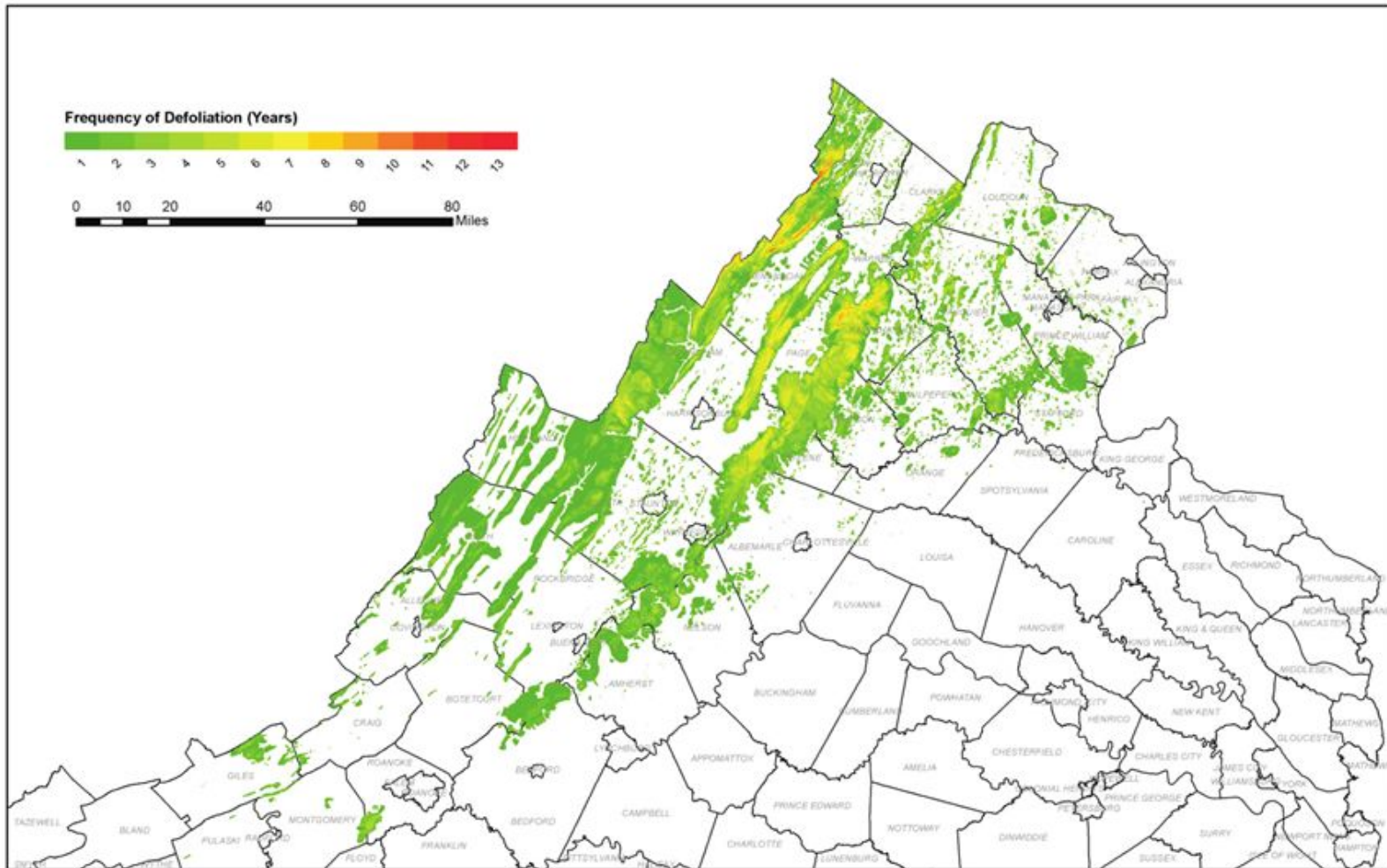
Hatched and unhatched egg masses



Cluster of adults on the trunk of a tree at night



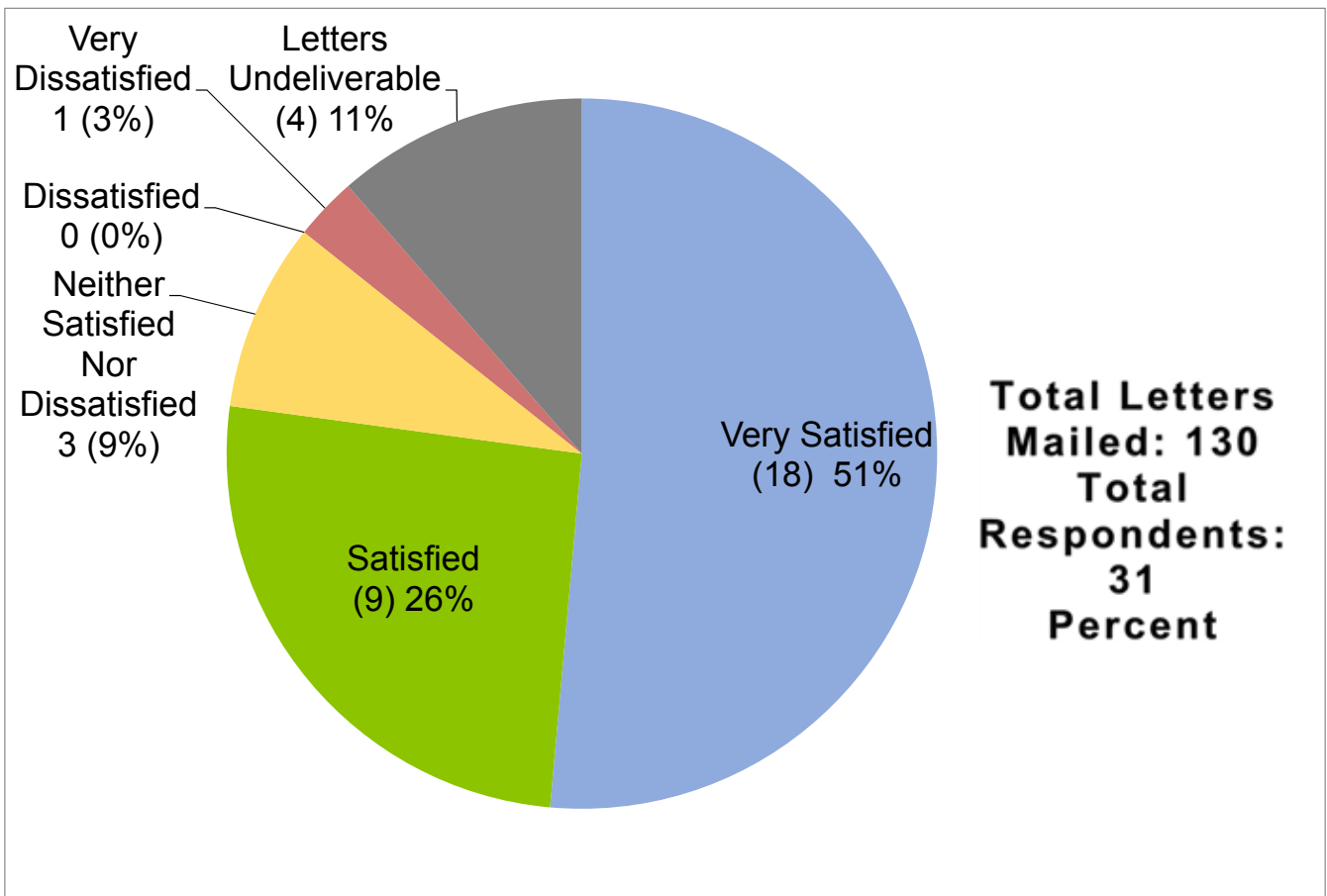
## Gypsy Moth Cumulative Defoliation (1984-2009)



Acres affected within Virginia  
Total - 2,426,956

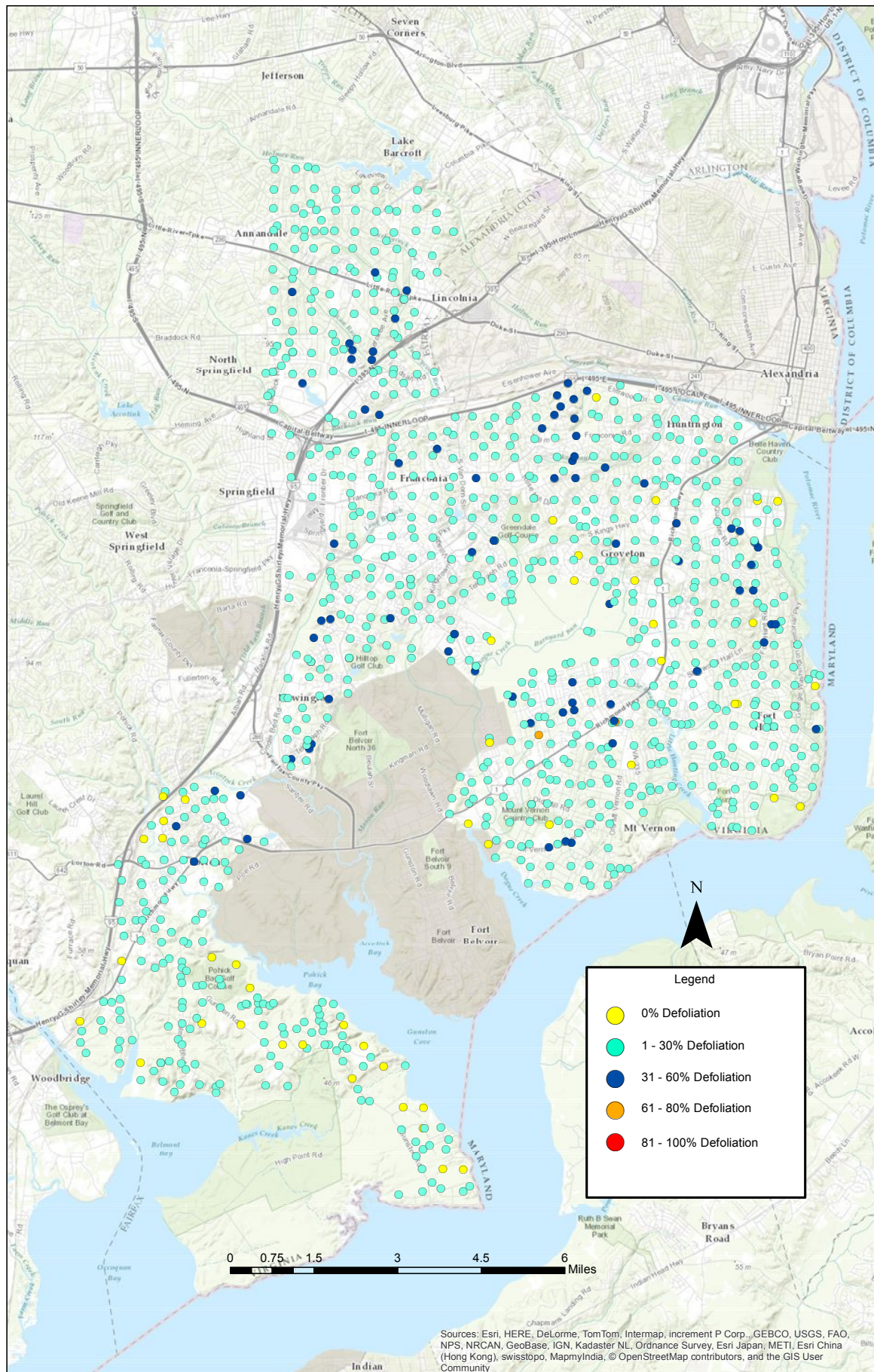
Mapped by Todd Edgerton 2/17/2010

## 2015 Fall Cankerworm Citizen Feedback Survey





## Fall Cankerworm Defoliation Survey - 2015



# Pest Alert

United States  
Department of  
Agriculture  
Forest Service

Northeastern Area  
State and Private Forestry

NA-PR-09-05

August 2005

## Hemlock Woolly Adelgid

Native to Asia, the hemlock woolly adelgid (*Adelges tsugae*) is a small, aphidlike insect that threatens the health and sustainability of eastern hemlock (*Tsuga canadensis*) and Carolina hemlock (*Tsuga caroliniana*) in the Eastern United States. Hemlock woolly adelgid was first reported in the Eastern United States in 1951 near Richmond, Virginia. By 2005, it was established in portions of 16 States from Maine to Georgia, where infestations covered about half of the range of hemlock. Areas of extensive tree mortality and decline are found throughout the infested region, but the impact has been most severe in some areas of Virginia, New Jersey, Pennsylvania, and Connecticut.

Hemlock decline and mortality typically occur within 4 to 10 years of infestation in the insect's northern range, but can occur in as little as 3 to 6 years in its southern range. Other hemlock stressors, including drought, poor site conditions, and insect and disease pests such as elongate hemlock scale (*Fiorinia externa*), hemlock looper (*Lambdina fiscellaria fiscellaria*), spruce spider mite (*Oligonychus ununguis*), hemlock borer (*Melanophila fulvogutta*), root rot disease (*Armillaria mellea*), and needle rust (*Melampsora parlowii*), accelerate the rate and extent of hemlock mortality.

### Hosts

The hemlock woolly adelgid develops and reproduces on all species of hemlock, but only eastern and Carolina hemlock are vulnerable when attacked. The range of eastern hemlock stretches from Nova Scotia to northern Alabama and west to northeastern Minnesota and eastern Kentucky. Carolina hemlock occurs on dry mountain slopes in the southern Appalachians of western Virginia, North and South Carolina, Georgia, and Tennessee. Eastern hemlock is also commonly planted as a tree, shrub, or hedge in ornamental landscapes. At least 274 cultivars of eastern hemlock are known to exist.

### Description

The hemlock woolly adelgid is tiny, less than 1/16-inch (1.5-mm) long, and varies from dark reddish-brown to purplish-black in color. As it matures, it produces a covering of wool-like wax filaments to protect itself and its eggs from natural enemies and prevent them from drying out. This "wool" (ovisac) is most conspicuous when the adelgid is mature and laying eggs. Ovisacs can be readily



FIGURE 1.—Hemlock woolly adelgid ovisacs.

observed from late fall to early summer on the underside of the outermost branch tips of hemlock trees (figure 1).

### Life History

The hemlock woolly adelgid is parthenogenetic (all individuals are female with asexual reproduction) and has six stages of development: the egg, four nymphal instars, and the adult. The adelgid completes two generations a year on hemlock. The winter generation, the sistens, develops from early summer to midspring of the following year (June–March). The spring generation, the progrediens, develops from spring to early summer (March–June). The generations overlap in mid to late spring.

The hemlock woolly adelgid is unusual in that it enters a period of dormancy during the hot summer months. The nymphs during this time period have a tiny halo of woolly wax surrounding their bodies (figure 2). The adelgids begin to feed once cooler temperatures prevail, usually in October, and continue throughout the winter months.

The ovisacs of the winter generation contain up to 300 eggs, while the spring generation ovisacs contain between 20 and 75 eggs. When hatched, the first instar nymphs, called crawlers, search for suitable feeding sites on the twigs at the base of hemlock needles. Once settled, the nymphs begin feeding on the young twig tissue and remain at that location throughout the remainder of their development. Unlike closely related insects that feed on nutrients in sap, the hemlock woolly adelgid feeds on stored starches. These starch reserves are critical to the tree's growth and long-term survival.





FIGURE 2.—Hemlock woolly adelgid nymphs in dormancy.



FIGURE 3.—Chemical treatment using the soil injection method.



FIGURE 4.—Predators introduced for control in the Eastern United States, left to right (origin): *Sasajiscymnus tsugae* (Japan), *Scymnus sinuanodulus* (China), and *Laricobius nigrinus* (Western North America).

Dispersal and movement of hemlock woolly adelgid occur primarily during the first instar crawler stage as a result of wind and by birds, deer, and other forest-dwelling mammals that come in contact with the sticky ovisacs and crawlers. Isolated infestations and long-distance movement of hemlock woolly adelgid, though, most often occur as the result of people transporting infested nursery stock.

## Control

Cultural, regulatory, chemical, and biological controls can reduce the hemlock woolly adelgid's rate of spread and protect individual trees. Actions such as moving bird feeders away from hemlocks and removing isolated infested trees from a woodlot can help prevent further infestations. State quarantines help prevent the movement of infested materials into noninfested areas.

Chemical control options, such as foliar sprays using horticultural oils and insecticidal soaps, are effective when trees can be saturated to ensure that the insecticide comes in contact with the adelgid. Several systemic insecticides have also proven effective on large trees when applied to the soil around the base of the tree or injected directly into the stem (figure 3). Chemical control is limited to individual tree treatments in readily accessible, nonenvironmentally sensitive areas; it is not feasible in forests, particularly when large numbers of trees are infested. Chemical treatments offer a short-term solution, and applications may need to be repeated in subsequent years.

The best option for managing hemlock woolly adelgid in forests is biological control. Although there are natural enemies native to Eastern North America that feed on hemlock woolly adelgid, they are not effective at reducing populations enough to prevent tree mortality. Therefore, biological control opportunities using natural enemies (predators and pathogens) from the adelgid's native environment are currently being investigated. Several predators known to feed exclusively on adelgids have been imported from China, Japan, and Western North America and are slowly becoming established throughout the infested region (figure 4). It will likely take a complex of natural enemies to maintain hemlock woolly adelgid populations below damaging levels. Efforts to locate, evaluate, and establish other natural enemies continue.

## Pesticide Precautionary Statement

Pesticides used improperly can be injurious to humans, animals, and plants. Follow the directions and heed all precautions on the labels.

Note: Some States have restrictions on the use of certain pesticides. Check your State and local regulations. Also, because registrations of pesticides are under constant review by the Federal Environmental Protection Agency, consult your county agricultural agent or State extension specialist to be sure the intended use is still registered.



For additional information or copies of this publication, visit <http://www.na.fs.fed.us/fhp/hwa>.



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# Pest Alert

United States  
Department of Agriculture  
Forest Service  
Northeastern Area  
State and Private Forestry  
NA-PR-02-10  
Revised August 2010

## Thousand Cankers Disease

Dieback and mortality of eastern black walnut (*Juglans nigra*) in several Western States have become more common and severe during the last decade. A tiny bark beetle is creating numerous galleries beneath the bark of affected branches, resulting in fungal infection and canker formation. The large numbers of cankers associated with dead branches suggest the disease's name—*thousand cankers disease*.

The principal agents involved in this disease are a newly identified fungus (*Geosmithia* sp. with a proposed name of *Geosmithia morbida*) and the walnut twig beetle (*Pityophthorus juglandis*). Both the fungus and the beetle only occur on walnut species. An infested tree usually dies within 3 years of initial symptoms.

Thousand cankers disease has been found in many Western States (figure 1). The first confirmation of the beetle and fungus within the native range of black walnut was in Tennessee (July 2010). The potential damage of this disease to eastern forests could be great because of the widespread distribution of eastern black walnut, the susceptibility of this tree species to the disease, and the capacity of the fungus and beetle to invade new areas and survive under a wide range of climatic conditions in the west.

### Disease Symptoms

The three major symptoms of this disease are branch mortality, numerous small cankers on branches and the bole, and evidence of tiny bark beetles. The earliest symptom is yellowing foliage that progresses rapidly to brown wilted foliage, then finally branch mortality (figure 2). The fungus causes distinctive circular to oblong cankers in the phloem under the bark, which eventually kill the cambium (figure 3). The bark surface may have no symptoms, or a dark amber stain or cracking of the bark may occur directly above a canker. Numerous tiny bark beetle entrance and exit holes are visible on dead and dying branches (figure 4), and bark beetle galleries are often found within the cankers. In the final stages of disease, even the main stem has beetle attacks and cankers.

### *Geosmithia* sp.

Members of the genus *Geosmithia* have not been considered to be important plant pathogens, but



Figure 1. Thousand cankers disease occurs in eight western states (outlined in red) and in the east was first confirmed in Knoxville, TN in July 2010 (see \*). In the west the year when symptoms were first noted is given. Native distributions of four species of western walnuts (blue) and eastern black walnut (green) are also shown. Eastern black walnut is widely planted in the West, but not depicted on this map.

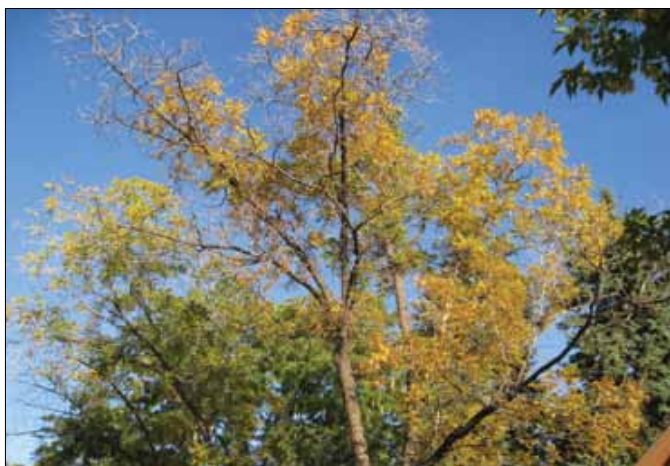


Figure 2. Wilting black walnut in the last stages of thousand cankers disease.



Figure 3. Small branch cankers caused by *Geosmithia morbida*.



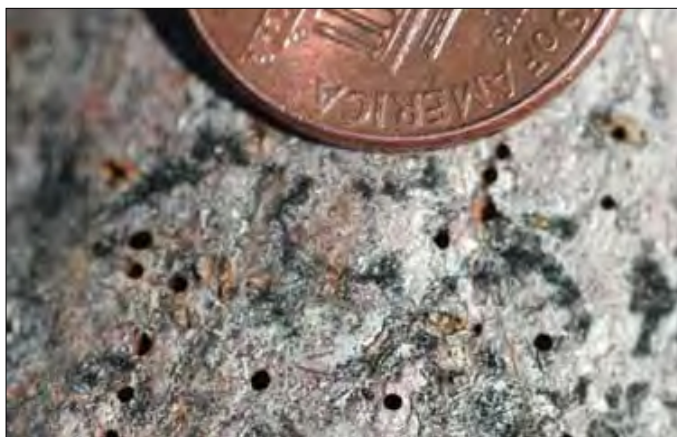


Figure 4. Exit holes made by adult walnut twig beetles.

*Geosmithia morbida* appears to be more virulent than related species. Aside from causing cankers, the fungus is inconspicuous. Culturing on agar media is required to confirm its identity. Adult bark beetles carry fungal spores that are then introduced into the phloem when they construct galleries. Small cankers develop around the galleries; these cankers may enlarge and coalesce to completely girdle the branch. Trees die as a result of these canker infections at each of the thousands of beetle attack sites.

## Walnut Twig Beetle

The walnut twig beetle is native to Arizona, California, and New Mexico. It has invaded Colorado, Idaho, Oregon, Utah, and Washington where walnuts have been widely planted. The beetle has not caused significant branch mortality by itself. Through its association with this newly identified fungus, it appears to have greatly increased in abundance. Adult beetles are very small (1.5 to 2.0 mm long or about 1/16 in) and are reddish brown in color (figure 5). This species is a typical-looking bark beetle that is characterized by its very small size and four to six concentric ridges on the upper surface of the pronotum (the shield-like cover behind and over the head) (figure 5A). Like most bark beetles, the larvae are white, C shaped, and found in the phloem. For this species, the egg galleries created by the adults are horizontal (across the grain) and the larval galleries tend to be vertical (along the grain) (figure 6).

## Survey and Samples

Visually inspecting walnut trees for dieback is currently the best survey tool for the Eastern United States. Look for declining trees with the symptoms described above. If you suspect that your walnut trees have thousand cankers disease, collect a branch 2 to 4 inches

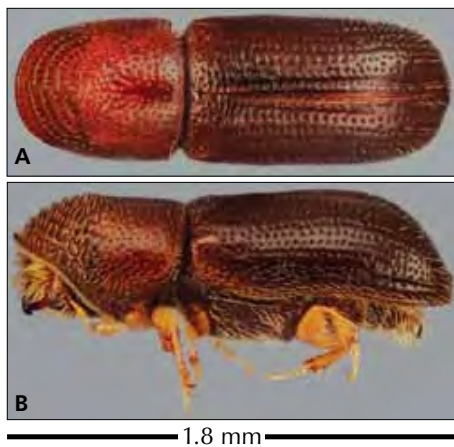


Figure 5. Walnut twig beetle: top view (A) and side view (B).



Figure 6. Walnut twig beetle galleries under the bark of a large branch.

in diameter and 6 to 12 inches long that has visible symptoms. Please submit branch samples to your State's plant diagnostic clinic. Each State has a clinic that is part of the National Plant Diagnostic Network (NPDN). They can be found at the NPDN Web site ([www.npdn.org](http://www.npdn.org)). You may also contact your State Department of Agriculture, State Forester, or Cooperative Extension Office for assistance.

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Photographs:

Figure 1: Andrew Graves

Figure 2: Manfred Mielke, U.S. Forest Service

Figures 3, 4, 6: Whitney Cranshaw, Colorado State University, [www.forestryimages.org](http://www.forestryimages.org)

Figure 5: Steve Valley, Oregon Department of Agriculture

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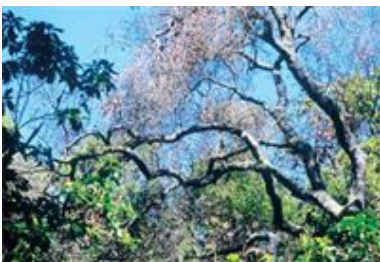
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## Sudden Oak Death

Oak mortality is caused by a new pathogen, *Phytophthora ramorum*

A phenomenon known as Sudden Oak Death was first reported in 1995 in central coastal California. Since then, tens of thousands of tanoaks (*Lithocarpus densiflorus*), coast live oaks (*Quercus agrifolia*), and California black oaks (*Quercus kelloggii*) have been killed by a newly identified fungus, *Phytophthora ramorum*. On these hosts, the fungus causes a bleeding canker on the stem. The pathogen also infects *Rhododendron* spp., huckleberry (*Vaccinium ovatum*), bay laurel (*Umbellularia californica*), madrone (*Arbutus menziesii*), bigleaf maple (*Acer macrophyllum*), manzanita (*Arctostaphylos manzanita*), and California buckeye (*Aesculus californica*). On these hosts the fungus causes leaf spot and twig dieback.



**In California** *Phytophthora ramorum* causes crown symptoms and tree mortality.

As of January 2002, the disease was known to occur only in California and southwestern Oregon; however, transporting infected hosts may spread the disease. The pathogen has the potential to infect oaks and other trees and shrubs elsewhere in the United States. Limited tests show that many oaks are susceptible to the fungus, including northern red oak and pin oak, which are highly susceptible.

On oaks and tanoak, cankers are formed on the stems. Cankered trees may survive for one to several years, but once crown dieback begins, leaves turn from green to pale yellow to brown within a few weeks. A black or reddish ooze often

bleeds from the cankers, staining the surface of the bark and the lichens that grow on it. Bleeding ooze may be difficult to see if it has dried or has been washed off by rain, although remnant dark staining is usually present.

Necrotic bark tissues surrounded by black zone lines are usually present under affected bark. Because these symptoms can also be caused by other *Phytophthora* species, laboratory tests must be done to confirm pathogen identity.

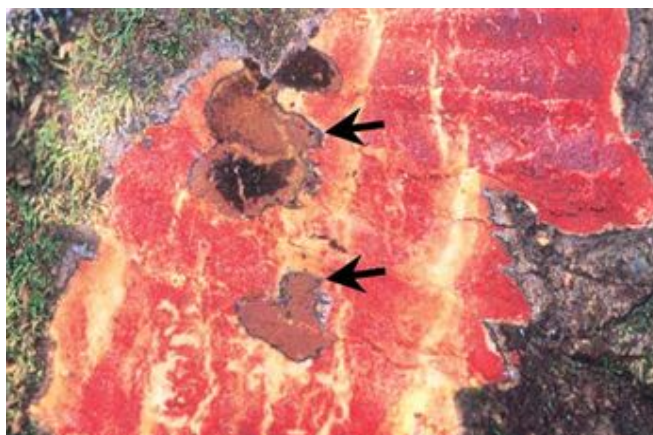
In the Eastern United States, other disorders of oaks have similar symptoms. See the reverse of this sheet for descriptions. If unusual oak mortality occurs and symptoms do not match these regional disorders, evaluate affected trees for *Phytophthora ramorum*.

In the United States, sudden oak death is known to occur only along the west coast. However, the fact that widely traded rhododendron ornamentals can be infected with the pathogen and the demonstrated susceptibility of some important eastern oaks make introduction to eastern hardwood forests a significant risk. Early detection will be important for successful eradication. Oaks defoliated early in the growing season by insects or pathogens may appear dead, but leaves usually reflush later in the season. Canker rots, slime flux, leaf scorch, root diseases, freeze damage, herbicide injury, and other ailments may cause symptoms similar to those caused by *P. ramorum*. Oak wilt, oak decline, and red oak borer damage are potentially the most confusing. See the reverse of this sheet for comparisons with sudden oak death symptoms.

To report infected trees or to receive additional information, please contact your State or Federal forest health specialist. On the Internet, visit the SOD home page at [www.suddenoakdeath.org](http://www.suddenoakdeath.org). To distinguish this new disease from diseases with similar appearance, visit [www.na.fs.fed.us/SOD](http://www.na.fs.fed.us/SOD).



Ooze bleeds from a canker on an infected oak.



Black zone lines are found under diseased bark in oak.

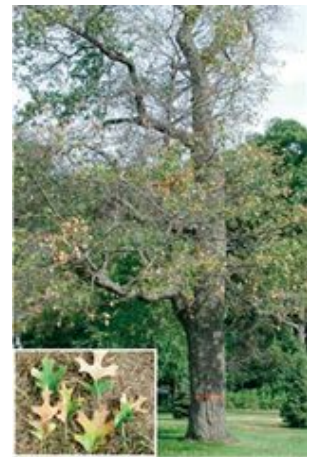
## Eastern Oak Disorders That Resemble Sudden Oak Death

In eastern hardwood forests, sudden oak death can be confused, in particular, with oak wilt, oak decline, and red oak borer damage. Descriptions of these disorders and comparisons with sudden oak death follow.

### Oak Wilt

Oak wilt is an aggressive fungus disease caused by *Ceratocystis fagacearum*. It is one of the most serious diseases in the Eastern United States, killing thousands of oak trees in forests, woodlots, and home landscapes. Susceptible hosts include most oaks in the red oak group and Texas live oak. Symptoms include wilting and discoloration of the foliage, premature leaf drop, and rapid death of the tree within days or weeks of the first symptoms. Trees become infected with oak wilt in two ways: through connections between root systems of adjacent trees, and through insects that carry the fungus to other trees that have been wounded.

**Similarities:** Oak wilt can also kill trees very quickly, especially if infection begins through root grafts. **Differences:** The oak wilt pathogen does not cause cankers on the stems, and no bleeding is associated with this disease. Dark staining may be evident under the bark of trees with oak wilt, but there are no conspicuous zone lines. Oak wilt typically causes red oak leaves to turn brown around the edges while the veins remain green. Leaves are rapidly shed as the tree dies. Conversely, in live oak with the sudden oak death pathogen, the veins first turn yellow and eventually turn brown. Leaves are often retained on the tree after it dies.



**Oak wilt quickly kills most infected trees. Wilting leaves turn brown at the margins (inset) and fall as the tree dies.**

### Oak Decline

Oak decline is a slow-acting disease complex that can kill physiologically mature trees in the upper canopy. Decline results from interactions of multiple stresses, such as prolonged drought and spring defoliation by late frost or insects, opportunistic root disease fungi such as *Armillaria mellea*, and inner-bark-boring insects such as the two-lined chestnut borer and red oak borer. Progressive dieback of the crown is the main symptom of oak decline and is an expression of an impaired root system. This disease can kill susceptible oaks within 3-5 years of the onset of crown symptoms. Oak decline occurs throughout the range of eastern hardwood forests, but is particularly common in the Southern Appalachian Mountains in North Carolina, Tennessee, and Virginia, as well as the Ozark Mountains in Arkansas and Missouri.

**Similarities:** Oak decline can cause death of many oaks on a landscape scale. Moist, dark stains may be present on the trunk of trees affected by oak decline. **Differences:** Oak decline shows evidence that dieback has occurred over several years from the top down and outside inward. Newly killed branches with twigs attached are usually found in the same crown as those in a more advanced state of deterioration killed years before. Dieback associated with sudden oak death occurs over a growing season or two. The inner bark beneath the dark stain associated with stem-boring-insect attacks has a discrete margin with no zone lines or evidence of canker development beyond the attack site.



**Oak decline can take years to kill an entire tree.**

### Red Oak Borer

Red oak borer (*Enaphalodes rufulus* (Haldeman)) attacks oaks of both red and white groups throughout the eastern United States, but prefers members of the red oak group; however, it does not kill trees. Outbreaks are associated with stressed trees that eventually die from oak decline. The complete life cycle takes 2 years. Adults are 1-1.5 inches long with antennae one to two times as long as the body. Larvae are the damaging life stage. Adult females lay eggs in mid-summer in refuges in the crevices of the bark. Newly hatched larvae bore into the phloem, where they mine an irregular burrow 0.5-1 inch in diameter before fall. In spring and summer of the second year, dark, moist stains and fine, granular frass may be seen on the trunk. Exposure of the inner bark reveals the frass-packed

burrow and the larva, if it has not bored more deeply into the wood to complete development. Mature larvae are stout, round-headed grubs about 2 inches long before they pupate deep in the wood.

**Similarities:** Moist, dark stains and fine frass may be present at sites of red oak borer attack. **Differences:** With red oak borer the inner bark beneath the dark stain contains a frass-packed burrow and has a discrete margin with no zone lines or evidence of canker development beyond it.



**Tunnels in the inner bark indicate the presence of red oak borer.**

#### For further information on related disorders:

**Oak Wilt:** [http://www.na.fs.fed.us/spfo/pubs/howtos/ht\\_oakwilt/toc.htm](http://www.na.fs.fed.us/spfo/pubs/howtos/ht_oakwilt/toc.htm)

**Oak Decline:** <http://www.na.fs.fed.us/spfo/pubs/fidls/oakdecline/oakdecline.htm>

**Red Oak Borer:** <http://www.na.fs.fed.us/spfo/pubs/fidls/Red%20Oak%20Borer/reoak.htm>

**Other Pest Publications:** [http://www.na.fs.fed.us/spfo/fth\\_pub.htm](http://www.na.fs.fed.us/spfo/fth_pub.htm)

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# Pest Alert



United States  
Department of Agriculture

Forest Service

Animal and Plant  
Health Inspection Service

NA-PR-01-99GEN  
Revised August 2008

## Asian Longhorned Beetle (*Anoplophora glabripennis*): A New Introduction

The Asian longhorned beetle (ALB) has been discovered attacking trees in the United States. Tunneling by beetle larvae girdles tree stems and branches. Repeated attacks lead to dieback of the tree crown and, eventually, death of the tree. ALB probably travelled to the United States inside solid wood packing material from China. The beetle has been intercepted at ports and found in warehouses throughout the United States.

This beetle is a serious pest in China, where it kills hardwood trees in roadside plantings, shelterbelts, and plantations. In the United States the beetle prefers maple species (*Acer* spp.), including **boxelder**, **Norway**, **red**, **silver**, and **sugar maples**. Other preferred hosts are **birches**, **Ohio buckeye**, **elms**, **horsechestnut**, and **willows**. Occasional to rare hosts include **ashes**, **European mountain ash**, **London planetree**, **mimosa**, and **poplars**. A complete list of host trees in the United States has not been determined.

Currently, the only effective means to eliminate ALB is to remove infested trees and destroy them by chipping or burning. To prevent further spread of the insect, quarantines are established to avoid transporting infested

trees and branches from the area. Early detection of infestations and rapid treatment response are crucial to successful eradication of the beetle.

The ALB has one generation per year. Adult beetles are usually present from July to October, but can be found later in the fall if temperatures are warm. Adults usually stay on the trees from which they emerged or they may disperse short distances to a new host to feed and reproduce. Each female usually lays 35-90 eggs during her lifetime. Some are capable of laying more than that. The eggs hatch in 10-15 days. The larvae feed under the bark in the living tissue of the tree for a period of time and then bore deep into the wood where they pupate. The adults emerge from pupation sites by boring a tunnel in the wood and creating a round exit hole in the tree.

For more information about Asian longhorned beetle in the United States, visit these U.S. Department of Agriculture Web sites:

[www.na.fs.fed.us/fhp/alb/](http://www.na.fs.fed.us/fhp/alb/)

[www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/asian\\_lhb/index.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/asian_lhb/index.shtml)

***If you suspect an Asian longhorned beetle infestation, please collect an adult beetle in a jar, place the jar in the freezer, and immediately notify any of these officials or offices in your State:***

State Department of Agriculture:

- State Plant Regulatory Official
- State Entomologist

U.S. Department of Agriculture:

- Animal and Plant Health Inspection Service,  
Plant Protection and Quarantine
- Forest Service

County Cooperative Extension Office

State Forester or Department of Natural Resources



# Asian Longhorned Beetle

## WHAT TO LOOK FOR:



**1. Adult beetles.** Individuals are  $\frac{3}{4}$  to  $1\frac{1}{4}$  inches long, with jet black body and mottled white spots on the back. The long antennae are  $1\frac{1}{2}$  to  $2\frac{1}{2}$  times the body length with distinctive black and white bands on each segment. The feet have a bluish tinge.



**2. Oval to round pits in the bark.** These egg-laying sites or niches are chewed out by the female beetle, and a single egg is deposited in each niche.



**3. Oozing sap.** In the summer, sap may flow from egg niches, especially on maple trees, as the larvae feed inside the tree.



**4. Accumulation of coarse sawdust** around the base of infested trees, where branches meet the main stem, and where branches meet other branches. This sawdust is created by the beetle larvae as they bore into the main tree stem and branches.



**5. Round holes,**  $\frac{3}{8}$  inch in diameter or larger, on the trunk and on branches. These exit holes are made by adult beetles as they emerge from the tree.

### Photo Sources:

USDA Forest Service

USDA Animal and Plant Health Inspection Service

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Board Agenda Item  
March 1, 2016

ACTION – 3

Grant Agreement Between the Virginia Department of Environmental Quality and Fairfax County for the Accotink Tributary at Wakefield Park, South; Accotink Tributary at Wakefield Park, North; Paul Spring Branch at Gilbert McCutcheon Park; Colony Park; Accotink Tributary at Daventry; Difficult Run at Oakton Estates; Inverchapel Road Outfall Rehabilitation; and Flatlick Branch, Phase I Projects (Braddock, Mason, Mount Vernon, Springfield, and Sully Districts)

ISSUE:

Board of Supervisors' authorization is requested for the County to approve the Grant Agreement between the Virginia Department of Environmental Quality and Fairfax County that provides Stormwater Local Assistance Funds (SLAF) for the design and construction of the Accotink Tributary at Wakefield Park, South; Accotink Tributary at Wakefield Park, North; Paul Spring Branch at Gilbert McCutcheon Park; Colony Park; Accotink Tributary at Daventry; Difficult Run at Oakton Estates; Inverchapel Road Outfall Rehabilitation; and Flatlick Branch, Phase I projects.

RECOMMENDATION:

The County Executive recommends that the Board approve and authorize the County Executive or his designee to sign the agreement with Department of Environmental Quality to provide SLAF grant funds to the County for the design and construction of the Accotink Tributary at Wakefield Park, South; Accotink Tributary at Wakefield Park, North; Paul Spring Branch at Gilbert McCutcheon Park; Colony Park; Accotink Tributary at Daventry; Difficult Run at Oakton Estates; Inverchapel Road Outfall Rehabilitation; and Flatlick Branch, Phase I projects.

TIMING:

Board approval is requested on March 1, 2016.

BACKGROUND:

The Virginia General Assembly created the Stormwater Local Assistance Fund (SLAF) to provide matching grants to local governments for planning, designing, and implementing best management practices to reduce pollution generated from

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March 1, 2016

stormwater runoff. In October 2014, the County submitted an application to the Virginia Department of Environmental Quality (DEQ) in response to the Fiscal Year 2015 SLAF grant solicitation. In its application, the County requested funding for nine stream and water quality improvement projects. In December 2014, DEQ issued a project funding list that included the following nine projects that were submitted by Fairfax County:

- Accotink Tributary at Wakefield Park, South
- Accotink Tributary at Wakefield Park, North
- Paul Spring Branch at Gilbert McCutcheon Park
- Colony Park
- Accotink Tributary at Daventry
- Difficult Run at Oakton Estates
- Inverchapel Road Outfall Rehabilitation
- Flatlick Branch Phase I
- Turkeycock Run Stream Restoration/Pinecrest Golf Course

The nine projects are located in the Braddock, Mason, Mount Vernon, Springfield, and Sully magisterial districts.

Collectively, these projects are computed to reduce phosphorous, nitrogen, and total suspended solids in our streams and the Chesapeake Bay by 518 pounds/year, 599 pounds/year, and 168 tons/year, respectively.

The Accotink Tributary at Wakefield Park projects are under construction and scheduled for substantial completion in January 2017. The projects will restore approximately 2,700 linear feet of two unnamed tributaries to Accotink Creek (South approximately 1,830 linear feet and North approximately 870 linear feet). The South and North projects are identified as AC9210 and AC9232, respectively, in the Accotink Creek Watershed Management Plan. The project sites are located entirely on Fairfax County Park Authority property at 8100 Braddock Road and found on Tax Map 70-4.

The Paul Spring Branch at Gilbert McCutcheon Park stream restoration project was substantially complete in September 2015. This project restored approximately 550 linear feet of tributary to Paul Spring Branch in the Little Hunting Creek Watershed. The project is identified as LH9150 in the Little Hunting Creek Watershed Management Plan and is located entirely on Fairfax County Park Authority property near the intersection of Belle Vista Drive and Admiral Drive and found on Tax Map 93-4.

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The Colony Park project is under construction and scheduled for substantial completion in April 2016. This project will retrofit two dry detention basins as constructed wetlands and restore approximately 300 linear feet of an unnamed tributary in the Pohick Creek Watershed. The project is identified as PC9131 in the Pohick Creek Watershed Management Plan and is located within a storm drainage easement near 10250 New Guinea Road and found on Tax Map 77-2.

The Accotink Tributary at Daventry stream restoration project is under construction and scheduled for substantial completion in February 2016. The Daventry project will restore approximately 335 linear feet of an unnamed tributary in the Accotink Creek Watershed. The project was not originally included in the Watershed Management Plan; however since the development of the Plan, this project was identified as a priority project. The project is located on Fairfax County Park Authority property within a storm drainage easement near 7724 Gromwell Court and found on Tax Map 89-2.

The Difficult Run at Oakton Estates stream restoration project was substantially complete in June 2015. This project restored approximately 330 linear feet of an unnamed tributary in the Difficult Run Watershed. The project is identified as DF9405 in the Difficult Run Watershed Management Plan and is located within a storm drainage easement near 11705 Flemish Mill Court and found on Tax Map 46-2.

The Inverchapel Road Outfall Rehabilitation project was substantially complete in December 2015. This outfall rehabilitation restored approximately 175 linear feet of an unnamed tributary in the Accotink Creek Watershed. The project was not originally included in the Watershed Management Plan; however since the development of the Plan, this project was identified as a priority project. The project site is located entirely on Fairfax County Park Authority property behind 5216 and 5218 Inverchapel Road and found on Tax Map 79-1.

The Flatlick Phase I stream restoration project is under construction and scheduled for substantial completion in June 2016. This project will restore approximately 1,850 linear feet of Flatlick Branch in the Cub Run Watershed, and retrofit a dry detention basin into a constructed wetland. The project is identified as CU9214 in the Cub Run and Bull Run Watershed Management Plan and is located entirely on Fairfax County Park Authority property near 13661 Lee Jackson Memorial Highway and Chantilly Road and found on Tax Maps 34-4 and 44-2.

The Turkeycock Run Stream Restoration/Pinecrest Golf Course project is scheduled to begin construction in spring 2016 and is not included in the attached agreement. Rather, DEQ will issue an amendment to this agreement after the construction contract

Board Agenda Item  
March 1, 2016

has been awarded and the notice to proceed has been issued. The project will restore approximately 300 linear feet of Turkeycock Run in the Cameron Run Watershed. This project is identified as CA9236 in the Cameron Run Watershed Management Plan and is located entirely on Fairfax County Park Authority property at 6600 Little River Turnpike and found on Tax Map 72-1.

On October 22, 2014, a memorandum from the County Executive notified the Board that the Stormwater Planning Division had submitted an SLAF application to fund these nine stormwater projects. Then, on January 9, 2015, the Board was notified by memorandum that DEQ had reviewed the County's application and authorized matching grant funding for the nine proposed projects. The final phase of documentation to receive reimbursement for the eight projects eligible for reimbursement at this time is the attached Grant Agreement submitted to the Board through this item.

FISCAL IMPACT:

This grant reimburses funds expended by the County. The state will reimburse costs, up to \$5,012,905 for fifty percent of total eligible project costs incurred by the County prior to and subsequent to executing the grant agreement. County funding for these projects is appropriated in Fund 400-C40100, Stormwater Services, Project SD-000031: Streams and Water Quality Improvements, and in Fund 300-C30090, Pro-Rata Share Drainage Construction, Project SD-000015: Little Hunting Creek Watershed. Reimbursed amounts will be received as revenue to the Stormwater program providing funds for other watershed improvement projects.

ENCLOSED DOCUMENTS:

Attachment 1: Grant Agreement SLAF 15-05

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Randolph W. Bartlett, Deputy Director, DPWES

Kirk Kincannon, Director, Fairfax County Park Authority



**STORMWATER LOCAL ASSISTANCE FUND  
GRANT AGREEMENT  
SLAF Grant No.: 15-05**

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THIS AGREEMENT is made as of this \_\_\_\_ day of \_\_\_\_\_, by and between the Virginia Department of Environmental Quality (the "Department"), and the County of Fairfax, Virginia (the "Grantee").

Pursuant to Item 360 in Chapter 860 of the 2013 Acts of Assembly (the Commonwealth's 2013-14 Budget) (the "Act"), the General Assembly created the Stormwater Local Assistance Fund (the "Fund"). The Department is authorized pursuant to Item C-39.40 in Chapter 1 of the 2014 Acts of Assembly, Special Session I, to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads.

The Grantee has been approved by the Department to receive a Grant from the Fund subject to the terms and conditions herein to finance fifty percent (50%) of the cost of the Eligible Project, which consists of the planning, design and implementation of best management practices for stormwater control as described herein. The Grantee will use the Grant to finance that portion of the Eligible Project Costs not being paid for from other sources as set forth in the Total Project Budget in Exhibit B to this Agreement. Such other sources may include, but are not limited to, the Virginia Water Facilities Revolving Fund, Chapter 22, Title 62.1 of the Code of Virginia (1950), as amended.

This Agreement provides for payment of the Grant, design and construction of the Eligible Project, and development and implementation by the Grantee of provisions for the long-term responsibility and maintenance of the stormwater management facilities and other techniques installed under the Eligible Project. This Agreement is supplemental to the State Water Control Law, Chapter 3.1, Title 62.1 of the Code of Virginia (1950), as amended, and it does not limit in any way the other water quality restoration, protection and enhancement, or enforcement authority of the State Water Control Board (the "Board") or the Department.

**ARTICLE I  
DEFINITIONS**

1. The capitalized terms contained in this Agreement shall have the meanings set forth below unless the context requires otherwise:

(a) "Agreement" means this Stormwater Local Assistance Fund Grant Agreement between the Department and the Grantee, together with any amendments or supplements hereto.

(b) "Authorized Representative" means any member, official or employee of the Grantee authorized by resolution, ordinance or other official act of the governing body of the Grantee to perform the act or sign the document in question.

(c) "Capital Expenditure" means any cost of a type that is properly chargeable to a capital account (or would be so chargeable with (or but for) a proper election or the application of the

definition of "placed in service" under Treasury Regulation Section 1.150-2(c)) under general federal income tax principles, determined at the time the expenditure is paid.

(d) "Eligible Project" means all grant eligible items of the particular stormwater project described in Exhibit A to this Agreement to be designed and constructed by the Grantee with, among other monies, the Grant, with such changes thereto as may be approved in writing by the Department and the Grantee.

(e) "Eligible Project Costs" means costs of the individual items comprising the Eligible Project as permitted by the Act with such changes thereto as may be approved in writing by the Department and the Grantee. All Eligible Project Costs shall be Capital Expenditures and no Eligible Project Costs shall be Working Capital Expenditures.

(f) "Extraordinary Conditions" means unforeseeable or exceptional conditions resulting from causes beyond the reasonable control of the Grantee such as, but not limited to fires, floods, strikes, acts of God, and acts of third parties that singly or in combination cause material breach of this Agreement.

(g) "Grant" means the particular grant described in Section 4.0 of this Agreement, with such changes thereto as may be approved in writing by the Department and the Grantee.

(h) "Total Eligible Project Budget" means the sum of the Eligible Project Costs as set forth in Exhibit B to this Agreement, with such changes thereto as may be approved in writing by the Department and the Grantee.

(i) "Total Project Budget" means the sum of the Eligible Project Costs (with such changes thereto as may be approved in writing by the Department and the Grantee) plus any ineligible costs that are solely the responsibility of the Grantee, as set forth in Exhibit B to this Agreement.

(j) "Project Engineer" means the Grantee's engineer who must be a licensed professional engineer registered to do business in Virginia and designated by the Grantee as the Grantee's engineer for the Eligible Project in a written notice to the Department.

(k) "Project Schedule" means the schedule for the Eligible Project as set forth in Exhibit C to this Agreement, with such changes thereto as may be approved in writing by the Department and the Grantee. The Project Schedule assumes timely approval of adequate plans and specifications and timely reimbursement in accordance with this Agreement by the Department.

(l) "Working Capital Expenditure" means any cost that is not a Capital Expenditure. Generally, current operating expenses are Working Capital Expenditures.

(m) "VPBA" means the Virginia Public Building Authority, a political subdivision of the Commonwealth of Virginia.

(n) "VPBA Bonds" means (i) the Virginia Public Building Authority Public Facilities Revenue Bonds, Series 2013A, which were issued by VPBA on February 21, 2013, (ii) any

other bonds issued by VPBA, the proceeds of which are used in whole or in part to provide funds for the making of the Grant, and (iii) any refunding bonds related thereto.

## **ARTICLE II**

### **SCOPE OF PROJECT**

2. The Grantee will cause the Eligible Project to be designed, constructed and placed in operation as described in Exhibit A to this Agreement.

## **ARTICLE III**

### **SCHEDULE**

3. The Grantee will cause the Eligible Project to be designed, constructed and placed in operation in accordance with the Project Schedule in Exhibit C to this Agreement.

## **ARTICLE IV**

### **COMPENSATION**

4.0. Grant Amount. The total Grant award from the Fund under this Agreement is up to **\$5,012,905.00** and represents the Commonwealth's fifty percent (50%) share of the Total Eligible Project Budget. Any material changes made to the Eligible Project after execution of this Agreement, which alters the Total Eligible Project Budget, will be submitted to the Department for review of grant eligibility. The amount of the Grant award set forth herein may be modified from time to time by agreement of the parties to reflect changes to the Eligible Project or the Total Eligible Project Budget.

4.1. Payment of Grant. Disbursement of the Grant will be in accordance with the payment provisions set forth in Section 4.2 herein and the eligibility determinations made in the Total Project Budget (Exhibit B).

4.2. Disbursement of Grant Funds. The Department will disburse the Grant to the Grantee not more frequently than once each calendar month for approved eligible reimbursement of a minimum of one thousand (\$1,000.00) dollars, excluding the final payment, upon receipt by the Department of the following:

(a) A requisition for approval by the Department, signed by the Authorized Representative and containing all receipts, vouchers, statements, invoices or other evidence that costs in the Total Eligible Project Budget, including the applicable local share for the portion of the Eligible Project covered by such requisition, have been incurred or expended and all other information called for by, and otherwise being in the form of, Exhibit D to this Agreement.

(b) If any requisition includes an item for payment for labor or to contractors, builders or material men, a certificate, signed by the Project Engineer, stating that such work was actually performed or such materials, supplies or equipment were actually furnished or installed in or about the construction of the Eligible Project.

Upon receipt of each such requisition and accompanying certificate(s) and schedule(s), the Department shall request disbursement of the Grant to the Grantee in accordance with such requisition to the extent approved by the Department.

Except as may otherwise be approved by the Department, disbursements shall be held at ninety-five percent (95%) of the total Grant amount to ensure satisfactory completion of the Eligible Project. Satisfactory completion includes the submittal to the Department the Responsibilities & Maintenance Plan required by Section 5.1 herein. Upon receipt from the Grantee of the certificate specified in Section 4.5 and a final requisition detailing all retainage to which the Grantee is then entitled, the Department, subject to the provisions of this section and Section 4.3 herein, shall request disbursement to the Grantee of the final payment from the Grant.

4.3 Application of Grant Funds. The Grantee agrees to apply the Grant solely and exclusively to the reimbursement of Eligible Project Costs. The Grantee represents and warrants that the average reasonably expected economic life of the assets to be financed with the Grant is set forth in Exhibit E attached hereto.

4.4. Agreement to Complete Project. The Grantee agrees to cause the Eligible Project to be designed and constructed, as described in Exhibit A to this Agreement, and in accordance with (i) the schedule in Exhibit C to this Agreement and (ii) plans and specifications prepared by the Project Engineer and approved by the Department.

4.5 Notice of Substantial Completion. When the Eligible Project has been completed, the Grantee shall promptly deliver to the Department a certificate signed by the Authorized Representative and by the Project Engineer stating (i) that the Eligible Project has been completed substantially in accordance with the approved plans and specifications and addenda thereto, and in substantial compliance with all material applicable laws, ordinances, rules, and regulations; (ii) the date of such completion; (iii) that all certificates of occupancy and operation necessary for start-up for the Eligible Project have been issued or obtained; and (iv) the amount, if any, to be released for payment of the final Eligible Project Costs.

4.6 Source of Grant Funds; Reliance. The Grantee represents that it understands that the Grant funds are derived from the proceeds of the VPBA Bonds, the interest on which must remain excludible from gross income for federal income tax purposes (that is, "tax- exempt") pursuant to contractual covenants made by VPBA for the benefit of the owners of the VPBA Bonds. The Grantee further represents that (a) the undersigned Authorized Representative of the Grantee has been informed of the purpose and scope of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended, as they relate to the VPBA Bonds and the Grant, and (b) the representations and warranties contained in this Agreement can be relied on by VPBA and bond counsel to VPBA in executing certain documents and rendering certain opinions in connection with the VPBA Bonds.

**ARTICLE V**  
**RESPONSIBILITIES AND MAINTENANCE PLAN**

5.0 Plan Submittal. No later than thirty (30) days from the date of the Notice of Substantial Completion, the Grantee shall submit to the Department a Responsibilities and Maintenance Plan for the Eligible Project.

5.1 Plan Elements. The plan required by Section 5.0 shall include a description of the project type, a recommended schedule of inspection and maintenance, and the identification of a person, persons or position within an organization responsible for administering and maintaining the plan for the useful service life of the installed facilities. If the Eligible Project includes construction on private property, the plan shall document the Grantee's right to access the Eligible Project for purposes of implementing the plan required by Section 5.0.

5.2 Recordation. Long-term responsibility and maintenance requirements for stormwater management facilities located on private property shall be set forth in an instrument recorded in the local land records and shall be consistent with 9VAC25-870-112 of the Virginia Stormwater Management Program (VSMP) Permit Regulations.

**ARTICLE VI**  
**MATERIAL BREACH**

6.0. Material Breach. Any failure or omission by the Grantee to perform its obligations under this Agreement, unless excused by the Department, is a material breach.

6.1. Notice of Material Breach. If at any time the Grantee determines that it is unable to perform its obligations under this Agreement, the Grantee shall promptly provide written notification to the Department. This notification shall include a statement of the reasons it is unable to perform, any actions to be taken to secure future performance and an estimate of the time necessary to do so.

6.2. Monetary Assessments for Breach. In case of Material Breach, Grant funds will be re-paid into the State Treasury and credited to the Fund. Within 90 days of receipt of written demand from the Department, the Grantee shall re-pay the Grant funds for the corresponding material breaches of this Agreement unless the Grantee asserts a defense pursuant to the requirements of Section 6.3 herein.

6.3 Extraordinary Conditions.

(a) The Grantee may assert and it shall be a defense to any action by the Department to collect Grant funds or otherwise secure performance of this Agreement that the alleged non-performance was due to Extraordinary Conditions, provided that the Grantee:

(1) takes reasonable measures to effect a cure or to minimize any non-performance with the Agreement, and

(2) provides written notification to the Department of the occurrence of Extraordinary Conditions, together with an explanation of the events or circumstances contributing to such Extraordinary Conditions, no later than 10 days after the discovery of the Extraordinary Conditions.

(b) If the Department disagrees that the events or circumstances described by the Grantee constitute Extraordinary Conditions, the Department must provide the Grantee with a written objection within sixty (60) days of Grantee's notice under paragraph 6.3(a)(2), together with an explanation of the basis for its objection.

6.4 Resolution and Remedy. If no resolution is reached by the parties, the Department may immediately bring an action in the Circuit Court of the City of Richmond to recover part or all of the Grant funds. In any such action, the Grantee shall have the burden of proving that the alleged noncompliance was due to Extraordinary Conditions. The Grantee agrees to venue to any such action in the Circuit Court of the City of Richmond, either north or south of the James River in the option of the Department.

6.5 Indemnification. To the extent permitted by law and subject to legally available funds, the Grantee shall indemnify and hold the Department, the Fund, VPBA and the owners of the VPBA Bonds, and their respective members, directors, officers, employees, attorneys and agents (the "Indemnitees"), harmless against any and all liability, losses, damages, costs, expenses, penalties, taxes, causes of action, suits, claims, demands and judgments of any nature arising from or in connection with any misrepresentation, breach of warranty, noncompliance or default by or on behalf of the Grantee under this Agreement, including, without limitation, all claims or liability (including all claims of and liability to the Internal Revenue Service) resulting from, arising out of or in connection with the loss of the excludability from gross income of the interest on all or any portion of the VPBA Bonds that may be occasioned by any cause whatsoever pertaining to such misrepresentation, breach, noncompliance or default, such indemnification to include the reasonable costs and expenses of defending itself or investigating any claim of liability and other reasonable expenses and attorneys' fees incurred by any of the Indemnitees in connection therewith. This paragraph shall not constitute an express or implied waiver of any applicable immunity afforded the Grantee.

## **ARTICLE VII**

### **GENERAL PROVISIONS**

7.0. Effect of the Agreement on Permits. This Agreement shall not be deemed to relieve the Grantee of its obligations to comply with the terms of its Virginia Pollutant Discharge Elimination System (VPDES) and/or Virginia Water Protection (VWP) permit(s) issued by the Board. This Agreement does not obviate the need to obtain, where required, any other State or Federal permit(s).

7.1. Disclaimer. Nothing in this Agreement shall be construed as authority for either party to make commitments which will bind the other party beyond the covenants contained herein.

7.2. Non-Waiver. No waiver by the Department of any one or more defaults by the Grantee in the performance of any provision of this Agreement shall operate or be construed as a waiver of any future default or defaults of whatever character.

7.3. Integration and Modification. This Agreement constitutes the entire Agreement between the Grantee and the Department. No alteration, amendment or modification of the provisions of this Agreement shall be effective unless reduced to writing, signed by both the parties and attached hereto. This Agreement may be modified by agreement of the parties for any purpose, provided that any significant modification to this Agreement must be preceded by public notice of such modification.

7.4. Collateral Agreements. Where there exists any inconsistency between this Agreement and other provisions of collateral contractual agreements which are made a part of this Agreement by reference, the provisions of this Agreement shall control.

7.5. Non-Discrimination. In the performance of this Agreement, the Grantee warrants that it will not discriminate against any employee, or other person, on account of race, color, sex, religious creed, ancestry, age, national origin or other non-job related factors. The Grantee agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

7.6. Conflict of Interest. The Grantee warrants that it has fully complied with the Virginia Conflict of Interest Act as it may apply to this Agreement.

7.7. Applicable Laws. This Agreement shall be governed in all respects whether as to validity, construction, capacity, performance or otherwise, by the laws of the Commonwealth of Virginia. The Grantee further agrees to comply with all laws and regulations applicable to the Grantee's performance of its obligations pursuant to this Agreement.

7.8. Records Availability. The Grantee agrees to maintain complete and accurate books and records of the Eligible Project Costs, and further, to retain all books, records, and other documents relative to this Agreement for three (3) years after final payment. The Department, its authorized agents, and/or State auditors will have full access to and the right to examine any of said materials during said period. Additionally, the Department and/or its representatives will have the right to access work sites during normal business hours, after reasonable notice to the Grantee, for the purpose of ensuring that the provisions of this Agreement are properly carried out.

7.9. Severability. Each paragraph and provision of this Agreement is severable from the entire Agreement; and if any provision is declared invalid, the remaining provisions shall nevertheless remain in effect.

7.10. Notices. All notices given hereunder shall be in writing and shall be sent by United States certified mail, return receipt requested, postage prepaid, and shall be deemed to have been received at the earliest of: (a) the date of actual receipt of such notice by the addressee, (b) the date of the actual delivery of the notice to the address of the addressee set forth below, or (c) five (5) days after the sender deposits it in the mail properly addressed. All notices required or permitted to be served upon either party hereunder shall be directed to:

Department: Virginia Department of Environmental Quality  
Clean Water Financing and Assistance Program  
P.O. Box 1105  
Richmond, VA 23218  
Attn: CWFAP Program Manager

Fairfax County, Virginia

- 7 -

Grantee: County of Fairfax, Virginia  
12000 Government Center Parkway  
Fairfax, Virginia 22035-0052  
Attn: Mr. Craig Carinci

7.11. Successors and Assigns Bound. This Agreement shall extend to and be binding upon the parties hereto, and their respective legal representatives, successors and assigns.

7.12. Exhibits. All exhibits to this Agreement are incorporated herein by reference.

7.13. Termination. The Agreement shall terminate upon final reimbursement to the Grantee.

#### **ARTICLE VIII** **COUNTERPARTS**

8. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

#### **ARTICLE IX** **CREDIT GENERATION**

9. Any land area generating stream or wetland mitigation credits from the Eligible Project is not eligible for the generation of any other environmental credits. Any project designs approved by the Department under the Grant may not meet the design requirements for approval from other State or Federal water programs. The Grantee is responsible for obtaining information on design and permit requirements for the type of environmental credit they are seeking.

WITNESS the following signatures, all duly authorized.

#### **DEPARTMENT OF ENVIRONMENTAL QUALITY**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

#### **GRANTEE'S AUTHORIZED REPRESENTATIVE**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_



## EXHIBIT A

### ELIGIBLE PROJECT DESCRIPTION

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Grantee: County of Fairfax, Virginia

SLAF Grant No.: 15-05

Project Description:

1. Wakefield Park – Accotink Tributary North (AC 9232): Restoration of approximately 870 linear feet of impaired stream channel.
2. Wakefield Park – Accotink Tributary South (AC 9210): Restoration of approximately 2,700 linear feet of impaired stream channel.
3. Paul Spring – Restoration of approximately 600 linear feet of impaired stream channel.
4. Colony Park – Restoration of approximately 300 linear feet of stream channel including the retrofit of two (2) dry detention basins to constructed wetlands.
5. Accotink Tributary at Davenport – Restoration of approximately 335 linear feet of impaired stream channel.
6. Difficult Run at Oakton Estates – Restoration of approximately 300 linear feet of impaired stream channel.
7. Inverchapel Road Outfall Repair and Stream Restoration – Restoration of approximately 175 linear feet of impaired stream channel.
8. Flatlick Branch (Phase 1) Stream Restoration – Restoration of approximately 1,850 linear feet of impaired stream channel.

Fairfax County, Virginia

## EXHIBIT B

### TOTAL PROJECT BUDGET

Grantee: County of Fairfax, Virginia

SLAF Grant No.: 15-05

The following budget reflects the estimated costs associated with eligible cost categories of the project.

Project Category / Project Name	Project Cost	Note	Grant %	Grant Amount
<b>Design Engineering</b>				
Wakefield Park - Accotink North (AC 9232)	\$396,428.14		50.00%	\$198,214.07
Wakefield Park - Accotink South (AC 9210)	\$768,872.17		50.00%	\$384,436.09
Paul Spring	\$227,236.91		50.00%	\$113,618.46
Colony Park	\$159,718.44		50.00%	\$79,859.22
Accotink at Daventry	\$275,262.20		50.00%	\$137,631.10
Difficult Run at Oakton Estates	\$94,326.29		50.00%	\$47,163.15
Inverchapel Road Outfall	\$0.00		50.00%	\$0.00
Flatlick Branch (Phase 1)	\$567,315.99		50.00%	\$283,658.00
<b>Sub-Total</b>	<b>\$2,489,160.14</b>			<b>\$1,244,580.07</b>
<b>Construction</b>				
Wakefield Park - Accotink North (AC 9232)	\$893,431.60		50.00%	\$446,715.80
Wakefield Park - Accotink South (AC 9210)	\$2,315,527.70		50.00%	\$1,157,763.85
Paul Spring	\$417,481.04		50.00%	\$208,740.52
Colony Park	\$552,187.29		50.00%	\$276,093.65
Accotink at Daventry	\$334,486.44		50.00%	\$167,243.22
Difficult Run at Oakton Estates	\$184,613.60		50.00%	\$92,306.80
Inverchapel Road Outfall	\$195,017.62		50.00%	\$97,508.81
Flatlick Branch (Phase 1)	\$2,406,708.54		50.00%	\$1,203,354.27
<b>Sub-Total</b>	<b>\$7,299,453.83</b>			<b>\$3,649,726.92</b>
<b>Other</b>				
Contingency				
Wakefield Park - Accotink North (AC 9232)	\$44,671.58		50.00%	\$22,335.79
Wakefield Park - Accotink South (AC 9210)	\$115,776.39		50.00%	\$57,888.20
Paul Spring	\$20,874.05		50.00%	\$10,437.03
Colony Park	\$27,609.36		50.00%	\$13,804.68
Accotink at Daventry	\$16,724.32		50.00%	\$8,362.16
Difficult Run at Oakton Estates	\$9,230.68		50.00%	\$4,615.34
Inverchapel Road Outfall	\$9,750.88		50.00%	\$4,875.44
Flatlick Branch (Phase 1)	\$120,335.42		50.00%	\$60,167.71
<b>Sub-Total</b>	<b>\$364,972.68</b>			<b>\$182,486.34</b>
<b>TOTALS</b>	<b>\$10,153,586.65</b>			<b>\$5,076,793.33</b>

Fairfax County, Virginia

## EXHIBIT C

### PROJECT SCHEDULE

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Grantee: County of Fairfax, Virginia

SLAF Grant No.: 15-05

The Grantee has proposed the following schedule of key activities/milestones as a planning tool which may be subject to change. Unless authorized by a grant modification, it is the responsibility of the Grantee to adhere to the anticipated schedule for the Eligible Project as follows:

Project Name	Project Description / Milestone	Schedule / Timeline	Note
Wakefield Park – Accotink North	Stream Restoration / Engineering	Complete	
	Commence Construction	November 2015 / 15 months	
Wakefield Park – Accotink South	Stream Restoration / Engineering	Complete	
	Commence Construction	November 2015 / 15 months	
Paul Spring	Stream Restoration / Engineering	Complete	
	Commence Construction	April 2015 / 5 months	
Colony Park	Stream Restoration – BMP Retrofit / Engineering	Complete	
	Commence Construction	September 2015 / 6 months	
Accotink at Daventry	Stream Restoration / Engineering	Complete	
	Commence Construction	April 2015 / 4 months	
Difficult Run at Oakton Estates	Stream Restoration / Engineering	Complete	
	Commence Construction	April 2015 / 4 months	
Inverchapel Road Outfall	Stream Restoration / Engineering	Complete	
	Commence Construction	October 2015 / 3 months	
Flatlick Branch (Phase 1)	Stream Restoration / Engineering	Complete	
	Commence Construction	November 2015 / 9 months	

Fairfax County, Virginia

**EXHIBIT D**

**REQUISITION FOR REIMBURSEMENT**

(To be on Grantee's Letterhead)

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Department of Environmental Quality  
Clean Water Financing and Assistance Program  
P.O. Box 1105  
Richmond, VA 23218  
Attn.: CWFAP Program Manager

**RE: Stormwater Local Assistance Fund Grant**

SLAF Grant No.: 15-05

Dear Program Manager:

This requisition, Number \_\_\_\_\_, is submitted in connection with the referenced Grant Agreement, dated as of *[insert date of grant agreement]* between the Virginia Department of Environmental Quality and \_\_\_\_\_. Unless otherwise defined in this requisition, all capitalized terms used herein shall have the meaning set forth in Article I of the Grant Agreement. The undersigned Authorized Representative of the Grantee hereby requests disbursement of grant proceeds under the Grant Agreement in the amount of \$\_\_\_\_\_, for the purposes of payment of the Eligible Project Costs as set forth on Schedule I attached hereto.

Copies of invoices relating to the items for which payment is requested are attached.

The undersigned certifies that the amounts requested by this requisition will be applied solely and exclusively to the reimbursement of the Grantee for the payment of Eligible Project Costs that are Capital Expenditures.

This requisition includes (if applicable) an accompanying Certificate of the Project Engineer as to the performance of the work.

Sincerely,

\_\_\_\_\_  
(Authorized Representative of the Grantee)

Attachments

Fairfax County, Virginia

**SCHEDULE 1**  
**STORMWATER LOCAL ASSISTANCE FUND**  
**FORM TO ACCOMPANY REQUEST FOR REIMBURSEMENT**

REQUISITION # \_\_\_\_\_

Grantee: County of Fairfax, Virginia

SLAF Grant No.: 15-05    CERTIFYING SIGNATURE: \_\_\_\_\_ TITLE: \_\_\_\_\_

➤ Schedule 1 continued on next page.

Fairfax County, Virginia

Cost Category	Total Project Budget	SLAF Eligible Project Budget	SLAF 50% Grant Budget	Eligible Expenditures This Period	Current Grant Payment	Previous Grant Payment	Total Grant Payments to Date	SLAF Grant Balance
<b>Engineering</b>								
Wakefield Park - Accotink North	\$396,428.14	\$317,818.00	\$158,909.00					
Wakefield Park - Accotink South	\$768,872.17	\$768,874.00	\$384,437.00					
Paul Spring	\$227,236.91	\$227,238.00	\$113,619.00					
Colony Park	\$159,718.44	\$159,720.00	\$79,860.00					
Accotink at Davenport	\$275,262.20	\$275,264.00	\$137,632.00					
Difficult Run at Oakton Estates	\$94,326.29	\$94,328.00	\$47,164.00					
Inverchapel Road Outfall	\$0.00	\$0.00	\$0.00					
Flatlick Branch (Phase 1)	\$567,315.99	\$567,316.00	\$283,658.00					
<b>Sub-Total</b>	<b>\$2,489,160.14</b>	<b>\$2,410,558.00</b>	<b>\$1,205,279.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Construction</b>								
Wakefield Park - Accotink North	\$893,431.60	\$893,432.00	\$446,716.00					
Wakefield Park - Accotink South	\$2,315,527.70	\$2,315,528.00	\$1,157,764.00					
Paul Spring	\$417,481.04	\$417,482.00	\$208,741.00					
Colony Park	\$552,187.29	\$552,188.00	\$276,094.00					
Accotink at Davenport	\$334,486.44	\$334,488.00	\$167,244.00					
Difficult Run at Oakton Estates	\$184,613.60	\$184,614.00	\$92,307.00					
Inverchapel Road Outfall	\$195,017.62	\$195,018.00	\$97,509.00					
Flatlick Branch (Phase 1)	\$2,406,708.54	\$2,406,710.00	\$1,203,355.00					
<b>Sub-Total</b>	<b>\$7,299,453.83</b>	<b>\$7,299,460.00</b>	<b>\$3,649,730.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Other</b>								
Contingency								
Wakefield Park - Accotink North	\$44,671.58	\$0.00	\$0.00					
Wakefield Park - Accotink South	\$115,776.39	\$115,778.00	\$57,889.00					
Paul Spring	\$20,874.05	\$20,876.00	\$10,438.00					
Colony Park	\$27,609.36	\$23,092.00	\$11,546.00					
Accotink at Davenport	\$16,724.32	\$16,726.00	\$8,363.00					
Difficult Run at Oakton Estates	\$9,230.68	\$9,232.00	\$4,616.00					
Inverchapel Road Outfall	\$9,750.88	\$9,752.00	\$4,876.00					
Flatlick Branch (Phase 1)	\$120,335.42	\$120,336.00	\$60,168.00					
<b>Sub-Total</b>	<b>\$364,972.68</b>	<b>\$315,792.00</b>	<b>\$157,896.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Totals</b>	<b>\$10,153,586.65</b>	<b>\$10,025,810.00</b>	<b>\$5,012,905.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

➤ Schedule 1 continued on next page.

Fairfax County, Virginia

Total Grant Amount: \$5,012,905.00  
Previous Disbursements: \$  
This Request: \$  
Grant Proceeds Remaining: \$

**Notes:**

1. Wakefield Park - Accotink North (AC9232): Engineering costs have been reduced, including no SLAF contingency funds, in order to meet the SLAF Grant funding cap of \$605,625.00.
2. Colony Park - SLAF contingency funds have been reduced to meet the SLAF Grant funding cap of \$367,500.00

Fairfax County, Virginia

CERTIFICATE OF THE PROJECT ENGINEER  
FORM TO ACCOMPANY REQUEST FOR REIMBURSEMENT

Grantee: County of Fairfax, Virginia

SLAF Grant No.: 15-05

This Certificate is submitted in connection with Requisition Number \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_, submitted by the \_\_\_\_\_ (the "Grantee") to the Virginia Department of Environmental Quality. Capitalized terms used herein shall have the same meanings set forth in Article I of the Grant Agreement referred to in the Requisition.

The undersigned Project Engineer for \_\_\_\_\_ hereby certifies that insofar as the amounts covered by this Requisition include payments for labor or to contractors, builders or material men, such work was actually performed or such materials, supplies, or equipment were actually furnished to or installed in the Eligible Project.

\_\_\_\_\_  
(Project Engineer)

\_\_\_\_\_  
(Date)

Fairfax County, Virginia



## EXHIBIT E

### DETERMINATION OF AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

---

Grantee: County of Fairfax, Virginia

SLAF Grant No.: 15-05

The Internal Revenue Code of 1986, as amended, limits the length of average maturity for certain tax-exempt bonds, such as the VPBA Bonds, to no more than 120% of the average reasonably expected economic life of the assets being financed with the proceeds of such bonds. This life is based on Revenue Procedure 62-21 as to buildings and Revenue Procedures 83-35 and 87-56 as to equipment and any other assets. In this Exhibit, the Grantee will certify as to the average reasonably expected economic life of the assets being financed by the Grant.

Please complete the attached chart as follows:

**Step 1.** Set forth in Column II the corresponding total cost of each type of asset to be financed with the Grant.

**Step 2.** Set forth in Column III the economic life of each type of asset listed in accordance with the following:

*Land.* Exclude the acquisition of any land financed with a portion of the Grant funds from the economic life calculation.

*Land Improvements.* Land improvements (i.e., depreciable improvements made directly to or added to land) include sidewalks, roads, canals, waterways, site drainage, stormwater retention basins, drainage facilities, sewers (excluding municipal sewers), wharves and docks, bridges, fences, landscaping, shrubbery and all other general site improvements, not directly related to the building. Buildings and structural components are specifically excluded. 20 years is the economic life for most stormwater projects.

*Buildings.* Forty years is the economic life for most buildings.

*Equipment.* Please select an Asset Depreciation Range ("ADR") midpoint or class life for each item of equipment to be financed. The tables of asset guideline classes, asset guideline periods and asset depreciation ranges included in IRS Revenue Procedures 83-35 and 87-56 may be used for reference. To use the tables, you should first determine the asset guideline class in which each item of equipment falls. General business assets fall into classes 00.11 through 00.4 to the extent that a separate class is provided for them. Other assets, to the extent that a separate class is provided, fit into one or more of classes 01.1 through 80.0. Subsidiary assets (jigs, dies, molds, patterns, etc.) are in the same class as are the other major assets in an industry activity unless the subsidiary assets are classified separately for that industry. Each item of equipment should be classified according to the activity in which it is primarily used. If the equipment is not described in any asset guideline class, its estimated economic life must be determined on a case by case basis.

*Contingency.* Any amounts shown on the Project Budget as "contingency" should be assigned to the shortest-lived asset. For example, contingency for a stormwater project should likely be given an economic life of 20 years.

Fairfax County, Virginia

**Step 3.** Set forth in Column IV the date each asset is expected to be placed in service. An asset is first placed in service when it is first placed in a condition or state of readiness and available for a specifically assigned function. For example, the placed in service date for a stormwater project is likely the project's expected completion date.

**Step 4.** Determine the adjusted economic life of the asset in Column V by adding the amount of time between February 21, 2013 (the earliest date upon which the VPBA Bonds were issued) and the specified placed in service date from Column IV. For example, if a stormwater project with an economic life of 20 years will be placed in service 2 years after February 21, 2013, then the adjusted economic life for such stormwater project should be 22.

**Step 5.** For Column VI, multiply the Total Costs Financed with the Grant from Column II by the Adjusted Economic Life from Column V for each type of asset.

**Step 6.** Total all the entries in Column II and in Column VI.

**Step 7.** Divide the total of Column VI by the total of Column II. The quotient is the average reasonable expected economic life of the assets to be financed with the Grant.

#### AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

##### Wakefield Park – Accotink North

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	605,625	20	2/28/2017	24	14,535,000
Building					
Equipment					
Contingency	0	20	2/28/2017	24	0
TOTAL	<u>\$ 605,625</u>				<u>\$ 14,535,000</u>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 24

# **AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS**

## **Wakefield Park – Accotink South**

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	1,542,201	20	2/28/2017	24	37,012,824
Building					
Equipment					
Contingency	57,889	20	2/28/2017	24	1,389,336
<b>TOTAL</b>	<b><u>\$ 1,600,090</u></b>				<b><u>\$ 38,402,160</u></b>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 24

# **AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS**

## **Paul Spring**

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	322,360	20	9/10/2015	22.6	7,279,963
Building					
Equipment					
Contingency	10,438	20	9/10/2015	22.6	235,725
<b>TOTAL</b>	<b><u>\$ 332,798</u></b>				<b><u>\$ 7,515,688</u></b>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 22.6

Fairfax County, Virginia

**AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS**

**Colony Park**

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	355,954	20	2/28/2016	23	8,186,942
Building					
Equipment					
Contingency	11,546	20	2/28/2016	23	265,558
TOTAL	<u>\$ 367,500</u>				<u>\$ 8,452,500</u>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 23

**AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS**

**Accotink at Daventry**

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	304,876	20	1/30/2016	23	7,012,148
Building					
Equipment					
Contingency	8,363	20	1/30/2016	23	192,349
TOTAL	<u>\$ 313,239</u>				<u>\$ 7,204,497</u>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 23

Fairfax County, Virginia

# AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

## Difficult Run at Oakton Estates

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	139,471	20	6/30/2015	22.3	3,114,852
Building					
Equipment					
Contingency	4,616	20	6/30/2015	22.3	103,091
TOTAL	<u>\$ 144,087</u>				<u>\$ 3,217,943</u>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 23

# AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

## Inverchapel Road Outfall

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	97,509	20	12/15/2015	22.8	2,226,456
Building					
Equipment					
Contingency	4,879	20	12/15/2015	22.8	111,335
TOTAL	<u>\$ 102,385</u>				<u>\$ 2,337,791</u>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 22.8

Fairfax County, Virginia

# AVERAGE REASONABLY EXPECTED ECONOMIC LIFE OF PROJECT ASSETS

## Flatlick Branch (Phase I)

Column I	Column II	Column III	Column IV	Column V	Column VI
<u>Asset</u>	<u>Total Cost Financed with Grant</u>	<u>Economic Life</u>	<u>Date Asset Placed in Service</u>	<u>Adjusted Economic Life</u>	<u>Column II x Column V</u>
Land Improvements	1,487,013	20	8/30/2016	23.5	34,944,806
Building					
Equipment					
Contingency	60,168	20	8/30/2016	23.5	1,413,948
TOTAL	<u>\$ 1,547,181</u>				<u>\$ 36,358,754</u>

Average Reasonably Expected Economic Life: Total of Column VI ÷ Total of Column II = 23.5

ACTION - 4

Approval of the Disease Carrying Insects Program

ISSUE:

Board approval of the annual submission of the Disease Carrying Insects Program (DCIP):

(1) West Nile virus (WNV) activities, including disease surveillance, public outreach and education, complaint investigation, contract management, and operational research, will continue throughout the year. Mosquito surveillance and larvicide treatments for monitoring and control of WNV commence with the beginning of the mosquito breeding season in May and continue through October.

(2) Lyme disease and tick-borne disease activities include tick surveillance, public outreach and education, and operational research which will continue throughout the year.

(3) Other disease-transmitting insects of public health importance activities include public outreach and education to occur throughout the year.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors direct staff to take the following actions concerning Fairfax County's Disease Carrying Insects Program:

1. Conduct a countywide, proactive mosquito, West Nile virus, tick and tick borne disease surveillance program that includes human, mosquito and tick surveillance conducted through human case reporting, as well as mosquito and tick trapping and testing.
2. Conduct proactive treatment of storm water catch basins and other mosquito breeding areas in the County using appropriate and approved larvicides, such as Spinosad, *Bacillus thuringiensis* var. *israelensis*, or *Bacillus sphaericus*, according to established biological criteria in as many rounds during the May to October mosquito season as necessary. Currently the program is planned for three rounds of catch basin treatments.
3. Conduct an aggressive community outreach and education program to increase County residents' awareness of mosquitoes, ticks, other disease-transmitting insects, West Nile virus, Lyme disease, and other mosquito- and tick-borne diseases, as well as personal protection and prevention.
4. Monitor and document the number of human WNV and Lyme disease cases in the County to determine the effectiveness of the above measures directed prior to the initiation of more aggressive control actions.
5. If deemed necessary to protect public health, authorize the County

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March 1, 2016

Executive to approve further appropriate control measures. At the time prevention actions are extended beyond current methods, a program report will be made to the Board outlining the status of West Nile virus in the County, detailing the extent of control measures, the geographic areas targeted for treatment, and the public information process.

Board action on this item will cover all Disease Carrying Insects Program activities carried out through June 30, 2017.

TIMING:

Board approval is requested on March 1, 2016, in order to (1) continue mosquito suppression strategies (i.e., surveillance, larviciding mosquito breeding areas, and public outreach), (2) continue tick surveillance program and public outreach and (3) initiate outreach and education efforts for other disease-transmitting insects.

BACKGROUND:

The *Code of the County of Fairfax, Virginia* requires the submission of the annual Disease Carrying Insects Program for Board of Supervisors' approval. (Appendix I, Section 7)

**West Nile Virus**

During 2015, West Nile virus continued to inflict disease and death across the continental United States as anticipated by the Centers for Disease Control and Prevention (CDC). Fairfax County WNV surveillance indicated that the virus was present and widespread throughout most of the County. By the end of the 2015 WNV season (October 2015), the virus had been detected in mosquitoes collected in most of the surveillance stations in the County. Nine human cases were recorded in the County in 2015. Four fatal cases in the County since 2002 underlie the severity of this disease. Many factors have been suggested as influencing the presence of human cases in the County:

1. Viral activity in the mosquito vectors as found in the surveillance efforts;
2. Presumed feeding habits of *Culex pipiens*;
3. Birds acting as natural amplifiers of the virus;
4. Ambient temperatures which influence the development of the virus within the mosquito;
5. Increased public awareness resulting in increased use of personal protection measures; and
6. Proactive treatments of the storm drain catch basins with mosquito larvicides.

The DCIP continued to maintain intense surveillance and treatment activities in the



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Huntington area as a follow-up to the various flooding incidents that have occurred there. The results of the mosquito surveillance in this area indicate the need to maintain an increase in the rate of catch basin treatments in the area.

Based on past surveillance information, the DCIP will continue storm drain catch basin larviciding activities, as was done in the 2015 mosquito season. The DCIP will initiate treatment in mid-May and continue at approximately six-week intervals for the duration of the season. Larviciding will also be done in targeted areas that are identified as a result of the larval surveillance activities.

As in 2015, mosquito surveillance will be carried out by County staff. The County began performing these surveillance activities in 2004 in lieu of contracted services, as County staff could do it more comprehensively and cost-effectively. This WNV season (May to October 2015), County staff will continue to carry out all mosquito surveillance activities. The Fairfax County Health Department's Epidemiology and Communicable Disease Unit will continue to carry out human case surveillance. The Mosquito Surveillance and Management Subcommittee, a group with representatives from multiple County agencies as well as other jurisdictions covered by the program, will meet three times this year to ensure an aggressive response to WNV, in order to reduce the impact of the virus on County residents.

The Health Department Laboratory began testing mosquitoes using molecular diagnostics during the 2012 mosquito season. In 2016, all mosquito (WNV) testing and some tick testing will be performed by the Health Department Laboratory.

All insecticides used in this program, including the biological larvicides, are registered with the U.S. EPA and sanctioned for use by the Commonwealth of Virginia. The principal larvicides that the County will use are Spinosad, *Bacillus thuringiensis* var. *israelensis*, and *Bacillus sphaericus*, which are among the most environmentally-friendly larvicides available.

The DCIP will continue to utilize an active and engaging outreach and education strategy. The program will also focus messaging to address at-risk groups, such as residents over 50 years of age who are at greater risk of developing a more severe form of the West Nile virus. The program will also continue to seek out new ways to deliver its public health messages to the County's diverse population. In 2015, the DCIP's outreach activities included the preparation and production of another 18-month calendar full of educational information that was widely distributed to County residents, as well as a children's storybook promoting mosquito and tick awareness.

The Disease Carrying Insects Program's "2015 Annual Report and Comprehensive Plan of Action for 2016" (Attachment 1) reviews the 2015 season activities and presents wide-

ranging plans for minimizing the impact and risk of mosquito-borne diseases through:

1. Countywide monitoring of WNV activity including mosquito and human surveillance;
2. An integrated approach to mosquito management and control practices which will primarily target those mosquito species that have been shown to be the most probable WNV vectors in the County;
3. An aggressive and intensive community outreach and education program to increase awareness of mosquitoes and WNV in County residents; and
4. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of WNV transmission.

The Chikungunya virus (CHIKV) and the Zika virus (ZIKAV), which are transmitted by Aedes mosquitoes, began circulating in the Americas in 2013 and 2015, respectively. Locally-acquired cases of both viruses have been reported in many countries in the Americas. The CDC reports that cases have been reported in returning travelers but the viruses are not currently being transmitted in the United States. However, Florida did report a few cases of locally-acquired CHIKV in 2014. If there are locally-acquired cases of CHIKV or ZIKAV in the County, the Health Department will utilize guidance from the CDC and VDH as well as the document "Preparedness and Response for Chikungunya Virus Introduction in the Americas" published by the CDC and Pan American Health Organization (PAHO). Brochures about CHIKV and ZIKAV are in development.

#### **Tick-Borne Disease**

During 2015, Lyme disease continued to be a major concern for County residents and it was the most frequently-reported vector-borne disease in the County. Tick surveillance efforts in the County have indicated that the bacterium that causes Lyme disease was present and widespread throughout most of the County. The Health Department recorded and reported 190 cases of Lyme disease in Fairfax County in 2015. Some of the factors that influence human cases in the County include:

1. Presence of the Lyme disease-causing bacteria in the black-legged (deer) tick vectors, as found in the surveillance efforts;
2. White-footed mice acting as natural amplifiers of the bacteria;
3. Very large deer populations that act as a tick transport system, distributing the ticks throughout the County, as well as a source of blood for the females to develop their eggs; and
4. Increased public awareness resulting in increased use of personal protection measures.

Based on this information, Health Department staff plan to perform tick surveillance, tick ID service, collections from veterinary clinics, collections from deer hunts, and human case surveillance in 2016.

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The Disease Carrying Insects Program will continue to include tick prevention and personal protection from ticks in its outreach and education strategy. The DCIP's "2015 Annual Report and Comprehensive Plan of Action for 2016" (Attachment 1) reviews the 2015 season activities and presents wide-ranging plans for minimizing the impact and risk of tick-borne diseases through:

1. Countywide surveillance for the presence of Lyme disease and other tick-borne pathogens, including black-legged (deer) tick and human surveillance;
2. An aggressive and intensive community outreach and education program to increase tick and Lyme disease awareness in the County;
3. A continuation of the multi-jurisdictional and multi-agency collaboration efforts to identify ways to minimize the risk of Lyme disease transmission.

**Other Disease-transmitting Insects of Public Health Importance**

The DCIP's "2015 Annual Report and Comprehensive Plan of Action for 2016" presents plans for minimizing the impact and risk of other diseases transmitted by insects through:

1. An aggressive and intensive community outreach and education program to increase awareness of other insects that may transmit diseases of public health importance.

FISCAL IMPACT:

The Disease Carrying Insects Program is primarily funded by a Special Service District for the Control of Infestations that May Carry a Disease that is Dangerous to Humans, Gypsy Moth, Fall Cankerworm, and Certain Identified Pests of \$0.001 per \$100 of assessed value and is budgeted in Fund 40080, Integrated Pest Management Program. Current planned program activities include vector surveillance, mosquito larviciding, and public education and outreach as described in Attachment 1. No additional funding is required as the current funding level is sufficient to meet anticipated program needs.

ENCLOSED DOCUMENTS:

Attachment 1 - Disease Carrying Insects Program 2015 Annual Report and Comprehensive Plan of Action for 2016

STAFF:

Pat Harrison, Deputy County Executive  
Gloria Addo-Ayensu, MD, MPH, Director of Health  
Pieter Sheehan, Director of Division of Environmental Health

# **Disease Carrying Insects Program**

## **Maintaining a Sustainable Surveillance Program**

I. Mosquito and West Nile Virus Surveillance  
2015 Annual Report and Comprehensive Plan for 2016

II. Tick and Tick-borne Disease Surveillance  
2015 Annual Report and Comprehensive Plan for 2016

III. Other Disease-transmitting Insects of Public Health  
Importance  
Comprehensive Plan for 2016

Presented by

**Gloria Addo-Ayensu, MD, MPH**  
**Director of Health**  
**Fairfax County**  
*for the Division of Environmental Health*  
**Disease Carrying Insects Program**

March 2016



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This information can be made available in an alternative format upon request. Please call 703-246-2300 / TTY 711. Allow seven working days for preparation of the material.

## **Executive Summary**

### **I. Mosquito and West Nile Virus Surveillance 2015 Report and Comprehensive Plan for 2016**

North America continued to experience the effects of West Nile virus (WNV) in 2015 with cases and deaths throughout the country. During 2015, at least 2,060 human cases with 119 deaths were reported in the U.S.<sup>1</sup> There were 21 human cases and one death reported in Virginia in 2015. Nine human cases including one death were reported in Fairfax County in 2015. The national report is not finalized at the time of this report. From 2002 to present, there have been 46 human WNV cases, including four deaths, reported in Fairfax County.

This document reviews activities for 2015 and presents a surveillance plan for 2016 that will monitor mosquito populations to aid in minimizing the risk of WNV. The emphasis of the 2016 program will continue to be on surveillance, community outreach and public education, and a proactive larviciding program.

#### **Mosquito Surveillance**

The program is anchored by a strong surveillance component that will monitor mosquito populations during the 2016 mosquito season for possible increases in vector abundance and viral activity. It is important to note that absolute high numbers of mosquitoes do not necessarily reflect high risk of human infection with WNV. Mosquitoes were collected during 3,663 routine trap periods in the 2015 season. A trap period was defined as 24 hours since some traps collected mosquitoes that were active during the day and others collected mosquitoes that were active at night. During the 2015 mosquito surveillance season, 131,811 mosquitoes were collected in all routine trapping activities. Of that total, 111,781 mosquitoes were tested in 3,742 mosquito pools (this included mosquitoes collected in Fort Belvoir and mosquitoes collected outside of normal routine surveillance activities), and 479 were positive for WNV.

#### **Risk Communication, Community Outreach and Public Education**

Fairfax County will continue to emphasize personal protection measures from mosquito bites and mosquito and West Nile virus prevention and control. This is done through distribution of informational materials, media interviews, advertising, Web pages, presentations, and collaborations with community groups and homeowners associations.

The eleventh 18-month “Fight the Bite” calendar was produced in 2015. The calendar included colorful and creative graphics, captions, facts, figures, important dates, and helpful hints for backyard mosquito and tick management, personal protection, and

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<sup>1</sup> Data to January 12, 2016, obtained from CDC web site on February 2, 2016, not the final report.

information about WNV and Lyme disease. A seventh children's storybook was created and printed in 2015. The calendar, storybook, and other materials were distributed in various venues throughout the County, including libraries and recreation centers.

### **Human Case Surveillance**

West Nile virus is one of over 70 notifiable diseases and conditions in Virginia. The Fairfax County Health Department (FCHD) uses enhanced passive surveillance to monitor physician and laboratory reporting of WNV. The Health Department encourages physicians and laboratories to report cases of WNV by educating medical practitioners about the importance of reporting arboviral infections and by contacting key medical staff at hospital centers to inquire about potential cases of WNV.

Reported WNV cases are classified as either West Nile fever or neuroinvasive WNV according to the case definition. In 2015, there were nine cases of WNV reported in Fairfax County. Six of those cases were classified as neuroinvasive cases. There was one WNV-related death reported in 2015.

### **Environmental Considerations**

Air temperature, photoperiod and rainfall affect mosquito development. As in previous years, these factors were monitored in 2015 to better understand the relationship between climate and vector-borne diseases.

### **Source Reduction**

The FCHD continued to promote source reduction (elimination of mosquito breeding sites) in 2015 through the outreach campaign. During 30 site visits and inspections, the Disease Carrying Insects Program (DCIP) educated property owners and managers about the benefits of eliminating breeding sites and/or provided Mosquito Dunks®.

### **Larval Mosquito Control**

Stormwater storm drains (sometimes called catch basins) are located throughout the County and are typically constructed to ensure proper drainage. However, some still hold water and can be important breeding sites for mosquitoes. During the 2015 season, a total of 59,084 storm drains were treated over three treatment cycles. From June to October, all the catch basins in the Huntington neighborhood of the Mount Vernon district, which floods periodically, were treated on a weekly basis. In 2016, storm drains will be treated in programmed cycles aimed at reducing *Culex pipiens* mosquito populations, as has been done in previous years. The first cycle will begin in May 2016, and the number and magnitude of each cycle will be dependent on climatic factors and mosquito surveillance results. A new larvicide, Natular-G was used in the catch basins in 2012, 2013, and 2015. In 2014, another larvicide (VectoLex™) was used. Insecticide rotation will lower the risk of resistance to insecticides which could occur by using the same larvicide every year.

National Pollutant Discharge Elimination System (NPDES), Virginia Pollutant Discharge Elimination System (VPDES) and DCIP plan to employ the nine best management practices components of the Pesticide Discharge Management Plan (PDMP) as part of the operative VPDES permit. (See Appendix 2)

### **Operational Research**

The Fairfax County Health Department conducts operational research and incorporates significant findings into routine actions. This operational research allows the program to keep up and maintain the latest and most advanced methods and techniques to address the related issues.

### **Adult Mosquito Control**

A timely response to surveillance findings can reduce the overall impact of WNV and prevent human disease. Consistent with Center for Disease Control and Prevention (CDC), Virginia Department of Health (VDH) and Metropolitan Washington Council of Government (MWCOC) guidelines, FCHD will implement an appropriate level of response based on surveillance data. The response levels range from a basic response level to a much heightened response (details are in the 2016 plan of action). In 2015, indicators were low enough not to warrant treating for adult mosquitoes. In 2016, mosquito species, mosquito habitat, weather, time of year and the proximity of infected mosquitoes to human populations will be considered in determining the necessity for adult mosquito control. Any use of adulticides will be under the direction of the County Executive and in coordination with any affected county, city or town within or adjacent to the treatment area.

### **Other Mosquito-borne Disease**

The Chikungunya virus (CHIKV) and the Zika virus (ZIKAV), which are transmitted by *Aedes* mosquitoes, began circulating in the Americas in 2013 and 2015, respectively. Locally-acquired cases of both viruses have been reported in many countries in the Americas. The CDC reports that cases have been reported in returning travelers but the viruses are not currently being transmitted in the United States. However, Florida did report a few cases of locally-acquired CHIKV in 2014. If there are locally-acquired cases of CHIKV or ZIKAV in the County, the Health Department will utilize guidance from the CDC and VDH as well as the document "Preparedness and Response for Chikungunya Virus Introduction in the Americas" published by the CDC and Pan American Health Organization (PAHO). Brochures about CHIKV and ZIKAV are in development.

## **II. Tick and Tick-Borne Disease Surveillance 2015 Report and Comprehensive Plan for 2016**

### **Background**

Fairfax County began tick and Lyme disease surveillance in 2005 with a small pilot program. In light of significant results from the first year of tick surveillance, the DCIP implemented an enhanced surveillance program in subsequent years. In 2015, 2,956



ticks (including 578 blacklegged (deer) ticks) were collected throughout the year using various techniques. As in previous years, tick surveillance and the tick identification service will be conducted by existing staff in the DCIP and will follow previously-established protocols. In 2016, the program will continue its outreach activities as originally requested by the BOS.

### **Human Case Surveillance**

Lyme disease is one of over 70 notifiable diseases and conditions in Virginia. The Fairfax County Health Department (FCHD) uses passive surveillance to monitor physician and laboratory reporting of Lyme disease and other tick-borne diseases. The Health Department encourages physicians and laboratories to report cases of Lyme disease.

### **Tick Surveillance**

Tick surveillance is carried out throughout the year at previously identified sites throughout the County. Tick traps are used at all locations. The DCIP has a contract with an external laboratory to test ticks for pathogens. However, with the establishment of a molecular diagnostic laboratory in the FCHD laboratory tick pathogen testing can now be performed in-house. Results of 2015 tick testing shows that the infection rate of *Borrelia burgdorferi* (the pathogen that causes Lyme disease) in deer ticks is high and other tick species also harbor pathogens. In 2015, we continued collecting ticks from animal clinics and the Fairfax County Animal Shelter. On several occasions, this surveillance method has allowed us to find ticks that we do not find routinely.

### **Tick Identification Service**

The tick identification service that the DCIP offers County residents resulted in the identification of 293 ticks from 317 inquiries. Of the ticks identified 43 (14.7%) were deer ticks, 28 (9.6%) were dog ticks, and 219 (74.7%) were lone star ticks.

### **Operational Research**

The DCIP performs limited operational research within the surveillance program. The tick surveillance data were also used as part of the County's 4-Poster Deer Treatment Station pilot study that was overseen by the Wildlife Biologist's office.

## **III. Other Disease-transmitting Insects of Public Health Importance, Comprehensive Plan for 2016**

### **Background**

Other insects with the potential to transmit disease can be found throughout Fairfax County.

### **Community Outreach and Public Education**

In 2016, the Disease Carrying Insects Program will include other disease-transmitting insects of public health importance, such as cockroaches, in its outreach and education

activities. The outreach model employed by the DCIP will be applied to these insects in order to heighten community awareness.

# I. West Nile Virus 2015 Report and Comprehensive Plan for 2016

## Background

### Public Health Impact

West Nile virus infection causes clinical illness in approximately one-fifth of the people infected. Most of those infected with the virus do not show any clinical symptoms and may never know they were infected. Symptomatic individuals typically experience “West Nile fever,” which includes a relatively mild fever, muscle aches, rash and headache. These cases are often undiagnosed and go unreported. A small percentage of infected persons develop a more significant illness such as meningitis, usually manifesting fever, headache and stiff neck; or encephalitis, which is accompanied with fever, headache and confusion or muscle weakness. Encephalitis, meningitis, and other WNV neuroinvasive illnesses require hospitalization and can be associated with prolonged recovery, disability, and even death. Post-hospitalization follow-up studies of WNV patients (University of Texas) indicate prolonged effects of the disease for up to three years, which may include personality change, depression or subsequent episodes of encephalitis. Treatment of West Nile virus infections is supportive since there is no specific drug that acts against the virus and no human vaccine available.

Primarily an infection of wild birds, WNV is transmitted by the bite of an infected mosquito. The virus has been detected in over 60 different mosquito species in the US, according to the CDC. However, a smaller number of mosquito species are responsible for the on-going maintenance and transmission of the virus. The virus appears to be maintained in house sparrows (*Passer domesticus*). Infected mosquitoes can transmit WNV to birds, humans, and other animals while taking a blood meal. After the virus is ingested by the mosquito, it passes through the stomach wall into the body cavity where it replicates and eventually invades the salivary glands. During blood feeding, the mosquito injects saliva into the host and in this manner the virus is passed to the animal or human, at times, infecting these hosts. It is important to note that most mosquitoes are not infected with WNV.

Since WNV first appeared in the United States in New York City in 1999, it has expanded across the United States. From its initial appearance to the end of 2015, there have been 43,822<sup>2</sup> cases of WNV human illness in the United States reported to CDC, including 1,884 deaths. During this same time period, Virginia has reported 150 human cases with 11 deaths.

In Fairfax County, WNV was first detected in 2000, when the virus was detected in a dead crow. In 2001, additional infected birds were detected and in 2002, the virus was found in birds, horses, mosquitoes and humans. Since 2002, there have been 46

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<sup>2</sup> Data to January 12, 2016, obtained from CDC web site on February 2, 2016-- not the final report.

human cases of WNV with four fatalities reported in Fairfax County. Nine WNV human cases and one WNV-related fatality were reported in 2015 (Table 1).

**Table 1. West Nile Virus Infections in Birds, Mosquitoes, Horses and Humans in Fairfax County, 1999 – 2015.**

<b>Year</b>	<b>Birds</b>	<b>Mosquito Pools</b>	<b>Humans</b>	<b>Horses</b>
1999	0	0	0	0
2000	1	0	0	0
2001	54	0	0	0
2002	70*	26	13/1**	3/1**
2003	15*	148	3/0**	2/1**
2004	3&	234	1/1**	0
2005	4&	33	0	0
2006	n/a†	167	3/0**	0
2007	n/a†	469	1/0**	0
2008	n/a†	414	1/0**	0
2009	n/a†	148	1/0	0
2010	n/a†	166	2/0	0
2011	n/a†	124	1/0	0
2012	n/a†	255	8/1	0
2013	n/a†	302	3/0	0
2014	n/a†	220	0/0	0
2015	n/a†	479	9/1	0

\*Testing of birds was suspended after 70 positive birds were detected in 2002 and 15 in 2003.

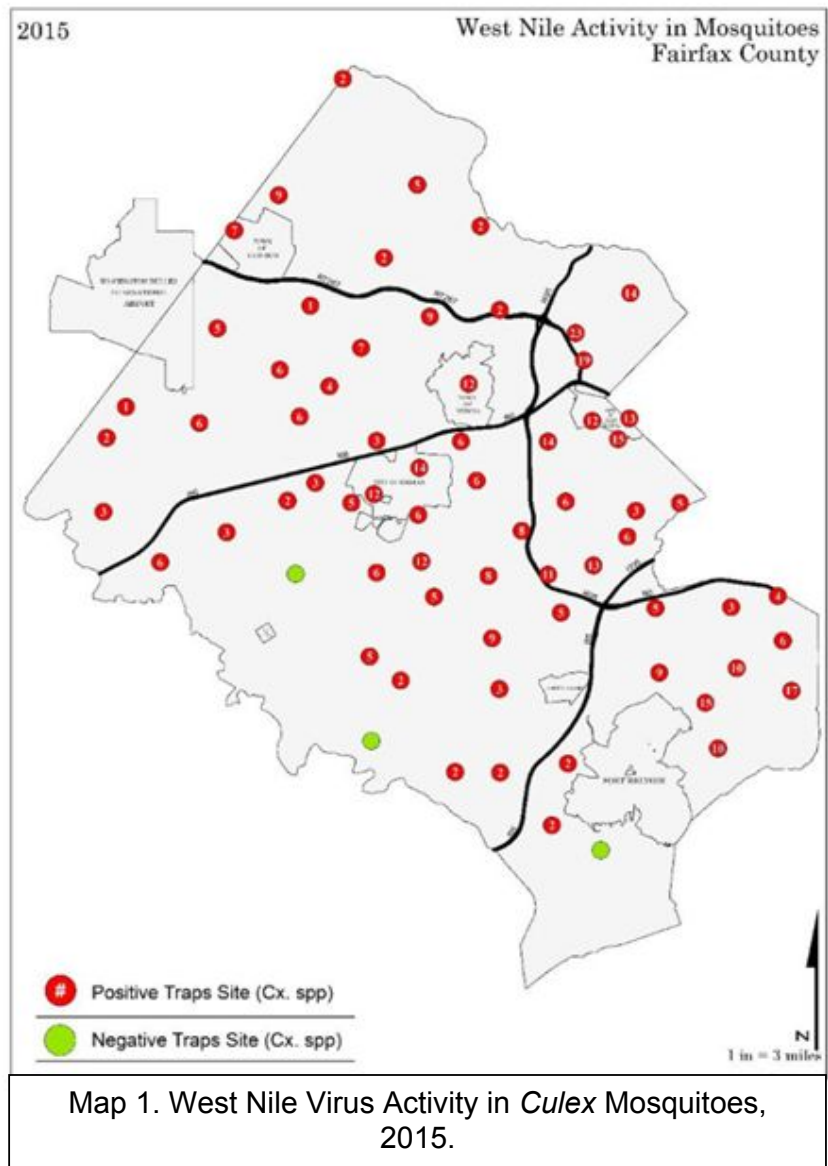
\*\* Cases / deaths.

&Limited (select) number of birds collected and tested.

n/a: not applicable; †No birds tested.

In Fairfax County, *Culex pipiens*, *Culex restuans*, *Culex erraticus*, *Aedes albopictus*, *Aedes vexans* and *Anopheles punctipennis* are the species that have tested positive for WNV and would most likely transmit WNV to humans. *Culex pipiens* and *Culex restuans* have been identified as the principal vectors by calculating mosquito infection rates from 2002 through 2015. The vector status of *Culex pipiens* is supported by the findings of A.M. Kilpatrick et al. (Consortium for Conservation Medicine) demonstrating that this species shifts its feeding preferences from birds to humans by seven-fold during late summer and early fall, coinciding with the dispersal of its preferred host (American robins, *Turdus migratorius*) and the rise in human WNV infections. This mosquito species prefers to lay its eggs in stagnant water rich in organic matter, such as that found in some storm water catch basins. Larvae will hatch from these eggs before turning into pupae and finally become adult mosquitoes.

In the 2015 routine mosquito season, 111,781 mosquitoes were tested in 3,742 pools. Of the pools tested, 479 were positive for WNV (see map 1). During 2014, 97,027 mosquitoes were tested in 3,623 routine pools, of which 220 were positive. In 2015, only two species of mosquitoes (*Culex pipiens* and *Culex restuans*) tested positive for West Nile virus. In previous years, five other species have also tested positive for WNV in the County. During the 2015 season Fairfax County continued its comprehensive mosquito surveillance program, including 70 routine collection sites for a total of 3,663 trapping periods.



#### Preparation and Planning for WNV in Fairfax County

The established, in-house surveillance system will continue to be the foundation of the Disease Carrying Insects Program. This will enable the FCHD to detect WNV and respond to any threat in a timely fashion.

The County is participating in a wide array of ongoing Integrated Mosquito Management activities and undertaking new initiatives to enhance WNV prevention and mosquito control and better understand the transmission dynamics of the virus.

Effective July 1, 2003, the majority of funding for the Fairfax County WNV program was moved to Fund 40080, The Integrated Pest Management Program Fund, giving it the resources necessary for stability and effectiveness by including the program in a special tax district.

Working with a contractor, the FCHD has monitored mosquito breeding sites in Fairfax County for ten years. These breeding sites will continue to be monitored in 2016 and treated with the biological larvicide VectoLex® (*Bacillus sphaericus*), as necessary, when mosquito breeding is detected.

To keep County residents informed, the FCHD constantly reviews and updates public information materials in English and other select languages. In order to meet the needs of ethnic groups in the County, key elements of these materials have been translated into Chinese, Farsi, Korean, Spanish, Urdu, and Vietnamese. Fact sheets, brochures, and posters discussing actions Fairfax County residents can take to reduce mosquito populations (by eliminating sources of standing water), as well as personal protection from mosquito bites, have been widely disseminated from 2003 to present. In 2015, an eleventh calendar and seventh children's book were prepared, published and distributed.

## **Interim Report and Action Plan by Activity**

### **1. Community Outreach and Public Education**

*Goal: To increase the public's knowledge about WNV, its consequences and mosquito control; to promote behavioral changes and to encourage the community to take an active role in reducing the risk of mosquito-borne diseases through preventive measures such as source reduction and personal protection.*

#### **Background and Report on 2015 Activities**

In 2015, the County continued to aggressively disseminate public information materials to encourage Fairfax County residents to eliminate and/or treat standing water around their homes and to reduce their risk of infection by avoiding mosquito bites. Most of the mosquitoes that bite around the house also breed and develop around the house, so removing or treating breeding sites, using repellent, and treating the property with an adulticide, as necessary, will help reduce human-mosquito contact. News releases and expert interviews with print and broadcast media were used to deliver prevention messages in English and Spanish. Documents and brochures with the slogan "Fight the Bite" have been distributed through County Supervisors' offices, libraries, fairs, presentations, by mail and schools during the last several mosquito seasons. Information has also been provided regarding the clinical spectrum of illness and

prevention of WNV infection. In all of the WNV public information messages, the Health Department underscored the importance of eliminating standing water and using personal protection against mosquito bites.

In June 2015, the DCIP presented its eleventh 18-month calendar full of bright, colorful, and humorous graphics. The graphics in the calendar were accompanied by captions, facts, figures, important dates, and helpful reminders relating to West Nile virus, Lyme disease, prevention, and personal protection measures. Important behaviors such as cleaning gutters, emptying bird baths, filling depressions in the yard, and wearing insect repellent were strategically stressed throughout the calendar. General facts, local figures, and brief descriptions of the County's efforts were included to educate the public about basic mosquito biology and inform them specifically about mosquitoes and West Nile virus in Fairfax County. These calendars were distributed at DCIP events and to all Fairfax County fourth grade students through a collaborative effort with the Fairfax County Public Schools. By the end of the year, 20,000 calendars were distributed. Another 18-month calendar for 2016-2017 is in preparation.

The DCIP prepared a seventh children's book entitled "Ten Tiny Mosquitoes" as a means to present information on mosquitoes to parents and children. The author/illustrator was present with us at multiple outreach events to sign autographs as part of a "Meet the Author" activity.

Many inquiries regarding WNV and mosquito breeding sites were received by the DCIP via direct telephone calls, e-mails, and a Web-submission form. The DCIP receives complaints directly via a dedicated phone line and the "Fight the Bite" e-mail address, which is the Fairfax County Health Department's dedicated WNV e-mail ([fightthebite@fairfaxcounty.gov](mailto:fightthebite@fairfaxcounty.gov)). The Web submission form routes messages directly to the Fairfax Inspection Database Online (FIDO) system. A total of 30 visits were made during 2015, helping people resolve their mosquito and tick problems.

Planned Activities for Risk Communication, Public Education and Community Outreach  
Public outreach, information, and education are mainstays of the DCIP and will continue to be emphasized during the 2016 season. All materials that we use will be reviewed and updated as needed and new materials will be prepared to better reach County residents.

The FCHD, with assistance from the Office of Public Affairs (OPA), will be the lead agency on content for WNV publications, posters, etc. and will make this information available to all interested County agencies and pertinent jurisdictions. The County will continue to use the "Fight the Bite" theme during 2016. The FCHD is also preparing outreach materials on Chikungunya and Zika viruses, two emerging mosquito-borne viruses now present in the western hemisphere.

Key Communication, Education and Outreach activities:

- Revise and update the DCIP Web page.
- Prepare, proof, print, and distribute a 2016-2017 18-month calendar.
- Promote Mosquito Control Awareness Week throughout the County.
- Distribute CDC literature on WNV
- Evaluate media strategies used in other regions and incorporate them into the program as feasible.
- Beginning mid-April, key messages will be disseminated through news releases, interviews, and public service announcements. Most will aim to elevate the population's awareness of WNV and steps that individuals can take for personal protection.
- Prepare, proof, print, and, distribute an eighth children's book.
- Prepare Chikungunya and Zika virus-related outreach materials.
- DCIP staff will work with OPA and the Board of Supervisors' offices to reach the constituents in each of the districts.
- Fairfax County Print Shop will be contacted to produce outreach and educational material, as needed.
- Brochures and other educational materials will be distributed at, by or through:
  - Fairs, festivals, and community events
  - Homeowners Associations
  - Civic Associations
  - Posters in public buildings
  - Clinic room aides and public health nurses (schools)
  - Farmers Markets
  - "Fight the Bite" Web page ([www.fairfaxcounty.gov/fightthebite](http://www.fairfaxcounty.gov/fightthebite))
  - Health Department staff
  - Clinic and physician waiting rooms
  - Conferences and scientific meetings
  - Other distribution methods as available.
- During special events and through the Board of Supervisors' offices:
  - Information about the use of larvicides will be presented to the community as an option for larval reduction, in areas where the "tip and toss" campaign cannot be implemented.
  - Information about the use of repellents containing DEET, Picaridin, IR3535 or oil of lemon eucalyptus will be presented to the community as an option for personal protection against mosquito bites.
- If surveillance demonstrates potential human risk of infection with WNV, media messages will
  - Emphasize personal protection against mosquito bites using "Fight the Bite" recommendations.
  - Help Fairfax County residents ensure personal protection for themselves and family members.
  - Target traditional media outlets as well as community newspapers in multiple languages and in multiple neighborhoods.



- If the available surveillance data suggest imminent and substantial risk to human health and adult mosquito control is recommended, the FCHD will enhance its efforts to provide complete, timely, and accurate information on spray areas, spray schedule, and measures people can take to reduce exposure.
- Timeline of Activities:
  - Throughout the year, as necessary, the County will prepare and provide WNV-related media stories.
  - From June to October 2016, as determined by mosquito and WNV activity, the “Fight the Bite” campaign to prevent infection by reducing mosquito bites will be intensified.
  - Throughout the year outreach activities will be implemented as the need demands.
  - New materials will be prepared or acquired to target specific issues or groups for WNV information and protection.
  - During winter months (2016-2017), the DCIP will review and update all outreach materials and prepare new material as needed. Material will be printed and prepared for distribution to targeted groups.

## **2. Human Case Surveillance**

*Goal: To promptly detect, investigate, and report cases of human WNV disease to enable timely implementation of prevention and control measures to prevent further cases, if indicated; to assess and document the public health impact of WNV disease in Fairfax County.*

### Introduction and Report of Previous Activities

In 2015, the Fairfax County Health Department (FCHD) continued to use a system of enhanced passive surveillance to detect cases of WNV disease. FCHD also continued efforts to identify suspected WNV cases with higher risk of non-vector borne disease transmission, including individuals who had recently received or donated blood products or organs, and nursing or pregnant mothers.

Arboviral infection, including infection with West Nile virus, is one of more than 70 reportable diseases and conditions in Virginia, and physicians are required to report all suspect cases to local health departments (including FCHD). In addition to physician reports, FCHD also receives reports of suspect cases of arboviral infection from commercial laboratories, hospitals, the Division of Consolidated Laboratory Services (DCLS), and the Virginia Department of Health’s Office of Epidemiology.

All suspect cases of arboviral disease reported to FCHD are investigated. Suspect cases meeting the clinical criteria for West Nile neuroinvasive disease or West Nile fever with laboratory evidence of recent infection are classified as “confirmed” or “probable,” depending on the strength of the supporting laboratory evidence. Cases of arboviral disease are classified either as neuroinvasive or non-neuroinvasive (West Nile fever) according to the following clinical criteria:

### *Neuroinvasive disease*

- Fever ( $\geq 100.4^{\circ}\text{F}$  or  $38^{\circ}\text{C}$ ) as reported by the patient or a health-care provider, AND
- Meningitis, encephalitis, acute flaccid paralysis, or other acute signs of central or peripheral neurologic dysfunction, as documented by a physician, AND
- Absence of a more likely clinical explanation.

### *Non-neuroinvasive disease (West Nile fever)*

- Fever ( $\geq 100.4^{\circ}\text{F}$  or  $38^{\circ}\text{C}$ ) as reported by the patient or a health-care provider, AND
- Absence of neuroinvasive disease, AND
- Absence of a more likely clinical explanation.

Whenever possible, serological and/or cerebral spinal fluid (CSF) specimens from suspect arboviral cases are forwarded to DCLS for laboratory confirmation. Patient information and laboratory data is shared between the VDH Office of Epidemiology and FCHD in person, via telephone, or via fax to facilitate case surveillance and timely reporting of laboratory results to FCHD. Results reported to the FCHD about residents of other districts are forwarded by fax or mail to the appropriate local health department (in VA and the DC metro area) or state health department (for out-of-state residents). When laboratory results are negative, a report is sent to the original collecting physician. When laboratory results are equivocal, the collecting physician is notified and a convalescent sample may be requested. When laboratory results are positive, the collecting physician is notified and a convalescent serum sample may be requested, if needed for case confirmation. Positive results are investigated and entered into the Virginia Electronic Disease Surveillance System (VEDSS).

### Cases of West Nile Virus Disease in Fairfax County in 2015

In 2015, nine human cases of WNV disease were identified in Fairfax County. Six of these cases were classified as neuroinvasive WNV. There was one WNV-related fatality in 2015.

Please note that this case data is subject to change as 2015 cases are finalized during the first several months of 2016.

### Planned Surveillance Activities for WNV

In 2016, FCHD will continue to implement a system of enhanced passive surveillance for human arboviral infection, including WNV disease. FCHD will use the 2011 Centers for Disease Control and Prevention/Council of State and Territorial Epidemiologists case definition. If deemed necessary, active surveillance will be instituted based on the results of passive human case surveillance, mosquito surveillance, and any changes in

the epidemiology of WNV disease in surrounding counties or in the state.

As in 2015, enhanced passive surveillance will have two main components:

- 1) *Educating the medical community.* The FCHD will work to maximize physician reporting of WNV disease by: raising awareness within the medical community of the importance of reporting suspected infection, educating hospital infection control personnel and physicians on the criteria for reporting cases, and providing instructions for submission of appropriate laboratory specimens.

FCHD will continue to encourage physicians to:

- Consider arboviral infection in patients hospitalized with encephalitis of unknown etiology, particularly during the peak months of mosquito activity and viral amplification (July-October);
- Consider WNV in suspected cases of Guillain-Barré syndrome, botulism, and muscle weakness or flaccid paralysis; and
- Determine if there is a history of donating or receiving blood or organs or if the patient is pregnant or breast-feeding when WNV infection is diagnosed.

As in 2015, testing for WNV will be performed by DCLS. FCHD will continue to work with health care providers to ensure that appropriate specimens are submitted for testing.

- 2) *Laboratory surveillance.* FCHD will continue to investigate reports of sero-positive cases of arboviral infection submitted by commercial laboratories, hospitals, physicians, Division of Consolidated Laboratory Services (DCLS), and the Office of Epidemiology. FCHD will ensure that hospitals and laboratories are aware of the latest surveillance criteria, and have the information and materials necessary to forward diagnostic specimens to DCLS.

FCHD will also continue to encourage both physicians and laboratories to complete all essential information on the laboratory submission forms. Accurate interpretation of serological findings requires knowledge of the patient's clinical history.

#### Additional Surveillance Activities for WNV

Given evidence suggesting the potential for non-vector borne WNV transmission, FCHD will continue to determine if any human cases of probable or confirmed WNV infection:

- Received an organ transplantation or blood transfusion within the four weeks prior to illness onset, or acted as a blood donor during the two weeks prior to illness onset;
- Are pregnant or breast-feeding mothers; or
- Resulted from occupational exposure.

The VDH Office of Epidemiology will be notified in a timely fashion of any potential non-vector borne WNV transmissions. A trace-back investigation of transplant or transfusion

cases would involve the CDC and the Food and Drug Administration (FDA).

Please note: This Human Case Surveillance Plan may be updated, as needed, to reflect local surveillance needs, resources, or changes to guidelines from the Virginia Department of Health or the Centers for Disease Control and Prevention.

### 3. Mosquito Surveillance

*Goal: To maintain a sustainable surveillance program to monitor vector mosquito populations and their WNV infection rates, as well as other associated factors that will allow the program to minimize the risk of potential WNV transmission to humans.*

#### Background and Report on 2015 Activities

**It is important to note that absolute high numbers of mosquitoes do not necessarily reflect high risk of human infection with WNV.** High mosquito counts, even if the mosquito species involved may bite humans, are usually from large broods of floodwater “nuisance mosquitoes” such as *Psorophora* sp., which are less important than *Culex* or *Aedes* mosquitoes in WNV transmission. Fortunately, the Northern house mosquito, *Culex pipiens* (the principal WNV vector), feeds much less frequently on humans than *Aedes vexans* or *Aedes albopictus*.

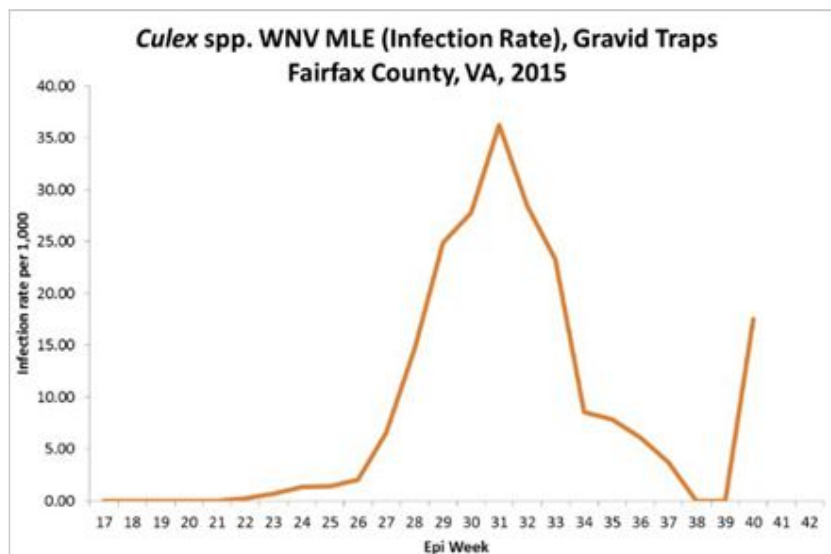


Fig. 1- Maximum Likelihood Estimates of West Nile virus infection, per 1,000 mosquitoes, in *Culex pipiens/restuans* mosquitoes found in gravid traps in Fairfax County, 2015.

In 2015 a total of 131,811 mosquitoes were collected over 3,663 trap-days. The FCHD tested 3,742 samples (pools) (which included 111,781 mosquitoes) for WNV testing and 479 of those pools were positive. From this information the DCIP was able to calculate that the Maximum Likelihood Estimate (MLE), or infection rate, of *Culex* mosquitoes ranged from zero to 36.24 per 1,000 mosquitoes

during the season with an additional spike in the infection rate of over 17 per 1,000 seen during the last week of mosquito collections (week 42) (Figure 1). The spike in the

infection rate at the end of the season can be attributed to positive mosquitoes found in a small number of mosquitoes tested.

The first WNV-positive mosquito pool was collected in week 24 (mid-June) and the peak infection rate was seen in week 33 (mid-August). The virus was active throughout the rest of the surveillance season to week 42 (mid-October). The observed infection rates were higher than previous years, but followed similar patterns to other years (e.g., 2004, 2008, 2011, 2012).

In Fairfax County, catch basins and artificial containers appear to be the preferred breeding site for *Culex pipiens*, while above-ground pools of stagnant water are the preferred breeding sites for *Culex restuans*.

The Asian tiger mosquito (*Aedes albopictus*) was the source of the majority of mosquito-related complaints received in 2015. This mosquito, which generally lays its eggs in and develops in containers, is an aggressive, persistent biter that can be found in large numbers around residences. Several factors contributed to the presence of *Aedes albopictus* around these homes; however, the presence of black corrugated pipes at the end of the downspouts from the roof gutters, even when placed underground, seemed to be a frequent source of the problem. Most of these corrugated pipes do not drain adequately and they retain water throughout the season, thus providing great mosquito breeding habitat. This mosquito is also a potential vector of the Chikungunya and Zika viruses.

In 2015, the FCHD continued to monitor and identify mosquito breeding sites throughout Fairfax County and sites where the treatment threshold was reached were treated with a larvicide. The eight year database of breeding sites will continue to serve as a guide to inspect and treat the breeding sites in the County on a monthly basis during 2016.

Beginning in 2012, the FCHD Laboratory performed molecular diagnostic (RT-PCR) testing to detect the presence of WNV in mosquitoes, and this will continue in 2016. The DCIP will continue to work with the FCHD to routinely monitor and evaluate the process.

Fort Belvoir continues to carry out regular mosquito surveillance activities and the mosquitoes are being tested by the County and incorporated into the data set.

#### Planned Activities for Mosquito Surveillance

FCHD mosquito surveillance activities for 2016 are as follows:

- Continue to conduct mosquito surveillance at approximately 70 trap sites throughout the County.
- Associate mosquito trap data with risk factors to assess how to predict human risk and refine “triggers” for mosquito control activities.

- Sort each trap collection by mosquito species and record information on location, collection data, trap type and the total number of female mosquitoes and test mosquitoes for WNV.
- Re-evaluate trap sites to be used during the 2016 season to ensure homogeneous coverage of the County and best trap efficiency.
- Conduct additional adult mosquito trapping in areas where conditions suggest a public health threat. This will help determine zones of potential local transmission and determine the extent of viral activity thus guiding interventions.
- Conduct additional mosquito trapping to evaluate the efficacy of control measures in the event that pesticides are applied for adult mosquito control.
- Increase trapping efforts in areas where surveillance indicators suggest an increase in WNV or other mosquito-borne disease activity.
- Continue to evaluate new traps and products (attractants, baits, etc.), particularly those that will enhance mosquito surveillance, capture species that are not readily collected by other trapping methods, or collect WNV vector species more efficiently.
- Ensure adequate routine inspection of suspected breeding sites to determine the presence of larvae.
- Collect and update larval habitat information throughout the season (May-October) and treat sites that produce mosquitoes.
- Work with the FCHD Laboratory to ensure that mosquito testing is performed in a timely manner so that a response, if necessary, occurs opportunistically.
- Respond to residents' concerns regarding mosquitoes in a timely manner.
- Share information in a timely fashion with the contractor, county agencies and neighboring jurisdictions regarding sites needing larvicide, as appropriate.

#### **4. Environmental Considerations**

*Goal: To monitor environmental factors (temperature, rainfall, and photoperiod) to correlate with surveillance results and WNV circulation to determine those factors that may influence WNV transmission.*

##### Background and Report on 2015 Activities

It is apparent that some of the factors associated with WNV transmission are temperature, rainfall, and photoperiod (day length). Cooler temperatures prolong the development of the virus in the mosquito, requiring a longer period for mosquitoes to become infective. Lower temperatures also prolong the larval development of mosquitoes, keeping them in breeding sites for longer periods of time. Frequent and abundant precipitation may flush out catch basins and other breeding sites, washing away mosquito larvae that may be present. However, it ultimately creates more breeding sites for mosquitoes.

While climatic factors cannot be controlled or modified, monitoring them will help understand their effect on mosquito-transmitted diseases. In 2016, the FCHD will continue to monitor climatic factors, in order to be able to correlate them with either disease or mosquito abundance.

#### Planned Activities for Environmental Considerations

- Continue to monitor climatic factors in 2016, and correlate them with both disease and mosquito abundance.
- Official (NOAA) weather data will be collected from weather stations at Ronald Reagan Washington National Airport and Washington Dulles International Airport on a daily basis and recorded electronically.
- Weather trends will be monitored and correlated with surveillance information to help better understand mosquito population variation, viral activity, and human infection.
- As necessary, site-specific temperature data will be collected using environmental data loggers.

#### **5. Operational Research**

*Goal: To carry out designed experiments in a scientific manner which will answer specific operational questions that will allow us to better understand mosquito ecology, distribution and mosquito-borne illnesses.*

#### Background and Report on 2015 Activities

No formal operational research activities were carried out in 2015.

#### Planned Activities for Operational Research

No operational research activities are currently planned for 2016.

#### **6. Source Reduction (elimination of standing water)**

*Goal: To reduce the number of adult mosquitoes by eliminating potential mosquito development sites.*

#### Background and Report on 2015 Activities

All mosquitoes begin their life in water. *Culex pipiens* and *Culex restuans*, the primary vectors of WNV in Fairfax County, and the Asian tiger mosquito (*Aedes albopictus*) are three mosquitoes commonly found in urban areas. The *Culex* mosquitoes breed quickly and lay their eggs on standing water. The Asian tiger mosquito is the primary nuisance and main backyard mosquito in the County and usually appears later in the summer. It lays its eggs in artificial containers and is commonly found around homes. Prime sites for all these mosquitoes to develop include tires left outdoors, poorly-maintained bird baths, clogged rain gutters, poorly-maintained swimming and plastic wading pools, pots, black corrugated drain pipes (even if placed underground) and puddles that last for a week or more. Eliminating these containers or preventing standing water is the simplest and most effective way to reduce the number of mosquitoes. Every residential and commercial property owner should regularly (at least weekly) inspect their property and buildings to determine if conditions are conducive to mosquito development and endeavor to eliminate those conditions. Mosquito development can be prevented by either eliminating the standing water (source reduction) or treating the water with larvicide if source reduction is not possible.

The County's WNV community outreach, information, and public education campaign highlights the need for residents to eliminate mosquito-breeding sites around their homes. Diagrams of potential sources around the home were described in multiple media events and languages as well as on the WNV Web page.

In 2015, the DCIP assisted residents in 30 service requests. Most of the mosquito complaints were related to the Asian tiger mosquito.

In 2016, the DCIP will continue to receive complaints from residents regarding standing water and mosquito development sites throughout the County and take the appropriate action to abate them.

#### Planned Activities for Source Reduction

- The DCIP will work with homeowners' associations to promote community participation and distribute printed information on the need to eliminate mosquito-breeding sites on their property or to properly treat them with larvicide.
- FIDO, the telephone lines (703-246-8931, TTY 711), and the "Fight the Bite" e-mail will continue to receive complaints on mosquitoes and standing water.
- Complaints will be logged in the FIDO system and addressed by the DCIP staff.
- County residents will be asked to eliminate standing water on private property or to report standing water to (703-246-8931, TTY 711), if it is on public property.
- The FCHD will work closely with the Department of Public Works and Environmental Services (DPWES) on mosquito problems in storm water retention/detention ponds, particularly those that are being retrofitted to wetlands.
- FCHD will route mosquito issues in roadside canals and blocked catch basins to the Virginia Department of Transportation (VDOT).
- In collaboration with Fairfax County Public Schools, mosquito populations will be monitored on school campuses in the County.

### **7. Larviciding**

*Goal: To reduce the number of Culex mosquitoes by applying environmentally-safe larvicides in breeding sites that cannot be drained.*

#### Background

Storm drains, sometimes called catch basins, storm sewers or storm water catch basins are located throughout the County. Storm drains usually drain well and do not present an opportunity for mosquito breeding; however, some (particularly those in older communities in the County) may have structural problems or may be partially blocked, retain water and produce excellent breeding sites for *Culex* mosquitoes. The number of storm drains in the County is estimated to be over 100,000, and the number can change from year-to-year as new construction and other changes to the stormwater infrastructure occur. Based on WNV data from previous years, the FCHD worked with a contractor and began treating storm drains proactively in predetermined areas of the



County. The larvicides that will be used on a rotation basis in order to reduce resistance are Natular-G (contains the active ingredient spinosad, a product derived from a naturally-occurring soil bacterium), VectoLex® (*Bacillus sphaericus*, a naturally-occurring soil bacterium that produces toxins which cause death in mosquito larvae) or Vectomax™ (a combination of *Bacillus sphaericus* and *Bacillus thuringiensis* var. *israelensis* also a naturally-occurring bacterium). All three of these products are considered ideal for mosquito management because they only affect mosquitoes and very few other non-target organisms. During the 2015 season, 59,084 storm drains were treated in three treatment cycles. The number of storm drains treated in a season is dependent on several factors, including weather, degree of viral activity, resources, etc. In addition to the routine storm drain treatments, all the storm drains in the Huntington area were treated once a week to lower the *Culex* population.

Dr. Roger Nasci (CDC) has stated, “[WNV] programs with the most intensive larviciding had proportionally fewer human WNV cases.” Dr. Linn D. Haramis, (Illinois Department of Health), indicated that Cook County programs with the most intense larviciding programs had proportionately fewer WNV cases. Dr. Ned Walker, (Michigan State University), noted that in Michigan, the infection rate in mosquitoes was four per 1,000 in areas with catch basin control and 28 per 1,000 in areas without such control activities. Even though this data is not conclusive, it strongly supports storm drain larviciding at least until WNV transmission and factors affecting it are better understood.

#### Planned Activities for Larviciding

- The DCIP is planning three storm drain treatment cycles in 2016. If needed, an additional cycle will be conducted.
- The Huntington (Cameron Run Park) area will be treated with a larvicide as necessary early in the season as an effort of reducing the mosquito populations.
- The Huntington area storm drains will be treated on a weekly basis due to the tidal effect.
- The first round of storm drain treatments will begin in mid-May and will follow the programmed storm drain treatment order in the County tax map areas treated in 2015.
- The second and third rounds of treatment will follow the pre-established order.
- The DCIP will purchase sufficient larvicide for the FCHD staff to treat larval development sites, as necessary, to abate immediate problems as identified during inspections.
- The FCHD will routinely inspect and larvicide previously identified larval development sites.
- The FCHD will work in collaboration with the DPWES in the surveillance and larviciding of storm water detention/retention ponds.
- The FCHD will verify WNV control and mosquito management plans of action through the regular meetings of the Mosquito Surveillance Management Subcommittee (MSMS).

- The FCHD will monitor storm drains outside the treatment area and treat them, as necessary.
- The FCHD will comply with the NPDES and VPDES and implement the DCIP plan to employ the nine best management components of the Pesticide Discharge Management Plan (PDMP) as part of the operative VPDES permit as stated at the end of Appendix 1.

## **8. Adult Mosquito Control**

*Goal: To reduce the abundance of infected adult mosquitoes through the judicious use of pesticides in targeted areas when there is significant risk of mosquito-borne disease transmission.*

### Background and Report on 2015 Activities

While source reduction and the application of larvicides are the principal and most effective interventions to reduce mosquito populations, situations may arise in which infected adult mosquitoes are present in significant numbers and pose a threat to human health. In these situations, judicious application of adulticides to control mosquito populations will be added to all other mosquito control activities as an additional measure to reduce risk of illness and death in humans. WNV guidelines from CDC state that adulticiding based on surveillance data is an extremely important part of any integrated mosquito management program and should be used when there is significant risk of human illness.

Some of the insecticides that are used against adult mosquitoes include synthetic pyrethroids and malathion (an organophosphate) that have been used for more than 30 years and are registered by the U.S. Environmental Protection Agency and the Virginia Department of Agriculture and Consumer Services for adult mosquito control in residential areas. These insecticides provide a rapid knockdown, killing adult mosquitoes upon contact. They also have low toxicity to mammals and birds, degrade rapidly in sunlight and water, and provide little or no residual activity.

There are two principal strategies in adulticiding that can be employed in mosquito control. One is to produce tiny droplets of insecticide from a machine (frequently mounted on a truck or aircraft) in such a way that a cloud of insecticide is produced. In this method, called Ultra Low Volume (ULV), the effect of the insecticide lasts a very short period of time and will only kill those mosquitoes which come in contact with these tiny droplets. A second strategy, called barrier spraying, is to lay down a thin, residual coat of insecticide on vegetation or man-made structures. In this case, the insecticide lasts for a longer period of time and will kill any mosquito that comes into contact with the insecticide during the time that it is active.

In the event that ULV adulticiding is necessary, the FCHD will define the areas in the County where risk of WNV infection to humans is highest and require such action.

Drivers and trucks from the contractor will be escorted by police and will apply adulticide to the defined areas.

All adulticiding activities will be conducted under the direction of the County Executive and in consultation with MWCOG and the VDH, and in coordination with any affected county, city or town within or adjacent to Fairfax County.

Mosquito species and habitat, weather, time of year, the presence of the virus and the proximity of infected mosquitoes to human populations will be considered in determining the necessity for adult mosquito control. If the application of an adulticide becomes necessary, the FCHD will provide advance notice to the public and health care providers in affected areas.

Prior to 2005, even in the years when there were human WNV cases, the use of insecticides against adult mosquitoes had not been indicated by the surveillance program. In 2005, 2006, and 2007 it was determined that it would be necessary to apply a barrier spray in an area where the surveillance program showed high WNV activity in the mosquitoes. Subsequent surveillance data showed that the barrier spray reduced the vector index, thus lowering the risk of WNV to humans in the area. All activities were conducted under the direction of the County Executive, and all of the residents in the affected areas were notified before treatment by hand-delivered letters. None of the human cases reported in Fairfax County were from these areas. In 2015, no adulticiding for mosquitoes was deemed necessary.

At a minimum, the following factors will be considered when deciding the scope of the adulticiding effort:

- The general ecology of the area, e.g., key habitat types and the presence of natural barriers such as rivers.
- The population composition, density, distribution and flight range of the target mosquito species.
- The human population characteristics – spatial distribution and density relative to the positive locality (e.g. urban vs. rural), age demographics, etc.
- Evidence of persistent WNV activity detected by the surveillance program, season of the year, and how long WNV activity can be expected to persist until the epizootic/epidemic vector(s) enter their overwintering phase.

#### Planned Activities for Adult Mosquito Control

The presence of mosquito-borne pathogens in Fairfax County will result in one or more responses or interventions recommended by the FCHD. These interventions can range from continuing existing surveillance, education, and outreach to the targeted application of adulticides.

The FCHD will utilize its surveillance data to assess the risk of an outbreak of human disease and the need to apply insecticides in a limited and targeted area to control adult

mosquitoes. Vector considerations include level of documented virus, the distribution, density, and infection rate of the vector population. Other factors must also be considered before insecticide is used. Environmental considerations include habitat, time of year, weather conditions. The density and proximity of human populations are also considered before adulticide treatments are made. Because conditions can vary greatly and cannot be predicted, a consultation process with VDH, CDC and surrounding jurisdictions may be used to determine which, if any, responses are appropriate, on a case-by-case basis.

If adulticides are used, advance notification will be disseminated to surrounding residents indicating when and where the insecticides will be applied. This allows residents who wish to avoid exposure to take necessary actions and precautions. The Virginia Poison Control Center, area hospitals, and health care providers will be provided information on the pesticide being used. All insecticides considered for use are registered with the U.S. Environmental Protection Agency and the Virginia Department of Agriculture and Consumer Services and will be used according to the label directions. When choosing pesticides for mosquito control, preference will be given to those insecticides that pose the least risk to humans and the environment.

In order to categorize the use of adulticides in Fairfax County, any responses initiated by the FCHD can be grouped into six broad categories or levels of risk. These levels are tailored after those of CDC, yet are modified to specifically reflect Fairfax County's position based on previous findings.

#### **Level 0**

Definition: Fall/winter; vector inactive, climate unsuitable for WNV transmission.

Response: Prepare material and equipment for the upcoming WNV season. Surveillance and control programs continue as outlined in the County's Surveillance and Control Plan. Identify locations where source reduction activities can be applied; secure surveillance and control resources necessary to enable response to WNV activity; initiate community outreach and public education programs; enhance communication with surrounding jurisdictions; recruit and train new staff; communicate with and educate large property owners of the importance of source reduction in areas such as cemeteries, golf courses, country clubs; communicate status of WNV activity to Director of the Health Department, the Board of Supervisors and the public, as the WNV season starts.

#### **Level 1**

Definition: Spring/summer/fall; anticipating WNV activity based on previous activity in region. No current surveillance findings indicating WNV activity in the area.

Response: Respond as in level 0, plus: continue and enhance source reduction; conduct larval control in identified breeding habitats where source reduction is not

possible (emphasis will be placed on known *Culex* species breeding sites); continue community outreach and public education; work with other County departments on source reduction and mosquito control activities; initiate catch basin treatment rounds.

## **Level 2**

Definition: Spring/summer/fall; initial, sporadic or limited WNV activity in mosquitoes.

Response: Respond as in level 1, plus: increase larval control activities; continue source reduction in cooperation with other County departments; and increase public education, emphasizing personal protection measures, particularly the use of products containing DEET, Picaridin, IR-3535 or oil of lemon eucalyptus. Enhance human surveillance and activities to quantify epizootic activity (e.g. mosquito trapping and testing) in areas of concern. Consider recommending to the public that they decrease outdoor activities when mosquitoes are biting.

## **Level 3**

Definition: Spring/summer/fall; initial confirmation of WNV in a human or a horse, or moderate WNV activity in mosquitoes.

Response: Respond as in level 2, plus: expand public information programs (repellent use, personal protection, source reduction, risk communication about adult mosquito control program); prepare to implement adult mosquito control, if surveillance findings indicate the likely potential for human risk to persist or increase.

## **Level 4**

Definition: Spring/summer/fall; surveillance findings indicate high risk of human infection, (high mosquito infection rates and vector index, multiple positive mosquito species, horse or other mammalian cases indicating increasing epizootic transmission, or a human case and high levels of epizootic activity) and abundant adult vectors.

Response: Respond as in level 3, plus: continue active surveillance for human cases; make final arrangements to implement adult mosquito control program in areas of potential human risk. The use of adulticides will be used in a limited manner as needed.

## **Level 5**

Definition: Spring/summer/fall; marked increase of confirmed multiple WNV cases in humans and conditions favoring continued transmission to humans.

Response: Respond as in level 4, plus: implement or intensify emergency adult mosquito control program; monitor effectiveness of adulticiding on target mosquito

populations; coordinate adult mosquito control activities with surrounding jurisdictions. The FCHD activities related to adulticiding will include the following:

- Various mosquito traps, including CDC miniature light traps and gravid traps will be used in the treatment area if additional surveillance data are required.
- The FCHD will work with state entomologist and/or CDC personnel, as well as the contractor, to design and implement feasible measures to monitor the efficacy of the adulticiding activities.
- The public will be notified of adulticide schedules in advance. This will allow residents with special health concerns sufficient time to take any precautions to reduce pesticide exposure (see Public Education and Community Outreach).
- Hospitals will be notified regarding the adulticiding schedule. Information on the pesticide used will be provided to the public, physicians, and other health care providers.
- Adult mosquito control will be scheduled when mosquitoes are active and weather conditions are conducive to its success.
- Information will be released, in advance, through the media, the FCHD WNV Web page, and through news releases, the MSMS, as well as pertinent county agencies and the community.

Table 2. Factors to consider when establishing thresholds for the use of larvicides, pupicides, and adulticides to control mosquitoes in order to address public health threats

Factor	Description	Consideration
Mosquito species	The ability of mosquito species to carry and transmit disease organisms (Vector Competence); flight distance; feeding preferences; seasonality; type of breeding habitat; biology.	Often species, vector competence and biology of the mosquito are more important in developing thresholds than relative abundance of mosquitoes.
History of mosquito-borne pathogens in the area	Surveillance results of mosquito-borne pathogen activity in the area in mosquitoes, reservoir hosts and humans in the area.	Areas with evidence of mosquito-borne pathogens will likely have lower thresholds.
Proximity to human populations	The distance from potential mosquito habitats to human population centers (number and density).	The potential to produce large numbers of mosquitoes in close proximity to population centers may result in less tolerance and lower action thresholds.
Weather patterns	Prevailing wind patterns, precipitation and temperatures.	High precipitation may produce man-biting flood water mosquitoes; prevailing wind patterns may carry mosquitoes to populated areas requiring lower action thresholds.
Mosquito tolerance	Tolerance to mosquitoes varies from person to person.	Highly-populated areas may require lower action thresholds due to more intolerance to mosquitoes.
Natural predator populations	Balanced predator-prey populations may limit mosquito production.	Larval habitats that have high predator populations are adequate to control mosquito populations and may require higher action thresholds.
Type of mosquito habitat	Preferred developmental habitat for mosquitoes is species specific.	Since developmental habitat is species specific, adult nuisance mosquito species should be correlated to each individual habitat.
Water quality	Water quality influences mosquito productivity.	Since water quality can be species specific, adult nuisance

		mosquito species should be correlated to the specific habitat.
Water and vegetation management	Management of water levels and vegetation may reduce mosquito productivity.	Treatment thresholds should be higher where water level and vegetation can be managed.
Accessibility for surveillance and control	Mosquito developmental habitats may not have adequate access to surveillance or implement mosquito management.	Thresholds will be higher for areas that have limited access for surveillance and control.
Non-target organisms	The presence of non-target organisms in the spray area and their susceptibility to the product used.	Minimize the impact of larvicides, pupicides and adulticides on non-target organisms by using the most target-specific product, apply the product at the best time of day possible to minimize effect on non-targets and use the least amount of product necessary; always following label instructions.



## II. Tick and Tick-Borne Disease Surveillance 2015 Report and Comprehensive Plan for 2016

### Background

#### Public Health Impact

Tick-borne diseases continue to impact public health causing serious acute illness, long-term effects and, sometimes, death. The recent and widespread encroachment of suburban sprawl into areas that were once undeveloped or farmland, and the large deer populations in these suburban communities, have increased the prevalence of disease-carrying ticks and the exposure of the human population to the disease pathogens they carry.

Ticks are excellent vectors of pathogens of public health importance. They are the number one disease vector in the United States and second only to mosquitoes as vectors of human disease worldwide. Ticks carry and transmit a remarkable array of pathogens, including bacteria, viruses, spirochetes, rickettsiae, protozoa, nematodes and toxins. Furthermore, a single tick bite can transmit multiple pathogens -- a phenomenon that has led to atypical clinical presentations of some classic tick-borne diseases.

Ticks are among the most common disease vectors in the United States and are capable of transmitting *Borrelia burgdorferi* (the agent for Lyme disease), *Rickettsia rickettsii* (the agent for Rocky Mountain spotted fever), *Rickettsia parkeri* (the agent for Tidewater spotted fever), other spotted fever rickettsias, *Anaplasma phagocytophilum*, *Ehrlichia chaffeensis*, *Babesia microti*, the agents for relapsing fever, Colorado tick fever virus, *Francisella tularensis* (the agent for tularemia), *Coxiella burnetii* (the agent for Q fever), Powassan virus and can cause tick paralysis.

#### Vector Biology

Knowledge of tick biology is important in understanding the tick's role in disease transmission and is equally important in the prevention of tick-borne diseases. There are four distinct life stages in a tick: egg, larva, nymph, and adult. The length of the life cycle, host-specificity, and the number of hosts fed upon depends on the tick species. Most ticks have a one or two-year life cycle and will have from one to three hosts.

The essential characteristic of ticks, in terms of disease transmission to humans, is their need to ingest a blood meal to develop into the next stage of their life cycle. Ticks will take their requisite blood meal from all classes of vertebrates, with the exception of fish. Ticks find their host by questing, a behavior in which they perch on low vegetation and wait for a suitable host to pass by, onto which they can attach and feed or by actively following chemical cues such as carbon dioxide. Once on a host, the tick attaches its hypostome (mouthpart) a central piercing element with hooks, into the host's skin. Some ticks may secrete an adhesive to fasten themselves to the host, as well as inject

anticoagulant, immunosuppressive, and anti-inflammatory substances into the area of the bite. These prevent hosts from noticing ticks and thus aid the tick in obtaining a blood meal. This behavior and these same substances also help transmit any pathogens that the tick may be carrying.

### Introduction to Vector Surveillance

The Disease Carrying Insects Program began tick surveillance in 2005, and since then has continued monitoring the tick population in select areas. The surveillance methods used are drags, flags, traps, alcohol jars in veterinary clinics and the Animal Shelter, and a tick identification service for residents that bring ticks in to the Health Department.

## **Progress Report for 2015 and Action Plan for 2016, by Activity**

### **1. Risk Communication, Community Outreach and Public Education**

*Goal: To increase the public's knowledge about ticks, Lyme disease and other tick-borne diseases; to promote behavioral change; and to encourage the community to take an active role in reducing their risk of tick-borne diseases through preventive and control measures.*

#### Background and Report on 2015 Activities

Demand for information about ticks and tick-borne diseases (particularly Lyme disease) continued to increase over the last year, and the Board of Supervisors once again requested that efforts be amplified in this area.

The DCIP brochure on ticks, Lyme disease, and other tick-borne diseases continued to be an important outreach tool in 2015. The brochure on tick bite prevention that was developed for children was also an important outreach tool throughout the year. The DCIP staff was invited to give several presentations throughout the County to a variety of groups where information regarding ticks and Lyme disease was distributed. Tick and Lyme disease information and graphics were also incorporated into the DCIP 18-month calendar that was distributed through Fairfax County schools and to the public.

#### Planned activities for Risk Communication, Community Outreach and Public Education

The following activities will be carried out in 2016:

- Prepare and distribute educational materials on ticks and Lyme disease.
- Distribute educational material at all relevant venues.
- Inform residents about personal protection and the actions they can take to keep their property free from ticks.
- Emphasize the importance of personal protection, the use of EPA-registered insect repellents, and proper dress when spending time outdoors.
- Stress the importance of tick checks on people and pets.
- Give presentations to community groups as requested.
- Prepare media alerts when necessary.

- Update the Web page on ticks, their control, the diseases they transmit, and personal protection.
- Educate people one-on-one when they bring a tick in for identification.

## 2. Human Case Surveillance

*Goal: To monitor the burden of tick-borne diseases (particularly Lyme disease) in Fairfax County through laboratory and physician case reporting.*

### Background and Report on 2015 Activities

In 2015, FCHD continued to use a system of passive surveillance to detect cases of Lyme disease and other tick-borne diseases and worked closely with local physicians and laboratories to improve the quality and timeliness of disease reporting.

Virginia state law requires that physicians, directors of medical care facilities, and directors of laboratories report cases of Lyme disease, ehrlichiosis, spotted fever rickettsiosis, anaplasmosis, and Q fever within one to three days of diagnosis (depending on the disease). All suspect cases of these tick-borne diseases reported to FCHD are investigated, classified, and entered into an FCHD database and the Virginia Electronic Disease Surveillance System. Of note, babesiosis is not currently included on the Virginia list of reportable diseases.

In 2015, FCHD and VDH used the most current CDC surveillance case definitions for the four reportable tick-borne diseases. For Lyme disease (the most commonly reported tick-borne illness), this case definition uses the following classifications:

- *Confirmed:* a) a case of erythema migrans (an expanding rash that is the best clinical marker of the disease) with a known exposure, b) a case of erythema migrans with laboratory evidence of infection and without a known exposure, or c) a case with at least one late manifestation (involvement of the musculoskeletal, nervous and cardiovascular systems without an alternate explanation) that has laboratory evidence of infection.
- *Probable:* any other case of physician diagnosed Lyme disease that has laboratory evidence of infection.
- *Suspected:* a) a case of EM with no known exposure and no laboratory evidence of infection, or b) a case with laboratory evidence of infection but no clinical information available.

For surveillance purposes, exposure to Lyme disease is defined as having been (less than 30 days before onset of EM) in wooded, brushy, or grassy areas (i.e., potential tick habitats) in a county in which Lyme disease is endemic (including Fairfax County). A history of tick bite is not required.

Laboratory criteria for confirmation of Lyme disease cases for 2015 were as follows:

- Positive Culture for *B. burgdorferi*, or

- Two-tier testing interpreted using established criteria, where:
  - Positive IgM is sufficient only when  $\leq 30$  days from symptom onset
  - Positive IgG is sufficient at any point during illness
- Single-tier IgG immunoblot seropositivity using established criteria.
- CSF antibody positive for *B. burgdorferi* by Enzyme Immunoassay (EIA) or Immunofluorescence Assay (IFA), when the titer is higher than it was in serum.

#### Cases of Lyme Disease and other tick borne illnesses in Fairfax County in 2015

Using the case criteria outlined above, the FCHD detected and reported a total of 190 cases of Lyme disease in Fairfax County in 2015. By comparison, 284 cases of Lyme disease were reported in 2014.

Eleven cases of spotted fever rickettsiosis (including Rocky Mountain spotted fever), seven cases of ehrlichiosis/anaplasmosis were reported in 2015. No cases of acute Q fever were identified.

Please note that 2015 data is subject to change as case reports from 2015 are finalized in the first several months of 2016.

#### Planned activities for Human Case Surveillance

In 2016, FCHD will continue to implement a passive surveillance system for human tick-borne diseases. FCHD will use the 2011 Centers for Disease Control and Prevention/Council of State and Territorial Epidemiologists case definition. In an effort to improve the quality and timeliness of Lyme disease reporting, particular emphasis will be placed on:

- *Educating the medical community.* FCHD will work to maximize physician reporting of Lyme disease by: continuing to emphasize with the medical community the increasing incidence of disease in Northern Virginia and the importance of timely and accurate diagnosis and disease reporting.
- *Laboratory surveillance.* FCHD will continue to investigate all laboratory reports suggestive of Lyme disease that are submitted by commercial laboratories, hospitals, and physicians.

FCHD will also continue to encourage both physicians and laboratories to complete all essential information on Lyme disease reporting forms. Accurate classification of cases normally requires knowledge of both the patient's clinical history and laboratory test results.

Please note: The Human Case Surveillance Plan for tick-borne diseases may be updated as needed to reflect local surveillance needs and changes to surveillance guidelines published by VDH or the CDC.

### 3. Tick Surveillance

Goal: *To determine the density and distribution of various tick vector species (including Ixodes scapularis) in order to estimate the prevalence of various infectious agents (including Borrelia burgdorferi) the agent that causes Lyme disease, in the tick populations.*

#### Background and Report on 2015 Activities

The blacklegged tick (*Ixodes scapularis*) is the most important arthropod vector of human disease in Virginia and the primary focus of the DCIP's tick surveillance efforts. Nevertheless, we carry out surveillance of all the principal tick species collected in the County as well as the pathogens that they carry.

In 2015, a total of 2,956 ticks were collected, the majority of which were Lone Star ticks (*Am. americanum*). The blacklegged tick or deer tick (*Ixodes scapularis*) was the second most common tick collected, followed by the American Dog tick (*Dermacentor variabilis*). Other ticks that were occasionally collected include the Gulf Coast tick (*Amblyomma maculatum*), the rabbit tick (*Haemaphysalis leporispalustris*) and the winter tick (*Dermacentor albipictus*). Some of the ticks were held for pathogen detection.

Ticks collected in 2015 have not yet been tested. Previous testing was performed under a contract which expired in 2015. The Fairfax County Health Department Laboratory has been working on establishing tick testing protocols and expects to be able to provide tick testing in the near future.

#### Planned activities for Tick Surveillance

The following activities will be carried out in 2016:

- Continue to conduct tick surveillance at four sites throughout the County.
- Add new sites as needed.
- Sort each collection by tick species and record information on stage, location, collection date, collection method and the total number ticks.
- Test ticks for pathogens.
- Respond to residents' concerns regarding ticks in a timely manner.
- Collect ticks from at least three local veterinarians and the animal shelter to increase the number of underrepresented species (i.e., the Brown dog tick).
- Participate in deer hunts to obtain ticks.
- Seek out new deer hunts and new opportunities for tick collection.

#### 4. Tick Identification Service

*Goal: To combat the threat of tick-borne diseases to County residents by providing a service for tick identification to species, stage of development, and relative degree of engorgement.*

##### Background and Report on 2015 Activities

There are four tick species found in Fairfax County that can transmit disease to humans. The blacklegged tick (*Ixodes scapularis*) transmits the bacterium which causes Lyme disease. The Lone Star tick (*Amblyomma americanum*) transmits the bacterium that causes Ehrlichiosis. The American Dog tick (*Dermacentor variabilis*) transmits the pathogen that causes Rocky Mountain Spotted Fever as well as other spotted fever rickettsias that may cause illnesses. The Gulf Coast tick (*Amblyomma maculatum*) transmits *Rickettsia parkeri*, a pathogen that causes a spotted fever illness. Other diseases transmitted by ticks to a lesser degree can be found in Table 4.

In 2008, the FCHD began advertising a tick identification service that encouraged County residents to bring their ticks to the DCIP to help raise awareness of Lyme disease and provide information on ticks and tick-borne diseases in the County. In 2015, 317 specimens were brought to the Health Department for identification. Of these, 293 were ticks: 219 Lone Star ticks (*Amblyomma americanum*), 43 blacklegged ticks (*Ixodes scapularis*), 28 American Dog ticks (*Dermacentor variabilis*), 1 unidentified *Ixodes* species, 1 Gulf Coast Tick (*Am. maculatum*), and 1 Cayenne tick (*Am. cajennense*) were brought to the tick identification service. The Cayenne tick is not found in this region of the U.S., but was brought in by someone with recent travel to an area where the tick is present. Twelve of the 24 specimens that were not ticks were insects or other arthropods.

##### Planned activities for Tick Identification

The following activities will be carried out in 2016:

- Encourage the public to bring in ticks for identification.
- Continue the tick identification service.
- Continue to stress the importance of personal protection (e.g., dress properly, use DEET-based repellents) against tick bites.
- Continue to stress the importance of tick checks on self, children, and pets.
- Provide those who bring in ticks for identification with appropriate information on ticks and tick-borne disease and make them aware of the symptoms of tick-borne diseases.
- Encourage medical consultation if an engorged blacklegged tick is identified or if the person experiences symptoms of a tick-borne illness.

#### 5. Operational Research

*Goal: To carry out designed experiments in a scientific manner which will answer specific operational questions that will allow us to better understand tick distribution and tick-borne illnesses.*

#### Background and Report on 2015 Activities

Ticks were collected at the two 4-poster sites and the two control sites. This tick data was collected as a part of the County's 4-Poster Deer Treatment Station pilot study that was being carried out by the Wildlife Biologist's Office. The project ended in 2015.

#### Planned Activities for Operational Research

No operational research activities are currently planned for 2016.

### **III. Other Disease-transmitting Insects of Public Health Importance, 2015 Report and Comprehensive Plan for 2016**

#### **Background**

Other insects with the potential to transmit disease can be found throughout Fairfax County. These insects or the conditions that allow them to proliferate, could, at times, be considered public health or safety menaces.

#### **Progress Report for 2015 and Action Plan for 2016, by Activity**

##### **1. Community Outreach and Public Education**

*Goal: To increase the public's knowledge about other disease-transmitting insects of public health importance; to promote behavioral change; and to encourage the community to take an active role in reducing these insects and the diseases they transmit through preventive and control measures.*

In 2015, the Disease Carrying Insects Program began to work with other sections of the Division of Environmental Health to develop messaging about other disease-transmitting insects of public health importance, such as cockroaches. Environmental Health and DCIP staff worked together to update a handout entitled "Cockroach Prevention in the Home". The handout was translated into Spanish and Arabic.

In 2016, the Disease Carrying Insects Program will continue to include other disease-transmitting insects of public health importance, such as cockroaches, in its outreach and education activities. The outreach model employed by the DCIP will be applied to these insects in order to heighten community awareness. Messaging about these other insects may also be implemented using other techniques depending on the needs of the program. As with the mosquito and tick outreach messages, the messages related to other insects will focus on integrated pest management strategies.



## **Program Resources**

In 2016, the Fairfax County Disease Carrying Insects Program will be supported by the following resources:

### **Fund 40080**

One Entomologist (Environmental Health Supervisor)  
One Senior Biologist (Environmental Health Specialist-III)  
Two Merit Biologists (Environmental Health Specialist-II)  
One Merit Administrative Assistant (Admin-III)  
One E-status Biologist (Environmental Health Specialist-II)  
Four E-status (Environmental Health Technician-I)  
One G-status (Environmental Health Technician-I)

### **General Fund (Health Department)**

One (10 percent) Environmental Health Specialists (Environmental Health Specialist-III)  
– GIS Specialist  
One (10 percent) Senior Administrative Coordination

### **Other departments, agencies and jurisdictions**

Mosquito Surveillance and Management Subcommittee (MSMS)

### **MSMS Members**

City of Fairfax  
City of Falls Church  
Fairfax County Department of Public Works and Environmental Services (DPWES)  
    Storm Water Planning Division  
    Maintenance and Storm Water Management Division  
    Forest Pest Management Program  
Fairfax County Department of Management and Budget  
Fairfax County Department of Information Technology  
Fairfax County Park Authority  
Fairfax Public Schools  
Fairfax County Health Department  
Fairfax County Office of the County Attorney  
Fairfax County Office of Public Affairs  
Fairfax County Police Department, Animal Control  
Town of Herndon  
Town of Vienna  
Virginia Department of Transportation

#### **IV. References and Links**

Centers for Disease Control and Prevention (CDC)

-Pesticides and Public Health: Integrated Methods of Mosquito Management

<http://wwwnc.cdc.gov/eid/article/7/1/pdfs/70-0017.pdf>

-West Nile Virus

<http://www.cdc.gov/ncidod/dvbid/westnile/index.htm>

-Lyme Disease

<http://www.cdc.gov/ncidod/dvbid/lyme/>

-Chikungunya Virus

<http://www.cdc.gov/chikungunya/>

-Zika Virus

<http://www.cdc.gov/zika/>

Centers for Disease Control and Prevention (CDC) National Institute for Occupational Safety and Health (NIOSH)

-Information for Outdoor Workers:

--West Nile Virus

<http://www.cdc.gov/niosh/topics/westnile/>

--Lyme Disease

<http://www.cdc.gov/niosh/topics/lyme/>

Centers for Disease Control and Prevention (CDC) and Environmental Protection Agency (EPA)

-CDC/EPA Joint Statement on Mosquito Control

<http://www.epa.gov/mosquitocontrol/joint-statement-mosquito-control-united-states>

-CDC/EPA Joint Statement on Insect Repellents

<http://www.epa.gov/insect-repellents/joint-statement-insect-repellents-epa-and-cdc>

Environmental Protection Agency (EPA)

-Insect Repellent: Use and Effectiveness

<http://cfpub.epa.gov/oppref/insect/>

-Larvicides for Mosquito Control

<http://www2.epa.gov/mosquitocontrol/controlling-mosquitoes-larval-stage>

-Synthetic Pyrethroids for Mosquito Control

<http://www2.epa.gov/mosquitocontrol/permethrin-resmethrin-d-phenothrin-sumithrin-synthetic-pyrethroids-mosquito-control>

-Methods of Mosquito Control

<http://www.epa.gov/mosquitocontrol/>

Fairfax County Health Department (FCHD)

-West Nile Virus and Lyme Disease Web Page

<http://www.fairfaxcounty.gov/fightthebite>

U. S. Geological Survey (USGS)

<http://diseasemaps.usgs.gov/mapviewer/>

Virginia Department of Health (VDH)

-West Nile Virus Web page

<http://www.vdh.state.va.us/epidemiology/DEE/Vectorborne/WestNile/index.htm>

American Mosquito Control Association

<http://www.mosquito.org>

Mid Atlantic Mosquito Control Association

<http://www.mamca.org/>

Virginia Mosquito Control Association

<http://www.mosquito-va.org/>

National Pesticide Information Center

<http://npic.orst.edu/>

## Abbreviations

ASTHO - The Association of State and Territorial Health Officials  
BOS - Fairfax County Board of Supervisors  
CB(s) - Catch Basin(s)  
CDC - Centers for Disease Control and Prevention  
CDPH - Chicago Department of Public Health  
CO<sub>2</sub> - Carbon dioxide  
CSF - Cerebrospinal Fluid  
DC - District of Columbia  
DCIP - Disease Carrying Insects Program  
DCLS - Division of Consolidated Laboratory Services (of Virginia)  
DEET - N,N-diethyl-m-toluamide (an insect repellent)  
DPWES - Department of Public Works and Environmental Services  
EEE - Eastern Equine Encephalitis  
FCHD - Fairfax County Health Department  
FDA - Food and Drug Administration  
FIDO – Fairfax Inspections Database Online  
IMM: Integrated Mosquito Management  
MLE - Maximum Likelihood Estimate (a measure of infection rate of mosquitoes)  
MWCOC - Metropolitan Washington Council of Governments  
MSMS - Mosquito Surveillance and Management Subcommittee  
OPA - Office of Public Affairs  
PCR – Polymerase Chain Reaction (a test to detect genetic material)  
RT-PCR - Reverse Transcriptase Polymerase Chain Reaction (a test to detect virus genetic material)  
TTY – Text Telephone  
ULV – Ultra-Low Volume  
VA - Virginia  
VDH - Virginia Department of Health  
VDOT - Virginia Department of Transportation  
WN - West Nile  
WNV - West Nile virus

## Definition of Terms as Used in this Report

**Adulticide:** An insecticide used to kill adult mosquitoes.

**Antibody:** A type of protein normally present in the body or produced in response to an antigen which it neutralizes, thus producing an immune response.

**Antigen:** A substance that stimulates an immune response (usually production of an antibody) when introduced into the body. Antigens include toxins, bacteria, viruses, and other foreign substances.

**Arbovirus:** An Arthropod-borne virus.

**Asian tiger mosquito:** Common name for *Aedes albopictus*.

**BG-Sentinel Trap:** A mosquito trap that attracts mosquitoes with its design and appearance, a special lure (BG-Lure) and CO<sub>2</sub> (produced by dry ice). A fan located below the intake tube sucks the mosquitoes into a collecting bag in the trap. The fan is powered by a 12 volt battery. This type of trap collects mosquitoes that are looking for hosts (which exhale CO<sub>2</sub> when they breathe and have a human skin scent). This trap is useful in collecting the Asian tiger mosquito, *Aedes albopictus*.

**Borrelia burgdorferi:** Scientific name of the bacteria that causes Lyme disease.

**Breeding site:** Larval mosquito habitat.

**CDC miniature light trap:** A mosquito trap that attracts mosquitoes with light and CO<sub>2</sub> (produced by dry ice). A fan located below a light source sucks the mosquitoes into a collecting receptacle on the trap. The light is powered by a six-volt battery and the trap is covered by a plastic roof. This type of trap collects mosquitoes looking for hosts (which exhale CO<sub>2</sub> when they breathe).

**Common house mosquito:** In our area it is the common name given to *Culex pipiens*.

**Container breeder:** Mosquito species that lay their eggs in artificial (e.g., cans, bottles, tires, birdbaths and even catch basins) or natural (e.g., tree holes) containers.

**Day degrees above 75°F:** The cumulative number of degrees Fahrenheit above 75° during the year.

**DCIP:** Disease Carrying Insects Program.

**DEET:** A synthetic chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes and ticks.

**Encephalitis:** Swelling of the brain (as can be caused by the West Nile virus).

**Enhanced passive surveillance:** Passive surveillance enhanced by general alerts to health care providers.

**Epidemiological Week (EPI Week):** This is a period of time that comprises seven days and is used to compare data from place to place and year to year. In the United States the first EPI Week is defined as the first week of the year ending on a Saturday, as long as four days of that year are included in that week.

**Epizootic:** An epizootic is the non-human equivalent of an epidemic, meaning that large numbers of animals are infected with a disease. An epizootic disease is one in which greater than normal numbers of animals are affected for a given place or time period.

**Gravid traps:** A mosquito trap baited with yeast-, grass- and hay-infused water that attracts female mosquitoes (primarily *Culex pipiens* and *Culex restuans*) that seek this type of water to lay eggs.

**IgM antibodies:** The first class of antibodies produced by the immune system in response to the presence of an antigen (e.g. West Nile virus). Presence of IgM antibodies usually indicates a primary or recent infection. Diagnostic laboratories test for the presence of WNV-specific IgM antibodies in human serum or cerebrospinal fluid in order to confirm a case of WNV.

**IgG antibodies:** The second class of antibodies produced by the immune system in response to the presence of an antigen (e.g. West Nile virus). Presence of IgG antibodies usually indicates a past infection. Diagnostic laboratories test for the

presence of WNV-specific IgG antibodies in human serum or cerebrospinal fluid, in order to confirm a case of WNV.

**Integrated Mosquito Management:** A comprehensive mosquito prevention/control strategy that utilizes all available mosquito control methods singly or in combination to exploit the known vulnerabilities of mosquitoes in order to reduce their numbers to tolerable levels while maintaining a quality environment.

**IR3535:** A synthetic chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes.

**Larvicide:** An insecticide used to kill mosquito larvae.

**Lyme Disease:** Lyme disease was first identified in 1975 in Lyme, Connecticut, and is a bacterial illness caused by *Borrelia burgdorferi*. The disease is transmitted through the bite of an infected blacklegged tick (*Ixodes scapularis*).

**Medical community:** Health care providers.

**Meningitis:** Swelling of the membrane covering the spinal cord or the membrane covering the brain (as can be caused by the West Nile virus).

**Maximum Likelihood Estimate:** An estimate of the maximum number of infected individuals per 1,000 tested. Recommended when pool sizes are variable and/or with large infection rates.

**Mosquito Dunks®:** A readily-available, non-restricted microbial larvicide which contains the active ingredient *Bacillus thuringiensis israelensis*. This product specifically targets mosquito larvae.

**Mosquito larva (plural: larvae):** The immature, aquatic, feeding stage of a mosquito. This is the stage that hatches from the mosquito egg and is the best target of a mosquito management program.

**Mosquito pool:** Mosquitoes that were collected in one location, on the same date, that have been grouped together (pooled) to be tested for the presence of a virus.

**MSMS:** Mosquito Surveillance Management Subcommittee. This is a subcommittee of Fairfax County's Environmental Coordinating Committee. The MSMS is composed of representatives from various county agencies and departments as well as other jurisdictions that have activities associated with DCIP.

**Neuroinvasive:** Affecting the nervous system. Refers to West Nile virus meningitis, encephalitis or other serious neurological pathologies.

**Oil of lemon eucalyptus:** A naturally-occurring chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes.

**Overwinter:** To pass the winter, like hibernation.

**Ovitrap:** Traps set out specifically to collect eggs of container-breeding mosquitoes, used to monitor species like the Asian tiger mosquito (*Aedes albopictus*).

**Passive surveillance:** Medical care providers or medical laboratories report notifiable diseases on a case-by-case basis to the local or state health agency, based upon a published list of conditions.

**Pathogen:** An infectious organism.

**Permethrin:** An insecticide that kills ticks and adult mosquitoes.

**Polymerase Chain Reaction:** A biochemical process that makes copies of a sequence of genetic material (DNA) so that its source can be identified.

**Picaridin:** A synthetic chemical used as an ingredient in certain insect repellents. Recommended to protect against mosquitoes.

**Reverse Transcription Polymerase Chain Reaction:** A biochemical process that makes copies of a sequence of genetic material (RNA) so that its source can be identified.

**Storm drain:** Inlet that permits rainwater to flow off the roadways or other surfaces. Part of the County's storm water management system

**Trap period:** Period of time elapsed from when one trap is set to when it is collected. The trap period presently used by the DCIP is 24 hours.

**"Tip and Toss" campaign:** Part of Fairfax County Disease Carrying Insects Program involving the community to remove standing water from their yards, thus reducing mosquito breeding habitats.

**Ultra-Low Volume:** A method of applying insecticides to kill adult mosquitoes. It produces very small droplets of insecticide and is usually applied by a truck- or aircraft-mounted machine at a constant, predetermined rate.

**VectoLex®:** A biological larvicide (*Bacillus sphaericus*) used in catch basins to proactively suppress mosquito populations.

**West Nile fever:** A febrile condition caused by the West Nile virus, very similar to the flu. The symptoms include fever, body aches, swollen glands, rash and headache.

**West Nile virus:** A virus transmitted by mosquitoes. The normal transmission cycle is between certain species of mosquitoes and certain species of birds. It can be transmitted to and cause disease in other animals and people.

**West Nile virus "season":** The period of time (usually May to October) marked by high mosquito activity and West Nile virus transmission.

**Zumba™ Mosquito Trap:** A mosquito trap. Trap design and appearance, the BG-Lure, and CO<sub>2</sub> (produced by dry ice) draw host-seeking mosquitoes to the trap. A fan located below an intake tube sucks the mosquitoes into a collection bag. The fan is powered by a 12-volt battery. This type of trap collects mosquitoes attracted to hosts (which exhale CO<sub>2</sub> when they breathe). This trap is good at collecting *Culex* mosquitoes as well as *Aedes albopictus*.

## Acknowledgments

The Fairfax County Health Department (FCHD) would like to thank the members of the Mosquito Surveillance and Management Subcommittee (MSMS) of the County's Environmental Coordinating Committee for their guidance, and comments in the preparation of this document.

Parts of this plan are modeled after plans of the Centers for Disease Control and Prevention (CDC); the Virginia Department of Health (VDH); the Metropolitan Washington Council of Governments (MWCOCG); the American Mosquito Control Association (AMCA) and the Chicago Department of Public Health's (CDPH) 2003 WNV report. Recommendations and guidance were also obtained from a document issued by The Association of State and Territorial Health Officials (ASTHO).

### AMCA

-Best Management Practices for Integrated Mosquito Management

<http://www.mosquito.org/assets/Resources/PRTools/Resources/bmpsformosquitomanagement.pdf>

### CDC

-2013 West Nile Virus in the United States: Guidelines for Surveillance, Prevention, and Control

<http://www.cdc.gov/westnile/resources/pdfs/wnvGuidelines.pdf>

### MWCOG

West Nile Virus Response Plan for the National Capital Region

[www.mwcog.org/uploads/pub-documents/BFZd20040109135919.pdf](http://www.mwcog.org/uploads/pub-documents/BFZd20040109135919.pdf)

### ASTHO

Public Health Confronts the Mosquito: Developing Sustainable State and Local Mosquito Control Programs

<http://www.astho.org/WorkArea/DownloadAsset.aspx?id=2333>



## Appendix 1

### **Disease Carrying Insects Program (DCIP) Integrated Mosquito Management Plan<sup>3</sup>**

Integrated Pest Management (IPM) was first conceived as a means of achieving sustained, effective control of agricultural pests through concomitant employment of a wide range of control methodologies. IPM has been in widespread usage for many years and its success as a general strategy has led to usage of the term to describe an increasing number of approaches to control strategies — often leading to misunderstanding of its actual conceptual framework. To clarify the concept in terms of its relationship to the unique nature of mosquito prevention/control methodologies, we use the term Integrated Mosquito Management (IMM) in lieu of IPM.

Integrated Mosquito Management is a comprehensive mosquito prevention/control strategy that utilizes all available mosquito control methods singly or in combination to exploit the known vulnerabilities of mosquitoes in order to reduce their numbers to tolerable levels while maintaining a quality environment. IMM does not emphasize mosquito elimination or eradication. Integrated mosquito management methods are specifically tailored to safely counter each stage of the mosquito life cycle. Prudent mosquito management practices for the control of immature mosquitoes (larvae and pupae) include such methods as the use of biological controls (native, noninvasive predators), source reduction (water or vegetation management or other compatible land management uses), water sanitation practices as well as the use of EPA-registered larvicides. When source elimination or larval control measures are not feasible or are clearly inadequate, or when faced with imminent mosquito-borne disease, application of EPA-registered adulticides by applicators trained in the special handling characteristics of these products may be needed. Adulticide products are chosen based upon their demonstrated efficacy against species targeted for control, resistance management concerns and minimization of potential environmental impact.

IMM requires a thorough understanding of mosquitoes and their bionomics by control personnel; careful inspection and monitoring for their presence and conditions favoring their development; and prevention of oviposition and human/mosquito contact through effective public education, sanitation and facility maintenance. The Disease Carrying Insects Program strives to employ these IMM components to the extent possible, but resource availability may limit what the program will do.

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<sup>3</sup> Modified from the AMCA's BMP for IMM document at <http://www.mosquito.org/assets/Resources/PRTools/Resources/bmpsformosquitomanagement.pdf> accessed 12/10/10

All intervention measures will be driven by a demonstrated need based on surveillance data and action thresholds as defined in the DCIP Annual Report and Plan of Action.

## INTRODUCTION

Since the need for mosquito control was recognized as a critical component of public health initiatives in the early twentieth century, increased knowledge of mosquito biology has driven the formulation of a variety of methodologies designed to successfully reduce both mosquito nuisance levels and mosquito-borne disease transmission. As the technologies and knowledge base from which these methodologies were derived have matured, they have been increasingly seen as mostly complementary or synergistic in nature, providing optimal control as part of an overall strategy. This has ultimately evolved into a strategy termed Integrated Mosquito Management (IMM). IMM has been developed to encourage a balanced usage of cultural and insecticidal methodologies and habitat manipulations in order to maximize control while minimizing adverse environmental impacts. IMM is knowledge-based and surveillance-driven, and when properly practiced is specifically designed to accomplish the following:

1. Protect human, animal and environmental health.
2. Promote a rational use of pesticides.
3. Reduce environmental contamination to soil, ground water, surface water, pollinators, wildlife and endangered species as a result of mosquito control activities.
4. Utilize biological controls (native, noninvasive predators) to conserve and augment other control methods.
5. Utilize source reduction (elimination, removal or reduction of larval mosquito habitats) where practical and prudent.
6. Use target specific pesticides at the lowest effective rates to the extent possible.
7. Emphasize the proper timing of applications.
8. Minimize pesticide resistance problems.

All mosquito control programs, including the DCIP mosquito control program are unique to their respective jurisdictions in terms of human population, topography, hydrology, and the bionomics of the mosquito species. Considerable judgment will be exercised in allocation of resources to extract the maximum benefit for both the citizens and the environment. It must be emphasized that program funding and other extrinsic factors will dictate the extent to which the DCIP will implement the Best Management Practices (BMPs) described herein.

To assist in this calculation, we will outline a series of BMP program elements that constitute a fully integrated approach to mosquito management. These BMPs will be viewed as minimums that will be performed in concert with the Virginia Pollutant Discharge Elimination System (VPDES) general permit that will be issued for mosquito control activities falling within the scope of Clean Water Act (CWA) requirements.

The extent and manner to which DCIP will meet or exceed these BMPs will be ultimately based on the best professional judgment of program personnel, occasionally

in consultation with other County agencies and government authorities in addition to resources available. It is important to emphasize that adherence to these BMPs to the maximum extent practicable is to be considered the necessary minimum to undertake or perform for purposes of regulatory compliance with VPDES general permit for mosquitocide use.

### **Best Management Practices for Mosquito Management**

Best Management Practices (BMP) will be the fundamental approach to mosquito management in Fairfax County. It is acknowledged that the DCIP does not have the resources to practice all of the specific sub-elements discussed herein, and it will draw on other County agencies or Contractors as deemed necessary to do so. The DCIP will strive to adhere to these BMPs to the maximum extent practicable and will maintain documentation (see attached DCIP Plan to Employ the Nine BMP Components of the Pesticide Discharge Management Plan (PDMP) as Part of the Operative VPDES Permit) as to how we intend to employ the BMP components listed below in a Pesticide Discharge Management Plan (PDMP) as part of the operative NPDES permit.

1. Surveillance — Surveillance is the backbone of all IMM programs. It identifies problem mosquito species and their population trends in order to direct and evaluate control methods.
  - a. Determine species to ensure that the most appropriate control methodologies are chosen.
    - i. Visually check jurisdiction for potential oviposition habitat and larval populations present that could contribute to unacceptable adult mosquito populations and determine if larval control is appropriate within established parameters.
      1. Park Areas - swamps, marshes, woodland pools, flooded fields/pastures, roadside ditches, storm water retention ponds, tree holes, etc.
      2. Urban - flower pots, tires, trash containers holding water, gutters, tree holes, septic ditches, roadside ditches, lawn swales, non-functional swimming pools, stagnant bird baths, street catch basins, junk yards, depressions in tarp covers, etc.
    - ii. Determine population levels of adult mosquitoes using professionally acceptable techniques, including service requests, trap or collection data, to establish needs for action.
  - b. Monitor fluctuations in mosquito populations.
2. Mapping — Utilize maps of appropriate scale to continually monitor major sources of larval/adult mosquitoes in addition to documenting areas where control measures have been instituted. These maps will define treatment areas and can be used as appropriate in the PDMP.
3. Set Action Thresholds — Decisions to initiate control measures will be based on the analysis of either larval or adult mosquito surveillance or other available field data. Programs must establish a mechanism on which decisions to institute control measures are based.

- a. Determine which methodology shall be used to determine if and when control measures are instituted.
    - i. For control of immature stages of mosquitoes, this methodology can consist of numbers of larvae and pupae observed in dip counts or observation of their presence in water sources.
    - ii. For adult mosquito control this methodology can consist of
      1. Number and pattern of citizen's service requests.
      2. Visual — numbers of mosquitoes landing on inspector/applicator within one-minute periods while performing duties. Performance of landing rate counts is not advised in the County due to mosquito-borne disease activity.
      3. Counts of adult female mosquitoes collected.
  - b. DCIP has determined threshold values that trigger routine control measures. These values are meant to be for guidance only due to the myriad other factors that can influence when control operations are instituted — particularly in incipient disease scenarios or mosquito-borne disease prevention.
4. Physical Control or Source Reduction — Source reduction (the elimination, removal or modification of larval mosquito habitats) typically is the most effective and economical long-term method of mosquito control, but this may not be practicable for many larval habitats. Source reduction can be as simple as overturning a discarded bucket or disposing of a waste tire or as complex as habitat modification through Open Marsh Water Management techniques. These efforts often minimize and/or eliminate the need for mosquito larviciding in the affected habitat in addition to greatly reducing the need for adulticiding in nearby areas.
- a. Determine feasibility of removing or modifying oviposition sites.
  - b. Encourage proper water management by public/private agencies responsible for storm water retention/detention structures and ditch and impoundment maintenance.
  - c. Maintain familiarization with jurisdiction health nuisance abatement policy.
5. Biological Control — Biological control methodologies are often resource-intensive and have not been found to be practicable in Fairfax County. Nonetheless, their utilization will be held in reserve in case the need ever appears.
- a. Even stocking of certain species of native, non-invasive fish known to be predators of mosquito larvae is not readily allowed by the Virginia Department of Game and Inland Fisheries, particularly in waterways where they don't occur, even though they occur in adjacent water sources.
  - b. Utilization of bats, birds, dragonflies and other putative predators of mosquitoes can be both ecologically problematic and ineffective as a primary control strategy and is therefore not recommended as a major component of any control strategy.
6. Public Health Mosquitocides — handling, disposal, personal protective measures and applications must be made in full accordance with product label specifications.
- a. Larvicides — Often may be the primary control method in natural or man-made wetlands (salt marshes or tidal wetlands, riverine bottomlands, woodland pools, freshwater marshes, meadow swales, roadside ditches, stormwater management

ponds, etc.). These can also be a primary control method in locations where mosquito populations are determined to be arising from defined, concentrated sources in urban areas or in close proximity to houses. Due to continual influx of adult mosquitoes from outlying areas, larviciding programs may have limited visible effect on mosquito populations in jurisdictions lacking resources to adequately larvicide outlying production areas.

i. Several materials in various formulations registered by EPA are labeled for mosquito larviciding. Choice of active ingredient and formulation chosen will depend on site- specific factors and resistance management, and may include:

1. Biological larvicides
  - a. Microbial larvicides
  - b. Growth regulators and chitin synthesis inhibitors
  - c. Alcohol-derived monomolecular surface films
2. Chemical larvicides
  - a. Organophosphates
  - b. Oils — petroleum and mineral-based

ii. Larvicides will minimize impacts to non-target organisms. Larvicide formulations (e.g., liquid, granular, solid) must be appropriate to the habitat being treated, accurately applied and based on surveillance data or preemptively applied to known oviposition sites.

iii. Larvicide application equipment will be calibrated and maintained per equipment manufacturer's specifications and timetable, or per instructions from product registrant.

b. Adulticides — Adulticides are applied so as to impinge upon the mosquito target in flight or at rest on vegetation. Adulticiding based on surveillance data is an extremely important part of any IMM program, and may form the primary treatment method for many programs where comprehensive larviciding is not practical.

Adulticides are typically applied as an Ultra-Low-Volume (ULV) spray where small amounts of insecticide are dispersed by aircraft or truck-mounted equipment. Adulticides may also be applied via "thermal fogs", utilizing heat to atomize droplets. Adult mosquitoes may also be targeted by "barrier treatments", which involve application of a residual insecticide to vegetation where mosquitoes are known to rest.

i. Adulticides will only be applied when established spray thresholds have been exceeded.

ii. Non-residual adulticides applied to the air column in order to impinge upon mosquitoes in flight will only be applied when the target species is active.

iii. Adulticides will be applied strictly according to label specifications. This will produce minimal effects on non-target organisms and promote efficacy. Adulticides will not be applied in rainy or windy conditions.

- iv. Adulticides will only be applied by personnel trained or certified in their usage and handling, or when operating under the supervision of an individual having met the necessary certification requirements.
  - v. Adulticides labeled for mosquito control in part may include:
    - 1. Organophosphates
    - 2. Natural pyrethrins
    - 3. Pyrethroids
    - 4. Pyrethroid derivatives
  - vi. Adulticides will be applied at label rates that are efficacious as determined by monitoring. Applying doses lower than those that provide adequate control can in fact result in the need for additional adulticide treatments and might encourage development of insecticide resistance.
  - c. Adulticide application equipment will be calibrated and maintained per equipment manufacturer's specifications and timetable, or per instructions from the product registrant to ensure performance meets product label specifications.
7. Monitoring for Efficacy/Resistance — Resistance management techniques attempt to minimize the risk of mosquitoes becoming resistant to the existing chemicals and will be practiced in even basic programs.
- a. Basic resistance management techniques can include:
    - i. Utilizing physical control/source reduction and biological control methodologies to the maximum extent practicable.
    - ii. Avoiding the use of the same class of chemical against both immature and adult mosquitoes.
    - iii. Applying pesticide at the rate recommended on the label. Do not underdose.
    - iv. Utilizing a different chemical class at the beginning and end of treatment season.
    - v. Assessing susceptibility at the beginning and sometime during the mosquito season.
  - b. Resistance management can also involve utilizing surveillance methods following larvicide or adulticide applications to continually check for control efficacy.
8. Education & Community Outreach — IMM is knowledge-based and involves a concerted effort by both control personnel and the community to manage mosquito populations based upon informed decision-making.
- a. Education of the general public will be encouraged to enlist resident's support in disposing of (or modifying) oviposition habitat, proper screening methods and proper application of personal protective measures such as repellents to minimize human/mosquito contact.
  - b. Mosquito control programs will keep their constituents informed of surveillance and control activities to the maximum extent practicable.
  - c. Mosquito control personnel are strongly encouraged to maintain and upgrade their professional knowledge through continuing education training and/or attendance at professional conferences.

9. Record-keeping — Operators/applicators will record the following for each application and maintain the records for the time specified by the lead regulatory agency:
- a. Applicator's name, address and pesticide applicator certification number (if applicable)
  - b. Application date and time of day
  - c. Product name and EPA registration number
  - d. General location of application and approximate size of area treated
  - e. Amount of material applied
  - f. Rate of application

**DCIP Plan to Employ the Nine BMP Components of the Pesticide Discharge Management Plan (PDMP) as Part of the Operative VPDES Permit**

1. Surveillance

- a. Surveillance methods chosen.
  - i. Visually check for larval habitats and larval populations and determine if larval control is appropriate. Ovitrap may be used in specific occasions.
    - 1. County Property – treatment of Park areas will only be carried out in total coordination with the Fairfax County Park Authority.
    - 2. Private Property - residents will be encouraged to identify habitats and larval populations on their property, DCIP staff will assist upon request.
  - ii. Relative abundance of population levels of adult mosquitoes will be determined using one or more of the following trap types: CDC miniature light traps, gravid traps, BG-Sentinel trap, Zumba traps, Faye-Prince traps or other novel traps.
- B. Adult mosquito population fluctuations will be determined using traps in ~70 selected collecting sites throughout the County that have been used since 2004.
  - i. Species composition
  - ii. Species density
  - iii. Mosquito testing
  - iv. Infection rate calculation
  - v. Vector index calculation
  - vi. Human WNV case registration

2. Mapping: In collaboration with the GIS section of the Division of EH, maps will be prepared to monitor major sources of larval/adult mosquitoes and to document areas where control measures have been instituted. Maps will help define treatment areas and can be used as appropriate in the PDMP.

3. Action Thresholds

- a. Methodology
  - i. For control of immature stages

- Per dip
- Visual observation
- ii. For adult mosquitoes
  - Per trap period (including trap type)
  - Infection rate
  - Human cases of WNV
- b. Threshold values that trigger routine control measures.
  - i. For control of immature stages:
    - An average of three immature forms per dip (with a minimum of three dips) in non-container habitats or
    - The presence of immatures in artificial containers
  - ii. For adult mosquito control this methodology has been defined in the “Plan of Action” as follows:
    - **Level 0**  
**Definition:** Fall/winter; vector inactive, climate unsuitable for WNV transmission.  
**Response:** Prepare material and equipment for the upcoming WNV season. Surveillance and control programs continue as outlined in the County’s Surveillance and Control Plan. Identify locations where source reduction activities can be applied; secure surveillance and control resources necessary to enable response to WNV activity; initiate community outreach and public education programs; enhance communication with surrounding jurisdictions; recruit and train new staff; communicate with and educate large property owners of the importance of source reduction in areas such as cemeteries, golf courses, country clubs; communicate status of WNV activity to Director of the Health Department, the Board of Supervisors and the public, as the WNV season starts.
    - **Level 1**  
**Definition:** Spring/summer/fall; anticipating WNV activity based on previous activity in region. No current surveillance findings indicating WNV activity in the area.  
**Response:** Respond as in level 0, plus: continue and enhance source reduction; conduct larval control in identified breeding habitats where source reduction is not possible (emphasis will be placed on known *Culex* species breeding sites); continue community outreach and public education; begin monitoring avian mortality; work with other County departments on source reduction and mosquito control activities; initiate catch basin treatment rounds.
    - **Level 2**  
**Definition:** Spring/summer/fall; initial, sporadic or limited WNV activity in birds and/or mosquitoes.



**Response:** Respond as in level 1, plus: increase larval control activities; continue source reduction in cooperation with other County departments; and increase public education, emphasizing personal protection measures, particularly the use of products containing DEET, Picaridin, IR-3535 or oil of lemon eucalyptus. Enhance human surveillance and activities to quantify epizootic activity (e.g. mosquito trapping and testing) in areas of concern. Consider recommending to the public that they decrease outdoor activities when mosquitoes are biting.

• **Level 3**

**Definition:** Spring/summer/fall; initial confirmation of WNV in a human or a horse, or moderate WNV activity in birds and/or mosquitoes.

**Response:** Respond as in level 2, plus: expand public information programs (repellent use, personal protection, source reduction, risk communication about adult mosquito control program); prepare to implement adult mosquito control, if surveillance findings indicate the likely potential for human risk to persist or increase.

• **Level 4**

**Definition:** Spring/summer/fall; surveillance findings indicate high risk of human infection, (e.g. high or clusters of dead bird densities, high mosquito infection rates and vector index, multiple positive mosquito species, horse or other mammalian cases indicating increasing epizootic transmission, or a human case and high levels of epizootic activity) and abundant adult vectors.

**Response:** Respond as in level 3, plus: continue active surveillance for human cases; make final arrangements to implement adult mosquito control program in areas of potential human risk. The use of adulticides will be used in a limited manner as needed.

• **Level 5**

**Definition:** Spring/summer/fall; marked increase of confirmed multiple WNV cases in humans and conditions favoring continued transmission to humans.

**Response:** Respond as in level 4, plus: implement or intensify emergency adult mosquito control program; monitor effectiveness of adulticiding on target mosquito populations; coordinate adult mosquito control activities with surrounding jurisdictions. The FCHD activities related to adulticiding will include the following:

- CDC and gravid traps will be used in the treatment area if additional surveillance data are required.
- The FCHD will work with state entomologist and/or CDC personnel, as well as the contractor, to design and

- implement feasible measures to monitor the efficacy of the adulticiding activities.
    - The public will be notified of adulticide schedules in advance. This will allow residents with special health concerns sufficient time to take any precautions to reduce pesticide exposure (see Public Education and Community Outreach).
    - Hospitals will be notified regarding the adulticiding schedule. Information on the pesticide used will be provided to the public, physicians, and other health care providers.
    - Adult mosquito control will be scheduled when mosquitoes are active and weather conditions are conducive to its success.
    - Information will be released, in advance, through the media, the FCHD WNV Web page, and through news releases, the MSMS, as well as pertinent County and community.
- 4. Physical Control or Source Reduction
  - a. Removing or modifying oviposition sites.
  - b. Encourage proper storm water management practices.
- 5. Biological Control
  - a. None foreseen.
- 6. Public Health Mosquitocides.
  - a. Larvicides
    - i. Biological larvicides
      - a. Microbial larvicides
        - 1. *Bacillus thuringiensis israelensis* (Bti)
        - 2. *Bacillus sphaericus* (Bs)
        - 3. Spinosad
      - b. Growth regulators and chitin synthesis inhibitors
        - 1. (S)-Methoprene
      - c. Alcohol-derived monomolecular surface films
        - 1. Monomolecular films
    - ii. Chemical larvicides
      - a. Larvicidal oils
      - b. Temephos
  - b. Adulticides
    - i. Adulticides will only be used with authorization from the County Executive.
    - ii. Adulticides will only be applied when thresholds have been exceeded.
    - iii. Non-residual adulticides applied to the air column will only be applied when the target species is active.
    - iv. Adulticides will be applied according to label specifications.
    - v. Adulticides will not be applied in rainy or windy conditions.
    - vi. Adulticides will only be applied by trained or certified personnel.
    - vii. Adulticides labeled for mosquito control in part may include:

1. Pyrethrins
2. Synthetic Pyrethroids, Pyrethroid Derivatives, Permethrin
- viii. Adulticides will be applied at label rates.
- c. Adulticide application equipment will be calibrated and maintained per specifications and timetable.
7. Monitoring for Efficacy/Resistance.
  - a. Basic resistance management techniques will include:
    - i. Utilizing physical control/ source reduction and biological control methodologies to the maximum extent practicable.
    - ii. Not using the same class of chemical against both immature and adult mosquitoes.
    - iii. Applying pesticide at the rate recommended on the label.
    - v. Assessing susceptibility when deemed necessary by the resident entomologist.
  - b. Utilizing surveillance methods following larvicide or adulticide applications.
8. Education & Community Outreach.
  - a. The public will be encouraged to enlist resident's to dispose of (or modifying) oviposition habitat, and proper application of repellents.
  - b. Inform constituents of surveillance and control activities.
  - c. Maintain and upgrade personnel's knowledge.
  - d. Outreach and Educational material will be evaluated yearly and updated as necessary
  - e. Material will be produced annually
    - i. 18-month Calendar
    - ii Children's reader
    - iii Reprinting material as necessary.
9. Record-keeping.
  - a. Applicator's name, address and pesticide applicator certification number (if applicable)
  - b. Application date and time of day
  - c. Product name and EPA registration number
  - d. General location of application and approximate size of area treated
  - e. Amount of material applied
  - f. Rate of application

ACTION – 5

Approval of Project Funding Adjustments for the Transportation Priorities Plan

ISSUE:

Board approval of funding for transportation projects that were not identified in the Transportation Priorities Plan (TPP). In addition, staff is informing the Board of reallocations associated with the TPP.

RECOMMENDATION:

The County Executive recommends that the Board approve funding for the following projects:

1. \$1,200,000 for warranted traffic signals throughout the County,
2. \$ 500,000 for Old Telegraph Road Walkway,
3. \$ 460,000 to extend southbound Fairfax County Parkway (FCP) left turn lane storage at John J. Kingman Road (JKR),
4. \$7,250,000 for the purchase of property associated with a road extension in Bailey's Crossroads. \$6,350,000 million will be for the purchase of the land, and the remaining \$900,000 will be used for demolition of the office building currently on the property.

Although these projects were not included in the TPP, most have been discussed with the Board. Funding is needed to move these projects forward prior to the next TPP update. The circumstances which result in the need to advance these projects are described below.

TIMING:

The Board should act on this item on March 1, 2016, so staff can begin implementation of projects as expeditiously as possible.

BACKGROUND:

This approval request is necessary to address immediate project needs. This approval will ensure that major County transportation projects remain funded and continue towards implementation.

**Funding for Warranted Traffic Signals** – There is a need for new traffic signals at various intersections throughout the County. Any location for a proposed traffic signal would need to meet federal guidelines that establish minimum conditions under which signal installation should be considered. These guidelines help identify potential locations for signals, but each location would be reviewed before a signal is installed. A traffic engineering study would also be required to determine if a signal is needed.

Currently, no funding exists to address the needs of new signal installations. Staff requests Board approval in the amount of \$1,200,000 from construction reserves in Fund 40010 (County and Regional Transportation Projects) to fund needed traffic signal installations. This should accommodate approximately four traffic signal installations.

**Funding for Old Telegraph Road Walkway** – In Summer 2015, a property owner expressed willingness to donate property for the installation of a missing sidewalk link adjacent to Hayfield High School. Given the proximity of this missing link to the high school, staff wants to take this opportunity to advance the project. The donation of right-of-way will save the County approximately \$7,500. This project would install approximately 375 feet of new walkway on Old Telegraph Road adjacent to Hayfield High School. Staff requests funding in the amount of \$500,000 from construction reserves in Fund 40010 to implement this project.

**Funding for Fairfax County Parkway (FCP) Improvements** – In December 2015, staff presented the results of an operational traffic study that was done for the FCP between Route 1 and I-95 to the Board Transportation Committee (BTC). The study resulted in short term, low cost projects to improve traffic on the corridor. One of these projects is the extension of the southbound (SB) FCP left turn lane storage at John J. Kingman Road (JKR).

The project consists of increasing the storage capacity of the southbound FCP left turn lanes at JKR by extending the SB left turn lanes. The extensions would be implemented using space from the existing grass median, and would require no additional right-of-way. Doing so will allow vehicles turning left to clear the left most SB through lanes. Staff requests funding in the amount of \$460,000 from construction reserves in Fund 40010 to advance implementation of this project.

In addition, staff will be advancing implementation of the Backlick Road Connection. This project was also shared with the BTC in December 2015. The project consists of realigning the south approach of Backlick Road to change the T-intersection orientation and increase the storage length. The realignment of the south approach of Backlick Road can be implemented and tested with a combination of pavement marking and temporary devices. New permanent curb and gutter is not considered as part of this improvement, but may be explored as part of subsequent phases of this project. The

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planning level estimate for the project is \$96,000, which will be allocated from construction reserves from Fund 40010. According to the funding allocation policy for FCDOT approved by the Board in March 2011, the Board is to be notified that the department intends to advance this new transportation project.

**Funding for Property Associated with the New Connection between Columbia Pike and Seminary Road** - On December 8, 2015, the Board authorized advertisement of a public hearing on January 12, 2016, to consider disposition of the County Land in connection with a Real Estate Exchange Agreement with Avalon Bay providing for an exchange of real property and joint infrastructure development that will be necessary for the proposed residential development and the East County Human Services Center (ECHSC) site.

The ECHSC would be located on the eastern portion of the site, fronting on a new connector road that would align with an existing traffic signal on Columbia Pike. This new connector road would be the first phase of the Seminary Road realignment, which is necessary to improve traffic circulation in this sector of Bailey's Crossroads, as envisioned by the Comprehensive Plan. The initial step is for the County to purchase the Landmark Parcel to effectuate the first phase of the road network envisioned by the Comprehensive Plan, and to allow for development of the entire site in a more comprehensive, cost effective manner.

The Board was informed that Department of Transportation (DOT) staff would identify available funding and return to the Board at a later date seeking funding approval. DOT has identified \$7,250,000 in construction reserves from Fund 40010 to fund the land acquisition costs of \$6,350,000, and \$900,000 to cover demolition costs of an existing structure on the property.

**Other Project Implementation Activities Associated with the TPP** – On March 29, 2011, the Board approved a funding allocation policy for DOT that allowed for more efficient utilization of local funds on transportation projects. Under the guidelines of this policy, staff is required to notify the Board when: 1) new projects under \$250,000 are identified and advanced, and 2) projects previously approved by the Board exceed approved funding amount by more than \$250,000 and less than \$1,000,000.

On January 28, 2014, the Board approved its' TPP, identifying projects it wanted to fund through FY 2020. Staff has included in this Board item additional information to make the Board aware of some of the progress associated with the implementation of the TPP.

As part of these priorities, the Board approved several set asides for major roadway, transit, spot roadway, and bicycle and pedestrian projects. As required by the March 29,

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2011, delegation, FCDOT is informing the Board that funding has been allocated to the following projects:

- \$547,300 – Additional funding needed for the VDOT intersection agreement (explained below, Spot Roadway Reserve). Of the total funding allocated, \$55,000 will be used for the installation of a Rectangular Rapid Flashing Beacon (RRFB) on Pleasant Valley Road at Wetherburn. The Board is being notified of staff's intent to advance these projects using local funds, unless the Board objects.
- \$ 96,000 – Funding needed for the Backlick Road Connection (explained above, Spot Roadway Reserve). The Board is being notified in this Board item that FCDOT is proceeding with this improvement.

**VDOT Intersection Improvement Agreement** - On October 7, 2014, the Board approved a project funding agreement with VDOT in the amount of \$2.8 million for full implementation of nine intersection projects approved by the Board in the TPP. This agreement has served for advancing Board approved projects by VDOT more expeditiously, and cost effectively. To date, seven intersection improvement projects have been completed, and eight more are under construction. This agreement has proven to be an effective method for project delivery. On January 5, 2016, the Board was notified via memorandum (Attachment I) of project accomplishments using this agreement.

Based on VDOT's ability to implement these types of projects quickly, and at a lower cost, staff is currently working with VDOT to amend this agreement. The amendment will include five additional projects, and a transfer of local funds to VDOT in the amount of \$547,300. Funding for four of the projects was approved by the Board on May 14, 2013, under the Tysons Metrorail Station Access Management (TMSAMS) agreement with VDOT. To expedite these projects, construction at these sites will be funded using local revenues. The fifth project will be the installation of a RRFB on Pleasant Valley Road at Wetherburn.

FISCAL IMPACT:

Total funding of \$10,053,300 is available in Fund 40010 (County and Regional Transportation Projects) in project 2G40-001-000, Construction Reserve. There is no impact to the General Fund.

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ENCLOSED DOCUMENTS:

Attachment I – Transportation Project Accomplishments

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Director, FCDOT

Todd Wigglesworth, Chief, Coordination and Funding Division (CFD), FCDOT

Todd Minnix, Chief, Transportation Design Division, FCDOT

Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division (CPTED),  
FCDOT

Karyn Moreland, Chief, CPTED, FCDOT

Ray Johnson, Transportation Planner, CFD, FCDOT





## County of Fairfax, Virginia

### MEMORANDUM

**DATE:** January 5, 2016

**TO:** Members, Fairfax County Board of Supervisors

**FROM:** Tom Biesiadny, Director  
Department of Transportation

A handwritten signature in dark ink, appearing to be "TB", is written over the printed name and title of the sender.

**SUBJECT:** Transportation Project Accomplishments

I want to share with you several recent construction accomplishments and the status of other ongoing projects in the Six Year Transportation Priorities Plan approved by the Board in January 2014.

These traffic signal related projects were identified by staff as projects that could be quickly designed and constructed by utilizing existing Virginia Department of Transportation (VDOT) contractors. By utilizing VDOT's resources, we were able to reduce both project costs and implementation schedules. Each of these accomplishments would not be possible without assistance from the VDOT. Going forward, FCDOT staff is looking for additional project opportunities where utilizing this same process can reduce project implementation times and costs.

If you have any questions or need additional information, please contact Bill Harrell at 703-877-6767.

cc: Edward L. Long Jr., County Executive  
Robert A Stalzer, Deputy County Executive  
Catherine A. Chianese, Assistant County Executive  
Anna Nissinen, Public Information Officer, FCDOT

### Mason District

Intersection: Edsall Road at Montgomery Street  
Scope: Add pedestrian countdown signal heads  
Status: Construction Completed

#### PRE CONSTRUCTION



#### POST CONSTRUCTION



### Mason District

Intersection: Little River Turnpike at Old Columbia Pike  
Scope: Add pedestrian countdown signal heads. Up-grade curb cut ramps to current ADA standards. Re-construct pedestrian island to enhance pedestrian safety.  
Status: Construction Completed

#### PRE CONSTRUCTION



#### POST CONSTRUCTION



### Mason District

Intersection: Backlick Road at Edsall Road

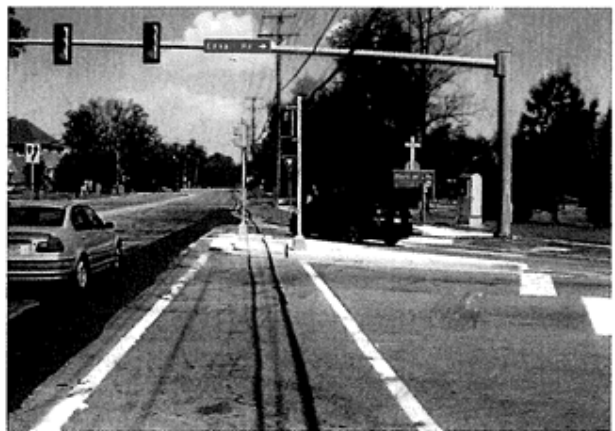
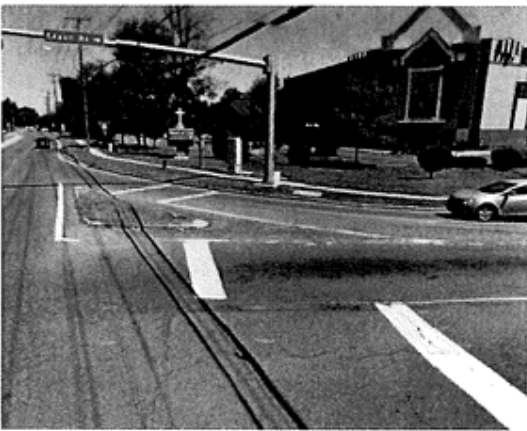
Scope: Add pedestrian countdown signal heads. Up-grade curb cut ramps to current ADA standards. Re-construct pedestrian island to enhance pedestrian safety.

Status: Construction Completed

#### PRE CONSTRUCTION



#### POST CONSTRUCTION



### Providence District

Intersection: Arlington Blvd. at Gallows Road  
Scope: Add pedestrian countdown signal heads. Up-grade curb cut ramps to current ADA standards  
Status: Construction Completed – The ADA ramps on the bridge deck will be upgraded with VDOT's bridge rehabilitation project.

#### PRE CONSTRUCTION



#### POST CONSTRUCTION



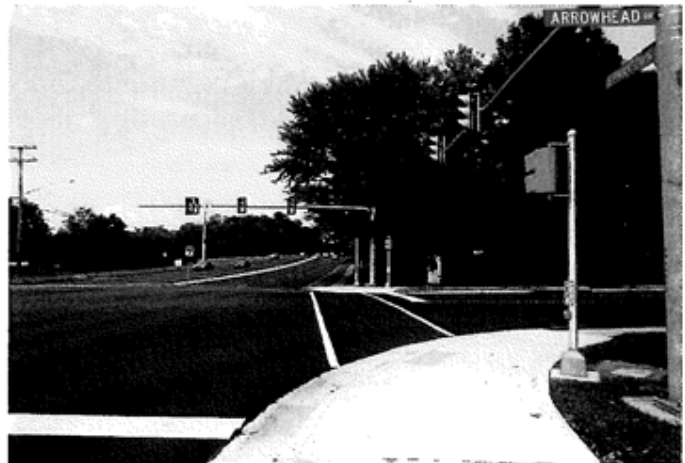
### Providence District

Intersection: Jermantown Road at Arrowhead Drive / Oak Marr Recreation Center  
Scope: Add pedestrian countdown signal heads. Up-grade curb cut ramps to current  
ADA standards  
Status: Construction Completed

#### PRE CONSTRUCTION



#### POST CONSTRUCTION



Other ongoing projects in the Providence District that VDOT is doing on behalf of Fairfax County include:

- Lee Highway and Vaden Drive. This is a joint project with VDOT and the Park Authority that will provide a signalized pedestrian crossing of Lee Highway at Vaden Drive and complete the pedestrian facility connection from the Circle Towers Apartments to Vaden Drive. This project is currently in the design phase. The anticipated completion in spring of 2016.
- Chain Bridge Road at Boone Boulevard. This project falls in both the Providence and Hunter Mill Districts. This project will provide a pedestrian signal for pedestrians crossing Chain Bridge Road, and provide ADA compliant curb ramps. This project is currently under construction. The anticipated completion in March of 2016.
- Leesburg Pike and Gosnell Road. This project falls in both the Providence and Hunter Mill Districts. This project will include an additional signalized pedestrian crossing at Route 7 and new curb ramps. This project is scheduled for completion in January 2016.
- Leesburg Pike and Spring Hill Road. This project falls in both the Providence and Hunter Mill Districts. This project will include an additional signalized pedestrian crossing at Route 7 and new curb ramps. This project is scheduled for completion in January 2016.
- Leesburg Pike and Tyco Road / Westwood Center Drive. This project falls in both the Providence and Hunter Mill Districts. This project will include an additional signalized pedestrian crossing at Route 7 and new curb ramps. This project is scheduled for completion in January 2016.

## Lee District

Intersection: Franconia Road at Telegraph Road

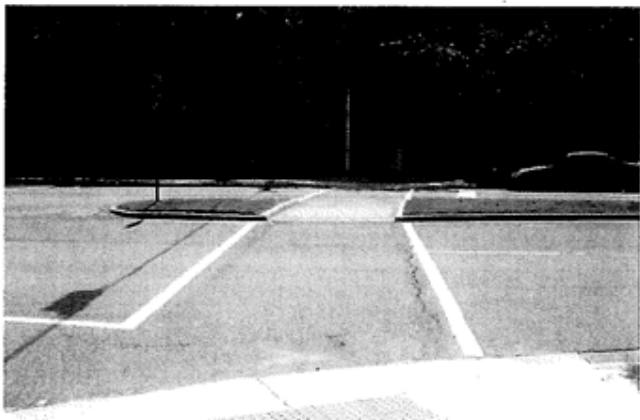
Scope: Add and upgrade pedestrian countdown signal heads. Up-grade curb cut ramps to current ADA standards.

Status: Construction Completed

### PRE CONSTRUCTION



### POST CONSTRUCTION





### Lee District

Intersection: Lynbrook Elementary School Sidewalk

Scope: Upgrade the existing sidewalk from the Lynbrook Elementary School to the future HAWK traffic signal.

Status: Construction Completed

#### PRE CONSTRUCTION



#### POST CONSTRUCTION



Other ongoing projects in the Lee District include:

- HAWK traffic signal on Backlick Road north of Lynbrook Elementary School. This project is currently on hold because of a private property issue. Construction will be completed after right of way is secured.

### Braddock District

Intersection: Braddock Road and Olley Lane

Scope: Add pedestrian countdown signal heads. Up-grade curb cut ramps to current ADA standards

Status: Construction Completed

### PRE CONSTRUCTION



### POST CONSTRUCTION



### **Dranesville District**

Ongoing projects in the Dranesville District that VDOT is implementing on behalf of Fairfax County include:

- Leesburg Pike and Utterback Store Road. This project scope includes a signalized pedestrian crossing of Leesburg Pike and Utterback Store Road. The project includes a pedestrian island. This project is in the design phase.

### **Hunter Mill District**

Ongoing projects in the Hunter Mill District that VDOT is implementing on behalf of Fairfax County include:

- Chain Bridge Road at Boone Boulevard. This project falls in both the Providence and Hunter Mill Districts. This project will provide a pedestrian signal for pedestrians crossing Chain Bridge Road, and provide ADA compliant curb ramps. This project is currently under construction. The anticipated completion in March of 2016.
- Baron Cameron Avenue at Lake Fairfax Drive. This project scope includes a signalized pedestrian crossing of Baron Cameron Avenue and a connection to the trail which runs on the north side of Baron Cameron Avenue. This project is currently in the design phase, and the anticipated completion in spring of 2016.
- Leesburg Pike and Gosnell Road. This project falls in both the Providence and Hunter Mill Districts. This project will include an additional signalized pedestrian crossing at Route 7 and new curb ramps. This project is scheduled for completion in January 2016.
- Leesburg Pike and Spring Hill Road. This project falls in both the Providence and Hunter Mill Districts. This project will include an additional signalized pedestrian crossing at Route 7 and new curb ramps. This project is scheduled for completion in January 2016.
- Leesburg Pike and Tyco Road / Westwood Center Drive. This project falls in both the Providence and Hunter Mill Districts. This project will include an additional signalized pedestrian crossing at Route 7 and new curb ramps. This project is scheduled for completion in January 2016.

### **Sully District**

Ongoing projects in the Sully District that VDOT is implementing on behalf of Fairfax County include:

- Lee Jackson Highway at Centerview Drive / Sullyfield Circle. This project includes signalized pedestrian crossings of Lee Jackson Highway and Centerview Drive / Sullyfield Circle. This project will include new pedestrian refuge islands as well as new curb ramps to meet ADA standards. This project is currently in the construction phase and construction is scheduled to be completed in January 2016.
- Centreville Road and Machen Drive. This project includes signalized pedestrian crossings of Centreville Road and Machen Drive. This project is currently in the construction phase and construction is scheduled to be completed in February of 2016.

### **Springfield District and Mount Vernon District**

- There were no projects in the Springfield and Mount Vernon Districts that were identified as projects that could be quickly designed and constructed by utilizing existing VDOT contractors. Staff continues to look for opportunities to expand this program.

Board Agenda Item  
March 1, 2016

10:20 a.m.

Matters Presented by Board Members

11:10 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
  - (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
  - (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
- 
- 1. *Lenir Richardson v. Officer O.J. Faulk, Officer D.N. Custer, Officer Rizza, Commonwealth of Attorney [sic], Sergeant Mario Torres*, Case No. 1:15cv1489 (E. D. Va.)
  - 2. *Anthony D. Craft v. County of Fairfax, Virginia*, Case No. 1:16cv86 (E.D. Va.)
  - 3. *Randy H. Hadijski and Dimitri Hadijski v. County of Fairfax Department of Planning and Zoning*; Case No. CL-2015-0016225 (Fx. Co. Cir. Ct.) (Lee District)
  - 4. *Wilson Haywood Phillips v. Fairfax County Park Authority and Fairfax County*, Case No. CL-2015-0012152 (Fx. Co. Cir. Ct.)
  - 5. *Amy Marshall v. Damien Cichocki*, Case No. CL-2015-0009608 (Fx. Co. Cir. Ct.)
  - 6. *In Re: Decision of September 17, 2014, of the Board of Zoning Appeals of Fairfax County, Virginia, and Jonathan Clark and Carolyn Clark v. Fairfax County Board of Supervisors, Leslie B. Johnson, Zoning Administrator, and Jeffrey L. Blackford, Director, DCC*, CL-2014-0013587 (Fx. Co. Cir. Ct.) (Mason District)
  - 7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marsha G. Savage*, Case No. CL-2010-0013693 (Fx. Co. Cir. Ct.) (Lee District)
  - 8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rama Sanyasi Rao Prayaga and Niraja Dorbala Prayaga*, Case No. CL-2012-0019078 (Fx. Co. Cir. Ct.) (Dranesville District)
  - 9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rama Sanyasi Rao Prayaga and Niraja Dorbala Prayaga*, Case No. CL-2010-0002573 (Fx. Co. Cir. Ct.) (Dranesville District)

10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John R. Ross, III, and Alice W. Ross*, Case No. CL-2015-0011118 (Fx. Co. Cir. Ct.) (Hunter Mill District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jubilo Incorporated*, Case Nos. GV15-015625, and GV15-026466 (Fx. Co. Gen. Dist. Ct.) (Sully District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Gregory Miklasiewicz*, Case Nos. GV15-028913 and GV15-028914 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
14. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Ching*, Case No. GV15-026821 (Fx. Co. Gen. Dist. Ct.) (Sully District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Andrea Viski and Brian Lucas*, Case No. GV16-002241 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
16. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ali Matthew Bastani*, Case No. GV16-002242 (Fx. Co. Gen. Dist. Ct.) (Providence District)

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Board Agenda Item  
March 1, 2016

2:30 p.m.

*Snowzilla Snow Summit*

The Board of Supervisors will meet, in the Board auditorium, with the various agencies and organizations that responded to the January 22-24 blizzard and the following clean-up effort. The Board and agency representatives will discuss comments that have been received from the community about what worked well and what opportunities exist for future improvement.



Board Agenda Item  
March 1, 2016

3:30 p.m.

Public Hearing on SEA 79-D-071-02 (The Tea Center, LLC) to Amend SE 79-D-071  
Previously Approved for a Private Club to Permit a Child Care Center and  
Associated Modifications to Site Design and Development Conditions, Located on  
Approximately 3.00 Acres of Land Zoned R-1 (Dranesville District)

This property is located at 999 Balls Hill Road McLean 22101. Tax Map 21-3 ((1))  
66B

This public hearing was deferred by the Board of Supervisors on February 2, 2016,  
to March 1, 2016 at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, December 9, 2015, the Planning Commission voted 9-0-3  
(Commissioners Hurley, Migliaccio, and Strandlie abstained from the vote) to  
recommend the following actions to the Board of Supervisors:

- Approval of SEA 79-D-071-02, subject to Development Conditions dated  
November 30, 2015;
- Approval of a modification of the peripheral parking lot landscaping requirement  
along the Balls Hill Road frontage of the application property in favor of the  
existing landscape, as shown on the SEA Plat; and
- Approval of a modification of the transitional screening and barrier requirements  
along the southern property line in favor of the existing conditions, as shown on  
the SEA Plat.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt  
Staff Report previously furnished and available online at:  
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4505926.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),  
Mike Van Atta, Planner, DPZ

SEA 79-D-071-02 – THE TEA CENTER, LLC

Decision Only During Commission Matters  
(Public Hearing held on November 19, 2015)

Commissioner Ulfelder: Thank you, Mr. Chairman. I have a decision only this evening involving a Special Exception application for a before- and after-school program in the Dranesville District for The Tea Center, LLC. Would the applicant and her representative come on down? If you will recall, at the public hearing some questions were raised about the provisions proposed – development conditions concerning the – how the school could be expanded from between 40 to 70 students. And there was expressed in the original proposed development conditions a – sort of an administrative process combined with a full operational traffic study analysis. After taking a look at that, after – at the suggestion of Commissioner Hart checking with the County Attorney's Office, it was determined that that raised some serious questions and we have revised the conditions to eliminate that. So, now what we're looking at is an application with a set of proposed development conditions that would allow a program for up to 40 students. And that's reflected in - without the additional expansion and – so that if in the future the applicant decides she wants to expand, she would have to come back with a Special Exception Amendment and would likely be required still to have the traffic analysis as part of that process. We've also cleaned up a couple of the other conditions in the proposed development conditions. So with that, I first would like to ask the applicant or her representative as to whether they would confirm for the record that you're in agreement with the proposed development conditions now dated November 30<sup>th</sup>, 2015.

Jane Kelsey, Esquire, Applicant's Agent, Jane Kelsey & Associates, Inc.: Jane Kelsey, representing the applicant. I will ask Ms. Mendis to respond to that, please.

Commissioner Ulfelder: Okay, thank you.

Mayosha H. Mendis, Applicant: Yes.

Commissioner Ulfelder: Okay, fine. Thank you very much. With that Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 79-D-071-02, SUBJECT TO DEVELOPMENT CONDITIONS DATED NOVEMBER 30<sup>TH</sup>, 2015.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 79-D-071-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. –

Commissioner Hurley: Mr. – Mr. Chairman, I need to abstain. I was not present for the public hearing.

Chairman Murphy: All right.

Commissioner Migliaccio: The same –

Chairman Murphy: Okay, Mr. Migliaccio and Ms. Hurley abstain; not present for the public hearing.

Commissioner Strandlie: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Strandlie: I was also not here – not here.

Chairman Murphy: I'm sorry?

Commissioner Strandlie: I also would like to abstain. I was not here for the hearing on November 19<sup>th</sup>.

Chairman Murphy: Okay, three abstentions.

Commissioner Ulfelder: Just before Thanksgiving.

Chairman Murphy: Mr. Ulfelder.

Commissioner Ulfelder: I also MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING MODIFICATIONS:

- MODIFICATION OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT ALONG THE BALLS HILL ROAD FRONTAGE OF THE APPLICATION PROPERTY IN FAVOR OF THE EXISTING LANDSCAPE, AS SHOWN ON THE SEA PLAT; AND
- MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE SOUTHERN PROPERTY LINE IN FAVOR OF THE EXISTING CONDITIONS, AS SHOWN ON THE SEA PLAT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion of that motion? All those in favor of the motion as articulated by Mr. Ulfelder, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries, same abstentions.

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(Each motion carried by a vote of 9-0-3. Commissioners Hurley, Migliaccio, and Strandlie abstained from the vote.)

JN

Board Agenda Item  
March 1, 2016

3:30 p.m.

Public Hearing on SE 2015-SU-010 (Claudio A. Vargas) to Permit a Home Child Care Facility, Located on Approximately 2,370 Square Feet of Land Zoned PDH-3, WS and HC (Sully District)

This Property is located at 3930 Kernstown Court, Fairfax, 22033. Tax Map 45-1 ((8)) (16) 21.

PLANNING COMMISSION RECOMMENDATION:

On Wednesday, October 14, 2015, the Planning Commission voted 10-0 (Commissioners Lawrence and Murphy were absent from the meeting) to recommend that the Board of Supervisor approve SE 2015-SU-010, subject to the Development Conditions dated October 14, 2015.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt  
Staff Report previously furnished and available online at:  
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4502652.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),  
Mike Lynskey, Planner, DPZ

SE 2015-SU-010 – CLAUDIO A. VARGAS

After Close of the Public Hearing

Commissioner Litzenberger: Thank you, Mr. Chairman. Mr. Vargas, would you please come and confirm on the record, do you agree with the development conditions dated October 14, 2015?

Claudio Vargas, Applicant/Title Owner: Yes, I confirm.

Commissioner Litzenberger: Thank you, you may sit down.

Vice Chairman de la Fe: Thank you.

Commissioner Litzenberger: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISOR APPROVE SE 2015-SU-010, AS SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 14<sup>TH</sup>, 2015.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioners Flanagan and Hedetniemi. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

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(The motion carried by a vote of 10-0. Commissioners Lawrence and Murphy were absent from the meeting.)

Board Agenda Item  
March 1, 2016

3:30 p.m.

Public Hearing on SE 2015-SP-022 (Eileen Meade DBA Meade Family Daycare) to Permit a Home Child Care Facility, Located on Approximately 11,487 Square Feet of Land Zoned PDH-2 (Springfield District)

This Property is located at 9697 South Run Oaks Drive Fairfax Station, 22039. Tax Map 97-1 ((6)) 166.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 21, 2016, the Planning Commission voted 11-0-1 (Commissioner Keys-Gamarra abstained from the vote) to recommend to the Board of Supervisors approval of SE 2015-SP-022, subject to the Development Conditions dated December 7, 2015.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt  
Staff Report previously furnished and available online at:  
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4508272.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),  
Laura Arseneau, Planner, DPZ

SE 2015-SP-022 – EILEEN MEADE d/b/a MEADE FAMILY DAYCARE

Decision Only During Commission Matters  
(Public Hearing Held on December 9, 2015)

Commissioner Murphy: I have two decisions only this evening. The first one I would like to do is the Meade Daycare Center. This was a public hearing that we had on December 9<sup>th</sup>. Ms. Meade has a daycare facility but she is taking advantage of the fact that now daycare centers in residential communities can increase their children's capacity from seven to twelve. There was an application that was filed. Ms. Meade and the homeowners association, I think they got off to a little rocky start, but I understand that they are working together now on this particular application. And during the public hearing I asked Ms. Meade if, notwithstanding the Board of –, the Planning Commission's recommendation, if in fact the Board of Supervisors denied this application, would she continue to have a daycare center for seven children which she has now and which is a legal - a legal application, and she answered yes. So this daycare center is going to be in this community for a long time. And so I asked the members of the community who came and spoke in opposition to this special exception if they would take home with them the copies of the development conditions which, if this application were approved, those development conditions would be in effect and would ameliorate some of the concerns that they had, and I asked them to take a copy of the development conditions home. We had it right here at the staff table and I asked them to please communicate with me before the decision only and tell me what you think: Would you rather have a daycare center with 7 children or would you rather have a daycare center with 12 children with development conditions which would ameliorate the perceived impact in the neighborhood. I have not heard from anyone. So I am going to go tonight and I'm going to make the decision – a recommendation to the Board of Supervisors on this special exception. I do want to say at the outset that during the public hearing Mr. Streich, I believe his name is, who was the attorney for the homeowners association, argued that the Planning Commission was obligated under *Virginia Code* Section 55-513.2 to enforce the policy that he articulated on behalf of the homeowners association and recommended the denial of the application. One of the first things we did after the public hearing is we referred his study at his request to the County Attorney who has since answered that after reviewing the *Virginia Code* cited above in detail the County Attorney concluded that the statute has no bearing on the Planning Commission's review of the special exception application for home child care. So it is legally sound. The action we are about to take is legally sound this evening. This application is in conformance with the Comprehensive Plan. It is also in conformance with the applicable zoning ordinances that affect child care facilities in residential areas, so I'm going to recommend to the Board that this application be approved. But before I do that I'd like Ms. Meade to please come down if she's here. Ms. Meade? Hopefully you are here in this crowd of Dranesville people so we can have you come down and take action on this application. Would you please state your name for the record and your address and would you agree that you have read the development conditions, you understand the development conditions, and that you will abide by the development conditions.

Eileen Meade, Applicant: My name is Eileen Meade. I live at 9697 South Run Oaks Drive, Fairfax Station, Virginia 22039. I do agree and I will abide by the development conditions.



Commissioner Murphy: Okay, thank you very much. So therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2015-SP-022, SUBJECT TO THE REVISED DEVELOPMENT CONDITIONS DATED DECEMBER 7<sup>TH</sup>, 2015.

Commissioners Hart, Lawrence, and Strandlie: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart and –

Commissioner Lawrence: Mr. Lawrence, with pleasure.

Vice Chairman de la Fe: Mr. Lawrence and Ms. Strandlie. Okay, any discussion? Hearing and seeing none all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries. Thank you very much.

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*NOTE: Commissioner Keys-Gamarra did not abstain during this motion; however, during the motion for the following public hearing (RZ/FDP 2015-SP-007, MRD PROPERTIES, LLC), her abstention was noted by the Planning Commission Chairman.*

Vice Chairman de la Fe: One question, on the previous one on the Meade case, Ms. Keys-Gamarra you abstained on that one, right; because you were not at the Commission then. Yes? Right, I just want to make that clear.

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(The motion carried by a vote of 11-0-1. Commissioner Keys-Gamarra abstained from the vote.)

TMW

Board Agenda Item  
March 1, 2016

3:30 p.m.

Public Hearing on RZ 2015-SP-007 (MRD Properties LLC) to Rezone from R-1, WS to PDH-3, WS to Permit Residential Development with an Overall Density of 2.4 Dwelling Units Per Acre and Approval of the Conceptual Development Plan, Located on Approximately 9.9 Acres of Land, Comprehensive Plan Recommended Fairfax Center Area 2.5 du/ac at Overlay Level (Springfield District)

This Property is located on the North side of Westbrook Drive Opposite the Intersection with Devin Green Lane. Tax Map 55-1 ((8)) H and 55-2 ((3)) G1 and G2.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, January 21, 2016, the Planning Commission voted 9-0-2 (Commissioners Keys-Gamarra and Migliaccio abstained from the vote and Commissioner Sargeant was not present for the meeting) to recommend the following action to the Board of Supervisors:

- Approval of RZ 2015-SP-007 and the associated Conceptual Development Plan, subject to the execution of proffers consistent with those dated January 20, 2016; and
- Direct the Director of the Department of Public Works and Environmental Services to permit a deviation from the Tree Preservation Target.

In a related action, on Thursday, January 21, 2016, the Planning Commission voted 9-0-2 (Commissioners Keys-Gamarra and Migliaccio abstained from the vote and Commissioner Sargeant was not present for the meeting) to approve FDP 2015-SP-007, subject to the Development Conditions dated December 22, 2015, and the Board of Supervisors' approval of RZ 2015-SP-007 and the associated Conceptual Development Plan.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt  
Staff Report previously furnished and available online at:  
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4510650.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),  
Carmen Bishop, Planner, DPZ

RZ/FDP 2015-SP-007 MRD PROPERTIES, LLC

Decision Only During Commission Matters  
(Public Hearing Held on January 14, 2016)

Commissioner Murphy: Yes, also I have a decision on SE, excuse me, RZ and FDP 2015-SP-007 Meade Properties. This is an application in the Springfield District on 9.99 acres in the Springfield District again in the Fairfax Center area.

Commissioner Sargeant: Mr. Chairman, I'm sorry to interrupt. As you know I recused myself from this public hearing in this case from the last meeting due to an affidavit issue and I'm going to recuse myself from vote as well.

Commissioner Murphy: Okay, thank you. This was a residential 2.5 units per acre which is the overlay district in the Fairfax Center area. This application is in an area where we always get a lot of citizen comments and I'm very thankful to get those comments but I think in this particular case this application should be supported for a number of reasons. First of all, it is in conformance with the Comprehensive Plan. They requested 2.4 dwelling units per – per acre and the comprehensive plan calls for a maximum 2.5 its close but it's still in conformance with the plan. They have addressed successfully the Fairfax Center residential checklist. They have come in they are in conformance with the applicable zoning ordinances, and the PDH provisions and they maxed out basically in the residential development criteria. One of the issues that was discussed in the staff report and this is an issue that sometimes is misinterpreted - is the context of the application. Does it fit in with the neighborhood? and the folks sort of took a position that it doesn't fit in with the neighborhood because the lots are smaller than the lots next door or the next down the street and so forth and although that may be true this application has a very, very comprehensive tree preservation plan. It also have 40 percent open space so although the density is a little higher but still in conformance with the Comprehensive Plan the application has a tremendous amount of open space that I think will be an attractive situation for this particular part of town. Also, they have a very comprehensive set of proffers and you received a new set tonight and the only addition to that is a proffer that would restrict putting as we call them popsicle stick – popsicle stick signs on the streets in the neighborhood telling, you know, these house are up for sale and so forth and the others are just as I understand it just typos that have been, have been have been corrected so this is almost the same as the rezoning, - the proffers that are in the rezoning and development conditions that are in the rezoning application. They also have, have proffered to improve Westbrooke Drive in front of the site the sidewalks and so forth it has, as I said, a tree preservation plan. It has addressed the request for funding in the Fairfax Center area for residential property to contribute to the housing fund. It has a generous donation of 82,000 thousand dollars plus to the schools and also a very generous donation of 61,000 thousand dollars to parks. So it is in conformance with the Comprehensive Plan the proffers are very comprehensive. Also one of the things I would like to clear up one of the issues that was raised was at Westbrooke Drive. West Brook Drive no question about it, is a rural road. Maybe one of the few left in Fairfax County in this part of town. But we have rural roads all over the place and I know this one has been a bone of contention for a long time. We are trying to do something about it but there's nothing in the VDOT plan Or in the Fairfax County Plan that -has the funding to do something with this road. So we are stuck with this road and its

configuration with this development will help that out by doing a lot of frontage improvements-improvements in front of the site. But someone said there are a lot of accidents on the road and I just want to make sure that I clarify that as far as the police reports are concerned, in 2015, there was an accident that involved a vehicle approaching the downhill curve, lost control on icy, on the icy roads and skidded into an oncoming lane striking an oncoming car. There were no injuries. The second, and only second reported in 2015, was a crash at the Stringfellow Road intersection involved, involving a pedestrian who had been drinking and was wearing headphones and dark clothing who went out for a walk and was hit by a car turning from Stringfellow Road onto West Brook and only minor injuries occurred. Now it's sad that those things happen but this is not a road problem. Ice on the road is all over the county. Someone in this particular situation gets hit by a car, we are very sorry to hear about that but that's, you can't blame that on the road. So therefore, having said all that Mr. Chairman, I MOVE –first I'd like to have the applicant please come forward because we do have a special exception here. FDP -

Sara Mariska, Esquire, Applicant's Agent, Walsh, Colucci, Lubeley, and Walsh: We have read and agree to abide by the conditions that are contained in the staff report.

Commissioner Murphy: Okay, thank you very much. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE RZ 2015-SP-007 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN AND SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JANUARY 20<sup>TH</sup>, 2016.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Is there any discussion? Hearing and seeing none, all those I favor please signify by saying aye.

Commissioners: Aye.

Commissioner Migliaccio: Mr. Chairman, abstain, I was not here for the public hearing.

Vice Chairman de la Fe: Okay. Motion, motion carries.

Commissioner Murphy: I MOVE THAT THE PLANNING COMMISSION APPROVE FDP 2015-SP-007, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 22<sup>ND</sup>, 2015, AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2015-SP-007 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Same abstention.

Commissioner Murphy: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS DIRECT THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES TO PERMIT A DEVIATION FROM THE TREE PRESERVATION TARGET.

Commissioner Hart: Second.

Vice Chairman de la Fe: Seconded by Mr. Hart. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion, same abstention, carries.

Commissioner Murphy: Thank you very much and I want to thank Ms. Bishop, as always she brings with us always interesting, brings to us always interesting applications. She always does a wonderful job and I really appreciate it, thank you very much.

Vice Chairman de la Fe: One question, on the previous one on the Meade case, Ms. Keys-Gamarra you abstained on that one right because you were not at the Commission then, yes. Right, I just want to make that clear.

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(The motion carried by a vote of 9-0-2. Commissioners Keys-Gamarra and Migliaccio abstained. Commissioner Sargeant was not present for the meeting.)

TMW

Board Agenda Item  
March 1, 2016

3:30 p.m.

Public Hearing on PCA 2011-PR-023/CDPA 2011-PR-023 (Cityline Partners LLC) to Amend the Proffers and the Conceptual Development Plan Associated with RZ 2011-PR-023, Previously Approved for Mixed-Use Development (Hotel and Retail), to Permit Mixed-Use Development (Multi-Family Residential and Retail) and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 3.09, Located on Approximately 2.0 Acres of Land Zoned PTC (Providence District)

This property is located on the South side of Westpark Drive, at its intersection with Jones Branch Drive. Tax Map 29-4 ((7)) 2A.

The Board of Supervisors deferred this public hearing from the February 16, 2016, meeting until March 1, 2016, at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission public hearing was held on February 4, 2016, and the Commission deferred the decision to February 25, 2016. The Commission's recommendation will be forwarded to the Board of Supervisors subsequent to that date.

ENCLOSED DOCUMENTS:

Attachment 1: Planning Commission Verbatim Excerpt  
Staff Report previously furnished and available online at:  
<http://ldsnet.fairfaxcounty.gov/ldsnet/ldsdfw/4513469.PDF>

STAFF:

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ),  
Suzanne Wright, Planner, DPZ