

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
April 4, 2017**

AGENDA

8:30	Held	Reception for High School “Shark Tank” Technology Challenge, Lambert Conference Center, Forum
8:30	Held	Joint Reception for Child Abuse Prevention Month and Sexual Assault Awareness Month, Lambert Conference Center, Reception Area
9:30	Done	Presentations
10:00	Done	Items Presented by the County Executive

**ADMINISTRATIVE
ITEMS**

1	Approved	Authorization to Advertise a Public Hearing to Expand the Pickwick Community Parking District (Sully District)
2	Approved	Approval of Traffic Calming Measures and “Watch for Children” Signs as Part of the Residential Traffic Administrative Program (Hunter Mill and Mount Vernon Districts)
3	Approved	Designation of Plans Examiner Status Under the Expedited Land Development Review Program
4	Approved	Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of McWhorter Place Walkway – Missing Segments Between Cul-de-Sacs (Mason District)
5	Approved	Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Sunrise Valley Dr Walkway – River Birch Rd to Legacy Circle (Dranesville District)
6	Approved	Resolution to Adopt the Updated Northern Virginia Regional Hazard Mitigation Plan
7	Approved	Extension of Review Period for 2232 Application (Mason District)

ACTION ITEMS

1	Approved	Approval of Memorandum of Understanding Between the Fairfax County Police Department and the Federal Bureau of Investigation (FBI) Regarding the Child Exploitation Task Force (CETF)
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**FAIRFAX COUNTY
BOARD OF SUPERVISORS
April 4, 2017**

**ACTION ITEMS
(Continued)**

- | | | |
|---|-----------------------------------|---|
| 2 | Approved | Approval of an Amended Parking Reduction for 13515 Dulles Technology Drive (Dranesville District) |
| 3 | Approved | Approval of Authorizing Resolution for the Federal Transit Administration (FTA) |
| 4 | Approved | Approval of Construction, Design and Feasibility Study Agreements for the Herndon Metrorail Station Access Management Study Between Fairfax County and the Town of Herndon (Dranesville District) |
| 5 | Approved with Amendment | Creation of a Reston Transportation Service District Advisory Board (Dranesville and Hunter Mill Districts) |
| 6 | Approved 2 Revised Letters | Endorsement of a Letter to the Governor in Support of Virginia Railway Express |

**INFORMATION
ITEMS**

- | | | |
|-------|--------------|--|
| 1 | Noted | Consolidated Plan Certification for the Fairfax County Redevelopment and Housing Authority Moving to Work Annual Plan for Fiscal Year 2018 |
| 2 | Noted | Contract Award - Methadone Clinic Services |
| 3 | Noted | Contract Award - Physical Examinations and Medical Evaluations |
| 4 | Noted | Contract Award – Compensation Consulting Services |
| 10:10 | Done | Matters Presented by Board Members |
| 11:00 | Done | Closed Session |

**PUBLIC
HEARINGS**

- | | | |
|------|-----------------|---|
| 2:00 | Approved | Public Hearing on the Proposed Creation of a Reston Transportation Service District (Hunter Mill and Dranesville Districts) |
|------|-----------------|---|

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
April 4, 2017**

**PUBLIC
HEARINGS
(Continued)**

2:30	Withdrawn	Public Hearing on SE 2014-MV-058 (Morning Star Day Care) (Mount Vernon District)
2:30	Approved	Public Hearing on SEA 82-P-032-07 (Washington Metropolitan Area Transit Authority (WMATA)) (Providence District)
2:30	Approved	Public Hearing on RZ 2016-BR-019 (Christopher Land, LLC) (Braddock District)
3:00	Public hearing held; decision deferred	Public Hearing for a Sewer Ordinance Amendment to Revise the Sewer Service Charges, Base Charges, Availability Charges, Fixture Unit Charge and Equivalent Unit Flow
3:00	Approved	Public Hearing on SE 2016-DR-018 (Anupama Prasai, AKA Anupama Prasai Koirala) (Dranesville District)
4:00	Approved	Public Hearing on a Proposed Zoning Ordinance Amendment Re: Commercial Vehicles in Residential Districts
4:00	Approved	Public Hearing on Proposed Plan Amendment 2016-II-TY1, Tysons Urban Center – Workforce Housing and High-Rise Condominiums (Providence and Hunter Mill Districts)
4:00	Held; Public hearing continued to April 5, 2017	Public Hearing on the County Executive's Proposed FY 2018 Advertised Budget Plan, the Advertised Capital Improvement Program for Fiscal Years 2018-2022 (CIP) (With Future Fiscal Years to 2027) and the Current Appropriation in the FY 2017 Revised Budget Plan

REVISED



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

Tuesday
April 4, 2017

9:30 a.m.

ANNOUNCEMENT OF GRANT AWARDEES

Cox Communications Virginia will announce local nonprofits in the community to which it has awarded grants to further the academic achievement and development of young people in the areas of science, technology, mentoring and literacy.

PRESENTATIONS

SPORTS/SCHOOLS

- CERTIFICATE – To recognize the Shark Tank Technology Challenge winning students for their contributions and achievements. Requested by Supervisor Herrity.

PROCLAMATIONS

- PROCLAMATION – To designate April 2017 as Child Abuse Prevention Month in Fairfax County. Requested by Supervisor Cook.

— more —

Board Agenda Item
April 4, 2017

- PROCLAMATION – To designate Monday, April 24, 2017, as Holocaust Remembrance Day in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate April 2017 as Sexual Assault Awareness Month in Fairfax County. Requested by Supervisor Cook.
- PROCLAMATION – To designate April 2017 as Testicular Cancer Awareness Month Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate May 2017 as Asian/Pacific American Heritage Month in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION – To designate April 9-15, 2017, as Library Week in Fairfax County. Requested by Chairman Bulova.

STAFF:

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

Board Agenda Item
April 4, 2017

10:00 a.m.

Items Presented by the County Executive

Board Agenda Item
April 4, 2017

ADMINISTRATIVE - 1

Authorization to Advertise a Public Hearing to Expand the Pickwick Community Parking District (Sully District)

ISSUE:

Board authorization to advertise a public hearing to consider a proposed amendment to Appendix M of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the Pickwick Community Parking District (CPD).

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for May 2, 2017, at 4:00 p.m. to consider adoption of a Fairfax County Code amendment (Attachment I) to expand the Pickwick CPD.

TIMING:

The Board of Supervisors should take action on April 4, 2017, to provide sufficient time for advertisement of the public hearing on May 2, 2017, at 4:00 p.m.

BACKGROUND:

Fairfax County Code Section 82-5B-2 authorizes the Board to expand a CPD for the purpose of prohibiting or restricting the parking of watercraft; boat trailers; motor homes; camping trailers; and any other trailer or semi-trailer, regardless of whether such trailer or semi-trailer is attached to another vehicle; any vehicle with three or more axles; any vehicle that has a gross vehicle weight rating of 12,000 or more pounds except school buses used on a current and regular basis to transport students; any vehicle designed to transport 16 or more passengers including the driver, except school buses used on a current and regular basis to transport students; and any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4 on the streets in the CPD.

No such CPD shall apply to (i) any commercial vehicle when discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location, (ii) utility generators located on trailers and being used to power network facilities during a loss of commercial power, (iii) restricted vehicles temporarily parked on a public street within any such CPD for a maximum of 48 hours for the purpose of loading, unloading, or preparing for a trip, (iv) restricted vehicles that are temporarily

Board Agenda Item
April 4, 2017

parked on a public street within any such CPD for use by federal, state, or local public agencies to provide services.

Pursuant to Fairfax County Code Section 82-5B-3, the Board may expand a CPD if: (1) the Board receives a petition requesting expansion and such petition contains the names, addresses, and signatures of petitioners who represent at least 60 percent of the addresses within the proposed CPD, and represent more than 50 percent of the eligible addresses on each block of the proposed CPD, (2) the proposed CPD includes an area in which 75 percent of each block within the proposed CPD is zoned, planned, or developed as a residential area, (3) the Board receives an application fee of \$10 for each petitioning property address in the proposed CPD, and (4) the proposed CPD must contain the lesser of (i) a minimum of five block faces or (ii) any number of blocks that front a minimum of 2,000 linear feet of street as measured by the centerline of each street within the CPD.

Staff has verified that the requirements for a petition-based CPD have been satisfied.

The parking prohibition identified above for the CPD is proposed to be in effect seven days per week, 24 hours per day.

FISCAL IMPACT:

The cost of sign installation is estimated at \$600 to be paid from Fairfax County Department of Transportation funds.

ENCLOSED DOCUMENTS:

Attachment I: Amendment to the *Fairfax County Code*, Appendix M (CPD Restrictions)

Attachment II: Area Map of Proposed Pickwick CPD

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

Charisse Padilla, Transportation Planner, FCDOT

PROPOSED CODE AMENDMENT

THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA
APPENDIX M

Amend *The Code of the County of Fairfax, Virginia*, by adding the following streets to Appendix M-78, Section (a)(2), Pickwick Community Parking District, in accordance with Article 5B of Chapter 82:

Helmsly Court (Route 8015)
From Newhall Court to the cul-de-sac inclusive.

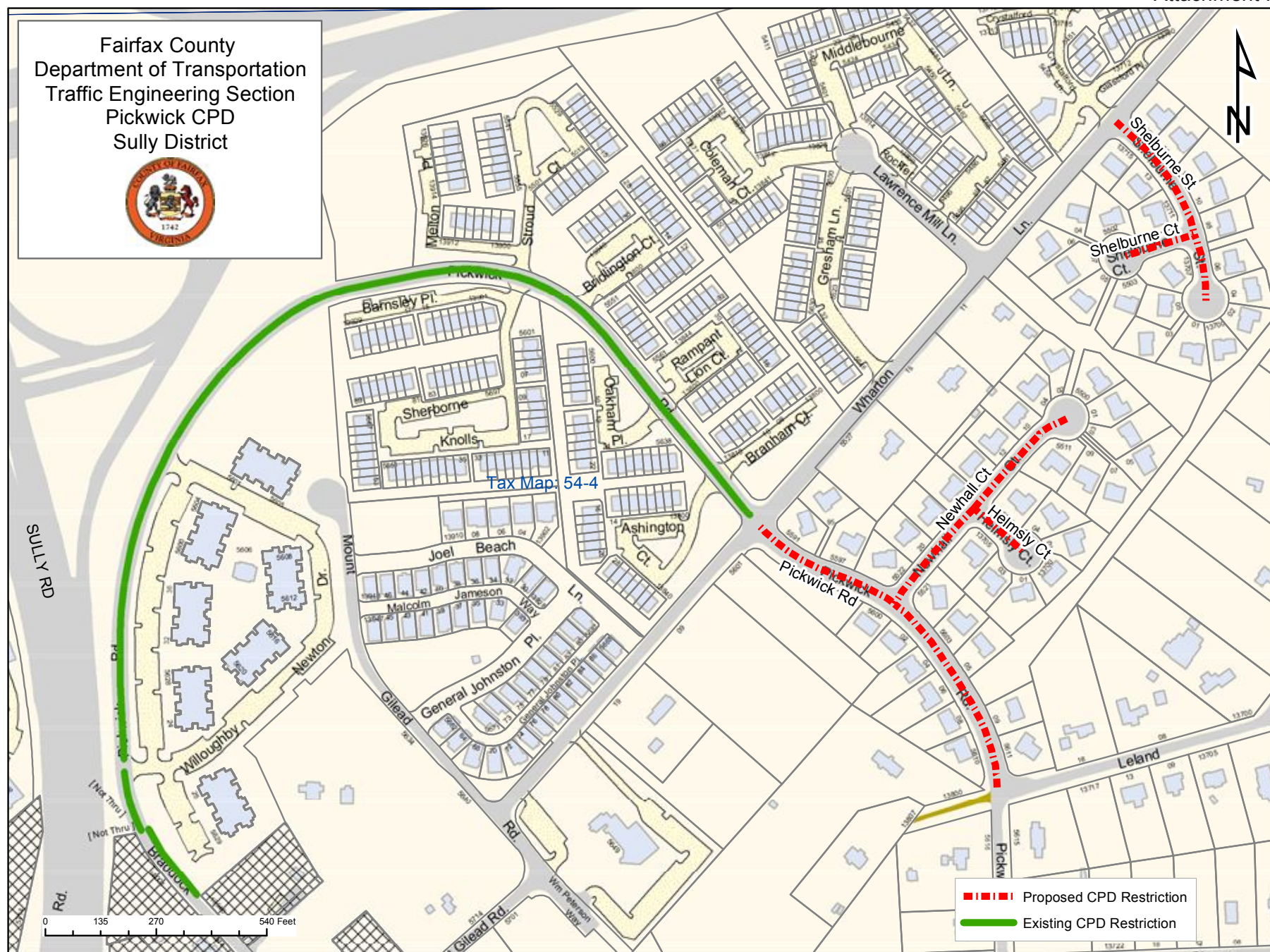
Newhall Court (Route 8014)
From Pickwick Road to the cul-de-sac inclusive.

Pickwick Road (Route 1021)
From Wharton Lane to Leland Road.

Shelburne Court (Route 8017)
From Shelburne Street to the cul-de-sac inclusive.

Shelburne Street (Route 8016)
From Wharton Lane to the cul-de-sac inclusive.

Fairfax County
Department of Transportation
Traffic Engineering Section
Pickwick CPD
Sully District



Board Agenda Item
April 4, 2017

ADMINISTRATIVE - 2

Approval of Traffic Calming Measures and “Watch for Children” Signs as Part of the Residential Traffic Administrative Program (Hunter Mill and Mount Vernon Districts)

ISSUE:

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

RECOMMENDATION:

The County Executive recommends that the Board endorse the traffic calming plan for Colts Brook Drive (Attachment I) consisting of the following:

- One Speed Hump on Colts Brook Drive (Hunter Mill District)

The County Executive further recommends approval for “Watch for Children” signs on the following road:

- Chancellor Way (Mount Vernon District)

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

TIMING:

Board action is requested on April 4, 2017.

BACKGROUND:

As part of the RTAP, roads are reviewed for traffic calming when requested by a Board member on behalf of a homeowners’ or civic association. Traffic calming employs the use of physical devices such as speed humps, speed tables, raised pedestrian crosswalks, chokers, median islands, traffic circles, or multi-way stop signs (MWS), to reduce the speed of traffic on a residential street. Staff performed engineering studies documenting the attainment of qualifying criteria. Staff worked with the local Supervisor’s office and communities to determine the viability of the requested traffic calming measures to reduce the speed of traffic. Once the plan for the road under review is approved and adopted by staff that plan is then submitted for approval to

Board Agenda Item
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residents of the ballot area in the adjacent community. On February 21, 2017, FCDOT received verification from the local Supervisor's office confirming community support for the above referenced traffic calming plan.

The RTAP allows for installation of "Watch for Children" signs at the primary entrance to residential neighborhoods, or at a location with an extremely high concentration of children relative to the area, such as playgrounds, day care centers, or community centers. FCDOT reviews each request to ensure the proposed sign will be effectively located and will not be in conflict with any other traffic control devices. On February 15, 2017, FCDOT received written verification from the respective local Supervisor's office confirming community support for the referenced "Watch for Children" signs.

FISCAL IMPACT:

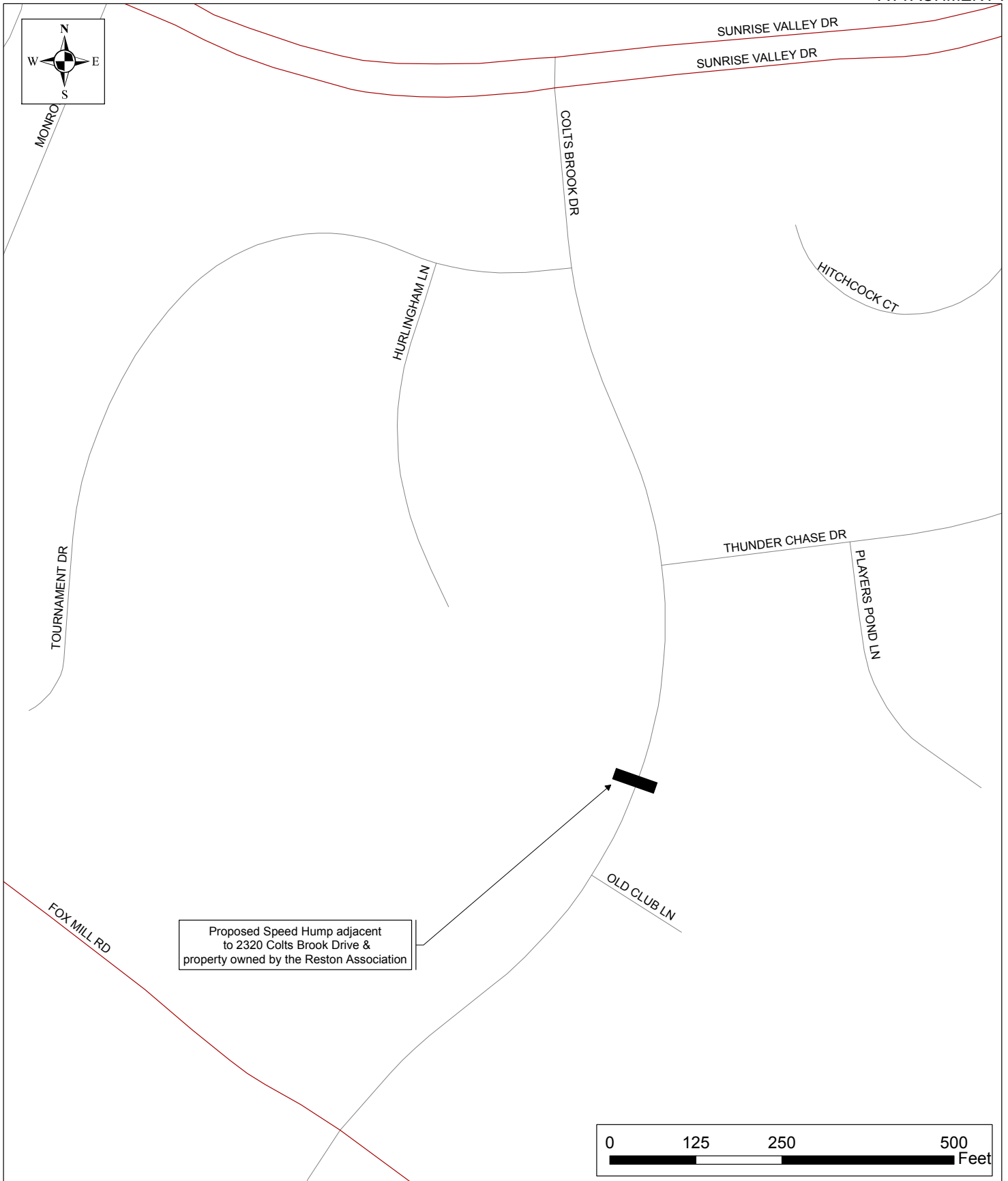
Funding in the amount of \$7,000 for the traffic calming measure associated with the Colts Brook Drive project is available in Fund100-C10001, General Fund, under Job Number 40TTCP. Funding in the amount of \$600 for the "Watch for Children" signs associated with the Chancellor Way project is available in Fund100-C10001, General Fund, under Job Number 40TTCP.

ENCLOSED DOCUMENTS:

Attachment I: Traffic Calming Plan for Colts Brook Drive

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
Behnaz Razavi, Transportation Planner, Traffic Engineering Section, FCDOT



Fairfax County Department of Transportation
 Residential Traffic Administration Program (RTAP)
PROPOSED TRAFFIC CALMING PLAN
COLTS BROOK DRIVE
 Hunter Mill District



ADMINISTRATIVE - 3

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

ISSUE:

Board of Supervisors' action to place six individuals who have elected not to pursue their continuing education requirements into inactive status; and, to designate one individual as a Plans Examiner to participate in the Expedited Land Development Review Program.

RECOMMENDATION:

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

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

Harry C. Higman	#92 (Retired)
Jason Sereno	#298 (requested to be Inactive)
Michael Theberge	#304 (moved out of area)
Delelegne Tirfie	#94 (retired)
Mable Bi-Feng Wu	#301 (requested to be Inactive)
Myon M. Yoo	#66 (retired)

- Designate the following individual, identified with his registration number, as a Plans Examiner:

Daniel M. Brzezynski	#320
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TIMING:

Routine.

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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 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 Land Development Services.

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

Inactive Status: Chapter 117 requires Plans Examiners to participate in the Board adopted Continuing Education Program. Consonant with the requirements of Section 117-1-3(a), and subject to Board approval, the APEB will recommend designation of inactive status for individuals electing not to pursue the continuing education program. This status designation continues until and if they wish to reactivate their Designated Plans Examiner (DPE) status by completing the continuing education requirements. An inactive status makes these individuals ineligible to participate in the expedited plan process procedure. At the time they are placed in inactive status, individuals are provided with information concerning requirements for reinstatement as an active DPE.

In a letter dated February 6, 2017, from the Chairman of the APEB, James H. Scanlon, P.E., L.S., to Chairman Sharon Bulova, six individuals were identified that have elected not to pursue the continuing education requirements. The APEB recommends that their status become inactive until and if they wish to reactivate their status as a DPE by completing their continuing education requirements.

Plans Examiner Status: Candidates for status as Plans Examiners must meet the education and experience requirements contained in Chapter 117. After the review of the application and credentials, the APEB has found that the candidate listed above satisfies these requirements. This finding was also documented in a letter dated February 6, 2017, from the Chairman of the APEB.

Staff concurs with these recommendations as being in accordance with Chapter 117 and the Board-adopted criteria.

FISCAL IMPACT:

None.

Board Agenda Item
April 4, 2017

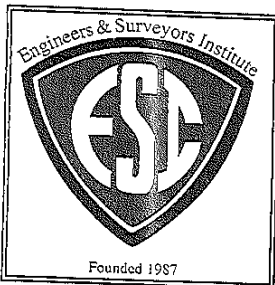
ENCLOSED DOCUMENTS:

Attachment I – Letters dated February 6, 2017, 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., Director, Land Development Services



Engineers & Surveyors Institute

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Attachment I

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Aaron Vinson, P.E.
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EXECUTIVE DIRECTOR
Jeffrey L. Blackford, P.E.

February 6, 2017

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

Dear Chairman Bulova:

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

Name	Reg. No
Daniel M. Brzezynski	#320

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

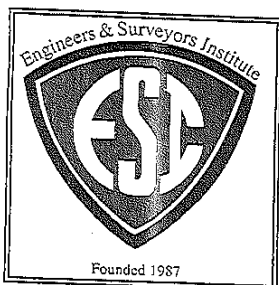
Sincerely,

James H. Scanlon, PE, LS
Chairman
Fairfax County Advisory Plans Examiner Board

Received

FEB 14 2017

**Land Development Services
Directors Office**



Engineers & Surveyors Institute

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City of Alexandria, T&ES

Blake A. Smith, P.E.
Smith Engineering

Ross Stilling
Fairfax Water

Dennis M. Thomas, P.E.
Burgess & Niple, Inc.

Anita M. Tierney
Loudoun County, B&D

Aaron Vinson, P.E.
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Susan S. Wolford, CLA, AICP
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Jeffrey L. Blackford, P.E.

February 6, 2017

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

Dear Chairman Bulova:

The Board of Supervisors approved the following individuals as Designated Plans Examiners:

<u>Name</u>	<u>Reg. Number</u>
Harry C. Higman	#92 (retired)
Jason Sereno	#298 (requested to be Inactive)
Michael Theberge	#304 (move out of area)
Delelegne Tirfie	#94 (retired)
Mable Bi-Feng Wu	#301 (requested to be Inactive)
Myon M. Yoo	#66 (retired)

However, they have elected not to pursue the continuing education requirements at this time. It is recommended that their status become inactive until and if they wish to reactivate their status by completing their continuing education requirements. As such, they would no longer be eligible to participate in the expedited plan process procedure.

Following the Board of Supervisors' approval of this recommendation, each will be notified of his/her status change, as well as the procedure to be followed for reinstatement.

Sincerely,

James H. Scanlon, PE, LS

Chairman

Fairfax County Advisory Plans Examiner Board

Received

FEB 14 2017

Land Development Services
Directors Office

Board Agenda Item
April 4, 2017

ADMINISTRATIVE – 4

Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights
Necessary for the Construction of McWhorter Place Walkway – Missing Segments
Between Cul-de-Sacs (Mason District)

ISSUE:

Board authorization to advertise a public hearing on the acquisition of certain land rights necessary for the construction of Project 2G40-088-010, McWhorter Place, in Fund 40010, County and Regional Transportation Projects.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for May 2, 2017, at 4:00 p.m.

TIMING:

Board action is requested on April 4, 2017, to provide sufficient time to advertise the proposed public hearing on the acquisition of certain land rights necessary to keep this project on schedule.

BACKGROUND:

This project consists of adding pedestrian improvements to connect cul-de-sacs between McWhorter Place (Route 3087) and McWhorter Place (Route 757).

Land rights for these improvements are required on two properties. The construction of this project requires the acquisition of Sidewalk Easements and Grading Agreement and Temporary Construction Easements.

Negotiations are in progress with the affected property owners; however, because resolution of these acquisitions is not imminent, it may be necessary for the Board to utilize quick-take eminent domain powers to commence construction of this project on schedule. These powers are conferred upon the Board by statute, namely, Va. Code Ann. Sections 15.2-1903 through 15.2-1905 (as amended). Pursuant to these provisions, a public hearing is required before property interests can be acquired in such an accelerated manner.

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FISCAL IMPACT:

Funding is available in Project 2G40-088-000, CSYP Bike and Pedestrian Program in Fund 40010, County and Regional Transportation Projects. This project is included in the FY 2017 – FY 2021 Adopted Capital Improvement Program (with Future Fiscal Years to FY 2026). No additional funding is being requested from the Board and there is no General Fund impact.

ENCLOSED DOCUMENTS:

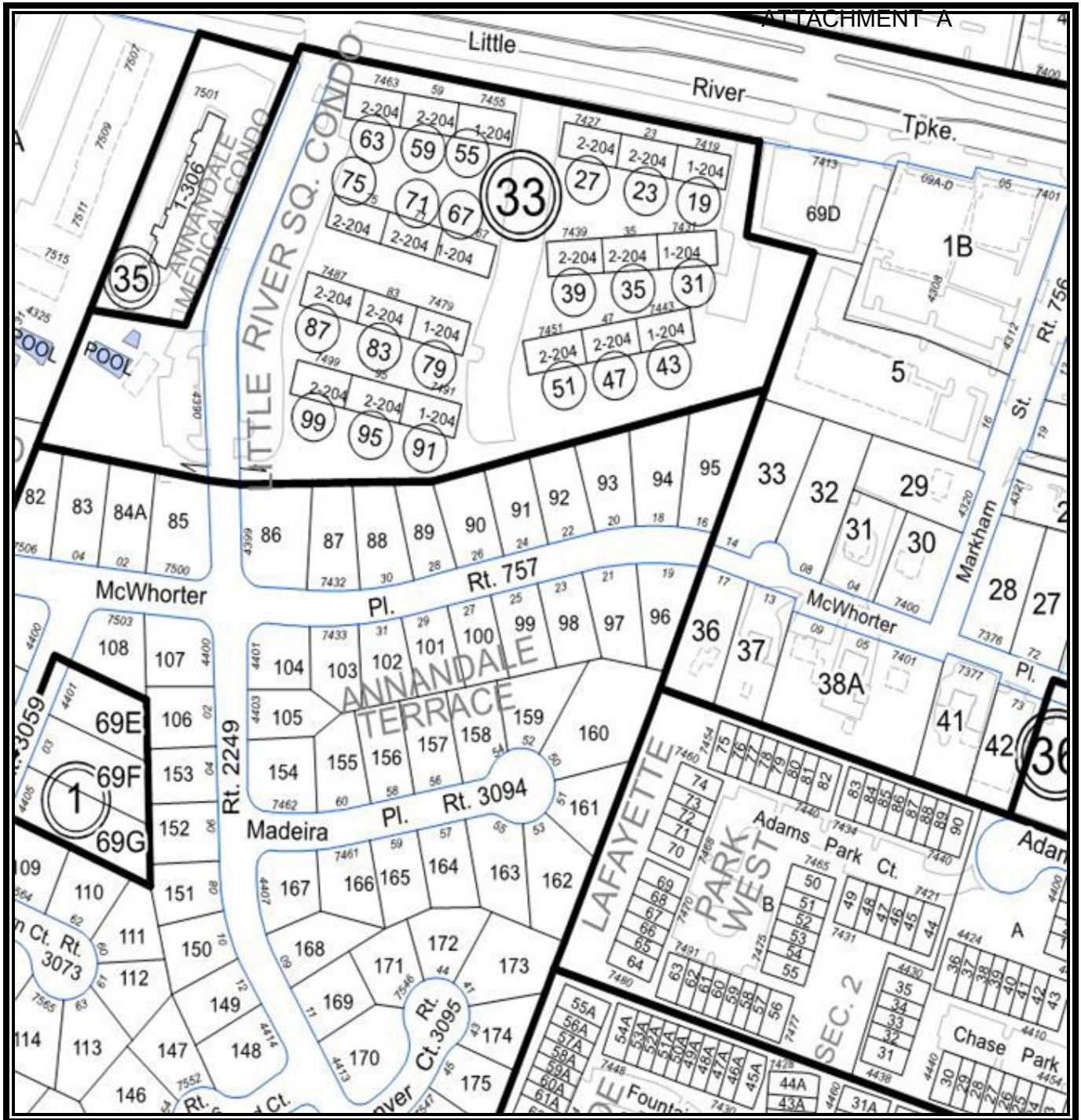
Attachment A - Project Location Map
Attachment B - Listing of Affected Properties

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Ronald N. Kirkpatrick, Deputy Director, DPWES, Capital Facilities

ASSIGNED COUNSEL:

Pamela K. Pelto, Assistant County Attorney, Office of the County Attorney



MCWHORTER PLACE

Project 2G40-088-010

Mason District

Scale: Not to Scale

Tax Map: 071-1

Affected Property:



Proposed Improvements:



ATTACHMENT B

LISTING OF AFFECTED PROPERTIES
Project 2G40-088-010
CSYP C&I Bike & Pedestrian Program - McWhorter Place
(Mason District)

PROPERTY OWNER(S)

- | | |
|--|---------------|
| 1. Lisa Ann Roberts
Jill Roberts Wilson | 071-1-15-0096 |
|--|---------------|

Address:
7419 McWhorter Pl.
Annandale, VA 22003

- | | |
|-------------------|---------------|
| 2. Luis F. Garcia | 071-1-15-0095 |
|-------------------|---------------|

Address:
7416 McWhorter Pl.
Annandale, VA 22003

Board Agenda Item
April 4, 2017

ADMINISTRATIVE – 5

Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights
Necessary for the Construction of Sunrise Valley Dr Walkway – River Birch Rd to
Legacy Circle (Dranesville District)

ISSUE:

Board authorization to advertise a public hearing on the acquisition of certain land rights necessary for the construction of Project 5G25-060-017, Pedestrian Improvements 2014, Fund C30050, Transportation Improvements.

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing for May 16, 2017, at 4:00 p.m.

TIMING:

Board action is requested on April 4, 2017, to provide sufficient time to advertise the proposed public hearing on the acquisition of certain land rights necessary to keep this project on schedule.

BACKGROUND:

This project consists of approximately 370 linear feet of five-foot wide concrete sidewalk and pedestrian ramps along the north side of Sunrise Valley Dr. (Route 5320) from River Birch Road to Legacy Circle.

Land rights for these improvements are required on one (1) property, which has not been acquired by the Land Acquisition Division (LAD). The construction of this project requires the acquisition of dedication for public street purposes, and grading agreement and temporary construction easement.

Negotiations are in progress with the affected property owner; however, because resolution of these acquisitions is not imminent, it may be necessary for the Board to utilize quick-take eminent domain powers to commence construction of this project on schedule. These powers are conferred upon the Board by statute, namely, Va. Code Ann. Sections 15.2-1903 through 15.2-1905 (as amended). Pursuant to these provisions, a public hearing is required before property interests can be acquired in such an accelerated manner.

Board Agenda Item
April 4, 2017

FISCAL IMPACT:

Funding is available for the Sunrise Valley Dr. Walkway-River Birch Rd to Legacy Circle, in Project 5G25-060-000, Pedestrian Improvements 2014, Fund C30050, Transportation Improvements. This project is included in the FY 2017 – FY 2021 Adopted Capital Improvement Program (with Future Fiscal Years to FY 2026). No additional funding is being requested from the Board.

ENCLOSED DOCUMENTS:

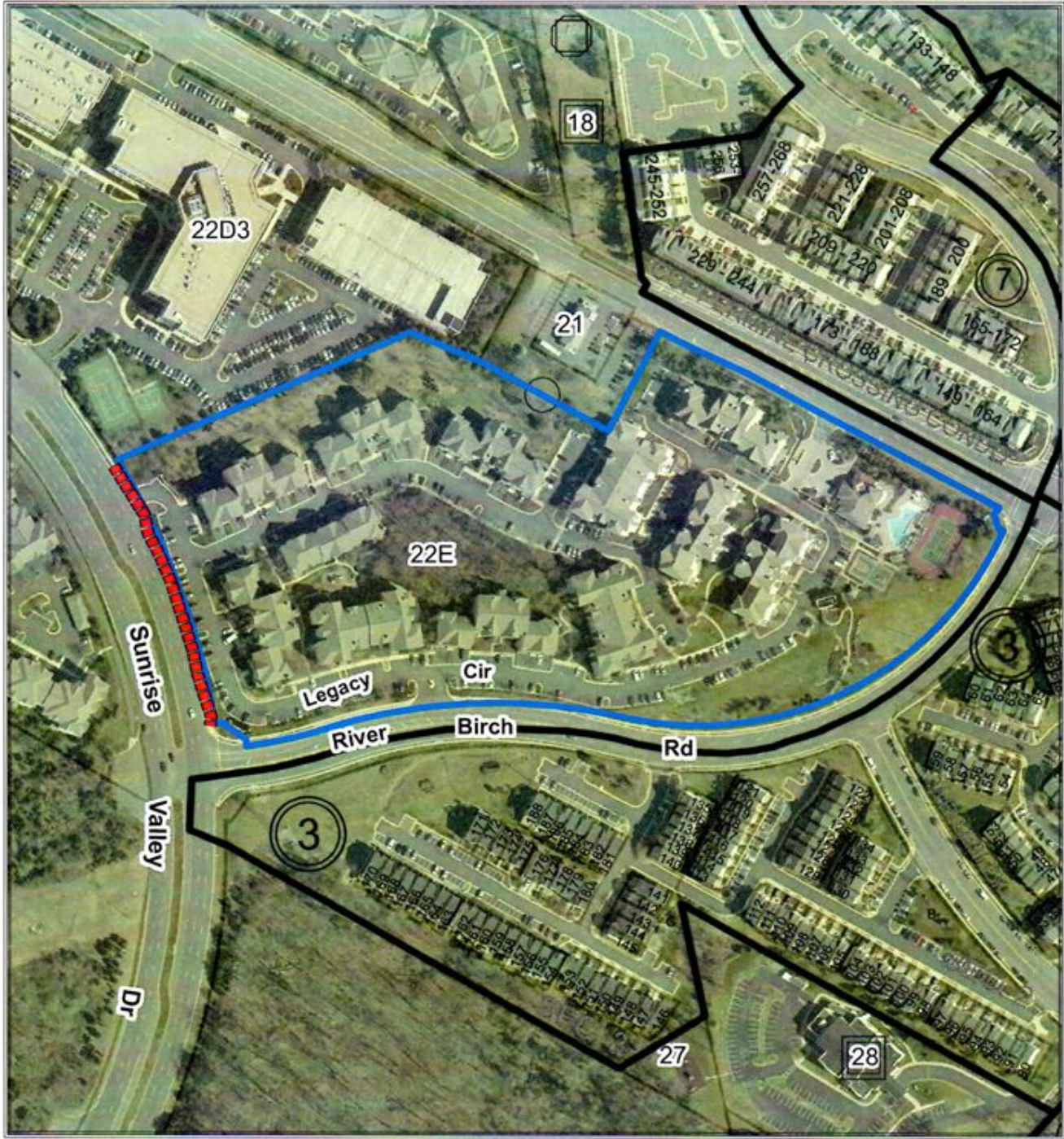
Attachment A - Project Location Map
Attachment B - Listing of Affected Properties

STAFF:

Robert A. Stalzer, Deputy County Executive
James W. Patteson, Director, Department of Public Works and Environmental Services (DPWES)
Ronald N. Kirkpatrick, Deputy Director, DPWES, Capital Facilities

ASSIGNED COUNSEL:

Pamela K. Pelto, Assistant County Attorney, Office of the County Attorney



Tax Map: 15-4

Project 5G25-060-017
Dranesville District

Affected Properties: 

Proposed Improvements: 

Scale: Not to Scale



ATTACHMENT B

LISTING OF AFFECTED PROPERTIES
Project 5G25-060-017
Sunrise Valley Dr. Sidewalk - River Birch Rd - Legacy Circle
(Dranesville District)

PROPERTY OWNER(S)

1. Magazine Lionsgate, LP

015-4-01-0022E

Address:
13600 Legacy Circle
Herndon, VA 20171

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ADMINISTRATIVE – 6

Resolution to Adopt the Updated Northern Virginia Regional Hazard Mitigation Plan

ISSUE:

The purpose of this regional initiative has been to update the comprehensive multijurisdictional plan aimed at all hazards mitigation. It is a prerequisite for continued area funding under the Federal Pre-Disaster and Hazard Mitigation Grant Programs under the Disaster Mitigation Act of 2000 that the plan be updated every 5 years.

RECOMMENDATION:

The County Executive recommends the adoption of the updated Northern Virginia Regional Hazard Mitigation Plan.

TIMING:

Board action is requested on April 4, 2017. Local approval by each governing body is required to put the plan into effect.

BACKGROUND:

The Disaster Mitigation Act of 2000, as amended, requires that local governments, develop, adopt and update natural hazard mitigation plans in order to receive certain federal assistance.

Fairfax County received a grant to update the previous Hazard Identification and Risk Assessment (HIRA) portion of the plan and led a Mitigation Advisory Committee (MAC), comprised of representatives from the Counties of Arlington, Fairfax, Loudoun, and Prince William; the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; and their inclusive towns, to assess the risks of hazards facing the Northern Virginia region, and to make recommendations on actions to be taken to mitigate these hazards.

The Fairfax County Office of Public Affairs posted the draft plan to the Fairfax County external website, Twitter and Facebook for a public comment period of thirty days. Each jurisdiction made similar arrangements through their own resources for a public comment period. Once all the relevant updates were made and new information applied, the draft plan was forwarded to the Virginia Department of Emergency

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Management (VDEM) for review and subsequent submittal to the Federal Emergency Management Agency (FEMA).

Having a FEMA approved Hazard Mitigation Plan makes the participating jurisdictions eligible for Pre and Post Hazard Mitigation Grant funding from FEMA. The recent events of the derecho, Hurricane Sandy, and Winter Storm Jonas are captured in the current draft that was forwarded to VDEM and FEMA for approval.

Local approval by each local governing body is required to put the plan into effect in that jurisdiction.

FISCAL IMPACT:
None.

ENCLOSED DOCUMENTS:
Attachment 1: Resolution to adopt the Northern Virginia Regional Hazard Mitigation Plan

Northern Virginia Regional Hazard Mitigation Plan available on-line at:
http://www.fairfaxcounty.gov/oem/mitigation/draft_hazard_mitigation_plan-reduced.pdf

STAFF:
David Rohrer, Deputy County Executive
Seamus J. Mooney, Coordinator, Office of Emergency Management

**RESOLUTION OF THE BOARD OF SUPERVISORS TO APPROVE THE ADOPTION
OF THE NORTHERN VIRGINIA REGIONAL HAZARD MITIGATION PLAN**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the County Government Center at 12000 Government Center Parkway in Fairfax, Virginia, on Tuesday, April 4, 2017, at which a quorum was present and voting, the following resolution was adopted in public session.

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments, develop, adopt and update natural hazard mitigation plans in order to receive certain federal assistance; and,

WHEREAS, the Northern Virginia Regional Hazard Mitigation Plan has been prepared in accordance with Federal Emergency Management Agency (FEMA) requirements at 44C.F.R. 201.6; and,

WHEREAS, a Mitigation Advisory Committee (MAC), comprised of representatives from the Counties of Arlington, Fairfax, Loudoun, and Prince William; the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; and, Dumfries, Haymarket, Herndon, Leesburg, Lovettsville, Middleburg, Purcellville, Occoquan, Round Hill, and Vienna, was convened in order to assess the risks of hazards facing the Northern Virginia region, and to make recommendations on actions to be taken to mitigate these hazards; and,

WHEREAS, the plan incorporates the comments, ideas and concerns of the community and of the public in general, which this plan is designed to protect, ascertained through a series of public meetings, publication of the draft plan, press releases, and other outreach activities; and,

NOW THEREFORE BE IT RESOLVED – the Fairfax County Board of Supervisors recognizes that recent events of the derecho, Hurricane Sandy, and Winter Storm Jonas are captured in the current FEMA approved pending adoption update of the local Hazard Mitigation Plan. Being committed to mitigation planning and activities, the Fairfax County Board of Supervisors calls on the Office of Emergency Management and other affected agencies, as part of the next update, to fully endeavor to identify, evaluate, and include these events and their impacts as part of the next update cycle.

NOW THEREFORE, BE IT RESOLVED by the Fairfax County Board of Supervisors that the Northern Virginia Hazard Mitigation Plan Update dated March 2017 is hereby approved and adopted by the Fairfax County Board of Supervisors, and resolves to execute the actions in the plan.

ADOPTED by the on this day _____ of, _____ 2017.

APPROVED

Catherine A. Chianese
Clerk

Board Agenda Item
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ADMINISTRATIVE – 7

Extension of Review Period for 2232 Application (Mason District)

ISSUE:

Extension of review period for 2232 application to ensure compliance with review requirements of *Section 15.2-2232 of the Code of Virginia*.

RECOMMENDATION:

The County Executive recommends that the Board extend the review period for the following application: 2232-M17-10

TIMING:

Board action is required April 4, 2017, to extend the review period of the application noted above before its expiration date.

BACKGROUND:

Subsection B of *Section 15.2-2232 of the Code of Virginia* states: "Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval." The need for the full time of an extension may not be necessary, and is not intended to set a date for final action.

The review period for the following application should be extended:

2232-M17-10	Department of Public Works and Environmental Services Baileys Crossroads Community Shelter and Supportive Housing 5914 Seminary Road Falls Church, VA Mason District Accepted February 28, 2017 Extend to October 29, 2017
-------------	--

FISCAL IMPACT:

None

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ENCLOSED DOCUMENTS:

None

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Chris B. Caperton, Chief, Facilities Planning Branch, Planning Division, DPZ

Douglas W. Hansen, Senior Planner, Facilities Planning Branch, Planning Division, DPZ

ACTION - 1

Approval of Memorandum of Understanding Between the Fairfax County Police Department and the Federal Bureau of Investigation (FBI) Regarding the Child Exploitation Task Force (CETF)

ISSUE:

Board approval of a Memorandum of Understanding (MOU) between the Fairfax County Police Department and the Federal Bureau of Investigation (FBI) regarding the Child Exploitation Task Force (CETF).

RECOMMENDATION:

The County Executive recommends the Board authorize the Chief of Police to sign the MOU between the Police Department and the FBI, CETF.

TIMING:

Board of Supervisors' action is requested on April 4, 2017.

BACKGROUND:

This is a housekeeping measure to update the MOU between the Fairfax County Police Department and the FBI regarding the CETF. The MOU delineates the responsibilities within the task force to maximize interagency cooperation and formalize the relationships between the member agencies. The agreement also authorizes financial re-imbursement from the Federal Bureau of Investigation to the Fairfax County Police Department in the form of overtime paid for the use of Department personnel. The MOU was previously authorized by the Board on October 8, 2013.

The mission of the CETF is to provide a rapid, proactive, and intelligence-driven investigative response to the sexual victimization of children and other crimes against children; to identify and rescue child victims; to reduce the vulnerability of children to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence-sharing, technical support, and investigative assistance. The FBI has authorized the release of the MOU to the public.

FISCAL IMPACT:

None

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ENCLOSED DOCUMENTS:

Attachment 1: Enhancement to the Child Exploitation and Task Force (CETF)
Memorandum of Understanding

STAFF:

David M. Rohrer, Deputy County Executive
Colonel Edwin C. Roessler Jr., Chief of Police

ASSIGNED COUNSEL:

Karen L. Gibbons, Deputy County Attorney

**FEDERAL BUREAU OF INVESTIGATION
Washington Field Office's Child Exploitation Task Force
CHILD EXPLOITATION TASK FORCE (CETF)
Memorandum of Understanding (MOU)**

PARTIES

1. This Memorandum of Understanding (MOU) is entered into by the following "Participating Agencies":
 - a. **Federal Bureau of Investigation (FBI), Washington Field Office**
 - b. **Fairfax County Police Department**
 - It is noted, this task force contains full time USMS deputized members of the **Washington Metropolitan Police Department (3 Detectives, 1 Sgt), Fairfax County Police Department (2 Detectives) and the Alexandria Police Department (1 Detective) and part time task force members from the Prince William County Police (1 Detective), Loudoun County Sheriff's Department (1 Detective) and Fauquier County Sheriff's Department (1 Detective).**

AUTHORITIES

2. Authority for the FBI to enter into this agreement can be found at Title 28, United States Code (U.S.C.), Section (§) 533; 42 U.S.C. § 3771; Title 28, Code of Federal Regulations (C.F.R.), § 0.85; and applicable United States Attorney General's Guidelines.

PURPOSE

3. The purpose of this MOU is to delineate the responsibilities of the Washington Field Office's Child Exploitation (herein referred to as the CETF) participants, maximize inter-agency cooperation, and formalize relationships between the participating agencies for policy guidance, planning, training, public and media relations. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, the United States, or the officers, employees, agents, or other associated personnel thereof. The MOU also outlines the mission and procedures for the CETF, which are described in greater detail in the Standard Operating Procedures (SOP) utilized by the CETF.

MISSION

4. The mission of the CETF is to provide a rapid, proactive, and intelligence-driven investigative response to the sexual victimization of children and other crimes against children within the FBI's jurisdiction; to identify and rescue child victims; to reduce the vulnerability of children to sexual exploitation and abuse; to reduce the negative impact of domestic and international parental rights disputes; and to strengthen the capabilities of the FBI and federal, state, local, and international law enforcement through training, intelligence-sharing, technical support, and investigative assistance.

SUPERVISION AND CONTROL

5. Overall management of the CETF shall be the responsibility of the Special Agent in Charge (SAC) of the Washington Field Office of the FBI and/or their designee.
6. The SAC shall designate one Supervisory Special Agent (SSA) to supervise day-to-day operational and investigative matters pertaining to the CETF.
7. For the purposes of this MOU, a CETF member is considered full-time when that member is primarily assigned duties aligned with the defined priority threats that are dedicated to the mission of the CETF on a full-time basis. On a case-by-case basis, SSAs may authorize CETF members to temporarily support other priority FBI matters as necessary.

Official Law Enforcement Use Only Child Exploitation Task Force Memorandum Of Understanding (2012)

This document contains neither recommendations nor conclusions of the FBI. This document is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency. Page 1 of 4

8. Responsibility for conduct, not under the direction of the SAC or SSA, of each CETF member, both personally and professionally, shall remain with the respective agency head and each agency shall be responsible for the actions of its respective employees.

9. Each CETF member will be subject to the laws, regulations, policies, and personnel rules applicable to those of his or her respective agency.

Deadly Force Policy and Procedures

9A. Task Force personnel will follow their own agencies policy concerning firearms discharge and use of deadly force. Use of deadly force incidents involving FBI Agents will be investigated by the FBI Inspection Division, or their designee, in accordance with U.S. Department of Justice and FBI policy, and in coordination with local law enforcement.

10. FBI participants will continue to adhere to the Bureau's ethical standards, including Department of Justice (DOJ)/FBI regulations relating to outside employment and prepublication review matters, and will remain subject to the Supplemental Standards of Ethical Conduct for employees of the DOJ.

11. Each CETF member will continue to report to his or her respective agency head for non-investigative administrative matters not detailed in this MOU or SOP.

12. Continued assignment to the CETF will be based on performance and at the discretion of each CETF member's respective supervisor. The FBI SAC/SSA will also retain discretion to remove any member from the CETF.

13. The defined priority threats that are aligned with the mission of the CETFs are:

a. Child Abductions • Non-ransom child abductions
• Domestic parental kidnapping

b. Sexual Exploitation of Children Enterprises • Domestic Child Prostitution
• Online Networks and Enterprises

c. Contact Offenses Against Children • Domestic travel with intent to engage in illegal sexual activity with a minor
• Child Sex Tourism – travel abroad to engage in commercial sexual exploitation of a child under the age of 18
• Production of Child Pornography
• Coercion/enticement of a minor

d. Trafficking of Child Pornography • Mass Distribution of Child Pornography
• Possession of Child Pornography

e. International Parental Kidnapping • International Parental Kidnapping

f. Other Crimes Against Children • All other crimes against children violations within the FBI's jurisdiction should be investigated in accordance with available resources

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RESOURCE CONTROL

14. The head of each Participating Agency shall retain control of resources dedicated by that agency to the CETF, including personnel, as well as the continued dedication of those resources. The Participating Agency head or designee shall be kept fully apprised of all investigative developments by his or her subordinates.

REPORTS AND RECORDS

15. All investigative reporting will be prepared in compliance with existing FBI policy. Subject to pertinent legal and/or policy restrictions, copies of pertinent documents created by each member of the CETF will be made available for inclusion in the respective investigative agencies' files as appropriate.

SALARY/OVERTIME COMPENSATION

16. The FBI and Participating Agency agree to assume all personnel costs for their CETF representatives, including salaries, overtime payments and fringe benefits consistent with their respective agency.

17. Subject to funding availability and legislative authorization, the FBI may reimburse to Participating Agency the cost of overtime worked by non-federal CETF members assigned full-time to CETF, provided overtime expenses were incurred as a result of CETF-related duties. A separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and Participating Agency for full-time employee(s) assigned to CETF, consistent with regulations and policy. Otherwise, overtime shall be compensated in accordance with applicable Participating Agency overtime provisions and shall be subject to the prior approval of appropriate personnel.

LIABILITY

18. The Participating Agencies acknowledge that this MOU does not alter the applicable law governing civil liability, if any, arising from the conduct of personnel assigned to the CETF.

19. The Participating Agency shall immediately notify the FBI of any civil, administrative, or criminal claim, complaint, discovery request, or other request for information of which the agency receives notice, concerning or arising from the conduct of personnel assigned to the CETF or otherwise relating to the CETF.

20. In the event that a civil claim or complaint is brought against a state or local officer assigned to the CETF, the officer may request legal representation and/or defense by DOJ, under the circumstances and pursuant to the statutes and regulations identified below.

DURATION

21. The term of this MOU is for the duration of the CETF's operations, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the agency involved.

22. Any Participating Agency may withdraw from the CETF at any time by written notification to the SSA with designated oversight for investigative and personnel matters or program manager of the CETF Program (FBI HQ) at least 30 days prior to withdrawal.

23. Upon termination of this MOU, all equipment provided to the CETF will be returned to the supplying agency/agencies. In addition, when an entity withdraws from the MOU, the entity will return equipment to the supplying agency/agencies. Similarly, remaining agencies will return to a
Official Law Enforcement Use Only Child Exploitation Task Force Memorandum Of Understanding (2012)

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withdrawing agency any unexpended equipment supplied by the withdrawing agency during any CETF participation.

MODIFICATIONS

24. Modifications/amendments to this MOU and corresponding SOP shall be brought in writing to the attention of each Participating Agency.

25. Participating Agencies and their assignees are bound by the terms of the MOU and SOP, as modified from time to time, although a Participating Agency may terminate its participation with the CETF pursuant to the terms related to the SOP.

26. Participating Agency will not be bound by any amended terms of the MOU or SOP during notice period (currently 30 days) required by the MOU prior to terminating participation.

SIGNATORIES (to be signed by individual field office SAC)

David J. LeValley Date: 10/05/2016
Print Name: David J. LeValley, Special Agent in Charge
Criminal Division
Washington Field Office

Print Name: Col. Edwin C. Roessler Jr. Date: _____

Organization: Fairfax County Police Department

Chanda L. Little Date: 10/20/2016
FBI VCAC Unit Representative

ACTION – 2

Approval of an Amended Parking Reduction for 13515 Dulles Technology Drive
(Dranesville District)

ISSUE:

Board of Supervisors' approval of an amended 7.3 percent reduction (9 fewer spaces) of the required parking for Phase 1 and a 32.5 percent reduction (55 fewer spaces) of the required parking for Phase 2 for the existing building at 13515 Dulles Technology Drive, Tax Map Number 016-3-19-C2 ("the Property"), Dranesville District.

RECOMMENDATION:

The County Executive recommends that the Board approve an amended parking reduction for the Property, pursuant to Paragraph 4B of Section 11-102 of Chapter 112 (Zoning Ordinance) of *The Code of the County of Fairfax, Virginia* (Code) based on an analysis of the parking requirements for each use and the shared parking study #5574-PKS-012 as amended (Attachment 1).

Specifically, the County Executive recommends approval of a 7.3 percent reduction, totaling 9 fewer spaces, of the required parking during Phase 1, and a 32.5 percent reduction, totaling 55 fewer spaces, of the required parking during Phase 2, and an annulment of previously approved parking reductions for the Property.

The County Executive further recommends the Board approve the requested reduction subject to the following conditions:

1. During Phase 1, a minimum of 109 parking spaces shall be maintained on-site to serve the following mix of land uses:
 - Place of Worship: Up to 29,491 gross square feet GSF with up to 660 sanctuary seats.
 - Office: Up to 2,000 GSF.

During Phase 2, a minimum of 109 parking spaces shall be maintained on-site to serve the following mix of land uses:

- Place of Worship: Up to 16,690 GSF with up to 460 sanctuary seats.
 - Office: Up to 14,801 GSF.
2. Any additional uses not listed in Condition #1 shall provide parking at rates required by the Fairfax County Zoning Ordinance.

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3. During Phase 1, Sunday services shall be staggered with the Church of the Epiphany restricted to an 8 a.m. and 10 a.m. service, the Grace Christian Church is restricted to a 9:30 a.m. and 11 a.m. service, and the Holy Trinity Parish Church is restricted to one Sunday service at 9:30 a.m. During Phase 2, office or other uses that occupy the space currently allocated to the Church of the Epiphany shall not open before 11 a.m. on Sundays.
4. Grace Christian Church shall be limited to 400 seats during Phases 1 and 2. The Church of the Epiphany shall be limited to 200 seats for the term of its tenure (Phase 1 only). The Holy Trinity Parish Church shall be limited to 60 seats during Phases 1 and 2.
5. Sunday services, including those during periods of peak attendance (i.e. Easter and Christmas), must be coordinated among the church uses to minimize any parking impacts to the Property and surrounding areas.
6. The on-site existing loading spaces, up to 5 spaces as needed, shall be made available for use on Sundays from 10 a.m.-11 a.m.
7. The conditions of approval of this parking reduction shall be incorporated into any site plan or site plan revision submitted to the Director of Land Development Services or his designee (Director) for approval.
8. The current owners, their successors or assigns of the parcel identified as Tax Map 016-3-19-C2 shall submit a parking space utilization study for review and approval by the Director at any time in the future that the Zoning Administrator or the Director so requests. Following review of that study, or if a study is not submitted within 90 days after being requested, the Director may require alternative measures to satisfy the property's on-site parking needs, which may include but not be limited to requiring all uses to comply with the full parking space requirements of the Zoning Ordinance.
9. All parking utilization studies prepared in response to a request by the Zoning Administrator or the Director shall be based on applicable requirements of the Code of the *County of Fairfax, Virginia* and the Zoning Ordinance in effect at the time of the parking utilization study submission.
10. All parking provided shall comply with all other 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.

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11. Approval of this amended parking reduction, including all conditions set forth herein, shall supersede and replace any and all previously approved parking reductions for the Property, including but not limited to, the parking reductions that were approved by the Fairfax County Board of Supervisors on March 10, 2008, and April 3, 2006.
12. 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. Unless an extension has been approved by the Director, the approval of this parking reduction request shall expire without notice if the conditions have not been recorded within six months from the date of Board approval.

TIMING:

Board action is requested on April 4, 2017.

BACKGROUND:

The existing building, 13515 Dulles Technology Drive, is located within the Dulles Technology Center. It was originally constructed along with two other comparably sized buildings, 13505 and 13525 Dulles Technology Drive, under a single site plan (#5574-SP-001) that was approved by the county in 1984. The total floor area associated with all three buildings, as reflected on the approved site plan, was approximately 96,000 gross square feet (GSF). A total of 338 parking spaces were proposed to accommodate the 3 buildings. A copy of the site layout is shown as Attachment 2.

Over the course of the next decades, the property was subdivided into three separate and distinct parcels, and the number of parking spaces originally provided was reduced from what was reflected on the approved site plan as a result of modifications made to facilitate pedestrian and accessibility improvements. Today, a total of 336 spaces are available to accommodate the three buildings divided up as shown in the table below.

Existing Parking Spaces for the Three Buildings

Tax Parcel Number	Building Address	Existing Parking Spaces
16-3-19-C2	13515 Dulles Technology Drive	109
16-3-19-C3	13525 Dulles Technology Drive	115
16-3-1-33A	13505 Dulles Technology Drive	112
		Total = 336

Parcel C2 is the subject of this parking reduction amendment. Parcel C2 has 109 parking spaces which are accessed through a recorded ingress-egress easement on Parcels C1 and C3.

At this time, the unit owners of Parcel C2 (Applicant) have requested a two-phase shared parking reduction for the Property. The first phase (Existing Conditions) accommodates the current mix of church and office uses at the Property and requires 123 parking spaces. Phase 2 (Ultimate Conditions) would occur once the lease for the Church of the Epiphany expires and its space reverts to office use; thereby, increasing the parking requirement to 169 spaces for the Property. The tables below show the Code-required parking for the uses at the Property, for each phase of development.

PHASE 1: EXISTING CONDITIONS

Land Use	Code Required Parking Ratio (Per Unit)	Number of Units	Required Parking Spaces
Grace Christian/Church of the Epiphany *	1 space per 4 seats	400 seats	100
Dr. Ganji, DDS	3.6 spaces per 1,000 square feet (SF)	2,000 SF	7.2
Holy Trinity Parish Church	1 space per 4 seats	60 seats	15
Total Number of Required Spaces			123

* During Phase 1, Grace and Epiphany are considered one place of worship with Suite 2 being the main place of worship (400 seats) and Suite 1 being the secondary place of worship (200 seats).

PHASE 2: ULTIMATE CONDITIONS

Land Use	Code Required Parking Ratio (Per Unit)	Number of Units	Required Parking Spaces
Grace Christian Church	1 space per 4 seats	400seats	100
Office (Suite 1)	3.6 spaces per 1,000 SF	12,801 SF	46.1
Dr. Ganji, DDS	3.6 spaces per 1,000 SF	2,000 SF	7.2
Holy Trinity Parish Church	1 space per 4 seats	60 seats	15
Total Number of Required Spaces			169

The parking analysis indicates that, based on the proposed different hours of operation between the church and office uses, and by staggering the start times of the church services, the existing on-site spaces will be adequate to accommodate the parking demands for the site, in both phases of development. More specifically, based on the Urban Land Institute guidelines, the maximum theoretical parking demand for the office and church uses will occur on Sunday at 10 a.m. Hourly occupancy counts, taken while church services were occurring, provided the basis for the calculation of parking demand. The resulting hourly demand tables show a reduction of the demand from the code-required amount to 114 at peak demand (See attachments 3 and 4). The Applicant has certified that 114 spaces, including the five on-site spaces used for weekday loading, are available during the Sunday peak demand. Because church uses do not have a loading space requirement per Chapter 11 of the Zoning Ordinance, the churches which meet on this property have the opportunity to use all of the onsite loading spaces when the offices are not in operation. Additionally, 118 on-street parking spaces are available along Dulles Technology Drive located adjacent to the site. Given the above, the applicant anticipates no adverse impacts to the site or adjacent areas.

This recommendation reflects a coordinated review by: Land Development Services; Department of Planning and Zoning; Department of Transportation; and, the Office of the County Attorney.

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FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Revised Parking Study # 5574-PKS-012-1 memorandum from Robin Antonucci of Wells and Associates dated November 23, 2016.

Attachment 2: Site Layout (Figure 3)

Attachment 3: Phase 1 Interim Parking Demand table

Attachment 4: Phase 2 Ultimate Parking Demand table

STAFF:

Robert A. Stalzer, Deputy County Executive

Thomas P. Biesiadny, Director, Department of Transportation

William D. Hicks, Director, Land Development Services

ASSIGNED COUNSEL:

Marc Gori, Assistant County Attorney, Office of the County Attorney

NOV 23 2016



WELLS + ASSOCIATES

MEMORANDUM

To: Don Lacquement, Engineer IV
Site Code Research and Development Branch
Land Development Services

From: Robin L. Antonucci

Re: 5574-PKS-012-1
13515 Dulles Technology Drive

Date: November 22, 2016

11441 Robertson Drive
Suite 201
Manassas, VA 20109
703-365-9262
703-365-9265 FAX
www.mjwells.com

The purpose of this memorandum is to follow up a recent discussion held with you and Jan Leavitt of the Site Code Research and Development Branch regarding the referenced parking reduction request. Specifically this memorandum addresses the following:

1. Verify how many parking and loading spaces currently serve 13515 Dulles Technology Drive
2. Confirm the amount of parking needed to meet the demands associated with Phases 1 and 2 of the requested reductions
3. Provide additional mitigation measures to ensure the availability of parking for both Phases 1 and 2

Existing Parking Supply

A total of 109 parking spaces and 2 loading spaces is currently available to serve the visitors, patrons, and tenants of 13515 Dulles Technology Drive. Of the 109 spaces provided, a total of 4 spaces are designated as accessible spaces and one space is designated as van accessible. As reflected on the as-built site plan associated with 13505, 13515 and 13525 Dulles Technology Drive, a total of 345 parking spaces (or 115 spaces for each of the three buildings) were provided on-site. However, according to a previous owner, this number was reduced due to the provision of various accessibility improvements completed in the past. A copy of the as-built site plan as amended to account for various repaving and striping improvements over the years is enclosed with this memo. The revisions noted on the plan were field verified by Wells + Associates.

Transportation Consultants
INNOVATION + SOLUTIONS

**WELLS + ASSOCIATES****MEMORANDUM****Phase 1 and 2 Reductions**

Based on the revised parking study submitted on November 15, 2016, a total of 114 spaces would be needed on Sunday to satisfy the peak parking demands associated with Phases 1 and 2 of the reduction. It should be noted that with Phase 2, the office uses that could occupy the space currently allocated to Epiphany would be restricted from opening on Sundays before 11:00 AM.

Mitigation Measures

As discussed with you and Ms. Leavitt, on Sunday there is no need for the designated loading areas located on the property. One of the loading areas is located along the front of the building and is 15 feet in width and 18 feet in length; the other loading drive is located at the rear of the building and is 14 feet (measured curb to curb) and is approximately 66 feet long. As shown on the enclosed plan, the loading areas could provide five additional parking areas for use on Sundays bringing the total on-site Sunday supply up to 114 spaces (=109 +5) or equal to the projected Phase 1 and 2 demands. In order to effectively utilize those spaces, the Applicant will sign those areas for use as parking spaces on Sundays only.

It should also be noted that along the frontage of the Dulles Technology Center, a total of 52 spaces are available for use by the public (without restriction) along both sides of the roadway between Sunrise Valley Drive (Route 5320) and the entrance located at 13505 Dulles Technology Drive. An additional 66 spaces are located along both sides of the roadway south of 13505 Dulles Technology Drive.

I trust the information above responds to all of your concerns as discussed on November 15, 2016. If you require additional information or assistance please do not hesitate to contact us at RLAntonucci@mjwells.com or LEAdkins@mjwells.com.

Enclosure: a/s

Attachment 2

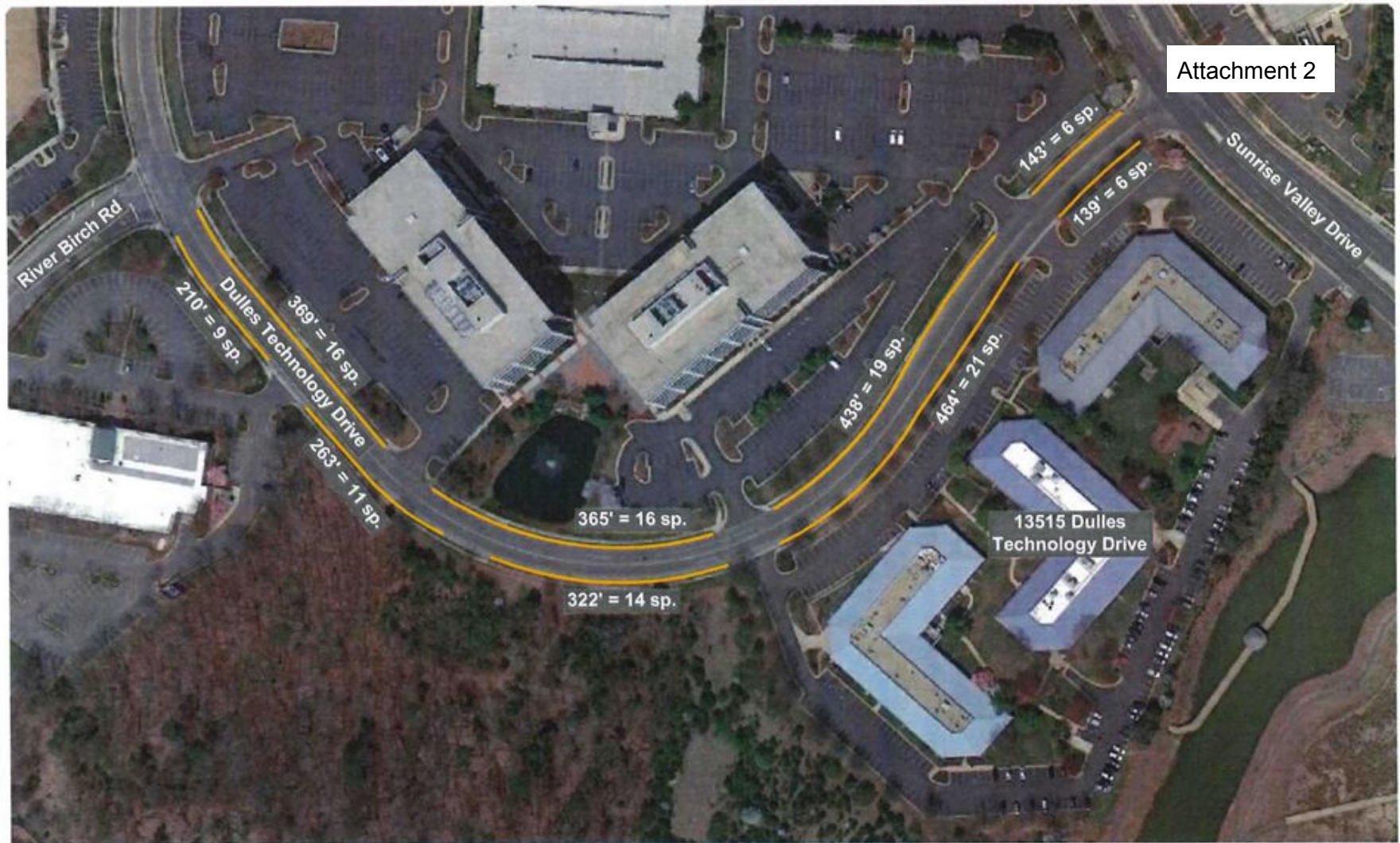


Figure 3
Curbside Parking Availability

XX' = X sp.

Curbside Parking Measurement (feet)

Number of spaces assuming 22 feet for on-street parallel parking



North

13515 Dulles Technology Drive
Fairfax County, Virginia

WA Wells + Associates, Inc.

Table 4
Phase I Interim Parking Demand - 13515 Dulles Technology Drive

Time	Sunday Hourly Parking Demand			Weekday Hourly Parking Demand			
	Dr. Ganji Office Use - 2,000 SF (Employee/Visitors)	Church Use - Grace/Epiph = 400 seats Holy Trinity = 60 seats	Total	Dr. Ganji Office Use - 2,000 SF		Church Use - Grace/Epiph = 400 seats Holy Trinity = 60 seats	Total
				(Employees)	(Visitors)		
	Code = 8 spaces	Code = 115 spaces	Code = 123 spaces	Code = 8 spaces (Dr. Ganji max 4 employees, 4 visitors)		Code = 115 spaces	Code = 123 spaces
7:00 AM	0	5	5	1	0	0	1
8:00 AM	0	23	23	3	1	0	4
9:00 AM	0	55	55	4	1	12	17
10:00 AM	0	114	114	4	2	20	26
11:00 AM	0	106	106	4	3	18	25
Noon	0	90	90	4	4	20	28
1:00 PM	0	54	54	4	4	17	25
2:00 PM	0	n/a	0	4	4	17	25
3:00 PM	0	n/a	0	4	2	12	18
4:00 PM	0	n/a	0	4	2	10	16
5:00 PM	0	n/a	0	2	2	5	9

Notes:

1. Total Zoning Ordinance based parking required is equal to 123 spaces for Phase I; 115 spaces required for the church uses; and 8 for Dr. Ganji's use.

Attachment 4

Table 6
Phase II Ultimate Parking Demand - 13515 Dulles Technology Drive

Time	Sunday Hourly Accumulations				Weekday Hourly Parking					
	Dr. Ganji Office Use - 2,000 SF (Employee/Visitors)	General Office Use - 12,801 SF (Employee/Visitors)	Church Use - Grace = 400 seats Holy Trinity = 60 seats	Total	Dr. Ganji Office Use - 2,000 SF		General Office Use - 12,801 SF		Church Use - Grace = 400 seats Holy Trinity = 60 seats	Total
					(Employees)	(Visitors)	(Employees)	(Visitors)		
	Code = 8 spaces	Code = 46 spaces	Code = 115 spaces	Code = 169 spaces	Code = 8 spaces (Dr. Ganji max 4 employees, 4 visitors)		Code = 46 spaces (43 employee spaces, 3 visitor space)		(code = 115 spaces)	Code = 169 spaces
7:00 AM	0	0	5	5	1	0	13	0	0	14
8:00 AM	0	0	23	23	3	1	32	1	0	37
9:00 AM	0	0	55	55	4	1	41	1	12	59
10:00 AM	0	0	114	114	4	2	43	2	20	71
11:00 AM	0	5	106	111	4	3	43	3	18	71
Noon	0	4	90	94	4	4	39	3	20	70
1:00 PM	0	4	54	58	4	4	39	3	17	67
2:00 PM	0	3	n/a	3	4	4	43	3	17	71
3:00 PM	0	2	n/a	2	4	2	43	2	12	63
4:00 PM	0	1	n/a	1	4	2	39	2	10	57
5:00 PM	0	0	n/a	0	2	2	22	2	5	33

Notes:

1. Total Zoning Ordinance based parking required is equal to 169 spaces for Phase I; 115 spaces required for the church uses; and 54 spaces for the office uses (including Dr. Ganji's office space).

Board Agenda Item
April 4, 2017

ACTION - 3

Approval of Authorizing Resolution for the Federal Transit Administration (FTA)

ISSUE:

Board of Supervisors approval of resolution designating the County Executive (or his designee) as the County's authorized representative for matters pertaining to the FTA, including the completion of annual Certifications and Assurances and the execution of FTA grants.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve the resolution, in substantially the form of Attachment 1, naming the County Executive (or his designee) as the County's authorized representative with the FTA.

TIMING:

The Board is requested to act on this resolution on April 4, 2017, so that Fairfax County can complete the FY 2017 Certifications and Assurances and execute future grant agreements.

BACKGROUND:

To make an award of grant money, FTA must find that the grant applicant has the legal capacity to carry out the project. The applicant may demonstrate its legal capacity by providing a resolution from its governing body that the officials acting on the public body's behalf are authorized to do so. This is commonly referred to as an "authorizing resolution." Recently, FTA requested that its grant applicants and recipients update their authorizing resolutions, as needed, to reflect the current enabling authority, the FAST Act (49 U.S.C.A. § 5301, *et seq.* (2017)). The County authorizing resolution on file with FTA is dated December 10, 1990. The Department of Transportation and the Department of Neighborhood and Community Services (i.e., Fastran) now both have FTA grants. Therefore, staff recommends that the Board approve the resolution naming the County Executive (or his designee) as the County's authorized representative with the FTA.

Board Agenda Item
April 4, 2017

FISCAL IMPACT:

Updating the County's authorizing resolution with FTA will allow Fairfax County to remain eligible to receive current and future FTA grant and other USDOT funding. However, there is no direct financial impact of this action.

ENCLOSED DOCUMENTS:

Attachment I: Authorizing Resolution for the Federal Transit Administration (FTA)

STAFF:

Robert A. Stalzer, Deputy County Executive
Christopher Leonard, Director, Fairfax County Department of Neighborhood and Community Services (NCS)
John Zarbo, Chief, Transit Operations, NCS
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Dwayne Pelfrey, Division Chief, Transit Services Division, FCDOT
Todd Wigglesworth, Chief, Coordination and Funding Division, FCDOT
Brent Riddle, Coordination and Funding Division, FCDOT

ASSIGNED COUNSEL:

Patricia McCay, Assistant County Attorney

RESOLUTION OF THE BOARD OF SUPERVISORS TO APPROVE THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA)

Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C. Chapter 53, and/or authorized by any other Federal statutes administered by the Federal Transit Administration, including, but not limited to, applicable sections of 23 U.S.C. Chapter 23.

WHEREAS, the Federal Transit Administrator has been delegated authority to award Federal financial assistance for a public transportation project;

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant and may require the Applicant to provide the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

NOW, THEREFORE, BE IT RESOLVED by *the Fairfax County Board of Supervisors of Fairfax County, Virginia*:

1. The *County Executive* or his/her designee is authorized to execute and file an application for Federal assistance on behalf of *Fairfax County* with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, and/or authorized by any other Federal statutes administered by the Federal Transit Administration, including, but not limited to, applicable sections of 23 U.S.C. Chapter 23.
2. The *County Executive* or his/her designee is authorized to execute and file with its application(s) the annual certification and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. The *County Executive* or his/her designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of Fairfax County.

Adopted this 4TH day of April 2017, Fairfax, Virginia

ATTEST _____
Catherine A. Chianese
Clerk to the Board of Supervisors

ACTION – 4

Approval of Construction, Design and Feasibility Study Agreements for the Herndon Metrorail Station Access Management Study Between Fairfax County and the Town of Herndon (Dranesville District)

ISSUE:

Board of Supervisors' approval of, and authorization for the Director of the Fairfax County Department of Transportation to execute several Herndon Metrorail Station Access Management Study (HMSAMS) Agreements with the Town of Herndon ("Herndon"), substantially in the form of Attachments 1, 2 and 3, for the implementation of five transportation multimodal improvement projects.

RECOMMENDATION:

The County Executive recommends that the Board authorize the Director of the Fairfax County Department of Transportation to execute the Feasibility Study, Design, and Construction Project Administration Agreements, substantially in the form of Attachments 1, 2 and 3, for the implementation of five transportation multimodal improvement projects.

TIMING:

The Board of Supervisors should act on this item on April 4, 2017, so that Herndon can begin implementation of five transportation multimodal improvement projects.

BACKGROUND:

The Metrorail Silver Line will be completed in two phases and includes 11 new Metrorail stations. Upon completion of Phases I and II, it will connect the region's traditional core to key activity centers along the Dulles corridor, such as Tysons, Reston, Herndon, Washington-Dulles International Airport, and eastern Loudoun County.

The County has made a substantial investment in the Silver Line and is continuing its commitment to this project by investing in access enhancement projects in each of the planned station areas. Increased access to the Silver Line at Fairfax County's stations has the potential to contribute to greater local and regional livability, increased economic prosperity, and greater equity.

Board Agenda Item
April 4, 2017

In April 2012, the Board directed FCDOT to establish the HMSAMS Advisory Group, with representatives from the magisterial districts within proximity of the two future Herndon area Metrorail Stations (Innovation Center and Herndon), to create a plan that identifies multimodal access challenges and solutions for the areas around these stations.

In January 2014, the Board approved a Transportation Priorities Program (TPP) including \$1.4 billion in funding for transportation projects, spread out over six years. This TPP included approximately \$21 million dedicated to HMSAMS projects.

In September 2014, a consultant completed the HMSAMS Final Report which lists public priorities for pedestrian, bicycle, and intersection improvements. These recommended priorities were used, along with many other tools, by FCDOT staff to select projects for funding. The Final Report also builds on the prior successful completion of similar studies for Reston's Metrorail Silver Line stations— Reston Metrorail Access Group in 2006—and Tysons Metrorail Silver Line stations— TMSAMS in 2012.

HMSAMS focused only on enhancing bicycle and pedestrian access. To address the access needs of transit and vehicular travelers, HMSAMS will be supplemented by access improvement plans for vehicular traffic and transit services. The purpose of the study was to engage the public to identify and prioritize necessary bicycle and pedestrian facility projects. The effort culminated in the production of Station Access Management Plans for each station. This effort was guided by the diverse 16 member HMSAMS Advisory Group, and included three public workshops as well as an interactive, online survey.

On December 8, 2015, the Board approved the list of HMSAMS and Reston Metrorail Access Group Phase 2 ("RMAG2") pedestrian and bicycle transportation projects. These projects will be funded from the County's Fiscal Years 2015 – 2020 TPP.

The construction agreement (Attachment 1) will implement signalized crosswalks at the intersection of Van Buren Street at Worldgate Drive and the mid-block crossing at Herndon Parkway at the Herndon Metrorail Station Entrance North. The feasibility study agreement (Attachment 2) will examine the feasibility and cost estimate for multimodal transportation improvement projects at Herndon Parkway from Washington and Old Dominion (W&OD) Trail to Fairbrook Drive and Van Buren Street from the W&OD Trail to the Monroe Street Bridge. The design agreement (Attachment 3) will implement the design of the Chandon Park shared-use path from Dulles Glen Apartments located on Elden Street to Worldgate Drive.

FISCAL IMPACT:

Upon execution of the attached agreements, a total of \$1.35 million will be transferred to Herndon for project implementation. Funding for these project agreements is provided in Fund 40010 (County and Regional Transportation Projects, Project number 2G40-086), and consistent with the TPP. There is no impact to the General Fund.

ENCLOSED DOCUMENTS:

Attachment 1: Project Construction and Administration Agreement between Fairfax County and the Town of Herndon

Attachment 2: Project Design Project Administration Agreement between Fairfax County and the Town of Herndon for the Chandon Park Trail Project

Attachment 3: Feasibility Study and Project Administration Agreement between Fairfax County and the Town of Herndon

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)

Todd Wigglesworth, Chief, Coordination and Funding Division, FCDOT

Malcolm Watson, Transportation Planner, Coordination and Funding Division, FCDOT

Joe LaHait, Debt Coordinator, Department of Management and Budget

ASSIGNED COUNSEL:

Joanna L. Faust, Assistant County Attorney

PROJECT CONSTRUCTION AND ADMINISTRATION AGREEMENT

BETWEEN FAIRFAX COUNTY and the TOWN OF HERNDON

for the construction of signalized crosswalks at the intersection of Van Buren Street at Worldgate Drive and the mid-block crossing at Herndon Parkway at the Herndon Metro Entrance North ("Signalized Crosswalks").

THIS AGREEMENT, made and executed in duplicate on this the day of _____, 201____, ("Effective Date") between the COUNTY OF FAIRFAX, VIRGINIA (the "COUNTY"), and the TOWN OF HERNDON, VIRGINIA (the "TOWN").

WITNESSETH

WHEREAS, the COUNTY'S Transportation Priorities Plan ("TPP"), approved on January 28, 2014, includes funding for the design, construction, and implementation transportation multimodal improvements on the Signalized Crosswalks, located in the TOWN and the COUNTY; as further described herein;

WHEREAS, the Fairfax County Board of Supervisors, approved on December 8, 2015, the list of Herndon Metrorail Station Access Management Study ("HMSAMS") and Reston Metrorail Access Group Phase 2 ("RMAG2") pedestrian and bicycle transportation projects, to be funded out of the County's Fiscal Years (FY) 2015 – FY 2020 TPP, as approved by the Board on January 28, 2014; and

WHEREAS, the COUNTY and TOWN have agreed that the TOWN will perform, or will engage third parties for the necessary land acquisition and construction of transportation multimodal improvements on the Signalized Crosswalks, substantially in accordance with the narrative scope, cost and design shown in Appendices A1 and A2 ("Project Budgets and Design"); and

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

Whereas, the parties have agreed that the project will be constructed in accordance with all applicable federal, state and local laws and regulations and pursuant to the narrative scope, cost and design shown in Appendices A1 and A2; and

WHEREAS, funds in the amount of \$500,000 as shown in Appendices A1 and A2 have been allocated by the COUNTY to finance the Project and constitute the maximum amount the COUNTY will contribute to the Project ("the COUNTY Contribution"); and

WHEREAS, the COUNTY Contribution will supplement existing funds currently allocated to a larger comprehensive project that will implement a series of multimodal transportation improvements in the TOWN and the COUNTY's Contribution will fund certain Projects within said TOWN comprehensive project as herein after described; and

WHEREAS, the location of the Project at the intersection of Van Buren Street at Worldgate Drive, is substantially depicted on the Fairfax County Real Property Identification Map as Tax Map No. 16-4, in Appendix B1 and the design of the facility is substantially depicted on the schematic layout in Appendix B2; and

WHEREAS, the location of the Project at the mid-block crossing at Herndon Parkway and Herndon Metro Entrance North, is substantially depicted on the Fairfax County Real Property Identification Map as Tax Map No. 16-4, in Appendix C1, and the design of the facility is substantially depicted on the schematic layout in Appendix C2; and

WHEREAS, the TOWN'S governing body have, by resolution or documents as evinced by the entity's clerk's minutes, which are attached hereto as Appendix D, authorized their respective designees to execute this Agreement; and

WHEREAS, Section 15.2-1108 and Section 15.2-1202 of the Code of Virginia authorizes both the COUNTY and the TOWN to enter into this agreement;

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

A. The TOWN shall:

1. Complete the work identified in Appendices A1 and A2. All work shall be completed in accordance to scheduled activities established by both parties, and all applicable federal, state, and local laws and regulations, including but not limited to the Virginia Public Procurement Act. Upon notice to the COUNTY, the TOWN may adjust the agreed upon schedule for any delays in the schedule due to unforeseen circumstances.
2. Provide to the COUNTY a copy of the final design plans for the Project, including cost estimates.
3. Work with the COUNTY in good faith to resolve any design-related feasibility issues identified by the COUNTY and provide any information that may be necessary for the Project.
4. Agree to monthly or, as needed, meetings with the designated COUNTY project manager to discuss design, Project implementation issues and progress.
5. Commence with the bidding, award, and administration of the construction contracts for the Project following both parties' concurrence with the construction plans for the Project.
6. Obtain COUNTY approval before modifying the scope of the Project which is described in Appendices A1 and A2. Prior to approval for such modification, the TOWN understands that if the TOWN takes any steps to deviate from the approved scope described in Appendices A1 and A2, the COUNTY may withdraw from the Project and will notify the TOWN of the COUNTY's decision to withdraw. Within 30 days after the COUNTY'S written notification of withdrawal, the

TOWN shall reimburse to the COUNTY all monies provided to the Project by the COUNTY with interest from the date of payment by the COUNTY.

7. Provide to the COUNTY quarterly reimbursement requests for payment consistent with Appendix A, containing detailed summaries of actual PROJECT costs incurred with supporting documentation as determined by the COUNTY and that certify all such costs were incurred in the performance of work for the PROJECT, as authorized by this Agreement. Each payment requisition shall be in substantially the same form as set forth in Appendix E of this Agreement. If approved by the COUNTY, the TOWN can expect to receive payment within twenty (20) business days upon receipt by the COUNTY. Approved payments may be made by means of electronic transfer of funds from the COUNTY to or for the account of the TOWN.

8. Shall be responsible for all invoice tracking and budgeting tasks and will work with COUNTY staff per the following:

- a. COUNTY staff will review all consultant and contractor invoices, and make payments.
- b. TOWN shall submit to the COUNTY invoice documents in formats that follow established COUNTY invoicing procedures
- c. Once the TOWN has received any Project invoices, the TOWN will have 7 days to review, approve and submit to the COUNTY; after which the COUNTY will also have 7 days to review, approve and make payment to the TOWN in accordance with paragraph 7 above.

9. Provide the following service during the construction phase of the Project and all activities associated with the task set forth in Appendices A1 and A2: project management, budgetary controls, any further preliminary engineering, survey and field engineering, acquisition of land, utilities relocation, construction, contract administration, and inspection activities for the Project as required by law.

10. Provide a quarterly summary report of progress and Project expenditures to the COUNTY in a format agreeable to both parties.

11. The COUNTY reserves the right to request that the TOWN produce to the COUNTY additional information and/or documentation to substantiate the quarterly summary and any payments to be made by the COUNTY for the Project.

12. Be responsible for all Project cost overruns that exceed the COUNTY Contribution of \$500,000 for the Project. The TOWN, in its sole discretion, may expend more than the COUNTY'S Contribution for the Project, but the TOWN is responsible for all expenses above the COUNTY Contribution for the Project, whether such additional expenses are the result of cost overruns or TOWN enhancements or modifications.

13. Prior to incurring any amount in excess of the COUNTY Contribution, notify the COUNTY of additional Project expenses, whether resulting from unanticipated circumstances or other causes, and provide the COUNTY with detailed estimates of the additional costs.

14. Provide the COUNTY with 45 days' prior notice of the TOWN's intent to enter into a contract for construction of the Project; and before the TOWN's letting of the construction contract for the Project forward the proposed contract to the COUNTY for review.

15. Perform, or engage third parties to perform and remit all payments for, all work associated with the Project, to include administration cost and inspection services and activities for the Project as required.

16. Submit quarterly summaries as referenced in Section A, Paragraph 10. Failure to submit a quarterly summary for six consecutive months shall evince the TOWN'S abandonment of its obligations under this Agreement. Upon notification by the COUNTY to the TOWN of such failure to provide the required summaries, the TOWN shall have 5 days to provide the required documents. Should the required summaries and or other supporting documentation not be provided by the TOWN, the TOWN will immediately return any amount of the COUNTY Contribution not expended, with interest, in accordance with this Agreement and concurrently transmit all invoices and records of payments related to the Project to the COUNTY.

17. Retain all invoices and all records of payments for any and all materials and services rendered for the Project for 3 years, and any related expenses for completion of the Project, and provide copies of any such invoices and records of payments to the COUNTY within ten business days after such request.

18. All the TOWN's contractors shall name the COUNTY as an additional insured on any insurance policy issued for the work to be performed for the Project by or on behalf of the TOWN for the Project and present the COUNTY with satisfactory evidence thereof before any work on the Project commences or continues.

19. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Order and the Code of Virginia relative to nondiscrimination.

20. Provide certification to the COUNTY, that upon final payment to all contractors for the Project, the TOWN will use the Project for its intended purposes for the duration of the Project's useful life.

21. Comply with all requirements of the Virginia Public Procurement Act and other applicable Virginia Code provisions, or local ordinances which govern the letting of public contracts.

22. Upon completion of the Project, the TOWN or its designee will provide, or have others provide, maintenance of the Project.

B. The COUNTY shall:

1. Provide to the TOWN the necessary funding for the Project in accordance with paragraph (A) 7, above and in the amount of \$500,000 as shown in Appendices A1 and A2 for engineering, including all environmental work, all right-of-way acquisition, inspection services, testing services, construction, and or capital asset acquisition(s) on a reimbursement basis as set forth in this Agreement and as specified in Appendices A1 and A2 or the most updated amendment thereto.
2. Review plans and cost estimates and provide comments to the TOWN within 15 business days after the receipt of the plans and cost estimates.
3. If the COUNTY determines that the Project may not be feasible as a result of the current design, the COUNTY will meet with the TOWN and confer and consider alternatives that would move the Project to the next stage.
4. Participate in monthly, or as needed, meetings with the designated TOWN project manager to discuss project progress.

C. Both parties shall:

1. Maintain all records for the Project for a period of not less than three years from Project completion. All such records shall be subject to audit by either party upon request.
2. Work cooperatively to complete the Project in a timely and expeditious manner.
3. Upon notification of discovery of any hazardous substances in or on the property, immediately confer to determine the scope of any investigation and requisite response action
4. Meet and confer to resolve any dispute that may arise between the parties. Nothing herein limits the rights of either party to resolve disputes by means not described or provided for in this agreement.

D. All requirements for funds to be borne by the COUNTY shall be subject to annual appropriations by the Fairfax County Board of Supervisors

E. Either party may terminate this Agreement by way of advance written notice no less than 45 days prior to awarding the contract to construct the Project. Any portion of the COUNTY Contribution not spent or incurred as a debt to a third party prior to termination shall be returned to the COUNTY within 90 days of termination.

F. THIS AGREEMENT shall not be construed as a waiver of the sovereign immunity of Fairfax County or the Town of Herndon.

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

Fairfax County to:

Tom Biesiadny
Director
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Tom.Biesiadny@fairfaxcounty.gov

Transportation Planner
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895

The Town of _____ to

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

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

J. THIS AGREEMENT shall not be construed as creating any personal liability on the part of any officer, employee, agent of the parties, nor shall it be construed as giving any rights or benefits to anyone other than the parties hereto.

K. All provisions of this agreement shall be construed in accordance with the laws of Virginia.

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

COUNTY OF FAIRFAX, VIRGINIA:

Date

Typed or Printed Name of Signatory Date

Title

TOWN OF _____, VIRGINIA

Date

Typed or Printed Name of Signatory Date

Title

Project Narrative Scope: Pedestrian Improvements at Van Buren Street and Worldgate Drive

Construct pedestrian improvements at the existing signalized intersection of Van Buren Street and Worldgate Drive consisting of the addition of a fourth signalized crosswalk with associated sidewalk connections, curb ramps and signal equipment on the north leg of the intersection.

Project Budget = \$250,000

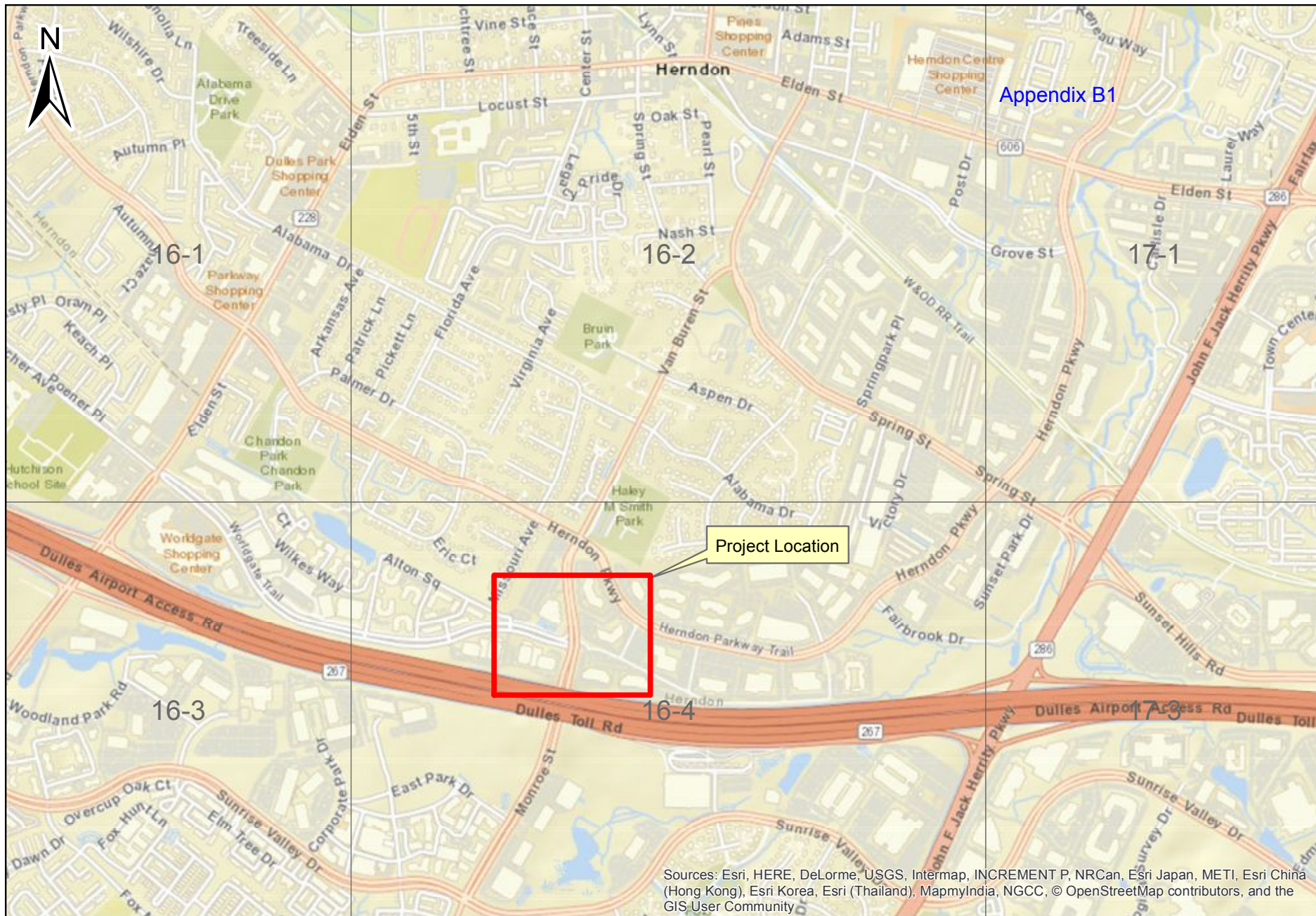
HMSAMS Study Priority Recommendation #4 Intersection

Project Narrative Scope

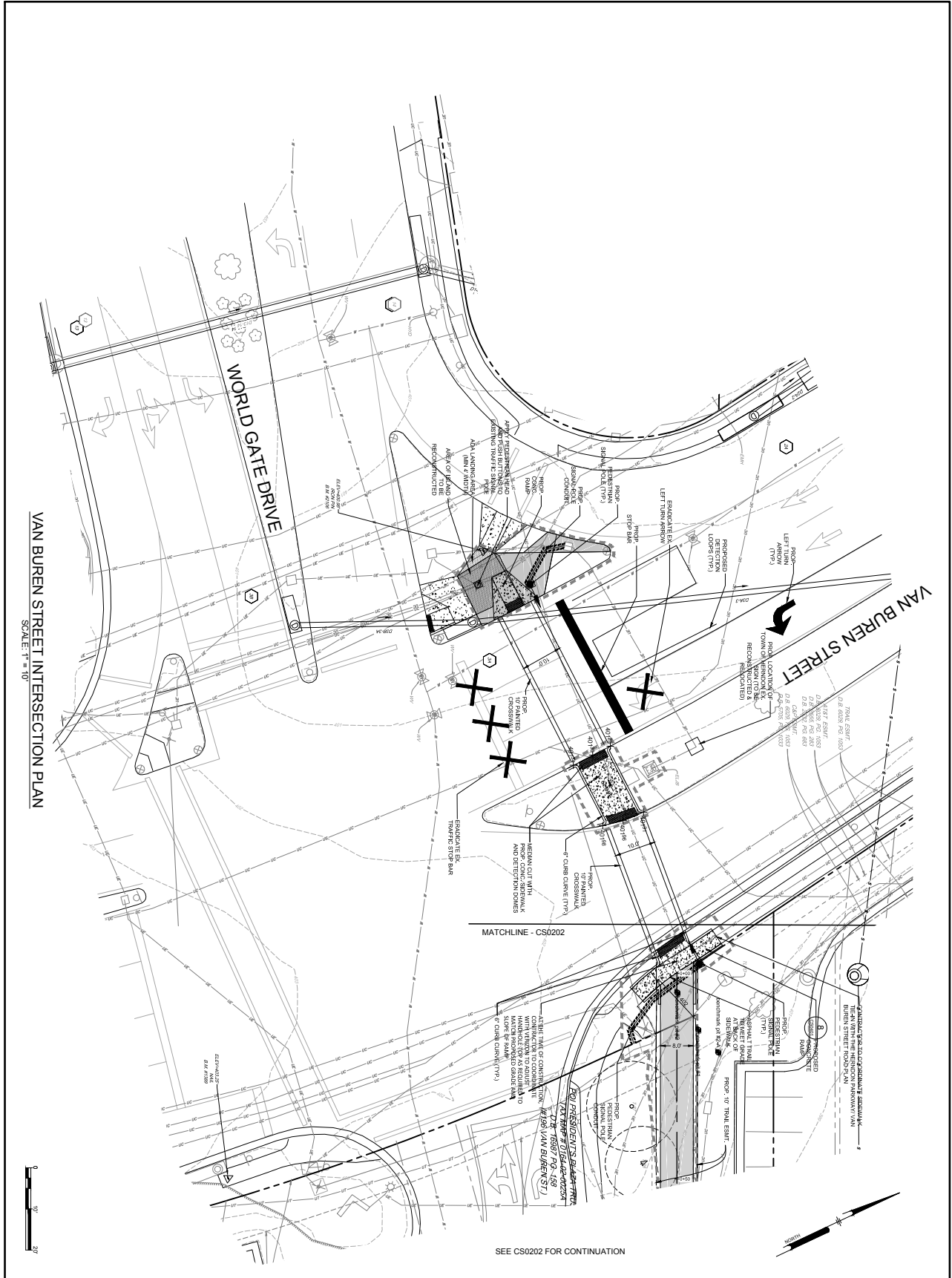
Construct pedestrian improvements at the future intersection of Herndon Parkway and Herndon Metro Entrance North consisting of the addition of a mid-block signalized crosswalk with associated sidewalk connections, curb ramps and signal equipment.

Project Budget = \$250,000

HMSAMS Study Priority Recommendation #6 Intersection



Van Buren Street/Worldgate Drive Signalized Crosswalk
Tax Map 16-4



VAN BUREN STREET INTERSECTION PLAN
SCALE: 1" = 10'

CS0201	
SHEET 6	OF 17
DATE	2013-05-22
DESIGNER	HERN1502
CHECKER	11-107
INCHES	1" = 10'
APPROVED BY	PAI
DATE	2013-05-22
NO.	
REVISIONS	
BY	

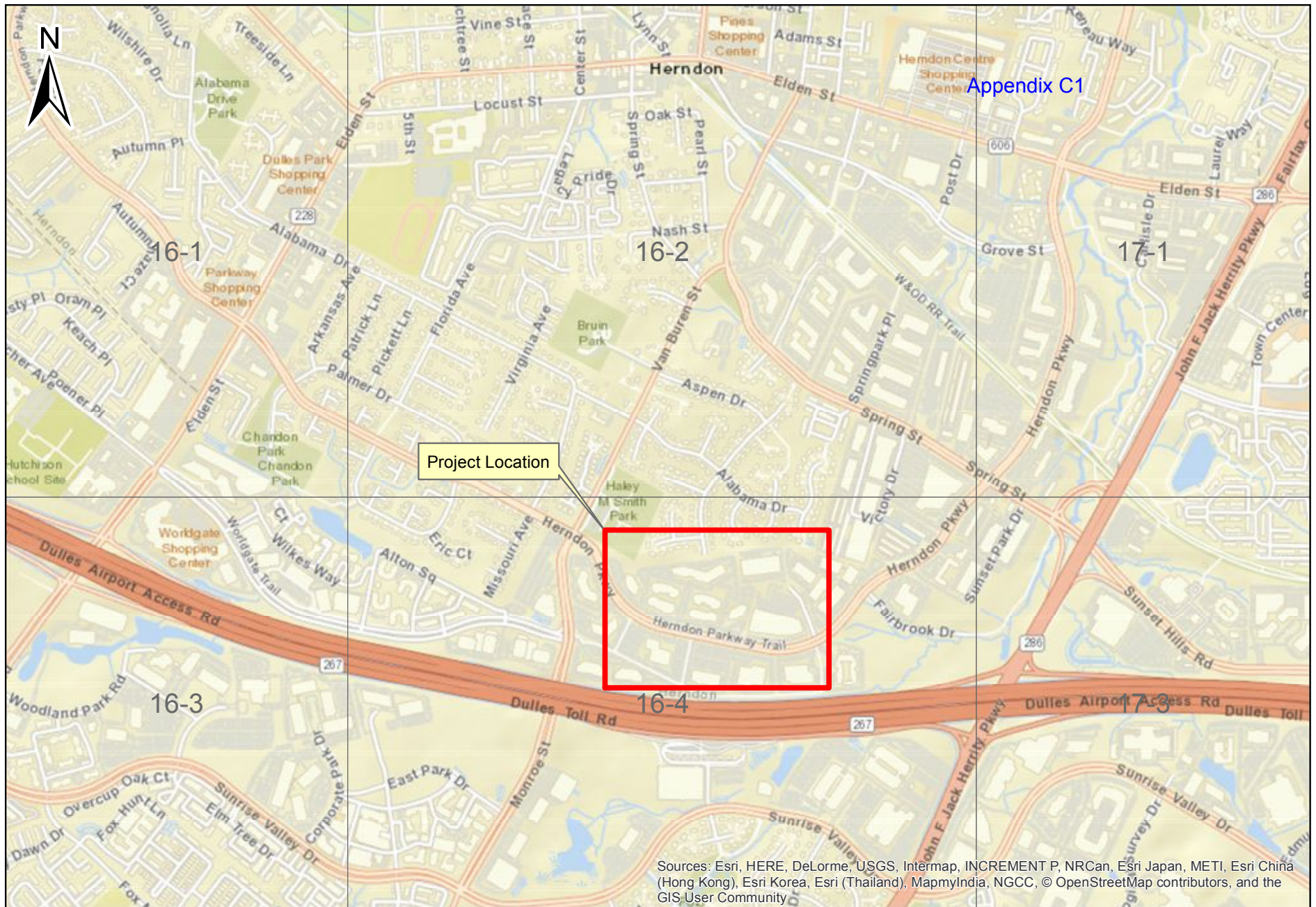
TRAIL TO HERNDON METRO
STATION

VAN BUREN STREET
INTERSECTION PLAN
TOWN OF HERNDON
DEPARTMENT OF PUBLIC WORKS
777 LYNN STREET
HERNDON, VA 20170

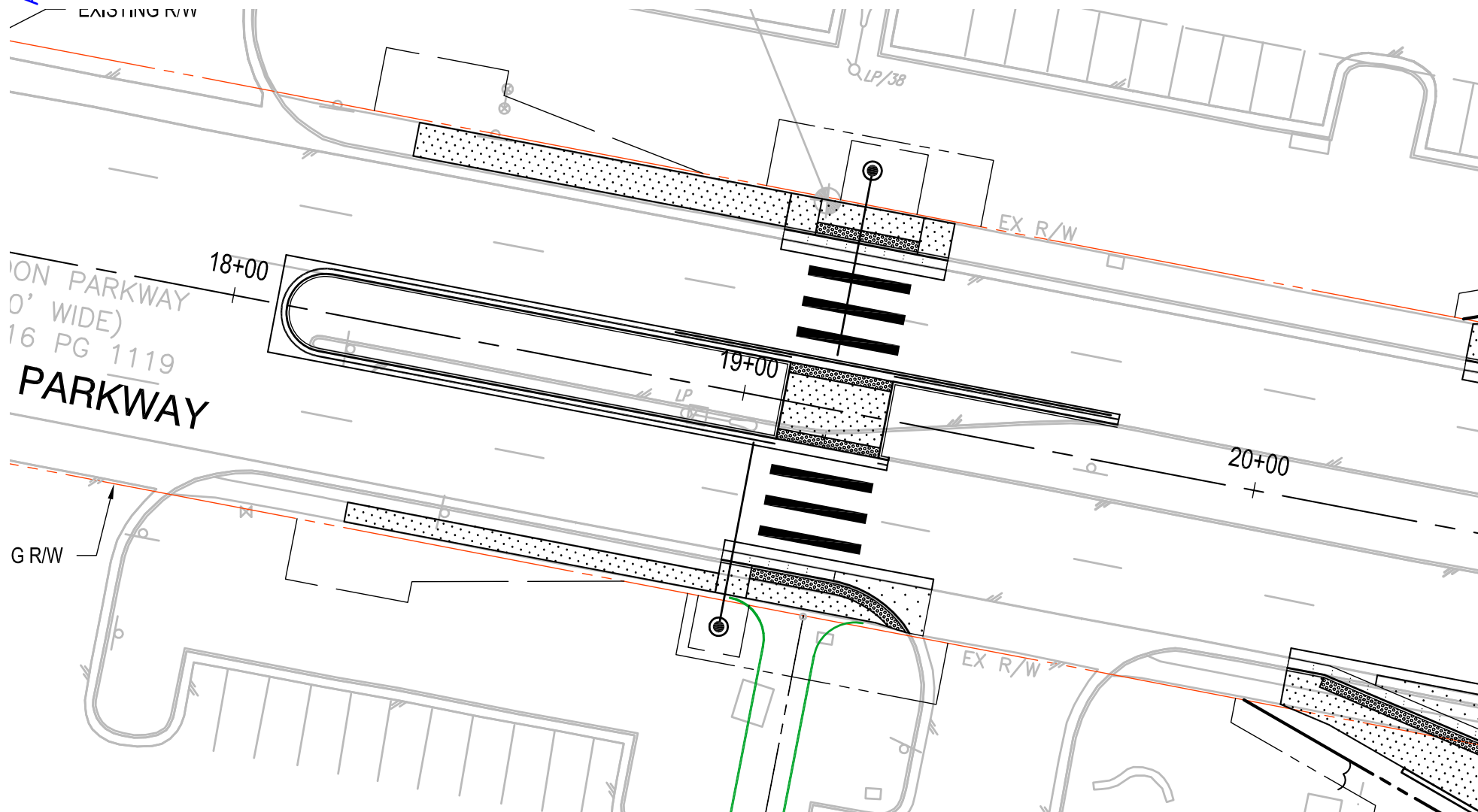
ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR
AND OWNERS MUST BE NOTIFIED OF ANY
DISCREPANCIES BEFORE PROCEEDING WITH WORK



PENNONI ASSOCIATES INC.
13880 Dulles Corner Lane, Suite 100
Herndon, VA 20171
T 703.449.6700 F 703.449.6713



Herndon Parkway/Herndon Metro Entrance North Signalized Crosswalk
Tax Map 16-4



Town of Herndon Resolution

REIMBURSEMENT REQUEST

Project Number: _____
Project Title: _____
Draw Request Number: _____

Date: _____, 20 ____

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 22033

This requisition is submitted in connection with the Project Agreement for Funding and Administration dated _____, 20____ (the "Agreement") between the Fairfax County Department of Transportation ("the Department") and the town of Herndon (the "Recipient Entity"). The Recipient Entity hereby requests \$ _____ of the Department, to pay the costs of the design for the pedestrian enhancement improvements (Project) set forth in the attached detailed Reimbursement Request form and in accordance with the Agreement.

The undersigned certifies (i) the amounts included within this requisition will be applied solely and exclusively for the payment or the reimbursement of the Recipient Entity's approved costs of the Project, (ii) the Recipient Entity is responsible for payment to vendors/contractors, (iii) the representations and warranties made by the Recipient Entity in the Agreement are true and correct as of the date of this Requisition and (iv) to the knowledge of the Recipient Entity, no condition exists under the Agreement that would allow the Department to withhold the requested advance.

RECIPIENT ENTITY

By: _____
Name: _____
Title: _____

Appendix E1

REIMBURSEMENT REQUEST

Project Number _____

Project Title: _____

Recipient Entity: _____

Request Number _____

Request Date _____

Request Amount _____

Table 1, SUMMARY

Project Type	Total Funds	Previous Amount Requested to Date*	Amount of This Request	Total Requested to Date	Balance FCDOT Funds
Design	\$ -	\$ -	\$ -	\$ -	\$ -
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
TOTALS	\$ -	\$ -	\$ -	\$ -	\$ -

* Enter amounts from "Total Requested to Date" column from the previous reimbursement request.

Table 2, LISTING OF ATTACHED INVOICES AND PROOF OF PAYMENT

Vendor/Contractor	Invoice Number	Item Number	Project Type	Invoice Total	FCDOT Funding Request
				\$ -	\$ -
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
Total				\$ -	\$ -

PROJECT DESIGN and ADMINISTRATION AGREEMENT

BETWEEN FAIRFAX COUNTY and the TOWN OF HERNDON

for the design of the Chandon Park Trail from Dulles Glen Apartments on Elden Street to Worldgate Drive GSG Residential Property.

THIS AGREEMENT, made and executed in duplicate on this the day of _____, 201____, ("Effective Date") between the COUNTY OF FAIRFAX, VIRGINIA (the "COUNTY") and the TOWN OF HERNDON, VIRGINIA (the "TOWN").

WITNESSETH

WHEREAS, the COUNTY'S Transportation Priorities Plan ("TPP"), approved on January 28, 2014, includes funding for the design, construction, and implementation of transportation multimodal improvements on the Chandon Park Trail, located in the TOWN and the COUNTY; as further described herein;

WHEREAS, the Fairfax County Board of Supervisors approved on December 8, 2015, the list of Herndon Metrorail Station Access Management Study ("HMSAMS") pedestrian and bicycle transportation projects, to be funded out of the County's Fiscal Years (FY) 2015 – FY 2020 TPP, as approved by the Board on January 28, 2014; and

WHEREAS, the COUNTY and the TOWN have agreed that the TOWN will perform or will engage third parties to perform, the design for transportation multimodal improvements on the Chandon Park Trail including but not limited to administration, scoping, surveying, preliminary engineering, and layout (the "Project"), substantially in accordance with the narrative scope shown in Appendix A ("Project Budget and Scope"); and

WHEREAS, the COUNTY and the TOWN agree to enter into this Agreement to set forth their respective obligations regarding the Project; and

WHEREAS, funds in the amount of \$500,000 as shown in Appendix A have been allocated by the COUNTY to finance the Project and constitute the maximum amount the COUNTY will contribute to the Project ("the COUNTY Contribution"); and

WHEREAS, the location of the transportation improvement beginning at the Dulles Glen Apartments located on Elden Street and concluding at Worldgate Drive GSG Residential Property, which is substantially depicted on the Fairfax County Real Property Identification Map as Tax Map No. _____, in Appendix B; and

WHEREAS, the TOWN'S governing body have, by resolution or documents as evinced by the entity's clerk's minutes, which are attached hereto as Appendices C, authorized their respective designees to execute this Agreement; and

WHEREAS, Section 15.2-1108 and Section 15.2-1202 of the Code of Virginia authorizes both the COUNTY, the Park Authority and the TOWN to enter into this agreement;

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

A. The TOWN shall:

1. Complete the work identified in Appendix A. All work shall be completed in accordance to scheduled activities established by all parties, and all applicable federal, state, and local laws and regulations, including but not limited to the Virginia Public Procurement Act.
2. Prepare all design aspects for the portion of the Project located within the COUNTY in accordance with all applicable design standards to include but not necessarily limited to Fairfax County Public Facilities Manual (<http://www.fairfaxcounty.gov/dpwes/publications/pfm/>).
3. Provide to the COUNTY detailed design plans and cost estimates of the Project.
4. Work with the County in good faith to resolve any design-related issues that may develop and provide any information that may be necessary for the Project.
5. Provide a quarterly summary report of progress and all Project expenditures in a format acceptable to the COUNTY.
6. Agree to monthly, or as needed, meetings with the designated COUNTY project manager to discuss design issues and Project progress.
7. The COUNTY reserves the right to request that the TOWN produce to the COUNTY additional information and/or documentation to substantiate the quarterly summary and any payments to be reimbursed by the County for the Project.
8. Obtain COUNTY approval before taking any action that modifies the scope of the Project which is described in Appendix A. Prior to approval for such modification, the TOWN understands that if the TOWN takes any steps to deviate from the approved scope described in Appendix A, the COUNTY may withdraw from the Project and will notify the TOWN of the COUNTY's decision to withdraw. Within 30 days after the COUNTY'S written notification of withdrawal, the TOWN shall reimburse to the COUNTY all Project monies provided to the TOWN for the Project by the COUNTY with interest from the date of payment by the COUNTY.
9. Provide to the COUNTY requests for payment consistent with Appendix A, containing detailed summaries of actual PROJECT costs incurred with supporting documentation as determined by the COUNTY and that certify all such costs were incurred in the performance of work for the PROJECT, as authorized by this Agreement. Each payment

requisition shall be in substantially the same form as set forth in Appendix D of this Agreement. If approved by the COUNTY, the TOWN can expect to receive payment within twenty (20) days upon receipt by the COUNTY. Approved payments may be made by means of electronic transfer of funds from the COUNTY to or for the account of the TOWN.

10. Be responsible for all unauthorized Project cost overruns that exceed the COUNTY Contribution of \$500,000 for the Project. The TOWN, in its sole discretion, may expend more than the COUNTY's Contribution for the Project, but the TOWN is responsible for all expenses above the approved COUNTY Contribution for the Project, whether such additional expenses are the result of cost overruns or TOWN enhancements or modifications.
11. Prior to authorizing any amount in excess of the COUNTY Contribution, notify the COUNTY of the proposed additional Project expenses, whether resulting from unanticipated circumstances or other causes, and provide the COUNTY with detailed estimates of the additional costs.
12. If required, be responsible for any necessary trail easement or right-of-way acquisition.
13. Submits quarterly summaries as referenced in Section A, Paragraph 4. Failure to submit a quarterly summary for six consecutive months shall constitute an intention to abandon the Project and a breach of the TOWN's obligations under this Agreement. Upon notification by the COUNTY to the TOWN of the failure to provide the required reports, the Town shall have 5 days to provide the required documents. Should the required summaries and or other supporting documentation not be provided, the TOWN will immediately return any amount of the COUNTY Contribution not expended, with interest, in accordance with this Agreement and concurrently transmit all invoices and records of payments related to the Project to the COUNTY.
14. Retain all invoices and all records of payments for any and all materials and services rendered for the Project for 3 years, and any related expenses for completion of the Project, and provide copies of any such invoices and records of payments to the COUNTY within ten business days after such request.
15. All the TOWN's contractors shall name the COUNTY as an additional insured on any insurance policy issued for the work to be performed for the Project by or on behalf of the TOWN for the Project and present the COUNTY with satisfactory evidence thereof before any work on the Project commences or continues.
16. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Order and the Code of Virginia relative to nondiscrimination.

17. Comply with all requirements of the Virginia Public Procurement Act and other applicable Virginia Code provisions, or local ordinances which govern the letting of public contracts.
- B. The County shall:
1. Provide funds for the Project in accordance with this Agreement the payment outlined in Appendix A.
 2. Review design plans and cost estimates and provide comments to the TOWN within 15 days after the receipt of the plans and cost estimates.
 3. Participate in monthly, or as needed, meetings with the designated TOWN project manager to discuss project progress.
- C. The parties shall:
1. Maintain all records for the Project for a period of not less than three years from Project completion. All such records shall be subject to audit by either party upon request.
 2. Work cooperatively to complete the Project in a timely and expeditious manner.
 3. Upon notification of discovery of any hazardous substances in or on the property, immediately confer to determine the scope of any investigation and requisite response action
 4. Meet and confer to resolve any dispute that may arise between the parties. Nothing herein limits the rights of either party to resolve disputes by means not described or provided for in this agreement.
 5. If, after the design phase agree that the Project should proceed to construction and completion, all funds remaining from this Agreement can be applied toward the construction and completion of the Project. If, however, the parties do not believe that the Project should proceed to construction and completion after the design phase, they shall meet and confer to discuss the use of any such remaining funds.
- D. All requirements for funds to be borne by the COUNTY shall be subject to annual appropriations by the Fairfax County Board of Supervisors
- E. Either party may terminate this Agreement by way of advance written notice no less than 45 days prior to awarding the contract to conduct design elements of the Project.
- F. THIS AGREEMENT shall not be construed as a waiver of the sovereign immunity of Fairfax County or the Town of Herndon.

- G. All notices under this Agreement shall be sent via U.S. Mail, postage prepaid, and email for Fairfax County to:

Tom Biesiadny
Director
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Tom.Biesiadny@fairfaxcounty.gov

Transportation Planner
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895

The Town of Herndon to

- H. THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors and assigns.
- I. THIS AGREEMENT may be modified in writing upon mutual agreement of both parties.
- J. THIS AGREEMENT shall not be construed as creating any personal liability on the part of any officer, employee, agent of the parties, nor shall it be construed as giving any rights or benefits to anyone other than the parties hereto.
- K. All provisions of this agreement shall be construed in accordance with the laws of Virginia.

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

COUNTY OF FAIRFAX, VIRGINIA:

Date

Typed or Printed Name of Signatory Date

Title Date

TOWN OF _____, VIRGINIA

Date

Typed or Printed Name of Signatory Date

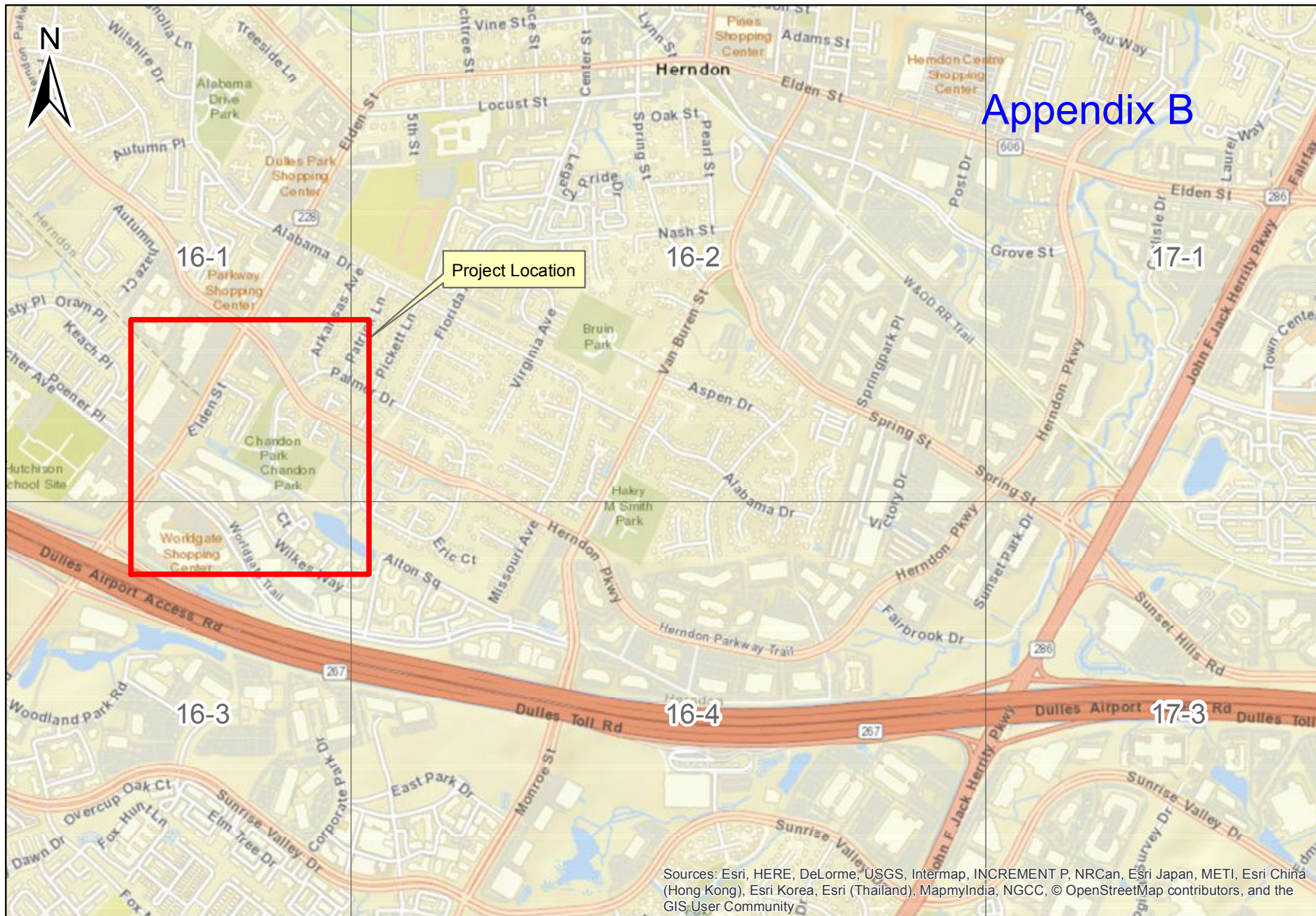
Title Date

Project Appendix – Narrative Scope

Construct shared use path/sidewalk through Chandon Park to Worldgate Drive GSG consisting of a shared use path with optional lighting, connecting existing walkways from the Dulles Glen Apartments to Worldgate Drive Trail.

Project Budget = \$500,000

HMSAMS Study Priority Recommendation #8 Pedestrian/#6 Bike North



Chandon Park to Worldgate Shared-Use Path
Tax Map 16-1 and 16-3

Town of Herndon Resolution

REIMBURSEMENT REQUEST

Project Number: _____
Project Title: _____
Draw Request Number: _____

Date: _____, 20 ____

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 22033

This requisition is submitted in connection with the Project Agreement for Funding and Administration dated _____, 20____ (the "Agreement") between the Fairfax County Department of Transportation ("the Department") and the town of Herndon (the "Recipient Entity"). The Recipient Entity hereby requests \$ _____ of the Department, to pay the costs of the design for the pedestrian enhancement improvements (Project) set forth in the attached detailed Reimbursement Request form and in accordance with the Agreement.

The undersigned certifies (i) the amounts included within this requisition will be applied solely and exclusively for the payment or the reimbursement of the Recipient Entity's approved costs of the Project, (ii) the Recipient Entity is responsible for payment to vendors/contractors, (iii) the representations and warranties made by the Recipient Entity in the Agreement are true and correct as of the date of this Requisition and (iv) to the knowledge of the Recipient Entity, no condition exists under the Agreement that would allow the Department to withhold the requested advance.

RECIPIENT ENTITY

By: _____
Name: _____
Title: _____

Appendix D1

REIMBURSEMENT REQUEST

Project Number _____

Project Title: _____

Recipient Entity: _____

Request Number _____

Request Date _____

Request Amount _____

Table 1, SUMMARY

Project Type	Total Funds	Previous Amount Requested to Date*	Amount of This Request	Total Requested to Date	Balance FCDOT Funds
Design	\$ -	\$ -	\$ -	\$ -	\$ -
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
TOTALS	\$ -	\$ -	\$ -	\$ -	\$ -

* Enter amounts from "Total Requested to Date" column from the previous reimbursement request.

Table 2, LISTING OF ATTACHED INVOICES AND PROOF OF PAYMENT

Vendor/Contractor	Invoice Number	Item Number	Project Type	Invoice Total	FCDOT Funding Request
				\$ -	\$ -
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
Total				\$ -	\$ -

FEASIBILITY STUDY AND PROJECT ADMINISTRATION AGREEMENT

BETWEEN FAIRFAX COUNTY and the TOWN OF HERNDON

for the feasibility and cost estimate study for transportation multimodal improvement projects at Herndon Parkway from W&OD Trail to Fairbrook Drive and Van Buren Street from W&OD Trail to the Monroe Street Bridge ("Project Locations").

THIS AGREEMENT, made and executed in duplicate on this the day of _____, 201____, ("Effective Date") between the COUNTY OF FAIRFAX, VIRGINIA (the "COUNTY"), and the TOWN OF HERNDON, VIRGINIA (the "TOWN").

WITNESSETH

WHEREAS, the COUNTY'S Transportation Priorities Plan ("TPP"), approved on January 28, 2014, includes funding for the design, construction, and implementation of transportation multimodal improvements at the Project Locations located in the TOWN and the COUNTY, as further described herein;

WHEREAS, the Fairfax County Board of Supervisors, approved on December 8, 2015, the list of Herndon Metrorail Station Access Management Study ("HMSAMS") and Reston Metrorail Access Group Phase 2 ("RMAG2") pedestrian and bicycle transportation projects, to be funded out of the County's Fiscal Years (FY) 2015 – FY 2020 TPP, as approved by the Board on January 28, 2014; and

WHEREAS, the COUNTY and TOWN have agreed that the TOWN will perform, or will engage third parties to study the feasibility of implementing transportation multimodal improvements at the Project Locations, including but not limited to administration, scoping, surveying, developing and delivery of the final report to the County (the "Project"), substantially in accordance with the narrative scope shown in Appendices A1 and A2 ("Project Budgets and Scopes"); and

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

WHEREAS, funds in the amount of \$350,000 as shown in Appendices A1 and A2 have been allocated by the COUNTY to finance the Project and constitute the maximum amount the COUNTY will contribute to the Project ("the COUNTY Contribution"); and

WHEREAS, it is anticipated that the study will encompass the area on Herndon Parkway from W&OD Trail to Fairbrook Drive, which is substantially depicted on the Fairfax County Real Property Identification Map as Tax Map Nos. 16-2, 16-4, 17-1, and 17-3 and described on the conceptual layout in Appendix B1; and

WHEREAS, a substantial amount of the feasibility study on Van Buren Street from W&OD Trail to the Monroe Street Bridge is complete and therefore it is anticipated that the study will incorporate missing sections of the trail yet to be studied, which are substantially depicted on the Fairfax County Real Property Identification Map as Tax Map No. 16-2 and 16-4_____, and described on the conceptual layout in Appendix C1; and

WHEREAS, the TOWN'S governing body have, by resolution or documents as evinced by the entity's clerk's minutes, which are attached hereto as Appendices D, authorized their respective designees to execute this Agreement; and

WHEREAS, Section 15.2-1108 and Section 15.2-1202 of the Code of Virginia authorizes both the COUNTY and the TOWN to enter into this agreement;

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

A. The TOWN shall:

1. Complete the work identified in Appendices A1 and A2. All work shall be completed in accordance to scheduled activities established by both parties, and all applicable federal, state, and local laws and regulations, including but not limited to the Virginia Public Procurement Act. Upon notice to the COUNTY, the TOWN may adjust the agreed upon schedule for any delays in the schedule due to unforeseen circumstances.
2. Provide to the COUNTY a detailed scope of the feasibility study and cost estimates.
3. Work with the County in good faith to resolve any feasibility-related issues that may arise and provide any information that may be necessary for the Project.
4. Provide a quarterly summary report of progress and Project expenditures in a format acceptable to the COUNTY.
5. Agree to monthly, or as needed, meetings with the designated COUNTY project manager to discuss feasibility-related issues and Project progress.
6. The COUNTY reserves the right to request that the TOWN produce to the COUNTY additional information and/or documentation to substantiate the quarterly summary and any payments to be made by the County for the Project.
7. Obtain COUNTY approval before modifying the scope of the Project which is described in Appendices A1 and A2. Prior to approval for such modification, the TOWN understands that if the TOWN takes any steps to deviate from the approved scope or indicates an intent not to complete the feasibility study as described in Appendices A1 and A2, the COUNTY may withdraw from the Project and will notify the TOWN of the County's

decision to withdraw. Within 30 days after the COUNTY'S notification of withdrawal, the TOWN shall reimburse to the COUNTY all monies provided to the Project by the COUNTY with interest from the date of payment by the County.

8. Provide to the COUNTY requests for payment consistent with Appendices A1 and A2, containing detailed summaries of actual PROJECT costs incurred with supporting documentation as determined by the COUNTY and that certify all such costs were incurred in the performance of work for the PROJECT, as authorized by this Agreement. Each payment requisition shall be in substantially the same form as set forth in Appendix E of this Agreement. If approved by the COUNTY, the TOWN can expect to receive payment within twenty (20) days upon receipt by the COUNTY. Approved payments may be made by means of electronic transfer of funds from the COUNTY to or for the account of the TOWN.

9. Be responsible for all Project cost overruns that exceed the COUNTY Contribution of \$350,000 for the Project. The TOWN, in its sole discretion, may expend more than the COUNTY'S Contribution for the Project, but the TOWN is responsible for all expenses above the COUNTY Contribution for the Project, whether such additional expenses are the result of cost overruns or TOWN enhancements or modifications.

10. Prior to incurring any amount in excess of the COUNTY Contribution, notify the COUNTY of additional Project expenses, whether resulting from unanticipated circumstances or other causes, and provide the COUNTY with detailed estimates of the additional costs.

11. Provide the COUNTY with 45 days' prior notice of its intent to enter into a contract related to the Project; and before the TOWN's letting of the feasibility study for the Project, forward the proposed contract to the COUNTY for review.

12. Perform, or engage third parties to perform and remit all payments for all work associated with the Project, to include administration cost and related activities for the Project as required.

13. Provide to the COUNTY a copy of the final report for the Project.

14. Submit quarterly summaries as referenced in Section A, Paragraph 3. Failure to submit a quarterly summary for six consecutive months shall evince the TOWN'S abandonment of its obligations under this Agreement. Upon notification by the COUNTY to the TOWN of such failure to provide the required summaries, the Town shall have 5 days to provide the required documents. Should the required summaries and or other supporting documentation not be provided by the Town, the TOWN will immediately return any amount of the COUNTY Contribution not expended, with interest, in accordance with

this Agreement and concurrently transmit all invoices and records of payments related to the Project to the COUNTY.

16. Retain all invoices and all records of payments for any and all materials and services rendered for the Project for 3 years, and any related expenses for completion of the Project, and provide copies of any such invoices and records of payments to the COUNTY within ten business days after such request.

17. All the TOWN's contractors shall name the COUNTY as an additional insured on any insurance policy issued for the work to be performed for the Project by or on behalf of the TOWN for the Project and present the COUNTY with satisfactory evidence thereof before any work on the Project commences or continues.

18. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Order and the Code of Virginia relative to nondiscrimination.

19. Comply with all requirements of the Virginia Public Procurement Act and other applicable Virginia Code provisions, or local ordinances which govern the letting of public contracts.

B. The County shall:

1. Provide funds to the TOWN for the Project in accordance with this Agreement the payment outlined in Appendices A1 and A2.
2. Review the scope of the feasibility study and cost estimates and provide comments to the TOWN within 15 days after the receipt of the draft documents and cost estimates.
3. Twenty days prior to the TOWN's letting of the feasibility study for the Project, remit the COUNTY reimbursement to the TOWN.
4. Participate in monthly, or as needed, meetings with the designated TOWN project manager to discuss project progress.

C. Both parties shall:

1. Maintain all records for the Project for a period of not less than three years from Project completion. All such records shall be subject to audit by either party upon request.
2. Work cooperatively to complete the Project in a timely and expeditious manner.

3. Meet and confer to resolve any dispute that may arise between the parties. Nothing herein limits the rights of either party to resolve disputes by means not described or provided for in this agreement.

D. All requirements for funds to be borne by the COUNTY shall be subject to annual appropriations by the Fairfax County Board of Supervisors

E. Either party may terminate this Agreement by way of advance written notice no less than 45 days prior to awarding the contract to conduct feasibility related elements of the Project.

F. Any portion of the COUNTY Contribution not spent or incurred as a debt to a third party prior to termination shall be returned to the COUNTY within 90 days of termination.

G. THIS AGREEMENT shall not be construed as a waiver of the sovereign immunity of Fairfax County or the Town of Herndon.

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

Tom Biesiadny
Director
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Tom.Biesiadny@fairfaxcounty.gov

Transportation Planner
Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895

The Town of _____ to

- I. THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors and assigns.
- J. THIS AGREEMENT may be modified in writing upon mutual agreement of both parties.
- K. THIS AGREEMENT shall not be construed as creating any personal liability on the part of any officer, employee, agent of the parties, nor shall it be construed as giving any rights or benefits to anyone other than the parties hereto.
- L. All provisions of this agreement shall be construed in accordance with the laws of Virginia.

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

COUNTY OF FAIRFAX, VIRGINIA:

Date

Typed or Printed Name of Signatory Date

Title

TOWN OF _____, VIRGINIA

_____	_____
	Date

_____	_____
Typed or Printed Name of Signatory	Date

_____	_____
Title	

Feasibility Study Narrative Scope

Construct bicycle and pedestrian improvements connecting the Washington & Old Dominion Trail to the area of Fairbrook Drive along Herndon Parkway, consisting of an improved access trail at the Washington & Old Dominion Trail connection to Herndon Parkway and a proposed shared use path along Herndon Parkway.

Feasibility/Cost Estimate Study Budget = \$100,000

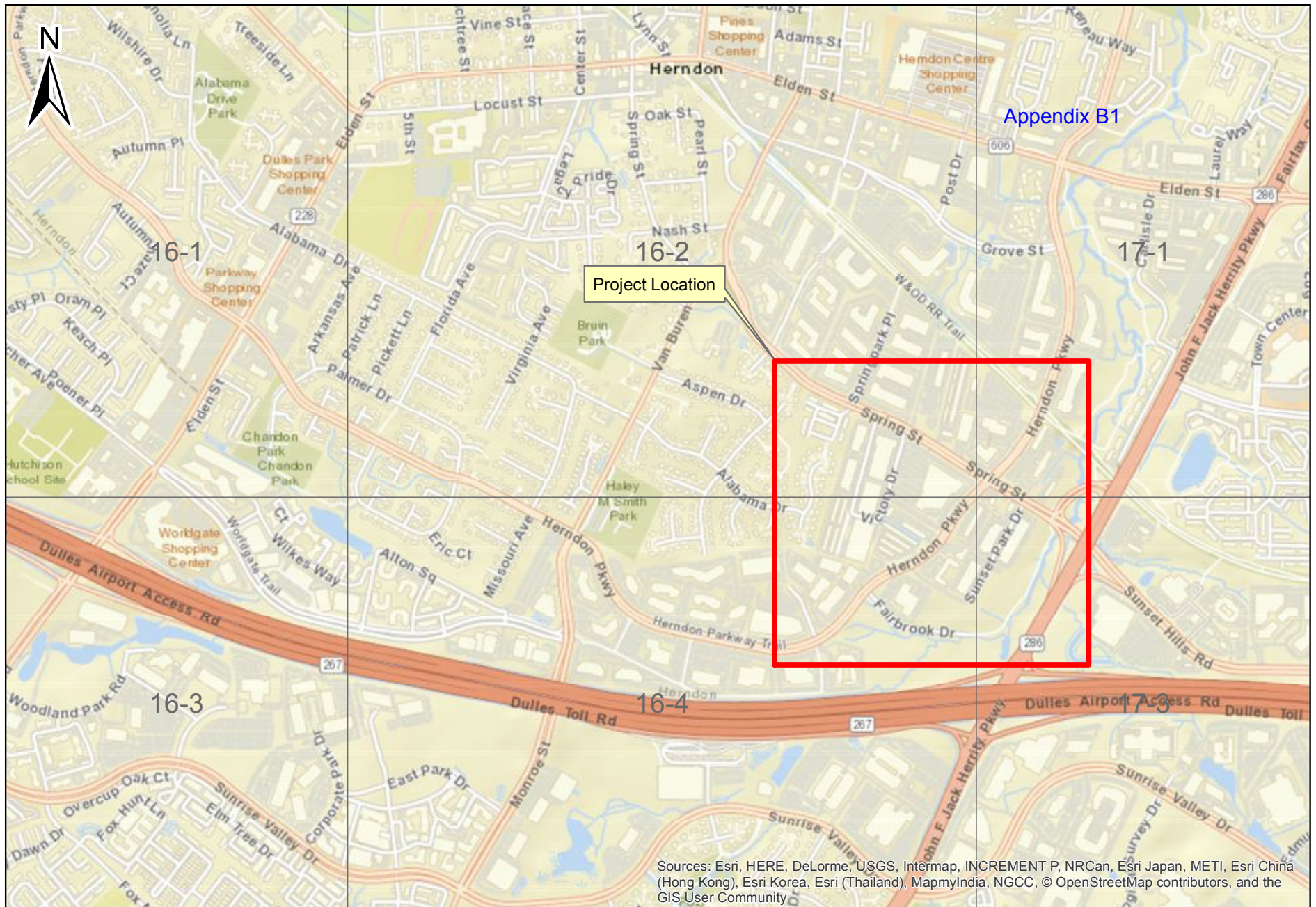
HMSAMS Study Priority Recommendation #6 Pedestrian and #1 Bicycle North

Feasibility Study Narrative Scope

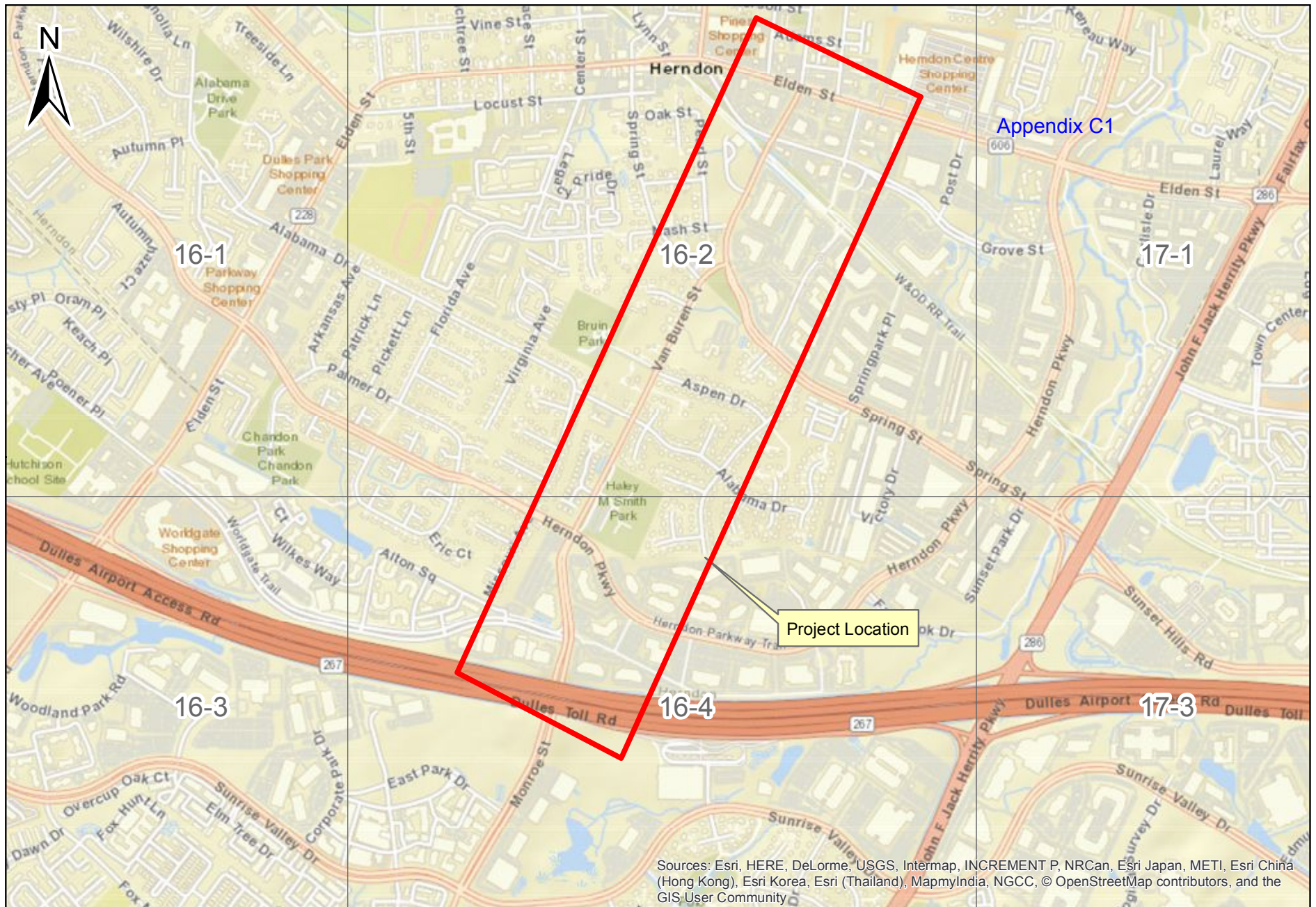
Reconstruct Van Buren Street with bicycle and pedestrian improvements from the area of the Washington & Old Dominion Trail to the area of the Monroe Street Bridge over the Dulles Access Road/Dulles Toll Road, consisting of on-road bike lanes, sidewalk(s), and associated closed-drainage system consistent with multi-modal complete streets urban streetscape.

Feasibility/Cost Estimate Study Budget = \$250,000

HMSAMS Study Priority Recommendation #2 Bicycle North



Herndon Parkway from W&OD Trail to Fairbrook Drive Shared-Use Path Feasibility/Cost Estimate Study
Tax Map 16-2, 16-4, 17-1, and 17-3



Van Buren Street from W&OD Trail to Monroe Street Bridge Reconstruction with Pedestrian and Bicycle Improvements
Feasibility/Cost Estimate Study - Tax Map 16-2 and 16-4

Town of Herndon Resolution

REIMBURSEMENT REQUEST

Project Number: _____
Project Title: _____
Draw Request Number: _____

Date: _____, 20 ____

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, Virginia 22033

This requisition is submitted in connection with the Project Agreement for Funding and Administration dated _____, 20____ (the "Agreement") between the Fairfax County Department of Transportation ("the Department") and the town of Herndon (the "Recipient Entity"). The Recipient Entity hereby requests \$ _____ of the Department, to pay the costs of the design for the pedestrian enhancement improvements (Project) set forth in the attached detailed Reimbursement Request form and in accordance with the Agreement.

The undersigned certifies (i) the amounts included within this requisition will be applied solely and exclusively for the payment or the reimbursement of the Recipient Entity's approved costs of the Project, (ii) the Recipient Entity is responsible for payment to vendors/contractors, (iii) the representations and warranties made by the Recipient Entity in the Agreement are true and correct as of the date of this Requisition and (iv) to the knowledge of the Recipient Entity, no condition exists under the Agreement that would allow the Department to withhold the requested advance.

RECIPIENT ENTITY

By: _____
Name: _____
Title: _____

Appendix E1

REIMBURSEMENT REQUEST

Project Number _____
 Project Title: _____
 Recipient Entity: _____

Request Number _____
 Request Date _____
 Request Amount _____

Table 1, SUMMARY

Project Type	Total Funds	Previous Amount Requested to Date*	Amount of This Request	Total Requested to Date	Balance FCDOT Funds
Design	\$ -	\$ -	\$ -	\$ -	\$ -
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
TOTALS	\$ -	\$ -	\$ -	\$ -	\$ -

* Enter amounts from "Total Requested to Date" column from the previous reimbursement request.

Table 2, LISTING OF ATTACHED INVOICES AND PROOF OF PAYMENT

Vendor/Contractor	Invoice Number	Item Number	Project Type	Invoice Total	FCDOT Funding Request
				\$ -	\$ -
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
				-	-
Total				\$ -	\$ -

ACTION – 5

Creation of a Reston Transportation Service District Advisory Board (Dranesville and Hunter Mill Districts)

ISSUE:

Board of Supervisors creation of a Reston Transportation Service District Advisory Board to work with Fairfax County staff and provide input to the Board of Supervisors on the annual tax rate for the Reston Transportation Service District; transportation project priorities funded all or in part by the Service District; and issues related to the Reston Road Fund.

RECOMMENDATION:

The County Executive recommends that the Board create a Reston Transportation Service District Advisory Board (Advisory Board), upon approval of the Reston Transportation Service District (Service District).

TIMING:

Board action on the Advisory Board is requested on April 4, 2017, after the conclusion of the public hearing to consider the adoption of an ordinance creating the Service District. If the Board adopts the ordinance and creates the Service District, the establishment of the Advisory Board will give the Board of Supervisors the opportunity to appoint a full complement of members no later than September 12, 2017. Appointments should be completed by that date so that the Advisory Board can provide input to the Board during the FY2019 Budget process.

BACKGROUND:

On February 28, 2017, the Board endorsed the Reston Transportation Funding Plan and authorized advertisement of an ordinance to create Reston Transportation Service District No. 1. The public hearing will be held on April 4, 2017, at 2:00 p.m. The purpose of the Service District is to generate revenue to fund transportation improvements identified in the Reston Phase I Comprehensive Plan Amendment approved by the Board of Supervisors on February 11, 2014, and the Reston Transportation Funding Plan. The improvements will be constructed over the next 40 years. Staff recommends that if a Service District is created, the Board should establish an advisory board to provide input on the annual tax rate for the Service District, the transportation project priorities funded all or in part by the Service District tax, and project implementation schedules. In addition, staff recommends that the advisory board may provide input on the annual adjustment of road fund rates generating revenue for the grid of streets network.

To ensure a sustainable balance between development and transportation and infrastructure, staff, with input from the Advisory Board, will periodically update the Reston Transportation Funding Plan (Funding Plan), endorsed by the Board of Supervisors on February 28, 2017, to review priorities, construction schedules, and project cash flows analyses for the grid of streets and intersection improvements. The Funding Plan review will be based on the most current data and information available at the time of the review. This review should incorporate participation from the Advisory Board. These reviews are intended to ensure that the estimated funding levels for such improvements are coordinated with the anticipated construction spending and the timing of construction; that the funding is being spent in an appropriate and efficient manner; and that the pace of the transportation improvements and the pace of the residential and non-residential development are proceeding substantially in tandem.

As a part of implementing the aforementioned recommendations, staff recommends that the Advisory Board include representation from both magisterial districts and a cross section of stakeholders in the Reston area. The Advisory Board would consist of ~~13~~ **12** members:

- One member from the Dranesville District;
- Two members from the Hunter Mill District;
- Three members to represent residential owners and homeowner/civic associations;
- One member to represent apartment or rental owner associations;
- Three members to represent commercial or retail ownership interests;
- One member from the Reston Chamber of Commerce to represent lessees of non-residential space;
- One member from the Reston Association;
- ~~— One member from the Reston Town Center Association.~~

Summary of Previous Actions Related to Reston Transportation Improvements

On February 11, 2014, the Board of Supervisors adopted the Reston Phase I Comprehensive Plan Amendment (CPA). This amendment included revised land use and additional transportation facilities for the three Reston Transit Station Areas (TSAs): Wiehle-Reston East, Reston Town Center, and Herndon.

The CPA optimizes development opportunities associated with the availability of mass transit, while maintaining the stability of existing land uses outside of the TSAs. The TSA designation allows a mixture of residential, office, retail and other commercial uses and provides opportunities for joint public-private development.

The CPA envisions these revised land uses will be served by a multimodal transportation system. To support that vision, the CPA recommended multimodal

roadway improvements, a grid network, intersection improvements, and supporting transit service.

After the Board's action, the Hunter Mill District Supervisor appointed a Reston Network Analysis Advisory Group (Advisory Group) to refine the transportation network included in the CPA and assist in developing the funding plan. The Advisory Group served as a diversified stakeholder group representing various interests in Reston.

As directed by the Board, FCDOT staff solicited community feedback, through the Advisory Group and the larger community, on the funding structure for the necessary transportation improvements. As a result of this multi-year process, FCDOT staff, and the Advisory Group agreed that the transportation improvements should be funded through a combination of proffer and service district revenue streams.

Staff prepared the proposed Funding Plan in a manner that balances the feedback received. The Board endorsed the Funding Plan on February, 28, 2017. The main aspects of the Funding Plan are as follows:

- The Funding Plan has three categories of improvements:
 - Roadway Improvements;
 - Intersection Improvements; and
 - A Grid of Streets Network.
- Staff assumed that existing transit resources in Reston and Herndon will be re-allocated to increase feeder and circulation service when Phase II of the Metrorail Silver Line opens. As a result, no additional funding in transit was included in the Funding Plan.
- Primary responsibility for funding of Roadway Improvements will come from public revenue sources such as federal, state, regional, and local funding allocated by the County for use on countywide transportation projects.
- Primary responsibility for funding the Grid Network and Intersection Improvements will come from private revenue sources, such as revenues generated within the Reston TSAs and used exclusively for projects in the Reston TSAs. The private funding comprises:
 - Actual construction of grid segments by developers with new development or redevelopment, donation of right-of-way, and/or services.
 - Road Fund: pooled cash proffers on a per residential unit or per commercial square foot basis of new development for use on the Grid Network.
 - Initial recommended rate per residential dwelling unit: \$2,090
 - Initial recommended rate per commercial square foot: \$9.56
 - Service District (to be created): ad-valorem tax, a tax per \$100 of assessed value, on all properties within the Reston TSAs.
 - Rate per \$100 of assessed value: \$0.021

Immediately after approving the Funding Plan on February 28, 2017, the Board approved the Road Fund Guidelines and authorized advertisement of a public hearing for the Service District.

With the creation of the Service District, Board may then levy and collect an annual tax upon the property in the Service District that is subject to local taxation. See Va. Code Ann. § 2.2-2403(6) (Supp. 2016). A Service District tax rate of \$0.021 per \$100 of assessed value is included as part of the FY 2018 Advertised Budget Plan for Board consideration as part of the FY 2018 Adopted Budget Plan.

The County will conduct an annual review of the status of projects related to the Funding Plan, yearly tax rates, prioritization of projects and their timing, and the pace of construction as related to new development. Staff recommends that an Advisory Board be created to advise the Board on such matters.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

None.

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Todd Wigglesworth, Chief, Coordination and Funding Division, FCDOT
Ray Johnson, Senior Transportation Planner, FCDOT
Janet Nguyen, Transportation Planner, FCDOT

ASSIGNED COUNSEL:

Erin C. Ward, Senior Assistant County Attorney
Patricia Moody McCay, Assistant County Attorney

ACTION - 6

Endorsement of a Letter to the Governor in Support of Virginia Railway Express

ISSUE:

Board endorsement of a letter proposed by the Virginia Railway Express (VRE) in support of dedicated funding for VRE to sustain current and future operations and capital improvements.

RECOMMENDATION:

The County Executive recommends that the Board endorse a letter to the Governor (Attachment 1), as proposed by the Chief Executive Officer (CEO) of the VRE which supports efforts to dedicate and secure a funding source for VRE. VRE needs this funding to continue to provide this valuable commuter service and help to meet its growing demand.

TIMING:

The Board should act on this item on April 4, 2017, so that it can be sent to the Governor along with letters of support on April 28, 2017, from the VRE CEO and other VRE member jurisdictions.

DISCUSSION:

The VRE Chief Executive Officer presented a draft letter to the Governor in support of the VRE to the VRE Operations Board on March 17, 2017. The purpose of the letter is to address the issue of a shortfall of funds VRE will incur in the very near future that are used to sustain existing and future operations and to provide capital improvements and state-of-good repair to equipment and facilities. The anticipated shortfall is primarily attributed to lower than budgeted federal and state operating and capital revenue to VRE, and limited local funding contributions, and fare revenues. This situation makes it difficult to maintain the existing service or expand the service.

The CEO drafted a letter from the VRE to the Governor and requested that all member jurisdictions of VRE also write a letter of support to address this financial crisis. The VRE Operations Board, including Chairman Sharon Bulova and Supervisor John Cook, agreed at the March 17, 2017, meeting to assist in this matter and send a letter from the Board of Supervisors in support of VRE.

The letter also includes assistance requested for other transit entities that the County provides, including needs for the Washington Metropolitan Area Transit Authority (WMATA), and the Fairfax Connector. All of these services, VRE, WMATA, and the Connector, complement each other and help provide the citizens of Fairfax County greater mobility and transportation options.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

ENCLOSED DOCUMENTS:

Attachment I: Letter to Governor Re: Funding for the Virginia Railway Express (VRE)

Attachment II: Letter to Governor Re: Funding for Transit Services

STAFF:

Robert A. Stalzer, Deputy County Executive

Tom Biesiadny, Director, Department of Transportation, FCDOT

Todd Wigglesworth, Division Chief, Coordination and Funding Division, FCDOT

Dwayne Pelfry, Division Chief, Transit Services Division, FCDOT

Mike Lake, Senior Transportation Planner, Coordination and Funding Division, FCDOT

Noelle Dominguez, Senior Transportation Planner, Coordination and Funding Division, FCDOT



SHARON BULOVA
CHAIRMAN

COMMONWEALTH OF VIRGINIA
County of Fairfax
BOARD OF SUPERVISORS

12000 GOVERNMENT CENTER PKWY
SUITE 530
FAIRFAX, VIRGINIA 22035-0071
TELEPHONE: 703/324-2321
FAX: 703/324-3955
TTY: 711

chairman@fairfaxcounty.gov

April 4, 2017

The Honorable Terence R. McAuliffe
Governor of Virginia
P.O. Box 1475
Richmond, Virginia 23218

Reference: Funding for the Virginia Railway Express

Dear Governor McAuliffe:

On behalf of the Fairfax County Board of Supervisors, I write in support of efforts to address the funding needs of the Virginia Railway Express (VRE) to ensure the commuter rail system has the resources to continue to provide this valuable service, meet growing demand and further reduce congestion in our major corridors. The Board is also sending a letter in regards to other transit needs in separate correspondence.

As you are aware, the transportation needs in Fairfax County and the Commonwealth are vast. One vital component of our transportation infrastructure is the VRE. The residents of Fairfax County rely on VRE to provide a safe, reliable commuting option. With nearly 20,000 riders per day, approximately ten percent of which board in Fairfax County, VRE service provides the equivalent capacity of another lane of traffic on I-95/395 and I-66 during peak commuting times. VRE has performed a financial analysis which demonstrates that, over the next 20 years, an average increased annual investment of \$45 million per year will be needed to maintain the current level of service. The analysis also shows that an additional investment of approximately \$15 million per year above that amount is needed for VRE to expand its system to meet growing ridership demands. Earlier this year, the Commonwealth Transportation Board Rail Committee published a report that confirmed this analysis.

Fairfax County provides local funding to subsidize a substantial share of VRE's costs, on average \$5M annually from our General Fund, with a substantial increase projected in the near future given the scenario presented above. This will be difficult to sustain given the County's overall financial situation. Further, VRE riders contribute over 50 percent of the cost to operate the service through their fares, and fares are projected to increase by a minimum of three percent every other year. This source of revenue is also unsustainable, since fares will reach a tipping point where the system will lose riders and seek less expensive commuting alternatives.

Fairfax County supports VRE's efforts to explore long-term, dependable funding sources for both existing and future operations and capital costs to help meet the system's financial challenges. Without dedicated support from the Commonwealth, the analysis shows that VRE would need to reduce service, and eventually shut down its operations.

The Honorable Terence R. McAuliffe
April 4, 2017
Page Two

Thank you very much for your consideration of additional transit funding. If you have any questions or need additional information, please call me at (703) 324-2321 or have your staff contact Mike Lake with the Fairfax County Department of Transportation at (703) 877-5666.

Sincerely,

Sharon Bulova
Chairman

cc: Members, Fairfax County Board of Supervisors
The Honorable Aubrey L. Layne, Jr., Secretary of Transportation, Commonwealth of Virginia
The Honorable Jennifer Mitchell, Director, Virginia Department of Rail and Public Transportation
Edward L. Long Jr., County Executive
Robert A. Stalzer, Deputy County Executive
Catherine A. Chianese, Assistant County Executive
Tom Biesiadny, Director, Department of Transportation
Claudia Arko, Legislative Director
Noelle Dominguez, Legislative Liaison, Fairfax County Department of Transportation



SHARON BULOVA
CHAIRMAN

COMMONWEALTH OF VIRGINIA
County of Fairfax
BOARD OF SUPERVISORS

12000 GOVERNMENT CENTER PKWY
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TTY: 711

chairman@fairfaxcounty.gov

April 4, 2017

The Honorable Terrance R. McAuliffe
Governor of Virginia
P.O. Box 1475
Richmond, Virginia 23218

Reference: Funding for Transit Services

Dear Governor McAuliffe:

On behalf of the Fairfax County Board of Supervisors, I write in support of efforts to address the funding needs for transit service in Fairfax County and throughout the Commonwealth, to ensure that transit systems have the resources needed to continue to provide this valuable service, meet growing demand and further reduce congestion in Northern Virginia. While our comments below are related to the Fairfax Connector and the Washington Metropolitan Area Transit Authority (WMATA), a separate letter is being provided directly related to the needs of the Virginia Railway Express (VRE).

As you are aware, the transportation needs in Fairfax County and the Commonwealth are vast. Our residents and workers must utilize all modes of transportation in their daily lives. In 2015, the General Assembly began to address the significant reduction in state transit funding expected to occur in 2018, due to the depletion of transportation bonds. The General Assembly also established the Transit Capital Project Revenue Advisory Board to examine the effects of the loss of state transit capital funds and identify additional sources of revenue. The County supports additional efforts to fully address this impending deficit in transit funding before FY 2018, to ensure that transit systems continue to receive the state resources needed to provide critical services.

One vital component of our transportation infrastructure in Fairfax County is the Fairfax Connector. The Connector currently has 85 routes throughout the County, providing service to approximately 30,000 passengers daily. The County is investing significantly in transportation infrastructure improvements to improve efficiencies and allow for increased capacity of services. The Connector Transit Development Plan provides strategic guidance on new and revised services that will reduce reliance on single occupant vehicles and promote utilization of bus and regional rail services, including the Metrorail and the Virginia Railway Express. The Connector will need additional sources of operating and capital funds to maintain a state of good repair and implement services in key travel corridors.

Discussion regarding funding for transit systems must also include WMATA. The County continues to support WMATA's efforts to enhance the safety and security of the system and its riders, through adequate funding and oversight. Throughout the past two years, extensive discussions have been undertaken regarding WMATA's safety and governance. As part of this endeavor, the County supported the legislation during the 2017 General Assembly session establishing the Metrorail Safety Commission (MSC), as well as

The Honorable Terrance R. McAuliffe
April 4, 2017
Page Two

legislative proposals pertaining to the undertaking of a review of the WMATA Compact and entering into discussions with the District of Columbia and Maryland to identify possible improvements to the agreement, particularly with regard to the governance, financing, and operation of WMATA. While focusing on safety and state of good repair, we believe the region must also work to address future capacity needs as population growth in the coming decades will place even more pressure on a Metro system that is already nearing capacity. Further, improvements to the system's core capacity are needed as well. Sufficient state support of Metro is needed to address state of good repair and help accommodate additional growth in Fairfax County and Northern Virginia. This growth is important for the entire Commonwealth.

The majority of Fairfax County transit riders have vehicles available to them. An underfunding of transit would result in more commuters on the road, and if these commuters switched to driving, exacerbating the region's substantial traffic congestion, which is already considered among the worst in the nation. WMATA, Connector, and Virginia Railway Express (VRE) service is critical for the County and the nation, as we are at a juncture when all levels of government should be promoting public transit ridership for the enhanced benefits related to congestion, environment, energy, and the economy. Fairfax County, along with localities throughout the state, continues to provide millions in local funds for transportation each year, and the County and the Commonwealth must continue to work together to ensure that infrastructure needs are met, maximizing the benefits to the transportation system.

Thank you very much for your consideration of additional transit funding. If you have any questions or need additional information, please call me at (703) 324-2321 or have your staff contact Noelle Dominguez with the Fairfax County Department of Transportation at (703) 877-5665.

Sincerely,

Sharon Bulova
Chairman

cc: Members, Fairfax County Board of Supervisors
The Honorable Aubrey L. Layne, Jr., Secretary of Transportation, Commonwealth of Virginia
The Honorable Jennifer Mitchell, Director, Virginia Department of Rail and Public Transportation
Edward L. Long Jr., County Executive
Robert A. Stalzer, Deputy County Executive
Catherine A. Chianese, Assistant County Executive
Tom Biesiadny, Director, Department of Transportation
Claudia Arko, Legislative Director
Mike Lake, Senior Transportation Planner, Fairfax County Department of Transportation

Board Agenda Item
April 4, 2017

INFORMATION - 1

Consolidated Plan Certification for the Fairfax County Redevelopment and Housing Authority Moving to Work Annual Plan for Fiscal Year 2018

On May 4, 2017, the Fairfax County Redevelopment and Housing Authority (FCRHA) is expected to give final approval for the submission of its Moving to Work Annual Plan for Fiscal Year 2018 to the U.S. Department of Housing and Urban Development (HUD). Certification that the plan is consistent with the Fairfax County Consolidated Plan is part of the required submission due to HUD by May 5, 2017. County policy requires that the Board of Supervisors (Board) be informed of Consolidated Plan certifications.

The Moving to Work Annual Plan articulates the FCRHA's mission for serving the housing needs of low-income and very low-income households, and the FCRHA's strategy for addressing those needs. The plan is presented in a HUD-mandated format and has had extensive review by the FCRHA and the public. The FCRHA made the plan available for public comment from March 1, 2017 through April 3, 2017 and held the required public hearing on March 23, 2017.

The draft Moving to Work Annual Plan, as released by the FCRHA, is available at www.fairfaxcounty.gov/rha.

Unless directed otherwise by the Board, the County Executive will sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Moving to Work Annual Plan for Fiscal Year 2018 to be submitted to HUD.

ENCLOSED DOCUMENTS:

Attachment 1: Certification of Consistency with the Consolidated Plan

STAFF:

Patricia Harrison, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development (HCD)
Vincent Rogers, Director, FCRHA Policy, Reporting and Communications (PRC), HCD
Elisa Johnson, Associate Director, PRC, HCD

ASSIGNED COUNSEL:

Ryan Wolf, Assistant County Attorney

**Certification of Consistency
with the Consolidated Plan****U.S. Department of Housing
and Urban Development**

Attachment 1

I certify that the proposed activities/projects in the application are consistent with the jurisdiction's current, approved Consolidated Plan.
(Type or clearly print the following information:)

Applicant Name: _____

Project Name: _____

Location of the Project: _____

_____Name of the Federal
Program to which the
applicant is applying: _____Name of
Certifying Jurisdiction: _____Certifying Official
of the Jurisdiction
Name: _____

Title: _____

Signature: _____

Date: _____

INFORMATION - 2

Contract Award – Methadone Clinic Services

In November 2016, the Department of Procurement and Material Management (DPMM) issued a Request for Proposal (RFP2000001857), on behalf of the Fairfax – Falls Church Community Services Board (CSB), for the provision of methadone/suboxone detoxification clinic services, on an as needed basis, for patients, primarily pregnant women, referred by the CSB or other Fairfax County agencies.

The County received two proposals in response to the RFP. The Selection Advisory Committee (SAC), appointed by the County Purchasing Agent, evaluated the proposals in accordance with the criteria established in the RFP. The SAC requested and conducted informal discussions with both offerors. After reviewing all of the information, the SAC conducted negotiations and recommended contract award to the highest ranking and most qualified offeror, City of Alexandria, for the provision of the services. Since 2002, the County has contracted with the City of Alexandria to perform methadone clinic services.

The Department of Tax Administration has verified that the selected firm is not required to have a Fairfax County Business, Professional, and Occupational License (BPOL).

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award this contract to City of Alexandria. This contract will begin on July 1, 2017 and terminate on June 30, 2020, with the option for an additional two (2) year period based on satisfactory contractor performance and if agreeable to all parties. The total estimated amount of this contract over the entire life of the contract is approximately \$750,000.

FISCAL IMPACT:

The Fairfax – Falls Church Community Services Board will have approximately \$150,000 in funds budgeted for Fiscal Year 2018 for the methadone clinic services purchased for eligible patients.

ENCLOSED DOCUMENTS:

Attachment 1 – List of Offerors

STAFF:

Cathy Muse, Director, Department of Procurement and Material Management
Lee Ann Pender, Acting Director, Department of Administration for Human Services
Tisha Deeghan, Director, Fairfax – Falls Church Community Services Board

List of Offerors

Name	SWAM Status
City of Alexandria	Large
Fairfax Methadone Treatment Center	Small

INFORMATION - 3

Contract Award - Physical Examinations and Medical Evaluations

In December 2016, the Department of Procurement and Material Management (DPMM) issued a Request for Proposal (RFP2000002041), on behalf of the Department of Human Resources (DHR), for the provision of physical examinations and medical evaluations for Fairfax County Government (FCG) and Fairfax County Public Schools (FCPS).

The County received one proposal in response to the RFP. The Selection Advisory Committee (SAC), appointed by the County Purchasing Agent, evaluated the proposal in accordance with the criteria established in the RFP. The SAC conducted negotiations and recommended contract award to the sole offeror, Inova Health Care Services (Inova). The County has contracted with Inova since 2010 to perform physicals and exams for employees of the County and FCPS as outlined below.

This contract will be used by DHR and FCPS to meet requirements on an as-needed basis for the following services:

- a. Physical examinations, pre-employment, annual, and periodic testing, for non-public safety applicants and employees;
- b. Fitness for duty examinations;
- c. Medical evaluations for FCPS members on disability retirement;
- d. Department of Transportation physical examination.

The Department of Tax Administration has verified that the selected offeror is not required to have a Fairfax County Professional and Occupational License (BPOL).

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award this contract to Inova Health Care Services. This contract will begin on May 1, 2017 and terminate on April 30, 2022. The total estimated amount of this contract over five years is \$1.5 million.

FISCAL IMPACT:

Services for this contract are estimated at \$300,000 annually (\$90,000 for FCG and \$210,000 for FCPS). Funding will be available from FCG department budgets as appropriated annually.

ENCLOSED DOCUMENT:

Attachment 1 – List of Offerors

STAFF:

Joseph Mondoro, Chief Financial Officer

Cathy A. Muse, Department of Procurement and Material Management

Catherine Spage, Director, Department of Human Resources

List of Offerors

Name	SWAM Status
Inova Health Care Services	N/A

INFORMATION - 4

Contract Award – Compensation Consulting Services

In January 2016, the Department of Procurement and Material Management (DPMM) issued a Request for Proposal (RFP2000001861), on behalf of the Department of Human Resources (DHR), for the provision of Compensation Consulting Services.

The County received eight proposals in response to the RFP. The Selection Advisory Committee (SAC), appointed by the County Purchasing Agent, evaluated the proposals in accordance with the criteria established in the RFP, and selected the top three ranked offerors for negotiations. The SAC recommended award of the contract to the highest ranking firm offering the best overall proposal, Korn Ferry Hay Group, Inc.

This contract will be used by DHR to meet requirements for consulting services tasks on an as-needed basis for a variety of compensation programs, including but not limited to:

- a. Pay range evaluation;
- b. Broad banding or other alternative pay range options;
- c. Classification;
- d. Salary Surveys;
- e. Market Pricing and Analysis;
- f. Executive Pay and Perquisites;
- g. Compensation Strategy;
- h. Compensation Administration;
- i. Strategic Communication and Training

The Department of Tax Administration has verified that the selected firm is not required to have a Fairfax County Business, Professional, and Occupational License (BPOL).

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award this contract to Korn Ferry Hay Group, Inc. to provide compensation consulting services. The base term of the contract is two years with the option to renew for an additional three (3) one-year periods, based on satisfactory contractor performance and, if agreeable to all parties. The estimated total value of this contract is approximately \$2,500,000.

FISCAL IMPACT:

The consulting services under this contract will be provided on an as-needed basis. The total cost is not expected to exceed \$500,000 annually.

Board Agenda Item
April 4, 2017

ENCLOSED DOCUMENTS:
Attachment 1 – List of Offerors

STAFF:
Joseph Mondoro, Chief Financial Officer
Cathy A. Muse, Director, Department of Procurement and Material Management
Catherine Spage, Director, Department of Human Resources

List of Offerors

Name	SWAM Status
Korn Ferry Hay Group, Inc.	Large
Gallagher Benefit Services, Inc.	Large
The Segal Company Inc., Segal Waters Consulting	Large
Deloitte Consulting, LLP	Large
Fahrenheit HR, LLC	Small
The Frank & Wheeler Group, LLC	Small
Management Advisory Group, Inc.	Small, Women-Owned
Mercer	Large

Board Agenda Item
April 4, 2017

10:10 a.m.

Matters Presented by Board Members

11:00 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. *Fairfax County Board of Supervisors v. CoxCom, LLC, d/b/a Cox Communications*, Case No. CL-2017-0003786 (Fx. Co. Cir. Ct.)
 - 2. IRS Issuance of Determination Letters Requalifying County's Retirement Systems As Tax-Exempt
 - 3. *Justin C. Cuffee v. Fairfax County*, Case No. 1:16-cv-584 (E.D. Va.)
 - 4. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Fairfax Court Limited Partnership and Sangria Café, Inc.*, Case No. CL-2014-0011240 (Fx. Co. Cir. Ct.) (Braddock District)
 - 5. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Sumati Krishnan*, Case No. CL-2017-0000908 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Larissa Omelchenko Taran*, Case No. GV16-023308 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
 - 7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran*, Case No. GV16-023311 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

8. *Jonathan Clark and Carolyn Clark v. Fairfax County Board of Supervisors and Leslie B. Johnson, Zoning Administrator, and Jonathan Clark and Carolyn Clark v. Virginia Department of Housing and Community Development, State Building Code Technical Review Board and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia*, Record No. 161151 (Va. Sup. Ct.) (Mason District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. A. Brian Bartlett*, Case No. CL-2015-0011709 (Fx. Co. Cir. Ct.) (Providence District)
10. *Gary S. Pisner v. Fairfax County Board of Zoning Appeals*, Record No. 151793 (Va. Sup. Ct.) (Springfield District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lloyd G. Strickland*, Case No. CL-2016-0008753 (Fx. Co. Cir. Ct.) (Springfield District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yongchao Wang and Equity Trust Company, Custodian FBO Shujun Ding IRA*, Case No. CL-2016-0001188 (Fx. Co. Cir. Ct.) (Sully District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James G. Miller, Trustee of the James G. Miller Living Trust, and Atlantic Construction Fabrics, Inc.*, Case No. CL-2009-0002430 (Fx. Co. Cir. Ct.) (Sully District)

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Board Agenda Item
April 4, 2017

2:00 p.m.

Public Hearing on the Proposed Creation of a Reston Transportation Service District
(Hunter Mill and Dranesville Districts)

ISSUE:

Public hearing to consider the creation of a Reston Transportation Service District (Service District) within Fairfax County. The Service District would encompass the area within the Reston Transit Station Areas (TSAs): Wiehle-Reston East, Reston Town Center, and Herndon, as set forth in the Comprehensive Plan, 2013 Edition, Area III - Reston, as Amended through October 20, 2015, and as shown in Attachment 1.

RECOMMENDATION:

The County Executive recommends that the Board adopt the ordinance set forth in Attachment 2, which, if adopted, would create the Reston Transportation Service District.

TIMING:

On February 28, 2017, the Board authorized the advertisement of a Public Hearing on the proposed creation of a Reston Transportation Service District within Fairfax County. Approval would provide an option to levy a Service District tax for tax year 2017 on taxable property within the Service District, and the tax rate would be established at a half year's collection as part of the FY 2018 budget.

BACKGROUND:

On February 11, 2014, the Board of Supervisors adopted the Reston Phase I Comprehensive Plan Amendment (CPA). This amendment included revised land use and additional transportation facilities for the three Reston Transit Station Areas (TSAs): Wiehle-Reston East, Reston Town Center, and Herndon.

The CPA optimizes development opportunities associated with the availability of mass transit, while maintaining the stability of existing land uses outside of the TSAs. The TSA designation allows a mixture of residential, office, retail and other commercial uses and provides opportunities for joint public-private development.

The CPA envisions these revised land uses will be served by a multimodal transportation system. To support that vision, the CPA recommended multimodal roadway improvements, a grid network, intersection improvements, and supporting transit service. On February 11, 2014, the Board also directed the Planning Commission (PC) and staff to develop an inclusive process to prepare a funding plan for

Board Agenda Item
April 4, 2017

the transportation improvements recommended in the CPA and return to the Board with staff's recommendations. The Board further directed staff that the funding plan should include arrangements for financing the public share of Reston infrastructure improvements and facilitate cooperative funding agreements with the private sector.

After the Board's action, the Hunter Mill District Supervisor appointed a Reston Network Analysis Advisory Group (Advisory Group) to refine the transportation network included in the CPA and develop the funding plan. Although the Board directed the PC to work with staff on the funding plan, the Advisory Board served as a diversified stakeholder group representing various interests in Reston, and in that capacity fulfilled the charge of the PC.

As directed by the Board, FCDOT staff solicited community feedback, through the Advisory Group and the larger community, on the funding structure for the necessary transportation improvements. As a result of this multi-year process, FCDOT staff, and the Advisory Group agreed that the transportation improvements should be funded through a combination of proffer and service district revenue streams.

Staff prepared the proposed Reston Transportation Funding Plan, in a manner that balances the feedback received. On February, 28, 2017, the Board approved the Reston Transportation Funding Plan. The main aspects of the funding plan are as follows:

- The Reston Transportation Funding Plan has three categories of improvements:
 - Roadway Improvements;
 - Intersection Improvements; and
 - A Grid of Streets Network.
- Staff has assumed that existing transit resources in Reston and Herndon will be re-allocated to increase feeder and circulation service when Phase II of the Metrorail Silver Line opens. As a result, no additional funding in transit was included in the Reston Transportation Funding Plan.
- Primary responsibility for funding of Roadway Improvements would come from public revenue sources such as federal, state, regional, and local funding allocated by the County for use on countywide transportation projects. These may include:
 - Federal: Regional Surface Transportation Program, Discretionary Grant Programs.
 - State: Smart Scale, Revenue Sharing.
 - Regional: Northern Virginia Transportation Authority (NVTA) 70% Regional Funds.
 - Local: Commercial & Industrial Tax, General Obligation Bonds, NVTA 30% Local Funds.
- Primary responsibility for funding the Grid Network and Intersection Improvements would come from private revenue sources, such as revenues

Board Agenda Item
April 4, 2017

generated within the Reston TSAs and used exclusively for projects in the Reston TSAs. The private funding comprises:

- Actual construction of grid segments by developers with new development or redevelopment, donation of right-of-way, and/or services.
- Road Fund: pooled cash proffers on a per residential unit or per commercial square foot basis of new development for use on the Grid Network.
 - Recommended rate per residential dwelling unit: \$2,090
 - Recommended rate per commercial square foot: \$9.56
- Transportation Service District (to be created): ad-valorem tax, a tax per \$100 of assessed value, on all properties within the Reston TSAs.
 - Rate per \$100 of assessed value: \$0.021

Immediately after approving the Funding Plan on February 28, 2017, the Board approved the Road Fund Guidelines and authorized advertisement of this public hearing for the Reston Transportation Service District.

Under Virginia law, the Board may create the Service District by ordinance, which is adopted following a public hearing. Va. Code Ann. § 2.2-2400 (2012). The ordinance must: (1) set forth the name and describe the boundaries of the service district, including any areas that are excluded from the service district; (2) describe the purpose, facilities, and services offered within the service district; (3) describe the plan for providing the facilities and services offered within the service district; and (4) describe the benefits expected from those facilities and services. The proposed ordinance is Attachment 2.

If the service district is created, then the Board may then levy and collect an annual tax upon the property in the service district that is subject to local taxation. See Va. Code Ann. § 2.2-2403(6) (Supp. 2016). A Service District tax rate of \$0.021 per \$100 of assessed value is included as part of the FY 2018 Advertised Budget Plan for Board consideration as part of the FY 2018 Adopted Budget Plan.

The Advisory Group requested that both the Service District and the Road Fund include sunset provisions to terminate each funding mechanism when all the projects for which they were intended have been funded. Accordingly, the ordinance specifies that the purpose of the Service District is to provide revenue for construction of new roads and improvements to existing roads, including intersection improvements and the grid of streets (Grid Network) identified in the Reston Phase I Comprehensive Plan Amendment approved by the Board of Supervisors on February 11, 2014, and the Reston Transportation Funding Plan, including the payment of any debt incurred to finance those improvements and the satisfaction of any other obligations incurred by the District and it requires the segregation of all tax proceeds, so they can be used for that purpose. Additionally, to explicitly address the Advisory Group's request for termination provisions, the attached version of the proposed ordinance adds a directive (shown in

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brackets) requiring FCDOT to notify the Board and recommend repeal of the ordinance when the funding requirements have been met. The Road Fund Guidelines also include appropriate termination language.

The Department of Transportation will conduct an annual review of the status of projects related to the Reston Transportation Funding Plan, yearly tax rates, prioritization of projects and their timing, and the pace of construction as related to new development. Staff will make a separate recommendation that a Reston Transportation Service District Advisory Board (Advisory Board) be created to advise the Board on such matters.

FISCAL IMPACT:

The proposed Service District is an integral part of a multi-faceted plan to fund transportation infrastructure improvements in Reston. The Service District would fund approximately \$139 million worth of improvements out of a projected total estimated cost of approximately \$2.27 billion (in 2016 dollars). If enacted, the option to levy a Service District tax rate for tax year 2017 on taxable property within the Service District, and the tax rate would be established at a half year's collection as part of the FY 2018 budget. A Service District tax rate of \$0.021 per \$100 of assessed value is included as part of the Reston Service District Fund (Fund 40190) in the FY 2018 Advertised Budget Plan for Board consideration as part of the FY 2018 Adopted Budget Plan.

ENCLOSED DOCUMENTS:

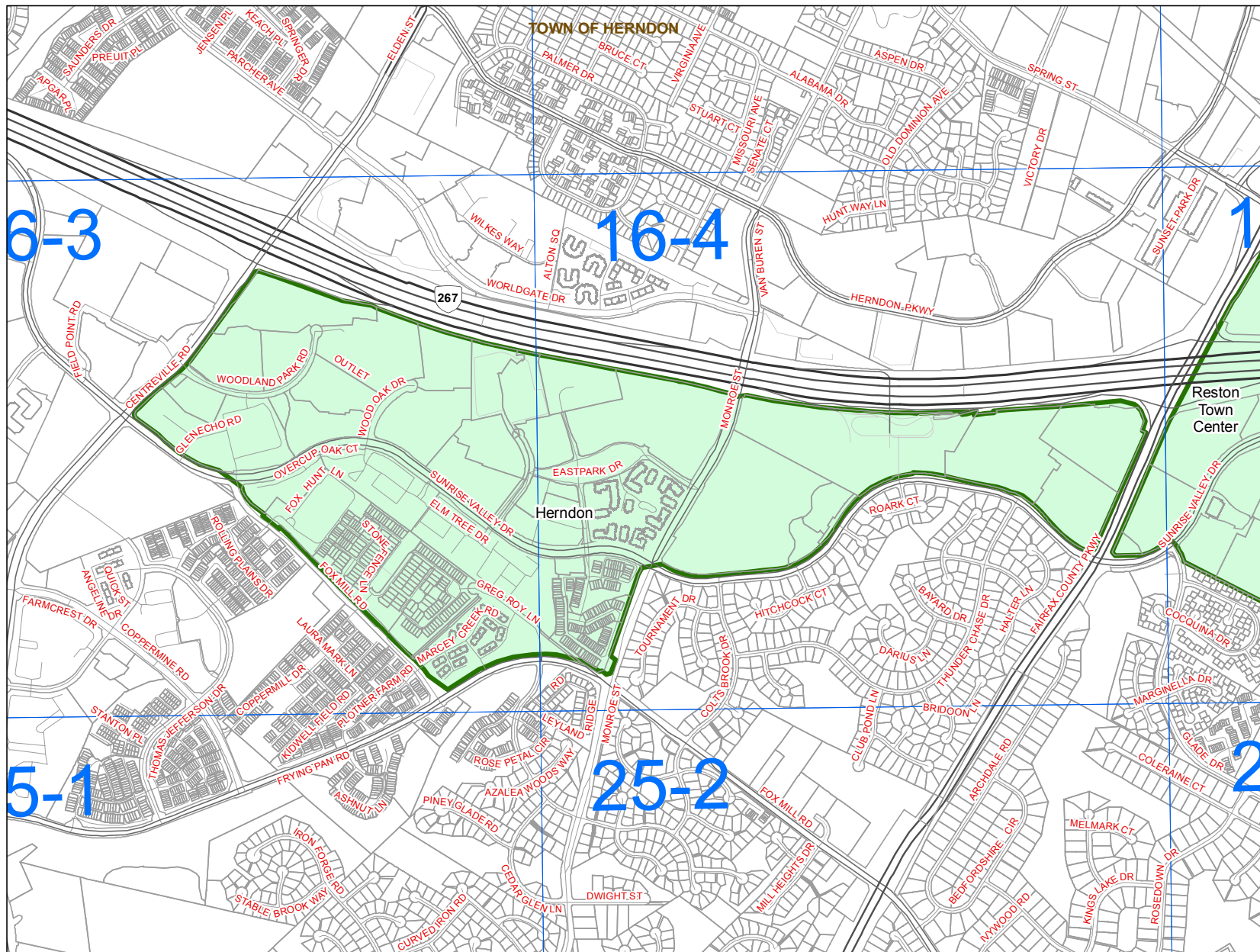
Attachment 1: Proposed Reston Transportation Service District Boundary
Attachment 2: Draft Ordinance for the Reston Transportation Service District

STAFF:

Robert A. Stalzer, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Ray Johnson, Senior Transportation Planner, FCDOT
Janet Nguyen, Transportation Planner, FCDOT
Joe LaHait, Debt Coordinator, Department of Management and Budget

ASSIGNED COUNSEL:

Erin C. Ward, Senior Assistant County Attorney
Patricia Moody McCay, Assistant County Attorney



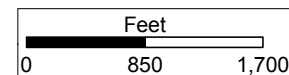
Reston Transportation Service District

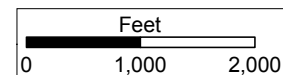
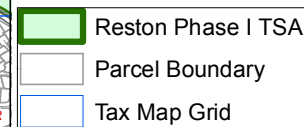
Herndon
Transit Station Area

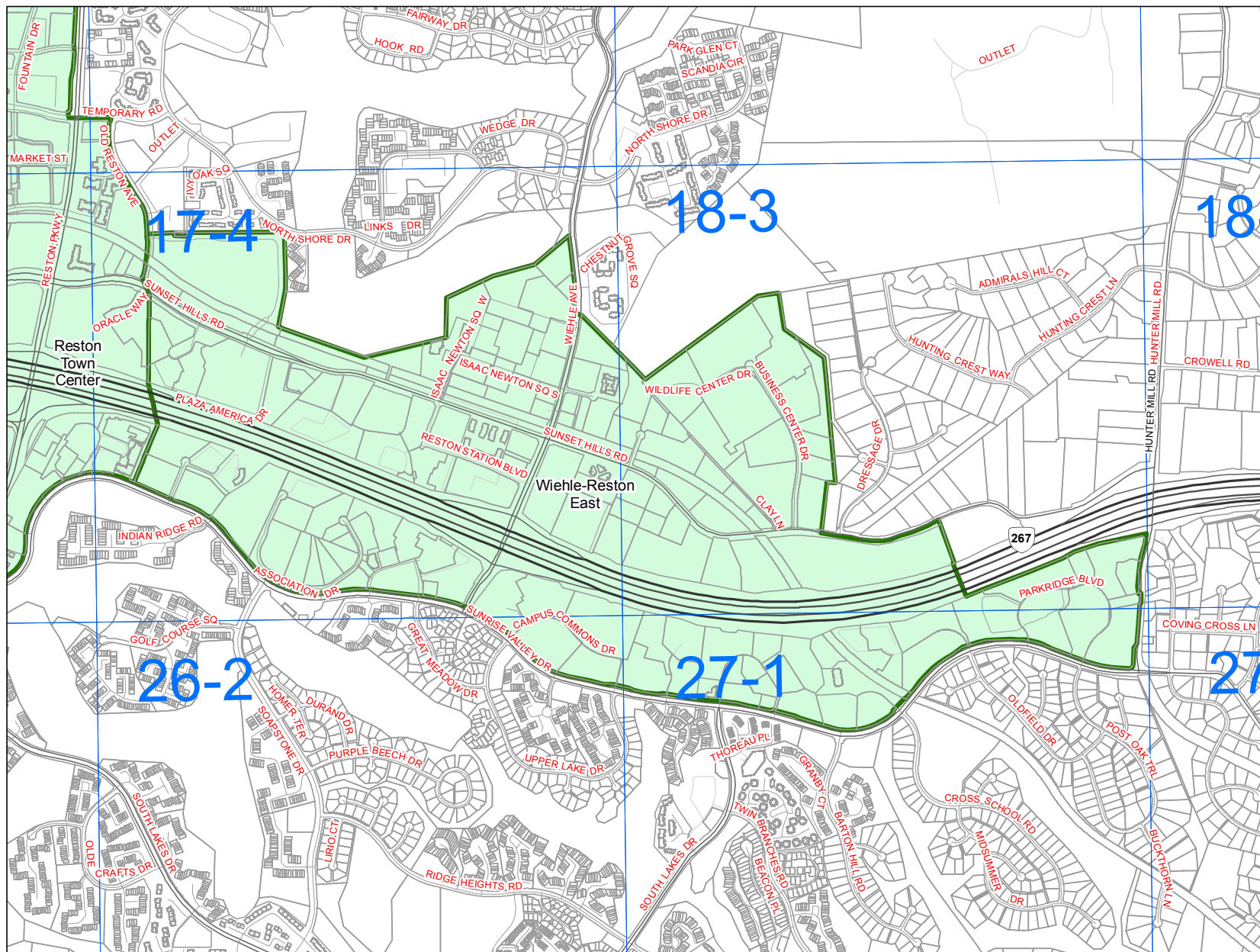
ATTACHMENT 1



- Reston Phase I TSA
- Parcel Boundary
- Tax Map Grid



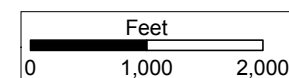
Reston Town Center
Transit Station Area



Reston Transportation Service District

Wiehle-Reston East
Transit Station Area

- Reston Phase I TSA
- Parcel Boundary
- Tax Map Grid



**AN ORDINANCE TO ESTABLISH A
RESTON TRANSPORTATION SERVICE DISTRICT**

Draft of March 8, 2017

[Change from advertised version shown in brackets.]

AN ORDINANCE to enact an Appendix V to the 1976 Code of the County of Fairfax, consisting of seven sections, to establish a Reston Transportation Service District to provide transportation infrastructure.

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

1. The following ordinance is adopted:

**Appendix V - Fairfax County Reston Transportation
Service District No. 1.**

Section 1. Creation of the Reston Transportation Service District No. 1; Name and Boundaries.

The Board of Supervisors of Fairfax County, Virginia, ("Board") hereby creates a service district which shall be known as Reston Transportation Service District No.1 (the "District"). The District shall include the area shown on the attached maps, which maps are incorporated into and made part of this Appendix.

Section 2. Purpose of the District.

The District is created to provide revenue for new roads and improvements to existing roads, including intersection improvements and the grid of streets (Grid Network) identified in the Reston Master Plan Special Study (Phase I) Plan Amendment Item ST09-III-UP1(A) approved by the Board of Supervisors on February 11, 2014, and the Reston Transportation Funding Plan approved by the Board on February 28, 2017, and for the payment of any debt incurred to finance such construction and the satisfaction of any other obligations incurred by the District.

Section 3. General provisions and powers.

The Board shall be the governing body of the District and may exercise any of the powers and duties with respect to service districts set forth in Article 1 of Chapter 24 of Title 15.2 of the Code of Virginia, as amended.

Section 4. Facilities and services proposed within the District.

Transportation facilities and ancillary services will be provided within the District, including but not limited to (i) planning and evaluation of infrastructure, (ii) designing, acquiring rights-of-way for, constructing, and improving roads, streets, and other transportation infrastructure projects, and (iii) public outreach and education regarding

such transportation infrastructure.

Section 5. Plan for transportation services and improvements.

Resources of the District, together with resources which may be made available from other sources, will be used to provide revenue needed to provide the transportation facilities and services described in Section 4. Such resources may be used to fund staff and contractors to perform work to provide such transportation facilities and services. Capital project design and construction will be in accordance with the Fairfax County Public Facilities Manual, the Fairfax County Capital Improvement Program, and the Reston Transportation Funding Plan approved by the Board on February 28, 2017.

Section 6. Benefits expected from the provision of transportation facilities and services within the District.

The transportation facilities and services to be provided within the District are expected to benefit all property located within the District by enhancing public use, enjoyment, safety, convenience, and well-being within the District by constructing and operating new capital transportation projects, improving sidewalks and trails, and addressing existing transportation inefficiencies.

Section 7. Annual tax levy; collection and expenditure of funds.

There shall be an annual tax, at a rate established annually by the Board of Supervisors, levied on all real property in the District which is subject to local taxation to pay, in whole or in part, the expenses and charges for providing transportation facilities and services in the District. All proceeds from the annual tax shall be segregated so as to enable the Board to expend the same in the District for the purposes described in Section 2 of this Appendix.

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

[3. The Director of the Fairfax County Department of Transportation, or any successor department, shall notify the Board and recommend repeal of this ordinance when the proceeds collected from the annual tax are sufficient to fulfill the purposes described in Section 2.]

4. This ordinance is effective upon adoption.

GIVEN under my hand this day of _____ 2017.

Clerk to the Board of Supervisors

Board Agenda Item
April 4, 2017

WITHDRAWN

2:30 p.m.

Public Hearing on SE 2014-MV-058 (Morning Star Day Care) to Permit a Child Care Center, Located on Approximately 1.0 Acres of Land Zoned R-2, HC (Mount Vernon District)

This property is located at 8628 Woodlawn Court, Alexandria, 22309. Tax Map 101-3 ((1)) 95.

PLANNING COMMISSION RECOMMENDATION:

On February 23, 2017, the Planning Commission voted 8-0-1 (Commissioner Hedetniemi abstained; Commissioners Keys-Gamarra and Niedzielski-Eichner recused themselves from the vote; and Commissioner Migliaccio was absent from the meeting) to recommend to the Board of Supervisors denial of application SE 2014-MV-058.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
William Mayland, Planner, DPZ

Board Agenda Item
April 4, 2017

2:30 p.m.

Public Hearing on SEA 82-P-032-07(Washington Metropolitan Area Transit Authority (WMATA)) to Amend SE 82-P-032 Previously Approved for WMATA Facilities Vienna Metrorail Station to Permit Deletion of Land Area and Associated Modifications to Site Design and Development Conditions, Located on Approximately 33.69 Acres of Land Zoned R-1, R-8 and PDH-20 (Providence District)

This property is located at 2921 Sayre Road, Vienna, 22031. Tax Map 48-1 ((01)) 90A, 101B, 103, 48-2 ((01)) 1, 2 and 48-3 ((04)) 28.

PLANNING COMMISSION RECOMMENDATION:

On February 23, 2017, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to recommend to the Board of Supervisors approval of SEA 82-P-032-07, subject to the Development Conditions dated January 25, 2017.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Casey Gresham, Planner, DPZ

Board Agenda Item
April 4, 2017

2:30 p.m.

Public Hearing on RZ 2016-BR-019 (Christopher Land, LLC) to Rezone from R-1 to PDH-4 to Permit Residential with an Overall Density of 3.3 Dwelling Units Per Acre and Approval of the Conceptual Plan, Located on Approximately 2.72 Acres of Land (Braddock District)

This property is located in the SouthWest Quadrant of the intersection of Coffey Woods Road and Burke Lake Road. Tax Map 78-3 ((1)) 1.

The Board of Supervisors deferred this public hearing from the March 14, 2017 Board meeting to April 4, 2017, at 2:30 p.m.

PLANNING COMMISSION RECOMMENDATION:

On March 2, 2017, the Planning Commission voted 12-0 to recommend the following actions to the Board of Supervisors:

- Approval of RZ 2016-BR-019 and the associated Conceptual Development Plan, subject to the execution proffers consistent with those dated February 28, 2017;
- Approval of a deviation from the Tree Preservation Target pursuant to Section 12-0508.3A of the Public Facilities Manual;
- Approval of a waiver of the requirement for construction of the bicycle lane, pursuant to Section 17-201 of the Zoning Ordinance; and
- Approval of a modification of Section 8-0201 of the Public Facilities Manual to permit an escrow in lieu of construction of a portion of the trail along Burke Lake Road, as depicted on the FDP.

In a related action, also on March 2, 2017, the Planning Commission voted 12-0 to approve FDP 2016-BR-019, subject to the Development Conditions dated February 15, 2017, and the Board of Supervisors approval of RZ 2016-BR-019 and the associated Conceptual Development Plan.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Carmen Bishop, Planner, DPZ

Board Agenda Item
April 4, 2017

3:00 p.m.

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

ISSUE:

The Board of Supervisors' adoption of the proposed sewer ordinance amendment is requested to increase the Base, the Sewer Service, the Availability, and the Fixture Unit Charges, and to reduce the Equivalent Flow Factor. 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 2017 through FY 2022
2. To re-affirm and establish the Base Charge for FY 2017 through FY 2022
3. To re-affirm and establish the Availability Charges for FY 2017 through FY 2022
4. To re-affirm and establish the Fixture Unit Charge for FY 2017 through FY 2022
5. To reduce the Equivalent Unit Flow from 300 gallons per day to 280 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 adopt the proposed sewer ordinance amendment.

TIMING:

Public Notices of the sewer ordinance revisions were advertised March 3, 2017 and March 10, 2017. Decision on the sewer rate revisions will coincide with the markup and adoption of the FY 2018 Advertised Budget Plan. FY 2018 new charges will become effective on July 1, 2017.

BACKGROUND:

In December 2016, the Wastewater Management Program and its consultants, Public Resources Management Group, completed the Rate Study. To adequately support the Program, \$193,605,508 in revenues will be needed in FY 2018 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 its AAA sewer revenue bond rating. The FY 2018 sewer charges are 2.9 percent higher than the FY 2017 sewer charges. This will result in an increase of \$16.80 in the annual sewer service cost to a typical residential customer (or \$1.40 per month).

The following proposed rate amendments will meet the revenue requirements by increasing the Base Charge, Sewer Service Charge, and Availability Charge. The current Base Charge of \$24.68 per bill recovers 17.2 percent of the Program's costs. Cost recovery through the 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 \$2.94 per quarter for FY 2018 for a total Base Charge of \$27.62 per quarterly bill. The proposed Base Charge will recover 19.1 percent of the cost in FY 2018. Industry practice is to recover 25 to 30 percent of the total costs through a Base Charge. In order to strive towards such recovery rate, a phased-in approach is being proposed, as shown in the following table.

Year	Base Charge Per Quarterly Bill	Percent Revenue from Base Charge
2017	\$24.68	17.2%
2018	\$27.62	19.1%
2019	\$30.38	20.1%
2020	\$33.42	21.1%
2021	\$36.76	22.0%
2022	\$40.44	22.8%

PROPOSED BASE CHARGE AND SEWER SERVICE CHARGE SCHEDULE

To generate the remaining amount of required revenues, it is proposed to increase the Sewer Service Charge by \$0.07 from the current rate of \$6.68 to \$6.75 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. The revised, five-year rate schedule for the Base Charge and Sewer Service

Board Agenda Item
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 Charge is as follows:

BASE CHARGE SCHEDULE Cost (\$) per Quarterly Bill Proposed New in Bold						
Type of Connection	Current Rate	Previously Adopted			New Rate	
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Residential (3/4" meter)	\$24.68	\$27.62	\$30.38	\$33.42	\$36.76	\$40.44
All customers based on meter size						
3/4" and smaller, or no meter	\$24.68	\$27.62	\$30.38	\$33.42	\$36.76	\$40.44
1"	\$61.70	\$69.05	\$75.95	\$83.55	\$91.90	\$101.10
1 1/2"	\$123.40	\$138.10	\$151.90	\$167.10	\$183.80	\$202.20
2"	\$197.44	\$220.96	\$243.04	\$267.36	\$294.08	\$323.52
3"	\$370.20	\$414.30	\$455.70	\$501.30	\$551.40	\$606.60
4"	\$617.00	\$690.50	\$759.50	\$835.50	\$919.00	\$1,011.00
6"	\$1,234.00	\$1,381.00	\$1,519.00	\$1,671.00	\$1,838.00	\$2,022.00
8"	\$1,974.40	\$2,209.60	\$2,430.40	\$2,673.60	\$2,940.80	\$3,235.20
10" and larger	\$2,838.20	\$3,176.30	\$3,493.70	\$3,843.30	\$4,227.40	\$4,650.60

SEWER SERVICE CHARGE SCHEDULE Per 1,000 gallons of water consumption Proposed New and Revised Rates in Bold						
	Current Rate	Previously Adopted and Revised Rates			New Rate	
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Sewer Service Charge	\$6.68	\$6.75	\$7.00	\$7.34	\$7.70	\$8.08

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 nominally as shown above. Base Charges for customers who require a larger water meter than the standard 3/4" meter for residential connections, will be determined based on the meter size because the meter size determines how much capacity in the sewer system has to be reserved for that customer.

PROPOSED AVAILABILITY CHARGE SCHEDULE

The County has completed reviewing the adequacy of the amount of the Availability Charge as part of the annual rate study review. Based upon the results of this review, the Availability Charge is recommended to increase to \$8,100 from \$7,750. The Availability Charge is increasing due to the extensive Capital Improvement Program at the Noman M. Cole, Jr. Pollution Control Plant and other regional facilities. This rate has not increased since FY 2011. The revised, five-year rate schedule for the Availability Charge is as follows:

AVAILABILITY CHARGE SCHEDULE Proposed New and Revised Rates in Bold						
Type of Connection	Current Rate	Previously Adopted and Revised Rates			New Rate	
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2021
Single Family	\$7,750	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100
Lodging House, Hotel, Inn or Tourist Cabin	\$7,750	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100
Townhouse	\$6,200	\$6,480	\$6,480	\$6,480	\$6,480	\$6,480
Apartment	\$6,200	\$6,480	\$6,480	\$6,480	\$6,480	\$6,480
Mobile Home	\$6,200	\$6,480	\$6,480	\$6,480	\$6,480	\$6,480
Any other residential dwelling unit	\$6,200	\$6,480	\$6,480	\$6,480	\$6,480	\$6,480
Hotels, Motels, or Dormitory rental unit	\$1,938	\$2,025	\$2,025	\$2,025	\$2,025	\$2,025

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. Since the Availability Charge for a single family detached dwelling is increasing as noted above, then the fixture unit will need to be adjusted accordingly. The revised, five-year rate schedule for the fixture unit charge for nonresidential uses is as follows:

FIXTURE UNIT CHARGE SCHEDULE						
Proposed New and Revised Rates in Bold						
	Current Rate	Previously Adopted and Revised Rates			New Rate	
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Nonresidential per fixture unit	\$401	\$405	\$405	\$405	\$405	\$405

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 single family equivalent unit flow is 300 gallons per day. The proposed new equivalent unit flow is 280 gallons per day. The proposed reduction of 20 gallons per day in equivalent unit flow is driven by a trend in actual water consumption reduction, which appears to be due to installation of water saving fixtures such as low flow toilets, shower heads, and faucets.

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 2017 (FY 2017). 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 2017 (FY 2017)

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

Jurisdiction*	Average Annual Sewer Service Billing	Sewer Availability Fees
DCWASA	1,070	----
City of Alexandria	703	7,937
Arlington County	652	4,732
WSSC	594	3,500
Prince William County	587	10,300
Fairfax County – Proposed for FY 2018	597	8,100
Loudoun Water	480	7,658

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The table below outlines base charges by other regional utilities for comparison to Fairfax County's current Base Charge of \$24.68 and the FY 2018 Base Charge of \$27.62 per quarter, as of January 2017 (FY 2017):

Quarterly Base Charges for Sewer Service for Residential Customers	
DC Water	\$ 87.12
Loudoun Water	\$ 33.42
Prince William County Service Authority	\$ 28.80
Alexandria Renew Enterprises	\$ 28.83
Washington Suburban Sanitation Commission	\$ 15.99
Fairfax County	\$ 27.62
Neighboring Utilities Average	\$ 38.83

FISCAL IMPACT:

In FY 2018, 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 \$597 per year, which is an increase of \$16.80 (or \$1.40 per month) over the FY 2017 sewer bill. In FY 2018, approximately \$8.4 million in additional revenues will be generated with the proposed Sewer Service Charge and the Base Charge over the FY 2017 Revised Budget Plan. Revenues from the collection of Sewer Service Charges, Base Charges, and Availability Charges are recorded in Fund 69000, 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

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

ASSIGNED COUNSEL:

Emily Smith, Assistant County Attorney

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

ARTICLE 10. Charges.

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 2016 <u>2017</u>	FY 2017 <u>2018</u>	FY 2018 <u>2019</u>	FY 2019 <u>2020</u>	FY 2020 <u>2021</u>	FY 2021 <u>2022</u>
(A)	Single Family Detached	\$7,750	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>
(B)	Lodging House, Hotel, Inn or Tourist Cabin	7,750	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>	\$8,100 <u>\$7,750</u>
(C)	Townhouse	6,200	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>
(D)	Apartment	6,200	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>
(E)	Mobile Home	6,200	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>
(F)	Any other residential dwelling unit	6,200	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>	\$6,480 <u>\$6,200</u>
(G)	Hotel, Motel, or Dormitory rental unit	1,938	\$2,025 <u>\$1,938</u>	\$2,025 <u>\$1,938</u>	\$2,025 <u>\$1,938</u>	\$2,025 <u>\$1,938</u>	\$2,025 <u>\$1,938</u>	\$2,025 <u>\$1,938</u>

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

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

ARTICLE 10. Charges.

within five years of the initial date of payment or any subsequent payment update(s). (See Section 10-5(d), "Refunds Updates".)

- (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 2016 <u>2017</u>	FY 2017 <u>2018</u>	FY 2018 <u>2019</u>	FY 2019 <u>2020</u>	FY 2020 <u>2021</u>	<u>FY 2022</u>
Fixture unit rate	\$401	\$401 <u>\$405</u>	\$401 <u>\$405</u>	\$401 <u>\$405</u>	\$401 <u>\$405</u>	<u>\$405</u>

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 ~~300~~280 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 ~~300~~280 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.

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- (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, 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:

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Sewer Service Charges - Fiscal Year (July 1 - June 30)						
	FY 2016 <u>2017</u>	FY 2017 <u>2018</u>	FY 2018 <u>2019</u>	FY 2019 <u>2020</u>	FY 2020 <u>2021</u>	FY <u>2022</u>
Sewer Service Charge, \$/1,000 gallons	\$ 6.65 <u>6.68</u>	\$ 6.68 <u>7.5</u>	\$ 6.75 <u>7.00</u>	\$ 6.85 <u>7.34</u>	\$ 7.05 <u>7.0</u>	\$ <u>8.08</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 2016 <u>2017</u>	FY 2017 <u>2018</u>	FY 2018 <u>2019</u>	FY 2019 <u>2020</u>	FY 2020 <u>2021</u>
Residential Base Charge	\$24.68 <u>\$20.15</u>	\$27.62 <u>\$24.68</u>	\$30.38 <u>\$27.62</u>	\$33.42 <u>\$30.38</u>	\$36.76 <u>\$33.42</u>
Commercial: (meter size)					
¾" and smaller, or no meter	\$24.68 <u>\$20.15</u>	\$27.62 <u>\$24.68</u>	\$30.38 <u>\$27.62</u>	\$33.42 <u>\$30.38</u>	\$36.76 <u>\$33.42</u>
1"	\$61.70 <u>\$50.38</u>	\$69.05 <u>\$61.70</u>	\$75.95 <u>\$69.05</u>	\$83.55 <u>\$75.95</u>	\$91.90 <u>\$83.55</u>
1½"	\$123.40 <u>\$100.75</u>	\$138.10 <u>\$123.40</u>	\$151.90 <u>\$138.10</u>	\$167.10 <u>\$151.90</u>	\$183.80 <u>\$167.10</u>
2"	\$197.44 <u>\$161.20</u>	\$220.96 <u>\$197.44</u>	\$243.04 <u>\$220.96</u>	\$267.36 <u>\$243.04</u>	\$294.08 <u>\$267.36</u>
3"	\$370.20 <u>\$302.25</u>	\$414.30 <u>\$370.20</u>	\$455.70 <u>\$414.30</u>	\$501.30 <u>\$455.70</u>	\$551.40 <u>\$501.30</u>

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4"	\$617.00 <u>\$503.75</u>	\$690.50 <u>\$617.00</u>	\$759.50 <u>\$690.50</u>	\$835.50 <u>\$759.50</u>	\$919.00 <u>\$835.50</u>
6"	\$1,234.00 <u>\$1,007.50</u>	\$1,381.00 <u>\$1,234.00</u>	\$1,519.00 <u>\$1,381.00</u>	\$1,671.00 <u>\$1,519.00</u>	\$1,838.00 <u>\$1,671.00</u>
8"	\$1,974.40 <u>\$1,612.00</u>	\$2,209.60 <u>\$1,974.40</u>	\$2,430.40 <u>\$2,209.60</u>	\$2,673.60 <u>\$2,430.40</u>	\$2,940.80 <u>\$2,673.60</u>
10" and larger	\$2,838.20 <u>\$2,317.25</u>	\$3,176.30 <u>\$2,838.20</u>	\$3,493.70 <u>\$3,176.30</u>	\$3,843.30 <u>\$3,493.70</u>	\$4,227.40 <u>\$3,843.30</u>

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-less than that for ¾" and smaller meters.

- (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 1st of each year. For unmetered accounts, the change is effective with billings beginning October 1st 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.
 - (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

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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
Lavatory with 1¼" waste	1

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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
1½ inches	2

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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	<u>2016FY</u> <u>2017</u>	<u>2017FY</u> <u>2018</u>	<u>2018FY</u> <u>2019</u>	<u>2019FY</u> <u>2020</u>	<u>2020FY</u> <u>2021</u>	<u>FY 2022</u>
20 or less	1.00	<u>167.00</u> 166.25	<u>168.75</u> 167.00	<u>175.00</u> 168.75	<u>185.50</u> 171.25	<u>196.75</u> 176.25	<u>208.50</u>
21 to 30	1.25	<u>208.75</u> 207.81	<u>210.94</u> 208.75	<u>218.75</u> 210.94	<u>231.88</u> 214.06	<u>245.94</u> 220.31	<u>260.63</u>
31 to 40	1.45	<u>242.15</u> 241.06	<u>244.69</u> 242.15	<u>253.75</u> 244.69	<u>268.98</u> 248.31	<u>285.29</u> 255.56	<u>302.33</u>
41 to 50	1.60	<u>267.20</u> 266.00	<u>270.00</u> 267.20	<u>280.00</u> 270.00	<u>296.80</u> 274.00	<u>314.80</u> 282.00	<u>333.60</u>
51 to 60	1.75	<u>292.25</u> 290.94	<u>295.31</u> 292.25	<u>306.25</u> 295.31	<u>324.63</u> 299.69	<u>344.31</u> 308.44	<u>364.88</u>
61 to 70	1.90	<u>317.30</u> 315.88	<u>320.63</u> 317.30	<u>332.50</u> 320.63	<u>352.45</u> 325.38	<u>373.83</u> 334.88	<u>396.15</u>

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71 to 80	2.05	<u>342.35</u> 340.81	<u>345.94</u> 342.35	<u>358.75</u> 345.94	<u>380.28</u> 351.06	<u>403.34</u> 361.31	<u>427.43</u>
81 to 90	2.20	<u>367.40</u> 365.75	<u>371.25</u> 367.40	<u>385.00</u> 371.25	<u>408.10</u> 376.75	<u>432.85</u> 387.75	<u>458.70</u>
91 to 100	2.30	<u>384.10</u> 382.38	<u>388.13</u> 384.10	<u>402.50</u> 388.13	<u>426.65</u> 393.88	<u>452.53</u> 405.38	<u>479.55</u>
101 to 110	2.40	<u>400.80</u> 399.00	<u>405.00</u> 400.80	<u>420.00</u> 405.00	<u>445.20</u> 411.00	<u>472.20</u> 423.00	<u>500.40</u>
111 to 120	2.55	<u>425.85</u> 423.94	<u>430.31</u> 425.85	<u>446.25</u> 430.31	<u>473.03</u> 436.69	<u>501.71</u> 449.44	<u>531.68</u>
121 to 130	2.65	<u>442.55</u> 440.56	<u>447.19</u> 442.55	<u>463.75</u> 447.19	<u>491.58</u> 453.81	<u>521.39</u> 467.06	<u>552.53</u>
131 to 140	2.75	<u>459.25</u> 457.19	<u>464.06</u> 459.25	<u>481.25</u> 464.06	<u>510.13</u> 470.94	<u>541.06</u> 484.69	<u>573.38</u>
141 to 150	2.85	<u>475.95</u> 473.81	<u>480.94</u> 475.95	<u>498.75</u> 480.94	<u>528.68</u> 488.06	<u>560.74</u> 502.31	<u>594.23</u>
151 to 160	2.95	<u>492.65</u> 490.44	<u>497.81</u> 492.65	<u>516.25</u> 497.81	<u>547.23</u> 505.19	<u>580.41</u> 519.94	<u>615.08</u>
161 to 170	3.05	<u>509.35</u> 507.06	<u>514.69</u> 509.35	<u>533.75</u> 514.69	<u>565.78</u> 522.31	<u>600.09</u> 537.56	<u>635.93</u>
171 to 180	3.15	<u>526.05</u> 523.69	<u>531.56</u> 526.05	<u>551.25</u> 531.56	<u>584.33</u> 539.44	<u>619.76</u> 555.19	<u>656.78</u>
181 to 190	3.25	<u>542.75</u> 540.31	<u>548.44</u> 542.75	<u>568.75</u> 548.44	<u>602.88</u> 556.56	<u>639.44</u> 572.81	<u>677.63</u>

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191 to 200	3.35	<u>559.45</u> 556.94	<u>565.31</u> 559.45	<u>586.25</u> 565.31	<u>621.43</u> 573.69	<u>659.11</u> 590.44	<u>698.48</u>
201 to 210	3.45	<u>576.15</u> 573.56	<u>582.19</u> 576.15	<u>603.75</u> 582.19	<u>639.98</u> 590.81	<u>678.79</u> 608.06	<u>719.33</u>
211 to 220	3.55	<u>592.85</u> 590.19	<u>599.06</u> 592.85	<u>621.25</u> 599.06	<u>658.53</u> 607.94	<u>698.46</u> 625.69	<u>740.18</u>
221 to 230	3.65	<u>609.55</u> 606.81	<u>615.94</u> 609.55	<u>638.75</u> 615.94	<u>677.08</u> 625.06	<u>718.14</u> 643.31	<u>761.03</u>
231 to 240	3.75	<u>626.25</u> 623.44	<u>632.81</u> 626.25	<u>656.25</u> 632.81	<u>695.63</u> 642.19	<u>737.81</u> 660.94	<u>781.88</u>
241 to 250	3.85	<u>642.95</u> 640.06	<u>649.69</u> 642.95	<u>673.75</u> 649.69	<u>714.18</u> 659.31	<u>757.49</u> 678.56	<u>802.73</u>
251 to 260	3.90	<u>651.30</u> 648.38	<u>658.13</u> 651.30	<u>682.50</u> 658.13	<u>723.45</u> 667.88	<u>767.33</u> 687.38	<u>813.15</u>
261 to 270	4.00	<u>668.00</u> 665.00	<u>675.00</u> 668.00	<u>700.00</u> 675.00	<u>742.00</u> 685.00	<u>787.00</u> 705.00	<u>834.00</u>
271 to 280	4.05	<u>676.35</u> 673.31	<u>683.44</u> 676.35	<u>708.75</u> 683.44	<u>751.28</u> 693.56	<u>796.84</u> 713.81	<u>844.43</u>
281 to 290	4.10	<u>684.70</u> 681.63	<u>691.88</u> 684.70	<u>717.50</u> 691.88	<u>760.55</u> 702.13	<u>806.68</u> 722.63	<u>854.85</u>
291 to 300	4.15	<u>693.05</u> 689.94	<u>700.31</u> 693.05	<u>726.25</u> 700.31	<u>769.83</u> 710.69	<u>816.51</u> 731.44	<u>865.28</u>
301 to 310	4.20	<u>701.40</u> 698.25	<u>708.75</u> 701.40	<u>735.00</u> 708.75	<u>779.10</u> 719.25	<u>826.35</u> 740.25	<u>875.70</u>

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311 to 320	4.30	<u>718.10</u> 714.88	<u>725.63</u> 718.10	<u>752.50</u> 725.63	<u>797.65</u> 736.38	<u>846.03</u> 757.88	<u>896.55</u>
321 to 330	4.40	<u>734.80</u> 731.50	<u>742.50</u> 734.80	<u>770.00</u> 742.50	<u>816.20</u> 753.50	<u>865.70</u> 775.50	<u>917.40</u>
331 to 340	4.50	<u>751.50</u> 748.13	<u>759.38</u> 751.50	<u>787.50</u> 759.38	<u>834.75</u> 770.63	<u>885.38</u> 793.13	<u>938.25</u>
341 to 350	4.60	<u>768.20</u> 764.75	<u>776.25</u> 768.20	<u>805.00</u> 776.25	<u>853.30</u> 787.75	<u>905.05</u> 810.75	<u>959.10</u>
351 to 360	4.70	<u>784.90</u> 781.38	<u>793.13</u> 784.90	<u>822.50</u> 793.13	<u>871.85</u> 804.88	<u>924.73</u> 828.38	<u>979.95</u>
361 to 370	4.80	<u>801.60</u> 798.00	<u>810.00</u> 801.60	<u>840.00</u> 810.00	<u>890.40</u> 822.00	<u>944.40</u> 846.00	<u>1,000.80</u>
371 to 380	4.90	<u>818.30</u> 814.63	<u>826.88</u> 818.30	<u>857.50</u> 826.88	<u>908.95</u> 839.13	<u>964.08</u> 863.63	<u>1,021.65</u>
381 to 390	5.00	<u>835.00</u> 831.25	<u>843.75</u> 835.00	<u>875.00</u> 843.75	<u>927.50</u> 856.25	<u>983.75</u> 881.25	<u>1,042.50</u>
391 to 400	5.10	<u>851.70</u> 847.88	<u>860.63</u> 851.70	<u>892.50</u> 860.63	<u>946.05</u> 873.38	<u>1,003.43</u> 898.88	<u>1,063.35</u>
401 to 410	5.20	<u>868.40</u> 864.50	<u>877.50</u> 868.40	<u>910.00</u> 877.50	<u>964.60</u> 890.50	<u>1,023.10</u> 916.50	<u>1,084.20</u>
411 to 420	5.30	<u>885.10</u> 881.13	<u>894.38</u> 885.10	<u>927.50</u> 894.38	<u>983.15</u> 907.63	<u>1,042.78</u> 934.13	<u>1,105.05</u>
421 to 430	5.40	<u>901.80</u> 897.75	<u>911.25</u> 901.80	<u>945.00</u> 911.25	<u>1,001.70</u> 924.75	<u>1,062.45</u> 951.75	<u>1,125.90</u>

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CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

431 to 440	5.50	<u>918.50</u> 914.38	<u>928.13</u> 918.50	<u>962.50</u> 928.13	<u>1,020.25</u> 941.88	<u>1,082.13</u> 969.38	<u>1,146.75</u>
441 to 450	5.60	<u>935.20</u> 931.00	<u>945.00</u> 935.20	<u>980.00</u> 945.00	<u>1,038.80</u> 959.00	<u>1,101.80</u> 987.00	<u>1,167.60</u>
451 to 460	5.70	<u>951.90</u> 947.63	<u>961.88</u> 951.90	<u>997.50</u> 961.88	<u>1,057.35</u> 976.13	<u>1,121.48</u> 1,004.63	<u>1,188.45</u>
461 to 470	5.80	<u>968.60</u> 964.25	<u>978.75</u> 968.60	<u>1,015.00</u> 978.75	<u>1,075.90</u> 993.25	<u>1,141.15</u> 1,022.25	<u>1,209.30</u>
471 to 480	5.90	<u>985.30</u> 980.88	<u>995.63</u> 985.30	<u>1,032.50</u> 995.63	<u>1,094.45</u> 1,010.38	<u>1,160.83</u> 1,039.88	<u>1,230.15</u>
481 to 490	6.00	<u>1,002.00</u> 997.50	<u>1,012.50</u> 1,002.00	<u>1,050.00</u> 1,012.50	<u>1,113.00</u> 1,027.50	<u>1,180.50</u> 1,057.50	<u>1,251.00</u>
491 to 500	6.10	<u>1,018.70</u> 1,014.13	<u>1,029.38</u> 1,018.70	<u>1,067.50</u> 1,029.38	<u>1,131.55</u> 1,044.63	<u>1,200.18</u> 1,075.13	<u>1,271.85</u>
501 to 525	6.25	<u>1,043.75</u> 1,039.06	<u>1,054.69</u> 1,043.75	<u>1,093.75</u> 1,054.69	<u>1,159.38</u> 1,070.31	<u>1,229.69</u> 1,101.56	<u>1,303.13</u>
526 to 550	6.50	<u>1,085.50</u> 1,080.63	<u>1,096.88</u> 1,085.50	<u>1,137.50</u> 1,096.88	<u>1,205.75</u> 1,113.13	<u>1,278.88</u> 1,145.63	<u>1,355.25</u>
551 to 575	6.75	<u>1,127.25</u> 1,122.19	<u>1,139.06</u> 1,127.25	<u>1,181.25</u> 1,139.06	<u>1,252.13</u> 1,155.94	<u>1,328.06</u> 1,189.69	<u>1,407.38</u>
576 to 600	7.00	<u>1,169.00</u> 1,163.75	<u>1,181.25</u> 1,169.00	<u>1,225.00</u> 1,181.25	<u>1,298.50</u> 1,198.75	<u>1,377.25</u> 1,233.75	<u>1,459.50</u>
601 to 625	7.25	<u>1,210.75</u> 1,205.31	<u>1,223.44</u> 1,210.75	<u>1,268.75</u> 1,223.44	<u>1,344.88</u> 1,241.56	<u>1,426.44</u> 1,277.81	<u>1,511.63</u>

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CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

626 to 650	7.50	<u>1,252.50</u> 1,246.88	<u>1,265.63</u> 1,252.50	<u>1,312.50</u> 1,265.63	<u>1,391.25</u> 1,284.38	<u>1,475.63</u> 1,321.88	<u>1,563.75</u>
651 to 675	7.75	<u>1,294.25</u> 1,288.44	<u>1,307.81</u> 1,294.25	<u>1,356.25</u> 1,307.81	<u>1,437.63</u> 1,327.19	<u>1,524.81</u> 1,365.94	<u>1,615.88</u>
676 to 700	8.00	<u>1,336.00</u> 1,330.00	<u>1,350.00</u> 1,336.00	<u>1,400.00</u> 1,350.00	<u>1,484.00</u> 1,370.00	<u>1,574.00</u> 1,410.00	<u>1,668.00</u>
701 to 725	8.20	<u>1,369.40</u> 1,363.25	<u>1,383.75</u> 1,369.40	<u>1,435.00</u> 1,383.75	<u>1,521.10</u> 1,404.25	<u>1,613.35</u> 1,445.25	<u>1,709.70</u>
726 to 750	8.40	<u>1,402.80</u> 1,396.50	<u>1,417.50</u> 1,402.80	<u>1,470.00</u> 1,417.50	<u>1,558.20</u> 1,438.50	<u>1,652.70</u> 1,480.50	<u>1,751.40</u>
751 to 775	8.60	<u>1,436.20</u> 1,429.75	<u>1,451.25</u> 1,436.20	<u>1,505.00</u> 1,451.25	<u>1,595.30</u> 1,472.75	<u>1,692.05</u> 1,515.75	<u>1,793.10</u>
776 to 800	8.80	<u>1,469.60</u> 1,463.00	<u>1,485.00</u> 1,469.60	<u>1,540.00</u> 1,485.00	<u>1,632.40</u> 1,507.00	<u>1,731.40</u> 1,551.00	<u>1,834.80</u>
801 to 825	9.00	<u>1,503.00</u> 1,496.25	<u>1,518.75</u> 1,503.00	<u>1,575.00</u> 1,518.75	<u>1,669.50</u> 1,541.25	<u>1,770.75</u> 1,586.25	<u>1,876.50</u>
826 to 850	9.20	<u>1,536.40</u> 1,529.50	<u>1,552.50</u> 1,536.40	<u>1,610.00</u> 1,552.50	<u>1,706.60</u> 1,575.50	<u>1,810.10</u> 1,621.50	<u>1,918.20</u>
851 to 875	9.35	<u>1,561.45</u> 1,554.44	<u>1,577.81</u> 1,561.45	<u>1,636.25</u> 1,577.81	<u>1,734.43</u> 1,601.19	<u>1,839.61</u> 1,647.94	<u>1,949.48</u>
876 to 900	9.50	<u>1,586.50</u> 1,579.38	<u>1,603.13</u> 1,586.50	<u>1,662.50</u> 1,603.13	<u>1,762.25</u> 1,626.88	<u>1,869.13</u> 1,674.38	<u>1,980.75</u>
901 to 925	9.65	<u>1,611.55</u> 1,604.31	<u>1,628.44</u> 1,611.55	<u>1,688.75</u> 1,628.44	<u>1,790.08</u> 1,652.56	<u>1,898.64</u> 1,700.81	<u>2,012.03</u>

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ARTICLE 10. Charges.

926 to 950	9.80	<u>1,636.60</u> 1,629.25	<u>1,653.75</u> 1,636.60	<u>1,715.00</u> 1,653.75	<u>1,817.90</u> 1,678.25	<u>1,928.15</u> 1,727.25	<u>2,043.30</u>
951 to 975	9.95	<u>1,661.65</u> 1,654.19	<u>1,679.06</u> 1,661.65	<u>1,741.25</u> 1,679.06	<u>1,845.73</u> 1,703.94	<u>1,957.66</u> 1,753.69	<u>2,074.58</u>
976 to 1,000	10.15	<u>1,695.05</u> 1,687.44	<u>1,712.81</u> 1,695.05	<u>1,776.25</u> 1,712.81	<u>1,882.83</u> 1,738.19	<u>1,997.01</u> 1,788.94	<u>2,116.28</u>
1,001 to 1,050	10.55	<u>1,761.85</u> 1,753.94	<u>1,780.31</u> 1,761.85	<u>1,846.25</u> 1,780.31	<u>1,957.03</u> 1,806.69	<u>2,075.71</u> 1,859.44	<u>2,199.68</u>
1,051 to 1,100	10.90	<u>1,820.30</u> 1,812.13	<u>1,839.38</u> 1,820.30	<u>1,907.50</u> 1,839.38	<u>2,021.95</u> 1,866.63	<u>2,144.58</u> 1,921.13	<u>2,272.65</u>
1,101 to 1,150	11.30	<u>1,887.10</u> 1,878.63	<u>1,906.88</u> 1,887.10	<u>1,977.50</u> 1,906.88	<u>2,096.15</u> 1,935.13	<u>2,223.28</u> 1,991.63	<u>2,356.05</u>
1,151 to 1,200	11.70	<u>1,953.90</u> 1,945.13	<u>1,974.38</u> 1,953.90	<u>2,047.50</u> 1,974.38	<u>2,170.35</u> 2,003.63	<u>2,301.98</u> 2,062.13	<u>2,439.45</u>
1,201 to 1,250	12.00	<u>2,004.00</u> 1,995.00	<u>2,025.00</u> 2,004.00	<u>2,100.00</u> 2,025.00	<u>2,226.00</u> 2,055.00	<u>2,361.00</u> 2,115.00	<u>2,502.00</u>
1,251 to 1,300	12.35	<u>2,062.45</u> 2,053.19	<u>2,084.06</u> 2,062.45	<u>2,161.25</u> 2,084.06	<u>2,290.93</u> 2,114.94	<u>2,429.86</u> 2,176.69	<u>2,574.98</u>
1,301 to 1,350	12.70	<u>2,120.90</u> 2,111.38	<u>2,143.13</u> 2,120.90	<u>2,222.50</u> 2,143.13	<u>2,355.85</u> 2,174.88	<u>2,498.73</u> 2,238.38	<u>2,647.95</u>
1,351 to 1,400	13.00	<u>2,171.00</u> 2,161.25	<u>2,193.75</u> 2,171.00	<u>2,275.00</u> 2,193.75	<u>2,411.50</u> 2,226.25	<u>2,557.75</u> 2,291.25	<u>2,710.50</u>
1,401 to 1,450	13.25	<u>2,212.75</u> 2,202.81	<u>2,235.94</u> 2,212.75	<u>2,318.75</u> 2,235.94	<u>2,457.88</u> 2,269.06	<u>2,606.94</u> 2,335.31	<u>2,762.63</u>

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ARTICLE 10. Charges.

1,451 to 1,500	13.50	<u>2,254.50</u> 2,244.38	<u>2,278.13</u> 2,254.50	<u>2,362.50</u> 2,278.13	<u>2,504.25</u> 2,311.88	<u>2,656.13</u> 2,379.38	<u>2,814.75</u>
1,501 to 1,600	14.05	<u>2,346.35</u> 2,335.81	<u>2,370.94</u> 2,346.35	<u>2,458.75</u> 2,370.94	<u>2,606.28</u> 2,406.06	<u>2,764.34</u> 2,476.31	<u>2,929.43</u>
1,601 to 1,700	14.60	<u>2,438.20</u> 2,427.25	<u>2,463.75</u> 2,438.20	<u>2,555.00</u> 2,463.75	<u>2,708.30</u> 2,500.25	<u>2,872.55</u> 2,573.25	<u>3,044.10</u>
1,701 to 1,800	15.15	<u>2,530.05</u> 2,518.69	<u>2,556.56</u> 2,530.05	<u>2,651.25</u> 2,556.56	<u>2,810.33</u> 2,594.44	<u>2,980.76</u> 2,670.19	<u>3,158.78</u>
1,801 to 1,900	15.70	<u>2,621.90</u> 2,610.13	<u>2,649.38</u> 2,621.90	<u>2,747.50</u> 2,649.38	<u>2,912.35</u> 2,688.63	<u>3,088.98</u> 2,767.13	<u>3,273.45</u>
1,901 to 2,000	16.25	<u>2,713.75</u> 2,701.56	<u>2,742.19</u> 2,713.75	<u>2,843.75</u> 2,742.19	<u>3,014.38</u> 2,782.81	<u>3,197.19</u> 2,864.06	<u>3,388.13</u>
2,001 to 2,100	16.80	<u>2,805.60</u> 2,793.00	<u>2,835.00</u> 2,805.60	<u>2,940.00</u> 2,835.00	<u>3,116.40</u> 2,877.00	<u>3,305.40</u> 2,961.00	<u>3,502.80</u>
2,101 to 2,200	17.35	<u>2,897.45</u> 2,884.44	<u>2,927.81</u> 2,897.45	<u>3,036.25</u> 2,927.81	<u>3,218.43</u> 2,971.19	<u>3,413.61</u> 3,057.94	<u>3,617.48</u>
2,201 to 2,300	17.90	<u>2,989.30</u> 2,975.88	<u>3,020.63</u> 2,989.30	<u>3,132.50</u> 3,020.63	<u>3,320.45</u> 3,065.38	<u>3,521.83</u> 3,154.88	<u>3,732.15</u>
2,301 to 2,400	18.45	<u>3,081.15</u> 3,067.31	<u>3,113.44</u> 3,081.15	<u>3,228.75</u> 3,113.44	<u>3,422.48</u> 3,159.56	<u>3,630.04</u> 3,251.81	<u>3,846.83</u>
2,401 to 2,500	19.00	<u>3,173.00</u> 3,158.75	<u>3,206.25</u> 3,173.00	<u>3,325.00</u> 3,206.25	<u>3,524.50</u> 3,253.75	<u>3,738.25</u> 3,348.75	<u>3,961.50</u>
2,501 to 2,600	19.55	<u>3,264.85</u> 3,250.19	<u>3,299.06</u> 3,264.85	<u>3,421.25</u> 3,299.06	<u>3,626.53</u> 3,347.94	<u>3,846.46</u> 3,445.69	<u>4,076.18</u>

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CHAPTER 67.1. - Sanitary Sewers and Sewage Disposal.

ARTICLE 10. Charges.

2,601 to 2,700	20.10	<u>3,356.70</u> 3,341.63	<u>3,391.88</u> 3,356.70	<u>3,517.50</u> 3,391.88	<u>3,728.55</u> 3,442.13	<u>3,954.68</u> 3,542.63	<u>4,190.85</u>
2,701 to 2,800	20.65	<u>3,448.55</u> 3,433.06	<u>3,484.69</u> 3,448.55	<u>3,613.75</u> 3,484.69	<u>3,830.58</u> 3,536.31	<u>4,062.89</u> 3,639.56	<u>4,305.53</u>
2,801 to 2,900	21.20	<u>3,540.40</u> 3,524.50	<u>3,577.50</u> 3,540.40	<u>3,710.00</u> 3,577.50	<u>3,932.60</u> 3,630.50	<u>4,171.10</u> 3,736.50	<u>4,420.20</u>
2,901 to 3,000	21.75	<u>3,632.25</u> 3,615.94	<u>3,670.31</u> 3,632.25	<u>3,806.25</u> 3,670.31	<u>4,034.63</u> 3,724.69	<u>4,279.31</u> 3,833.44	<u>4,534.88</u>
3,001 to 4,000	26.00	<u>4,342.00</u> 4,322.50	<u>4,387.50</u> 4,342.00	<u>4,550.00</u> 4,387.50	<u>4,823.00</u> 4,452.50	<u>5,115.50</u> 4,582.50	<u>5,421.00</u>
4,001 to 5,000	29.50	<u>4,926.50</u> 4,904.38	<u>4,978.13</u> 4,926.50	<u>5,162.50</u> 4,978.13	<u>5,472.25</u> 5,051.88	<u>5,804.13</u> 5,199.38	<u>6,150.75</u>
5,001 to 6,000	33.00	<u>5,511.00</u> 5,486.25	<u>5,568.75</u> 5,511.00	<u>5,775.00</u> 5,568.75	<u>6,121.50</u> 5,651.25	<u>6,492.75</u> 5,816.25	<u>6,880.50</u>
6,001 to 7,000	36.40	<u>6,078.80</u> 6,051.50	<u>6,142.50</u> 6,078.80	<u>6,370.00</u> 6,142.50	<u>6,752.20</u> 6,233.50	<u>7,161.70</u> 6,415.50	<u>7,589.40</u>
7,001 to 8,000	39.60	<u>6,613.20</u> 6,583.50	<u>6,682.50</u> 6,613.20	<u>6,930.00</u> 6,682.50	<u>7,345.80</u> 6,781.50	<u>7,791.30</u> 6,979.50	<u>8,256.60</u>
8,001 to 9,000	42.75	<u>7,139.25</u> 7,107.19	<u>7,214.06</u> 7,139.25	<u>7,481.25</u> 7,214.06	<u>7,930.13</u> 7,320.94	<u>8,411.06</u> 7,534.69	<u>8,913.38</u>
9,001 to 10,000	46.00	<u>7,682.00</u> 7,647.50	<u>7,762.50</u> 7,682.00	<u>8,050.00</u> 7,762.50	<u>8,533.00</u> 7,877.50	<u>9,050.50</u> 8,107.50	<u>9,591.00</u>
10,001 to 11,000	48.85	<u>8,157.95</u> 8,121.31	<u>8,243.44</u> 8,157.95	<u>8,548.75</u> 8,243.44	<u>9,061.68</u> 8,365.56	<u>9,611.24</u> 8,609.81	<u>10,185.23</u>

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ARTICLE 10. Charges.

11,001 to 12,000	51.60	8,617.20 <u>8,578.50</u>	8,707.50 <u>8,617.20</u>	9,030.00 <u>8,707.50</u>	9,571.80 <u>8,836.50</u>	10,152.30 <u>9,094.50</u>	<u>10,758.60</u>
12,001 to 13,000	54.60	9,118.20 <u>9,077.25</u>	9,213.75 <u>9,118.20</u>	9,555.00 <u>9,213.75</u>	10,128.30 <u>9,350.25</u>	10,742.55 <u>9,623.25</u>	<u>11,384.10</u>
13,001 to 14,000	57.40	9,585.80 <u>9,542.75</u>	9,686.25 <u>9,585.80</u>	10,045.00 <u>9,686.25</u>	10,647.70 <u>9,829.75</u>	11,293.45 <u>10,116.75</u>	<u>11,967.90</u>
14,001 to 15,000	60.00	10,020.00 <u>9,975.00</u>	10,125.00 <u>10,020.00</u>	10,500.00 <u>10,125.00</u>	11,130.00 <u>10,275.00</u>	11,805.00 <u>10,575.00</u>	<u>12,510.00</u>

NOTES:

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

Board Agenda Item
April 4, 2017

3:00 p.m.

Public Hearing on SE 2016-DR-018 (Anupama Prasai, AKA Anupama Prasai Koirala) to Permit a Home Child Care Facility, Located on Approximately 1,173 Square Feet of Land Zoned PDH-12 (Dranesville District)

This property is located at 2526 Banshire Drive, Herndon, 20171. Tax Map 16-3 ((10)) 69.

PLANNING COMMISSION RECOMMENDATION:

On March 2, 2017, the Planning Commission voted 12-0 to recommend to the Board of Supervisors approval of SE 2016-DR-018, subject to the Development Conditions dated March 2, 2017, with the amendment to the hours of operation in Paragraph 4 to reflect operating hours between 6:30 a.m. and 6:00 p.m.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<http://www.fairfaxcounty.gov/dpz/staffreports/bos-packages/>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Casey Gresham, Planner, DPZ

Board Agenda Item
April 4, 2017

4:00 p.m.

Public Hearing on a Proposed Zoning Ordinance Amendment Re: Commercial Vehicles in Residential Districts

ISSUE:

This proposed Zoning Ordinance Amendment is on the 2016 Zoning Ordinance Amendment Work Program and is intended to codify existing interpretations of Zoning Ordinance provisions related to parking commercial vehicles in residential districts and to clarify what constitutes a commercial vehicle. The proposed amendment will provide clarity to citizens and staff as to what specific commercial vehicles are prohibited from parking at dwelling units in residential districts.

PLANNING COMMISSION RECOMMENDATION:

On February 23, 2017, the Planning Commission voted 11-0 (Commissioner Migliaccio absent from the meeting) to recommend to the Board of Supervisors that the proposed Zoning Ordinance Amendment regarding Commercial Vehicles in Residential Districts be approved as advertised, and as set forth in the staff report dated January 24, 2017, with an effective date of 12:01 a.m. on the day following adoption.

RECOMMENDATION:

The County Executive concurs with the Planning Commission recommendation.

TIMING:

Board of Supervisors' authorization to advertise – January 24, 2017; Planning Commission public hearing – February 23, 2017 at 8:15 p.m.; Board of Supervisors (Board) public hearing - April 4, 2017, at 4:30 p.m.

BACKGROUND:

The enforcement and implementation of the commercial vehicle provisions have been somewhat problematic as it can be difficult to determine what constitutes a commercial vehicle. In addition, there have been a number of appeals of Notices of Zoning Violations concerning commercial vehicles that have been considered by the Board of Zoning Appeals (BZA). Some of the issues and concerns that have arisen are whether the vehicle is used for commercial or personal purposes; the fact that many vehicles used for personal purposes exceed a carrying capacity of 1,500 pounds; whether the Zoning Ordinance adequately describes the permitted size of the commercial vehicle; and whether the vehicle exceeds the weight limit specified in the Zoning Ordinance. In

addition, the portion of the commercial vehicle definition referring to the display of advertised lettering must be modified to comply with a recent United States Supreme Court decision. Finally, the growth of the transportation network companies, such as Uber and Lyft, has created a class of vehicles that, while used in part for commercial purposes, retain the appearance of personal vehicles. For the reasons listed above, the BZA has requested that consideration be given to clarifying the commercial vehicle zoning regulations. Staff from the Department of Code Compliance (DCC) enforces these regulations and has also recommended that these provisions be clarified. Specifically, the amendment:

- (1) Modifies the commercial vehicle definition to delete the carrying capacity criterion for being deemed a commercial vehicle; and replace the display of advertising lettering criterion with a criterion that requires the vehicle to bear or display indicators that the vehicle is designed or used for commercial purposes, including, but not limited to box trucks, step vans or vehicles specifically designed to carry tools and/or special equipment, regardless of capacity.
- (2) Modifies the commercial vehicle definition to state that commercial vehicles do not include vehicles actively providing delivery, repair or moving services; or vehicles primarily used for the noncommercial transport of passengers which may display Virginia Department of Motor Vehicles issued transportation network company identifications or other small emblems and do not include any other commercial indicators.
- (3) Revises the list of commercial vehicles that are prohibited as an accessory use to a dwelling unit in a residential district to replace wreckers with a gross weight of 12,000 pounds or more with all towing and recovery vehicles and to specifically prohibit: vehicles exceeding a certain length, width or height; vehicles carrying commercial freight in plain view; trailers used for transporting equipment whether attached or unattached to another vehicle; and vehicles with three or more axles.

A more detailed discussion is set forth in the Staff Report, enclosed as Attachment 1.

REGULATORY IMPACT:

The proposed amendment will facilitate the implementation and enforcement of the Zoning Ordinance commercial vehicle provisions in residential districts by providing clarity as to what constitutes a commercial vehicle and to specifically state what commercial vehicles are prohibited from parking at dwelling units in residential districts. This amendment will benefit both citizens and staff.

Board Agenda Item
April 4, 2017

FISCAL IMPACT:

The proposed amendment will not have a fiscal impact as it can be implemented using existing resources.

ENCLOSED DOCUMENTS:

Attachment 1 – Planning Commission Verbatim Excerpt

Staff Report, available online at:

<http://www.fairfaxcounty.gov/dpz/zoningordinance/proposed/commercialvehiclesresidentialdisctict.pdf>

STAFF:

Robert A. Stalzer, Deputy County Executive

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

Leslie B. Johnson, Zoning Administrator, DPZ

Elizabeth Perry, Senior Deputy Zoning Administrator, Department of Code Compliance

**County of Fairfax, Virginia
Planning Commission Meeting
February 23, 2017
Verbatim Excerpt**

ZONING ORDINANCE AMENDMENT – COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS – To amend Chapter 112 (the Zoning Ordinance) of the 1976 Code of the County of Fairfax, as follows: (1) Modify the commercial vehicle definition to delete the carrying capacity criterion for being deemed a commercial vehicle; and replace the display of advertising lettering criterion with a criterion that requires the vehicle to bear or display indicators that the vehicle is designed or used for commercial purposes, including, but not limited to box trucks, step vans or vehicles specifically designed to carry tools and/or special equipment, regardless of capacity. (2) Modify the commercial vehicle definition to state that commercial vehicles do not include vehicles actively providing delivery, repair or moving services; or vehicles primarily used for the noncommercial transport of passengers which may display Virginia Department of Motor Vehicles issued transportation network company identifications or other small emblems and do not include any other commercial indicators. (3) Revise the list of commercial vehicles that are prohibited as an accessory use to a dwelling unit in a residential district to replace wreckers with a gross weight of 12,000 pounds or more with all towing and recovery vehicles and to specifically prohibit: vehicles exceeding 21 feet in length, 8½ feet in width or 8 feet in height; vehicles carrying commercial freight in plain view; trailers used for transporting equipment whether attached or unattached to another vehicle; and vehicles with three or more axles. (Countywide)

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed. Mr. Hart, please.

Commissioner Hart: Yes. Thank you, Mr. Chairman. I would like to thank the citizens who sent emails or questions and comments. We did get a resolution in support from the Mount Vernon Citizens Association. We got a few other emails over the last couple weeks. I also want to thank the staff team for their fine work on this – the folks who came out tonight, particularly Ms. Stanfield, Ms. Kirst, Ms. Perry, Ms. Silverman. And I think this is a pretty straightforward amendment, which adds clarity to an important definition. I'm comfortable with the wording that we have and the explanation that we've gotten on all of the questions. I think this is ready to go, unless somebody has an issue with it. And therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND – EXCUSE ME – TO THE BOARD OF SUPERVISORS THAT THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS BE APPROVED, AS ADVERTISED, AND AS SET FORTH IN THE STAFF REPORT DATED JANUARY 24, 2017, WITH AN EFFECTIVE DATE OF 12:01 A.M. ON THE DAY FOLLOWING ADOPTION.

Commissioners Flanagan and Hedetniemi: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion? And Ms. Hedetniemi. All those in favor of the motion to recommend to the Board of Supervisors that it adopt Zoning Ordinance Amendment regarding commercial vehicles in residential districts, say aye.

Commissioners: Aye.

ZONING ORDINANCE AMENDMENT
COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS

Page 2

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 11-0. Commissioner Migliaccio was absent from the meeting.

JLC

Board Agenda Item
April 4, 2017

4:00 pm

Public Hearing on Proposed Plan Amendment 2016-II-TY1, Tysons Urban Center –
Workforce Housing and High-Rise Condominiums (Providence and Hunter Mill Districts)

ISSUE:

Plan Amendment (PA) 2016-II-TY1 proposes to revise the Comprehensive Plan Workforce Dwelling Unit (WDU) recommendations for high-rise condominium developments in the Tysons Urban Center.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, March 2, 2017, the Planning Commission voted 11-0-1 (Commissioner Migliaccio abstained) to recommend that the Board of Supervisors adopt the staff recommendation for PA 2016-II-TY1, as shown on Pages 4 through 7 of the Staff Report, dated February 9, 2017. With a change to Table 1B, as shown in the handout dated March 2, 2017, which correctly shows the percentage of workforce housing units.

RECOMMENDATION:

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

TIMING:

Planning Commission public hearing – February 23, 2017
Planning Commission decision – March 2, 2017
Board of Supervisors public hearing – April 4, 2017

BACKGROUND:

On July 26, 2016, the Board of Supervisors authorized Plan Amendment 2016-II-TY1 to consider changes to the WDU guidance in the Tysons Urban Center section of the Area II volume of the Comprehensive Plan as recommended by the Tysons High-Rise Condominium WDU Advisory Group, following issues highlighted in the Arbor Row Block D zoning case for condominiums in a high-rise building. The application highlighted the difficulty of meeting the affordable housing recommendations to provide 20% of all new housing as WDUs given construction costs for high-rise developments and condominium fees in buildings with a high level of amenities. Currently, the affordable housing policies for Tysons in the adopted Plan recommend that 20% of the

Board Agenda Item
April 4, 2017

residential units in new developments built under the redevelopment option should be affordable to households with incomes ranging from 50 to 120% of Area Median Income (AMI), as set forth in the Tysons Plan.

PA 2016-II-TY1 proposes a new three-level income tier for WDUs in high-rise, for sale condominiums divided among the following ranges: affordable to up to 70% Area Median Income (AMI), affordable to 71%-80% AMI, and affordable to 81%-100% AMI. In addition, if an applicant provides all of the for-sale workforce housing units onsite, the percentage of WDUs would be reduced from 20% to 14%. If the units are provided as new construction for-sale units in another property offsite in Tysons, the 16% WDUs would be provided. If rental workforce housing units are provided onsite or offsite in Tysons in lieu of the for-sale units, 20% WDU rental units would be provided.

This Plan amendment will inform a parallel revision of the Tysons WDU Administrative Policy Guidelines.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment I: Planning Commission Verbatim Excerpt
Attachment II: Planning Commission Handout, March 2, 2017

The Staff Report for Plan Amendment 2016-II-TY1 is available at:
<http://www.fairfaxcounty.gov/dpz/comprehensiveplan/amendments/2016-ii-ty1.pdf>

STAFF:
Fred R. Selden, Director, Department of Planning and Zoning (DPZ)
Marianne Gardner, Director, Planning Division (PD), DPZ
Meghan Van Dam, Branch Chief, Policy and Plan Development Branch (PPDB), PD, DPZ
Bernard S. Suchicital, Planner III, PPDB, PD, DPZ

**County of Fairfax, Virginia
Planning Commission Meeting
March 2, 2017
Verbatim Excerpt**

Attachment I

PA 2016-II-TY1 – COMPREHENSIVE PLAN AMENDMENT (TYSONS WORKFORCE HOUSING AND HIGH-RISE CONDOMINIUMS) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the Code of Virginia, Title 15.2, Chapter 22. This Amendment concerns approx. 2,100 ac. Tysons Urban Center generally located at junctions of the Capital Beltway/Interstate 495 (I-495) with the Dulles Airport Access Road and Dulles Toll Road (DAAR, Route 267), Leesburg Pike (Route 7), and Chain Bridge Road/Dolley Madison Boulevard (Route 123) (Tax map #28-2, 28-4, 29-1, 29-2, 29-3, 29-4, 30-3, 39-1, 39-2, 40-1) in the Providence and Hunter Mill Supervisor Districts. The Tysons Urban Center section of the Area II volume of the Comprehensive Plan recommends that all projects with a residential component that seek to implement a redevelopment option should provide affordable and workforce dwelling units. The amendment considers changes to the recommendations related to Workforce Dwelling Units (WDU) in high-rise condominium developments, as recommended by the Tysons High-Rise Condominium WDU Advisory Committee. (Providence and Hunter Mill District)

After Close of the Public Hearing

Commissioner Niedzielski-Eichner: Mr. Chairman, a final motion from me this evening. I am persuaded that the amendment which is Plan Amendment 2016-II-TY1 is - that this amendment addresses an identified need and has been given thoughtful and thorough consideration by the advisory group and staff. And, with an important correction to Table 1 B following Commissioner Hurley's question last week, I, therefore, MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT THE STAFF RECOMMENDATION FOR PA 2016-II-TY1, AS SHOWN ON PAGES 4 THROUGH 7 OF THE STAFF REPORT, DATED FEBRUARY 9, 2017. WITH THE CHANGE TO TABLE 1 B, AS SHOWN IN MY HANDOUT DATED MARCH 2ND, 2017, WHICH CORRECTLY SHOWS THE PERCENTAGE OF WORKFORCE HOUSING UNITS. The recommendation would amend the plan to revise a Comprehensive Plan workforce dwelling unit recommendations for high-rise condominium developments in the Tysons Corner Urban Center. Thank you, Mr. Chairman.

Commissioner Flanagan: Second.

Chairman Murphy: Second by Mr. Flanagan. Is there a discussion? All those in favor of the motion to recommend to the Board of Supervisors that it adopt PA 2016-II-TY1, as amended this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-1. Commissioner Migliaccio abstained.

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SL

MOTION
March 2, 2017

Commissioner Phillip Niedzielski-Eichner, Providence District
Planning Commission Decision Only

Plan Amendment 2016-II-TY1

Tysons – Workforce Housing and High-rise Condominiums

Motion to Recommend Approval:

Mr. Chairman, I move that the Planning Commission recommend that the Board of Supervisors adopt the staff recommendation for PA 2016-II-TY1 as shown on pages 4 through 7 of the Staff Report dated February 9, 2017, with a change to Table 1B as shown in my handout dated March 2, 2017, which correctly shows the percentage of workforce housing units. The recommendation would amend the Plan to revise the Comprehensive Plan Workforce Dwelling Unit recommendations for high-rise condominium developments in the Tysons Corner Urban Center.

Thank you, Mr. Chairman.

End of Motion

PLANNING COMMISSION HANDOUT
Plan Amendment 2016-II-TY1
March 2, 2017

The following Table 1B would replace the staff recommended Table 1B shown on page 5 of the staff report, dated February 9, 2017.

“Table 1B

Income Tiers for Workforce Dwelling Units in High-rise Condominiums

Income Tiers	14% - For Sale Units Onsite	16% - For Sale Units Offsite in Tysons
81-100% of AMI	4.67% of total units	5.33% of total units
71 – 80% of AMI	4.67% of total units	5.33% of total units
< 70% of AMI	4.67% of total units	5.33% of total units”

Board Agenda Item
April 4, 2017

4:00 PM

Public Hearing on the County Executive's Proposed FY 2018 Advertised Budget Plan, the Advertised Capital Improvement Program for Fiscal Years 2018-2022 (CIP) (With Future Fiscal Years to 2027) and the Current Appropriation in the FY 2017 Revised Budget Plan

ENCLOSED DOCUMENT:

None. Board Members will receive the Planning Commission's recommendations on the FY 2018 – FY 2022 Advertised Capital Improvement Program (With Future Fiscal Years to 2027) prior to the April 4, 2017, public hearing.

1. *FY 2017 Third Quarter Review*

Sent electronically March 13, 2017

http://www.fairfaxcounty.gov/dmb/third_quarter/fy2017/third_quarter.htm

Board Members are requested to bring to the meeting the following documents previously forwarded to them:

2. FY 2018 Advertised Budget Plan, Volumes 1 & 2 and the Budget Overview

Sent electronically February 14, 2017, hard copies February 21, 2017

<http://www.fairfaxcounty.gov/dmb/fy2018/advertised/fy2018-advertised-budget.htm>

3. FY 2018 – FY 2022 Advertised Capital Improvement Program (With Future Fiscal Years to 2027)

Sent electronically February 14, 2017, hard copies February 21, 2017

<http://www.fairfaxcounty.gov/dmb/fy2018/advertised/cip.htm>

STAFF:

Edward L. Long Jr., County Executive
Joe Mondoro, Chief Financial Officer