

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 21, 2019**

AGENDA

- 8:30 Reception for 50th Anniversary of the Community Services Board,
J. Lambert Conference Center, Conference Room 8
- 8:30 Reception for GrandInvolve Proclamation, J. Lambert Conference
Center, Conference Rooms 9/10
- 8:30 Reception for Communities of Trust 5th Anniversary Proclamation,
J. Lambert Conference Center, Reception Area
- 9:30 [Presentations](#)
- 10:00 [Board Appointments to Citizen Boards, Authorities, Commissions,
and Advisory Groups](#)
- 10:10 [Items Presented by the County Executive](#)

**ADMINISTRATIVE
ITEMS**

- 1 [Streets into the Secondary System \(Sully District\)](#)
- 2 [Authorization to Advertise Public Hearings on Proposed
Amendments to the Public Facilities Manual \(PFM\) Regarding
Phase 2 of the "PFM Flex Project," a Fairfax First Initiative to
Improve the Speed, Consistency, and Predictability of the
County's Land Development Review Process](#)
- 3 [Authorization to Advertise a Public Hearing on Amendments to
the Code of the County of Fairfax, Chapter 82, Motor Vehicles
and Traffic](#)
- 4 [Authorization to Advertise a Public Hearing for the De-Create of
Small and Local Sanitary Districts for Refuse/Recycling Collection
Service \(Dranesville District\)](#)
- 5 [Authorization to Advertise a Public Hearing to Lease County-
Owned Property at 6140 Rolling Road to Cellco Partnership d/b/a
Verizon Wireless \(Springfield District\)](#)
- 6 [Authorization to Advertise a Public Hearing to Lease County-
Owned Property at 2610 Reston Parkway to Cellco Partnership
d/b/a Verizon Wireless \(Hunter Mill District\)](#)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 21, 2019**

**ADMINISTRATIVE
ITEMS
(Continued)**

- 7 Authorization to Advertise a Public Hearing to Lease County-Owned Property at 8350 Richmond Highway to Clear Wireless LLC (Lee District)
- 8 Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Police Officers Retirement System Ordinance
- 9 Supplemental Appropriation Resolution AS 19238 for the Fairfax County Economic Development Authority to Accept Grant Funding from the Commonwealth of Virginia – Commonwealth Development Opportunity Fund (COF) for MicroStrategy, Inc.
- 10 Extension of Review Period for 2232 Application (Mount Vernon District)
- 11 Authorization to Advertise a Public Hearing for the De-Creation of Small and Local Sanitary Districts for Refuse/Recycling and Vacuum Leaf Collection Service (Providence District)
- 12 Authorization to Advertise a Public Hearing for the Enlargement of Small and Local Sanitary Districts for Refuse/Recycling and Vacuum Leaf Collection Service (Dranesville District)
- 13 Authorization to Advertise a Public Hearing for the De-creation/Re-creation of Small and Local Sanitary Districts for Discontinuing Vacuum Leaf Collection Service (Mount Vernon District)

ACTION ITEMS

- 1 Approval of the Proposed Consolidated Plan One-Year Action Plan for FY 2020
- 2 Approval of Standard Project Agreement with the Virginia Department of Transportation (VDOT) for Partial Design of the Braddock Road Improvements from Humphries Drive to Ravensworth Road (Braddock and Mason Districts)
- 3 Approval of and Authorization to Execute a Standard Project Administration Agreement with the Virginia Department of Transportation, for the Implementation of Compton Road Shared Use Path (Sully District)

**FAIRFAX COUNTY
BOARD OF SUPERVISORS
May 21, 2019**

**ACTION ITEMS
(Continued)**

- | | |
|---|---|
| 4 | Approval for the Development and Implementation of a Public Safety Unmanned Aircraft System Program (UAS) |
|---|---|

**INFORMATION
ITEMS**

- | | |
|-------|--|
| 1 | Contract Award – Human Resources Benefits Consulting |
| 2 | Contract Award – Psychiatric Residency Services |
| 10:20 | Matters Presented by Board Members |
| 11:10 | Closed Session |

**PUBLIC
HEARINGS**

- | | | |
|------|-----------------------|---|
| 3:30 | | Public Hearing on SEA 88-D-008 (VA. Electric & Power Co., D/B/A Dominion Energy Virginia) (Providence District) |
| 3:30 | To be Deferred | Public Hearing on PRCA-B-846-02 (Reston Heights Residential I, LLC) (Hunter Mill District) |
| 3:30 | | Public Hearing on PCA 84-C-048 (Prince Towne, LLC) (Hunter Mill District) |
| 3:30 | | Public Hearing on PCA 2011-PR-023-02/CDPA 2011-PR-023-02 (Cityline Partners LLC) (Providence District) |
| 3:30 | | Public Hearing on PCA 2011-PR-023-03 (Cityline Partners LLC) (Providence District) |
| 4:00 | | Public Hearing on Proposed Plan Amendment 2018-II-F2 (One University) (Braddock District) |
| 4:30 | | Public Comment |



Fairfax County, Virginia

BOARD OF SUPERVISORS

AGENDA

Tuesday
May 21, 2019

9:30 a.m.

REPORT, VIDEO AND RECOGNITION

Community Services Board 50th anniversary.
Requested by Chairman Bulova.

- CERTIFICATE — To recognize McLean High School for winning a 2019 First Amendment Press Freedom Award. Requested by Supervisor Foust.
- RESOLUTION — To recognize the Langley High School Model United Nations Team for winning multiple awards. Requested by Supervisor Foust.
- CERTIFICATE — To recognize the Langley High School Ice Hockey Team for winning the Northern Virginia Scholastic Hockey League championship. Requested by Supervisor Foust.
- RESOLUTION — To recognize GrandInvolve for being awarded the Best Practice Award by the Commonwealth Council on Aging. Requested by Supervisors McKay and Herrity.
- PROCLAMATION — To designate June 2019 as Home Ownership Awareness Month in Fairfax County. Requested by Supervisor Smith.
- RESOLUTION — To recognize the fifth anniversary of the Communities of Trust Committee. Requested by Chairman Bulova.

— more —

Board Agenda Item
May 21, 2019

- PROCLAMATION — To designate May 19-25, 2019, as Emergency Medical Services Week in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION — To designate June 16-22, 2019, as Safety Stand Down Week in Fairfax County. Requested by Chairman Bulova.
- PROCLAMATION — To designate May 2019 as Lyme Disease Awareness Month in Fairfax County. Requested by Supervisor Herrity.
- PROCLAMATION — To designate May 2019 as Building Safety Month in Fairfax County. Requested by Supervisor Smith.

STAFF:

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

Board Agenda Item
May 21, 2019

10:00 a.m.

Board Appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups

ENCLOSED DOCUMENTS:

Attachment 1: Appointments to be heard May 21, 2019
(An updated list will be distributed at the Board meeting.)

STAFF:

Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors

May 21, 2019

NOTE: A revised list will be distributed immediately prior to the Board meeting.

APPOINTMENTS TO BE HEARD MAY 21, 2019
(ENCOMPASSING VACANCIES PROJECTED THROUGH **MAY 31, 2019**)
(Unless otherwise noted, members are eligible for reappointment)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE
(1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Eileen J. Garnett (Appointed 1/03-2/17 by Gross) Term exp. 1/18	Mason District Representative		Gross	Mason

AFFORDABLE DWELLING UNIT ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Mark Drake (Appointed 2/09-5/12 by McKay) Term exp. 5/16	Engineer/Architect/ Planner #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by James Francis Carey; appointed 2/95-5/02 by Hanley; 5/06 by Connolly) Term exp. 5/10 <i>Resigned</i>	Lending Institution Representative		By Any Supervisor	At-Large

AIRPORTS ADVISORY COMMITTEE (3 years)
--

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by George Page; appointed 1/05-1/16 by Hudgins) Term exp. 1/19 <i>Resigned</i>	Hunter Mill Business Representative		Hudgins	Hunter Mill

ANIMAL SERVICES ADVISORY COMMISSION (2 years)
--

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Charlotte Gallagher; appointed 2/18 by McKay) Term exp. 2/20 <i>Resigned</i>	Lee District Representative		McKay	Lee

ARCHITECTURAL REVIEW BOARD (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by John A. Carter; appointed 2/17 by Hudgins) Term exp. 9/18 <i>Resigned</i>	Related Professional Group #4 Representative		By Any Supervisor	At-Large

ATHLETIC COUNCIL (2 years)				
<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Douglas Phung; appointed 12/17 by Bulova) Term exp. 12/19 <i>Resigned</i>	Diversity-At-Large Principal Representative		By Any Supervisor	At-Large
Gregory Beckwith (Appointed 7/13-5/17 by Foust) Term exp. 3/19	Dranesville District Principal Representative		Foust	Dranesville
William C. Horrigan (Appointed 6/15-5/17 by Foust) Term exp. 3/19	Dranesville District Alternate Representative		Foust	Dranesville
VACANT (Formerly held by Karin Stamper; appointed 9/09-4/16 by McKay) Term exp. 4/18 <i>Resigned</i>	Lee District Alternate Representative		McKay	Lee
VACANT (Formerly held by Terry Adams; appointed 11/11-7/13 by Gross) Term exp. 6/15 <i>Resigned</i>	Mason District Alternate Representative		Gross	Mason
VACANT (Formerly held by Salvatore Colangelo; appointed 3/17 by Storck) Term exp. 3/19	Mount Vernon District Principal Representative		Storck	Mount Vernon

Continued on next page

ATHLETIC COUNCIL (2 years)

continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Paul J. Dean; appointed 6/17 by Storck) Term exp. 3/19	Mount Vernon District Alternate Representative		Storck	Mount Vernon
Jane Dawber (Appointed 3/13-9/16 by Hudgins) Term exp. 6/18	Women's Sports Alternate Representative		By Any Supervisor	At-Large

CONFIRMATION NEEDED:

- Mr. Roland Taylor as the Town of Herndon Principal Representative

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE (1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Judith Fogel; appointed 6/12-5/15 by Gross) Term exp. 6/16 Resigned	Mason District Representative		Gross	Mason

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS (4 years)

(No official, technical assistant, inspector or other employee of the DPWES, DPZ,
or FR shall serve as a member of the board.)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
David R. Conover (Appointed 1/16 by Foust) Term exp. 2/19	Design Professional #2 Representative		By Any Supervisor	At-Large

**CHESAPEAKE BAY PRESERVATION ORDINANCE
EXCEPTION REVIEW COMMITTEE (4 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Grant Sitta; appointed 9/10-9/15 by Gross) Term exp. 9/19 <i>Resigned</i>	Mason District Representative		Gross	Mason

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Patrick J. Scott (Appointed 10/16 by Hudgins) Term exp. 5/18	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Nicholas Ludlum; appointed 1/17 by L. Smyth) Term exp. 5/18 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence

CIVIL SERVICE COMMISSION (2 years)

[NOTE: The Commission shall include at least 3 members who are male, 3 members who are female, and 3 members who are from a member of a minority group.]

Current Membership: Males - 9 Females – 3 Minorities: - 5

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Ronald Copeland; appointed 9/04-1/17 by Hudgins) Term exp. 12/18 <i>Resigned</i>	At-Large #2 Representative		By Any Supervisor	At-Large

COMMISSION ON AGING (2 years)				
<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Catherine S. Cole (Appointed 9/16-5/17 by Bulova) Term exp. 5/19	At-Large Chairman's Representative		Bulova	At-Large Chairman's
Michael Perel (Appointed 7/16-5/17 by Cook) Term exp. 5/19	Braddock District Representative	Michael Perel	Cook	Braddock
Kay Larmer (Appointed 1/12-5/17 by Foust) Term exp. 5/19	Dranesville District Representative		Foust	Dranesville
Joseph A. Heastie (Appointed 2/05-5/17 by L. Smyth) Term exp. 5/19	Providence District Representative		L. Smyth	Providence
Thomas B. Bash (Appointed 5/11-9/17 by Herrity) Term exp. 5/19	Springfield District Representative	Thomas B. Bash	Herrity	Springfield

COMMUNITY ACTION ADVISORY BOARD (CAAB) (3 years)				
<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Jennifer Read Campbell; appointed 3/16 by K. Smith) Term exp. 2/19 <i>Resigned</i>	Sully District Representative	Debbie Kilpatrick	K. Smith	Sully

CONFIRMATION NEEDED:

- Ms. Adwoa Rey as the South Target Area #1 Representative

CRIMINAL JUSTICE ADVISORY BOARD (CJAB) (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Eric Clingan; appointed 4/16 by K. Smith) Term exp. 4/19 <i>Resigned</i>	Sully District Representative		K. Smith	Sully

ECONOMIC ADVISORY COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mark Silverwood; appointed 1/09-11/14 by Hudgins) Term exp. 12/17 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

ENGINEERING STANDARDS REVIEW COMMITTEE (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Maya Huber; appointed 12/09-1/14 by Confirmation; 05/18 by Bulova) Term exp. 3/21 <i>Resigned</i>	Citizen #4 Representative		By Any Supervisor	At-Large

FAIRFAX AREA DISABILITY SERVICES BOARD**(3 years- limited to 2 full consecutive terms per MOU, after initial term)**

[NOTE: Persons may be reappointed after being off for 3 years. State Code requires that membership in the local disabilities board include at least 30 percent representation by individuals with physical, visual or hearing disabilities or their family members. For this 15-member board, the minimum number of representation would be 5.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Tapan Banerjee (Appointed 2/07-3/16 by Foust) Term exp. 11/18 <i>Not eligible for reappointment</i>	Dranesville District Representative		Foust	Dranesville
Michele Hymer Blitz (Appointed 6/06-3/16 by Hudgins) Term exp. 11/18 <i>Not eligible for reappointment</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**(3 years – limited to 3 full terms)**

[NOTE: In accordance with *Virginia Code* Section 37.2-501, "prior to making appointments, the governing body shall disclose the names of those persons being considered for appointment." Members can be reappointed after 1-year break from initial 3 full terms, VA Code 37.2-502.

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Jane Haycock Woods (Appointed 11/08 by Connolly; 6/10-5/16 by Bulova) Term exp. 6/19 <i>(Not eligible for reappointment need 1-year break)</i>	At-Large #2 Representative		By Any Supervisor	At-Large

Continued on next page

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**(3 years – limited to 3 full terms)**

continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Sheila Coplan Jonas (Appointed 4/16 by Gross) Term exp. 6/19	Mason District Representative		Gross	Mason
VACANT (Formerly held by Paul Luisada; appointed 4/13-9/13 by Hyland; 10/16 by Storck) Term exp. 6/19 <i>Resigned</i>	Mount Vernon District Representative	Garrett McGuire <i>(Nomination announced on March 19, 2019)</i>	Storck	Mount Vernon
VACANT (Formerly held by Adrienne Walters; appointed 10/17 by K. Smith) Term exp. 6/19 <i>Resigned</i>	Sully District Representative	Evelyn Spain <i>(Will be confirmed on June 25, 2019)</i>	K. Smith	Sully

HEALTH CARE ADVISORY BOARD (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Carol Mizoguchi; appointed 5/18 by McKay) Term exp. 6/20 <i>Resigned</i>	Lee District Representative		McKay	Lee

HISTORY COMMISSION (3 years)

[NOTE: The Commission shall include at least one member who is a resident from each supervisor district.] Current Membership:

Braddock - 3	Lee - 2	Providence - 1
Dranesville - 1	Mason - 1	Springfield - 2
Hunter Mill - 3	Mt. Vernon - 2	Sully - 2

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Robert E. Beach (Appointed 11/00 by Hanley; 1/04-12/06 by Connolly; 12/09- 1/16 by Bulova) Term exp. 12/18 <i>Braddock District Resident</i>	Architect Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Naomi D. Zeavin; appointed 1/95 by Trapnell; 1/96-11/13 by Gross) Term exp. 12/16 <i>Mason District Resident Resigned</i>	Historian #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Stephanie Sedgwick; appointed 1/18 by Foust) Term exp. 12/20 <i>Dranesville District Resident Resigned</i>	Historian #3 Representative	Gregory P. Wilson (Foust)	By Any Supervisor	At-Large

HUMAN RIGHTS COMMISSION (3 years)
--

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Daoud Khairallah (Appointed 11/05-9/14 by Gross) Term exp. 9/17	At-Large #8 Representative		By Any Supervisor	At-Large

HUMAN SERVICES COUNCIL (4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Adrienne M. Walters; appointed 3/14 by L. Smyth) Term exp. 7/17 <i>Resigned</i>	Providence District #2 Representative		L. Smyth	Providence
Audrey F. Morton (Appointed 2/16 by K. Smith) Term exp. 7/19 <i>Resigned</i>	Sully District #2 Representative		K. Smith	Sully

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC) (3 years)

CONFIRMATION NEEDED:

- Mr. Mark P. Lay as the Northern Virginia Technology Council Representative

**JUVENILE AND DOMESTIC RELATIONS COURT
CITIZENS ADVISORY COUNCIL (2 years)**

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Mingzhi Chen; appointed 6/16 by Cook) Term exp. 1/19 <i>Resigned</i>	Braddock District Representative	Ashley Shuler	Cook	Braddock
VACANT (Formerly held by Michael Berger; appointed 1/17-1/18 by McKay) Term exp. 1/20 <i>Resigned</i>	Lee District Representative		McKay	Lee
VACANT (Formerly held by Anya Gelernt- Dunkle; appointed 1/17 by L. Smyth) Term exp. 1/20 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by William Uehling; appointed 3/10-7/12 by Bulova) Term exp. 6/15 <i>Resigned</i>	Braddock District Representative		Cook	Braddock

Continued on next page

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING (3 years)
continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Amy K. Reif; appointed 8/09-6/12 by Foust) Term exp. 6/15 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Jeffrey Levy; Appointed 7/02-6/13 by Hyland) Term exp. 6/16 <i>Resigned</i>	Mount Vernon District Representative		Storck	Mount Vernon
VACANT (Formerly held by Tina Montgomery; appointed 9/10-6/11 by L. Smyth) Term exp. 6/14 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence

POLICE CIVILIAN REVIEW PANEL (3 Years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Gregory Gadson (Appointed 11/18) Term exp. 2/19	Seat #6 Representative		By Any Supervisor	At-Large

REDEVELOPMENT AND HOUSING AUTHORITY
(4 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
Christopher T. Craig (Appointed 5/11-4/15 by Cook) Term exp. 4/19	Braddock District Representative	Christopher T. Craig	Cook	Braddock
VACANT (Formerly held by Kevin Greenlief; appointed 10/16 by K. Smith) Term exp. 7/20 <i>Resigned</i>	Sully District Representative		K. Smith	Sully

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board of Supervisors established the advisory board on April 4, 2017
There will be 14 members on this advisory board. The appointees would serve for 4-year terms from April 4, 2017

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Alexander Rough; appointed 10/17 by Foust) Term exp. 9/21 <i>Resigned</i>	Dranesville District Representative		Foust	Dranesville
VACANT (Formerly held by Deloris Bailey; appointed 9/17 by Hudgins) Term exp. 9/21 <i>Resigned</i>	Hunter Mill District #2 Representative		Hudgins	Hunter Mill
NEW POSITION	Residential Owners and HOA/Civic Association #1 Representative		Foust or Hudgins	At-Large

Continued on next page

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (4 years) continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
NEW POSITION	Residential Owners and HOA/Civic Association #2 Representative		Foust or Hudgins	At-Large
NEW POSITION	Residential Owners and HOA/Civic Association #3 Representative		Foust or Hudgins	At-Large
VACANT (Formerly held by Tyler Aaron Hall; appointed 9/17 by Hudgins) Term exp. 9/21 <i>Resigned</i>	Apartment or Rental Owner Associations Representative		Hudgins	At-Large

ROAD VIEWERS BOARD (1 year)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Joseph Bunnell; appointed 9/05-12/06 by McConnell; 2/08-11/13 by Herrity) Term exp. 12/14 <i>Resigned</i>	At-Large #1 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Stephen E. Still; appointed 6/06-12/11 by L. Smyth) Term exp. 12/12 <i>Resigned</i>	At-Large #4 Representative		By Any Supervisor	At-Large
Micah D. Himmel (Appointed 12/11-1/18 by L. Smyth) Term exp. 12/18	At-Large #5 Representative		By Any Supervisor	At-Large

<p align="center">SMALL BUSINESS COMMISSION, FAIRFAX COUNTY (3 years)</p>
--

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Claire L. Tse; appointed 9/16- 12/17 by Hudgins) Term exp. 12/20 <i>Resigned</i>	At-Large #2 Representative	Shalonda Scott- Boyd (Bulova)	By Any Supervisor	At-Large
VACANT (Formerly held by Carmen L. Powell; appointed 7/17- 12/17 by Hudgins) Term exp. 12/20 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill
VACANT (Formerly held by Elizabeth Novak; appointed 10/05- 1/16 by Gross) Term exp. 12/18 <i>Resigned</i>	Mason District Representative		Gross	Mason

<p align="center">TENANT LANDLORD COMMISSION (3 years)</p>

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Michael Congleton; appointed 7/13-2/17 by Herrity) Term exp. 1/20 <i>Resigned</i>	Citizen Member #1 Representative		By Any Supervisor	At-Large

Continued on next page

TENANT LANDLORD COMMISSION (3 years)
continued

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Sally D. Liff; appointed 8/04-1/11 by L. Smyth) Term exp. 1/14 Deceased	Condo Owner Representative		By Any Supervisor	At-Large
Christopher Lee Kocsis (Appointed 3/99-11/00 by Hanley; 1/04-12/06 by Connolly; 12/09-1/16 by Bulova) Term exp. 12/18	Landlord Member #2 Representative		By Any Supervisor	At-Large
VACANT (Formerly held by Angelina Panettieri; appointed 6/11-1/15 by L. Smyth) Term exp. 1/18	Tenant Member #1 Representative		By Any Supervisor	At-Large

TRANSPORTATION ADVISORY COMMISSION (2 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Micah Himmel; appointed 6/13-7/16 by L. Smyth) Term exp. 6/18 <i>Resigned</i>	Providence District Representative		L. Smyth	Providence

TREE COMMISSION (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Thomas D. Fleury; appointed 1/17 by L. Smyth) Term exp. 10/17 <i>Resigned</i>	Providence District Representative	Laura L. Beaty	L. Smyth	Providence

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (2 YEARS)
--

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Barry Mark; appointed 3/15-2/17 by Bulova) Term exp. 2/19 <i>Resigned</i>	Commercial or Retail Ownership Representative #3		Bulova	At-Large
VACANT (Formerly held by Jay Klug; appointed 2/13-2/17 by Hudgins) Term exp. 2/19	Hunter Mill District Representative #1		Hudgins	Hunter Mill
VACANT (Formerly held by Molly Peacock; appointed 2/13-1/15 by L. Smyth) Term exp. 2/17 <i>Resigned</i>	Providence District Representative #2		L. Smyth	Providence
VACANT (Formerly held by Pindar Van Arman; appointed 11/16- 2/17 by L. Smyth) Term exp. 2/19 <i>Resigned</i>	Residential Owners and HOA/Civic Association Representative #1		L. Smyth	Providence

WATER AUTHORITY (3 years)

<u>Incumbent History</u>	<u>Requirement</u>	<u>Nominee</u>	<u>Supervisor</u>	<u>District</u>
VACANT (Formerly held by Linda Singer; appointed 7/04-6/16 by Hudgins) Term exp. 6/19 <i>Resigned</i>	Hunter Mill District Representative		Hudgins	Hunter Mill

Board Agenda Item
May 21, 2019

10:10 a.m.

Items Presented by the County Executive

Board Agenda Item
May 21, 2019

ADMINISTRATIVE – 1

Streets into the Secondary System (Sully District)

ISSUE:

Board approval of streets to be accepted into the State Secondary System.

RECOMMENDATION:

The County Executive recommends that the street listed below be added to the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Pender Village Campus (Fair Ridge Drive)	Sully	Fair Ridge Drive

TIMING:

Routine.

BACKGROUND:

Inspection has been made of this street, and it is recommended for acceptance into the State Secondary System.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 – Street Acceptance Form

STAFF:

Rachel Flynn, Deputy County Executive
William D. Hicks, P.E., Director, Land Development Services

Board Agenda Item
May 21, 2019

ADMINISTRATIVE – 2

Authorization to Advertise Public Hearings on Proposed Amendments to the Public Facilities Manual (PFM) Regarding Phase 2 of the “PFM Flex Project,” a Fairfax First Initiative to Improve the Speed, Consistency, and Predictability of the County’s Land Development Review Process

ISSUE:

Board of Supervisors authorization to advertise public hearings on proposed amendments to the PFM to modernize street light fixtures to light emitting diodes (LED) and allow an additional pipe material for storm sewer applications.

RECOMMENDATION:

The County Executive recommends that the Board authorize the advertisement of the proposed amendments as set forth in the Staff Report dated May 21, 2019.

The proposed amendments have been prepared by Land Development Services (LDS) and coordinated with the Department of Public Works and Environmental Services (DPWES) and the Office of the County Attorney (OCA). The PFM amendments have been recommended for approval by the Engineering Standards Review Committee.

TIMING:

Board authorization to advertise – May 21, 2019; Planning Commission public hearing – June 12, 2019, at 7:30 p.m.; Board public hearing – July 16, 2019 at 4:00 p.m.

BACKGROUND:

On December 4, 2018, the Board adopted amendments to the PFM as a result of Phase 1 of the “PFM Flex Project,” a Fairfax First Initiative to improve speed, consistency, and predictability of the County’s land development review process. The County has fully implemented the PFM Flex Project Phase 1 amendments. The amendment process for Phase 2 is underway.

This proposed amendment to modernize street light fixtures to LEDs and allow an additional pipe material for storm sewers is part of Phase 2 of the PFM Flex Project, which focuses on technical issues that require additional research and vetting with stakeholders. These amendments are on a fast-track for implementation. Additional PFM Flex Project amendments will be presented at public hearings starting in Spring 2020.

LED Street Lights:

In order to further the objectives of the Environmental Vision approved by the Board on June 20, 2017, the Board developed an Operational Energy Strategy (OES) which was adopted on July 10, 2018. It provides goals, targets, and actions in ten focus areas including “energy use and efficiency” and “innovative energy solutions.” Using more energy efficient LED street light fixtures is one way the County can work toward those OES goals. Currently, the PFM requires High Pressure Sodium streetlights in new developments. This proposed amendment will require all new development to use LED street light fixtures, which will reduce energy usage and equivalent carbon dioxide emissions. LED lights also have a longer lifecycle, which will reduce the County’s lifecycle operating costs. The new fixtures will also be smart-city-capable, with the ability to add dimming, automatic outage reporting, or other smart-city techniques, as they become available.

Polypropylene Storm Sewer Pipe:

Virginia Department of Transportation (VDOT) added the use of polypropylene pipe into its standards and specifications in 2016 for storm sewer applications. This proposed amendment closely aligns with VDOT standards and specifications for this product, while also incorporating recommendations from the manufacturer, the American Association of State Highway and Transportation Officials, and the American Society for Testing and Materials.

PROPOSED AMENDMENT:

The specific changes to the PFM include:

1. Chapter 2: General Subdivision and Site Plan Information

The proposed amendment to Chapter 2 (General Subdivision and Site Plan Information) updates the current inspection requirements for high density polyethylene storm sewer pipe in §2-0402.2E to require the same inspection standards for polypropylene storm sewer pipe.

2. Chapter 6: Storm Drainage

The proposed amendment to Chapter 6 (Storm Drainage) will add polypropylene pipe to the list of acceptable pipe and culvert materials for storm drain construction and will provide technical specifications for the material itself and the methods used to design and install it.

3. Chapter 7: Streets, Street Lights, Parking and Driveways

The proposed amendment to Chapter 7 (Streets, Street Lights, Parking and Driveways) will update §7-0800 to require LED street light fixtures be used for proposed light fixtures and for the replacement of existing High Pressure Sodium, Metal Halide and Mercury Vapor light fixtures where existing streetlights are being used to meet lighting requirements for a proposed development. The PFM plates 23-7 through 30-7 are being updated to match amendment text.

REGULATORY IMPACT:

If adopted, the street light amendment will replace outdated street light fixtures with modern LED options. Under the proposed amendment, designers will need to designate LED light fixtures on all site and subdivision plans requiring street lights. Under the proposed polypropylene pipe amendment, designers will have an additional option for pipe materials to use as storm sewer pipe. Attachment A of the Staff Report includes the proposed street light and polypropylene amendments.

FISCAL IMPACT:

The fiscal impact to the development community related to the proposed street light amendment is negligible, estimated at less than an additional \$100/fixture. The fiscal impact to the County will be to reduce electric utility costs, as these fixtures consume less energy than comparable High Pressure Sodium fixtures. There is no anticipated fiscal impact to the County related to the proposed polypropylene pipe amendment. This will allow the development community a design alternative for storm sewer applications.

ENCLOSED DOCUMENT:

Attachment 1 – Staff Report dated May 21, 2019, available online at:
<https://www.fairfaxcounty.gov/landdevelopment/sites/landdevelopment/files/assets/documents/pdf/pfm/staff-report-phase-2-pfm-flex-project.pdf>

STAFF:

Rachel Flynn, Deputy County Executive
William D. Hicks, P.E., Director, LDS
Randy Bartlett, Director, DPWES
Eleanor Ku Coddling, Director, Permitting & Code Administration, LDS
Chad Crawford, P.E., Director, Maintenance & Stormwater Division, DPWES
Wayne Kotter, Director, Utilities Design & Construction Division, Capital Facilities

ASSIGNED COUNSEL:

Marc Gori, Asst. County Attorney, OCA

Board Agenda Item
May 21, 2019

ADMINISTRATIVE – 3

Authorization to Advertise a Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic

ISSUE:

Public Hearing on amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic, Section 82-1-6.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize the advertisement of a public hearing on the proposed amendments to Chapter 82.

TIMING:

Authorization to advertise the proposed amendments on May 21, 2019; Board of Supervisors' public hearing scheduled for June 25, 2019 at 4:00 p.m.

BACKGROUND:

As a housekeeping measure to update Chapter 82, portions of Section 82-1-6 (Adoption of State Law) have been amended to reflect changes made to the *Code of Virginia* by the 2019 General Assembly. A summary of the changes as a result of the 2019 General Assembly amendments affecting Chapter 82 is provided in Attachment 2.

FISCAL IMPACT:

None.

ENCLOSED DOCUMENTS:

Attachment 1 - Proposed Amendments to Chapter 82, Motor Vehicles and Traffic
Attachment 2 - Summary of 2019 General Assembly Amendments Affecting Chapter 82, Motor Vehicles and Traffic.

STAFF:

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

ASSIGNED COUNSEL:

Kimberly P. Baucom, Senior Assistant County Attorney

Proposed Amendments to
Chapter 82, Motor Vehicles and Traffic

Article 1. – In General.

Section 82-1-6. Adoption of State Law

Pursuant to the authority of Section 46.2-1313 of the Virginia Code, all provisions and requirements of the following sections of the Code of Virginia, as in effect on July 1, ~~2018~~ 2019, except those provisions and requirements the violation of which constitutes a felony, are hereby incorporated into the Fairfax County Code by reference, effective July 1, ~~2018~~ 2019.

18.2-266	18.2-269	46.2-203.1
18.2-266.1	18.2-270	<u>46.2-208</u>
18.2-267	18.2-270.01	46.2-218
18.2-268.1	18.2-270.1	46.2-300
18.2-268.2	18.2-271	46.2-301
18.2-268.3	18.2-271.1	46.2-301.1
18.2-268.4	18.2-272	46.2-302
18.2-268.5	<u>46.2-100</u>	46.2-329
18.2-268.6	46.2-102	46.2-334.001
<u>18.2-268.7</u>	46.2-104	46.2-341.20:5
18.2-268.8	46.2-108	46.2-341.26:2
18.2-268.9	46.2-109	46.2-341.26:3
18.2-268.10	46.2-110	46.2-341.26:4
18.2-268.11	46.2-111	<u>46.2-341.26:7</u>
18.2-268.12	46.2-112	46.2-341.26:9

46.2-341.27	46.2-704	46.2-819.4
46.2-341.28	46.2-711	46.2-820
46.2-346	46.2-715	46.2-821
46.2-349	46.2-716	46.2-822
<u>46.2-357</u>	46.2-724	46.2-823
46.2-371	46.2-730	46.2-824
46.2-373	<u>46.2-800</u>	46.2-825
46.2-376	46.2-801	46.2-826
46.2-379	46.2-802	46.2-827
<u>46.2-380</u>	46.2-803	46.2-828
46.2-391.01	46.2-804	46.2-828.2
46.2-391.2	46.2-805	46.2-829
46.2-391.3	46.2-806	46.2-830
46.2-391.4	46.2-807	46.2-831
46.2-392	46.2-808	46.2-832
46.2-393	46.2-808.1	46.2-833
46.2-398	46.2-810	46.2-833.1
46.2-602.3	46.2-811	46.2-834
<u>46.2-612</u>	46.2-812	46.2-835
<u>46.2-613</u>	46.2-814	46.2-836
46.2-616	46.2-816	46.2-837
46.2-617	46.2-817	46.2-838
46.2-618	46.2-818.1	46.2-839

46.2-841	46.2-864	46.2-885
46.2-842	46.2-865	46.2-886
46.2-842.1	46.2-865.1	46.2-887
<u>46.2-844</u>	46.2-866	<u>46.2-888</u>
46.2-845	46.2-868	46.2-889
46.2-846	46.2-868.1	46.2-890
46.2-848	46.2-869	46.2-891
<u>46.2-849</u>	46.2-870	46.2-892
46.2-850	46.2-871	46.2-893
46.2-851	46.2-872	46.2-894
46.2-852	46.2-873	46.2-895
46.2-853	46.2-874	46.2-896
46.2-854	46.2-876	46.2-897
46.2-855	46.2-877	46.2-898
46.2-856	46.2-878	46.2-899
46.2-857	46.2-878.1	46.2-900
46.2-858	46.2-878.2	46.2-902
46.2-859	46.2-878.3	<u>46.2-903</u>
46.2-860	46.2-879	<u>46.2-904</u>
46.2-861	46.2-880	<u>46.2-905</u>
<u>46.2-861.1</u>	<u>46.2-882</u>	46.2-906
46.2-862	46.2-883	<u>46.2-908.1</u>
46.2-863	46.2-884	46.2-909

46.2-910	46.2-940	46.2-1026
46.2-911.1	46.2-942	46.2-1027
46.2-912	46.2-1001.1	46.2-1030
46.2-914	46.2-1001	46.2-1031
46.2-915	46.2-1002	46.2-1032
46.2-915.2	46.2-1003	46.2-1033
46.2-918	46.2-1004	46.2-1034
46.2-919	46.2-1010	46.2-1035
46.2-919.1	46.2-1011	46.2-1036
46.2-920	46.2-1012	46.2-1037
46.2-921	46.2-1013	46.2-1038
<u>46.2-921.1</u>	46.2-1014	46.2-1039
46.2-922	<u>46.2-1015</u>	46.2-1040
46.2-923	46.2-1016	<u>46.2-1041</u>
<u>46.2-924</u>	46.2-1017	46.2-1043
46.2-926	46.2-1018	46.2-1043.1
46.2-927	46.2-1019	46.2-1044
46.2-928	46.2-1020	46.2-1047
46.2-929	46.2-1021	46.2-1049
46.2-930	46.2-1022	46.2-1050
46.2-932	<u>46.2-1023</u>	<u>46.2-1052</u>
46.2-936	46.2-1024	46.2-1053
46.2-937	<u>46.2-1025</u>	<u>46.2-1054</u>

46.2-1055	<u>46.2-1081</u>	46.2-1130
46.2-1056	46.2-1082	46.2-1137
46.2-1057	46.2-1083	46.2-1150
46.2-1058	46.2-1084	46.2-1151
46.2-1059	46.2-1088	46.2-1154
46.2-1060	46.2-1088.1	46.2-1155
46.2-1061	46.2-1088.2	46.2-1156
46.2-1063	46.2-1088.5	46.2-1157
46.2-1064	46.2-1088.6	46.2-1158
46.2-1065	46.2-1090	<u>46.2-1158.01</u>
46.2-1066	46.2-1091	46.2-1158.02
46.2-1067	46.2-1092	46.2-1158.1
46.2-1068	46.2-1093	46.2-1172
46.2-1070	46.2-1102	46.2-1173
46.2-1071	46.2-1105	<u>46.2-1216</u>
46.2-1072	46.2-1110	46.2-1218
46.2-1076	46.2-1111	46.2-1219.2
46.2-1077	46.2-1112	<u>46.2-1231</u>
46.2-1077.01	46.2-1115	46.2-1234
46.2-1078	46.2-1116	46.2-1240
<u>46.2-1078.1</u>	46.2-1118	<u>46.2-1242</u>
46.2-1079	46.2-1120	46.2-1250
46.2-1080	46.2-1121	46.2-1309

46.2-1315

46.2-1508.2

46.2-1552

46.2-1561

46.2-29

References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the County. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein; and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or Title 18.2-266, 18.2-266.1, 18.2-267, 18.2-268.1 through 18.2-268.12, 18.2-269, 18.2-270, 18.2-270.01, 18.2-270.1, 18.2-271, 18.2-271.1 and 18.2-272 of the *Code of Virginia* which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 or Title 18.2-266, 18.2-266.1, 18.2-267, 18.2-268.1 through 18.2-268.12, 18.2-269, 18.2-270, 18.2-270.01, 18.2-271, 18.2-270.1, 18.2-271.1 and 18.2-272 of the *Code of Virginia*.

ATTACHMENT 2

SUMMARY OF 2019 GENERAL ASSEMBLY AMENDMENTS AND REPEAL AFFECTING CHAPTER 82

The information presented below summarizes changes to Title 18.2 and Title 46.2 of the *Code of Virginia*, portions of which are adopted by reference into Chapter 82 of the *Code of the County of Fairfax*.

Be it enacted by the General Assembly of Virginia:

An Act to amend and reenact §§ [46.2-100](#), [46.2-800](#), [46.2-849](#), [46.2-903](#), [46.2-904](#), [46.2-905](#), [46.2-908.1](#), [46.2-1015](#), [46.2-1041](#), and [46.2-1081](#) of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 13 of Title 46.2 a section numbered [46.2-1315](#), relating to motorized skateboards or scooters; operation; local authority. Authorizes localities to regulate the operation of companies providing motorized skateboards or scooters for hire. The bill changes the definition of motorized skateboard or scooter by (i) removing the requirement that such device have no seat and requiring that the device be designed to allow a person to stand or sit, (ii) removing the device may be powered in whole or in part by an electric motor, (iii) providing that the device has a speed of no more than 20 miles per hour, and (iv) providing that such device weighs less than 100 pounds. The bill makes consistent the operational requirements for motorized skateboards or scooters and similar devices, including (a) allowing motorized skateboards and scooters to be driven on sidewalks, (b) requiring motorized skateboards and scooters driven on a roadway to be driven as close to the right curb as is safely practicable, (c) prohibiting the operation of motorized skateboards or scooters on any Interstate Highway System component, and (d) requiring operators of motorized skateboards and scooters to give hand signals and have lights on such devices. The bill prohibits operating a motorized skateboard or scooter at a speed faster than 20 miles per hour.

An Act to amend and reenact §§ [46.2-208](#) and [46.2-844](#) of the Code of Virginia, relating to Department of Motor Vehicles records; certain private vendors; penalty. Requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that any person who unlawfully discloses such data is subject to a civil penalty of \$1,000 for each disclosure. The bill provides that drivers required to stop for a stopped school bus shall remain stopped until the school bus is put in motion.

An Act to amend and reenact §§ [46.2-612](#) and [46.2-613](#) of the Code of Virginia, relating to reorganization of motor vehicle registration, licensing, and certificates of title statutes; segregation of criminal offenses and traffic offenses; alteration of

judicial authority to dismiss related criminal offenses. Moves the criminal offenses related to registration, licensing, and certificates of title included within § 46.2-613 to § 46.2-612. The bill reorganizes these statutes so that § 46.2-612 contains only criminal offenses and § 46.2-613 contains only traffic infractions. Removes the authority of the court to dismiss a summons for a criminal offense related to the registration, licensing, and certificates of title when proof of compliance with the law is provided to the court on or before the court date.

An Act to amend the Code of Virginia by adding a section numbered [46.2-861.1](#) and to repeal § [46.2-921.1](#) of the Code of Virginia, relating to duties of drivers of vehicles approaching stationary vehicles displaying certain warning lights; penalty. Makes a driver's failure to move into a nonadjacent lane on a highway with at least four lanes when approaching a stationary vehicle displaying flashing, blinking, or alternating blue, red, or amber lights, or, if changing lanes would be unreasonable or unsafe, to proceed with due caution and maintain a safe speed, reckless driving, which is punishable as a Class 1 misdemeanor. Under current law, a first such offense is a traffic infraction punishable by a fine of not more than \$250, and a second such offense is punishable as a Class 1 misdemeanor.

An Act to amend and reenact § [46.2-903](#) of the Code of Virginia, relating to vehicles on sidewalks. Clarifies that any public entity may allow "other power-driven mobility devices," as defined in the bill, to be ridden or driven on sidewalks in accordance with the Americans with Disabilities Act and other state and federal laws.

An Act to amend and reenact § [46.2-1025](#) of the Code of Virginia, relating to amber warning lights; vehicles hauling forest products. Authorizes vehicles hauling forest products to use amber warning lights approved by the Superintendent of State Police, provided that the lights are mounted or installed so as to be visible from behind the vehicle.

An Act to amend and reenact § [46.2-1052](#) of the Code of Virginia, relating to tinting films; exception for security canine handlers. Exempts vehicles operated in the performance of private security duties by a licensed security canine handler from limitations on window tinting.

An Act to amend and reenact §§ [46.2-1054](#), [46.2-1216](#) and [46.2-1231](#) of the Code of Virginia, relating to immobilization of vehicles. Allows the owner or operator of a parking lot or other building to immobilize a trespassing vehicle by use of any device in a manner that prevents its removal or lawful operation, provided that the device used does not damage the vehicle. Current law limits immobilization devices to those, such as a boot, that prevent a vehicle from being moved by preventing a wheel from turning. The bill clarifies that the currently authorized use of a device by a locality to immobilize a vehicle against which there are outstanding parking violations in a manner that prevents its operation means in a manner that prevents its lawful operation.

An Act to amend and reenact § [46.2-1078.1](#) of the Code of Virginia, relating to use of handheld personal communications devices; highway work zones; penalty. Prohibits any person from holding a handheld personal communications device in his hand while driving a motor vehicle in a highway work zone, with certain exceptions. The bill provides that a violation is punishable by a mandatory fine of \$250. Current law prohibits only the reading of an email or text message on the device and manually entering letters or text in the device as a means of communicating, with the same exceptions.

An Act to amend and reenact § [46.2-1242](#) of the Code of Virginia, relating to parking; access aisles adjacent to parking spaces reserved for persons with disabilities. Prohibits parking any vehicle in any striped access aisle adjacent to a parking space reserved for persons with disabilities.

ADMINISTRATIVE - 4

Authorization to Advertise a Public Hearing for the De-Create of Small and Local Sanitary Districts for Refuse/Recycling Collection Service (Dranesville District)

ISSUE:

Board of Supervisors' authorization to advertise a Public Hearing for the de-creation of a Small and Local Sanitary District for refuse/recycling collection service.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize advertisement of a public hearing at 5:30 p.m. on Tuesday, June 25, 2019, to consider the following change to small and local sanitary districts for refuse/recycling and/or vacuum leaf collection service in accordance with the Board of Supervisor's Adopted Criteria for the Creation of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District Within Dranesville District (4115 N. Ridgeview Rd)	De-Create	Refuse, Recycling, Collection	Approve

TIMING:

Board of Supervisors' authorization to advertise on May 21, 2019, is required for a Public Hearing to be held on June 25, 2019, at 5:30 p.m.

BACKGROUND:

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

Board Agenda Item
May 21, 2019

The submitted petition has been reviewed, and it has been determined that the petition meets the Board of Supervisors' Adopted Criteria. Staff recommends that the authorization to advertise a public hearing for the de-creation of small and/or local sanitary districts for refuse/recycling and/or leaf collection be approved. If approved, the modification will become permanent in July 2019.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Summary Sheet

Attachment 2: Data Sheet with Proposed Resolution and Map

STAFF:

Rachel O. Flynn, Deputy County Executive

Randolph W. Bartlett, Director, Department of Public Works and Environmental Services (DPWES)

John W. Kellas, Deputy Director, DPWES, Solid Waste Management Program

SUMMARY SHEET

Proposed alterations to the following small and local sanitary districts for refuse/recycling collection service:

1. De-create a Small District within Dranesville District for the purpose of discontinuing County refuse, recycling collection service to 4115 N Ridgeview Road. This address is serviced by Arlington County for both refuse and vacuum collection.

DATA SHEET
De-create/Re-create
Small District
Within the Dranesville District

2. Purpose: De-create a Small District within Dranesville District for discontinuing County refuse, recycling collection service to 4115 N Ridgeview Road.
 - Petition requesting service received April 2, 2019.
 - Petition Area: 1 Properties.
 - 1 Property Owners in favor. (100%)
 - 0 property owners opposed.
 - 0 Non-responsive / unable to contact.
 - The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2019.

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON

TO DE-CREATE / RE-CREATE
SMALL DISTRICT
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 21st day of May, 2019 it was proposed by said Board to adopt a resolution to de-create/re-create a local district known as a Small District within Dranesville District to include 4115 Ridgeview Road area for the purpose of discontinuing refuse/recycling collection to be effective July 1, 2019, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
June 25, 2019
COMMENCING AT 5:30 P.M.

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

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the de-creation/re-creation by the Board of Supervisors of Fairfax County, Virginia, of a small/local sanitary district by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed local sanitary district will be benefited by de-creating the local sanitary district for discontinuing refuse/recycling and collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a local sanitary district, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Small District within Dranesville District, Fairfax County, Virginia, which said de-creation of the local sanitary district shall be described as follows:

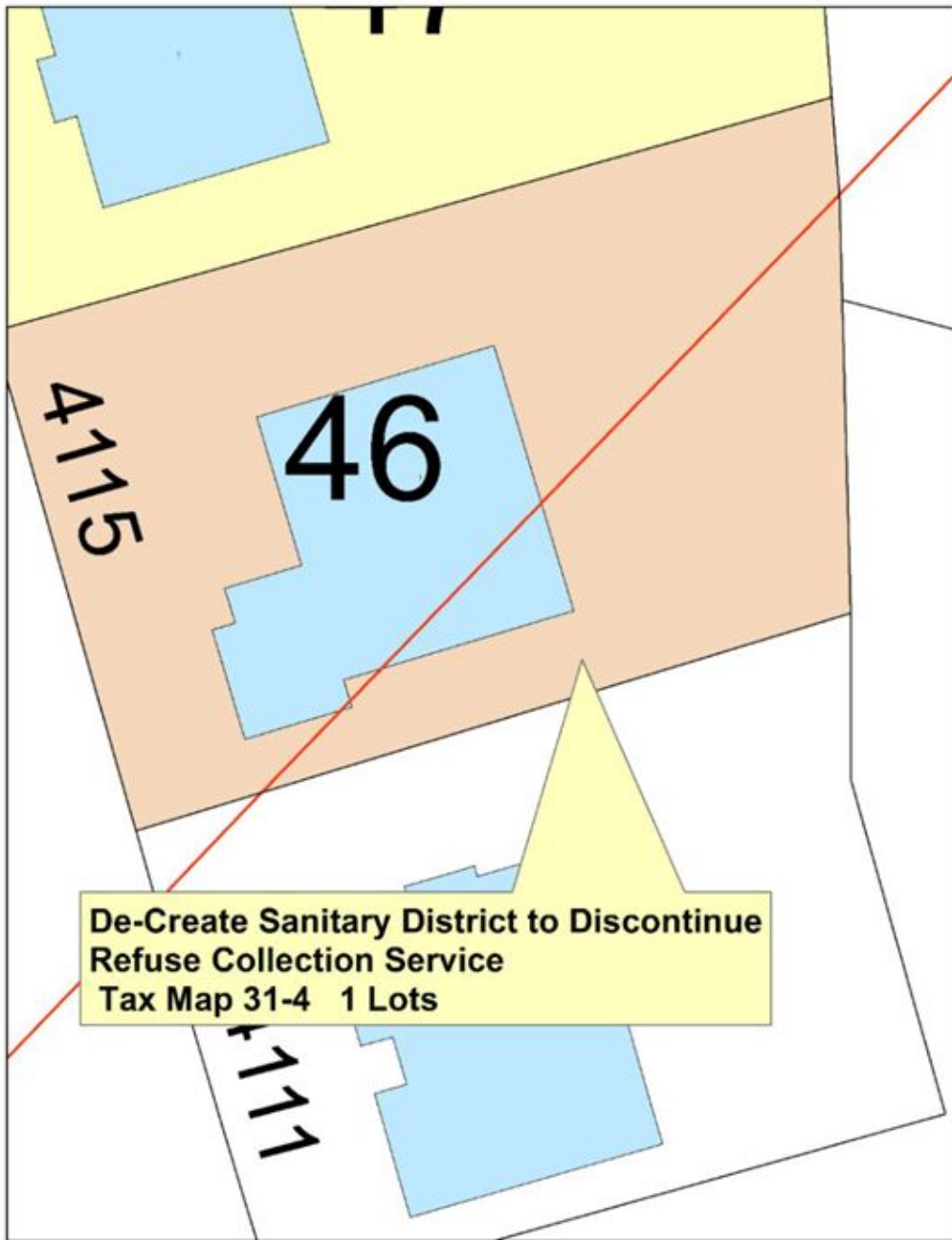
The de-creation/re-creation of a Small District within Dranesville District to include 4115 Ridgeview Road located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Small District within Dranesville District is hereby created to wit:

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

Given under my hand this____day of May, 2019

Catherine Chianese
Clerk to the Board



TAX MAP 31-4

4115 N RIDGEVIEW RD AREA

Board Agenda Item
May 21, 2019

ADMINISTRATIVE - 5

Authorization to Advertise a Public Hearing to Lease County-Owned Property at 6140 Rolling Road to Cellco Partnership d/b/a Verizon Wireless (Springfield District)

ISSUE:

Authorization to advertise a public hearing to lease County-owned property to Cellco Partnership d/b/a Verizon Wireless for the continuation of telecommunications services for public use at the West Springfield Government Center located at 6140 Rolling Road.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement of a public hearing to be held on June 25, 2019, at 5:00 p.m.

TIMING:

Board action is requested on May 21, 2019, to provide sufficient time to advertise the proposed public hearing on June 25, 2019, at 5:00 p.m.

BACKGROUND:

The Board of Supervisors is the owner of the West Springfield Government Center, located at 6140 Rolling Road on a County-owned parcel identified as Tax Map Number 0793 04 0032 (West Springfield GC). The parking lot serving the property is currently improved with a telecommunications monopole that was constructed by Media General Cable of Fairfax County (Cox Cable) in accordance with a cable television franchise agreement and lease agreement negotiated with the County in 1982 and 1983 respectively. The lease agreement that accompanied the franchise granted Cox the right to construct a fenced compound at the West Springfield GC to house the monopole and related ground equipment. In addition to serving cable television subscribers, the monopole also operates as a key relay station in the first responders' emergency network.

Cox Cable entered into an agreement with Cellco Partnership d/b/a Verizon Wireless (Verizon) in 1998 to permit Verizon to add its telecommunications equipment on the monopole. Because the existing compound was not large enough to contain its ground equipment, Verizon negotiated a ground lease with the County that allowed Verizon to expand the existing Cox Cable compound by an additional 360 square feet and lease the land for fair market value rent for a 20-year term, ending on July 31, 2018. Verizon has continued to pay rent as a holdover tenant while the County and Verizon have diligently negotiated the terms of a new ground lease.

Verizon has proposed executing a new lease with the County for the continued use of the property for its telecommunications equipment with an initial term of five (5) years, with four 5-year options to extend the lease, for a total possible term of twenty-five (25)

Board Agenda Item
May 21, 2019

years. The annual rental fee for the first year will be approximately \$28,000 and the annual rate of escalation will be a fixed 2.5 percent per year. The continued operation of the telecommunications monopole and related equipment in the parking lot should not have any impact on West Springfield GC operations.

Virginia Code Ann. § 15.2-1800 requires a locality to hold a public hearing before it may lease its real property. Staff recommends that the Board authorize the staff to advertise a public hearing to lease County property to Verizon, which will permit stability of telecommunications services at the West Springfield GC.

FISCAL IMPACT:

The proposed monopole lease will generate approximately \$28,000 in revenue the first year of the new lease term with a 2.5 percent increase each subsequent year. An administrative fee of \$2,000 will be paid within thirty (30) days of execution of the lease. All revenue will be deposited in the General Fund.

ENCLOSED DOCUMENTS:

Attachment 1 – Location Map 0793 04 0032

STAFF:

Joseph M. Mondoro, Chief Financial Officer
José A. Comayagua, Jr., Director, Facilities Management Department

ASSIGNED COUNSEL:

Daniel Robinson, Assistant County Attorney

Board Agenda Item
May 21, 2019

ADMINISTRATIVE - 6

Authorization to Advertise a Public Hearing to Lease County-Owned Property at 2610 Reston Parkway to Cellco Partnership d/b/a Verizon Wireless (Hunter Mill District)

ISSUE:

Authorization to advertise a public hearing to lease County-owned property to Cellco Partnership d/b/a Verizon Wireless for the continuation of telecommunications services for public use at the Fox Mill Fire Station located at 2610 Reston Parkway.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement of a public hearing to be held on June 25, 2019, at 5:00 p.m.

TIMING:

Board action is requested on May 21, 2019, to provide sufficient time to advertise the proposed public hearing on June 25, 2019, at 5:00 p.m.

BACKGROUND:

The Board of Supervisors is the owner of the Fox Mill Fire Station, located at 2610 Reston Parkway on a County-owned parcel identified as Tax Map Number 0793 04 0032 (Fox Mill FS). The parking lot serving the property is currently improved with a telecommunications monopole that was constructed by Media General Cable of Fairfax County (Cox Cable) in accordance with a cable television franchise agreement and lease agreement negotiated with the County in 1982 and 1983 respectively. The lease agreement that accompanied the franchise granted Cox the right to construct a fenced compound at the Fox Mill FS to house the monopole and related ground equipment. In addition to serving cable television subscribers, the monopole also operates as a key relay station in the first responders' emergency network.

Cox Cable entered into an agreement with Cellco Partnership d/b/a Verizon Wireless (Verizon) in 1998 to permit Verizon to add its telecommunications equipment on the monopole. Because the existing compound was not large enough to contain its ground equipment, Verizon negotiated a ground lease with the County that allowed Verizon to expand the existing Cox Cable compound by an additional 264 square feet and lease the land for fair market value rent for a 20-year term, ending on September 30, 2018. Verizon has continued to pay rent as a holdover tenant while the County and Verizon have diligently negotiated the terms of a new ground lease.

Verizon has proposed executing a new lease with the County for the continued use of the property for its telecommunications equipment with an initial term of five (5) years, with four 5-year options to extend the lease, for a total possible term of twenty-five (25) years. The annual rental fee for the first year will be approximately \$30,500 and the

Board Agenda Item
May 21, 2019

annual rate of escalation will be a fixed 2.5 percent per year. The continued operation of the telecommunications monopole and related equipment in the parking lot should not have any impact on Fox Mill FS operations.

Virginia Code Ann. § 15.2-1800 requires a locality to hold a public hearing before it may lease its real property. Staff recommends that the Board authorize the staff to advertise a public hearing to lease County property to Verizon, which will permit stability of telecommunications services at Fox Mill FS.

FISCAL IMPACT:

The proposed monopole lease will generate approximately \$30,500 in revenue the first year of the new lease term with a 2.5 percent increase each subsequent year. An administrative fee of \$2,000 will be paid within thirty (30) days of execution of the lease. All revenue will be deposited in the General Fund.

ENCLOSED DOCUMENTS:

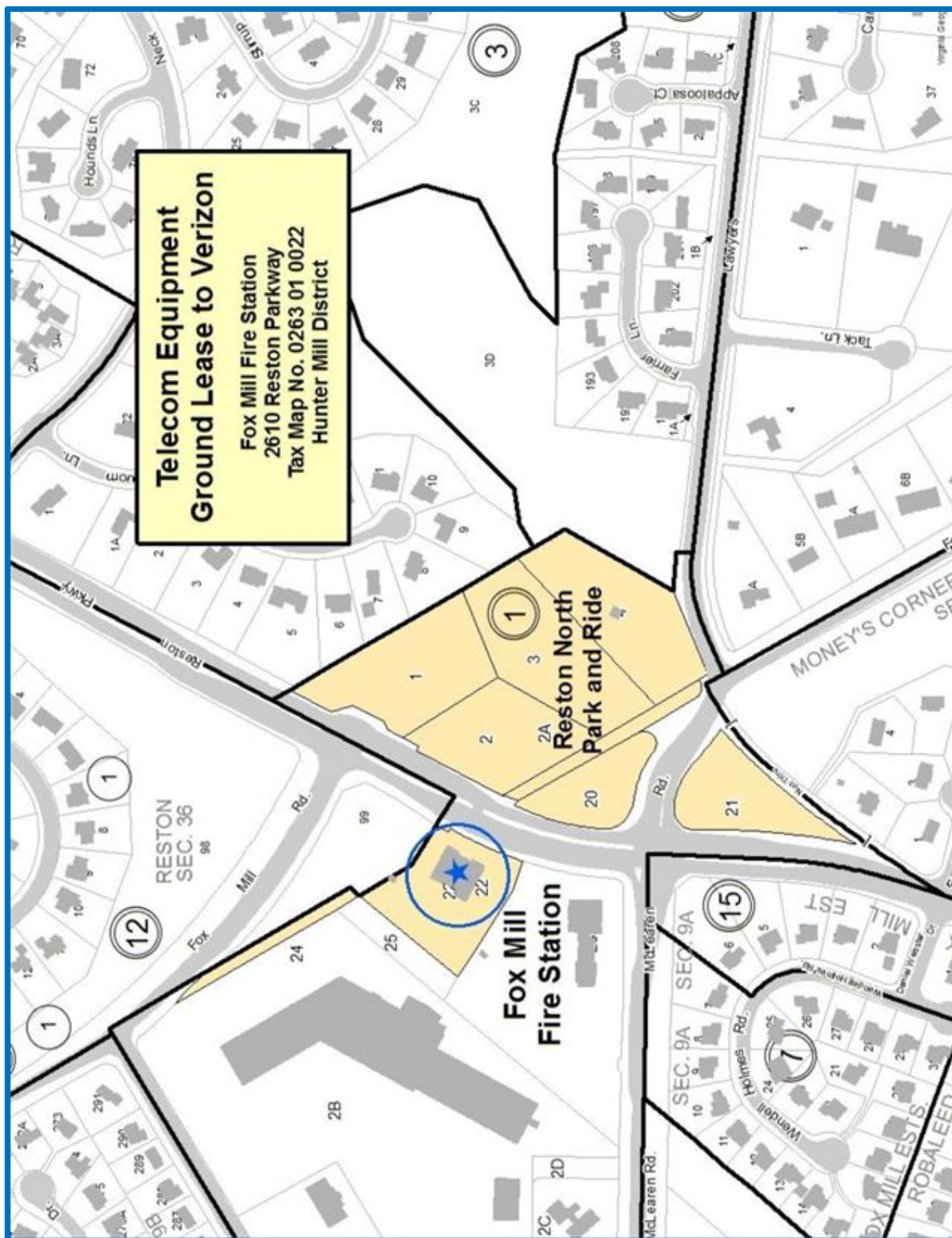
Attachment 1 – Location Map 0263 01 0022

STAFF:

Joseph M. Mondoro, Chief Financial Officer
José A. Comayagua, Jr., Director, Facilities Management Department

ASSIGNED COUNSEL:

Daniel Robinson, Assistant County Attorney



Board Agenda Item
May 21, 2019

ADMINISTRATIVE - 7

Authorization to Advertise a Public Hearing to Lease County-Owned Property at 8350 Richmond Highway to Clear Wireless LLC (Lee District)

ISSUE:

Authorization to advertise a public hearing to lease County-owned property to Clear Wireless Mobile LLC for the installation of new telecommunications equipment for public use on the roof of the South County Center located at 8350 Richmond Highway.

RECOMMENDATION:

The County Executive recommends that the Board authorize staff to publish the advertisement of a public hearing to be held on June 25, 2019, at 5:00 p.m.

TIMING:

Board action is requested on May 21, 2019, to provide sufficient time to advertise the proposed public hearing on June 25, 2019, at 5:00 p.m.

BACKGROUND:

The Board of Supervisors is the owner of the South County Center located at 8350 Richmond Highway on a County-owned parcel identified as Tax Map Number 101-3 ((1)) 16A. The property is currently improved with a five-story, 160,000 square foot building that primarily operates as a social services facility (Building). In 2010, Clear Wireless LLC (Sprint) entered into a lease with the County to allow the installation and operation of telecommunications equipment on a portion of the roof of the Building (Lease). Verizon Wireless, AT&T and T-Mobile also have lease agreements for the use of space on the rooftop.

Sprint currently has six (6) panel antennas located on the walls of the penthouse and one (1) equipment cabinet fixed on a 49-square-foot steel platform that sits on the roof of the Building. Sprint has submitted a proposal to the Facilities Management Department to replace its existing equipment with six (6) new panel antennas and one (1) GPS antenna. The equipment cabinet and steel roof mount will be removed and a larger equipment cabinet will be placed on a steel platform located right next to the existing roof mount. To reduce the visibility of the equipment from the ground, the antennas will be mounted flush with the penthouse wall and the new cabinet will be screened by an existing three-sided, ten-foot-high metal wall.

Staff negotiated proposed terms for an amendment to the existing Lease with Sprint. The leased area will be enlarged from 49 to 180 square feet. In exchange, Sprint will pay a supplemental \$300 per month or \$3,600 per year as additional rent. All of the other primary terms of the Lease shall remain the same.

Board Agenda Item
May 21, 2019

Virginia Code Ann. § 15.2-1800 requires a locality to hold a public hearing before it may lease its real property. Staff recommends that the Board authorize the staff to advertise a public hearing to lease additional County property to Sprint, which will permit the installation of new equipment on the rooftop of the South County Center.

FISCAL IMPACT:

The proposed amendment will generate an additional \$3,600 in revenue the first year after execution for a total annual rent of approximately \$29,000. All revenue will be deposited in the General Fund.

ENCLOSED DOCUMENTS:

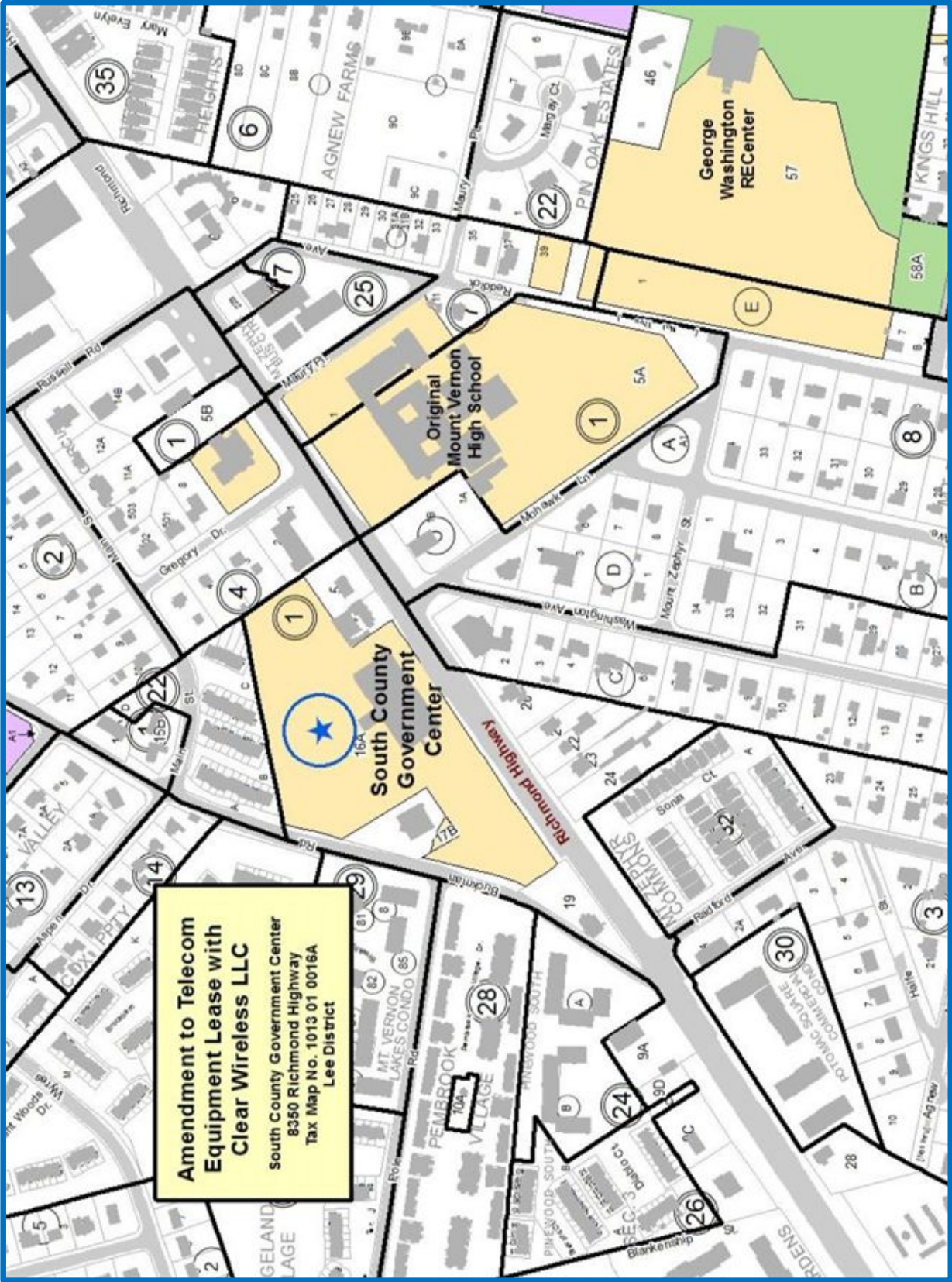
Attachment 1 – Location Map 101-3 ((1)) 16A

STAFF:

Joseph M. Mondoro, Chief Financial Officer
José A. Comayagua, Jr., Director, Facilities Management Department

ASSIGNED COUNSEL:

Linda Choe, Assistant County Attorney



ADMINISTRATIVE - 8

Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Police Officers Retirement System Ordinance

ISSUE:

Authorization to advertise a public hearing on proposed amendments to Article 7 of Chapter 3 of the Code of the County of Fairfax, which sets forth the ordinance for the Fairfax County Police Officers Retirement System (PORS).

RECOMMENDATION:

The County Executive recommends that the Board authorize advertisement of a public hearing regarding the proposed amendments to the PORS ordinance for the purpose of changing certain provisions with respect to spousal options. The PORS Board of Trustees has reviewed and supports the proposed amendments.

TIMING:

Board action is requested on May 21, 2019, to provide time to advertise for a public hearing on June 25, 2019, at 4:30 p.m.

BACKGROUND:

At the April 2, 2019, meeting of its Personnel Committee, the Board was presented with several proposed amendments to spousal option provision in the PORS ordinance that have been requested by PORS members. In response, the Board directed that these amendments be scheduled as soon as possible for a public hearing.

A member of any of the County's three Retirement Systems presently may elect to receive a decreased retirement benefit in return for having the benefit, or specified fraction thereof, payable to his or her spouse, if the member pre-deceases the spouse. There are, however, critical differences between the respective ordinance provisions authorizing this election, known as the spousal option:

- The ERS and URS ordinances authorize a member who makes a spousal option to designate either 100 percent, 75 percent, 66 ^{2/3} percent, or 50 percent of his or her retirement benefit to be payable to his or her surviving spouse. The 75 percent option offered under these two Systems, however, is unavailable under the PORS ordinance.

Board Agenda Item
May 21, 2019

- The ERS and URS ordinances allow a member to elect the spousal option at any time up to the date of retirement. By contrast, the PORS ordinance allows the election only at the time of retirement.
- While the ERS and URS ordinances authorize the revocation of the spousal option when a member and spouse divorce following the member's retirement, the option is irrevocable under the PORS ordinance.

The proposed amendments to the PORS ordinance eliminate these differences, thereby bringing its spousal option provision into better alignment with counterpart provisions in the ERS and URS ordinances.

The proposed amendments also make two further changes to the PORS ordinance's spousal option provision.

First, the amendments allow a member also to choose to designate the surviving spouse to receive 25 percent of his or her retirement benefit. This additional percentage arises from the fact that PORS members, unlike members of ERS and URS, receive no social security benefits. Enabling a member to make a 25 percent designation ameliorates this difference.

Second, the amendments follow Cheiron's recommendation that minor adjustments be made to the actuarial factors used to calculate the decreased retirement benefit provided to a PORS member who elects a spousal option. These adjustments ensure that those factors apply equally to the full menu of percentages from which a member may make a designation, and second, rest upon an updated assumption of when County police officers retire, which recent experience shows to be an average age of 51.

PROPOSED AMENDMENTS:

The proposed PORS ordinance amendments, which if adopted, would become effective on September 1, 2019. These changes would:

- Add to the spousal option the additional percentages of 75 percent and 25 percent, and adjust existing reduction factors based on recent experience per Cheiron (Attachment 2);
- Allow for election of spousal options before retirement; and
- Allow for revocation of spousal options in the event of divorce following retirement.

FISCAL IMPACT:

These changes do not represent benefit enhancements, would not impact the PORS's funded status, and would not require an increase in the County's contribution to PORS.

Board Agenda Item
May 21, 2019

ENCLOSED DOCUMENTS:

Attachment 1: Amendments to Chapter 3, Article 7 (with changes noted)

Attachment 2: Letter from Cheiron

STAFF:

Joseph Mondoro, Chief Financial Officer

Jeffrey Weiler, Executive Director, Fairfax County Retirement Systems

Christina Jackson, Deputy Director, Department of Management and Budget

Philip Hagen, Budget Services Coordinator, Department of Management and Budget

ASSIGNED COUNSEL:

Benjamin R. Jacewicz, Assistant County Attorney

ATTACHMENT 1

Section 3-7-39. - Joint and contingent spouse and handicapped child options.

Any member who qualifies for normal or early service retirement under Section 3-7-26, and with the exception of any member converting from disability retirement to normal service retirement at twenty-five (25) years of creditable service, may elect ~~at up to the time of members actual retirement date~~ to have his or her retirement compensation continue to be paid to either (1) his or her spouse in the event such spouse survives the member, or (2) his or her surviving handicapped child, if at the time of election the member has no spouse; in either event, the retirement allowance provided for in Section 3-7-27 shall be recomputed for a joint and survivor annuity in accordance with Table 2. Such reduced amount shall be paid the member during his or her lifetime, with the indicated percentage of the reduced amount paid to his or her surviving spouse for such spouse's lifetime, or to his or her surviving handicapped child for such child's lifetime, as the case may be. Such election shall become irrevocable upon commencement of such payments except in the case that such spouse or surviving handicapped child, as permitted in Subdivisions (1), (2), and (3) of this Section.

(1) In the case that event a retired member who has elected a reduced retirement allowance in consideration of a continued allowance to his or her spouse after the member's death, and the member and such spouse ~~or surviving~~ are divorced after the retirement date, the member may discontinue the allowance to the spouse, and the member's retirement allowance may be increased to that amount which the member would have been entitled had no election been made, if the spouse's right to the allowance has been extinguished pursuant to a final decree of divorce or a final property order entered in connection with a divorce case. The increase in the member's retirement allowance shall take effect as of the date of the final decree of divorce or final property order.

(2) In the event a retired member has elected a reduced retirement allowance in consideration of a continued allowance to his or her spouse or handicapped child, as the case may be, and such spouse or handicapped child predeceases the member ~~or if the~~, such member's retirement allowance shall be increased to that amount to which the member would have been entitled had no election been made. The increase in the member's retirement allowance shall take effect as of the day following the date of the spouse's death.

(3) In the event a retired member has elected a reduced retirement allowance in consideration of a continued allowance to his handicapped child, and such handicapped child is determined by the Board to no longer be permanently mentally incompetent or permanently physically handicapped, then such member's retirement allowance shall be increased to that amount to which the member would have been entitled had no election been made.

~~as the case may be, predeceases the member or if the handicapped child is determined by the Board to no longer be permanently mentally incompetent or permanently physically handicapped, then such member's retirement allowance shall be increased to that amount to which the member would have been entitled had no election been made.~~

Formatted: Font: (Default) +Body (Calibri), 10 pt

Formatted: Font: (Default) +Body (Calibri), 10 pt, Character scale: 100%

Formatted: Font: (Default) +Body (Calibri), 10 pt

Formatted: Indent: Left: 0.44", Hanging: 0.31"

Formatted: Font: (Default) +Body (Calibri), 10 pt, Character scale: 100%

Formatted: Font: (Default) +Body (Calibri), 10 pt

Formatted: Left, Indent: Left: 0.44", Hanging: 0.31", Right: 0", Space Before: 6 pt

Formatted: Font: (Default) +Body (Calibri), 10 pt, Character scale: 110%

TABLE 2
FAIRFAX COUNTY POLICE RETIREMENT OFFCERS RETIREMENT SYSTEM

Actuarial Adjustment Factors That Would Apply to Members With a Normal or Early Service Retirement Allowance Determined Under Section 3-7-27 Who Elect a Joint and Contingent Spouse and Handicapped Child Options

Percent of Allowance Continued to Spouse Upon Member's Death	Factor for Equal Ages ¹	Increase/Decrease For Each Full Year Beneficiary Is Older (Younger) Than Employee	Maximum Factor
100%	89. 25 %	0. 64 %	96%
75 %	92.0 %	0.3 %	97 %
66 2/3%	92. 48 %	0. 43 %	98%
50%	93.44 .5%	0. 23 %	99%
25 %	97.2 %	0.1 %	99 %

1. Factor applied to adjust member's allowance, as determined under Section 3-7-27, for joint and contingent spouse and handicapped child option for a member and spouse of equal age.



Classic Values, Innovative Advice

Via Electronic Mail

April 12, 2019

Mr. Jeffrey Weiler
Executive Director
Fairfax County Retirement Systems
12015 Lee Jackson Memorial Highway, Suite 350
Fairfax, Virginia 22033

Re: Joint & Survivor Factors – Police Officers Retirement System

Dear Jeff:

In our letter dated February 28, 2019, we suggested that the Boards of the three Fairfax County Retirement Systems adopt a specific actuarial interest rate and mortality table in order to comply with the revised ordinances. We are writing now to suggest a revision to the joint & survivor factors for the Fairfax County Police Officers Retirement System (PORS) in order to be able to expand the percent of allowance continued to the spouse in an actuarially equivalent manner.

The current factors under Section 3-7-39 Table 2 of the Code of *Actuarial Adjustment Factors That Would Apply to Members with a Normal or Early service Retirement Allowance Determined Under Section 3-7-27 Who Elect a Joint and Contingent Spouse and Handicapped Child Options* are shown below.

Percent of Allowance Continued to Spouse Upon Member's Death	Factor for Equal Ages	Increase/Decrease for Each Full Year Beneficiary is Older (Younger) Than Employee	Maximum Factor
100%	89.2%	0.6%	96%
66.67%	92.1%	0.4%	98%
50%	93.1%	0.3%	99%

The factors above were already in place when Cheiron began providing actuarial services for PORS, and the Code does not indicate what actuarial basis was used to determine the original factors. We have attempted to replicate the factors on several occasions and have not been able to find a match. In our most recent attempt, we noted that the factors among the different continuation percentages are not internally consistent.

Conversion factors for alternate forms of payment have previously been tabular in nature and are not directly related to the Plan's actuarial equivalence. We are proposing revisions that are actuarially equivalent on the new basis, but a similarly simplified, basis. If we were to provide factors that are entirely actuarial equivalent, this could result in a substantial increase in the number of option factors in use. For example, the 50% joint & survivor factors specified in the ordinances anticipate using the same reduction for a retiree at any age, varying only by the spouse age difference. A true actuarial equivalent reduction for 50% joint & survivor would also vary by the actual age of the retiree.

Below is a table with revised reduction factors for your use once the Trustees adopt the following table for actuarial equivalence:

A 50/50 blend of 110% (male) and 100% (female) of the RP-2014 Healthy Annuitant Mortality Table for males and females, respectively, backed down to 2006 then projected using the RPEC-2015 model, with an ultimate rate of 0.65% for ages 20-85 grading down to an ultimate rate of 0% for ages 115-120 and convergence to the ultimate rate in the year 2015. Mortality improvements are projected to 2024.

An interest rate of 5% per annum

In developing the table of simplified factors below, we recognized that the joint & survivor benefit is provided in a "pop-up" fashion (i.e., if the beneficiary predeceases the member, the member's benefit is restored to its unreduced amount). We also used the actual average retirement age for PORS retirees under the 25 year plan, which was age 51.

Percent of Allowance Continued to Spouse Upon Member's Death	Factor for Equal Ages	Increase/Decrease for Each Full Year Beneficiary is Older (Younger) Than Employee	Maximum Factor
100%	89.6%	0.4%	96%
75%	92.0%	0.3%	97%
66.67%	92.8%	0.3%	98%
50%	94.5%	0.2%	99%
25%	97.2%	0.1%	99%

This letter and its contents have been prepared in accordance with generally recognized and accepted actuarial principles and practices and our understanding of the Code of Professional Conduct and applicable Actuarial Standards of Practice set out by the Actuarial Standards Board as well as applicable laws and regulations. Furthermore, as a credentialed actuary, I meet the Qualification Standards of the American Academy of Actuaries to render the opinion contained in this report. This report does not address any contractual or legal issues. I am not an attorney, and our firm does not provide any legal services or advice.

Mr. Jeffrey Weiler
April 12, 2019
Page 2

If you have any questions, please let us know.

Sincerely,
Cheiron

A handwritten signature in blue ink, reading "Fiona E. Liston".

Fiona Liston, FSA, EA, MAAA
Principal Consulting Actuary

cc: Coralie Taylor



ADMINISTRATIVE - 9

Supplemental Appropriation Resolution AS 19238 for the Fairfax County Economic Development Authority to Accept Grant Funding from the Commonwealth of Virginia – Commonwealth Development Opportunity Fund (COF) for MicroStrategy, Inc.

ISSUE:

Board of Supervisors' approval of Supplemental Appropriation Resolution AS 19238 for the Fairfax County Economic Development Authority (FCEDA) to accept grant funding in the amount of \$1,000,000 from the Commonwealth of Virginia as part of the Commonwealth's Development Opportunity Fund for MicroStrategy Inc. This grant will assist the County with the expansion of MicroStrategy Inc's operation. No Local Cash Match is required. However, Fairfax County will provide transportation improvements scheduled in the Providence District.

RECOMMENDATION:

The County Executive recommends that the Board approve Supplemental Appropriation Resolution AS 19238 for the FCEDA to accept the grant funding in the amount of \$1,000,000 to convey to MicroStrategy Inc. as the state portion of the grant. No Local Cash Match is required. Fairfax County will provide transportation improvements in the Providence District. The transportation improvements identified for the COF match are already planned and funded within the Fairfax County Department of Transportation, and will not require any additional County funding.

TIMING:

Board approval is requested on May 21, 2019.

BACKGROUND:

Fairfax County competed with another jurisdiction for the expansion of this headquarters operation. As part of the negotiations, the Commonwealth of Virginia supported the expansion of MicroStrategy's Inc's business units within Fairfax County, with a Commonwealth's Development Opportunity Fund grant. The grant is a Performance Grant and a performance agreement has been executed to ensure, on behalf of Fairfax County and the Commonwealth of Virginia that the projected growth occurs.

As part of the Commonwealth's Development Opportunity Fund grant, Fairfax County must provide a local match which will be in the form of the Magarity Walkway project, a

Board Agenda Item
May 21, 2019

walkway infrastructure project which is already planned and funded in the County budget. This improvement project was identified by coordinating with Fairfax County Department of Transportation.

FISCAL IMPACT:

Funding in the amount of \$1,000,000 will be provided to Fairfax County to be made available to MicroStrategy Inc. for the costs of the tenant build-out of its facility in Tysons as permitted by Section 2.2-115(C) of the Virginia Code and as permitted by the current COF statute. There is no Local Cash Match required. However, Fairfax County must provide acceleration of the construction of the Magarity Walkway project. This improvement has already been identified, planned, and funded within the Fairfax County Department of Transportation. This action does not increase the expenditure level of the Federal-State Grant Fund, as funds are held in reserve for unanticipated grant awards. The COF payment schedule has been set forth in the Performance Agreement with metrics that have been agreed upon.

If MicroStrategy Inc. does not achieve its performance metrics as described in the Performance Agreement executed between Fairfax County, the Commonwealth of Virginia and MicroStrategy Inc. then MicroStrategy Inc. is responsible for paying that portion of the grant that it did not achieve back to Fairfax County. Fairfax County, in turn, will then refund to the Commonwealth of Virginia, the funds it received from MicroStrategy Inc. Fairfax County will not be held responsible for the financial shortfalls associated with performance metrics not met. The FCEDA will monitor the performance metrics and will provide to the Office of the County Executive information annually on the number of jobs and capital investment achieved during that time.

ENCLOSED DOCUMENTS:

Attachment 1: Supplemental Appropriation Resolution AS 19238

Attachment 2: Commonwealth Development Opportunity Fund Performance Agreement

Attachment 3: Notification of COF Award from the Commonwealth of Virginia

STAFF:

Catherine Riley, Interim President, FCEDA

Rodney Lusk, Director National Marketing, FCEDA

SUPPLEMENTAL APPROPRIATION RESOLUTION AS 19238

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at 12000 Government Center Parkway, Fairfax Virginia on May 21, 2019, at which a quorum was present and voting, the following resolution was adopted:

BE IT RESOLVED by the Board of Supervisors of Fairfax County, Virginia, that in addition to appropriations made previously for FY 2019, the following supplemental appropriation is authorized and the Fiscal Planning Resolution is amended accordingly:

Appropriate to:

Fund: 500-C50000, Federal-State Grant Fund

Agency: E1616, Economic Development Authority \$1,000,000

Grant: 1160014-2019, Microstrategy Inc.

Reduce Appropriation to:

Agency: G8787, Unclassified Admin \$1,000,000

Fund: 500-C50000, Federal-State Grant Fund

Source of Funds: Commonwealth of Virginia, \$1,000,000

A Copy - Teste:

Catherine A. Chianese
Clerk to the Board of Supervisors

COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND

PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** (this "Agreement") made and entered this ____ day of March 2018, by and between the **COUNTY OF FAIRFAX, VIRGINIA** (the "Locality") a political subdivision of the Commonwealth of Virginia (the "Commonwealth"), the **FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY** (the "Authority"), a political subdivision of the Commonwealth, and **MICROSTRATEGY INCORPORATED** (the "Company"), a Delaware corporation authorized to transact business in the Commonwealth.

WITNESSETH:

WHEREAS, the Locality has been awarded a grant of and expects to receive \$1,000,000 from the Commonwealth's Development Opportunity Fund (a "COF Grant") through the Virginia Economic Development Partnership Authority ("VEDP") for the purpose of inducing the Company to lease, improve, equip, and operate, or cause to be leased, improved, equipped or operated, an expansion of its headquarters facility in the Locality located at 1850 Towers Crescent Plaza, Tysons Corner, Virginia and further identified by Fairfax County Tax Map No. 0392 29 00016 (the "Facility"), thereby making or causing to be made a significant Capital Investment, and creating and Maintaining a significant number of New Jobs, as such capitalized terms are hereinafter defined;

WHEREAS, the Locality is willing to provide the funds to the Authority with the expectation that the Authority will provide the funds to or for the use of the Company, provided that the Company promises to meet certain criteria relating to Capital Investment and New Jobs;

WHEREAS, the Locality, the Authority, and the Company desire to set forth their understanding and agreement as to the payout of the COF Grant, the use of the COF Grant proceeds, the obligations of the Company regarding Capital Investment and New Jobs, and the repayment by the Company of all or part of the COF Grant under certain circumstances;

WHEREAS, it is anticipated that the leasing, improvement, equipping, and operation of the Facility related to the expansion will entail a capital expenditure by or on behalf of the Company of approximately \$6,000,000, of which approximately \$4,000,000 will be invested in furniture, fixtures and equipment and approximately \$2,000,000 will be invested in leasehold improvements to a leased building;

WHEREAS, it is anticipated that the leasing, improvement, equipping, and operation of the Facility related to the expansion will further entail the creation and Maintenance of 300 New Jobs at the Facility; and

WHEREAS, the Locality has determined that stimulation of the additional tax revenue and economic activity to be generated by the Capital Investment and New Jobs constitutes a valid public purpose for the expenditure of public funds and is the animating purpose for the COF Grant:

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows.

Section 1. Definitions.

For the purposes of this Agreement, the following terms shall have the following definitions:

“Average Annual Wage” means the average annual salary of full-time positions at the Facility determined by dividing total payroll (of a type included in W-2 compensation) provided to full-time positions at the Facility by the number of full-time positions at the Facility.

“Capital Investment” means a capital expenditure by or on behalf of the Company in taxable real property, taxable tangible personal property, or both, at the Facility. A capital expenditure related to a leasehold interest in real property will be considered to be made “on behalf of the Company” if a lease between a developer or lessor and the Company is a capital lease, or is an operating lease having a term of at least ten years, and the real property would not have been constructed or improved but for the Company’s interest in leasing some or all of the real property. Only the capital expenditures allocated to the portion of the real property leased by the Company will count as “Capital Investment.” The purchase or lease of machinery and equipment or furniture, fixtures, and equipment, including under an operating lease, and expected building up-fit and tenant improvements by or on behalf of the Company will qualify as Capital Investment. The Capital Investment must be in addition to the capital improvements at the Facility as of January 1, 2018.

“Maintain” means that the New Jobs will continue without interruption from the date of creation through the Performance Date. Positions for the New Jobs will be treated as Maintained during periods in which such positions are not filled due to (i) temporary reductions in the Company’s employment levels (so long as there is active recruitment for open positions), (ii) strikes, and (iii) other temporary work stoppages.

“New Job” means new permanent full-time employment of an indefinite duration at the Facility for which the standard fringe benefits are provided by the Company for the employee, and for which the Company pays an Average Annual Wage of at least \$95,000. Each New Job must require a minimum of either (i) 35 hours of an employee’s time per week for the entire normal year of the Company’s operations, which “normal year” must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary positions, positions created when a job function is shifted from an existing location in the Commonwealth, and positions with construction contractors, vendors, suppliers and similar multiplier or spin-off jobs shall not qualify as New Jobs. The New Jobs must be in addition to the 845 full-time jobs at the Facility as of January 1, 2018.

“Performance Date” means March 1, 2021. If the Locality, in consultation with the Authority and VEDP, deems that good faith and reasonable efforts have been made and are being

made by the Company to achieve the Targets, the Locality may request an extension of the Performance Date by up to 15 months. Any extension of the Performance Date shall require the prior approval of the Board of Directors of VEDP. If the Performance Date is extended, the Locality shall send written notice of the extension to the Authority, the Company, and VEDP and the date to which the Performance Date has been extended shall be the "Performance Date" for the purposes of this Agreement.

"Targets" means the Company's obligations to make Capital Investments at the Facility of at least \$6,000,000 and to create and Maintain at least 300 New Jobs at the Facility, all as of the Performance Date.

"Virginia Code" means the Code of Virginia of 1950, as amended.

Section 2. Targets; Statutory Criteria.

(a) *Targets:* The Company will lease, improve, equip, and operate the Facility in the Locality, make a Capital Investment of at least \$6,000,000, and create and Maintain at least 300 New Jobs at the Facility, all as of the Performance Date.

(b) *Encouragement to Fill New Jobs with Residents of the Commonwealth:* The Locality and the Authority strongly encourages the Company to ensure that at least 30% of the New Jobs are offered to "Residents" of the Commonwealth, as defined in Virginia Code Section 58.1-302. In pertinent part, that definition includes natural persons domiciled in Virginia or natural persons who, for an aggregate of more than 183 days of the year, maintained a place of abode within the Commonwealth, whether domiciled in the Commonwealth or not.

(c) *Prevailing Wage; Unemployment and Poverty Rates:* The Average Annual Wage of the New Jobs of at least \$95,000 is more than the prevailing average annual wage in the Locality of \$83,805. The Locality is not a high-unemployment locality, with an unemployment rate for 2016, which is the last year for which such data is available, of 3.2% as compared to the 2016 statewide unemployment rate of 4.0%. The Locality is not a high-poverty locality, with a poverty rate for 2016, which is the last year for which such data is available, of 6.0% as compared to the 2016 statewide poverty rate of 11.0%.

(d) *Disclosure of Political Contributions:* The Company acknowledges that the name of the Company will be shared by VEDP with the Governor of Virginia, and any campaign committee or political action committee associated with the Governor. The Company acknowledges that within 18 months of the date of this Performance Agreement, the Governor, his campaign committee, and his political action committee will submit to the Virginia Conflict of Interest and Ethics Advisory Council a report listing any contribution, gift, or other item with a value greater than \$100 provided by the Company to the Governor, his campaign committee, or his political action committee, respectively, during the period from the date of the Company's application for the COF Grant through the one-year period immediately after the date of this Agreement.

Section 3. Disbursement of COF Grant.

(a) *Disbursement of the COF Grant:* By execution and delivery of this Agreement, the Locality requests that the COF Grant be disbursed to it.

The disbursement of the COF Grant proceeds to the Company will serve as an inducement to the Company to achieve the Targets at the Facility. After receipt of the COF Grant proceeds and upon request by the Authority, the Locality will disburse the COF Grant proceeds to the Authority. The Authority will disburse the COF Grant proceeds to the Company in one payment as follows:

The Company will provide notice and evidence reasonably satisfactory to the Locality, the Authority, and VEDP that it has made Capital Investments of at least \$4,000,000 and created and Maintained at least 225 New Jobs. Such evidence will be subject to verification by the Locality, the Authority, and VEDP. Within 30 days of the verification, the Authority will disburse all \$1,000,000 of the COF Grant proceeds to the Company.

If any COF Grant proceeds have not been disbursed to the Company within 90 days after the Performance Date, the Locality shall return such proceeds to VEDP for redeposit to the Commonwealth's Development Opportunity Fund.

(b) *Use of the COF Grant Proceeds:* The Company will use the COF Grant proceeds to pay or reimburse for the costs of build-out at the Facility and training, as permitted by Section 2.2-115(D) of the Virginia Code.

Section 4. Break-Even Point; State and Local Incentives.

(a) *State-Level Incentives:* VEDP has estimated that the Commonwealth will reach its "break-even point" by the Performance Date. The break-even point compares new revenues realized as a result of the Capital Investment and New Jobs at the Facility with the Commonwealth's expenditures on incentives, including but not limited to the COF Grant. With regard to the Facility, the Commonwealth expects to provide incentives in the following amounts:

<u>Category of Incentive:</u>	<u>Total Amount</u>
COF Grant	\$1,000,000
Virginia Jobs Investment Program ("VJIP") (Estimated)	\$240,000

The proceeds of the COF Grant shall be used for the purposes described in Section 3(b). The VJIP grant proceeds shall be used by the Company to pay or reimburse itself for recruitment and training costs.

(b) *Locality-Level Incentives:* Provided that the Commonwealth pays the COF Grant to the Locality, the Locality shall provide the following incentive, as a matching grant or otherwise, for the Facility by the Performance Date:

Category of Incentive:

Total Amount

Acceleration of the Construction of the Magarity Road Walkway

\$1,000,000

The Company acknowledges and agrees that this acceleration of the construction of the Magarity Road walkway was an important factor in the Company's decision to lease, improve, equip, and operate the Facility in the Locality. The Locality believes that this acceleration of the construction of the Magarity Road walkway will provide increased connectivity for those walking or riding to the Facility and will benefit the Company, Towers Crescent Plaza and other surrounding businesses, surrounding residents, and the public.

If, by the Performance Date, the funds disbursed or committed to be disbursed by the Locality associated with the acceleration of the construction of the Magarity Road walkway total less than the \$1,000,000 COF Grant local match requirement, the Locality, subject to appropriation, will make an additional non-cash grant in the nature of public infrastructure improvements, to or for the benefit of the Company, of the difference at the Performance Date, so long as the Company has met its Targets. Any changes to the Locality's incentives from the improvements described above will require the prior approval of the Company and VEDP.

(c) *Other Incentives:* This Agreement relates solely to the COF Grant. The qualification for, and payment of all State-Level Incentives and Locality-Level Incentives, except for the COF Grant, will be governed by separate arrangements between the Company and the entities offering the other incentives.

Section 5. Repayment Obligation.

(a) *If Statutory Minimum Eligibility Requirements are Not Met:* Section 2.2-115 of the Virginia Code requires that the Company make a Capital Investment of at least \$5,000,000 in the Facility and create and Maintain at least 50 New Jobs at the Facility in order to be eligible for the COF Grant. Failure by the Company to meet either of these statutory minimum eligibility requirements by the Performance Date shall constitute a breach of this Agreement and the Company must repay to the Authority all of the COF Grant proceeds previously disbursed to the Company. In such event, the Locality will repay to VEDP all of the COF Grant proceeds not previously disbursed to the Company.

(b) *Allocation of COF Proceeds:* Solely for purposes of repayment under subsection (c), the COF Grant is to be allocated as 50% (\$500,000) for the Company's Capital Investment Target, and 50% (\$500,000) for the Company's New Jobs Target.

(c) *If Statutory Minimum Eligibility Requirements are Met:* The provisions of this subsection (c) shall become applicable only if the Company has met the statutory minimum eligibility requirements set forth in subsection (a).

If the Company has met at least ninety percent (90%) of both of the Targets at the Performance Date, then and thereafter the Company is no longer obligated to repay any portion the COF Grant. If the Company has not met at least ninety percent (90%) of either or both of its Targets as of the Performance Date, the Company shall repay to the Authority that part of the COF Grant previously disbursed to the Company that is proportional to the Target or Targets for which there is a shortfall. For example, if as of the Performance Date, the Company has received \$1,000,000 of the COF Grant proceeds, but the Capital Investment is only \$5,100,000 (representing 85% of the Capital Investment Target) and only 225 New Jobs have been created and Maintained (representing 75% of the New Jobs Target), the Company shall repay to the Authority \$75,000 (15%) of the COF Grant proceeds that it received allocated to the Capital Investment Target and \$125,000 (25%) of the COF Grant proceeds that it received allocated to the New Jobs Target (i.e., the percentages of the shortfall from the expected amount of Capital Investment and expected number of New Jobs, each multiplied by the portion of the COF Grant proceeds that the Company received allocated to that Target (($\$6,000,000 - \$5,100,000$)/ $\$6,000,000 * \$500,000 = \$75,000$ and $(300 - 225)/300 * 500,000 = \$125,000$). In such event, the Locality will repay to VEDP all of the COF Grant proceeds not previously disbursed to the Company.

(d) *Determination of Inability to Comply:* If the Locality or VEDP shall determine at any time prior to the Performance Date (a "Determination Date") that the Company is unable or unwilling to meet and Maintain its Targets by and through the Performance Date, and if the Locality, the Authority or VEDP shall have promptly notified the Company of such determination, the Company must repay to the Authority all of the COF Grant proceeds previously disbursed to the Company. In such event, the Locality will repay to VEDP all of the COF Grant proceeds not previously disbursed to the Company. Such a determination will be based on such circumstances as a filing by or on behalf of the Company under Chapter 7 of the U.S. Bankruptcy Code, the liquidation of the Company, an abandonment of the Facility by the Company or other similar significant event that demonstrates the Company will be unable or is unwilling to satisfy the Targets for the COF Grant.

(e) *Repayment Dates:* Repayment pursuant to this Section 5 shall be due from the Company to the Locality within ninety days after (i) the Performance Date if required to be made pursuant to Section (a) or (c) above or (ii) the Determination Date if required to be made pursuant to Section (d) above. Any moneys repaid by the Company to the Authority hereunder shall be repaid by the Authority to the Locality and shall be repaid by the Locality promptly to VEDP for redeposit into the Commonwealth's Development Opportunity Fund. The Locality and the Authority shall use reasonable efforts to recover such funds, including legal action for breach of this Agreement. Neither the Locality nor the Authority shall have any responsibility for the repayment of any sums payable by the Company hereunder unless said sums have been received by the Locality or the Authority from the Company.

Section 6. Company Reporting.

(a) *Progress Reporting:* The Company shall submit, at the Company's expense, a report to the Locality, the Authority, and VEDP detailing the Company's progress on the Targets. Such progress reports will be provided annually, starting at June 1, 2018, and covering the period through the prior March 1. The form of such report is attached as Exhibit A and includes: (i) the amount of Capital Investment made; (ii) the number of New Jobs created and maintained; (iii) the Average Annual Wage paid to those New Jobs; (iv) a statement that the standard fringe benefits were provided to the holders of the New Jobs; and (v) the amount of Virginia corporate income tax paid by the Company to the Commonwealth, or, as applicable, a copy of its Virginia income tax form filed with respect to its status as a pass-through entity.

If the Company wishes to count as Capital Investments the capital expenditures made on its behalf by a lessor of the Facility, the Company is responsible for assembling and distributing the documentation necessary to verify the capital expenditures made on behalf of the Company.

VEDP has represented to the Company that it considers the Company's Virginia corporate income tax information to be confidential proprietary information that is exempt from public disclosure under the Virginia Freedom of Information Act and that such information will be used by VEDP solely in calculating aggregate return on invested capital analyses for purposes of gauging the overall effectiveness of economic development incentives.

The Company shall provide progress reports at such other times as the Locality or VEDP may reasonably require.

(b) *Final Report:* The Company shall provide, at the Company's expense, a report to the Locality, the Authority, and VEDP detailing the Company's achievement of the Targets. The final report may be submitted after the Performance Date, but no later than June 1, 2021. The form of such report is attached as Exhibit B.

(c) *Verification of Capital Investment:* The Company hereby authorizes the Locality's Department of Tax Administration to release to VEDP the Company's real estate tax, business personal property tax and machinery and tools tax information. Such information shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the Capital Investment Target. If the Locality's Department of Tax Administration should require additional documentation or consents from the Company to access such information, the Company shall promptly provide, at the Company's expense, such additional documentation or consents as the Locality or VEDP may request. In accordance with Virginia Code Section 58.1-3122.3, VEDP is entitled to receive the Company's real estate tax, business personal property tax and machinery and tools tax information.

The Company must submit copies of paid invoices supporting the Capital Investment made at the Facility with its final report.

In addition to the verification data described above, in the sole discretion of the Locality or of VEDP, the Locality, the Authority or VEDP, respectively, may require such other documentation or audits as may be required to properly verify the Capital Investment.

(d) *Verification of New Jobs and Wages:* The Company must submit a copy of its most recent Employer's Quarterly Tax Report (Form FC-20) with the Virginia Employment Commission with each progress report and the final report. The form shall be marked and considered confidential and proprietary and shall be used by VEDP solely for verifying satisfaction of the New Jobs Target. In accordance with Virginia Code Section 60.2-114, VEDP is entitled to receive the Company's employment level and wage information from the Virginia Employment Commission.

If requested by VEDP, the Company shall provide to VEDP copies of the Company's quarterly filings with the Virginia Employment Commission covering the period from January 1, 2018 through the Performance Date. In accordance with Virginia Code Section 60.2-114, VEDP is entitled to receive the Company's employment level and wage information from the Virginia Employment Commission.

~~Should the Company ever have business locations in the Commonwealth outside of the Locality, the Company agrees that its reports to the Virginia Employment Commission with respect to its employees at those other locations will be reported at the facility level and not at the company level.~~

In addition to the verification data described above, in the sole discretion of the Locality or of VEDP, the Locality or VEDP, respectively, may require such other documentation or audits as may be required to properly verify the New Jobs.

Section 7. Notices.

Formal notices and communications between the Parties shall be given either by (i) personal service, (ii) delivery by a reputable document delivery service that provides a receipt showing date and time of delivery, (iii) mailing utilizing a certified or first class mail postage prepaid service of the United States Postal Service that provides a receipt showing date and time of delivery, or (iv) delivery by facsimile or electronic mail (email) with transmittal confirmation and confirmation of delivery, addressed as noted below. Notices and communications personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices and communications mailed shall be deemed effective on the second business day following deposit in the United States mail. Notices and communications delivered by facsimile or email shall be deemed effective the next business day, not less than 24 hours, following the date of transmittal and confirmation of delivery to the intended recipient. Such written notices and communications shall be addressed to:

if to the Company, to:

with a copy to:

MicroStrategy Incorporated
1850 Towers Crescent Plaza
Tysons Corner, Virginia 22182
Telephone: 703-848-8600
Facsimile: 703-744-6263
Attention: W. Ming Shao, Senior Executive
Vice President & General Counsel
Diane Frimel, Director, Global Real Estate &
Facilities

Venable LLP
600 Massachusetts Avenue, NW
Washington, DC 20001
Attn: Patrick W. Lincoln, Esq.
Fax #: (202) 344-8300
Attn: Margaret Lynch Selwood, Esq.
Fax # (703) 821-8949

if to the Locality, to:

with a copy to:

County of Fairfax, Virginia
12000 Government Center Parkway
Suite 552
Fairfax, Virginia 22035-0066
Facsimile: 703.324.3956
Email: Bryan.Hill@FairfaxCounty.gov
Attention: Bryan J. Hill, County Executive

County of Fairfax, Virginia
12000 Government Center Parkway
Suite 552
Fairfax, Virginia 22035-0066
Facsimile: 703.324.2665
Attention: County Attorney

if to the Authority, to

Fairfax County Economic Development
Authority
8300 Boone Boulevard
Suite 450
Tysons Corner, Virginia 22182
Facsimile: 703.813.1269
Email: ggordon@fceda.org
Attention: Gerald L. Gordon, Ph. D., President
and CEO

if to VEDP, to:

with a copy to:

Virginia Economic Development Partnership
One James Center, Suite 900
901 East Cary Street
Post Office Box 798 (zip: 23218-0798)
Richmond, Virginia 23219
Facsimile: 804.545.5611
Email: moret@yesvirginia.org
Attention: President and CEO

Virginia Economic Development Partnership
One James Center, Suite 900
901 East Cary Street
Post Office Box 798 (zip: 23218-0798)
Richmond, Virginia 23219
Facsimile: 804.545.5611
Email: smcninch@yesvirginia.org
Attention: General Counsel

Section 8. Miscellaneous.

(a) *Entire Agreement; Amendments:* This Agreement constitutes the entire agreement among the parties hereto as to the COF Grant and may not be amended or modified, except in writing, signed by each of the parties hereto and consented to by VEDP. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The Company may not assign its rights and obligations under this Agreement without the prior written consent of the Locality, the Authority, and VEDP. Notwithstanding the foregoing, the Locality, the Authority and VEDP specifically acknowledge and agree that (i) any rights or obligations of the Company pursuant to and set forth in this Agreement may be performed or satisfied by any affiliate or subsidiary of the Company, including without limitation, MicroStrategy Services Corporation (the "Company's Affiliates"), and (ii) the Company shall be permitted to include all activities of the Company's Affiliates in the progress reports required hereunder and New Jobs or Capital Investments made by the Company's Affiliates shall count towards the Company's satisfaction of the Targets and any statutory requirements related to the same.

(b) *Governing Law; Venue:* This Agreement is made, and is intended to be performed, in the Commonwealth and shall be construed and enforced by the laws of the Commonwealth. Jurisdiction and venue for any litigation arising out of or involving this Agreement shall lie in the Circuit Court of the County of Fairfax, and such litigation shall be brought only in such court. In the event of such litigation, the Locality shall notify the President and CEO of VEDP in writing.

(c) *Counterparts:* This Agreement may be executed in one or more counterparts, each of which shall be an original, and all of which together shall be one and the same instrument.

(d) *Severability:* If any provision of this Agreement is determined to be unenforceable, invalid or illegal, then the enforceability, validity and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the parties as nearly as possible in accordance with applicable law.

(e) *Attorney's Fees:* Attorney's fees shall be paid by the party incurring such fees.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Performance Agreement as of the date first written above.

COUNTY OF FAIRFAX, VIRGINIA

By [Signature]
Name: Bryan J. Hill
Title: County Executive
Date: MAY 14 2018

MICROSTRATEGY INCORPORATED

By [Signature]
Name: Phong Le
Title: SEVP & CFO
Date: _____

**FAIRFAX COUNTY ECONOMIC
DEVELOPMENT AUTHORITY**

By [Signature]
Name: Dwight L. Gordon
Title: President/CEO
Date: 7/31/18

Exhibit A: Annual Progress Report Form

Exhibit B: Final Report Form

ANNUAL PROGRESS REPORT COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND

PROJECT SUMMARY:

Project	MicroStrategy Incorporated
Location	Fairfax County
Amount of Grant	\$1,000,000
Performance Reporting Period	March 1, 20__
Performance Date	March 1, 2021

PROJECT PERFORMANCE:

Performance Measurement	Target	As of March 1, 20__	% Complete
New Jobs (over 845 baseline) ¹	300		
Confidence level target will be reached by Performance Date shown above (check one)	High <input type="checkbox"/>	Moderate <input type="checkbox"/>	Low <input type="checkbox"/>
Capital Investment (provide breakdown below) ²	\$6,000,000		
Confidence level target will be reached by Performance Date shown above (check one)	High <input type="checkbox"/>	Moderate <input type="checkbox"/>	Low <input type="checkbox"/>
Average Annual Wage	\$95,000		N/A
Confidence level target will be reached by Performance Date shown above (check one)	High <input type="checkbox"/>	Moderate <input type="checkbox"/>	Low <input type="checkbox"/>
Standard Fringe Benefits			
Virginia Corporate Income Tax Paid in Prior Calendar Year	\$		

¹ Attach the Company's most recent Quarterly [TaxPayroll](#) Report (Form FC-20+) with the Virginia Employment Commission.

² Data will be verified using records of the Department of Tax Administration.

Capital Investment Breakdown	Amount
Renovation or Building Up-Fit	\$
Furniture, Fixtures and Equipment	\$
Other	\$
Total	\$

COMMENTS:

Discuss Project status, including the current level of New Jobs and Capital Investment, progress on the Targets, changes or likely changes in the Project's nature that may impact achievement of the Targets, and other information relevant to the Project performance. If the Project is not on track to meet the Targets, please provide an explanation.

TO BE CERTIFIED BY AN OFFICER OF THE COMPANY:

I certify that I have examined this report and to the best of my knowledge and belief, it is true, correct, and complete.

Company: MICROSTRATEGY INCORPORATED

Submitted By: _____
Signature of Official

Name: _____
Print Name

Title: _____

Date: _____

Send to: Kim Ellett, Incentives Coordinator Virginia Economic Development Partnership, 901 East Cary Street, Richmond, Virginia 23219, 804-545-5618

FINAL REPORT COMMONWEALTH'S DEVELOPMENT OPPORTUNITY FUND

PROJECT SUMMARY:

Project	MicroStrategy Incorporated
Location	Fairfax County
Amount of Grant	\$1,000,000
Performance Date	March 1, 2021

PROJECT PERFORMANCE:¹

Performance Measurement	Target	As of March 1, 2021	% Complete
New Jobs (over 845 baseline) ²	300		
Capital Investment (provide breakdown below) ³	\$6,000,000		
Average Annual Wage	\$95,000		N/A
Standard Fringe Benefits			
Virginia Corporate Income Tax Paid in Prior Calendar Year	\$		

¹ Final, actual performance will be reported on VEDP's public reporting website.

² Attach the Company's most recent Quarterly [Tax Payroll](#) Report (Form FC-204) with the Virginia Employment Commission.

³ Data will be verified using records of the Department of Tax Administration and invoices.

Capital Investment Breakdown	Amount
Renovation or Building Up-Fit	\$
Furniture, Fixtures and Equipment	\$
Other	\$
Total	\$

LOCAL MATCH:

Goal	\$1,000,000
Actual	

COMMENTS:

Discuss Project status or the important of the Project to the locality and region.

TO BE CERTIFIED BY AN OFFICER OF THE COMPANY:

I certify that I have examined this report and to the best of my knowledge and belief, it is true, correct, and complete.

Company: MICROSTRATEGY INCORPORATED

Submitted By: _____
Signature of Official

Name: _____
Print Name

Title: _____

Date: _____

Send to: Kim Ellett, Incentives Coordinator Virginia Economic Development Partnership, 901
East Cary Street, Richmond, Virginia 23219, 804-545-5618

February 28, 2019

Ms. Catherine Riley
Vice President of Marketing
Fairfax County Economic Development Authority
8300 Boone Boulevard, Suite 450
Vienna, Virginia 22182

Dear Cathy:

Thank you for your efforts in bringing Microstrategy to Fairfax County. The support of local economic developers, in cooperation with the Virginia Economic Development Partnership, is essential in bringing quality businesses to the Commonwealth.

Please find enclosed the \$1,000,000 check from the Commonwealth's Opportunity Fund to be used for Microstrategy. As required by the performance agreement, Microstrategy is required to submit annual progress reports on its employment and investment targets. The first of these reports is due June 1, 2019, covering the period through the prior March 1.

Once the company provides documentation that it has reached the payment target as outlined in the performance agreement, Fairfax and VEDP should work jointly to verify such. Copies of this documentation should be provided to VEDP to allow us to assist with this verification. I will be your point of contact for this purpose.

Your economic development team has done an outstanding job on this project. We look forward to working with you again in the near future to bring business to Fairfax and the Commonwealth. Thank you again, and keep up the good work.

Sincerely,



Kimberly M. Ellett
Incentives Coordinator

/kme

Enclosure

ADMINISTRATIVE – 10

Extension of Review Period for 2232 Application (Mount Vernon 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-V19-1.

TIMING:

Board action is required May 21, 2019, to extend the review period for 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-V19-1	Department of Public Works and Environmental Services South County Police Station and Animal Shelter Tax Map No. 106-4 ((1)) 57 Lorton Road (Address TBD) Lorton, VA Mount Vernon District Accepted March 26, 2019 Extend to February 26, 2020
------------	---

FISCAL IMPACT:

None.

Board Agenda Item
May 21, 2019

ENCLOSED DOCUMENTS:

None.

STAFF:

Rachel Flynn, Deputy County Executive

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

Michelle K. Stahlhut, Chief, Facilities Planning Branch, Planning Division, DPZ

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

ADMINISTRATIVE - 11

Authorization to Advertise a Public Hearing for the De-Creation of Small and Local Sanitary Districts for Refuse/Recycling and Vacuum Leaf Collection Service (Providence District)

ISSUE:

Board of Supervisors' authorization to advertise a Public Hearing for the de-creation of a Small and Local Sanitary District for refuse/recycling and vacuum leaf collection service.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize advertisement of a public hearing at 5:30 p.m. on Tuesday, June 25, 2019, to consider the following change to small and local sanitary districts for refuse/recycling and/or vacuum leaf collection service in accordance with the Board of Supervisor's Adopted Criteria for the Creation of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District Within Providence District (2428 Lockett Av, 8630 Janet La)	De-Create	Refuse, Recycling, Collection	Approve

TIMING:

Board of Supervisors' authorization to advertise on May 21, 2019, is required for a Public Hearing to be held on June 25, 2019, at 5:30 p.m.

BACKGROUND:

The administrative responsibility for the creation/enlargement/de-creation/re-creation of small and local sanitary districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of sanitary districts is accomplished through the action of the Board of Supervisors at public hearings. Prior to any action by the Board of Supervisors on a proposed small or local sanitary district, certain relevant standards and criteria must be met in accordance with the Board of Supervisors' Adopted Criteria for the Creation/Enlargement/De-Creation/Re-Creation of Small and Local Sanitary Districts. The submitted petition has been reviewed, and it has been determined that the petition

Board Agenda Item
May 21, 2019

meets the Board of Supervisors' Adopted Criteria. Staff recommends that the authorization to advertise a public hearing for the de-creation of small and/or local sanitary districts for refuse/recycling and/or leaf collection be approved. If approved, the modification will become permanent in July 1 2019.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1: Summary Sheet
Attachment 2: Data Sheet with Proposed Resolution and Map

STAFF:
Rachel O. Flynn, Deputy County Executive
Randy Bartlett, Director, Department of Public Works and Environmental Services (DPWES)
John Kellas, Deputy Director, DPWES, Solid Waste Management Program (SWMP)

SUMMARY SHEET

Proposed alterations to the following small and local sanitary districts for refuse/recycling & vacuum leaf collection service:

1. De-create Small District within Providence District for the purpose of discontinuing County refuse, recycling and vacuum leaf collection service to 8630 Luckett Av and 2428 Janet La. These addresses have driveways that are accessed on neighboring streets that are not serviced by Fairfax County collection staff.

DATA SHEET
De-create/Re-create
Small District
within the Providence District

2. Purpose: De-create Small District within Providence District for discontinuing County refuse, recycling and vacuum leaf collection service to 8630 Lockett Av and 2428 Janet La.
 - Petition requesting service received April 2, 2019.
 - Petition Area: 2 Properties.
 - 2 Property Owners in favor. (100%)
 - 0 property owners opposed.
 - 0 Non-responsive/unable to contact.
 - The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2019.

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON

TO DE-CREATE/RE-CREATE
SMALL DISTRICT
WITHIN PROVIDENCE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 21st day of May, 2019 it was proposed by said Board to adopt a resolution to de-create/re-create a local district known as Small District within Providence District to include 8630 Lockett Av and 2428 Janet La area for the purpose of discontinuing refuse/recycling and vacuum leaf collection to be effective July 1, 2019, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
June 25, 2019
COMMENCING AT 5:30 P.M.

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

WHEREAS, Virginia Code Section *15.2-858*, as amended, provides for, among other things, the de-creation/re-creation by the Board of Supervisors of Fairfax County, Virginia, of a small/local sanitary district by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed local sanitary district will be benefited by de-creating the local sanitary district for discontinuing refuse/recycling and collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a local sanitary district, pursuant to Virginia Code Section *15.2-858*, as amended, to be known as Small District within Providence District, Fairfax County, Virginia, which said de-creation of the local sanitary district shall be described as follows:

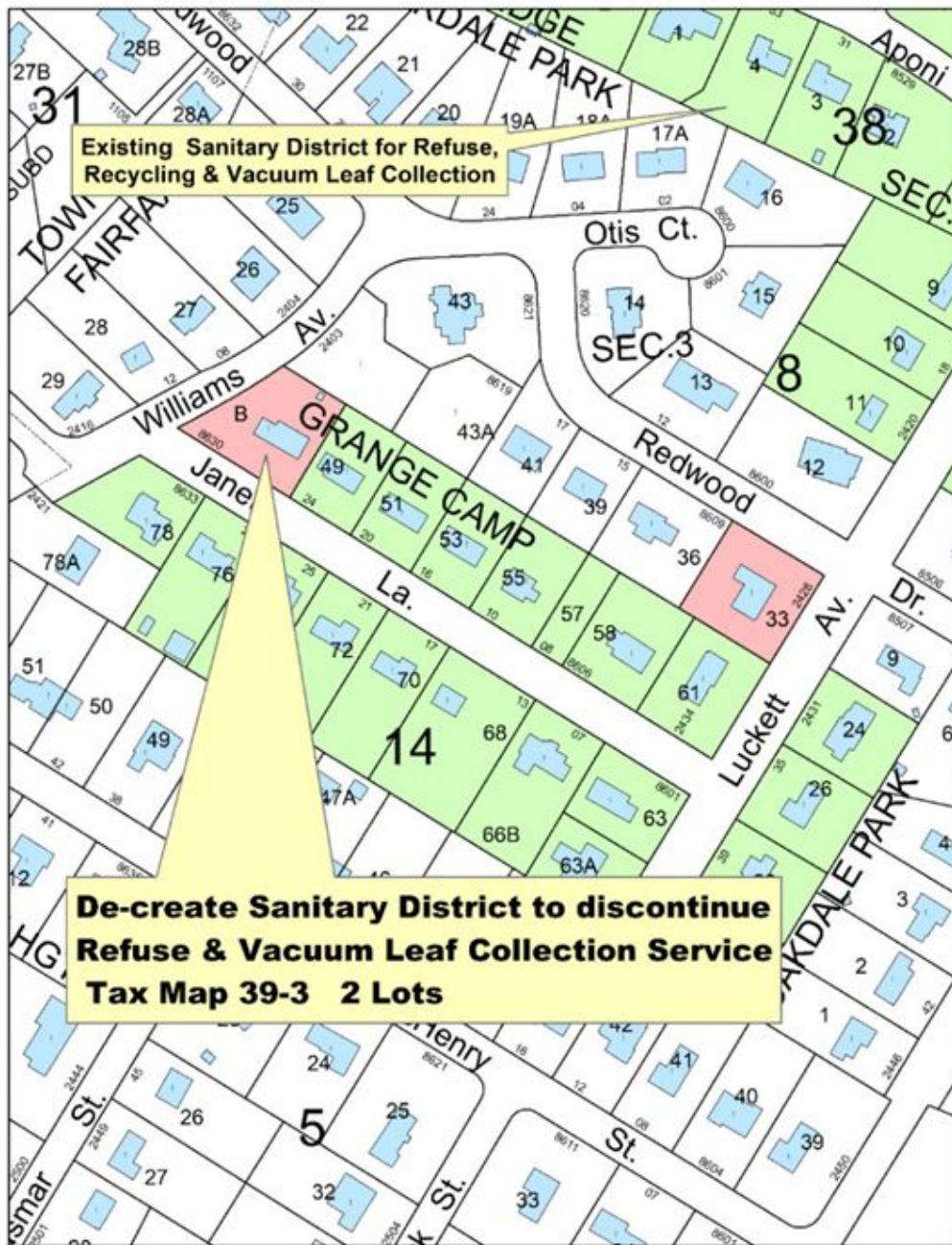
The de-creation/re-creation of Small District within Providence District to include 8630 Lockett Av and 2428 Janet La located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Small District within Providence District is hereby created to wit:

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

Given under my hand this ____ day of May, 2019

Catherine Chianese
Clerk to the Board



TAX MAP 39-3

LUCKETT JANET AREA

ADMINISTRATIVE - 12

Authorization to Advertise a Public Hearing for the Enlargement of Small and Local Sanitary Districts for Refuse/Recycling and Vacuum Leaf Collection Service (Dranesville District)

ISSUE:

Board of Supervisors' authorization to advertise a Public Hearing for the enlargement of a small and local sanitary district for refuse/recycling and vacuum leaf collection service.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize advertisement of a public hearing at 5:30 p.m. on Tuesday, June 25, 2019, to consider the following change to small and local sanitary districts for refuse/recycling and/or vacuum leaf collection service in accordance with the Board of Supervisor's adopted criteria for the creation of small or local sanitary districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District Within Dranesville District (Chesterbrook Woods Area)	Enlargement	Refuse, Recycling, Collection	Approve

TIMING:

Board of Supervisors' authorization to advertise on May 21, 2019, is required for a Public Hearing to be held on June 25, 2019, at 5:30 p.m.

BACKGROUND:

The administrative responsibility for the creation/enlargement/de-creation/re-creation of small and local sanitary districts in the County of Fairfax for refuse/recycling and/or leaf collection is with the Department of Public Works and Environmental Services. The establishment of sanitary districts is accomplished through the action of the Board of Supervisors at public hearings. Prior to any action by the Board of Supervisors on a proposed small or local sanitary district, certain relevant standards and criteria must be met in accordance with the Board of Supervisors' Adopted Criteria for the creation/enlargement/de-creation/re-creation of small and local sanitary districts.

Board Agenda Item
May 21, 2019

The submitted petition has been reviewed, and it has been determined that the petition meets the Board of Supervisors' Adopted Criteria. Staff recommends that the authorization to advertise a public hearing for the enlargement of small and/or local sanitary districts for refuse/recycling and/or vacuum leaf collection be approved. If approved, the modification will become permanent in July 1, 2019.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1: Summary Sheet
Attachment 2: Data Sheet with Proposed Resolution and Map

STAFF:
Rachel O. Flynn, County Executive
Randy Bartlett, Director, Department of Public Works and Environmental Services (DPWES)
John Kellas, Deputy Director, (DPWES), Solid Waste Management Program

SUMMARY SHEET

Proposed alterations to the following small and local sanitary districts for refuse/recycling & vacuum leaf collection service:

1. Enlarge small district within Dranesville District for the purpose of providing County refuse, recycling & vacuum leaf collection service to the Chesterbrook Woods area.

Attachment 2

DATA SHEET Enlargement of Small District within the Dranesville District

Purpose: De-create small district within Dranesville District for providing County refuse, recycling & vacuum leaf collection service the Chesterbrook Woods area.

- Petition requesting service received November 30, 2018.
- Petition Area: 78 Properties.
- 47 Property Owners in favor. (60%)
- 17 property owners opposed.
- 14 Non-responsive/unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2019.

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO ENLARGE
SMALL DISTRICT
WITHIN DRANESVILLE DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 21st day of May, 2019 it was proposed by said Board to adopt a resolution to enlarge a local district known as Small District within Dranesville District to include Chesterbrook Woods area for the purpose of providing refuse/recycling & vacuum leaf collection to be effective July 1, 2019, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
June 25, 2019
COMMENCING AT 5:30 P.M.

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

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the enlargement by the Board of Supervisors of Fairfax County, Virginia, of a small/local sanitary district by resolution; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed enlargement of a local sanitary district, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Small District within Dranesville District, Fairfax County, Virginia, which said enlargement of the local sanitary district shall be described as follows:

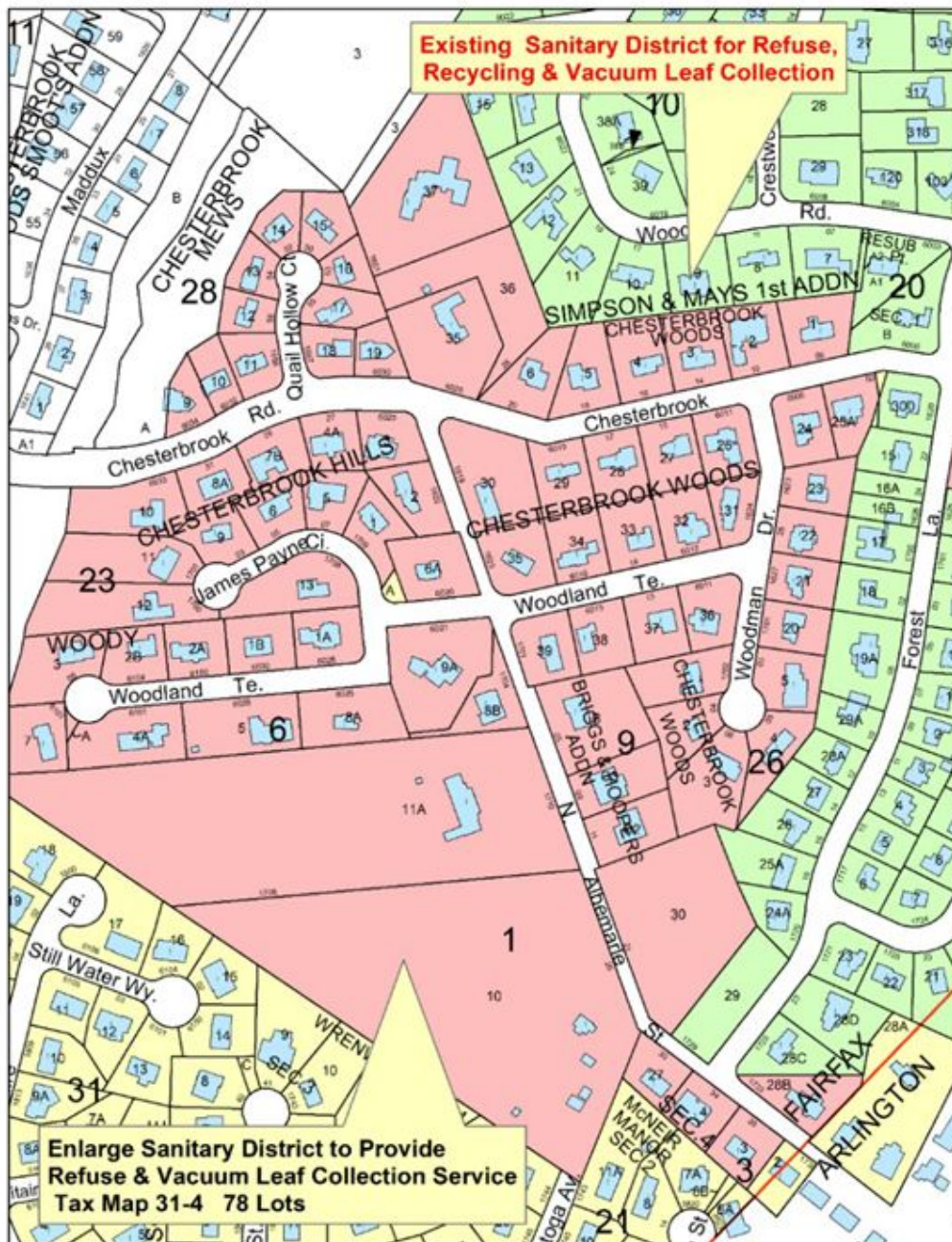
The enlargement of Small District within Dranesville District to include the Chesterbrook Woods area located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said small district within Dranesville District is hereby created to wit:

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

Given under my hand this____day of May, 2019

Catherine Chianese
Clerk to the Board



Tax Map 31-4

CHESTERBROOK WOODS AREA

ADMINISTRATIVE - 13

Authorization to Advertise a Public Hearing for the De-creation/Re-creation of Small and Local Sanitary Districts for Discontinuing Vacuum Leaf Collection Service (Mount Vernon District)

ISSUE:

Board of Supervisors' authorization to advertise a Public Hearing for the de-creation/re-creation of Small and Local Sanitary Districts for discontinuing vacuum leaf collection service.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors authorize advertisement of a public hearing at 5:30 p.m. on Tuesday, June 25, 2019, to consider the following change to small and local sanitary districts for refuse/recycling and/or vacuum leaf collection service in accordance with the Board of Supervisor's adopted criteria for the creation of small or local sanitary districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District Within Mount Vernon District (Marthas Road Area)	De-create/ Re-create	Vacuum Leaf Collection	Approve

TIMING:

Board of Supervisors' authorization to advertise on May 21, 2019, is required for a Public Hearing to be held on June 25, 2019, at 5:30 p.m.

BACKGROUND:

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

Board Agenda Item
May 21, 2019

The submitted petition has been reviewed, and it has been determined that the petition meets the Board of Supervisors' Adopted Criteria. Staff recommends that the authorization to advertise a public hearing for the enlargement of small and/or local sanitary districts for refuse/recycling and/or vacuum leaf collection be approved. If approved, the modification will become permanent in July 1, 2019.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Summary Sheet

Attachment 2: Data Sheet with Proposed Resolution and Map

STAFF:

Rachel O. Flynn, County Executive

Randy Bartlett, Director, Department of Public Works and Environmental Services (DPWES)

John Kellas, Deputy Director, DPWES, Solid Waste Management Program

SUMMARY SHEET

Proposed alterations to the following small and local sanitary districts for refuse/recycling & vacuum leaf collection service:

1. De-creation/re-creation of small and local sanitary districts for discontinuing vacuum leaf collection service to the Marthas Road area.

DATA SHEET
De-creation / Re-creation
Small District
within the Mount Vernon District

Purpose: De-create Small District within Mount Vernon District for discontinuing County vacuum leaf collection service to the Marthas Road area.

- Petition requesting service received October 18, 2018.
- Petition Area: 164 Properties.
- 110 Property Owners in favor. (67%)
- 22 property owners opposed.
- 32 Non-responsive / unable to contact.
- The Department of Public Works and Environmental Services recommends that the proposed action be approved effective July 1, 2019.

NOTICE OF INTENTION TO PROPOSE FOR ADOPTION
A RESOLUTION AND A PUBLIC HEARING THEREON
TO DE-CREATE/ RE-CREATE
SMALL DISTRICT
WITHIN MOUNT VERNON DISTRICT

TAKE NOTICE that at a regular meeting of the Board of Supervisors of the County of Fairfax, Virginia, held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday the 21st day of May, 2019 it was proposed by said Board to adopt a resolution to de-create/re-create a local district known as Small District within Mount Vernon District to include Marthas Road area for the purpose of discontinuing vacuum leaf collection to be effective July 1, 2019, and the Clerk of said Board was directed to cause notice thereof by publication once a week for two consecutive weeks in a newspaper published in or having general circulation in said County, together with a notice that at a regular meeting of said Board to be held in the Board Auditorium of the Government Center, 12000 Government Center Parkway, Fairfax, Virginia, on

TUESDAY
June 25, 2019
COMMENCING AT 5:30 P.M.

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

WHEREAS, Virginia Code Section 15.2-858, as amended, provides for, among other things, the de-creation/re-creation by the Board of Supervisors of Fairfax County, Virginia, of a small/local sanitary district by resolution; and

WHEREAS, the Board of Supervisors has been presented with facts and information upon consideration of which said Board, finding the property embraced in the proposed local sanitary district will be benefited by de-creation/re-creation of the local sanitary district for providing vacuum leaf collection for the citizens who reside therein.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fairfax County, Virginia, authorizes the advertisement for the proposed de-creation/re-creation of a local sanitary district, pursuant to Virginia Code Section 15.2-858, as amended, to be known as Small District within Mount Vernon District, Fairfax County, Virginia, which said de-creation/re-creation of the local sanitary district shall be described as follows:

The de-creation/re-creation of Small District within Mount Vernon District to include the Marthas Road area located in the County of Fairfax, Virginia, and as shown on the attached map.

AND BE IT FURTHER RESOLVED that the Board of Supervisors of Fairfax County, Virginia, declares its intention to implement the purpose for which said Small District within Mount Vernon District is hereby created to wit:

To discontinue vacuum leaf collection service for the citizens who reside therein.

Given under my hand this ____ day of May, 2019

Catherine Chianese
Clerk to the Board



TAX MAP 93-3

MARTHAS ROAD AREA

Board Agenda Item
May 21, 2019

ACTION – 1

Approval of the Proposed Consolidated Plan One-Year Action Plan for FY 2020

ISSUE:

Final action by the Fairfax County Board of Supervisors on the Proposed Consolidated Plan One-Year Action Plan for FY 2020 as issued by the Consolidated Community Funding Advisory Committee (CCFAC).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors (1) adopt the Proposed Consolidated Plan One-Year Action Plan for FY 2020 as issued by the CCFAC with funding allocations outlined below; and (2) authorize signature of the Consolidated Plan Certifications and Federal funding application forms (SF-424) required by the U.S. Department of Housing and Urban Development (HUD) by June 17, 2019.

TIMING:

Board action is requested on May 21, 2019, in order to maintain the schedule for the Consolidated Plan process, which is included in the Grantee Unique Appendices section of the revised Proposed Consolidated Plan One-Year Action Plan for FY 2020, and to ensure timely submission of the Plan to HUD.

BACKGROUND:

The revised Proposed Consolidated Plan One-Year Action Plan for FY 2020 (One-Year Action Plan for FY 2020) has been issued by the CCFAC for approval by the Board of Supervisors. The One-Year Action Plan for FY 2020 contains the proposed uses of funding for programs to be implemented in the fifth year of the Five-Year Consolidated Plan for FY 2016 - 2020. An annual action plan is required by HUD for three federal programs: Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG). The document also describes the Continuum of Care for homeless services and programs in the Fairfax community, and the Consolidated Community Funding Pool (CCFP).

The One-Year Action Plan for FY 2020 includes the second year of the two-year funding cycle for the Fiscal Year (FY) 2019 - FY 2020 CCFP. The CCFP was established by the Board to provide funding for community-based programs by nonprofit organizations

Board Agenda Item
May 21, 2019

through a competitive solicitation process. The FY 2020 CCFP funding awards were approved by the Board on May 1, 2018, contingent on the availability of funding.

In accordance with federal requirements, the One-Year Action Plan for FY 2020 contains several certifications, including drug-free workplace, affirmatively furthering fair housing, prohibition of excessive force, and lobbying requirements. Each of the certifications will be signed by the County Executive following Board approval of the One-Year Action Plan for FY 2020.

Funding levels incorporated in the Proposed One-Year Action Plan for FY 2020 and released for public comment were based on the funding levels of FY 2019, because the County had not received notification from HUD of the actual grant levels at the time of the CCFAC's action to release the documents. HUD notified the County of the actual grant levels on April 12, 2019. The funding levels incorporated into the revised Proposed One-Year Action Plan for FY 2020 are based on the actual funding levels. Total entitlement funding for the three programs of \$8,023,043 has been recommended in this item for: CDBG (\$5,609,339), HOME (\$1,940,695), and ESG (\$473,009). It is estimated that there will be approximately \$336,693 in CDBG program income and \$370,882 in HOME program income available for FY 2020.

In accordance with the Board-adopted Citizen Participation Plan for the Consolidated Plan process, the Plan was made available and circulated for review and comment by citizens, service providers, and other interested parties during the formal public comment period, which ended with a public hearing held by the Board on March 19, 2019. Following the public comment period and public hearing, the CCFAC considered all comments received and incorporated appropriate comments into the revised Proposed One-Year Action Plan for FY 2020. Pursuant to this item, the CCFAC now forwards the revised Proposed One-Year Action Plan for FY 2020 to the Board with a recommendation for final approval on May 21, 2019.

STAFF IMPACT:

None. No positions will be added as a result of this action.

FISCAL IMPACT:

Total anticipated entitlement funding of \$8,023,043 has been recommended in this item: \$5,609,339 in Fund 500-C50800, CDBG, \$1,940,695 in Fund 500-C50810, HOME, and \$473,009 in Fund 500-C50000, Federal-State Grant Fund, ESG, managed by the Office to Prevent and End Homelessness. The FY 2020 Adopted Budget Plan included estimated funding of \$8,125,387, to include \$5,574,509 in Fund 500-C50800, CDBG; \$2,103,044 in Fund 500-C50810, HOME; and \$447,834 in Fund 500-C50000, Federal-State Grant Fund, ESG. Based on HUD notification of the actual awards, the federal funding for these programs included in the FY 2020 Adopted Budget Plan will be

Board Agenda Item
May 21, 2019

decreased by a net amount of \$102,344, to include an increase of \$34,830 in Fund 500-C50800, CDBG; an increase of \$25,175 in Fund 500-C50000, Federal-State Grant Fund, ESG; and a decrease of \$162,349 in Fund 500-C50810, HOME. The funding adjustments for CDBG, HOME and ESG will be requested for appropriation at the *FY 2019 Carryover Review*.

In addition, as part of the *FY 2019 Carryover Review*, an estimated total of \$3,892,474, to include \$841,298 in CDBG (Fund 500-C50800) and \$3,051,176 in HOME (Fund 500-C50810) funds, will be recommended to be carried forward for ongoing CDBG and HOME activities, as well as previously programmed funding for ongoing capital projects.

An estimated total of \$4,878,569 in FY 2019 program income includes \$4,508,487 in Fund 500-C50800, CDBG, program income and \$370,882 in Fund 500-C50810, HOME, program income. Fund 500-C50800, CDBG, program income in the amount of \$4,171,794 was already received from the refinancing of the Murraygate project, and was appropriated as part of the *FY 2019 Third Quarter Review*. Additional actual program income received in FY 2019 will be appropriated as part of the *FY 2019 Carryover Review* for allocation and use in FY 2020.

ENCLOSED DOCUMENTS:

Attachment 1: Proposed Consolidated Plan One-Year Action Plan for FY 2020. The Proposed Consolidated Plan One-Year Action Plan for FY 2020 is also available on line at: <http://www.fairfaxcounty.gov/rha>

STAFF:

Tisha Deeghan, Deputy County Executive
Thomas Fleetwood, Director, Department of Housing and Community Development (HCD)
Hossein Malayeri, Deputy Director, Real Estate, Finance and Development, HCD
Aseem K. Nigam, Director, Real Estate Finance and Grants Management (REFGM), HCD
Laura O. Lazo, Associate Director, REFGM, HCD
Beverly Moses, Senior Program Manager, REFGM, HCD

ATTACHMENT 1

CONSOLIDATED PLAN ONE-YEAR ACTION PLAN

**FOR
FY 2020
(July 1, 2019 – June 30, 2020)**



**A Publication of
Fairfax County, Virginia**

Table of Contents

Executive Summary	2
AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)	2
PR-05 Lead & Responsible Agencies – 91.200(b).....	10
AP-10 Consultation – 91.100, 91.200(b), 91.215(l).....	12
AP-12 Participation – 91.105, 91.200(c)	37
Expected Resources	41
AP-15 Expected Resources – 91.220(c) (1, 2)	41
Annual Goals and Objectives	49
AP-35 Projects – 91.220(d)	58
Projects	60
AP-38 Projects Summary.....	60
AP-50 Geographic Distribution – 91.220(f).....	75
Affordable Housing	76
AP-55 Affordable Housing – 91.220(g)	76
AP-60 Public Housing – 91.220(h).....	77
AP-65 Homeless and Other Special Needs Activities – 91.220(i).....	80
AP-75 Barriers to affordable housing – 91.220(j)	83
AP-85 Other Actions – 91.220(k)	85
Program Specific Requirements	91
AP-90 Program Specific Requirements – 91.220(l)(1,2,4)	91
Unique Appendices	96
HUD Extension Correspondence Granting a One Year Extension of the Consolidated Plan	
Fairfax County’s draft Housing Blueprint for FY 2020 & Countywide Housing Strategic Plan	
Fairfax County Citizen Participation Plan for the Consolidated Plan	
One Fairfax Policy	
Timeline for Fiscal Year 2020 Action Plan	
Executive Order 12372, Federal Forms SF-424s and Certifications	

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Executive Summary of the Fairfax County Consolidated Plan One-Year Action Plan for FY 2020 (FY 2020 One-Year Action Plan) is intended to help facilitate citizen review and comment. This FY 2020 One-Year Action Plan discloses Fairfax County's intended uses of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) funds (collectively, the Federal Funds) during the period July 1, 2019 through June 30, 2020. It is for the fifth year of the county's FY 2016-FY 2020 Five-Year Consolidated Plan (the Consolidated Plan) and is based on the goals and strategies in the Consolidated Plan. It describes how Fairfax County intends to use the Federal Funds to meet the needs established in the Consolidated Plan. NOTE: On September 13, 2018, United States Department of Housing and Urban Development (HUD) granted to the county a one year extension of the Consolidated Plan, extending the five-year plan through July 1, 2021. A copy of the HUD extension correspondence may be found in the Grantee Unique Appendices section.

2. Summarize the objectives and outcomes identified in the Plan

The priority housing needs identified in the Consolidated Plan and in this FY 2020 One-Year Action Plan are consistent with the priority needs identified in Fairfax County's Housing Blueprint. The Housing Blueprint identifies the residents who have the greatest need as: 1) individuals and families experiencing homelessness; 2) persons with low- and extremely-low incomes; 3) persons with disabilities; and 4) seniors with low incomes. A copy of the draft Housing Blueprint for FY 2020 may be found in the Grantee Unique Appendices section.

The identified affordable housing priorities respond to three critical elements of the affordable housing crisis in Fairfax County: (1) the severity of need, (2) the limited and dwindling supply of affordable housing, in both the owner-occupied and renter-occupied sectors, and (3) the increase in the number of low-income households who need these units. The severity of the housing problem for people experiencing homelessness and the need for renewed vigor in providing basic shelter warrants placing a high priority on people experiencing homelessness.

Low-income households, particularly those with incomes below 30 percent of the Area Median Income (AMI), are the most disadvantaged in finding and keeping housing in the current market. The economic downturn contributed to putting hard-working families at risk of homelessness.

Senior homeowners make up a significant portion of the low-income households experiencing housing problems, including housing cost burden. Seniors are the fastest growing age segment in Fairfax County and are projected to comprise 27.4 percent of the county's population by the year 2020.

Housing cost burden, overcrowding and inadequate living facilities are common problems faced by renters and owners with disabilities across income levels. Over two-thirds of renters and nearly two-thirds of owners with disabilities whose incomes are greater than 80 percent of the AMI had at least one housing problem (greater than 30 percent housing cost burden, overcrowding, or lack of complete kitchen and bathroom facilities). In addition to their housing needs, persons with physical or mental disabilities also are likely to have service needs. As with other segments, the lower the household income for persons with disabilities, the greater the disadvantages in finding and keeping housing in the current market. In addition, the Americans with Disabilities Act (ADA) and the Olmstead decision provide legal protections for persons with physical or mental disabilities that must be honored.

Finally, finding ways to ensure that housing is affordable for all residents is essential to the long term economic health of Fairfax County. An adequate supply of “workforce housing” (housing that is affordable to essential workers) is especially critical to meet the demands of projected job growth and to ensure that the county can retain workers that provide services that are crucial to all citizens.

3. Evaluation of past performance

Fairfax County's Consolidated Annual Performance and Evaluation Report (CAPER) for FY 2018 is available at: <http://www.fairfaxcounty.gov/housing/data/caper>. This document includes major initiatives and highlights that were proposed and executed during July 1, 2017 - June 30, 2018.

Highlights of accomplishments in Fiscal Year (FY) 2018 include:

- **Housing Blueprint**: The Fairfax County Redevelopment and Housing Authority (FCRHA) implemented the FY 2018 Housing Blueprint, which set specific goals in the areas of preventing and ending homelessness, providing affordable housing to persons with special needs, providing housing for low-income working families and producing workforce housing. Through implementation of the Housing Blueprint, the FCRHA played a critical role in meeting the 2018 goals of Fairfax County's Plan to Prevent and End Homelessness. A total of 135 formerly homeless households received permanent housing in FY 2018. Of the total formerly homeless households provided with permanent housing, a total of 92 (68 percent) were beneficiaries of rent subsidies and/or other supportive services provided by either the FCRHA or the DHCD.
- **Moving to Work (MTW)**: In FY 2018, the FCRHA continued to implement approved activities from previous years that required MTW flexibility. In addition, the FCRHA submitted an amended FY 2018 MTW Plan that was subsequently approved by HUD. The amended FY 2018 Plan included the following activities: (1) Modification of the calculation of the family share of rent, (2) establishing a shared housing program in the RAD-PBV program, and (3) increasing the initial maximum rent burden to 10 percent above the applicable Total Tenant Payment (TTP). Key aspects of modifying the calculation of the family share of rent were redefining work-able and non work-able families, increasing the minimum rent for work-able families from \$50 to \$220, increasing the family share of rent for non work-able families from 30 percent to 32 percent of adjusted income, and applying a flat utility allowance by bedroom size for all program

participants. Establishing a shared housing program in the RAD-PBV units allowed the FCRHA to continue to operate the Supported Shared Housing Program in these units, a vital program operated in conjunction with the Fairfax-Falls Church Community Services Board (CSB) that pairs individuals with disabilities in a shared housing situation. Increasing the initial maximum tenant rent burden to 10 percent above the applicable TTP provides Housing Choice Voucher (HCV) participants more housing opportunities and flexibilities when leasing a unit. The FCRHA continued its gateway for clients to move from Bridging Affordability to sustainable (Fair Market Rent – FMR) and/or subsidized housing. Through the Total Housing Reinvention for Individual Success, Vital Services and Economic Empowerment initiative (THRIVE), 43 households were prioritized (22 households were referred for HCV subsidies and 21 were put into public housing (PH), including the FCRP-PBV program.)

- Bridging Affordability: Bridging Affordability: Implementation of the Bridging Affordability program continued in FY 2018. The Bridging Affordability program provides rental subsidies to (1) households experiencing homelessness and persons on the county's affordable housing waiting lists, (2) individuals with physical and sensory disabilities, and (3) victims of domestic violence. The program is operated by a collaborative of non-profit organizations, led by Northern Virginia Family Service (NVFS), under contract with Fairfax County. In FY 2018, a total of 71 new households were leased up under the program. The average income of all households under the program is \$22,835 or 26.65 percent of the AMI for a family of four.
- Affordable Housing Preservation: As of June 30, 2018, a total of 3,016 units had been preserved under the Board of Supervisors' Affordable Housing Preservation Initiative. Purchases in FY 2018 by the FCRHA and non-profit affordable housing providers financed with CDBG and HOME funds preserved 16 of the affordable units/beds. All non-profit properties financed with CDBG or HOME funds will remain affordable for at least 30 years.
- Multifamily Rental Housing and Tenant Subsidy Programs: The FCRHA's principal affordable housing programs are: the Federal Housing Choice Voucher (HCV) and Federal Project Based Voucher (PBV) – Rental Assistance Demonstration (RAD) programs, the Fairfax County Rental Program (FCRP) and the Bridging Affordability Program. The average household income served in these programs in FY 2018 was \$26,127, which was approximately 25 percent of the AMI for a family of three and met the federal definition of "extremely low income." A total of 18,096 individuals were housed in the HCV and FCRP-PBV programs and FCRP in FY 2018.
- Special Needs Housing: The FCRHA leases 10 buildings to the CSB and the Office to Prevent and End Homelessness (OPEH) to provide housing for people with special needs. The buildings are being used to provide a combined total of up to 33 beds of emergency housing, intermediate care facility housing and group housing, and up to 58 units of supportive housing, supervised supportive housing and transitional housing.
- Senior Housing: A newly constructed 82-unit senior housing community was opened in October of 2018, by Wesley Housing Development Corporation, in partnership with the FCRHA, Fairfax County Government and private project partners. All of the units are for persons 62 years of age or older whose household income is at or below 50 percent of the AMI. Ten percent of the independent-living rental units are accessible for seniors with disabilities. Twenty-two of the

units are federally subsidized with project based vouchers. On-site amenities include a fitness center, business center, library, media/game room and courtyard community gardening. A new separate services building is currently under construction to be opened in 2019 and will include a newly constructed senior center, an adult day health care center and two child care facilities.

- Communitywide Housing Strategic Plan: The Board of Supervisors adopted the comprehensive plan to further affordable housing efforts through 25 near-term strategies that will have a measurable impact without major policy changes or significant sources of new revenue. A copy of the Communitywide Housing Strategic Plan may be found in the Grantee Unique Appendices section.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

A Citizen Participation Plan was adopted by the Fairfax County Board of Supervisors on December 8, 1997, and was revised and amended by the Board of Supervisors in 2002 and 2007. The purpose of the Citizen Participation Plan is to serve as a guide for public input and participation in the Consolidated Plan process. A copy of the full Citizen Participation Plan may be found in the Grantee Unique Appendices section.

As a part of the Citizen Participation Plan, the Board of Supervisors established the Consolidated Community Funding Advisory Committee (CCFAC). The responsibilities of the CCFAC include but are not limited to soliciting community input on the community needs, advising the Board of Supervisors on the development and implementation of the consolidated plan, coordinating and implementing the countywide Consolidated Community Funding Pool (CCFP) solicitation process (including funding categories, selection criteria and performance measures), and coordinating with the Community Action Advisory Board in implementation of the Community Services Block Grant process. CCFAC members are appointed by the County Executive to serve for three year terms. The CCFAC currently is composed of representatives of interest groups, community organizations, a variety of boards, authorities and commissions, and the Fairfax County Equity Officer.

Per the Citizen Participation Plan, the county provided opportunities for and encouraged citizen input from all sectors of the community in developing this FY 2020 One-Year Action Plan. Citizens were notified of opportunities to provide input in person or in writing at public hearings, as well as by directly contacting the DHCD. The notice informed citizens that Fairfax County is particularly interested in receiving input from citizens whose household incomes are below the federal poverty line, citizens who have low- and moderate-incomes and reside in areas that are blighted or in which the Federal Funds are used or are proposed to be used, and citizens who are minority or non-English speaking, as well as citizens who have mobility, visual, speech or hearing impairments.

The county provided citizens, public agencies and other interested parties with reasonable and timely access to the proposed FY 2020 One-Year Action Plan, as well as to information and records relating to

the FY 2020 One-Year Action Plan and the use of the Federal Funds in prior years. Notices were provided through a variety of communication channels, including the county website, social media, the county's cable television channel, community engagement sessions on the CCFP priorities, public libraries, press releases, and a stakeholder newsletter. Notices were published in various community newspapers, including minority and foreign language publications.

Citizens were notified of the opportunity to help identify housing, community development and other human services needs to be addressed by this FY 2020 One-Year Action Plan by providing comment in writing or in person at a public hearing held by the CCFAC on November 13, 2018. Prior to the approval of this FY 2020 One-Year Action Plan by the Board of Supervisors on May 21, 2019, citizens also were notified of the opportunity to provide input in person or in writing on the Draft FY 2020 One-Year Action Plan at a public hearing held by the Board of Supervisors on March 19, 2019.

The Draft Plan for FY 2020 was released and distributed on February 5, 2019, for public review and comment for 42 days prior to the end of the public comment period on March 19, 2019, which exceeded the Citizen Participation Plan requirement of a 30-day public comment period. Citizen notices of the opportunities to review electronic and paper copies of the Draft Plan for FY 2020 were published through the various communication channels. Citizens were encouraged again to express their views on the needs for housing, community development and other human services, as well as on fair housing and the community development programs proposed in the Draft Plan for FY 2020.

5. Summary of public comments

At the public hearing held by the CCFAC on November 13, 2018, citizens presented testimonies and comments concerning services for residents who are homeless, who have very low household incomes, who have limited English language proficiency, who have mental health needs, and who have disabilities. Testimonies were provided by and on behalf of the following organizations:

- 1) Financial Empowerment Center and Britepaths
- 2) Literacy Council of Northern Virginia
- 3) Herndon-Reston Friendly Instant Sympathetic Help
- 4) Annandale Christian Community for Action
- 5) Community Preservation and Development Corporation
- 6) Legal Services of Northern Virginia
- 7) Unitarian Universalist Congregation of Fairfax
- 8) Edu-Futuro
- 9) Cornerstones
- 10) Family Counseling Center of Greater Washington
- 11) Fairfax County Community Action Advisory Board
- 12) The Arc of Northern Virginia
- 13) Hartwood Foundation

The concerns, needs and priorities identified at the November 13, 2018 public hearing include:

- financial empowerment for vulnerable populations through long-term education and counseling;

- the connection between English proficiency and poverty, given that over 15 percent of county residents over the age of 5 do not speak English proficiently;
- the need to provide housing with wrap around services first in order to prevent and end homelessness;
- the challenges resulting from the “fear factor” that causes immigrants to decline available support and emergency assistance in order to avoid loss of their anonymity;
- the isolation of seniors from the community and needed services caused by language barriers, lack of transportation access, and/or neglect by their busy families;
- the need to connect children who reside in affordable housing communities to critical resources that are available where they live;
- the “Justice Gap” caused by the fact that people with low-incomes have little access to legal counsel to help address issues related to housing, financial stability, and education, and the fact that there is one legal aid lawyer per 7,236 low-income person in Virginia versus one lawyer per 349 for all Virginians;
- the need for more county policies, programs and public funding to ensure all residents are expending no more than 30% of income on housing;
- the fact that the Fairfax County Public School Class of 2018 had 1,031 student drop outs, of which 838 were Hispanic and 846 were Limited English Proficient students;
- the importance of empowering under-resourced immigrant families to break the cycle of poverty;
- the need to create awareness and a positive community environment to help combat mental health issues experienced by multicultural individuals and families;
- the need for more human services programs to stabilize the community and to allow the affordable housing industry to think more creatively;
- the housing barriers faced by persons with intellectual and developmental (ID/DD) disabilities for which the funding stream for in-home support services is usually a Medicaid Waiver and there are more than 2,300 currently in Fairfax County alone on the waiting list;
- the growing number of seniors who have DD and who receive support from respite and residential programs, but who also need “barrier-free” retirement options; and
- the needs for:
 - a more community perspective to engage all residents;
 - direct engagement of people with dire housing needs;
 - more housing that is affordable to low-income residents;
 - more accessible and affordable housing with supportive services for persons with ID/DD;
 - long-term case management supporting both mental and physical health issues;
 - family empowerment through mental health education and counseling for youth and teenagers, parents, and seniors;
 - increasing the role of the nonprofit community in housing with wrap-around services;
 - nonprofits with programs that target the whole family to break the cycle of poverty;
 - after-school programs within affordable housing communities that provide life skills to resident children of all ages;

- human service programs that engage families through partnerships with county schools;
- financial empowerment programs for vulnerable populations;
- more funding for wrap-around services and emergency assistance to the community, especially for those difficult to reach;
- affordable language and literacy programs for extremely limited-English speaking adults;
- available civil legal services that meet the needs of low-income residents; and
- influencing other levels of government to become part of a more collaborative/creative solution and expanding efforts to intersect with other important county opportunities.

At the public hearing held by the Board of Supervisors on March 19, 2019, both oral and written testimonies were received from and on behalf of the (1) Jeanette Widdle, Fairfax County resident, (2) Edu-Futuro, (3) Ray Lonnett, Principal of E. Barbour Hutchison Elementary School, (4) Food & Friends and (2) the Fairfax Area Disability Services Board. Chairman Sharon Bulova invited all interested persons to present testimony about this FY 2020 One-Year Action Plan. The needs and priorities discussed at the March 19, 2019 public hearing included:

- More attention should be given to the needs of patients who are suffering from pain. The CDC guidelines should be revised and doctors should not be made afraid to prescribe pain medications. Many patients left without medications for torturous pain either suffer unreasonably, turn to illegal drugs or commit suicide.
- There is a need for more housing opportunities for persons with mental illness and others who are unable to live on their own. Consideration should be given to raising funds for this purpose by raising funds through the following types of activities:
 - requesting volunteer one penny donations by personal property taxpayers,
 - distributing affordable housing donation forms with the distributions of lottery winnings,
 - setting up penny jars in retail stores and restaurants which attract donations by allowing donors of \$50 or more to add their names to a list for chances to win small monetary prizes; and
 - conduct fundraising for housing activities through public schools.
- There should be more education of the public about the need for affordable housing because only those in need of the housing know.
- Fairfax County should continue to support the delivery of healthy meals to persons with serious illnesses.
- The number of units set-aside for persons with physical disabilities should be increased from 5 percent to 10 percent in all newly constructed housing.
- The county should adopt universal design practices for all future builds.
- The successful Home Repair for the Elderly Program (HREP), currently benefiting homeowners only, should be expanded to include assistance to renters who are older adults or have a disability.
- Resources should be allocated for increased efforts to educate the public, including housing providers, about the rights and responsibilities under the Fair Housing Act.
- The programs and services offered through Edu-Futuro are very important and successful, including:

- help immigrant parents be involved with the education of their children,
- program teaches parents how to communicate with their student children, improve parenting skills, build family strength and prevent destructive behaviors such as substance abuse and bullying,
- help immigrant students succeed in school and prepare for college,
- help Immigrant parents find jobs and adjust to life in the United States, and
- collaboration with other immigrant families for support and combined resources to find solutions to common challenges.

DHCD staff also received three written testimonies in support of the multicultural youth and parent programs and services funded through the CCFP.

6. Summary of comments or views not accepted and the reasons for not accepting them

All written and oral testimonies presented before or during the public hearings on November 13, 2018, and March 19, 2019 were accepted and included in the final draft Consolidated Plan One-Year Action Plan for FY 2020 submitted to the Board of Supervisors for approval.

7. Summary

Summary of Response to Comments Received at the Public Hearings.

The overall needs and priorities identified at the public hearings held on November 13, 2018 and March 19, 2019 are addressed by the Annual Goals and Objectives, described in AP-20 of this FY 2020 One-Year Action Plan. At the request of the Board of Supervisors in response to written testimony on behalf of the Fairfax Area Disability Services Board presented at the March 19, 2019 public hearing, staff provided additional information about the Home Repair for the Elderly Program.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	FAIRFAX COUNTY	Department of Housing and Community Development
HOME Administrator	FAIRFAX COUNTY	Department of Housing and Community Development
ESG Administrator	FAIRFAX COUNTY	Office to Prevent and End Homelessness

Table 1 – Responsible Agencies

Narrative (optional)

Fairfax County's affordable housing and community development programs are administered by DHCD. In addition to its role as a department of the county government which reports to the county Executive and the Board of Supervisors, DHCD also serves as the staff for the FCRHA. The FCRHA is a separate political body whose members are appointed by the Board of Supervisors and which possesses specific powers granted by the Code of Virginia.

Every five years, the Board of Supervisors adopts a Consolidated Plan describing the county's needs, gaps in service and priorities for affordable housing, community service, homeless assistance, community development, neighborhood preservation and revitalization, employment and economic opportunity services, as well as the resources and strategies to be used to meet these needs. Each year, the Board also approves a One-Year Action Plan which sets forth how the county will utilize the Federal Funds to meet the needs and priorities identified in the Consolidated Plan. The Consolidated Plans and One-Year Action Plans are prepared by DHCD staff through an intensive citizen involvement process under the leadership of the CCFAC. Annually, a Consolidated Annual Performance Evaluation Report is submitted to HUD detailing how the Federal Funds were spent and the accomplishments achieved.

Consolidated Plan Public Contact Information

Fairfax County Department of Housing and Community Development
3700 Pender Drive, Suite 300 Fairfax, Virginia 22030

Thomas Fleetwood, Director

Telephone: (703) 246-5100 or TTY: 711

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The county worked closely with the FCRHA to solicit the input of area housing and service providers through a variety of means. Examples include:

- **Housing Blueprint:** The main body overseeing the development of the Housing Blueprint is the Affordable Housing Advisory Committee, which includes representatives of the FCRHA, the Fairfax-Falls Church Community Services Board, the Disability Services Board, the county's Homelessness Governing Board, many non-profit housing providers, the business community and others.
- **Moving to Work/THRIVE Initiative:** The FCRHA has convened a THRIVE Advisory Committee, which assists in the development and implementation of activities related to the FCRHA's Moving to Work designation. The THRIVE Advisory Committee was instrumental in creating the strategic framework for the FCRHA's response to federal budget sequestration in the Housing Choice Voucher and FCRP-PBV programs.
- **Consolidated Community Funding Pool (CCFP):** One hundred sixty-seven competitive CCFP funding proposals for the FY 2019 – FY 2020 funding cycle were reviewed and evaluated by a Selection Advisory Committee (SAC), which recommended that funding be awarded to 116 programs. Each of the recommended programs addresses one or more of the CCFP targeted focus areas that were identified with community input and included six human services programs providing targeted public services and two capital projects for the acquisition or rehabilitation of affordable housing funded to be funded by CDBG. The SAC also selected and placed some of the funded programs on a restoration of funds list, for receipt of additional funding if there are any unspent funds from allocations to other programs. The SAC also created a contingency funding plan to be used in the event that the CCFP budget is decreased as a result of a reduction in either federal or local funding. On May 1, 2018, the Board of Supervisors approved CCFP funding for FY 2019 – FY 2020, as recommended by the SAC.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Fairfax County Office to Prevent and End Homelessness (OPEH) manages, coordinates, and monitors day-to-day implementation of the local plan to prevent and end homelessness. As part of this responsibility, OPEH assures coordinated execution of the work of the Continuum of Care (CoC) and the many interagency workgroups functioning within the CoC. Workgroups are formed to address the specific needs of families and individuals experiencing homelessness, such as those who chronically

experience homelessness, families with children, veterans, and unaccompanied youth. These workgroups consist of professional staff and volunteers from relevant organizations, including government, nonprofit, businesses, and faith communities. Significant initiatives recently implemented by these workgroups include the development of new system of Coordinated Entry policies and procedures. In FY 2020, the CoC will work to end chronic homelessness, as part of the national “Built for Zero” effort.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

As part of its responsibility to manage, coordinate and monitor day-to-day implementation of the local plan to prevent and end homelessness, OPEH leads collaborative decision-making efforts in the uses of federal homeless assistance funding, including ESG. Partners in the use of ESG funds include DHCD and many community-based nonprofit organizations that provide emergency shelter, homelessness prevention and rapid rehousing assistance. Through collaborative discussions, these partners assist OPEH in making decisions about the types of programs to be supported, the organizations that will utilize the funding, and the policies and procedures required to ensure compliance with applicable federal regulations for effective and efficient use of the funding. Performance standards and evaluation outcomes are developed by OPEH and community partners to support and complement homeless system performance measures as defined by HUD.

Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction’s consultations with housing, social service agencies and other entities

Table begins on next page.

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Fairfax County Redevelopment and Housing Authority
	Agency/Group/Organization Type	PHA

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
2	Agency/Group/Organization	Fairfax County Community Action Advisory Board
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Service - Fair Housing Services - Victims

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
3	Agency/Group/Organization	Fairfax County Public Schools/PTA/Schools Community
	Agency/Group/Organization Type	Child Welfare Agency Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
4	Agency/Group/Organization	Fairfax-Falls Church Community Partnership on Ending Homelessness

	Agency/Group/Organization Type	Housing Services - Housing Services - Homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
5	Agency/Group/Organization	Fairfax County Health Care Advisory Board
	Agency/Group/Organization Type	Services - Health Health Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
6	Agency/Group/Organization	Fairfax-Falls Church Community Services Board

	Agency/Group/Organization Type	Services - Housing Services - Persons with Disabilities Health Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy Lead-based Paint Strategy
7	Agency/Group/Organization	Fairfax County Alliance for Human Services
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Service - Fair Housing Services - Victims

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
8	Agency/Group/Organization	Fairfax County Human Services Council
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Service - Fair Housing Services - Victims

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy
9	Agency/Group/Organization	Fairfax Area Disability Services Board
	Agency/Group/Organization Type	Services-Persons with Disabilities
	What section of the Plan was addressed by Consultation	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy
10	Agency/Group/Organization	Fairfax Area Commission on Aging
	Agency/Group/Organization Type	Services - Elderly Persons

	What section of the Plan was addressed by Consultation	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy
11	Agency/Group/Organization	FCRHA Resident Advisory Council
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
12	Agency/Group/Organization	SkillSource Group, Inc.
	Agency/Group/Organization Type	Services-Employment Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Economic Development
13	Agency/Group/Organization	Northern Virginia Affordable Housing Alliance
	Agency/Group/Organization Type	Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

14	Agency/Group/Organization	Cornerstones Housing Corporation
	Agency/Group/Organization Type	Housing Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Service - Fair Housing Services - Victims
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
15	Agency/Group/Organization	Good Shepherd Housing and Family Services Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services - Homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

16	Agency/Group/Organization	Shelter House, Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services - Victims of Domestic Violence Services - Homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
17	Agency/Group/Organization	FAIRFAX AREA CHRISTIAN EMERGENCY & TRANSITIONAL SERVICES (FACETS)
	Agency/Group/Organization Type	Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Service - Fair Housing Services - Victims

	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
18	Agency/Group/Organization	NEW HOPE HOUSING, INC.
	Agency/Group/Organization Type	Housing Services - Housing Services - Homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
19	Agency/Group/Organization	Madison Homes, Inc.
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

20	Agency/Group/Organization	WESLEY HOUSING DEVELOPMENT CORPORATION
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
21	Agency/Group/Organization	Insight Property Group LLC
	Agency/Group/Organization Type	Housing Business Leaders Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
22	Agency/Group/Organization	INOVA Health System
	Agency/Group/Organization Type	Services-Health Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
23	Agency/Group/Organization	Federal Home Loan Mortgage Corporation
	Agency/Group/Organization Type	Housing Private Sector Banking / Financing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs

24	Agency/Group/Organization	Advisory Social Services Board
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Elderly Persons Services - Persons with Disabilities Services - Persons with HIV/AIDS Services - Victims of Domestic Violence Services - Homeless Services - Health Services - Education Services - Employment Service - Fair Housing Services - Victims
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
25	Agency/Group/Organization	Fairfax County School Board
	Agency/Group/Organization Type	Services-Education Child Welfare Agency
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
26	Agency/Group/Organization	Fairfax County Professional Fire Fighters and Paramedics, IAFF Local 2068
	Agency/Group/Organization Type	Employee Member Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
27	Agency/Group/Organization	Northern Virginia Association of REALTORS
	Agency/Group/Organization Type	Housing Regional organization

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
28	Agency/Group/Organization	Tetra Partnerships
	Agency/Group/Organization Type	Commercial Real Estate
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
29	Agency/Group/Organization	Fairfax County Federation of Citizens Associations
	Agency/Group/Organization Type	Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
30	Agency/Group/Organization	AHOME
	Agency/Group/Organization Type	Housing Regional organization Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
31	Agency/Group/Organization	Habitat for Humanity of Northern Virginia
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
32	Agency/Group/Organization	Northern Virginia Regional Commission
	Agency/Group/Organization Type	Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs

33	Agency/Group/Organization	Virginia Housing Development Authority (VHDA)
	Agency/Group/Organization Type	Housing Other government - State
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
34	Agency/Group/Organization	City of Alexandria, Virginia
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
35	Agency/Group/Organization	Arlington County
	Agency/Group/Organization Type	Other government - County Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
36	Agency/Group/Organization	Prince William County Department of Housing and Community Development
	Agency/Group/Organization Type	Housing Other government - County Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy

37	Agency/Group/Organization	Loudoun County
	Agency/Group/Organization Type	Other government - County Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
38	Agency/Group/Organization	Montgomery County Government
	Agency/Group/Organization Type	Other government - County Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy

39	Agency/Group/Organization	Prince George's County - DHCD
	Agency/Group/Organization Type	Other government - County Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
40	Agency/Group/Organization	District of Columbia Department of Housing and Community Development
	Agency/Group/Organization Type	Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
41	Agency/Group/Organization	City of Falls Church
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
42	Agency/Group/Organization	Town of Vienna
	Agency/Group/Organization Type	Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
43	Agency/Group/Organization	Town of Herndon
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
44	Agency/Group/Organization	City of Fairfax
	Agency/Group/Organization Type	Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
45	Agency/Group/Organization	Town of Clifton
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
46	Agency/Group/Organization	Metropolitan Washington Council of Governments
	Agency/Group/Organization Type	Regional organization

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
47	Agency/Group/Organization	Virginia Department of Housing and Community Development
	Agency/Group/Organization Type	Housing Other government - State
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy

Identify any Agency Types not consulted and provide rationale for not consulting

Not applicable.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Fairfax County Office to Prevent and End Homelessness	The metrics set forth in the county's homelessness plan are tied directly to the Housing Blueprint and are reflected in this FY 2020 One-Year Action Plan. A copy of the draft Housing Blueprint for FY 2020 may be found in the Grantee Unique Appendices section.
Housing Blueprint (local)	FCRHA/Department of Housing and Community Development	The Strategic Plan goals are directly driven by the goals and metrics identified in the Housing Blueprint.
Moving to Work (federal)	FCRHA/Department of Housing and Community Development	The Strategic Plan is consistent with the THRIVE Housing Continuum, which is the central concept behind the FCRHA's Moving to Work program.
FCRHA Strategic Plan/Action Plan (local)	FCRHA/Department of Housing and Community Development	The activities described in the FCRHA's annual Strategic Plan/Action Plan are largely derived from the Housing Blueprint, and serve as a yearly work plan for the agency.
Communitywide Housing Strategic Plan (local)	Department of Housing and Community Development	Under the direction of the Board of Supervisors, the Communitywide Housing Strategic Plan is a comprehensive effort to preserve and create affordable housing options by both identifying near term goals that can be accomplished with currently available resources and identifying the resources necessary to meet needs over the next 15 years.
Prevent & End Homelessness (local)	Fairfax County Office to Prevent and End Homelessness	The metrics set forth in the county's homelessness plan are tied directly to the Housing Blueprint and are reflected in this FY 2020 One-Year Action Plan.
Fairfax County Comprehensive Plan/Zoning Ordinance	Fairfax County Department of Planning and Zoning	The Comprehensive Plan and Zoning Ordinance provide, respectively, the policy and regulatory underpinnings for land use issues related to affordable housing, as described in this FY 2020 One-Year Action Plan. This includes elements such as the Affordable Dwelling Unit and Workforce Housing programs.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
One Fairfax Policy	Fairfax County Equity Officer	The One Fairfax Policy, adopted by the Board of Supervisors on November 21, 2017 and by the FCRHA on March 7, 2019, defines expectations for consideration of racial and social equity, and in particular, meaningful community involvement when planning, developing and implementing policies, practices and initiatives. The policy provides a framework to advance equity in alignment with the stated visions and priorities of the county and the FCRHA. The policy informs all other policies and applies to all publicly delivered services in Fairfax County Government, the FCRHA and Fairfax County Public Schools.

Table 3 – Other local / regional / federal planning efforts

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation and how it impacted goal-setting

A Citizen Participation Plan was adopted by the Fairfax County Board of Supervisors on December 8, 1997, and was revised and amended by the Board of Supervisors in 2002 and 2007. The purpose of the Citizen Participation Plan is to serve as a guide for public input and participation in the Consolidated Plan process. The full Citizen Participation Plan may be found in the Grantee Unique Appendices section.

As a part of the Citizen Participation Plan, the Board of Supervisors established the Consolidated Community Funding Advisory Committee (CCFAC). The responsibilities of the CCFAC include but are not limited to soliciting community input on the community needs, advising the Board of Supervisors on the development and implementation of the consolidated plan, coordinating and implementing the countywide Consolidated Community Funding Pool (CCFP) solicitation process (including funding categories, selection criteria and performance measures), and coordinating with the Community Action Advisory Board in implementation of the Community Services Block Grant process.

A summary of the citizen participation process is provided at AP-05, paragraph 4.

Efforts are being made to broaden citizen participation by expanding the methods of providing notice of opportunities for citizen input. A televised notice was broadcast on the Fairfax County cable station for the first time in FY 2018, including a plain English summary explanation of the consolidated plans, the one-year action plans and opportunities for citizen participation. For this FY 2020 One-Year Action Plan, DHCD staff participated in selected community engagement sessions facilitated by staff of the Fairfax County Department of Neighborhood and Community Services (NCS) in various locations throughout the community. NCS staff facilitated the sessions to receive community input on the needs for housing, community development and other human services.

The citizen input received is used by the CCFAC to identify the categories for the uses of CCFP resources, which include CDBG Targeted Public Services and CDBG Affordable Housing funds. The citizen input also is used by the Board of Supervisors to identify the needs and establish priorities for Fairfax County human services and affordable housing programs. In addition, citizen input will be helpful in monitoring the effectiveness of the One Fairfax policy adopted by the Board of Supervisors on November 21, 2017.

The One Fairfax Racial and Social Equity Policy and specific Areas of Focus identified in the policy include:

- Community and economic development policies and programs that promote wealth creation and ensure fair access for all people;
- Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county, most notably those in mixed-use areas that are accessible to multiple modes of transport;
- Workforce development pathways that provide all residents with opportunity to develop knowledge and skills to participate in a diverse economy and earn sufficient income to support themselves and their families;
- A quality built and natural environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner that includes mixes of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life,, and promotes employment opportunities, housing, amenities and services for all people.

A copy of the full One Fairfax Policy may be found in the Grantee Unique Appendices section.

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	<p>Persons with incomes at or below the poverty level</p> <p>Residents of areas that are blighted or in which the use of federal funds is proposed</p> <p>Persons with low- to moderate-incomes</p> <p>Persons with disabilities</p> <p>Minorities</p> <p>Non-English Speaking - Specify other language: Spanish, Vietnamese</p> <p>Residents of Public and Assisted Housing</p> <p>Non-targeted/broad community</p>	<p>Representatives of the CCFAC, the FCRHA and the public attended the public hearing on November 13, 2018. All of the oral and written testimonies presented at the public hearing were accepted and included in the final version of this FY 2020 One-Year Action Plan. The needs identified and discussed at the public hearing are addressed by the Annual Goals and Objectives described in AP-20.</p>	<p>Testimony is summarized at AP05, paragraph 5.</p>	N/A	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Hearing	<p>Persons with incomes at or below the poverty level</p> <p>Residents of areas that are blighted or in which the use of federal funds is proposed</p> <p>Persons with low- to moderate-incomes</p> <p>Persons with disabilities</p> <p>Minorities</p> <p>Non-English Speaking - Specify other language: Spanish, Vietnamese</p> <p>Residents of Public and Assisted Housing</p> <p>Non-targeted/broad community</p>	<p>The Board of Supervisors received all of the oral and written testimonies presented at the hearing on March 19, 2019. The citizen input was incorporated into the final version of this FY 2020 One-Year Action Plan. The needs identified and discussed at the public hearing are addressed by the Annual Goals and Objectives described in AP-20.</p>	<p>Testimony is summarized at AP05, paragraph 5.</p>	N/A	

Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

The funding levels incorporated in the draft FY 2020 One-Year Action Plan released for public comment were based on estimates of the Federal Funds to be awarded to Fairfax County for FY 2020 as a result of projects previously funded by CDBG and HOME. The contingency instructions included below explain how adjustments were to be made to the allocations in the Draft FY 2020 One-Year Action Plan, if there was a difference between the estimates used in the Draft One-Year Action Plan for FY 2020 and the actual Federal Funds awarded to Fairfax County and Program Income available for use by Fairfax County in FY 2020.

The Federal Funds awarded to Fairfax County for FY 2019 were used as estimates for FY 2020 until formal notification of the actual awards of Federal Funds for FY 2020 was received from HUD. Use of estimates until notice of actual awards is customary and allows Fairfax County to meet citizen participation requirements while planning for future HUD grants prior to the official notification from HUD. Notification of the actual awards for FY 2020 was received on April 12, 2019.

Federal Funding Allocations for FY 2020

If there is greater than a 10 percent difference between the estimated and actual CDBG, ESG and/or HOME funding awarded for FY 2020, the Fairfax County Board of Supervisors reserves the right to reconsider the proposed funding allocations. If there is no more than a 10 percent difference between the estimated and the actual funding awarded, Fairfax County will utilize the following contingency provision governing the use of the Federal Funds:

CDBG

- A. If the actual CDBG funding amount is lower than the estimated funding, all CDBG-funded activities are to be proportionally decreased from the estimated funding levels to match the actual CDBG award amount, with the following exceptions:
- The Section 108 Loan Payment will remain as represented in the plan.

- General Administration, Planning, and Fair Housing are to be capped at 20 percent of the CDBG award based on HUD limits. Total allocation for these three activities will not exceed 20 percent of the actual CDBG award.
 - The Targeted Public Services allocation is to be capped at 15 percent of the CDBG award based on HUD limits. The allocation to the Targeted Public Services will be 15 percent of the actual CDBG award.
 - The Affordable Housing Fund in the CCFP will be funded at \$590,900.
 - Funding allocations for Section 108 Loan, General Administration, Planning, Fair Housing, Targeted Public Services, and the Affordable Housing Fund in the CCFP are to be made prior to any other proportional adjustments to the remaining CDBG-funded activities.
- B. If the actual CDBG funding amount is greater than the estimated funding, all CDBG-funded activities are to be funded as represented in the plan, with the following exceptions:
- The Targeted Public Services allocation is to be increased to an amount that is 15 percent of the actual CDBG award.
 - The Affordable Housing Fund in the CCFP will be funded at \$590,900.
 - The unallocated balance of the CDBG funding available as a result of the funding increase is to be allocated to the CDBG/HOME Affordable Housing Request for Proposals.

HOME

- A. If the actual HOME funding amount is lower than the estimated funding, all HOME-funded activities are to be proportionally decreased from the estimated funding levels to match the actual HOME award amount, with the following exceptions:
- HOME Administration and Fair Housing are to be capped at 10 percent of the HOME award based on HUD limits. The HOME Administration and Fair Housing allocations will not exceed 10 percent of the actual HOME award.
 - Federal regulations require that jurisdictions set-aside a minimum of 15 percent of the HOME award each year for Community Housing Development Organization (CHDO) investment. The CHDO set-aside will be 15 percent of the actual HOME award.
 - Funding allocations for HOME Administration, Fair Housing and CHDO are to be made prior to all other proportional adjustments to the remaining HOME funded activities.
- B. If the actual HOME funding amount is greater than the estimated funding, all HOME-funded activities are to be funded as represented in the plan, with the following exceptions:
- The CHDO set-aside will be 15 percent of the actual HOME award.
 - The unallocated balance of the HOME funding available as a result of the funding increase is to be allocated to the CDBG/HOME Affordable Housing Request for Proposals.

ESG

All ESG-funded activities are proportionally increased or decreased from the estimated funding levels to match the actual ESG award amount.

Program Income Available for Use in FY 2020

All Program Income received from activities funded with CDBG and/or HOME in excess of the estimates for FY 2020 is to be allocated to the CDBG/HOME Affordable Housing Request for Proposals, with the following exceptions:

- A. Program Income received from the North Hill project will be used pursuant to the guidance provided and approved by the Board of Supervisors on January 24, 2017.
- B. Program Income received from the refinancing of the Murraygate project will not be available for distribution according to this Contingency Plan.

Fairfax County requested citizen comment on this planned contingency process for the allocation of Federal Funds for FY 2020.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Award: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition/Rehab Admin and Planning Economic Development Housing Public Improvements Public Services	5,609,339	336,693	841,298	6,787,330	0	<p>The annual award is based on the HUD notification of the FY 2020 / federal FY 2019 grant award. The HUD notification was received from HUD on April 12, 2019.</p> <p>The Program Income allocation is based on historical average and projections from current activities.</p>

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Award: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition/rehab Admin and Planning TBRA	1,940,695	370,882	3,051,176	5,362,753	0	<p>The annual award is based on the HUD notification of the county FY 2020 / federal FY 2019 grant award. The HUD notification was received from HUD on April 12, 2019.</p> <p>The Program Income allocation is based on historical average and projections from current activities.</p>

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Award: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Housing relocation and stabilization services Short-term and medium-term rental assistance Administrative activities	473,009	0	0	473,009	0	<p>The annual award is based on the HUD notification of the county FY 2020 / federal FY 2019 grant award. The HUD notification was received from HUD on April 12, 2019.</p> <p>The Program Income allocation is based on historical average and projections from current activities.</p>

Table 4 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Fairfax County leverages federal CDBG, HOME and ESG funds through a variety of local resources, including private investments, donations and other county funds.

CDBG-funded targeted public services activities are supported by private cash and in-kind donations, as well as other county funds. The gaps between CDBG funding for non-profit sponsored affordable housing capital projects and the total acquisition, renovation and leasing costs are funded by equity investments, private financing and/or other local funds, as well as by donations of cash, services and materials.

Fairfax County meets and exceeds its HOME Match requirement through non-federal cash resources contributed to fund the Bridging Affordability Program, the activities of which are eligible for HOME funding.

Additionally, the county created a Housing Trust Fund (HTF) in FY 1990, which is used to encourage and support the acquisition, preservation, development and redevelopment of affordable housing by the FCRHA, non-profit sponsors and private developers. The majority of all units developed with HTF financing are HOME eligible. Housing Trust Fund awards are anticipated in FY 2020. HOME- and CHDO-funded capital projects by non-profit sponsors also are leveraged by equity investments, private financing and/or other local funds, as well as by donations of cash, services and materials.

Fairfax County invests local General Funds to provide a one-to-one match for the ESG funding. The local matching funds are appropriated on an annual basis as a part of the normal Fairfax County budget cycle, typically in April or May.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Fairfax County and the FCRHA have a long and successful track record of utilizing public land for the development of housing to meet a continuum of needs identified in this Draft FY 2020 One-Year Action Plan. Projects that are expected to be completed, under construction or in planning during the time covered by this Draft FY 2020 One-Year Action Plan include the following:

Lincolnia Residences Renovation (Mason District): The scope of the project includes renovation of the building complex which will be used to provide space for three separate operations: 1) senior housing and assisted living (SHAL) managed by DHCD, 2) a senior center operated by the Department of Neighborhood and Community Services (NCS), and 3) an adult day health care center managed by the Fairfax County Health Department (FCHD). The SHAL includes 26 units of affordable apartments for seniors, 52 beds of licensed assisted living, common areas for the residents, and a commercial kitchen which supports all on-site activities. The renovation includes replacement of the HVAC system and the emergency generator, extensive interior overhauls and upgrades of lighting and the fire alarm system, elevator modernization, roof and fire pump replacement, numerous accessibility modifications, and minor site enhancements. Phase A of the project, renovation of senior center, was completed in FY 2016. Phase B, which includes trim work, cabinetry replacement, hot water heater replacement, the addition of electrical circuits, and other miscellaneous improvements, will be completed in FY 2020.

Lewinsville Center (Dranesville District): Construction of two building was completed in FY 2019. The first building completed has been named “The Fallstead” and contains 82 units of independent living senior rental housing. The units are being leased to persons who are 62 years of age or older and whose household income is at or below 50 percent of the AMI. The second building, completed in April of 2019, will be used as the community support building for the provision of expanded services through existing Fairfax County Senior Center programs operated by the NCS.

North Hill (Mount Vernon District): The FCRHA has selected a private developer, under PPEA, for the development of the 35 acre North Hill site, acquired by the FCRHA in the 1980s. The selected developer has received the necessary zoning approvals to construct 278 mixed-income, affordable multi-family units and 175 market-rate townhouses. The approximately 12 acre remaining balance of the site will be maintained as a park. The project was awarded competitive 9 percent tax credits by the Virginia Housing Development Authority, which provide a critical part of the project funding. Negotiations are underway for the sale of the market-rate townhouse land bay, the proceeds of which will be used to fund development of the affordable units. Site plan preparation is underway. Negotiations of additional agreements, including a Master Agreement, have to be completed before development begins.

Murraygate Renovation (Lee District): The project scope includes extensive renovations of the 200-unit Murraygate Village apartment complex. Anticipated rehabilitation will include replacement of the central heating and cooling system with individual HVAC units in each apartment, electrical system upgrades, accessibility improvements, kitchen and bathroom modernization, other miscellaneous enhancements, and minor site work. The construction of Phase I was completed in FY 2018. Phase II, which will address the majority of the renovations, started in December 2019 and will be completed in July 2020.

Wedgewood Renovation (Mason District): The scope of the project is intended to sustain the Wedgewood property for 10 or more years and preserve the Board's flexibility for future redevelopment of the property. Work completed includes condition assessment studies; regrading and drainage system improvements throughout the site; basement water proofing and wall reinforcement; roofing and gutter replacements; replacement of two chillers, a cooling tower, and reliability upgrades in the three central heating and cooling plants; repairs of patios, walkways, stairs and retaining walls; repaving parking lots and streets; and minor building structural improvements. Studies were conducted to define alternatives for future improvement or replacement of the central heating and cooling plants. The renovation effort began in FY 2017 and will continue through FY 2020.

Oakwood (Lee District): The scope of the project is to develop the 6.2 acre county-owned site at the intersection of Oakwood Road and Van Dorn Street. The site has the potential for the development of up to 150 units of affordable independent senior housing. Potential funding includes Low Income Housing Tax Credits (LIHTC). Requests for Proposals for development were received in August 2018 and are now being evaluated. Developer selection is planned for January 2019 with rezoning actions to follow.

One University (Braddock District): The scope of the project is to redevelop the site at the intersection of Route 123 and University Drive. An unsolicited proposal has been received for replacing the existing affordable housing complex (Robinson Square) and the existing FCRHA facilities. The proposed development will include up to 240 units of affordable housing and student housing. Additional proposals were received in response to the county's request for competing proposals (RFP). The RFP Selection Advisory Committee chose one of the competing proposals and the unsolicited proposal for further evaluation and comparison. The developer has been selected. The rezoning process is underway and is expected to be completed by mid-FY 2020.

Little River Glen Expansion (Braddock District): The scope of the project includes the construction of 60 units of affordable independent senior housing on land owned by the FCRHA. A funding source has not yet been determined. Completion of the schematic design is expected in FY 2019. Zoning approval of the design is expected in FY 2020, following which an application for LITHC funding will be submitted to VHDA.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3) & (e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Homelessness	2016	2020	Homeless	Countywide	Homelessness Prevention and Rapid Re-Housing Affordable Rental Housing Community Services	CDBG: \$400,000 HOME: \$700,000 ESG: \$447,834	Rental units rehabilitated: 10 household housing units Tenant Tenant-based rental assistance / Homelessness Prevention and Rapid Rehousing households assisted: 729
2	Special Needs	2016	2020	Affordable Housing Non-Homeless Special Needs	Countywide	Affordable Rental Housing Homeownership Access and Rehabilitation Community Services	CDBG: \$1,200,000 HOME: \$500,000	Public service activities other than Low/Moderate Income Housing Benefit: 180 persons assisted Public service activities for Low/Moderate Income Housing Benefit: 338 household housing units assisted Rental units

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
								rehabilitated: 5 housing unit Tenant-based rental assistance / Rapid Rehousing: 11 households assisted
3	Working Families	2016	2020	Affordable Housing	Countywide	Affordable Rental Housing Homeownership Access and Rehabilitation Community Services	CDBG: \$300,000 HOME: \$300,000	Rental units rehabilitated: 2 Household Housing Unit Tenant Tenant-based rental assistance / Rapid Rehousing: 16 Households Assisted
4	Workforce Housing	2016	2020	Affordable Housing	Countywide	Affordable Rental Housing Homeownership Access and Rehabilitation	CDBG: \$200,000 HOME: \$200,000	Rental units constructed: 200 household housing units Homeowner Housing Added: 15 household housing units
5	Human Service System	2016	2020	Non-Housing Community Development	Countywide	Community Services Administration and Planning	CDBG: \$0 HOME: \$0 ESG: \$0	Other: 1 Other
6	Poverty Reduction/Self Sufficiency	2016	2020	Non-Housing Community Development	Countywide	Community Services	CDBG: \$0 HOME: \$0 ESG: \$0	Public service activities other than Low/Moderate Income

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
								Housing Benefit: 542 persons assisted
7	Reinvestment	2016	2020	Non-Housing Community Development	Countywide	Administration and Planning	CDBG: \$0 HOME: \$0 ESG: \$0	Other: 1 Other
8	Community Input	2016	2020	Institutional	Countywide	Administration and Planning	CDBG: \$250,000	Other: 1 Other

Table 5 – Goals Summary

Goal Descriptions

1	Goal Name	Homelessness
	Goal Description	<p><i>Preventing and Ending Homelessness</i></p> <p>The county will address the 10-year need for 2,650 additional units/permanent housing opportunities for individuals and families who are experiencing homelessness. Outcomes will be achieved through a variety of county programs and activities, including programs and activities funded through the CCFP.</p> <p><u>Projected Outcomes:</u></p> <ul style="list-style-type: none"> Housing opportunities created by turnover in federal resources: 105 New housing opportunities (non-turnover): 568 <p>New homeless households served in local Bridging Affordability program: 58</p>
2	Goal Name	Special Needs
	Goal Description	<p><i>To Provide Affordable Options to Special Needs Populations</i></p> <p>The county will provide affordable housing options to special needs populations including households with low- to extremely-low income, seniors and persons with physical or mental disabilities through several means, including programs and activities funded through the CCFP. (Note: Persons with special needs are also served throughout the other goals identified in the Housing Blueprint and the Consolidated Plan. A copy of the draft Housing Blueprint for FY 2020 may be found in the Grantee Unique Appendices section.)</p> <p><u>Projected Outcomes:</u></p> <ul style="list-style-type: none"> Housing opportunities created by turnover in federal resources: 81 New housing opportunities (non-turnover): 119 New special needs households served in the Bridging Affordability program: 36 FCRHA-Fairfax County Rental Program – Seniors (turnover): 90
3	Goal Name	Working Families
	Goal Description	<p><i>To Meet the Affordable Housing Needs of Low-income Working Families</i></p> <p>The county will work to address the current need, estimated at about 31,000 units, for affordable housing among working families with low-income via a variety of county programs and activities, including those funded through the CCFP.</p>

		<p><u>Projected Outcomes:</u></p> <ul style="list-style-type: none"> • New low-income households served in the Bridging Affordability program: 58 • Housing opportunities created by turnover in federal resources: 161 • Housing opportunities created by turnover in local housing resources: 350 <p>New housing opportunities (non-turnover): 150</p>
4	Goal Name	Workforce Housing
	Goal Description	<p><i>To Increase Workforce Housing through Creative Partnerships and Public Policy</i></p> <p>Over the next 15 years, the need for affordable housing options will grow, as the county is projected to add 62,184 households, of which 18,622 are expected to earn 80 percent of AMI and below.</p> <p><u>Projected Outcomes:</u></p> <p>New housing opportunities: 400</p>
5	Goal Name	Human Service System
	Goal Description	<p><i>Maintain and strengthen a safe, healthy and vibrant community through a human service system that is responsive to all populations and their diverse needs including children, the elderly, persons with disabilities, or those with other special needs, with emphasis on benefiting low- and moderate-income persons and families</i></p> <p>The county will continue to promote healthy child and youth development, identify strategies to meet current and emerging service needs, and encourage and support a public and private network of community services that fosters stability and maximizes self-sufficiency. The programs and activities funded through the CCFP also support the accomplishment of this goal.</p> <p><u>Specific Objectives:</u></p> <p>1.1 Promote healthy, positive child and youth development through a community support system that meets the diverse needs of all children and provides positive alternatives that help in the prevention of gang activity.</p> <p>1.2 Identify gaps and develop strategies to meet critical current and emerging service needs in the community.</p> <p>1.3 Encourage and support a coordinated public and private network of community services that fosters stability and maximizes independence for individuals and families.</p>

		<p>1.4 Promote a human service system that ensures residents are able to meet basic and emergency human needs, that emphasizes prevention and early intervention to minimize crises and that preserves individual and family stability.</p> <p>1.5 Encourage best practices, sensitivity to cultural differences and enhanced performances in service delivery to ensure residents receive high quality services as needed.</p>
6	Goal Name	Poverty Reduction/Self Sufficiency
	Goal Description	<p><i>Reduce poverty and foster self-sufficiency by using public and private resources to provide essential training and support services, and by encouraging employment opportunities and development of business</i></p> <p>The county will strengthen self-sufficiency for program participants via a variety of means, including programs and activities funded through the CCFP. Consistent with the FCRHA's Moving to Work/THRIVE program, particular emphasis will be placed on promoting self-sufficiency activities for those participating in the various affordable housing programs operated by the FCRHA and Fairfax County.</p> <p><u>Specific Objectives:</u></p> <p>2.1 Strengthen current job skill training and employment programs to prepare potential workers for better job opportunities and strengthen communication and partnerships with employers to remove barriers and to improve access to and increase the number of job placements in better employment, especially for families with low income.</p> <p>2.2 Promote training and educational opportunities for workers to gain skills necessary for jobs that provide wages for individuals and families to be self-sufficient and that support family stability.</p> <p>2.3 Strengthen the provision and flexibility of supportive services for individuals to begin new jobs or continue in existing jobs by ensuring they have access to affordable child care, disabled adult and elderly care, transportation, English as a Second Language programs and/or other needed support.</p> <p>2.4 Support community efforts in the development and assistance to micro-enterprises and small businesses to reduce small business failures and to retain and create more jobs.</p> <p>2.5 Ensure that the commercial revitalization program serves as a resource to achieve a portion of these objectives.</p> <p>2.6 Implement Fairfax County's Strategic Plan to Facilitate Economic Success, which has an overall focus on maintaining, diversifying, and enhancing the county's strong and vital community in order to sustain and foster economic prosperity.</p>

7	Goal Name	Reinvestment
	Goal Description	<p><i>In commercial and residential areas that are vulnerable to instability, facilitate reinvestment, encourage business development, promote public and private investment and reinvestment, preserve affordable housing and prevent or eliminate the negative effects of disinvestment</i></p> <p>The county will continue to implement the Strategic Plan to Facilitate Economic Success of Fairfax County, which focuses on four fundamentals – people, places, employment and governance. In terms of places, Fairfax County will focus on infrastructure, mobility, redevelopment and fostering the retail industrial and other emerging uses.</p> <p><u>Specific Objectives:</u></p> <p>3.1 Develop strategies of prevention and early intervention in communities in danger of deterioration to reduce the need for greater community investment and improvements in the future.</p> <p>3.2 Review existing plans for Conservation Areas, Redevelopment Areas, residential Revitalization Areas, Commercial Revitalization Districts, and Commercial Revitalization Areas to promote a comprehensive and coordinated approach to meeting community development needs while maintaining the affordable housing stock and the unique character of each community.</p> <p>3.3 Build on community strengths and involve the residents in decision making on needs, priorities, plans, improvements, and solutions to community concerns, in cooperation with the county's Department of Code Compliance.</p>
8	Goal Name	Community Input
	Goal Description	<p><i>Ensure broad community input throughout the development and implementation of the Consolidated Plan, build public/private partnerships to implement the Plan, and monitor and evaluate the goals, strategies and program outcomes</i></p> <p><u>Overarching Objective:</u> The county will implement the Citizen Participation Plan and monitor and evaluate the effectiveness of community outreach and education on community needs, plans and priorities, funded programs and results, and the effectiveness of the citizen participation process under the Consolidated Plan.</p>

Table 6 – Goal Descriptions

AP-35 Projects – 91.220(d)

Introduction

All Federal Funds and any subsequent leveraging of local and private resources for FY 2020 will be invested in the following seventeen projects. Project #7- Targeted Public Services also receives an allocation of local general and CSBG funds totaling approximately \$12.5 million.

#	Project Name
1	Section 108 Loan Payments
2	Fair Housing
3	Planning
4	General Administration
5	HOME Administration
6	Affordable Housing Fund (CCFP)
7	Targeted Public Services (CCFP)
8	Home Repair for the Elderly & Community Rehabilitation Programs
9	Tenant Based Rental Assistance
10	FCRHA Properties – Rehabilitation and/or Acquisition
11	Homeownership Program
12	CHDO Set-Aside
13	Special Needs Housing
14	Emergency Solutions Grant
15	CDBG/HOME Affordable Housing Request For Proposals
16	North Hill

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs.

On January 26, 2010, the Fairfax County Board of Supervisors adopted a “Housing Blueprint”, which establishes the county’s affordable housing policy direction for FY 2011 and beyond. The goals and priority needs set forth in the Housing Blueprint are revised and updated each year, and have evolved over time as a product of ongoing input from the community. A copy of the draft Housing Blueprint for FY 2020 may be found in the Grantee Unique Appendices section.

The housing goals established in the Housing Blueprint incorporated into the Consolidated Plan for FY 2016-2020 are as follows:

- Goal 1: To prevent and end homelessness
- Goal 2: To provide affordable housing options to special needs population
- Goal 3: To meet the affordable housing needs of low-income working families; and
- Goal 4: To increase workforce housing through creative partnerships and public policy

This FY 2020 One-Year Action Plan reflects the overarching goals of the Housing Blueprint and is the product of the input gathered through the process of bringing together county officials and staff, representatives from the nonprofit and for-profit development sectors, and the citizens of Fairfax County, supplemented by data compiled from local sources, HUD and the U.S. Census Bureau. To accomplish these goals, Fairfax County will draw upon the community and private sector to leverage resources through partnerships. The county will complete projects already in the pipeline as well as embark on new initiatives.

As reflected in the Housing Blueprint, the philosophy driving the priority needs in the Consolidated Plan is that affordable housing is a continuum ranging from the needs of residents who are experiencing homelessness to first-time home buyers. Included in this range are the diverse housing needs of hard-working, but low paid families, senior citizens, persons with physical or mental disabilities, and the workforce across Fairfax County. This FY 2020 One-Year Action Plan is for the fifth year of the county's Consolidated Plan for FY 2016-2020 and will continue as established in FY 2016.

The main obstacle facing the county continues to be the affordable housing gap for residents who are low- and moderate-income. The bulk of all proposed projects endeavor to combat the shortage of affordable housing in the county.

Projects

AP-38 Projects Summary

Project Summary Information

Table 8 – Project Summary

1	Project Name	Section 108 Loan Payments
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Reinvestment
	Needs Addressed	Affordable Rental Housing Community Services
	Funding	CDBG: \$1,091,089
	Description	The funding will be used to make annual payments on four loans under Section 108 of the Housing and Community Development Act of 1974, as amended. Loan proceeds have been used by the FCRHA for affordable housing development and preservation; reconstruction of Washington Plaza in Reston and Olley Glen; and road and storm drainage improvements in five Conservation Areas (Bailey's, Fairhaven, Gum Springs, James Lee, and Jefferson Manor). The loan applications were approved by the Board of Supervisors, who pledged future CDBG funds for the payment of annual interest and principal premiums due on the notes.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	All beneficiary data related to each of the projects was reported in the CAPER for the year in which the project was completed.
	Location Description	Not applicable.
2	Planned Activities	Matrix Code- 19F Planned Repayments of Section 108 Loans Matrix Code- 24A Payment of Interest on Section 108 Loans
	Project Name	Fair Housing
	Target Area	Countywide

Goals Supported	Homelessness Special Needs Working Families Workforce Housing Human Service System Poverty Reduction/Self Sufficiency Reinvestment Community Input
Needs Addressed	Community Services Administration and Planning
Funding	CDBG: \$182,543 HOME: \$33,649
Description	The funding will be used by the Fairfax County Office of Human Rights and Equity Programs to support fair housing testing performed by contractors, to conduct fair housing outreach and education activities, and to investigate fair housing complaints. In addition, funds will be used in FY 2020 for activities that affirmatively further fair housing for FCRHA clients and tenants.
Target Date	6/30/2020
Estimate the number and type of families that will benefit from the proposed activities	General fair housing outreach and education will be made available to all county residents, businesses and organizations. Beneficiary demographics will be tracked as activities are completed and will be reported in the CAPER for FY 2020.
Location Description	Not applicable.
Planned Activities	Matrix Code- 21D Fair Housing Activities (subject to Admin Cap)

3	Project Name	Planning
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Workforce Housing Human Service System Poverty Reduction/Self Sufficiency Reinvestment Community Input
	Needs Addressed	Administration and Planning
	Funding	CDBG: \$234,831
	Description	The funding will continue to be used to support the planning and implementation of the county's housing and community development programs. The funding of this project is required to meet CDBG and HOME regulations and local procedures, prepare and process the county's Consolidated Plan and related citizen participation and public input processes, prepare community plans, and implement housing and community development programs, as well as identify and pursue funding sources to match and leverage entitlement funding. Planning will include FCRHA activities to affirmatively further fair housing.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Planning is a required administrative function of the CDBG entitlement that is not limited to a specific number and type of beneficiaries.
	Location Description	Not applicable.
	Planned Activities	Matrix Code- 20 Planning

4	Project Name	General Administration
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Workforce Housing Human Service System Poverty Reduction/Self Sufficiency Reinvestment Community Input
	Needs Addressed	Administration and Planning
	Funding	CDBG: \$704,493
	Description	Funding for the general administration of the county's CDBG and HOME-funded programs and projects, as well as projects funded under the Section 108 and Economic Development Initiative. Funding provides for administration of housing and community development programs and projects, including contract management for projects and programs funded through the Consolidated Community Funding Pool, required local, state, and federal reports and preparation of documents, provision of technical assistance, financial management, and administrative and professional support to the CCFAC and various citizen participation processes. General Administration will include FCRHA activities that will affirmatively further fair housing. Funding provides for salaries and fringe benefits plus related operating costs.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	The required administrative function of the CDBG entitlement is not limited to a specific number and type of beneficiaries.
	Location Description	Not applicable.
	Planned Activities	Matrix Code- 21A General Program Administration

5	Project Name	HOME Administration
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families
	Needs Addressed	Administration and Planning
	Funding	HOME: \$160,420
	Description	The HOME funds allocated to this project will be used to support the operation of the HOME Program and the projects receiving HOME funding. The funding will be used to support salaries and fringe benefits, plus related operating and equipment costs and eligible preliminary costs related to the planning and design of housing development projects by the FCRHA.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Planning is a required administrative function of the HOME entitlement that is not limited to a specific number and type of beneficiaries.
	Location Description	Not applicable.
	Planned Activities	See description.
6	Project Name	Affordable Housing Fund (CCFP)
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families
	Needs Addressed	Homelessness Prevention and Rapid Re-Housing Affordable Rental Housing
	Funding	CDBG: \$590,900

	Description	The funding will be allocated to the CCFP to fund affordable housing programs and activities by eligible nonprofit corporations or CDBG Participating Jurisdictions (Towns of Clifton, Herndon, and Vienna, and the City of Fairfax) for the provision, development and preservation of affordable housing in accordance with CDBG eligibility criteria and the CCFP priorities adopted by the Board of Supervisors. The funding for specific programs and activities is subject to appropriations by the Board of Supervisors.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	The numbers of families and individuals assisted will vary depending on specific programs and activities. It is anticipated that a minimum of six housing units will be acquired and/or rehabilitated as a direct result of the planned funding. Beneficiary demographics will be tracked as programs and activities are completed and will be reported in the CAPER for FY 2020.
	Location Description	To be determined.
	Planned Activities	Matrix Code- 14G Rehab: Acquisition
	7	
	Project Name	Targeted Public Services (CCFP)
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Human Service System Poverty Reduction/Self Sufficiency Reinvestment Community Input
	Needs Addressed	Homelessness Prevention and Rapid Re-Housing Affordable Rental Housing Homeownership Access and Rehabilitation Community Services
	Funding	CDBG: \$841,400

	Description	The amount of funding to be allocated to the CCFP for Targeted Public Services will be 15 percent of the CDBG award. The funds will be awarded through the CCFP to eligible nonprofit corporations for the delivery of public services in accordance with CDBG eligibility criteria and the CCFP priorities adopted by the Board of Supervisors. Funding for specific programs and activities will be subject to appropriations by the Board of Supervisors.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	The number of families and individuals assisted will vary. Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined.
	Planned Activities	Funding allocated to the CCFP for Targeted Public Services will be used to support programs to be provided in FY 2020. Programs typically provide a variety of services aimed at promoting stability and self-sufficiency, preventing homelessness and/or meeting basic needs, including case management, training in life skills, employment, financial management, ESOL and limited direct financial assistance and in-kind donations. Applications for CCFP funding in FY 2020 were submitted in December 2017. Distribution of the funding awards will begin in July 2019, as funds become available.
8	Project Name	Home Repair for the Elderly & Community Rehabilitation Programs
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Human Service System Poverty Reduction/Self Sufficiency
	Needs Addressed	Homeownership Access and Rehabilitation
	Funding	CDBG: \$415,128

	Description	<p>As in past fiscal years, funding of the Home Repair for the Elderly Program (HREP) provides minor repairs at no cost to the homeowner for an estimated 100 homes of eligible low-income seniors or persons with disabilities. The HREP provides up to one week of labor and \$500 in material expenses by the HREP crew. Proposed funding provides for salaries and fringe benefits, plus related operating and equipment costs. These funds are supplemented by county funds generated from payments on loans through the Home Improvement Loan Program for the costs of outside contracting and materials.</p> <p>Funding also will be used to support the provision of technical assistance, training and referral services through the Community Rehabilitation Program for the preservation of affordable single and multi-family housing units in the Town of Herndon. The services will be provided to assist in renovations needed to comply with local codes, to install accessibility features and/or correct other deficiencies necessary to preserve the housing and/or to prevent the occupants from experiencing homelessness.</p> <p>Uncapped Low and Moderate Income Summary Data (LMISD) for Exception CDBG grantees, as provided by HUD, will be used to determine the eligible benefit areas in Herndon.</p>
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 100 elderly households are expected to be served by the Home Repair for the Elderly Program. The numbers of families and individuals assisted through the Community Rehabilitation Program will vary depending on the requests for assistances and the specific activities. All program beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined.
	Planned Activities	Matrix Codes- 14A Rehab: Single-Unit Residential; 14B Rehab: Multi-Unit Residential; 14h Rehabilitation Administration.
9	Project Name	Tenant Based Rental Assistance
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families
	Needs Addressed	Homeless Prevention and Rapid Re-Housing Affordable Rental Housing
	Funding	HOME: \$628,430

	Description	The funding will be used to provide rental assistance to prevent families/individuals from becoming homeless, help families/individuals experiencing homelessness obtain permanent housing, support stable housing for persons with special needs, respond to reasonable accommodation requests, and subsidize units for clients of the Progress Center (See AP-85).
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 50 families or individuals are expected to receive TBRA vouchers. Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined
	Planned Activities	Provision of TBRA vouchers
10	Project Name	FCRHA Properties – Rehabilitation and/or Acquisition
	Target Area	Countywide
	Goals Supported	Special Needs Working Families Workforce Housing
	Needs Addressed	Affordable Rental Housing
	Funding	CDBG: \$400,000
	Description	Funding will be used to rehabilitate FCRHA residential properties to maintain safety and quality of life. A portion of the funding also may be used to purchase Affordable Dwelling Units or other properties for rental.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	The number of families and individuals who will benefit from the activities will be determined by the projects. Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined
	Planned Activities	Matrix Code-14D Rehab: Other Public-Owned Residential Buildings
11	Project Name	Homeownership Program
	Target Area	Countywide

	Goals Supported	Working Families Workforce Housing
	Needs Addressed	Homeownership Access and Rehabilitation
	Funding	CDBG: \$607,851
	Description	The funding will be used to pay salaries and fringe benefits to support positions involved in homeownership activities related to the First-Time Homebuyer Program. Duties include application intake/data entry, waiting list maintenance, application processing, applicant eligibility certification, marketing new and resale units, conducting lotteries for purchase applicants, establishing resale prices, monitoring second trust loans, conducting required annual occupancy certifications, dissemination of program information, providing educational programs and/or counseling for applicants/homeowners, and, when available, providing financial assistance to homebuyers. Uncapped income limits, as provided by HUD, will be used to qualify household eligibility for homebuyer assistance.
	Target Date	6/30/20120
	Estimate the number and type of families that will benefit from the proposed activities	This program is expected to benefit approximately 50 families who are currently housed but not on the certified eligible applicant waiting list and approximately 200-250 families who are on the waiting list. Approximately 6,000 additional families will be served through orientations and other marketing activities. Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined.
	Planned Activities	Matrix Code- 13A Housing Counseling for Homeownership Assistance; 13B Direct Homeownership, excluding Housing Counseling.
12	Project Name	CHDO Set-Aside
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Workforce Housing
	Needs Addressed	Affordable Rental Housing Homeownership Access and Rehabilitation
	Funding	HOME: \$291,104

	Description	CHDO set-aside funding will be used to acquire and/or rehabilitate existing affordable housing or develop additional affordable housing units for homebuyers and renters.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	This project is expected to serve one family at or below 50 percent AMI. Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined based on applications.
	Planned Activities	Typical CHDO projects in the past have included the acquisition and rehabilitation of housing units for use as affordable rental housing for persons with income at or below 50 percent AMI.
13	Project Name	Special Needs Housing
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families
	Needs Addressed	Homelessness Prevention and Rapid Re-Housing Affordable Rental Housing
	Funding	HOME: \$466,610
	Description	Homelessness Prevention and Rapid Re-Housing Affordable Rental Housing
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	All of the funding will be used to support the development, preservation, acquisition, modification and rehabilitation of housing and facilities to serve persons with special needs, as defined by the Housing Blueprint including persons who are experiencing homelessness, have disabilities, are 62 years or older, are large families with severely limited housing options, are severely rent burdened or are victims of domestic violence. All of the funding is earmarked to be included in the FY 2020 CDBG/HOME Affordable Housing Request for Proposals (See Project 15).
	Location Description	To be determined.

	Planned Activities	Typical projects include renovations, upgrades and/or repairs to remove architectural barriers that restrict mobility and accessibility, install HVACs and water heater, and/or replace pipes and lighting to preserve and maintain long-term safe affordable housing residents with special needs.
14	Project Name	Emergency Solutions Grant
	Target Area	Countywide
	Goals Supported	Homelessness
	Needs Addressed	Homelessness Prevention and Rapid Re-Housing
	Funding	ESG: \$473,009
	Description	Pursuant to the HEARTH Act, the Emergency Solutions Grant (ESG) will continue to be used to fund activities that have an emphasis on preventing homelessness and rapidly re-housing people experiencing homelessness.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	More than 2,000 individuals are estimated to benefit from the ESG funded programs in FY 2020. Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.
	Location Description	To be determined.
	Planned Activities	The ESG funds will be used to support homelessness prevention and rapid rehousing assistance to persons who are at-risk of homelessness and those experiencing homelessness. The funded activities will provide housing relocation and stabilization services, as well as short-to medium-term rental assistance to help program participants regain stability in current permanent housing or move into other more suitable permanent housing in order to achieve stability. Services also will include case management for housing stability, housing search and placements, and financial assistance for rental application fees, security deposits, last month's rents, utility deposits and payments, and moving costs.

15	Project Name	CDBG/HOME Affordable Housing Request For Proposals
	Target Area	Countywide
	Goals Supported	Homelessness Special Needs Working Families Workforce Housing
	Needs Addressed	Homelessness Prevention and Rapid Re-Housing Affordable Rental Housing Homeownership Access and Rehabilitation
	Funding	CDBG: \$885,121 HOME: \$731,363
	Description	The FY 2020 CDBG/HOME Affordable Housing Request for Proposals (RFP) will be used to fund the acquisition, preservation and/or rehabilitation of existing affordable housing units, and the development of additional affordable housing units for income eligible homebuyers and renters. The notice of funding availability will coincide with the availability of the CHDO funding for FY 2020.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	<p>The number and type of beneficiaries will be determined based on the activities completed by the non-profit recipients of the RFP funding. In the most recent past RFPs, scoring preference typically has been given to proposed activities that included the acquisition and/or preservation of units to be used as affordable housing that can be completed in an expedited manner and that met criteria specified in the RFP, such as:</p> <ul style="list-style-type: none"> • Incorporated Fairfax County's Consolidated Plan and Housing Blueprint goals; • Resulted in affordable housing that is accessible to persons with disabilities; • Served households with extremely low incomes (at or below 30 percent AMI); • Provided housing for families or individuals who are experiencing homelessness or who are at-risk of homelessness; • Provided housing for persons who are 62 and above; • Provided housing for youth transitioning out of foster care; or • Provided beneficiaries with direct access to public transportation and/or community retail centers and/or supportive services. <p>Beneficiary demographics will be tracked as activities are completed and will be reported in the CAPER for FY 2020.</p>
	Location Description	To be determined.

	Planned Activities	Typical projects funded through past RFPs have included the acquisitions and rehabilitation of housing units to be used to provide affordable rental housing for persons with income at or below 50 percent AMI.
16	Project Name	North Hill
	Target Area	North Hill area in Mount Vernon District
	Goals Supported	Working Families Workforce Housing Reinvestment
	Needs Addressed	Affordable Rental Housing Community Services
	Funding	CDBG: \$620,213
	Description	<p>The funding will support pre-development costs associated with the following projects:</p> <p>North Hill Affordable Multifamily Development: Under this FCRHA activity, funding will support infrastructure work, including earth work, erosion and sediment control, utility installation, road improvements, storm water management, site improvements, removal of marine clay soils, and building of needed retaining walls.</p> <p>North Hill Community Park: Under this FCRHA activity, approximately \$1.5 million will be made available for the initial phase of the development of the community park. When completed, the park will be available for the residents of the new development as well as for existing residents of Woodley Hills Estates. The scope of work for this initial phase includes demolition, removal and disposal of existing improvements; treatment of invasive plants; site grading; and restoration and seeding of disturbed areas.</p>
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	<p><u>North Hill Affordable Multifamily Rental Housing Development</u>: 278 low-moderate income families</p> <p><u>North Hill Community Park</u>: Approximately 3,260 persons, including approximately 1,450 low-moderate income persons.</p> <p>Beneficiary demographics will be tracked as services are provided and will be reported in the CAPER for FY 2020.</p>

	Location Description	The North Hill Project is located on approximately 33 acres in the Mount Vernon District, which is within U.S. Census Tract (CT) 415401 Block Group (BG) 3. The community park will serve persons from CT 415401 BG 3, as well as from neighboring CT 415401 BG 2.
	Planned Activities	Development of affordable multifamily rental housing and a community park.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Fairfax County in general is opportunity-driven in the allocation of affordable housing resources, while at the same time working actively to promote the de-concentration of poverty, particularly in the programs operated by the FCRHA. With respect to the investment of capital resources for affordable housing development, the FCRHA finances the acquisition, preservation and development of properties in locations across the county and will continue to operate its program on a countywide basis.

Geographic Distribution

Target Area	Percentage of Funds
Countywide	100

Table 7 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Not applicable

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The goals represented below are taken from the Housing Blueprint. A copy of the draft Housing Blueprint for FY 2020 may be found in the Grantee Unique Appendices section.

<i>One Year Goals for the Number of Households to be Supported</i>	
<i>Homeless</i>	<i>182</i>
<i>Non-Homeless</i>	<i>1,093</i>
<i>Special-Needs</i>	<i>338</i>
<i>Total</i>	<i>1,613</i>

Table 8 - One Year Goals for Affordable Housing by Support Requirement

<i>One Year Goals for the Number of Households Supported Through</i>	
<i>Rental Assistance</i>	<i>961</i>
<i>The Production of New Units</i>	<i>498</i>
<i>Rehab of Existing Units</i>	<i>140</i>
<i>Acquisition of Existing Units</i>	<i>79</i>
<i>Total</i>	<i>1,709</i>

Table 9 - One Year Goals for Affordable Housing by Support Type

AP-60 Public Housing – 91.220(h)

Actions planned during the next year to address the needs to public housing

The current Fairfax County Moving to Work Plan highlights planned capital fund expenditures for FCRP-PBV properties in FY 2020. The variety of need is portrayed through the different repairs and the estimated costs at the following FCRP-PBV properties:

The Atrium – replace 50 Gallon electric water heater, replace refrigerators and replace electrical panels at an estimated cost of \$94,883.

Reston Town Center – exterior painting, replace gas fired water heaters, kitchen cabinets, countertops and sinks, range hoods, ranges, bath floor covering, bath vanities and hard surface flooring at an estimated cost of \$110,820.

Barros Circle – replace parking and driveways, playground equipment, kitchen cabinets, countertops, sinks, bath vanities at an estimated cost of \$276,805.

Ragan Oaks – replace HVAC Common Area Cooling, apartment condensing units, kitchen cabinets, countertops, sinks, floor coverings, range hoods, ranges, refrigerators, bath floor coverings, bath accessories, tub/shower surround at an estimated cost of \$458,526

Greenwood – replace wood entrance columns, HVAC in-unit heating, programmable thermostats, bath floor coverings, bath accessories, interior carpet at an estimated cost of \$396,905.

Kingsley Park – replace ranges and refrigerators at an estimated cost of \$95,364.

Rosedale Manor – replace interior carpet at an estimated cost of \$10,659.

Old Mill Gardens – replace parking and driveways, HVAC in-unit heating, apartment condensing units, kitchen cabinets, countertops, sinks, ranges, bath floor coverings, bath vanities, tub/shower surround, hard surface flooring at an estimated cost of \$100,784.

West Ford I, II III – replace parking and driveways and electric water heaters at an estimated cost of \$25,479.

Tavenner Lane – replace common area water heaters, HVAC in-unit heating, ranges and bath vanities at an estimated cost of \$59,801.

The Green – replace wood fencing, domestic hot water in 2-bedroom units, apartment condensing units, common area carpet, bath vanities at an estimated cost of \$182,059.

Total planned capital funding expenditures for FY 2020 on FCRP-PBV units is \$1,812,085.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The FCRHA coordinates a Resident Advisory Council (RAC), consisting of RAD and HCV participants. The RAC meets approximately 10 times per year to provide advice to the FCRHA concerning the

management of the RAD and HCV programs. The RAC also provides advice on the annual FCRHA MTW Plan.

As a part of the THRIVE initiative, DHCD Homeownership and Relocation Services Division (Homeownership) staff conduct outreach to the tenants of formerly Public Housing and other FCRHA owned housing to inform them about the FCRHA First-Time Homebuyers (FTHB) Program. FTHB units are made available through the Fairfax County Affordable Dwelling Unit Ordinance, Fairfax County Workforce Dwelling Unit (WDU) policies, and developer proffers. The first for-sale WDUs became available in 2018. FTHB units are sold at prices below market rate, which allows low- and moderate-income families to become homeowners in a market with otherwise extremely high market-rate housing costs. Most FTHB units are priced at 70 percent AMI, while WDUs are priced from 60 percent AMI to 120 percent AMI, depending on the developer proffer. FCRHA tenants can earn up to 100 percent AMI. FCRHA tenants who purchase through the FTHB Program are frequently able to move from affordable homeownership to market rate homes.

Since the conversion of PH funding to RAD, each resident of former PH units has been provided with an HCV subsidy which can be used to help purchase a home. Homeownership staff conduct monthly outreach to inform interested FCRHA tenants about the FTHB Program and available units. Homeownership staff counsel FCRHA tenants about the home purchase process to facilitate their successful homeownership. Staff also provide counseling to help households with poor credit or limited financial resources understand the mortgage underwriting process and how to meet FTHB program requirements.

Participants in the Family Self-Sufficiency (FSS) program are also encouraged to participate in the FTHB Program in order to educate themselves on homeownership opportunities post-graduation. A standard component of the FSS case management includes attending a FTHB orientation. Additionally, participants are required to set and achieve goals towards economic self-sufficiency, including completing financial literacy courses, budgeting, establishing savings, paying down debts and increasing credit scores. Completing these steps, along with the benefits of accessing escrow upon program completion, place graduates in a unique position to pursue homeownership opportunities.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

Fairfax County is committed to the goal of ending homelessness as established by the 2018 “Home, Together: Federal Strategic Plan to Prevent and End Homelessness.” This commitment is reflected in the Fairfax County Board of Supervisors’ adoption of the local Blueprint for Success: Strategic Directions for the Plan to Prevent and End Homelessness in the Fairfax-Falls Church Community. A copy of the draft Housing Blueprint for FY 2020 may be found in the Grantee Unique Appendices section. The county’s strategies are to prevent homelessness due to economic crisis and disability; preserve and increase the supply of affordable housing to prevent and end homelessness; deliver appropriate support services to obtain and maintain stable housing; and create a management system for plan implementation with the collaboration of the public and private sectors that ensures adequate financial resources and accountability. Federal housing programs, such as the Continuum of Care Program and the Emergency Solutions Grant, are essential resources for local efforts. Therefore Fairfax County strives to utilize these resources in the most effective and efficient way possible.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

In FY 2020, the COC will use a newly created ‘by-name-list’ of every individual who is experiencing unsheltered homelessness in Fairfax County to better coordinate the work of outreach teams and increase the number and percentage of unsheltered individuals being permanently housed. The ‘by-name-list’ includes information that identifies the individuals, when they were first engaged, their chronic homelessness and veteran status, and their referral milestones on the path to emergency shelter and permanent housing. The outreach teams and the OPEH staff will meet monthly to discuss each person on the list and identify the steps necessary for each to obtain housing.

In FY 2020, the CoC also will test, evaluate and make improvements to its new Coordinated Entry system designed and implemented to provide fair and equal access to homeless assistance programs, to standardized client assessments across the community, to ensure that clients are prioritized and referred to the programs that best fit their needs, and to establish a system of service provider accountability for implementation of the new system. The assessment tools to be used in the new Coordinated Entry system to determine client eligibility and prioritization for housing programs, such as the Vulnerability Index – Service Prioritization and Decision Assistance Tool (VI-SPDAT), will be re-evaluated and improved as necessary to ensure that the needs of the clients are understood and the appropriate interventions are applied as quickly as possible. The Homeless Management Information

System (HMIS) will continue to be an important tool in coordinating the flow of individuals and families through the homeless system.

Addressing the emergency shelter and transitional housing needs of homeless persons.

In FY 2020, the CoC will open the first facility to be funded under a Human Services bond approved by the Board of Supervisors in FY 2017, to renovate or replace four homeless shelters. The bond funding will be used to make the repairs and enhancements necessary to ensure that each of the four facilities are safe and suitable, and that each will continue to meet the emergency shelter needs of clients in the future. Each shelter will include emergency beds and be co-located with permanent supportive housing units that will provide housing opportunities for people experiencing homelessness. The new Bailey's Crossroads Shelter and Supportive Housing will be opened, which will include four Medical Respite Program shelter beds and 18 units of permanent supportive housing.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The COC staff will continue to seek new resources and invest in permanent housing opportunities for people experiencing homelessness. Since the adoption of the Ten-Year Plan, investments in permanent housing have proven effective in reducing the number of people experiencing homelessness. If awarded, the new FY 2020 CoC-bonus grant money, requested in the FY 2019 CoC collaborative application, will be used to provide rapid rehousing for survivors of domestic violence and single adults.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Homelessness prevention remains a priority for the Fairfax CoC. Significant federal, state and local government resources are committed to homelessness prevention and shelter diversion in the form of direct financial and rental assistance, as well as community case management and housing location. These activities will be continued in FY 2020. The Fairfax CoC also will continue developing its new Coordinated Entry system to find better ways to help people avoid becoming homeless as they exit publicly funded institutions and systems of care. The prioritization of homelessness prevention

assistance and shelter beds is a subject that will be explored with other Fairfax County departments. “Diversion First” is one of the initiatives being implemented to reduce the number of persons with serious mental illness who are incarcerated in the Fairfax County jail. One goal of the initiative is to have individuals with serious mental illness diverted to mental health treatment, when possible, rather than be incarcerated when they encounter law enforcement officers. The Fairfax CoC also will continue working with the Fairfax-Falls Church Community Services Board (CSB) as a part of the Diversion First initiative to explore ways to provide housing for individuals with disabilities who experience homelessness. The analysis of the records of 125 CSB adult clients revealed that clients who were experiencing homelessness were five times more likely than clients who were not experiencing homelessness to be incarcerated within 12 months of receiving CSB services.

The FCRHA also participates in the Statewide Rental Assistance Program (SRAP), which provides financial assistance for participants with intellectual and/or other developmental disabilities to rent privately-owned housing units. The Virginia Department of Behavioral Health and Developmental Services in partnership with the FCRHA and DHCD administer this state-funded rental subsidy program for Fairfax County, and for the City of Fairfax, and the Towns of Herndon, Vienna and Clifton. SRAP is administered in coordination with disability support services provided through Virginia Medicaid Waiver programs. There were 47 families receiving assistance through the SRAP program at the end of FY 2018. The state provided renewal funding for FY 2019.

AP-75 Barriers to affordable housing – 91.220(j)

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The Fairfax County Board of Supervisors has adopted the following affordable housing goals as part of the draft Housing Blueprint for FY 2020, a copy of which may be found in the Grantee Unique Appendices section:

- Goal 1: To prevent and end homelessness
- Goal 2: To provide affordable housing options to special needs population
- Goal 3: To meet the affordable housing needs of low-income working families; and
- Goal 4: To Increase workforce housing through creative partnerships and public policy

In implementing these goals, it is the intention that opportunities should be available to all who live or work in Fairfax County to purchase or rent safe, decent, affordable housing within their means. Affordable housing should be located as close as possible to employment opportunities without adversely affecting quality of life standards. Affordable housing should be a vital element in high density and mixed-use development projects, encouraged in revitalization areas, and encouraged through more flexible zoning wherever possible.

The following policies demonstrate the breadth and depth of the county's commitment to creating affordable housing opportunities for its citizens including those groups identified as having priority needs and to removing regulatory impediments. Examples include:

- Provide bonus densities in exchange for affordable housing via the Affordable Dwelling Unit and Workforce Housing programs and increase community acceptance of affordable housing;
- Residential rezoning should not be approved above the low end of the Plan range unless an appropriate commitment of land, dwelling units, and/or a cash contribution to the Housing Trust Fund is provided;
- Capitalize the Housing Trust Fund so that it can be used as a mechanism to fund the development of affordable housing;
- Encourage affordable housing as a development option for infill sites, particularly in commercial areas and near employment concentrations;
- Give priority for the use of county and other government-owned buildings and land as sites for the provision of affordable housing;

- Promote and facilitate innovative site design and construction techniques, as well as encourage the use of manufactured housing and manufactured housing components, when aimed at providing affordable housing;
- Support efforts to add “source of income” as a protected class to the Virginia Fair Act to help eliminate housing discrimination against recipients of government assistance and allow equal access to affordable housing in the private sector to otherwise qualified applicants;
- Increase efforts to promote awareness of affordable housing opportunities to minority and other vulnerable populations, including the elderly, people with disabilities, veterans, and working families; and
- Support the efforts of the FCRHA in producing a portion of these affordable housing units through the use of county resources and the approval of suitable housing sites.

AP-85 Other Actions – 91.220(k)

Introduction

The following describes other actions to be taken as part of this FY 2020 One-Year Action Plan.

Actions planned to address obstacles to meeting underserved needs

To increase the supply of housing available to special populations, including persons with physical and mental disabilities, who are experiencing homelessness, who are elderly with low-income, and large families, the county employs the following policies:

- Locate housing resources for special populations in all parts of the county as a way of improving accessibility to employment opportunities, county services, as well as cultural and recreational amenities;
- Facilitate the development of a range of permanent housing types for homeless persons and families, as well as others in need of these housing options;
- Enforce fair housing laws and nondiscriminatory practices in the sale and rental of housing to all citizens;
- Promote multifamily housing for residents who are elderly or have disabilities that is conveniently located to public transportation and community services;
- Encourage the creation of accessible housing for those with disabilities;
- Participation in the Virginia Housing Development Authority (VHDA) Virginia Housing Registry, which serves as an information clearinghouse for landlords with accessible housing, and persons searching for accessible housing
(see https://www.socialserve.com/tenant/Search.html?ch=VA&type=rental®ion_id=32931&accessibility=t); and
- Redesign of Domestic Violence crisis shelter service to ensure accessibility and availability throughout the county.

Additionally, the county will utilize regional approaches to address the impact of government regulations on the overall supply of housing. Fairfax County advocates “fair growth” within the region, a strategy that requires regional cooperation to assure sufficient land is planned and zoned for residential development and reduces the reliance on land use planning and rezoning as a technique to control development.

Predicted job growth through 2032 will continue to strain the supply of new housing in Fairfax County. The challenge is to identify opportunities for increased housing development despite a decreasing supply of developable “green” land (i.e., vacant land suitable for development), as the county has

become more and more “built out”. In developing the remaining areas of green land, the county will seek to reduce development cycle times by limiting development in areas that require rezoning and the associated time-consuming processes for approval.

As Fairfax County becomes increasingly built-out, the county is promoting an increased supply of housing through redevelopment. Opportunities for redevelopment will mainly occur in older, commercial corridors, rather than in residential areas. Including mixed-income, transit-oriented residential development and mixed-use commercial redevelopment is a strategy that the county is using to generate a significant number of housing units.

Actions planned to foster and maintain affordable housing

The county is committed to encouraging the provision of affordable housing in all parts of the county. Policies implementing this objective include:

- Expand housing opportunities in or near mixed-use centers as a way of providing the opportunity for persons employed in the county to live near their jobs;
- Promote the development of multifamily housing in both mixed-use centers and existing residential areas, as appropriate, in an effort to diversify the housing stock and expand lower cost housing options (the county has adopted Locational Guidelines for Multifamily Residential Development as part of the Countywide Land Use);
- Promote affordable housing opportunities throughout the county, particularly in areas where existing supply is low; and
- Encourage the creation of affordable housing for persons with special needs via the Independent Living provisions in the Zoning Ordinance.

Fairfax County strives to conserve stable neighborhoods and encourage rehabilitation and other initiatives that will help to revitalize and promote the stability of older neighborhoods. Policies implementing this objective include:

- Provide assistance to seniors with low and moderate incomes and homeowners with disabilities to stay in their homes, via the Home Repair for the Elderly and Community Rehabilitation Programs;
- Encourage redevelopment through tax abatement;
- Improve and maintain existing housing and neighborhood quality by upgrading substandard housing and improving physical community facilities (e.g., streets, sidewalks, lighting) in existing neighborhoods;
- Maintain housing quality in existing neighborhoods and preserve neighborhood stability through the abatement of “spot” blight;
- Facilitate improvement and maintenance of existing neighborhoods by initiating community development programs in communities where needed with as little displacement as possible

- and incorporating affordable housing units as part of all major housing rehabilitation efforts;
- Retain existing below market rental housing through acquisition, rehabilitation assistance and other subsidies; and
- Facilitate the retention of existing mobile home parks which are identified in the Area Plans as appropriate for mobile home park use (the county has adopted Guidelines for Mobile Home Retention as part of the Countywide Land Use).

Actions planned to reduce lead-based paint hazards

Fairfax County provides telephone consultation, literature, and referrals to private lead testing companies to citizens who seek information regarding lead-based paint or other potential environmental lead hazards in the community. The Fairfax County website displays a lead poisoning prevention page (<https://www.fairfaxcounty.gov/health/environment/lead>). The webpage defines some of the major sources of lead in people's homes: dust from deteriorating lead-based paint primarily due to opening and closing windows in older homes (built pre-1978), residual lead dust in residential soils, and lead pipes. In addition, the Fairfax County Health Department educates household members about reducing lead exposure. To reduce risk of lead poisoning, the county recommends that residents remove peeling paint and chips from the home, not allow for children to be present when scraping or cleaning up paint chips, minimize dust through frequent damp mopping of floors and using wet cloths to wipe down windows, and discourage children from playing in bare soil surrounding the home. In addition, the Fairfax County lead poisoning prevention website provides links to numerous websites with information on lead exposure.

Actions planned to reduce the number of poverty-level families

While based on data from the American Community Survey (ACS), Fairfax County has one of the highest median household incomes in the nation (estimated \$118,279 in 2017), there were an estimated 77,177 persons living below the poverty level in 2017. An estimated 6.8 percent of the population are living below poverty in Fairfax County.

The Community Action Advisory Board (CAAB) serves as an advisory body to the Fairfax County Board of Supervisors. The CAAB advises the Board on the needs, concerns and aspirations of low-income persons and recommends policies that promote meaningful change. The following are goals established by CAAB:

- Review and develop new policies as they relate to low-income residents;
- Oversee the disposition of Community Service Block Grant funds, to include;
- researching and assessing community needs;
- facilitating public hearings for low-income families and individuals;
- allocating funds;
- approving programs and contracts with community organizations serving low-income persons; and

- communicating with the Board of Supervisors, other county officials, other agencies and civic groups and the low-income residents in support of the CAAB mission.

Specific programs administered by Fairfax County that help reduce the number of poverty-level families include Housing Choice Voucher, Transitional Housing, Permanent Supportive Housing, and Unification programs. The FCRHA's PROGRESS (Partnership for Resident Opportunities, Growth, Resources and Economic Self-Sufficiency) Center undertakes family self-sufficiency initiatives and links FCRP-PBV program residents with resources to prevent eviction, assist with family crises, meet lease obligations, access mental health services and participate in economic self-sufficiency programs.

DHCD also administers the Bridging Affordability Program, a locally-funded rental subsidy program operated through a consortium of nonprofit organizations. The collaborative provides rental subsidies as well as an array of supportive services to program participants. Bridging Affordability is intended to be a gateway to the Fairfax County Housing Continuum as part of the FCRHA's Moving to Work program. The Housing Continuum and the FCRHA THRIVE initiative are approaches that provide work incentives, service supports, and permanent housing to residents of FCRHA properties. The THRIVE initiative is focused on self-sufficiency and establishes goals to help residents move to their highest level of success.

Actions planned to develop institutional structure.

The county plans the following actions:

***Strategy #1:** Make a segment of Bridging Affordability rental assistance resources available to individuals with disabilities who have been admitted to residential programs for more than 90 days and no longer need this level of care but would be otherwise discharged to homelessness.*

The Bridging Affordability program provides access to locally funded rental assistance for up to two years, with a "bridge" to other county housing programs or market rate housing, depending on individual need. Currently, in order to be eligible for Bridging Affordability rental assistance, a household must be on a county or CSB housing waitlist. Beginning in 2019, the county began focusing on individuals with disabilities who have stabilized their medical and mental health substance abuse, and/or basic adaptive skills, but do not have enough income to afford the type of integrated housing needed for their continued recovery and progress. Priority is given to individuals who are at risk of homelessness upon a being discharged from residential programs but do not qualify for homeless services as result of their participation in the residential programs. This approach is intended to provide resources for individuals who are waiting to receive more intensive residential services, while providing assistance to individuals who have been discharged to continue toward self-sufficiency.

Strategy #2: *Stimulate alternative affordable housing opportunities through development of a roommate referral program.*

There is a need for affordable housing alternatives for people with disabilities who have very low incomes, live in precarious housing situations but are not homeless, and are unable to get on housing waitlists. Finding a roommate is one of the major challenges to the progress of individuals with developmental disabilities seeking to access integrated, independent housing. The Northern Virginia Housing & Supportive Services Regional Implementation Team (NVHSSRT) recently launched “Roommate i-Match,” <http://www.novahss.org/about-the-roommate-i-match-service>, a web-based tool to help increase affordable housing alternatives by making it easier to find roommates. The web-based tool begins with a brief on-line survey for the individual who is seeking a roommate. The survey questions were reviewed and revised to increase potential successful matches with applicants with respect to such areas as location and gender preferences, tobacco use, pet status, accessibility and transportation needs, rent and affordability requirements, move readiness and other characteristics. The NVHSSRT will host social activities and additional educational programs in the community as participation grows. Although Roommate i-Match was developed as a resource for individuals with developmental disabilities, it is available for use by anyone without regard to disability status.

Strategy #3: *People with mental illness and/or substance use, and individuals with disabilities who have come into contact with the criminal justice system for low level offenses and who experience housing as a barrier to overall stability and self-sufficiency will be provided with case management, supportive services and referrals for subsidized housing opportunities through the countywide Diversion First Initiative (DFI).*

The CSB operates the Diversion First Housing Project (DFHP), which is a part of the Fairfax County Diversion First Initiative. As a part of the DFHP, the CSB provides clinical and supportive services to participating clients in order to help reduce client involvement with the criminal justice system, as well as to help improve the client’s opportunities to obtain stable affordable housing. There is an overarching goal for each client to obtain independence in such areas as budgeting, participating in constructive day activities, and improving personal health and wellness. The CSB currently works collaboratively with New Hope Housing, Incorporated, a non-profit provider of affordable housing in Fairfax County.

The CSB will partner with the OPEH in FY 2020, for the development and implementation of a centralized process through which clients apply for supportive housing opportunities. The centralized process is designed to ensure access by shelters, hospitals, service providers and other county agencies, as well as individual clients. Effective April 1, 2019 CSB has transitioned the application process for individual Diversion First Housing clients through it’s ongoing operations partnership with the Office to Prevent and End Homelessness (OPEH). Under this new process, there is one point of access and application to apply for Diversion First Housing. This process will provide enhanced efficiency for CSB

staff and clients applying for Diversion First Housing. Discussions and identification of strategies continue around better access from shelters and hospitals.

Actions planned to enhance coordination between public and private housing and social service agencies.

Human and social services agencies work together in Fairfax County and coordinate services to help combat poverty and help low-income residents to become self-sufficient.

In addition, the CCFP is a countywide grant process for funding private community-based human services programs that meet community identified needs. Begun in 1997, the CCFP leverages Fairfax County General Fund dollars with CDBG and CSBG to support programs that provide affordable housing and public services to low-income households and residents with special needs. The CCFP provides funding for programs and services that meet Fairfax County priorities, which were developed based on community input and reflect the most critical needs for a continuum of services and opportunities for stability, connectedness, well-being, and self-sufficiency for individuals and families. Critical needs include housing, literacy, educational development, financial stability, and health and support networks. Programs funded through the CCFP with CSBG funds are specifically targeted toward households with incomes at or below the poverty level.

The FCRHA, DHCD, DFS, and CAAB share responsibilities in combating poverty. DHCD and DFS have entered into a cooperative agreement to make client referrals, share information about mutual clients (for rent determinations and otherwise), coordinate the provision of specific social and self-sufficiency services and programs to eligible families, and provide joint administration of programs.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction

The use of CDBG, HOME and ESG entitlement funds in Fairfax County are guided by the following Vision and Mission:

Vision

- A community that cares about its children, the elderly, persons with physical or mental disabilities, and those less able to meet their basic needs;
- A community that values creative endeavors, arts and diversity which creates a strong, diverse and vibrant community that cares about the strengths and needs of its residents, where all can live to the best of their abilities in thriving, supportive neighborhoods;
- A community that adequately supports its human services system to ensure optimal service delivery;
- A community that actively participates in the planning, needs assessment, priority setting and decision-making processes to allocate community resources to meet the needs of its citizens; and
- A community that addresses these needs by building dynamic, flexible partnerships among the public, private, and non-profit sectors, and community volunteers.

Mission Statement

The mission of the county is to maximize the effective and efficient use of resources in the Consolidated Plan through a citizen-driven, staff-supported process to develop and preserve affordable housing, promote healthy, thriving and safe neighborhoods, and provide quality, accessible human services that meet essential existing and emerging needs throughout Fairfax County.

A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70 percent of CDBG funds is used to benefit persons of low and moderate income. For CDBG, Fairfax County uses a three-year average to ensure compliance with the low moderate-income benefit. The three years to which this FY 2020 One-Year Action Plan is applicable are: 2018, 2019 and 2020.

The county program specific requirements for CDBG, HOME and ESG are listed below.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the

Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	305,621
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	305,621

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70 percent of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this FY 2020 One-Year Action Plan.	95.00%

HOME Investment Partnership Program (HOME) Reference 24 CFR 91.220(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The county has no plan or required HUD approval to utilize other forms of investment not specifically eligible under Section 92.205.
2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

The county has no plan to utilize HOME funding in FY 2020 for FCRHA direct homebuyer assistance activities under 92.254.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

The county has no plan to utilize HOME funding in FY 2020 for FCRHA direct homebuyer assistance activities under 92.254.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Fairfax County does not currently utilize HOME funds to refinance existing debt.

**Emergency Solutions Grant (ESG)
Reference 91.220(l)(4)**

1. Include written standards for providing ESG assistance (may include as attachment)

The OPEH has established a set of policies and procedures for the provision of financial and rental assistance that is funded by the ESG, as well as local tax dollars. These written standards were developed in collaboration with public and private partners from the Continuum of Care and designed to be in compliance with the authorizing laws, regulations and Federal Register Notices for the ESG program.

2. If the CoC has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

The Fairfax County Continuum of Care (CoC) has developed a Coordinated Entry System of ensuring that families and individuals who are homeless can access the appropriate homeless assistance programs in a manner that is fair and efficient. Most people seeking assistance contact a centralized, telephone-operated information and referral hotline operated by NCS Coordinated Services Planning office before being referred to emergency shelters or homelessness prevention and rapid rehousing assistance providers. Homeless outreach services, staffed by local nonprofit case managers as well as nurses from the Homeless Healthcare Program and social workers from the CSB, work to engage unsheltered individuals. All homeless families and individuals are assessed in a way that is consistent across programs with many standardized questions and tools, such as a housing barrier assessment and the VI-SPDAT. The answers from the assessments provide valuable information to homeless assistance providers and the system in making decisions as to where families and individuals should be referred for assistance and who will be prioritized for the most

resource-intensive programs.

More work continues to be done to improve the effectiveness and efficiency of the local housing crisis response system. Current initiatives are placing a particular emphasis on making improvements to quickly addressing the needs of homeless veterans and people who are chronically homeless.

3. Identify the process for making sub-awards and describe how the ESG allocation is made available to private nonprofit organizations (including community and faith-based organizations).

The OPEH, in consultation with DHCD, has allocated ESG program funding to Northern Virginia Family Services (NVFS), a private nonprofit organization that is contracted by the county to provide financial and rental assistance to families and individuals, along with case management and housing location services. Through this contract, NVFS provides homelessness prevention and rapid rehousing services to families and individuals throughout the community in collaboration with a group of community-based nonprofit organizations that includes Cornerstones, FACETS, Good Shepherd Housing and Family Services, New Hope Housing and Shelter House.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

Currently, the Fairfax County CoC has a formerly homeless individual participating as a member in the Governing Board for the Fairfax-Falls Church Community Partnership to Prevent and End Homelessness, which is the executive-level leadership group that provides high-level policy direction and overall accountability necessary for the successful implementation of the plan to prevent and end homelessness. The same representative on the board is also the chairperson of the CoC's Consumer Advisory Council, which reviews important policy and procedure documents with staff from OPEH and provides valuable feedback based on the perspective of individuals who were formerly homeless.

5. Describe performance standards for evaluating ESG.

The ESG program funding is only used to support homelessness prevention and rapid rehousing assistance in the Fairfax County CoC. A web-based Homeless Management Information System database application is used to record, measure and evaluate data related to ESG-funded programs. There are three primary performance standards used to evaluate ESG supported programs: (1) the number of families and individuals served over the course of a fiscal year; (2) the length of time that services are provided; and (3) the destination of families and individuals exiting the program. The

goal is to increase the number of people assisted each year, reduce the length of time that services are provided, and increase the number of people exiting programs to permanent housing destinations in order to increase the effectiveness and efficiency of homeless assistance programs.

Unique Appendices



U.S. Department of Housing and Urban Development
District of Columbia Field Office
820 First Street N.E., Suite 300
Washington, DC 20002-4255

SEP 13 2018

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

Dear Mr. Hill:

SUBJECT: One Year Extension Request of the County's 2020 Five-Year Consolidated Plan

This letter is in response to your letter dated September 7, 2018, requesting a one-year extension to the County's 2020 Five-Year Consolidated Plan. The County requests this extension to facilitate a coordinated regional submission of the Analysis of Impediments.

HUD regulations set forth at 24 CFR 91.20 allows the HUD Field Office to grant a jurisdiction an exception from the submission deadline in the submission of all or part of the Consolidated Plan for good cause, as determined by the field office and reported in writing to HUD Headquarters. The HUD Field Office has completed its review of Fairfax County's request and the request for a one-year extension of the current Consolidated Plan through July 1, 2021 has been approved.

Although HUD has granted a one-year extension for the current Consolidated Plan, the city must submit the One-Year Action Plan (24 CFR 91.220), a component of the Consolidated Plan, by the submission deadline date of August 15, 2019. The submission of the Annual Action Plan is required by statute and cannot be waived.

HUD continues to value its partnership with the city and we look forward to receiving the County's Consolidated Plan. If you have any questions regarding this matter, please do not hesitate to contact me at (202) 275-6266.

Sincerely,

A handwritten signature in black ink that reads "Michael D. Rose". The signature is fluid and cursive.

Michael D. Rose
Director
Office of Community Planning and Development
HUD Washington, DC Field Office

www.hud.gov www.esmanet.gov



DRAFT HOUSING BLUEPRINT: AT A GLANCE – FY 2020

GOALS

To End Homelessness in Ten Years (December 2018):
2,650 UNITS/OPPORTUNITIES NEEDED

Meet the Affordable Housing Needs of
Low Income Working Families

To Increase Workforce
Housing
through Creative Partnerships

NEW PROGRAM ADMISSIONS/TURNOVER

FCRHA Federal Resources: 45
FCRHA Federal Resources: 81
Bridging Affordability: 58
Continuum of Care (turnover): 60

FCRHA - Fairfax County Rental Program (Seniors): 90
FCRHA Federal Resources: 81
Bridging Affordability: 58

- Persons with physical/sensory disabilities: 12
- Persons with CSB eligible disabilities: 12
- Households leaving domestic violence situations: 24

FCRHA - Fairfax County Rental:
Program:FCRHA Federal Resources:
Bridging Affordability:

350
161
58

NEW UNITS DEVELOPED

With Federal Funding: 4

Non-Profits: Federally-Funded Group Home Beds: 12
State Rental Assistance Program: 10
Construction of new Lewinsville Senior facility (Dranesville District): 82

Non-profit Acquisitions/Federal Resources: 4

Workforce Dwelling Units (WDUs) (estimate): 300
Affordable Dwelling Units (ADUs) (estimate): 100

BLUEPRINT PROJECT

New Private Partner approx. 150-unit Acquisition or Construction
Goal of 10 percent to serve former homeless households – 15 units
o Possible inclusion of Project Based Vouchers (if available)

New Private Partner approx. 150-unit Acquisition or Construction ~
\$9,700,000
o Goal of approximately 120 units

FY 2020 TARGETS

182

693

400

FY 2020 NET INCREASE

19

124

400

ON THE HORIZON

- o Route 50/West Ox (Sully District) – Up to 30 units permanent supportive housing
- o Shelter rebuild/renovation and possible permanent supportive housing through bond referendum
- o Reevaluation of Bridging Affordability program relative to serving people coming out of homelessness and with special needs

- o Autumn Willow (Springfield District) – up to 180 senior units
- o Little River Glen (Bridges District) – up to 60 senior units
- o Domestic violence shelter expansion – South County
- o North Hill (Mount Vernon District) – 63 senior units
- o Oakwood (Lee District) – 150 senior units
- o One University (Bridges District) – 100 senior units
- o Aden project (Mount Vernon District) – (pending funding and tax-credit award) – approximately 8 units

- o North Hill (Mount Vernon District) – 216 units
- o Redevelopment of Capital FCRHA Public Housing Properties under HUD Rental Assistance Demonstration (RAD)
- o FCRHA property renovations: Wedgewood, Nurserygate, Mount Vernon Gardens, RAD properties
- o One University (Bridges District) – 140 units
- o Ardenbrook (Dranesville District) – 274 units
- o Preservation of Parkwood (Mount Vernon District) – 225 units
- o Aden project (Mount Vernon District) – (pending funding and tax-credit award) – approximately 111 units

o Explore updating of Workforce Dwelling Unit policy

CROSS-CUTTING INITIATIVES

- o Implementation of Diversion First
- o Communitywide Housing Strategic Plan, Phase 1 strategies and Phase 2 recommendations: new production goal for households earning 60% of AMI and less
- o Identify new funding opportunities for affordable housing development
- o Sustainable housing work group and report card
- o Homelessness Strategic Plan
- o Work with Building Repurposing workgroup

- o Apply for additional Family Unification Program and Veterans Affairs Supportive Housing vouchers
- o Explore increased flexibility in policies concerning serving persons graduating from permanent supportive housing
- o Explore some project-based of State Rental Assistance Program assistance

- o Consider tax exemption for developers providing housing affordable to extremely low-income households (30 percent of area median income and below)
- o Develop and implement policy for use of Tyson's housing funds
- o Identify opportunities to expand FCRHA income
- o GWJ Health study
- o One Fairfax Policy

- o Continued implementation of FCRHA Moving to Work designation
- o Facilitate affordable studio development countywide
- o Health and Human Services System Integration
- o Identify opportunities to expand FCRHA income



Communitywide Housing Strategic Plan



June 2018
A Fairfax County, Va publication

FY 2020 One-Year Action Plan

99

Executive Summary:

Fairfax County is a great place to live and to do business. However, a lack of housing options is putting the County's well-being and future prosperity at risk. One in five renters in the County pay more than 50 percent of their income for housing, requiring them to make difficult choices among what necessities they are able to afford. In the next 15 years, over 18,000 new housing units will be needed for households earning less than 80 percent of the Area Median Income. These are just two examples that illustrate the need for more price-appropriate housing in Fairfax County.

Without a sufficient supply of housing—affordable to individuals and families all along the income spectrum—Fairfax County will not be able to reach its full economic development potential and remain a first-class community. The Fairfax County community has come together in recent years to develop the *Strategic Plan to Facilitate the Economic Success of Fairfax County* to support a strong economic development strategy, and the *One Fairfax Policy* to support inclusivity and shared prosperity. This **Communitywide Housing Strategic Plan** (the Plan) marks a continuation of Fairfax County's emphasis on building and maintaining a vibrant, resilient community.

The Board of Supervisors requested the Plan and it was developed by the Department of Housing and Community Development (HCD) and the Affordable Housing Advisory Committee (AHAC) to address the significant need for price-appropriate housing options for current and projected residents of Fairfax County. **Phase 1** of the Plan identifies 25 short-term strategies that can be implemented without major policy changes or significant sources of new revenue to start the process of creating more housing options for future and current County residents and workers. **Phase 2** of the plan, to be developed subsequent to Board approval of Phase 1, will include longer-term strategies for developing new tools, policies, and resources to support the production, preservation and access to housing that is affordable to all who live and work in our community.

This document accomplishes Phase 1 of this communitywide effort – 25 strategies that represent near-term, measurable action items that will have a significant impact. They are organized under four broad categories:

- **Modernizing FCRHA / HCD Administration and Processes:** making existing processes more efficient, using existing resources more innovatively, and leveraging partnerships to support the development and preservation of the continuum of affordable housing
- **Land Use and Zoning Tools:** identifying ways to use land more creatively to build partnerships and expand housing options
- **Funding Sources and Uses:** deploying existing resources more efficiently and focusing existing efforts on those most in need
- **Housing for Vulnerable Populations:** ensuring the continuum of housing options through making affordable and accessible housing options available for persons with disabilities, seniors, and extremely low-income individuals and families, including those transitioning from homelessness

These strategies are immediate steps that can be taken to address the need for more price-appropriate housing in one to two years. It is clear, however, that Phase 2 of the Plan – a long-range implementation and resource plan – will be necessary to address the 62,184 new housing units that will be needed in Fairfax County in the next 15 years. The market, alone, will not produce the necessary housing options for Fairfax County's future.

The Fairfax County Department of Housing and Community Development and the Fairfax County Affordable Housing Advisory Committee are proud to share Phase 1 of the Fairfax County Communitywide Housing Strategic Plan.

Why a Strategic Plan for Housing?

Fairfax County is an extraordinary community with an exceptionally strong local economy and high quality of life. The median income for a household of four is \$110,300, making it one of the highest-income areas in the country. However, in a county of approximately 1.2 million people, thousands and thousands of households are living paycheck-to-paycheck due in large part to severe lack of price-appropriate housing. "Price-appropriate housing" means housing that costs 30 percent of the household's annual gross income or less. In other words, all households in Fairfax County, regardless of income, should have a variety of housing options they can afford.

Fairfax County's reputation as an exceptional place to live, and its position as a place where businesses want to locate and stay, is threatened by the lack of price-appropriate housing for all of its residents and workers. When everyone has access to housing that is affordable for them:



Positive outcomes are more likely for families and children, including better educational outcomes for children and better health outcomes for people of all ages¹

People have better prospects for upward economic mobility and self-sufficiency



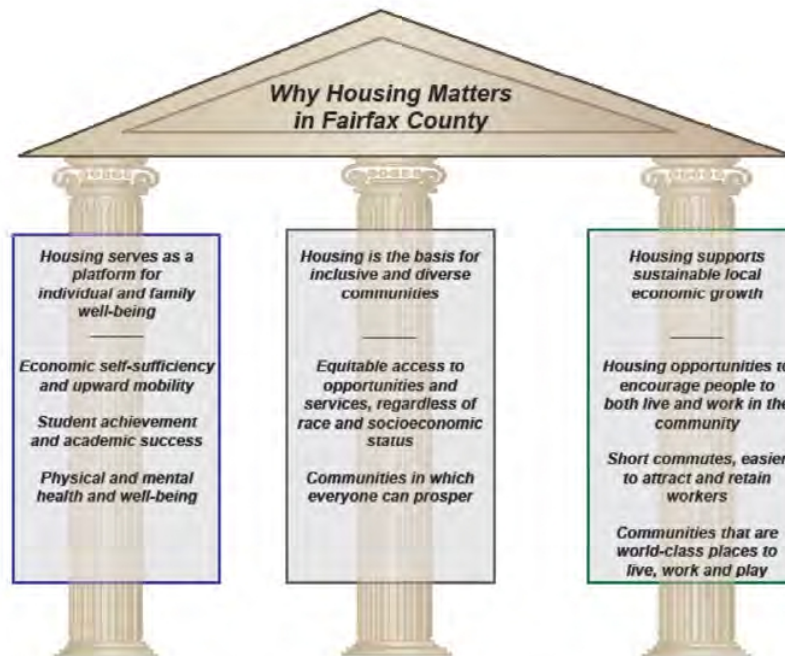
Employers can hire workers who are able to live close to where they work, and there is less congestion on our roads

Persons with disabilities have access to housing that is appropriate for their needs and the elderly are more able to age in place



Simply put, Fairfax County is at a crossroads. Wage growth is not keeping pace with the cost of and demand for housing and families, particularly those that would be considered low- or moderate-income, are falling further and further behind. The economic viability of Fairfax County is at stake, as evidenced by Fairfax County's 2015 *Strategic Plan to Facilitate the Economic Success of Fairfax County*. Furthermore, the lack of a range of price-appropriate housing in the county hinders the full implementation of the county's *One Fairfax* policy, which calls for equitable access to communities of high-opportunity.

¹See, for example, Brennan, Maya, Lisa Sturtevant and Patrick Reed. 2014. *The Impacts of Affordable Housing on Education*. Washington DC: National Housing Conference; and Viveiros, Janet, Mindy Ault and Nabillah Maqbool. 2015. *The Impacts of Affordable Housing on Health: A Research Summary*. Washington DC: National Housing Conference.



How Housing Supports the County's Plan for Economic Success

Housing affordability is critically important for ensuring that businesses want to locate to Fairfax County and then stay here. The Economic Success plan lays out six broad goals to maintain, diversify, and enhance the strong and vital Fairfax County community in order to sustain and grow our economic prosperity:

1. Further Diversify our Economy
2. Create Places Where People Want to Be
3. Improve Speed, Consistency and Predictability of the Development Review Process
4. Invest in Natural and Physical Infrastructure
5. Achieve Economic Success through Education and Equity
6. Increase Agility of County Government

Housing is an important element in every single goal. When advocating as a community for more price-appropriate housing, we fail to effectively communicate why it is important. We fail to discuss its value; how it is the foundational element of economic resilience and competitiveness in local communities. How it improves the local tax base and stabilizes family units. How communities benefit from public investments; ensuring that opportunities for individuals and families of all income levels are available.



The Urban Land Institute reports that more than half of the large companies with more than 100 employees cite a lack of price-appropriate housing near their business as a significant challenge; and 58 percent of the companies claim to have lost employees due to burdensome commutes. By having housing that is affordable, employees are able to live where they work and support the local economy. In addition, having a larger pool of waged workers makes for a more attractive location for businesses to relocate, which in turn, improves the commercial tax base so that local government is less reliant on residential real estate property taxes. It's all connected.



It is time we start the conversation about the economic benefits of having price-appropriate housing in our communities. It is time to start showing that it is more than housing assistance; that it is a valuable economic resource that benefits us all. Price-appropriate housing is good for the local economy, improves the local tax base, stabilizes family units, allows workers to live where they work, and provides opportunities for individuals and families of all income levels. It is not just an issue for the lower-income and underserved populations - it benefits us all.

How Housing Promotes Equity

In addition to the connection between housing and the county's economic success, price-appropriate housing is directly connected to the success of households at the individual level. National research bears out the correlations – having homes that are affordable correlates to better mental health, less stress for our children, more economic mobility; just to name a few examples. One connection that is particularly important in Fairfax County is the one between housing and the ability to ensure equitable access to communities of opportunity.



The Fairfax County Board of Supervisors and the Fairfax County School Board adopted the One Fairfax racial and social equity policy in 2017, to ensure all individuals in our community have an opportunity to reach their highest level of personal achievement. Stable, affordable and high-quality housing is the key to increasing access to opportunities and ensuring all residents can prosper.

As a community, we can agree that where a person lives – and the associated opportunities and services present in that neighborhood – should not be a leading determinant in the health of their family. In fact, a person's ZIP code is a stronger predictor of his or her overall health than other factors, including race and genetics. And it's not just life expectancy – access to care, access to health information, and quality of life are all affected by where one lives. Fairfax County policymakers, as well as affordable housing developers, have an opportunity to create a comprehensive and thoughtful approach to the planning for new housing that can play a role in driving socioeconomic integration, reversing racial disparity trends, eliminating institutional or structural racism, and ensuring that outcomes and opportunities for all people in our community are no longer predicted by where a person lives.

In fact, a person's ZIP code is a stronger predictor of his or her overall health than other factors, including race and genetics. And it's not just life expectancy – access to care, access to health information, and quality of life are all affected by where one lives.²

Objectives of the Strategic Plan

The Fairfax County Board of Supervisors requested the development of the strategic plan for housing in 2016, and the Affordable Housing Advisory Committee (AHAC) took primary responsibility for overseeing the development of the plan. AHAC led a communitywide effort that benefited from input from residents and employers through numerous public meetings, one-on-one conversations, and an online survey. More than five thousand members of our community contributed their voices to the plan over the past year. As a result, the plan reflects the shared desire to maintain and grow our extraordinary community.

There were several objectives for this strategic planning process:

- To create a **shared community vision** of how housing supports local economic growth and community sustainability
- To **quantify the housing needed** to accommodate future growth and support the County's economic sustainability
- To develop **specific, measurable, and actionable strategies** for meeting Communitywide housing goals
- To identify the **program and policies, and specific funding sources**, that will be required to address housing needs in **5, 10, and 15 years even as we experience current housing shortages**

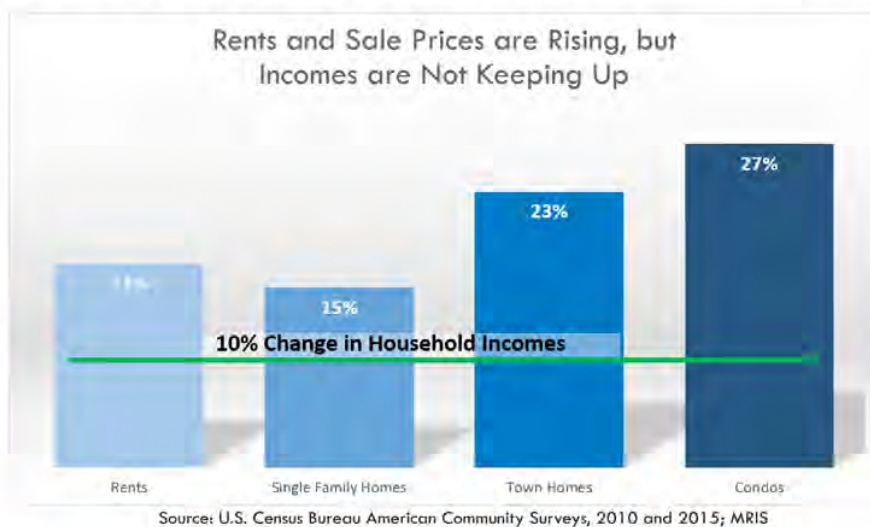


It is anticipated that this document will be the first step in a two-part process, identifying the need in our community, setting targets for housing production, and suggesting initial implementation steps that can be addressed in the next one to two years. The second, and more challenging step, will be identifying long-term implementation strategies, and the additional resources needed to carry out those strategies.

² Graham, Garth, Ostrowski, MaryLynn and Alyse Sabina. Defeating The ZIP Code Health Paradigm: Data, Technology, And Collaboration are Key.

Housing Needs

More price-appropriate housing is needed in Fairfax County at a range of income levels, in both the rental and homeownership markets. The national post-recession recovery has been slow and has had a particularly strong impact on Fairfax County due to housing costs that have continued to rise even as incomes have stayed flat or risen moderately; and due to the region's dependence on federal government contracting. In fact, it has become increasingly difficult for many households to find housing they can afford in Fairfax County. Between 2010 and 2015, the average rent in Fairfax County has increased 17 percent and typical home prices for single-family homes, town homes and condominiums were up 15, 23 and 27 percent respectively. Over the same period, the average household income in the County increased by only 10 percent and for many low-wage workers incomes did not increase at all.

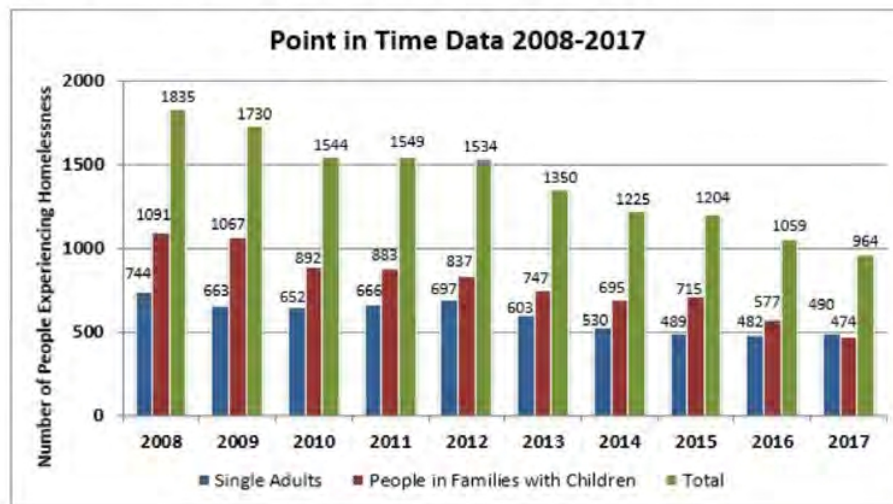


There are more individuals in the County who are cost-burdened due to housing (115,000) than over 90 percent of the total populations of counties in the Commonwealth of Virginia.

As housing costs, particularly rents, increase more than incomes, households find themselves more likely to be cost-burdened. The U.S. Department of Housing and Urban Development (HUD) defines "cost-burdened" as any household that spends more than 30 percent of household income for mortgage costs or gross rent. Households spending more than 50 percent are considered to be "severely cost-burdened." In Fairfax County, according to the most recent American Community Survey, 44.3 percent of renters (more than 55,000 households) and 22.9 percent of homeowners (more than 60,000 households) in Fairfax County spend more than 30 percent of their income on housing. This means that there are more people in the County who are cost-burdened (115,000) than over 90 percent of the total populations of counties in the Commonwealth of Virginia.

Current Housing Needs for Vulnerable Households

While the cost-burden situation is problematic for any household that pays more than 30 percent of their income in housing costs, it can become a crisis for those households with extremely low-incomes or those with fixed incomes. For example, the lack of price-appropriate housing in the county has a direct connection to the cause of much of the homelessness in Fairfax County. The Fairfax County Board of Supervisors recognized this when they endorsed the "Blueprint for Success: Strategic Directions for the Plan to Prevent and End Homelessness in the Fairfax-Falls Church Community" in 2007. Much progress has been made since then in reducing the overall number of homeless households in our community and yet our most vulnerable residents continue to be at risk of housing instability and homelessness. On the night of the January 2017 Point in Time count, nearly 1,000 people in Fairfax County were homeless³. Low incomes and expensive housing are the main reasons for homelessness.



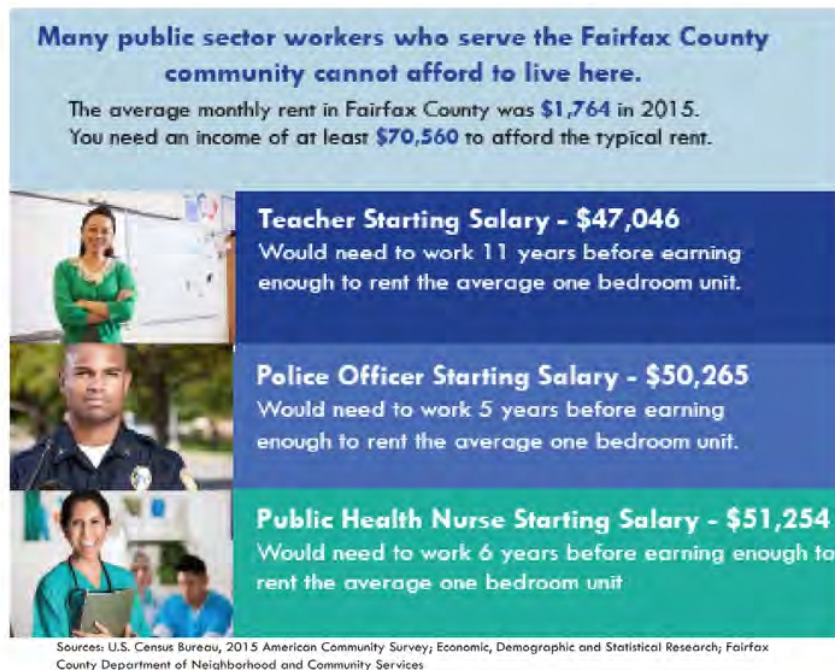
In addition to those households that are experiencing homelessness, more than 70,000 Fairfax County residents have a disability. Data shows that individuals with disabilities are much more likely to have extremely low-incomes and often face a compounded problem - finding housing that is price-appropriate AND has the accessibility features they need to live comfortably in their homes. Similarly, our elderly neighbors, many of whom have worked in Fairfax County throughout their careers and have contributed to their communities and the local economy, are having difficulty affording their homes on fixed incomes. Compared to all households in Fairfax County, a larger proportion of households with at least one person who is 75 or older have very low-incomes. Elderly households present the second greatest need for more affordable housing, behind small family households and singles. As housing costs increase, more senior households will likely become cost burdened or more cost burdened, since many elderly households have relatively fixed incomes.



³ Metropolitan Washington Council of Governments. 2017. Homelessness in Metropolitan Washington: Results and Analysis from the Annual Point-in-Time (PIT) Count of Homeless Persons

Current Housing Needs for Low- and Moderate-Wage Workers

Individuals and families with the lowest incomes face the greatest challenges finding housing they can afford. These households include many workers who are essential to the Fairfax County community. For example, a typical retail salesperson in the County earns less than \$30,000 per year. Restaurant workers, housekeepers, childcare providers, home-health aides, bus drivers and security guards in Fairfax County also have an average income of around \$30,000⁴. Working households earning \$30,000 per year can only afford to pay \$750 per month for housing, but the average rent in Fairfax County is more than \$1,700⁵.



These workers are a critical component of our local economy and they deserve to have an opportunity to live and work in Fairfax County. What happens when working families earning low wages cannot find housing they can afford? In many cases, they live in overcrowded housing or commute to Fairfax County from other jurisdictions. Overcrowded housing continues to be a critical challenge in Fairfax County, with a total of 4,640 households overcrowded (1.01-1.5 people per room), and nearly 1,900 households severely overcrowded (more than 1.51 people per room). The majority of overcrowded households include at least one child and have incomes below 50 percent of Area Median Income (AMI). Given the prevalence of children in overcrowded households, families in our community may be “outgrowing” their housing units, but at the same time are unable to afford a larger home they can afford.

The majority of overcrowded households include at least one child and have incomes below 50 percent of AMI.

⁴ National Housing Conference, Paycheck to Paycheck 2016
⁵ 2015 American Community Survey

The Challenge of Homeownership

In addition to the difficulty in finding price-appropriate housing options in the rental market, increasingly, high housing costs in Fairfax County burden households with middle and higher incomes and put homeownership opportunities out of reach. Households with higher incomes occupy many of the homes that would be affordable to low-income households. For example, 67 percent of the owned or for-sale housing stock that would be affordable to very low-, low- and moderate-income households is occupied by households with income greater than is required to comfortably afford those units, indicating that homebuyers with lower incomes face intense competition for affordable homes from households with higher incomes.

Many workers, including Millennials and young families, find they are not able to afford to buy a home in our community. The ability of young households to purchase a home in Fairfax County has dropped precipitously over a ten-year period. In 2005, more than half of 25- to 34-year olds in Fairfax County (52.9 percent) were homeowners. In 2015, only 38 percent of young adults in their late 20s and early 30s living in Fairfax County own a home. Recent research has shown that the desire for homeownership among young adults is as strong now as it has ever been, but this cohort faces new obstacles—including rising debt and fewer affordable homeownership options—which are leading to delays in home buying⁶.



Future Housing Needs

Our community already faces a deficit of more than 31,000 rental homes affordable to low-income individuals and families. Over time, the gap between the need and the supply will grow considerably without new approaches for expanded housing availability and affordability. Over the next 15 years, the County is expected to add more than 62,000 households, primarily working households⁷. These are household projections based on the County's analysis of recent growth and the capacity for residential development based on current land use and zoning. To support sustainable population growth and bolster our economy, it is important to think about how we plan for price-appropriate housing to address the current housing gap and to meet the needs of the growing workforce.

⁶ See, for example, Thompson, Derek. 2016. Millennials: The Mobile and the Stuck. The Atlantic August 24.

⁷ For background on the County's forecasts, see Demographics Reports 2016 County of Fairfax, Virginia, available online: <https://www.fairfaxcounty.gov/demogrph/demrpts/report/fullrpt.pdf>.

As our community grows—it will need to grow in order to ensure economic vitality and prosperity—the County will add workers and families all along the income spectrum. Based on projections from the County and George Mason University (GMU), over the next 15 years, the County is expected to add:

- **4,591 extremely low-income households (income <30% AMI)**
- **8,443 very low-income households (30-50% AMI)**
- **5,588 low-income households (50-80% AMI)**
- **9,048 moderate-income households (80-100% AMI)**
- **11,929 households with incomes between 100 and 120% of AMI**
- **22,585 households with incomes above 120% of AMI⁸**

While housing production has been on the rise since the Great Recession, Fairfax County is not producing enough housing to close the existing housing gap and will not be able to meet future housing needs. The County would need to add 4,146 new units each year for 15 years to meet the 2032 target above, but the County issued building permits for only 3,720 units in 2004 at the height of building in the 1992-2016 period, before heading into the housing bubble. Without incentives or other changes that reduce the cost of building or removal of disincentives for building, the opportunity for the County to deliver more than 3,720 units in a single year seems unlikely.

These forecasts also suggest that over the next 15 years, there will be demand for 18,622 homes affordable to households with incomes below 80 percent of AMI (29.9% of total new homes needed). Given housing market conditions in the Washington DC region and in Fairfax County, it is challenging to build new housing with rents or prices that are affordable to households at this income range without some form of subsidy. There are several reasons why lower-cost housing isn't produced in our community:

- High costs of land and construction make it difficult to provide sufficient housing at more moderate prices and rents;
- Federal, state and local regulations add to the cost of building housing, and these added costs are passed along to residents in the form of higher rents and prices; and
- Opposition to new construction or increased density from existing Fairfax County residents results in too little housing being built, limiting supply and putting upward pressure on prices and rents.

The private market meets the demand for housing for higher-income households; however, housing for low-income households is difficult and expensive to provide. In order to develop new housing—or often to preserve existing housing—at rents or prices that are affordable to our community's low- and moderate-income residents and workers, it is necessary for there to be some type of subsidy, either a financial subsidy provided in the form of a low-interest loan, grant or tax credit, a subsidy in the form of reduced land costs, an incentive in the form of an increase in the allowable density, a reduction in development approval requirements—or all of the above.

⁸ See Appendix for details on methodology.

Strategies to Expand Housing Options in Fairfax County

In order to ensure that our community remains vibrant and diverse, and that our economy is strong and resilient, we must take action to ensure that there is enough housing—of the right types and at rents and prices that are affordable—to support growth in the County’s workforce and broader community, and that current and anticipated housing needs are met.

Fairfax County’s Housing Blueprint was a first step in achieving this vision, as it has focused affordable housing policies and resources on serving those with the greatest need, including homeless families and individuals, persons with special needs, and households with extremely low-incomes. The overarching principle of the Blueprint is that home affordability refers to a continuum of income and ability. The research and outreach conducted as a part of this strategic plan has re-affirmed this principle and the four main goals of the Blueprint:

- 1. To end homelessness in ten years;**
- 2. To provide affordable housing options to special needs populations;**
- 3. To meet the affordable housing needs of low-income working families; and**
- 4. To increase workforce housing through creative partnerships and public policy**

To meet the full range of housing needs in our community, and particularly the housing needs of individuals and families who earn below 80 percent of AMI, it will be necessary for the County, the Fairfax County Redevelopment and Housing Authority (FCRHA), non-profits, the faith community, and local businesses and employers to come together to find ways to help fill the gap between what it costs to build housing in our community and the prices and rents that our workers, seniors, vulnerable populations and others can afford.

In Fairfax County there already exists a range of policies, programs and partnerships designed to address the community’s needs as identified in the County’s Housing Blueprint⁹, examples of which include:

TO END HOMELESSNESS IN TEN YEARS

- ♦ Administering the Bridging Affordability Program
- ♦ Providing a homeless preference in the FCRHA’s federal rental programs

TO PROVIDE AFFORDABLE HOUSING OPTIONS TO SPECIAL NEEDS POPULATIONS

- ♦ Facilitating home repairs for older individuals to help them stay in their residences
- ♦ Providing affordable adult housing and assisted living facilities
- ♦ Providing state-funded rental assistance to persons with developmental disabilities
- ♦ Owning and managing 818 senior and specialized housing units

TO MEET THE AFFORDABLE HOUSING NEEDS OF LOW-INCOME WORKING FAMILIES

- ♦ Assisting individuals in crisis to ensure they can maintain their housing assistance
- ♦ Owning and managing over 3,000 affordable multifamily rental units

TO INCREASE WORKFORCE HOUSING THROUGH CREATIVE PARTNERSHIPS AND PUBLIC POLICY

- ♦ Fostering the creation of affordable and workforce units by non-profit and for-profit developers
- ♦ Administering the First-Time Homebuyers Program to assist low- and moderate-income prospective buyers with information on homeownership and opportunities to meet with lenders

⁹ The Housing Blueprint was created in the wake of the 2007 recession to focus affordable housing policies and resources on serving those with the greatest need, including homeless families and individuals, persons with special needs, and households with extremely low-incomes.

Phase 1 of the Communitywide Housing Strategic Plan contains 25 specific strategies Fairfax County can take within one to two years and with no new additional public resources to begin to produce and preserve more affordable and workforce housing. However, it is clear that in the mid- and longer-term, new and substantial resources will be required to ensure that all County residents and workers who want to live in the County—including those with the lowest incomes and the most vulnerable economic situations—can have access to safe, stable and affordable housing. These Phase 1 strategies are intended to be adopted as a full package of actionable steps; will require inter-departmental coordination and participation from the business and non-profit communities; and will set the groundwork for longer-term, more comprehensive strategies that will be detailed in the forthcoming Phase 2 of the Plan.

A. Modernizing FCRHA/HCD Administration and Processes

Within the Fairfax County Department of Housing and Community Development (HCD) and the Fairfax County Redevelopment and Housing Authority (FCRHA), there are opportunities to make existing processes more efficient and to use existing resources more innovatively to leverage partnerships, bringing non-local money to the County to support the development and preservation of housing. These recommendations involve modifications to existing procedures within HCD and the FCRHA, as well as a move towards re-positioning FCRHA assets to use them more efficiently.

A1. Streamline the Housing Blueprint Application Process to Better Align with the LIHTC

Application Process. The Low Income Housing Tax Credit (LIHTC) program is the primary way that new affordable housing developments are financed and is a source of substantial non-local funding for new and preserved housing in Fairfax County. With small changes to its Housing Blueprint application process and with increased communication with the developer community, the County/FCRHA-supported projects can be better able to compete for LIHTC dollars to support the development of housing for low- and moderate-income working families in the County.

A2. Maximize the Potential of FCRHA-Owned Properties. The FCRHA has significant resources in terms of the land and properties it owns. While not all FCRHA assets can or should be re-positioned, the FCRHA should continue to evaluate which sites have the greatest potential for development/redevelopment at higher densities and with non-profit and for-profit developer partners. Potential redevelopment and expansion of FCRHA-owned properties offers opportunities for innovative public-private partnerships.

A3. Plan for Reinvestment of Savings from the Refinancing and/or Maturing of Debt Service of Wedgewood and Crescent Properties. As refinancing opportunities become available and/or the debt service on these properties is paid down, a strategy should be developed to determine how to reallocate eventual savings for other affordable housing priorities. Currently, nearly half of the amount in the County's Affordable Housing Fund ("Penny Fund") are allocated for debt service on Wedgewood and Crescent.

A4. Develop a Plan to Expand Use of FCRHA Bonds. The FCRHA has the authority to issue bonds to support the development and preservation of affordable housing. The FCRHA should create a more aggressive outreach program to better publicize FCRHA bond financing to support the goals of the community.

A5. Examine the FCRHA's Deep Subsidy Programs to Better Align Resources to Serve Those Most in Need. As federal resources remain constrained, it is important that the County is directing those resources to meet its overarching principles of ensuring a continuum of housing and to serve residents with the greatest needs. The FCRHA should review existing Federal housing preferences and evaluate how well existing programs meet residents' needs.

A6. Incorporate the One Fairfax Policy into the FCRHA's Policymaking Process. *One Fairfax* commits the County and Schools to intentionally consider equity when making policies or delivering programs and services. As part of the FCRHA's regular consideration of policy and funding decisions, develop an equity lens that enables staff to evaluate how its recommendations meet the vision of *One Fairfax*.

B. Land Use and Zoning Tools

There are many ways in which changes to land use or zoning, or new approaches to uses on certain types of land, could significantly increase the supply and availability of housing affordable to the Fairfax County workforce. The County is currently undertaking a comprehensive update of its Zoning Ordinance and there are also planning efforts underway for particular neighborhoods in the County (e.g. the Route 1 corridor). These recommendations build off the County's current and recent land use and zoning studies, and go further to identify ways to use land more creatively to build partnerships and expand housing options.

B1. Update the Affordable Dwelling Unit (ADU) and Workforce Dwelling Unit (WDU) Programs.

Both the ADU and WDU programs have been effective at generating new affordable housing in Fairfax County. However, there is a need for updating and revising both programs to respond to housing needs and current market conditions. As part of the Zoning Ordinance update, the County should work with a comprehensive group of stakeholders to make improvements to the ADU and WDU programs.

B2. Create Guidelines for Adaptive Reuse of Commercial Space for Affordable Housing.

Housing created through the reuse of commercial buildings, or through the use of land currently zoned for commercial uses, can create more opportunities for mixed-income housing. The County should build off of the recommendations from the Office Building Repositioning and Repurposing Task Force and move forward to develop policy direction and a pilot for creating new housing options through adaptive reuse.

B3. Develop a Preservation Strategy. Preserving existing subsidized and "market affordable" housing is vital to meeting the needs of low- and moderate-income individuals and families. The County should develop a comprehensive strategy that includes principles and guidelines around affordable housing preservation.

B4. Streamline the Process for Public-Private Partnerships that Make Use of Publicly-Owned Land.

Making vacant or underutilized publicly-owned land available for affordable and mixed-income housing is an important way to expand housing options without direct public financial subsidy. These public land projects necessarily involve public-private partnerships. The County should review the Public Private Education and Infrastructure Act (PPEA) framework and consider moving to a more streamlined process for public land projects that involve affordable housing.

B5. Incorporate Guidelines for Public Land into the Capital Improvement Program(CIP)

Process. Co-locating housing with new and/or redeveloped public facilities is an effective way to create affordable housing options in mixed-use settings. The County's CIP process should be amended so an assessment of the appropriateness of co-locating housing is done in all projects involving building new public facilities or redeveloping existing facilities.

B6. Modify the Accessory Dwelling Unit Policy. Within the larger Zoning Ordinance update, the County should review the current requirements for creating accessory units. Working with a broad set of stakeholders, improve the accessory dwelling unit requirements to allow for the creation of more accessory units.

B7. Explore Zoning Districts that Allow for "Missing Middle" Housing. As part of the Zoning Ordinance update, identify zoning districts where flexibility in housing types would be appropriate. "Missing middle" refers to a range of multi-unit or clustered housing types (e.g., duplexes, triplexes, etc.) compatible in scale with single-family homes that help meet the growing demand for walkable urban living. Review other local jurisdictions' policies on "missing middle" housing and explore options for Fairfax County.

B8. Integration with the Zoning Ordinance Modernization Project. In 2017 the Office of Community Revitalization and the Department of Planning and Zoning initiated an effort to modernize the County's Zoning Ordinance to restructure it to make it more user friendly, and to prioritize key amendments for updating the Ordinance. Changes to the Ordinance might affect the ability to develop certain types of housing in specified areas of the County, and improvements to the Ordinance could enable more innovative housing preservation and development opportunities. The County should ensure that the preservation and development of affordable housing is considered during each relevant phase of the Zoning Ordinance Modernization process.

C. Funding Sources and Uses

While the short-term strategies presented in this report do not include recommendations for dedicated funding for housing, it will be important in the mid- and longer-term to identify new resources to support housing development and preservation. In the short-term, there are ways the County and the FCRHA can deploy their existing resources more efficiently and to explore ways to shift certain resources to be used for those most in need. At the same time, the County should be planning for ways to identify new resources to support the development and preservation of affordable and workforce housing.

C1. Preserve Existing Affordable Housing Resources. Currently, Fairfax County has several resources that are dedicated to the acquisition and preservation of affordable housing, including the Housing Trust Fund and the Penny for Affordable Housing Fund. These are critical, local funding streams that allow Fairfax County to provide capital funding to private and nonprofit affordable housing developers. Given the expected demand for price-appropriate housing as the population of Fairfax County continues to increase, these resources must be maintained at current levels and should be considered for further expansion.

C2. Create Guidelines for the Tysons Housing Fund. The Tysons Plan recommended contributions from commercial development to a housing trust fund which would be dedicated to supporting affordable and workforce housing options in Tysons. The County should formalize guidelines for the use for these funds to ensure that they are used as efficiently as possible to serve low- and moderate-income workers in the Tysons area.

C3. Assess a Commercial Contribution Policy. The link between job growth and housing availability and affordability is clear. Commercial contributions to the Affordable Housing Fund can be an efficient way for employers to support housing development that benefits the workforce. The County should assess its current policy of commercial contributions and re-visit the countywide commercial linkage policy in transit-oriented development areas to determine whether a new commercial contribution policy should be adopted.

C4. Explore Using Existing Tax Incremental Financing (TIF) Policies to Promote Housing Affordability. TIF allocates future increases in property taxes from a designated area to pay for improvements within that area, which could include affordable housing. Explore the use of the county's existing authority to implement TIF and associated policies as a means to promote affordable housing development and preservation.

C5. Dedicate Resources to Expand the Scope of Local Rental Housing Subsidy. With the decline in Federal housing resources and, in particular, with insufficient Federal commitment to the Housing Choice Voucher program, Fairfax County needs to expand the scope of its local rental housing subsidy program, known as Bridging Affordability, to assist its lowest-income families find housing they can afford. The Bridging Affordability program should be re-focused on meeting the needs of people with disabilities and other special needs (including victims of domestic violence, and those experiencing homelessness) and should allow for "project basing" of subsidies in affordable rental units.

C6. Provide Downpayment and Closing Cost Assistance. Use proceeds from the sale of ADUs that are currently contributing to the Affordable Housing Fund to expand assistance to moderate-income first-time homebuyers in the County. In addition, look for ways to partner with County employers to expand employer downpayment assistance programs.

C7. Review Options for Restructuring the County's Housing Trust Fund. Evaluate the structure of the Housing Trust Fund in light of the processes, funding and procedures of local trust funds in neighboring and comparable communities. Develop a plan for moving forward on changes that will create an efficient and effective trust fund.

D. Housing for Vulnerable Populations

As part of its commitment to ensuring that Fairfax County has a continuum of housing options, the community will continue to work to make affordable and accessible housing options available for persons with disabilities, seniors, and extremely low-income individuals and families, including those at risk of or transitioning from homelessness.

D1. Expand Access to Housing Options for Persons with Special Needs. Finding affordable, appropriate housing is a particular challenge in Fairfax County for persons with special needs, many of whom are in some type of crisis (including victims of domestic violence, and those experiencing homelessness) or have a disability that prevents them from attaining full employment. The County should make efficient use of existing resources to create housing options, including transitional housing where appropriate, and should develop a plan with partners, such as the Governing Board of the Fairfax-Falls Church Partnership to Prevent and End Homelessness for connecting individuals with affordable and appropriate housing.

D2. Support Aging in Place. The vast majority of older adults would prefer to age in their homes. However, it can be increasingly challenging to maintain a home as mobility declines. Property taxes can also make staying in a home unaffordable. The County should support programs and services to help enable seniors to remain in their homes by providing education and outreach to residents and connecting residents with existing privately-run programs.

D3. Facilitate Opportunities for Faith Communities to Develop Affordable Housing. Houses of worship in Fairfax County—including churches, temples, synagogues and mosques—often have underutilized land that could be appropriate for housing, particularly housing for vulnerable populations. Working with regional partners, the County should increase education and awareness about opportunities for housing development on land owned by faith communities, and connect these communities with available technical and financial assistance.

D4. Continue to Address the Efficiency of Fairfax County's Existing Homeless and Housing Supports Networks. As the Office to Prevent and End Homelessness works with its Governing Board and community to establish new goals, and as the 10 Year Plan comes to an end, a broader focus on housing for all will be established in the Health and Human Services system. This focus will include housing for homeless, mental health and domestic violence. It is clear that additional housing resources are needed that provide solutions to some of our most vulnerable residents.



FUTURE HOUSING NEEDS APPENDIX

Estimates of Numeric Targets

A key component of the Communitywide Housing Strategic Plan is to develop short-term and long-term numeric targets for housing. These targets are designed to be consistent with the goals identified in the Housing Blueprint and the Strategic Plan for Economic Success, and build off of existing population, housing and employment forecasts that have been completed by the County and the George Mason University Center for Regional Analysis (GMU). The short-term (i.e. annual) numeric targets are intended to replace the annual targets that are part of the current Blueprint for Housing. As part of the Strategic Plan, specific and actionable strategies, along with funding sources, will be developed and will be tied directly to these numeric targets.

Overall Household Growth and Housing Needs

- Over the next 15 years, between 2017 and 2032, the County is expected to add 62,185 households, reflecting an annual growth rate of 1.0%. These are household projections based on the County's analysis of recent growth and the capacity for residential development based on current land use and zoning. Between 2000 and 2016, the County added households at an annual rate of 0.9% which means that the County is forecasting a slight acceleration in household growth over the next 15 years, with somewhat slower growth in the first five-year period and somewhat faster growth in the 10-year and 15-year period.
- Over the next 15 years, the County will add households all along the income spectrum. Based on forecasts of housing demand produced by GMU, between 2017 and 2032, the County is expected to add:
 - 4,591 extremely low income households (income <30% AMI)
 - 8,443 very low income households (30-50% AMI)
 - 5,588 low income households (50-80% AMI)
 - 9,048 moderate income households (80-100% AMI)
 - 11,929 households with incomes between 100 and 120% AMI
 - 22,585 households with incomes above 120% AMI
- These forecasts suggest that over the next 15 years, there will be demand for:
 - 18,622 homes affordable to households with incomes **below 80% AMI** (29.9% of total new homes needed)
 - 39,600 homes affordable to households with income **below 120% AMI** (63.7% of total new homes needed)

5-10-15 Year Numeric Targets based on Household Income and Other Characteristics

	2017 (est.)	2022	2027	2032
Total Households	405,161	420,917	444,266	467,346
Household Income				
ELI (<30% AMI)	34,741	35,782	37,589	39,332
VLI (30-50% AMI)	31,107	33,050	36,280	39,550
LI (50-80% AMI)	55,828	57,052	59,280	61,416
MI (80-100% AMI)	42,161	44,395	47,810	51,209
100-120% AMI	38,986	41,855	46,330	50,915
120+ % AMI	202,338	208,783	216,978	224,923

1-Year Targets – Housing Needed to Serve Expected Households in 2017-2018

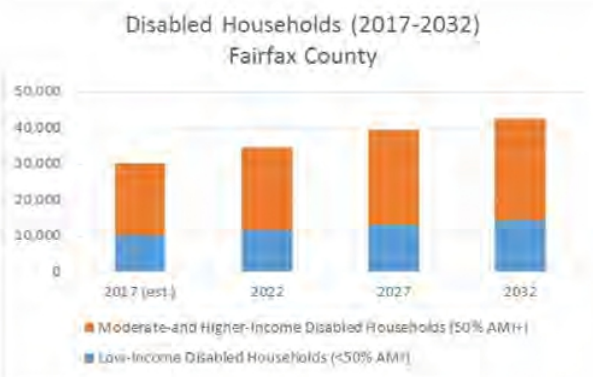
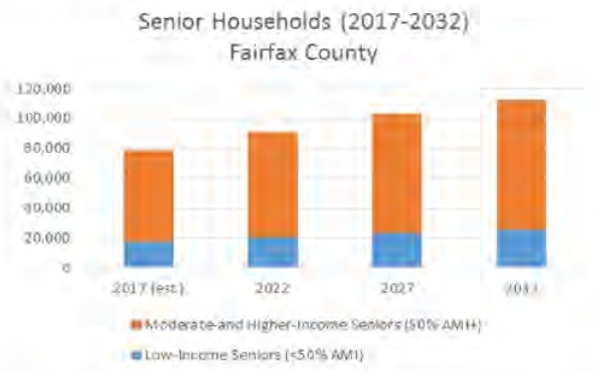
Total Housing Units to Accommodate Household Growth	3,151
Affordable to:	
ELI (<30% AMI)	208
VLI (30-50% AMI)	389
LI (50-80% AMI)	245
MI (80-100% AMI)	447
100-120% AMI	574
120+ % AMI	1,289

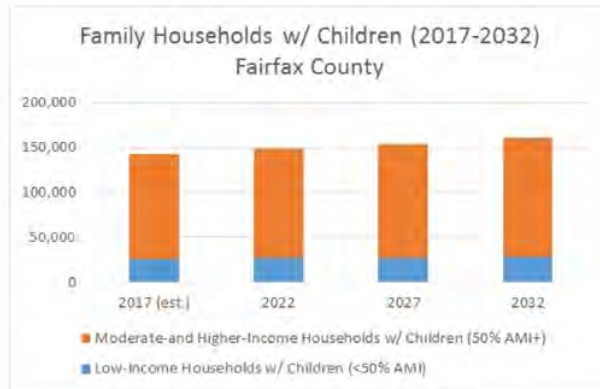
As a result of the growing population and changing demographics, the characteristics of households in Fairfax County—and their housing needs—will change over the 15-year period.

Key Changes to Household Characteristics

- In 2017, senior households (age 65+) make up an estimated 19.5 percent of all households in the County. By 2032, it is expected that 24.0 percent of households will be age 65 or older. It is estimated that 22.8 percent of senior households in Fairfax County will be low-income households.
- In 2017, households with a disabled member (including individuals with a physical or intellectual disability) make up an estimated 7.4 percent of all households. By 2032, it is expected that 9.1 percent of Fairfax County households will include a disabled individual.
- In 2017, it is estimated that families with children make up 35.4 percent of all households in the County. By 2032, it is expected that families with children will comprise 34.4 percent of County households.

[See charts below.]





Methodology for Developing Numeric Targets

1. The overall 2017, 2022, 2027 and 2032 household counts are from the County's January 2016 population and household forecasts obtained from Anne Cahill.

2. The estimates of household income for 2017 are estimated based on our analysis of the 2012-2014 American Community Survey public use microdata (PUMS). Using income data from the ACS microdata along with income limits from HUD, we estimated that percentage of households in 2012-2014 that would fall in the income categories specified. We then applied those percentages to the 2017 total household figure, assuming that the income distribution was unchanged between 2012/2014 and 2017.

The forecasts of households by income group for 2022, 2027 and 2032 are based loosely on the [recent housing demand forecasts](#) produced by GMU. The GMU forecasts include estimates of household growth between 2011 and 2023 by income group. These forecasts are based on an analysis of regional employment growth, wage distribution, workers per household, trends in the non-working population, among other factors. For these numeric targets, we examined GMU's expected annual percentage change in households by income groups for Fairfax County between 2011 and 2023. We adjusted GMU's annual percent changes based on the County's overall forecasts. The County's forecasts suggest overall households will grow at an average annual rate of 1.0% between 2017 and 2022, while GMU is forecasting an annual percent change of 0.8%. Therefore, we adjust slightly upward the growth rates for each of the income categories to reflect that slightly faster growth.

GMU only forecasts out to 2023. We assume the same annual growth rates for the 2022-2027 and 2027-2032 periods, as a simplifying assumption.

3. The 2017 senior households are based on analysis of the 2015 American Community Survey data. In 2015, the ACS estimates that 19.5% of households in Fairfax County are headed by someone age 65 or older. We assume that 19.5% of the 2017 total households are therefore headed by someone age 65 or older.

The data on lower income senior households (<60% AML) are based on analysis of the 2012-2014 ACS microdata. We assumed that the share of senior households that have incomes below 60% AML is the same in 2017 that it was in 2012/2014.

The forecasts of senior households are based on the County's forecasts of *population by age*. We examined the annual percent change in the 65+ population between 2016-2020, 2020-2025, 2025-2030, and 2030-2035. We used these annual percent changes in the population age 65+ to estimate the number of senior households in 2022, 2027 and 2032. We assume the same share of senior households would have incomes below 60% AML in the future as they do in 2017, as a simplifying assumption.

4. The 2017 disabled households are based on estimates from the 2015 ACS of the percentage of the total population that is disabled. In 2015, 7.4% of the Fairfax County population had at least one disability. We assumed that 7.4% of all households in 2017 had a person with a disability. This may understate the number of households with a person with a disability if disabled persons are more likely to live alone. We used data from the 2012-2014 ACS microdata to estimate the share of disabled persons living in households with incomes less than 60% AML and applied that share to the 2017 households.

To forecast the number of households with a disabled person, we assume the same growth rates that we used for the senior household forecasts. The aging of the population is a primary driver of the growth of the disabled population and seemed like a reasonable approach to estimating the growth of the disabled household population.

5. The number of families with children is actually the total number of households with related children, by definition in the ACS. We used data from the 2015 ACS to estimate the share of households that included related children and we applied that share to the 2017 households. So, according to the 2015 ACS, 35.4% of all households in Fairfax County included children. We assumed that 35.4% of 2017 households would also be households with children.

To forecast the number of households with children, we used the County's forecasts by age and assumed that the number of households with children would increase at the same rate as the under 15 population. This method could overstate/understate the growth in the number of households with children if family sizes increase/decrease notably over time.

6. Finally, the number of homeless individuals in 2017 is based on the 2016 point in time (PIT) count. The 2017 PIT count should be available, so we can update this data with new information. The target related to homelessness is based on the target specified in the FY2017 Blueprint.

COUNTY OF FAIRFAX, VIRGINIA

CITIZEN PARTICIPATION PLAN

FOR THE CONSOLIDATED PLAN

Adopted by the Board of Supervisors
December 8, 1997

Amended by the Board of Supervisors
February 11, 2002 and April 30, 2007

Revised and Amended Citizen Participation Plan
Approved by the Board of Supervisors
April 30, 2007

Purpose of the Citizen Participation Plan

As an Urban County, Fairfax County, Virginia is eligible to apply for funds under the federal Community Development Block Grant (CDBG), Emergency Shelter Grants (ESG), HOME Investment Partnerships Program (HOME), and Housing Opportunities for Persons with AIDS (HOPWA) which are provided to the County through the U.S. Department of Housing and Urban Development (HUD). Federal regulations were revised in 1994 to provide for the consolidated submission of documents (the Consolidated Plan) which cover the planning and application aspects of the CDBG, ESG, HOME, and HOPWA programs (federal funding sources).

Beginning Fiscal Year (FY) 2000, the Consolidated Plan will also include local funding sources and federal Community Services Block Grant (CSBG) funds appropriated by the Board of Supervisors. In addition, the Consolidated Plan includes a description of the Continuum of Care for homeless services and programs, and may include federal funding for these programs at such time as these funds are made available through the federal funding allocation process for the Consolidated Plan.

The Fairfax County Citizen Participation Plan provides a guide for public input and participation in the Consolidated Plan process. The purpose of the Citizen Participation Plan is to encourage citizen participation in the definition of housing, community development and public services needs; services to be provided by community-based organizations; the funding priorities for programs and target populations to be served through resources available in the Consolidated Plan, and in any amendments, as well as to the Consolidated Plan and the annual performance report as may be required by HUD.

The Citizen Participation Plan includes the following objectives and describes how each will be met to ensure compliance with federal regulations. The objectives of the Citizen Participation Plan are to:

- Encourage citizen participation by providing citizens with adequate information concerning the amount of funds expected to be available for community development housing activities, public services and services to be provided by community-based organizations through federal and local funding sources, the proposed range of activities that may be undertaken with those funds, including the amount that will benefit very low and low income persons and the plans to minimize displacement and to assist any persons displaced, other important program requirements, and proposed and approved uses of funds;
- Provide for and encourage citizen participation from all sectors of the community, with particular emphasis on participation by persons below the federal poverty line, low and moderate income residents of blighted areas and of areas in which federal funds under federal funding sources are used or are proposed to be used; and for the participation of

minority and non-English speaking residents, as well as persons with mobility, visual, speech or hearing impairments;

- Provide citizens, public agencies, and all other interested parties with reasonable and timely access to information and records relating to the County's Consolidated Plan, and the use of assistance provided by federal funding sources included in the Plan for the preceding five (5) years;
- Provide technical assistance to groups representing very low and low income persons and to interested residents that request such assistance in developing proposals for funding assistance under federal and local funding sources covered by the Consolidated Plan, with the level and type of assistance to be determined by the County;
- Conduct public hearings to obtain the views of citizens on housing, community development and public services needs, and needs for services to be provided by community-based organizations, proposed activities, and program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities and non-English speaking residents;
- Gather community input, through a variety of methods such as, community meetings, focus groups, surveys and other appropriate forums, regarding funding priorities for services provided by community-based organizations;
- Prepare a summary of comments or views received from citizens in writing or orally through public hearings, focus groups, community meetings and other methods when preparing the final Consolidated Plan, and any amendments to the Plan or the performance report and attach the summary to the final Plan or report. In addition, provide for a timely written answer to written complaints and grievances within fifteen (15) working days, where practicable; and
- Provide criteria for determining what constitutes a substantial change in the planned or actual activities described in the approved Consolidated Plan which would require an amendment to the Plan.

Notice of Consolidated Plan Schedule

The County will encourage citizen participation by providing citizens with adequate information concerning the amount of funds expected to be available for community development and housing activities, public services, and services to be provided by community-based organizations through federal and local funding sources, the proposed range of activities that may be undertaken with those funds, including the amount that will benefit very low and low income persons and the plans to minimize displacement and to assist any persons displaced, other important program requirements, and proposed and approved uses of funds.

The annual Consolidated Plan schedule will be mailed to neighborhoods, groups, associations, nonprofit, ecumenical, business and other community organizations and other interested individuals which have been involved in past funding cycles for each program. Other neighborhoods, groups, associations, organizations, and individuals will be added to the list upon request to the DHCD.

Information which will be available will include the amount of funding expected to be available under all the federal funding sources and programs in the Consolidated Plan, including estimated program income, program and application requirements, the proposed activities which will benefit very low and low income persons, plans for minimizing displacement caused by proposed activities and assistance opportunities for persons displaced, opportunities for citizen input, submission of project proposals, and schedules for proposed and final applications. This information may be obtained from the DHCD

An advertisement of the Proposed Consolidated Plan will be published in a newspaper(s) of general circulation and a copy of the Proposed Consolidated Plan will be available to the public for review and comment at least 30 days prior to submission to HUD. The proposed Consolidated Plan will be available for review 1) at the DHCD, 2) at the information desk of the County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035; and 3) at the information desk of all branches of the Fairfax County Public Library system. The final submission to HUD will also be distributed to these locations.

Citizen Participation Process

The County will provide for and encourage citizen participation from all sectors of the community, with particular emphasis on participation by persons below the federal poverty line, low and moderate income residents of blighted areas and of areas in which federal funds are used or are proposed to be used; and for the participation of minority and non-English speaking residents, as well as persons with mobility, visual, speech or hearing impairments.

The County will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the County's Consolidated Plan, and the use of assistance provided by federal funding sources included in the Plan for the preceding five (5) years.

Citizens will have an opportunity to comment on housing, community development, public service needs, and population and program priority needs identified to be addressed by community-based organizations and the proposed Consolidated Plan prior to its submission to HUD at public hearings, meetings, or by directly contacting the appropriate County agency. Information on the Consolidated Plan schedule will be disseminated to local agencies and nonprofit organizations working with minority, non-English speaking, and physically impaired residents to afford as many people as possible the opportunity for full citizen participation.

The County will work closely with the Fairfax County Redevelopment and Housing Authority (FCRHA) to encourage the participation of residents of public and assisted housing developments in the development and implementation of the Consolidated Plan. The County will apprise the FCRHA of housing and community development activities related to its developments and surrounding communities so the FCRHA can make such information available at the annual public hearing on the Comprehensive Grant program.

Citizen input on housing, community development, and needs for services to be provided by community-based organizations will be received annually at one or more public hearings to be held before the Consolidated Community Funding Advisory Committee. The Committee is composed of one representative each from the Fairfax County Redevelopment and Housing Authority (FCRHA), Human Services Council (HSC), Community Action Advisory Board, Fairfax-Falls Church Community Services Board, Homeless Oversight Committee, Fairfax-Falls Church United Way, Commission on Aging, Advisory Social Services Board, Fairfax Area Disabilities Services Board, Health Care Advisory Board, Fairfax County Alliance for Human Services, representatives from the business community, schools community, faith community, children younger than school age community, and youth needs and services community. Membership may include representation from human services provider groups, consumer and community organizations and Boards, Authorities and Commissions, which relate to the Human Services Community, as appropriate. Members shall be appointed by the County Executive and shall serve for a term of three years. The role and responsibilities of the Consolidated Community Funding Advisory Committee will be to:

- Solicit community input
- Advise the Board of Supervisors on the development and implementation of the federally required Consolidated Plan
- Advise the Board of Supervisors on issues relating to the coordinated funding process:
 - Policy considerations
 - Funding priorities
 - Selection criteria
 - Performance measures
- Coordinate with the Community Action Advisory Board in implementation of the CSBG process
- Implement the combined solicitation process and, if deemed appropriate, make comments on Selection Advisory Committee recommendations forwarded by the County Executive to the Board of Supervisors
- Monitor the Consolidated Plan process and report to the Board of Supervisors on its effectiveness relative to defined goals

- Consider and evaluate the potential for including other County and community processes in the Consolidated Plan process.

Based on the comments received from citizens through needs hearing(s) and other community input strategies from interested Nonprofit, ecumenical, business and other civic organizations and County agencies, the Consolidated Community Funding Advisory Committee will prepare a Proposed Consolidated Plan. The Proposed Consolidated Plan will be submitted for review and comment to organizations and individuals on the mailing list.

Comments received will be addressed by the Consolidated Community Funding Advisory Committee and included with the submission of the Proposed Consolidated Plan to the Board of Supervisors.

A public hearing will be held by the Board of Supervisors on the Proposed Consolidated Plan. Final approval of program priorities and funding recommendations included in the Consolidated Plan will be made by the Board of Supervisors.

Reasonable and timely access will be given to citizens, public agencies, and other interested parties to information and records relating to previous funding applications and allocations for the programs included in the Consolidated Plan for the preceding five (5) years.

Technical Assistance

The County will provide technical assistance to groups representing very low and low income persons, as well as to community-based organizations and interested residents that request such assistance in developing proposals for funding assistance under any of federal or local funding sources covered by the Consolidated Plan, with the level and type of assistance to be determined by the County.

This technical assistance could include activities such as training on grant writing, small/minority business support offered through the Purchasing and Supply Management agency, Internet information links, pamphlets and brochures/information packets on resources available in the community.

County staff will be available upon request to answer any questions concerning the requirements of federal and local funding sources included in the Consolidated Plan, such as available funding amounts, funding priorities, eligible activities, environmental review procedures, equal opportunity requirements, relocation provisions, citizen participation requirements and any other requirements of federal and local funding sources. In cases where staff can not answer questions pertaining to federal HUD funds, assistance will be requested from HUD.

As part of the on-going citizen participation effort, County staff will meet with citizen groups in Fairfax County which represent very low, and low and moderate income residents such as neighborhood conservation and redevelopment areas, and with citizen groups in other areas of

the County which express interest in participating in federal and/or local funding sources included in the Consolidated Plan, to explain program and application procedures. These meetings will be held in facilities convenient to the neighborhood or groups requesting the meetings.

County staff will provide technical assistance when requested to neighborhood groups, minority groups, community-based organizations, and other residents interested in participating in federal and local funding sources included in the Consolidated Plan. All such groups, including the disabled and elderly, and those serving non-English speaking ethnic/minority populations, will be encouraged and assisted as requested in submitting their views and proposals. County staff will be available to provide assistance in the development and submission of program funding requests and other input. Any persons requiring assistance should contact the Division of Real Estate Finance and Grants Management at DHCD at 246-5170 or 711 TTY.

Public Hearings

The County will conduct public hearings to obtain the views of citizens on housing, community development and public services needs, and needs for services to be provided by community-based organizations, proposed activities, and program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities and non-English speaking residents.

A minimum of two public hearings will be held prior to the submission of the Consolidated Plan to HUD.

One or more public hearings will be held by the Consolidated Community Funding Advisory Committee at the beginning of the Consolidated Plan process to solicit citizen comments on housing and community development needs, needs for services to be provided by community-based organizations, proposed activities, and program performance. Testimony received at this hearing will be considered by the Consolidated Community Funding Advisory Committee in preparing the Proposed Consolidated Plan. In addition, the Consolidated Community Funding Advisory Committee may gather community input through a variety of means, such as forums and focus groups, in the development of funding priorities and criteria.

Prior to the submission of the Consolidated Plan to HUD, the Board of Supervisors will hold a public hearing on the Proposed Consolidated Plan as recommended by the Consolidated Community Funding Advisory Committee.

Public hearings will be held at times convenient to potential and actual beneficiaries of the programs to be funded. Public hearings will be held in the Fairfax County Government Center Board Auditorium located at 12000 Government Center Parkway, or in other locations which are convenient to potential and actual beneficiaries, and which are accessible to persons with disabilities. At public hearings where a significant number of non-English speaking residents are expected to participate, Fairfax County will address their needs by providing an interpreter.

Notice of public hearings on the Consolidated Plan will be advertised in a newspaper(s) of general circulation and at least one minority and non-English speaking publication 15 days prior to the date of the public hearing. The notice will include sufficient information about the purpose of the public hearing to permit informed comment from citizens.

Notice of public hearings on the Consolidated Plan will also be advertised in all branches of the County Library system and press releases issued by the Fairfax County Office of Public Affairs.

Response to Citizen Comments

The County will prepare a summary of comments or views received from citizens in writing or orally through public hearings, focus groups, community meetings and other methods when preparing the final Consolidated Plan, and any amendments to the Plan or the performance report and attach the summary to the final Plan or report. In addition, provide for a timely written answer to written complaints and grievances within fifteen (15) working days, where practicable.

Written or oral comments received from citizens as a result of public hearings or other activities to gather community input held on the Consolidated Plan will be given serious consideration in the preparation of the final Plan document, amendments to the Plan, or the performance report. A summary of the comments received from citizens, both accepted and not accepted, will be attached to the final Consolidated Plan, Plan amendments, or performance report.

Comments, complaints, or grievances concerning the Consolidated Plan should be addressed to the Division of Real Estate Finance and Grants Management, Department of Housing and Community Development, 3700 Pender Drive, Suite 300, Fairfax, Virginia 22030.

Every effort will be made to respond in writing to written complaints within 15 working days of receipt of the complaint. If additional time is required, written notice will be provided.

Amendment of the Consolidated Plan

The County will provide criteria for determining what constitutes a substantial change in the planned or actual activities described in the approved Consolidated Plan which would require an amendment to the Plan.

The Consolidated Plan may be amended with the approval of the Fairfax County Board of Supervisors. The County will amend the approved Plan whenever it makes one of the following decisions representing a substantial change or adjustment:

- 1) To carry out a project, using funds from any of the four federal HUD programs covered by the Consolidated Plan (including program income) not previously described in the action plan; or

- 2) To eliminate a project from any of the four federal programs covered by the Consolidated Plan (including program income) for which funds were previously approved by the Board of Supervisors.

In general, any substantial change or adjustment to a Consolidated Plan project budget will be treated as an amendment subject to public notice, review, and comment through the County's quarterly budget review process. Adjustments required to Consolidated Plan project budgets will be included in the third quarter and carryover budget reviews, and will be subject to public comment during the public hearing process held on each of these reviews.

In some circumstances, Consolidated Plan program objectives may be addressed through the appropriation of funds outside of the quarterly budget review process for an activity not previously approved in the Consolidated Plan. In such cases, public notice will be given before the Board of Supervisors is scheduled to take action on such an appropriation.

Substantive amendments to the Consolidated Plan will be publicly advertised at least 30 days prior to consideration of the amendments by the Board of Supervisors to allow time for public comment.

Adoption and Amendment of the Citizen Participation Plan

Proposed changes to the Citizen Participation Plan will be publicly advertised at least 30 days prior to the adoption or amendment of the Citizen Participation Plan by the Board of Supervisors to allow time for public comment.

The proposed revisions to the Fairfax County Citizen Participation Plan for the Consolidated Plan will become effective upon the date of the Board of Supervisors' approval for the planning and implementation process of the Consolidated Plan.

ONE FAIRFAX POLICY – November 21, 2017

I. PURPOSE

Fairfax County embraces its growing diverse population and recognizes it as a tremendous asset but also knows that racial and social inequities still exist. This policy defines expectations for consideration of racial and social equity, and in particular, meaningful community involvement when planning, developing, and implementing policies, practices, and initiatives. It provides a framework to advance equity in alignment with our stated visions and priorities. This policy informs all other policies and applies to all publicly delivered services in Fairfax County Government and Fairfax County Public Schools.

II. SUMMARY OF CHANGES SINCE LAST PUBLICATION

This is a new policy.

III. DEFINITIONS

Equity: The commitment to promote fairness and justice in the formation of public policy that results in all residents – regardless of age, race, color, sex, sexual orientation, gender identity, religion, national origin, marital status, disability, socio-economic status or neighborhood of residence or other characteristics – having opportunity to fully participate in the region’s economic vitality, contribute to its readiness for the future, and connect to its assets and resources.

Equity Tools: Information and processes used to identify who is affected by a decision, policy, or practice; how they are affected; and to guide recommendations to encourage positive impacts and/or mitigate negative impacts.

Publicly delivered: The services provided by government or public schools either directly (through the public sector) or through financing the provision of services.

Race: A socially constructed category of identification based on physical characteristics, ancestry, historical affiliation, or shared culture.

Racial Equity: The absence of institutional and structural barriers experienced by people, based on race or color that impede opportunities and results.

Social Equity: The absence of institutional and structural barriers experienced by people, based on other societal factors such as age, sex, sexual orientation, gender identity, religion, national origin, marital status, disability, socio-economic status, neighborhood of residence, that impede opportunities and results.

IV. AREAS OF FOCUS TO PROMOTE EQUITY

Helping people reach their highest level of personal achievement is vital to our county's successful ability to compete in the global economy. Linking our residents and families to opportunities including education, workforce development, employment, and affordable housing helps ensure lifelong learning, better health, resilience, and economic success. The systems, structures, and settings in which our residents and families live, work, play, and learn, create an equitable community and are, in part, a product of policy and resourcing decisions.

Fairfax County Government and Fairfax County Public Schools, working in conjunction with higher education, business, nonprofit, faith, philanthropy, civic and other sectors, will give particular consideration to these initial areas recognizing that additional areas of focus may emerge based on changing factors and that assessment and prioritization are necessary to guide and inform collective actions to support a thriving community and promote equity with a goal of achieving the following:

1. Community and economic development policies and programs that promote wealth creation and ensure fair access for all people.
2. Housing policies that encourage all who want to live in Fairfax to be able to do so, and the provision of a full spectrum of housing opportunities across the county, most notably those in mixed-use areas that are accessible to multiple modes of transport.
3. Workforce development pathways that provide all residents with opportunity to develop knowledge and skills to participate in a diverse economy and earn sufficient income to support themselves and their families.
4. An early childhood education system that ensures all children enter kindergarten at their optimal developmental level with equitable opportunity for success.
5. Education that promotes a responsive, caring, and inclusive culture where all feel valued, supported, and hopeful, and that every child is reached, challenged, and prepared for success in school and life.
6. Community and public safety that includes services such as fire, emergency medical services, police, health, emergency management and code enforcement that are responsive to all residents so that everyone feels safe to live, work, learn, and play in any neighborhood of Fairfax County.
7. A criminal justice system that provides equitable access and fair treatment for all people.
8. Neighborhoods that support all communities and individuals through strong social networks, trust among neighbors, and the ability to work together to achieve common goals that improve the quality of life for everyone in the neighborhood.
9. A vibrant food system where healthy, accessible, and affordable food is valued as a basic human necessity.
10. A health and human services system where opportunities exist for all individuals and families to be safe, be healthy and realize their potential through the provision of accessible, high quality, affordable and culturally appropriate services.
11. A quality built and natural environment that accommodates anticipated growth and change in an economically, socially, and environmentally sustainable and equitable manner that includes mixes of land use that protects existing stable neighborhoods and green spaces, supports sustainability, supports a high quality of life, and promotes employment opportunities, housing, amenities and services for all people.

12. A healthy and quality environment to live and work in that acknowledges the need to breathe clean air, to drink clean water now and for future generations.
13. A parks and recreation system that is equitable and inclusive by providing quality facilities, programs, and services to all communities; balancing the distribution of parks, programs and facilities; and providing accessible and affordable facilities and programs.
14. A multi-modal transportation system that supports the economic growth, health, congestion mitigation, and prosperity goals of Fairfax County and provides accessible mobility solutions that are based on the principles associated with sustainability, diversity, and community health.
15. Digital access and literacy for all residents.
16. Intentional, focused recruitment efforts that bolster a diverse applicant pool; hiring and evaluation practices, and processes for employee feedback, to achieve and preserve a culture of equity and fairness for all employees.
17. Policies that prohibit all forms of discrimination under Federal and State law in county and school system activities, and ensure that all practices provide fair treatment for all employees, contractors, clients, community partners, residents, and other sectors who interact with Fairfax County including higher education, business, nonprofit, faith, philanthropy, and civic.

PROCESS

To achieve equity and advance opportunity for all, Fairfax County Government and Fairfax County Public Schools will work in partnership with others and utilize the influence of each respective institution to leverage and expand opportunity. Organizational capacity in the following areas will enable the development, implementation, and evaluation of policies, programs, and practices that advance equity:

a. Community Engagement

To foster civil discourse and dialogue, community engagement shall ensure that the breadth of interests, ideas, and values of all people are heard and considered. Outreach and public participation processes will be inclusive of diverse races, cultures, ages, and other social statuses. Effective listening, transparency, flexibility, and adaptability will be utilized to overcome barriers (geography, language, time, design, etc.) that prevent or limit participation in public processes. Fairfax County Government and Fairfax County Public Schools will engage with sectors such as higher education, business, nonprofit, faith, philanthropy, civic and others to collectively address barriers to opportunity.

b. Training and Capacity Building

Training will be designed for individual and collective learning with an emphasis on building competencies and skills to implement strategies that promote racial and social equity in employees' daily work. Foundational training will include, but will not be limited to: an understanding of implicit bias; institutional and structural racism; and the use of equity tools. Additional training for role and business area specific training will also be provided.

c. Applying Equity Tools

Consideration will be given to whole community benefits and burdens, identifying strategies to mitigate negative impacts, and promoting success for all people in planning and decision making.

Equity tools such as structured questions, equity impact analyses, disparity studies, etc. will be used to ensure that equity is considered intentionally in decision-making and the One Fairfax policy is operationalized.

d. Racial and Social Equity Action Planning

All organizations and departments within Fairfax County Government and Fairfax County Public Schools will conduct analysis, devise plans, set goals, and take actions through specific practices, policies, and initiatives within their purview.

e. Accountability Framework

Fairfax County Government and Fairfax County Public Schools will incorporate data and publish performance measures that can be analyzed, quantified, and disaggregated to evaluate the extent to which our systems are achieving goals identified through the racial and social equity action planning.

VI. ROLES

Fairfax County Government and Fairfax County Public Schools will designate and support staff members to lead the implementation of the One Fairfax policy. These staff members will work in conjunction with:

- The Board of Supervisors, School Board, and One Fairfax Executive Leadership Team to provide strategic, collective leadership in support of the equity-informed planning and decision-making processes prescribed by this policy and the development and pursuit of identified equity goals; and
- A multi-department, cross-systems equity staff team to facilitate coordination of racial and social equity action planning, collective action, and shared accountability across and within county and schools organizations.
- Boards, Commissions, Authorities and Advisory Committees to promote stakeholder engagement and input in support of equity informed planning and decision making.

Related policies and regulations:

Fairfax County Public Schools Policy 1450 – Nondiscrimination

Fairfax County Government Procedural Memorandum 39-06 – Harassment

Fairfax County Government Procedural Memorandum 39-04 – Reasonable Accommodation in Employment

Fairfax County Government Procedural Memorandum 39-05 – Reasonable Accommodation of Services and Devices

Fairfax County Government Procedural Memorandum 02-08 – Language Access Policy

The Code of Fairfax County, Virginia – Chapter 11 – Human Rights Ordinance

TIMELINE FOR FY 2020 ONE-YEAR ACTION PLAN

January 2019

- 1/8 CCFAC meeting** – 7:30 p.m., Fairfax County Government Center, Room 9/10
- **Action:** Adoption of recommendations for the use of FY 2020 federal funds and contingency plan
 - **Action:** Approval & Authorization to Release draft Proposed FY 2020 Action Plan for public comment
- 1/31 FCRHA meeting** – 7:00 p.m., One University Plaza
- **Information:** Fiscal Year 2020 Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) Funding Allocations Recommended by the CCFAC and FCRHA Working Advisory Group

February 2019

- 2/1 Beginning of Public Comment Period for the draft Proposed Consolidated Plan One-Year Action Plan for public comment**
- **Action:** Staff advertisement of the availability of the draft Proposed FY 2020 Action Plan for public review and comment
 - **Action:** Staff release of the draft Proposed FY 2020 Action Plan
- 2/5 Board meeting** – 9:30 p.m., Fairfax County Government Center, Board Auditorium
- **Action:** Authorization of a Public Hearing on March 19, 2019 to receive public comment on the draft proposed FY 2020 Action Plan.
- 2/6 Additional Publication of Notice**
- **Action:** Staff advertisement public hearing to be held on March 19, 2019 for public comment on the draft Proposed FY 2020 Action Plan
 - **Action:** Staff advertisement of the availability of the draft Proposed FY 2020 Action Plan for public review and comment until March 19, 2020

March 2019

3/19 Board meeting – 4:30 p.m., Fairfax County Government Center, Board Auditorium

Action: Public hearing to receive public comment on the draft Proposed FY 2020 Action Plan

3/19 End of Public Comment Period for the draft Proposed Consolidated Plan One-Year Action Plan

April 2019

4/9 CCFAC meeting – 7:30 p.m., Fairfax County Government Center, Room 9/10

- **Action:** Proposed FY 2020 Action Plan and authorization to submit to the Board

4/12 HUD Notification of CDBG, ESG and HOME Allocations for FY 2020

May 2019

5/2 Board meeting – 9:30 p.m., Fairfax County Government Center, Board Auditorium

- **Action:** Adoption of the FY County Budget, including FY 2020 CCFP awards contingent upon funding availability

5/21 Board meeting – 9:30 p.m., Fairfax County Government Center, Board Auditorium

- **Action:** Adoption of the Proposed FY 2020 Action Plan and authorization to submit to HUD

June 2019

6/11 Submission of the Proposed FY 2020 Action Plan and authorization to HUD

6/30 End of Fiscal Year 2019

End of FY 2019 CCFP funding cycle

July 2019

7/1 Beginning of Fiscal Year 2020

Beginning of FY 2020 CCFP funding cycle



County of Fairfax, Virginia

May 21, 2019

Mr. Chuck Bean, Executive Director
Metropolitan Washington Council of Governments
777 North Capitol Street, NE, Suite 300
Washington, DC 20002

RE: Executive Order 12372 Compliance

Dear Mr. Bean:

Pursuant to procedures outlined in Executive Order (E.O.) 12372 as issued by the U.S. Department of Housing and Urban Development (HUD), the Fairfax County Department of Housing and Community Development (HCD) is informing you that Fairfax County has no new public improvement projects, involving road and storm drainage system improvements, that it plans to implement under HUD's Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) awards and carryover funds for July 1, 2019 - June 30, 2020.

Attached is a copy of the Fairfax County Consolidated Plan One-Year Action Plan for FY 2020, approved by the Fairfax County Board of Supervisors on May 21, 2019, which describes other activities the County plans to implement with CDBG and HOME funds.

Should you have any questions, please contact me at 703-246-5166.

Sincerely,

Laura O. Lazo
Associate Director, Grants Management

cc: Michael D. Rose, Director, Community Planning and Development,
District of Columbia Field Office, HUD
Aseem K. Nigam, Director, Real Estate Finance and Grants Management,
Fairfax County Department of Housing and Community Development

Department of Housing and Community Development

3700 Pender Drive, Suite 300

Fairfax, Virginia 22030-6039

Tel. 703-246-5100 • Fax 703-246-5115 • TTY 703-385-3578

Application for Federal Assistance SF-424		
<div> <div> * 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application </div> <div> * 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision </div> <div> * If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/> </div> </div>		
<div> <div> 3a. Budget Period: <input type="text"/> </div> <div> 4. Applicant Identifier: <input type="text"/> </div> </div>		
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/>
State Use Only:		
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="Fairfax County, Virginia"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="54-0787833"/>		* c. Organizational DUNS: <input type="text" value="0748376260000"/>
d. Address:		
<div> <div> * Street1: <input type="text" value="3700 Pender Drive"/> </div> <div> Street2: <input type="text"/> </div> <div> * City: <input type="text"/> </div> <div> County/Parish: <input type="text" value="Fairfax"/> </div> <div> * State: <input type="text" value="VA: Virginia"/> </div> <div> Province: <input type="text"/> </div> <div> * Country: <input type="text" value="USA: UNITED STATES"/> </div> <div> * Zip / Postal Code: <input type="text" value="22030-7442"/> </div> </div>		
e. Organizational Unit:		
Department Name: <input type="text" value="Housing& Community Development"/>		Division Name: <input type="text" value="Grants Management"/>
f. Name and contact information of person to be contacted on matters involving this application:		
<div> <div> Prefix: <input type="text" value="Mrs."/> </div> <div> * First Name: <input type="text" value="Laura"/> </div> </div>		
Middle Name: <input type="text"/>		
* Last Name: <input type="text" value="Lazo"/>		
Suffix: <input type="text"/>		
Title: <input type="text" value="Associate Director, Grants Management"/>		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="703-246-5166"/>		Fax Number: <input type="text" value="703-246-5115"/>
* Email: <input type="text" value="laura.lazo@fairfaxcounty.gov"/>		

Application for Federal Assistance SF-424			
* 9. Type of Applicant 1: Select Applicant Type: <input type="text" value="B: County Government"/>			
Type of Applicant 2: Select Applicant Type: <input type="text"/>			
Type of Applicant 3: Select Applicant Type: <input type="text"/>			
* Other (specify): <input type="text"/>			
* 10. Name of Federal Agency: <input type="text" value="Department of Housing & Urban Development"/>			
11. Catalog of Federal Domestic Assistance Number: <input type="text" value="14-218"/> CFDA Title: <input type="text" value="Community Development Block Grant"/>			
* 12. Funding Opportunity Number: <input type="text" value="Not Applicable"/> * Title: <input type="text" value="Not Applicable"/>			
13. Competition Identification Number: <input type="text" value="Not Applicable"/> Title: <input type="text" value="Not Applicable"/>			
14. Areas Affected by Project (Cities, Counties, States, etc.): <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>			
* 15. Descriptive Title of Applicant's Project: <input type="text" value="CDBG"/>			
Attach supporting documents as specified in agency instructions. <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/>			

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant	* b. Program/Project
Attach an additional list of Program/Project Congressional Districts if needed.	
	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
17. Proposed Project:	
* a. Start Date:	* b. End Date:
18. Estimated Funding (\$):	
* a. Federal	5,609,339.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	336,693.00
* g. TOTAL	5,946,032.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix:	* First Name:
Middle Name:	
* Last Name:	
Suffix:	
* Title:	
* Telephone Number:	Fax Number:
* Email:	
* Signature of Authorized Representative:	* Date Signed:

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) _____, _____ (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its

jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Title

[View Burden Statement](#)

OMB Number: 4040-0004
Expiration Date: 8/31/2016

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		
* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		
* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>		
3. Budget Period: <input type="text"/>		
4. Applicant Identifier: <input type="text"/>		
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/>
State Use Only:		
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="Fairfax County, Virginia"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="54-0787833"/>		* c. Organizational DUNS: <input type="text" value="0748376260000"/>
d. Address:		
* Street1: <input type="text" value="3700 Pender Drive"/>		
Street2: <input type="text"/>		
* City: <input type="text"/>		
County/Parish: <input type="text" value="Fairfax"/>		
* State: <input type="text" value="VA: Virginia"/>		
Province: <input type="text"/>		
* Country: <input type="text" value="USA: UNITED STATES"/>		
* Zip / Postal Code: <input type="text" value="22030-7442"/>		
e. Organizational Unit:		
Department Name: <input type="text" value="Housing& Community Development"/>		Division Name: <input type="text" value="Grants Management"/>
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Mrs."/> * First Name: <input type="text" value="Laura"/>		
Middle Name: <input type="text"/>		
* Last Name: <input type="text" value="Lazo"/>		
Suffix: <input type="text"/>		
Title: <input type="text" value="Associate Director, Grants Management"/>		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="703-246-5166"/>		Fax Number: <input type="text" value="703-246-5115"/>
* Email: <input type="text" value="Laura.Lazo@fairfaxcounty.gov"/>		

Application for Federal Assistance SF-424	
* 9. Type of Applicant 1: Select Applicant Type: <div>B: County Government</div>	
Type of Applicant 2: Select Applicant Type: <div></div>	
Type of Applicant 3: Select Applicant Type: <div></div>	
* Other (specify): <div></div>	
* 10. Name of Federal Agency: <div>Department of Housing & Urban Development</div>	
11. Catalog of Federal Domestic Assistance Number: <div>14-239</div>	
CFDA Title: <div>HOME Investment Partnerships Program</div>	
* 12. Funding Opportunity Number: <div>Not Applicable</div>	
* Title: <div>Not Applicable</div>	
13. Competition Identification Number: <div>Not Applicable</div>	
Title: <div>Not Applicable</div>	
14. Areas Affected by Project (Cities, Counties, States, etc.): <div></div> <div>Add Attachment Delete Attachment View Attachment</div>	
* 15. Descriptive Title of Applicant's Project: <div>Acquisition, rehabilitation, new construction and tenant-based rental assistance to increase and preserve affordable housing.</div>	
Attach supporting documents as specified in agency instructions. <div>Add Attachments Delete Attachments View Attachments</div>	

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant	* b. Program/Project
Attach an additional list of Program/Project Congressional Districts if needed.	
	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
17. Proposed Project:	
* a. Start Date:	* b. End Date:
18. Estimated Funding (\$):	
* a. Federal	1,940,695.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	370,882.00
* g. TOTAL	2,311,577.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
	<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix:	* First Name:
Middle Name:	
* Last Name:	
Suffix:	
* Title:	
* Telephone Number:	Fax Number:
* Email:	
* Signature of Authorized Representative:	* Date Signed:

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature/Authorized Official

Date

Title

[View Burden Statement](#)

OMB Number: 4040-0004
Expiration Date: 8/31/2016

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		
* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		
* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>		
3. State Use Only: 4. Applicant Identifier: <input type="text"/>		
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/>
6. Date Received by State: <input type="text"/> 7. State Application Identifier: <input type="text"/>		
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="Fairfax County, Virginia"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="54-0787833"/>		* c. Organizational DUNS: <input type="text" value="0748376260000"/>
d. Address:		
* Street1: <input type="text" value="3700 Pender Drive"/>		
Street2: <input type="text"/>		
* City: <input type="text"/>		
County/Parish: <input type="text" value="Fairfax"/>		
* State: <input type="text" value="VA: Virginia"/>		
Province: <input type="text"/>		
* Country: <input type="text" value="USA: UNITED STATES"/>		
* Zip / Postal Code: <input type="text" value="22030-7442"/>		
e. Organizational Unit:		
Department Name: <input type="text" value="Housing& Community Development"/>		Division Name: <input type="text" value="Grants Management"/>
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Mrs."/> * First Name: <input type="text" value="Laura"/>		
Middle Name: <input type="text"/>		
* Last Name: <input type="text" value="Lazo"/>		
Suffix: <input type="text"/>		
Title: <input type="text" value="Associate Director, Grants Management"/>		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="703-246-5166"/>		Fax Number: <input type="text" value="703-246-5115"/>
* Email: <input type="text" value="Laura.Lazo@fairfaxcounty.gov"/>		

Application for Federal Assistance SF-424	
* 9. Type of Applicant 1: Select Applicant Type: <div>B: County Government</div>	
Type of Applicant 2: Select Applicant Type: <div></div>	
Type of Applicant 3: Select Applicant Type: <div></div>	
* Other (specify): <div></div>	
* 10. Name of Federal Agency: <div>Department of Housing & Urban Development</div>	
11. Catalog of Federal Domestic Assistance Number: <div>14-231</div>	
CFDA Title: <div>Emergency Solutions Grant Program</div>	
* 12. Funding Opportunity Number: <div>Not Applicable</div>	
* Title: <div>Not Applicable</div>	
13. Competition Identification Number: <div>Not Applicable</div>	
Title: <div>Not Applicable</div>	
14. Areas Affected by Project (Cities, Counties, States, etc.): <div></div> <div>Add Attachment Delete Attachment View Attachment</div>	
* 15. Descriptive Title of Applicant's Project: <div>Emergency Solutions Grant</div>	
Attach supporting documents as specified in agency instructions. <div>Add Attachments Delete Attachments View Attachments</div>	

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant	* b. Program/Project
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
17. Proposed Project:	
* a. Start Date:	* b. End Date:
07/01/2019	06/30/2020
18. Estimated Funding (\$):	
* a. Federal	473,009.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	473,009.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix:	* First Name:
Mr.	Bryan
Middle Name:	
J.	
* Last Name:	
Hill	
Suffix:	
* Title:	
County Executive	
* Telephone Number:	Fax Number:
703-324-2536	703-324-3956
* Email:	
Bryan.Hill@fairfaxcounty.gov	
* Signature of Authorized Representative:	* Date Signed:

ESG Certifications

The Emergency Solutions Grants Program Recipient certifies that:

Major rehabilitation/conversion – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the jurisdiction will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the jurisdiction serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The jurisdiction will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

Matching Funds – The jurisdiction will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The jurisdiction has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the jurisdiction will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the jurisdiction undertakes with assistance under ESG are consistent with the jurisdiction’s consolidated plan.

Discharge Policy – The jurisdiction will establish and implement, to the maximum extent practicable and where appropriate policies and protocols for the discharge of persons from

publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Signature/Authorized Official

Date

Title

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official Date

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION	
Fastfax County, VA	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: Mr.	* First Name: Bryan Middle Name: J.
* Last Name: Hill	Suffix:
* Title: County Executive	
* SIGNATURE:	* DATE:

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 01/31/2019

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:



1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

Previous Edition Usable

Authorized for Local Reproduction

Standard Form 424D (Rev. 7-97)
Prescribed by OMB Circular A-102

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. § 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	County Executive
APPLICANT ORGANIZATION	DATE SUBMITTED
Fairfax County	

SF-424D (Rev. 7-97) Back

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

Previous Edition Usable

Authorized for Local Reproduction

Standard Form 424B (Rev. 7-97)
Prescribed by OMB Circular A-102

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93- 205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	County Executive
APPLICANT ORGANIZATION	DATE SUBMITTED
Fairfax, Virginia	

Standard Form 424B (Rev. 7-97) Back

Board Agenda Item
May 21, 2019

ACTION - 2

Approval of Standard Project Agreement with the Virginia Department of Transportation (VDOT) for Partial Design of the Braddock Road Improvements from Humphries Drive to Ravensworth Road (Braddock and Mason Districts)

ISSUE:

Board of Supervisors' approval and authorization for the Director of the Department of Transportation to execute Standard Project Agreements (SPAs) with the Virginia Department of Transportation (VDOT), substantially in the form of Attachments 2, for the 30 percent design of Braddock Road Multimodal Phases I & II Improvements from Humphries Drive to Ravensworth Road (Projects).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve a resolution (Attachment 1), authorizing the Director of the Department of Transportation to execute SPAs with VDOT substantially in the form of Attachment 2, for the partial design of the project (UPC114627).

TIMING:

The Board should act on this item on May 21, 2019, so that VDOT can continue designing the Braddock Road Improvements.

BACKGROUND:

The Board approved two agreements with Virginia Department of Transportation (VDOT) fully funding preliminary engineering for Phases I and II (\$11,300,000). VDOT initially split the improvements into two phases for administration of design, using the recommended intersection and corridor improvements alternative as the basis for the Projects with the following two project numbers and UPCs.

- VDOT Project Number 0620-029-425, UPC T21735, Braddock Road from Humphries Drive to Southampton Drive.
- VDOT Project Number 0620-029-426, UPC T21736, Braddock Road from Southampton Drive to Ravensworth Road, including interchange modifications at I-495.

Board Agenda Item
May 21, 2019

The total estimate for design of the Projects is \$11.3 million. (\$5.5 million for the section between Humphries Drive and Southampton Drive and \$5.8 million for the section between Southampton Drive and Ravensworth Road).

The revised approach for the project implementation combines both phases into single project / UPC and advances design to 30 percent/ public hearing. The primary reason for combining Braddock Road into a single project and advancing partial preliminary engineering, is so VDOT can administer a single environmental document. This saves time and money doing a single project document, instead of two separate projects.

As this approach constitutes a substantive change from what the Board previously approved, staff is returning to the Board for approval of this proposed agreement. The new VDOT project number will be 0620-029-448, UPC 114627. The revised project estimate for 30 percent design of both phases is \$5.4 million.

Advancing the two phases to 30 percent design as a single project reduces costs for environmental and traffic studies. Additionally, the environmental work can be achieved as a single task, resulting in a single document, as opposed to two documents. Fairfax County Department of Transportation has been working with VDOT to advance the project design.

FISCAL IMPACT:

As previously stated, the Board approved \$11.3 million for full design of Phases I & II. Staff is recommending the reallocation of \$5.4 million funds for this project, with the balance \$5.9 million reserved to further advance this Project. These funds have been identified in Fund 40010 (County and Regional Transportation Projects) for the 30 percent design phases of the Projects. Fairfax County Department of Transportation will pursue funding through other alternative sources of funding (e.g., Northern Virginia Transportation Authority regional funds, and state Smart Scale funds) for the right-of-way, and construction phases of the Projects. Provided the Board approves this request, and after execution of the agreements, funding will be transferred to VDOT for project design. There is no impact to the General Fund.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution to Execute a Standard Project Agreement with the Virginia Department of Transportation

Attachment 2: Standard Project Agreement (including Related Appendices) with the Virginia Department of Transportation for Braddock Road Multimodal Improvements from Humphries Drive to Southampton Drive with Project Number: 0620-029-448 (UPC 114627).

Board Agenda Item
May 21, 2019

STAFF:

Rachel Flynn, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Todd Minnix, Chief, Transportation Design Division, FCDOT
Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division (CPTED), FCDOT
Karyn Moreland, Section Chief, Capital Projects Section, FCDOT
Michael Guarino, Section Chief, CPTED, FCDOT
Tad Borkowski, Senior Transportation Planner, CPTED, FCDOT
Todd Wigglesworth, Chief, Coordination and Funding Division (CFD), FCDOT
Ray Johnson, Chief, Funding Section, CFD, FCDOT
Benjamin Atsem, Transportation Planner, CFD, FCDOT
Joe LaHait, Debt Coordinator, Department of Management and Budget

ASSIGNED COUNSEL:

Joanna Faust, Assistant County Attorney

Fairfax County Board of Supervisors Resolution

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center in Fairfax, Virginia, on Tuesday, May 21, 2019, at which meeting a quorum was present and voting, the following resolution was adopted:

AGREEMENT EXECUTION RESOLUTION

A RESOLUTION FOR THE BOARD OF SUPERVISORS OF THE COUNTY OF FAIRFAX, VIRGINIA AS AN ENDORSEMENT OF THE

**Braddock Road Multimodal Improvements from Humphries Drive to Ravensworth Road
Project**

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

NOW, THEREFORE, BE IT RESOLVED, that the County of Fairfax requests the Commonwealth Transportation Board to establish a project(s), if not already established, for the implementation of, Braddock Road Improvements from Humphries Drive to Ravensworth Road project ("Project").

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

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

Adopted this 21st day of May 2019, Fairfax, Virginia

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

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

Attachment 2

FAIRFAX COUNTY
PROJECT NUMBER 0620-029-448 UPC 114627

THIS AGREEMENT, made and executed in triplicate on this the ____ day
of _____, 2019, between the COMMONWEALTH OF
VIRGINIA DEPARTMENT OF TRANSPORTATION, hereinafter referred
to as the "DEPARTMENT" and the COUNTY OF FAIRFAX, hereinafter
referred to as the "COUNTY."

WITNESSETH

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

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

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

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

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

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

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

A. The DEPARTMENT shall:

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

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

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

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

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

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

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

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

COUNTY OF FAIRFAX, VIRGINIA:

_____	_____
	Date
_____	_____
Typed or Printed Name of Signatory	Date
_____	_____
Signature of Witness	Date

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

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

_____	_____
Chief of Policy	Date
Commonwealth of Virginia	
Department of Transportation	
_____	_____
Signature of Witness	Date

Attachments: Appendix A (UPC 114627)
Appendix B (UPC 114627)

VDOT Administered, Locally Funded Appendix A

Date: **DRAFT 4/5/2019**

Project Number: 0620-029-448 UPC: 114627 CFDA# 20.205 Locality: Fairfax County

Project Location ZIP+4: 22151-1009	Locality DUNS # 074837626	Locality Address (incl ZIP+4): 4050 Legato Rd, Suite 400 VA 22033-2895
------------------------------------	---------------------------	--

Project Narrative

Scope: Multimodal improvements (including intersection improvements, access management, and bike/ped paths) on Braddock Road to include alternative analysis, preliminary design and plan development.

From: Humphries Drive

To: Ravensworth Road

Locality Project Manager Contact info: Tad Borkowski 703-877-5757 tad.borkowski@fairfaxcounty.gov

Department Project Coordinator Contact Info: Calvin Britt 703-259-2961 calvin.britt@vdot.virginia.gov

Project Estimates

Phase	Estimated Project Costs
Preliminary Engineering	\$5,400,000
Right of Way & Utilities	\$0
Construction	\$0
Total Estimated Cost	\$5,400,000
Estimate for Current Billing	\$5,400,000

Project Cost

Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering	\$5,400,000	Local Funds	100%	\$5,400,000
				\$0
Total PE	\$5,400,000			\$5,400,000
Right of Way & Utilities				
Total RW				
Construction				
Total CN				
Total Estimated Cost	\$5,400,000			\$5,400,000

Total Maximum Reimbursement / Payment by Locality to VDOT

\$5,400,000

Project Financing

Local Funds					Aggregate Allocations
\$5,400,000					\$5,400,000

Payment Schedule

FY 2019			
\$5,400,000			

Program and Project Specific Funding Requirements

- This is a limited funds project. The locality shall be responsible for all funding of \$5,400,000 and any additional funding required.
- All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation.
- VDOT has billed the LOCALITY \$ 0 for this project as of 5/5/2019.
- VDOT has received \$ 0 from the LOCALITY for this project as of 4/5/2019.
- **The LOCALITY shall make one lump sum payment to VDOT in the amount of \$5,400,000 no later than 60 days after execution of this agreement/appendix.**
- This is a **Study Only** project to develop subsequent Phase 1 and Phase 2 projects. These Phased projects will be under separate UPC and agreement.

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

Authorized Locality Official and Date

Authorized VDOT Official and Date

Typed or printed name of person signing

Typed or printed name of person signing

Revised: August 13, 2018

Appendix B

Project Number: 0620-029-448 (UPC 114627) **Locality:** Fairfax County

Project Scope			
Work Description:	Multimodal improvements on Braddock Road and Ravensworth Road to include alternative analysis, preliminary design and plan development		
From:	Humphries Drive		
To:	Ravensworth Road		
Locality Project Manager Contact Info:	Tad Borkowski	tad.borkowski@fairfaxcounty.gov	703-877-5757
Department Project Coordinator Contact Info:	Calvin Britt	calvin.britt@vdot.virginia.gov	703-259-2961

Detailed Scope of Services
<p>Project Study will develop the project (Phase I and Phase II) from alternatives analysis through Public Involvement and approval of major design elements. VDOT will supervise and support all tasks, and will enter into a consultant contract which will include the following:</p> <ul style="list-style-type: none"> • Traffic engineering design to include: <ul style="list-style-type: none"> ○ Traffic counts, analyses, projections, signal design and coordination with Intelligent Transportation System (ITS) ○ Intersection improvements (turn lane and channelization) at Braddock Road and Ravensworth Road. ○ Measures to restrict turning movements at intersections identified in the Study ○ Relocation of a portion of Danbury Forest Drive, to realign the intersection with Wakefield Road; ○ Improvements to horizontal and vertical geometry of Braddock Road on each approach of Guinea Road ○ The construction of a right turn lane on westbound Braddock Road at the Guinea Road intersection; • Preparation of plans (line, grade, and typical section) for use at a Preliminary Field Inspection (PFI) • Preparation of an Interchange Modification Report and concepts for consideration along with detailed cost estimates for each concept (=Modifications to three ramps serving general-purpose lane traffic at the I-495 / Braddock Road interchange, as shown on the Study exhibits.) • Preparation of Maintenance of Traffic plans and Transportation Management plans with consideration of working within a constricted right of way and maintaining access • Maintenance of traffic concepts and construction phasing; • Shared use paths and sidewalk design to include: <ul style="list-style-type: none"> ○ Preparation of structural (bridges) design plans including aesthetic treatment for Pedestrian bridges over Braddock Road and associated retaining walls (One east of Southampton Drive and one west of Southampton Drive – locations to be determined during preliminary design) ○ A bicycle/pedestrian bridge over Accotink Creek parallel to the existing highway

- bridge;
- Stair and ramp access from Braddock Road to the Accotink Creek stream valley trail;
- Improvements to the existing Accotink Creek stream valley trail underpass of Braddock Road;
- Bike and pedestrian facilities on Ravensworth Road from Braddock Road to the approximate intersection with Greenfield Road, as depicted on the Study exhibits.
- Conceptual design of storm water management (SWM) facilities, hydraulic evaluation of drainage system, conceptual erosion and sediment measures, and major culverts/bridge crosses that require Hydrologic and Hydraulic Analysis (HHA) Report and digital model.
- Roadway/Interchange Lighting plans
- Landscaping plans
- Coordination with Environmental evaluation
- Coordination of utility design and supplemental survey data (Note: Subject to final cost analyses, utilities on the south side of Braddock Road between Guinea Road and Bradfield Drive may be relocated underground when the project is constructed.)
- Participation in value engineering study
- Participation in Risk Assessment Evaluation
- Participation in stakeholder groups, if necessary and Public Hearing documentation and support
- VDOT will undertake and be responsible for all preliminary engineering activities needed including surveys, mapping, environmental work, traffic counts and analyses, preparation and processing of an Interchange Modification Report for improvements to the I-495 / Braddock Road interchange, geotechnical investigations and engineering, preliminary and final civil and structural design, and public involvement.
- For purposes of this agreement, it is assumed that a traditional design-bid-build procurement model will be followed. The project will be developed following a federal process, i.e. in a manner which will not preclude the use of federal funds, if a decision is made at some point during project development to make use of such.

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

Authorized Locality Official and date

Residency Administrator/PE Manager/District Construction Engineer
Recommendation and date

Typed or printed name of person signing

or printed name of person signing

Typed

Board Agenda Item
May 21, 2019

ACTION - 3

Approval of and Authorization to Execute a Standard Project Administration Agreement with the Virginia Department of Transportation, for the Implementation of Compton Road Shared Use Path (Sully District)

ISSUE:

Board of Supervisors' approval of, and authorization for the Director of the Department of Transportation to execute a Standard Project Administration Agreement (SPA) with the Virginia Department of Transportation (VDOT), substantially in the form of Attachment 2 for the Implementation of Compton Road Shared Use Project. Funding of \$3.0 million was approved for this project by the Board of Supervisors on January 1, 2014. The current project estimate is \$4.5 million; therefore, an additional \$1.5 million in funding authority is required to move forward with this project.

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors approve an additional \$1.5 million in funding for the project, and approve a resolution (Attachment 1), authorizing the Director of the Department of Transportation to execute a SPA with VDOT substantially in the form of Attachment 2, for the completion of the project.

TIMING:

Board approval is requested on May 21, 2019, to allow the County to enter into the Standard Project Administration Agreement with VDOT.

BACKGROUND:

The Transform 66 project plans to complete a parallel trail along the I-66 highway corridor as part of the widening to implement Express Lanes Outside the Beltway. In areas where the highway right-of-way is limited and the trail cannot be accommodated, portions of the trail will continue along the street network or park property until it can be reconnected to the trail located in highway right-of-way.

The Compton Road segment is one such connection that will provide a shared use path connection from the Cub Run Stream Valley Trail to the Bull Run Events Center entrance. As part of the Transform 66 project, Express Mobility Partners, the private concessionaire, will modify the I-66 Bridge over Compton Road and construct a 10 foot shared use path underneath the bridge. VDOT will construct the remaining portions of the 10 foot shared use path north and south of the bridge along the east side of Compton Road. The cost estimate for this project is \$4.5 million.

Board Agenda Item
May 21, 2019

In January 2014, the Board approved \$3.0 million for Compton Road Walkway Improvements as part of the Transportation Priorities Plan (TPP). The current project estimate is \$4.5 million; therefore, an additional \$1.5 million in funding authority is required to move forward with this project. Staff recommends funding this project through a combination of Congestion Mitigation and Air Quality (CMAQ) funds (available from unused balances previously allocated to the Tysons Metrorail Station Access Management Study (TMSAMS) projects) and with funding previously identified for this project in Fund 40010, County and Regional Transportation Projects.

Implementation of this project by VDOT allows for the trail to capitalize upon existing construction efforts associated with I-66 and meets the County's already identified need to provide pedestrian and bicycle connections along Compton Road. Fairfax County identified the need for this project ahead of the Transform I-66 project, but it will be more efficient for VDOT to implement this project with the Express Lanes, rather than the County constructing it as a stand-alone project.

FISCAL IMPACT:

The Standard Project Administration Agreement is a reverse funding agreement in which the County will reimburse the Commonwealth for the County's share of the project which totals \$2,630,000. Staff has identified funding in Project 2G40-088-000, Bike and Pedestrian Program, in Fund 40010, County and Regional Transportation Projects to meet the County's share. Design work will begin immediately after agreement execution. There is no impact to the General Fund.

ENCLOSED DOCUMENTS:

- Attachment 1: Resolution Authorizing the Execution of a Standard Project Agreement with the Virginia Department of Transportation
- Attachment 2: Standard Project Agreement (including Related Appendices) with the Virginia Department of Transportation for the Compton Road Shared Use Path

STAFF:

Rachel Flynn, Deputy County Executive
Tom Biesiadny, Director, Fairfax County Department of Transportation (FCDOT)
Todd Minnix, Chief, Transportation Design Division, FCDOT
Eric Teitelman, Chief, Capital Projects and Traffic Engineering Division (CPTED), FCDOT
Chris Wells, Senior Transportation Planner, CPTED, FCDOT
Martha Coello, Senior Transportation Planner, Special Projects, FCDOT
Todd Wigglesworth, Chief, Coordination and Funding Division (CFD), FCDOT
Ray Johnson, Chief, Funding Section, CFD, FCDOT
Christina Farrar, Transportation Planner, CFD, FCDOT

ASSIGNED COUNSEL:

Joanna Faust, Assistant County Attorney

Fairfax County Board of Supervisors Resolution

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Fairfax County Government Center in Fairfax, Virginia, on Tuesday, May 21, 2019, at which meeting a quorum was present and voting, the following resolution was adopted:

AGREEMENT EXECUTION RESOLUTION

A RESOLUTION FOR THE BOARD OF SUPERVISORS OF THE COUNTY OF FAIRFAX, VIRGINIA AS AN ENDORSEMENT OF THE

Compton Road Shared Use Path PROJECT

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

NOW, THEREFORE, BE IT RESOLVED, that the County of Fairfax requests the Commonwealth Transportation Board to establish a project(s), if not already established, for the implementation of the Compton Road Shared Use Path from Cub Run Valley Trail to Bull Run Special Events Center Access Road project (“Project”).

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

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

Adopted this 21st day of May 2019, Fairfax, Virginia

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

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

FAIRFAX COUNTY
PROJECT NUMBER 0658-029-461 **UPC T22710**

THIS AGREEMENT, made and executed in triplicate on this the ____ day of _____, 2019, between the COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT" and the COUNTY OF FAIRFAX, hereinafter referred to as the "COUNTY."

WITNESSETH

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

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

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

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

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

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

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

A. The DEPARTMENT shall:

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

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

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

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

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

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

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

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

COUNTY OF FAIRFAX, VIRGINIA:

_____	_____
	Date
_____	_____
Typed or Printed Name of Signatory	Date
_____	_____
Signature of Witness	Date

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

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

_____	_____
Chief of Policy	Date
Commonwealth of Virginia	
Department of Transportation	
_____	_____
Signature of Witness	Date

Attachments: Appendix A **(UPC T22710)**
Appendix B **(UPC T22710)**

VDOT Administered, Locally Funded Appendix A

 Date: **DRAFT 4/10/2019**

Project Number: 0658-029-461 UPC: T22710 CFDA# 20.205 Locality: Fairfax County

Project Location ZIP+4: 20121	Locality DUNS # 074837626	Locality Address: 4050 Legato Rd,Suite 400, Fairfax, VA 22033-2867
-------------------------------	---------------------------	---

Project Narrative

Scope: Construct 10' shared use path on the northeast side of Compton Road, excluding the portion of trail under the I-66 bridge (to be constructed by EMP/FAM)

From: Cub Run Stream Valley Trail

To: Bull Run Special Events Center Access Road

Locality Project Manager Contact info: Lauren Delmare 703-877-5781 lauren.delmare@fairfaxcounty.gov

Department Project Coordinator Contact Info:

Project Estimates

Phase	Estimated Project Costs
Preliminary Engineering	\$750,000
Right of Way & Utilities	\$450,000
Construction	\$3,300,000
Total Estimated Cost	\$4,500,000
Estimate for Current Billing	\$4,500,000

Project Cost

Phase	Project Allocations	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount
Preliminary Engineering	\$750,000	CMAQ	0%	\$0
				\$0
				\$0
Total PE	\$750,000			\$0
Right of Way & Utilities	\$450,000	CMAQ	0%	\$0
				\$0
				\$0
Total RW	\$450,000			\$0
Construction	\$670,000	CMAQ	0%	\$0
	\$2,630,000	Local Funds	100%	\$2,630,000
				\$0
Total CN	\$3,300,000			\$2,630,000
Total Estimated Cost	\$4,500,000			\$2,630,000

Total Maximum Reimbursement / Payment by Locality to VDOT

\$2,630,000

Project Financing

CMAQ	Local Funds	Aggregate Allocations
\$1,870,000	\$2,630,000	\$4,500,000

Payment Schedule

FY 2019	FY 2020	FY 2021
\$876,666	\$876,667	\$876,667

Program and Project Specific Funding Requirements

- This is a limited funds project. The locality shall be responsible for any additional funding in excess of \$(INSERT DOLLAR AMOUNT)
- VDOT has billed the LOCALITY \$0 for this project as of 4/10/2019.
- VDOT has received \$0 from the LOCALITY for this project as of 4/10/2019.
- The LOCALITY shall make equal payments to VDOT according to the Payment Schedule above.
- All local funds included on this appendix have been formally committed by the local government's board or council resolution.

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

Authorized Locality Official and Date

Authorized VDOT Official and Date

Typed or printed name of person signing

Typed or printed name of person signing

Revised: August 13, 2018

Appendix B

Project Number: **(UPC T22710)**

Locality: **Fairfax County**

Project Scope	
Work Description:	Construct 10' shared use path on the northeast side of Compton Road, excluding the portion of trail under the I-66 bridge (to be constructed by EMP/FAM)
From:	Cub Run Stream Valley Trail
To:	Bull Run Special Events Center Access Road
Locality Project Manager Contact Info: Lauren Delmare 703-877-5781 lauren.delmare@fairfaxcounty.gov Department Project Coordinator Contact Info: TBD	

Detailed Scope of Services
<ul style="list-style-type: none">• Design and construct approximately 550 LF of 10 ft. paved SUP with 2 ft. shoulders on the east side of Compton Road. Connect to the existing Cub Run Stream Valley Trail at the northern terminus, with a SUP crossing (unsignalized) to the entrance to the Bull Run Regional Events Center located on Compton Road at the southern terminus. The existing bridge over Cub Run will be widened to accommodate the SUP. It is assumed that this can be done without adversely impacting the 100 year water surface elevation (WSEL) of Cub Run that defines the flood plain. Subject to design analysis, a curb and gutter section will tentatively be used on the east side of Compton Road adjacent to the SUP.• The VDOT project will connect to both ends of the SUP that the I-66 Express project will construct under the bridge carrying I-66 over Compton Road. It is assumed that the I-66 Express SUP will also consist of a 10 ft. paved facility with 2 ft. shoulders, will be constructed at approximately the same grade (elevation) as existing Compton Road so as to avoid adverse impacts to the 100 year WSEL, and will extend from right-of-way line to right-of-way line of I-66, a length of approximately 275 ft. (see attached graphic)• It is assumed that storm water management (SWM) requirements for the project can be met by modifying the existing SWM facility that is located on the east side of Compton Road opposite the Regional Events Center entrance and by purchasing nutrient credits.• VDOT's scope includes right-of-way acquisition and utility relocations within the project limits.

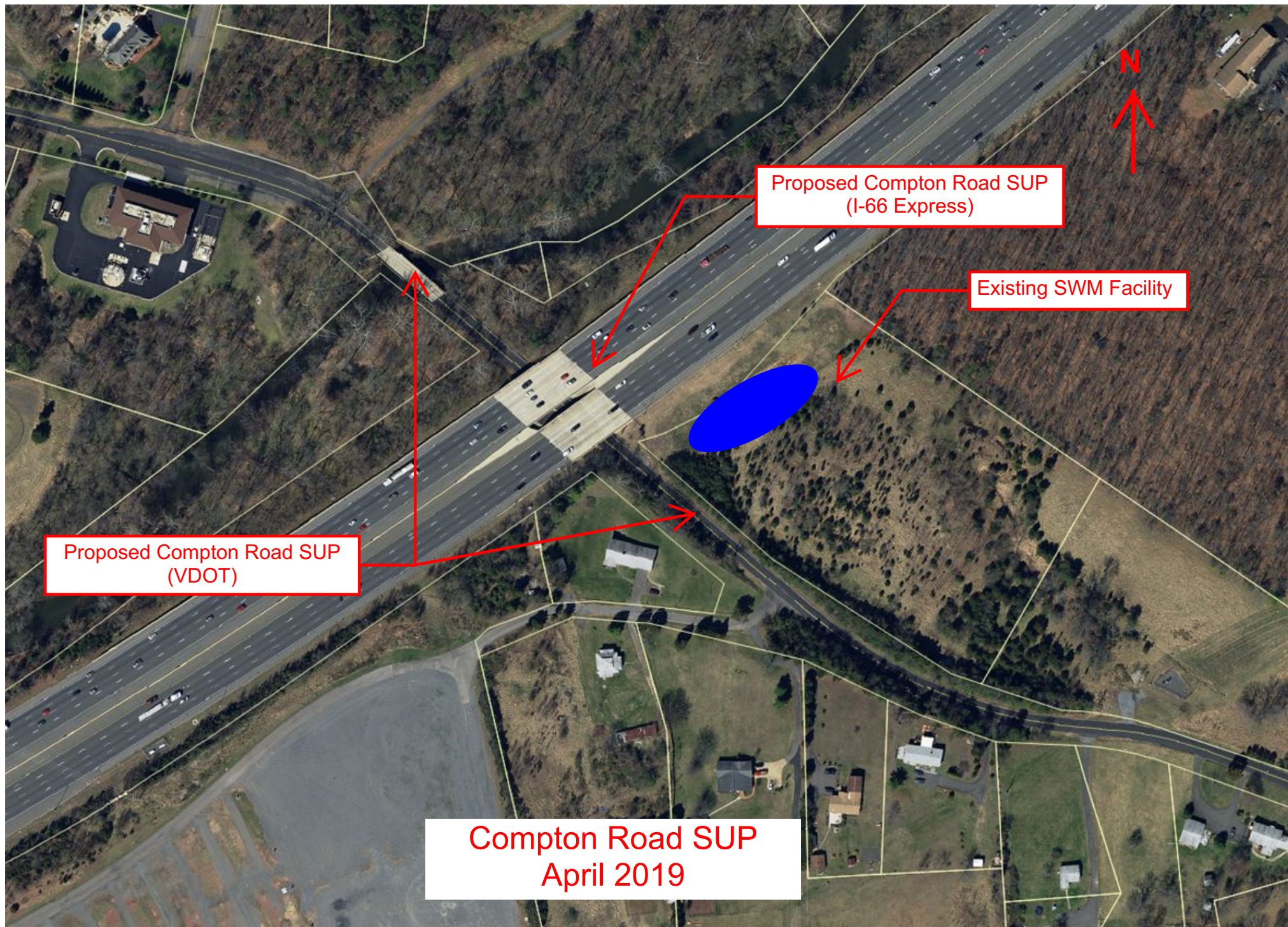
This attachment is certified and made an official attachment to this document by the parties of this agreement

Authorized Locality Official and date

Residency Administrator/PE Manager/District Construction Engineer
Recommendation and date

Typed or printed name of person signing

Typed or printed name of person signing



Proposed Compton Road SUP
(I-66 Express)

Existing SWM Facility

Proposed Compton Road SUP
(VDOT)

Compton Road SUP
April 2019

Board Agenda Item
May 21, 2019

ACTION – 4

Approval for the Development and Implementation of a Public Safety Unmanned Aircraft System Program (UAS)

ISSUE:

Board approval for the development and implementation of a public safety Unmanned Aircraft System Program (UAS).

RECOMMENDATION:

The County Executive recommends approval by the Board of Supervisors.

TIMING:

Board approval is requested on May 21, 2019.

BACKGROUND:

Staff from the Office of Emergency Management, Fire and Rescue Department, Police Department, Sheriff's Office, Office of the County Attorney, Office of Public Affairs, and Risk Management began meeting in May 2017 to develop a conceptual design for a public safety Unmanned Aircraft Systems (UAS) program.

A UAS program would provide enhanced operational capability, safety, and situational awareness for first responders, other staff or volunteers, affiliated partners, and the community. Unmanned aircraft are able to operate in many types of environments or critical incidents, natural or manmade, which might be hazardous to the safety of first responders or others. UAS also have a cost benefit compared to manned aircraft. UAS is not a replacement for manned aircraft, which have unique and more comprehensive capabilities, but for some missions it provides a reliable, safe, versatile, supplemental or alternative tool for incident commanders and first responders. Public safety agencies in other localities, including in the Commonwealth, have implemented UAS programs, as has the Virginia Department of Emergency Management.

The program is designed to support a variety of mission types, particularly for public safety to enhance life safety. Identified mission types include, but are not limited to, search and rescue, operational planning, emergency management, flooding assessment, post-disaster or incident damage assessment, crash reconstruction, fire incident/scene management and investigations, hazardous materials responses, and wildlife estimation. The tool would also be an asset during deployments for the Fire and Rescue Department's Urban Search and Rescue (USAR) team.

Board Agenda Item
May 21, 2019

The proposed program was first presented and discussed at the January 30, 2018, Public Safety Committee meeting. It was then brought as an Action Item for the July 31, 2018, Board meeting, but the Board deferred action. Staff was directed to conduct community outreach and seek input on the proposed program. Staff was further directed to then present any significant program revisions made based on community outreach and input to the Board at a Public Safety Committee meeting prior to any formal consideration.

Staff created a UAS Task Force, inviting multiple stakeholder participants, community members and organizations, and subject matter experts to discuss the program purpose, to review and revise the draft program manual, policies, and procedures, and to help develop and implement a community outreach and input program. The UAS Task Force met four times between October 2018 and February 2019, with robust participation and discussion on all aspects of the proposed program, to include, but not limited to, UAS purpose, operational safety and procedures, relevant federal, state, and local laws and regulations, best practices, privacy protection, data retention, program transparency and outreach, training, governance, wildlife protection, and program assessment and evaluation.

Staff also conducted six public presentation and input sessions across the County earlier this year. Each session included a display of the types of aircraft that may be used, a presentation on the proposed program, and an opportunity for those in attendance to ask questions or provide input or recommendations.

Finally, there was also a 30-day review and comment period for the proposed UAS program advertised and available on the County webpage. The process began in early January and ended in February, with more than 100 comments, questions, and recommendations submitted and considered.

The UAS Task Force, community sessions, the review and comment period, and Board discussion have all been instrumental with staff in co-producing revisions to the proposed public safety UAS program and draft program manual. These revisions were presented and discussed at the March 12, 2019, Public Safety Committee meeting, and are included in the draft UAS Program Manual (Attachment 1, with revised language highlighted). The significant revisions include:

- Community stakeholder representation on the proposed UAS Steering Committee (a minimum of two shall be included, but more will be allowed)
- A formal, biennial UAS program review and evaluation, to include community engagement and outreach
- Enhanced transparency and a predisposition to the release of information on the program, policies, missions, flight data, logs, etc.
- Law enforcement agencies' specific section

Board Agenda Item
May 21, 2019

- Operational guidelines to ensure reasonable precautions to avoid inadvertent recording or transmitting of images of individuals and properties unrelated to the mission
- An operational posture of minimal data imagery collection (mission essential only) with live video feed only capability the normal preferred operational method
- Line of sight only operation to reduce the potential for inadvertent capture of video or images outside the scope of the mission (any request for a future FAA waiver application for operation beyond the visual line of sight shall require Board approval)
- Relevant data retention schedules and agency audit requirements
- Identifiable clothing on flight crew members and County identification on UAS equipment
- Operation and flight deconfliction strategies with hobbyist and/or media UAS operations
- Further defined training requirements and proficiency requirements
- Wildlife impact mitigation strategies
- A map of the County depicting the approximate location of flight restriction zones (included as an appendix in the draft program manual)

The draft UAS Program Manual is designed to provide operational policies and procedures to promote safe, effective, efficient, responsible, and lawful UAS operations and to maintain community trust. Important aspects of this manual are the focus on the safety of the public and UAS flight crews; protecting individuals' privacy, civil rights and civil liberties; compliance with all applicable federal, state, and local laws, regulations, and policies; public information; data management; and operational and training requirements. The manual outlines an administrative framework for the program, to include a program manager, agency program coordinators, and a steering committee, and it describes operational positions, to include pilots, visual observers, and safety officers. The manual will be reviewed routinely and revised as required due to any legislative, regulatory, or policy revisions, best practices, or any change in the concept of operations. User agencies will be required to also promulgate and maintain agency specific policies.

The program and any operations will comply with all applicable federal, state, and local laws and regulations, including all applicable Federal Aviation Administration (FAA) regulations pertaining to the operations and certification of small Unmanned Aircraft Systems. UAS pilots are required to possess a FAA Part 107 remote pilot airman certificate with a small UAS rating or, if in training, be under the direct supervision of a person who holds such a certificate. The UAS training program will include required segments on not only flight or observer training and safety protocols, but also, importantly, the protection of individuals' privacy, civil rights, and civil liberties, Freedom of Information Act (FOIA), and data dissemination, storage, retention, and security requirements.

Board Agenda Item
May 21, 2019

Program participants, particularly law enforcement or any regulatory agencies or entities with jurisdiction over criminal law violations or regulatory violations, shall strictly comply with the requirements of Virginia Code Ann. § 19.2-60.1 (Supp. 2018), Use of unmanned aircraft systems by public bodies; search warrant required. This code section imposes specific warrant requirements with certain allowable exceptions, and has been specifically highlighted in the draft program manual, and will be a focus for training.

UAS will be used to capture imagery and video data only if mission essential to assist or support the flight crew or affiliated personnel in planning, response, and recovery efforts, forensic documentation, or for training purposes. The preferred normal operational mode for most UAS missions will be the live video feed only capability for the flight crew or other personnel to view. Any images and video collected using unmanned aircraft will be managed in compliance with County data collection and dissemination policies. County record retention procedures for this program are derived primarily from the requirements outlined in the Library of Virginia archives, records and collections services records retention and disposition schedule under General Schedule No. GS- 17, as they relate to county and municipal governments' law enforcement and fire and emergency services. The Library of Virginia publishes this schedule pursuant to the Virginia Public Records Act, Va. Code Ann. §§ 42.1-76 through -91 of the Code of Virginia. Agencies using UAS shall conduct regular audits to ensure that recorded data is not retained beyond any prescribed retention time period and is destroyed in compliance with Library of Virginia guidelines.

Safety will be an overarching priority and philosophy for the UAS program. To mitigate risks, there will be mandated flight and observer training (initial and recurring), risk assessment and mitigation training, compliance with FAA regulations, required number and type of personnel for any mission deployment, required safety audits, and a continuing assessment of practices by all involved. All operations are to be performed in a safe, responsible, lawful, and ethical manner.

To be transparent and maintain community trust, if the UAS program is approved, further community outreach, education, and information about the UAS program will be conducted, including program purpose, equipment, capabilities, policies and procedures, safety protocols, and safeguards to protect individuals' rights to privacy, civil rights, and civil liberties. A UAS program will include, at a minimum, not only initial presentations and demonstrations for the public and the media, but ongoing community presentations as requested, a UAS specific County website for program information and updates, an email account for information, questions, or complaints, reporting requirements, and a flight alerting/notification system for the public.

If the program is approved staff will then apply for a required FAA Certificate of Authority (COA) to ensure strict compliance with federal requirements before any UAS program implementation. A formal steering committee will also be established to provide guidance and oversight of the program. At a minimum, two community or community

Board Agenda Item
May 21, 2019

organization representatives shall be included as members, but more will be encouraged, invited, and allowed. These members will be solicited through the stakeholders, subject matter experts, and organizations which served on the UAS Task Force. The responsibilities of the steering committee will include the development, implementation, management, review, and oversight of the UAS program.

The UAS program has been developed, and Board approval requested, for use by public safety agencies for the approved mission types. To maintain program integrity and lack of duplication, it is recommended that other County agencies wanting to operate UAS be required to detail their intended purpose, mission types, and scope and request Board approval.

FISCAL IMPACT:

There is an anticipated initial procurement of six to eight UAS, with an estimated cost of approximately \$3,500 each for equipment and required accessories, by the Office of Emergency Management, the Fire and Rescue Department, and the Police Department. These costs will be absorbed by the respective agencies within existing budgets. Grant opportunities are also being explored and evaluated for equipment procurement.

Participating agencies will also absorb the fees for FAA Part 107 examinations required every two years for UAS pilots, with a current cost of \$150 per pilot. Data storage requirements are anticipated to be minimal as there is no requirement or purpose to collect or retain data for most types of UAS missions.

CREATION OF NEW POSITIONS:

There are no positions being requested.

ENCLOSED DOCUMENTS:

Attachment 1 – Draft Fairfax County UAS Program Manual

STAFF:

David M. Rohrer, Deputy County Executive
Seamus Mooney, Coordinator, Office of Emergency Management
John S. Butler, Chief, Fire and Rescue Department
Edwin C. Roessler Jr., Chief, Police Department
Roy Shrout, Deputy Coordinator, Office of Emergency Management

ASSIGNED COUNSEL:

John W. Burton, Assistant County Attorney



Fairfax County Government

PROGRAM MANUAL

UNMANNED AIRCRAFT SYSTEMS (UAS)

| **Draft V3.1**

| **Date: ~~53~~/77/19**

No part of this document may be reproduced in any written, electronic, recording, or photocopying without written permission of the Fairfax County Government Office of Emergency Management for purposes other than the express use of Fairfax County Government and its personnel.

PROGRAM MANUAL PURPOSE

The purpose of this program manual is to provide a set of operational policies and procedures to promote the safe, effective, efficient, responsible, and lawful operation of the Fairfax County Unmanned Aircraft Systems (UAS) program. This program manual applies specifically to public use of Unmanned Aircraft Systems ~~by approved governmental agencies; approved County agencies~~ and does not apply to civil use by residents or private businesses or organizations.

This program manual was developed through coordination with multiple participating agencies and stakeholders, the establishment of a UAS Task Force, and community engagement and input. This manual will be considered a living document and will be revised as required due to any legislative, regulatory, or policy revisions, best practices, or any change in the concept of operations.

Important aspects of this manual are the focus on responsible and accountable operations; the safety of the public and UAS flight crews; the protection of individuals' privacy, civil rights and civil liberties; compliance with all applicable federal, state, and local laws, regulations, and policies; public information; data management; and operational and training requirements.

To demonstrate transparency and maintain community trust the Fairfax County UAS program will provide information about the program and missions on a dedicated County UAS webpage and provide alert notifications to the public for any flights. Community engagement is to be a cornerstone of the program.

All Fairfax County UAS Part 107 certified employees and volunteers shall adhere to the guidelines in this program manual and any additional participating County agency specific requirements to maintain the highest level of standards, safety, and professionalism while operating a UAS.

MISSION STATEMENT

The Fairfax County UAS program will provide an enhanced level of operational capability, safety, and situational awareness for first responders, ~~other~~ approved participating agencies, and decision-makers. ~~The Fairfax County UAS Program will do so by providing delivering~~ relevant high-quality imagery, data, and customized geospatial solutions using unmanned aircraft in a responsible and transparent manner to maintain the public trust.

~~In addition, the Fairfax County UAS Program recognizes that all outdoor UAS flights are highly regulated by the Federal Aviation Administration (FAA) and any UAS flight in the National Airspace System (NAS) proposed in this Manual must comply with all Federal regulations or risk serious fines imposed by the FAA.~~

Formatted: Highlight

TABLE OF CONTENTS

Program Manual Purpose	2
Mission Statement	2
Table of Contents	3
Section 1: Overview	5
Unmanned Aircraft Systems (UAS) Purpose	5
Annual Executive Summary	5
Public Education and Involvement	5
County UAS Webpage	6
Public Comment / Requests	6
Public Alerting / Notification	6
Public / Media Interaction During Operations	6
Concerns / Complaints / Questions	7
UAS Equipment Capabilities	7
Prohibited Uses	7
Mission Profiles	8
Section 2: Law Enforcement Use of UAS	11
Section 3: Administration	13
Steering Committee	13
UAS Program Manager	13
Agency Program Coordinators	14
Program Manual Revisions	15
Notice of Revision	15
Program Evaluation	16
Required Reports / Certifications	16
Memorandums of Understanding / Mutual Aid	16
Section 4: Regulatory	17
Additional FAA Compliance	17
Reporting Requirements	18
Incident / Accident / Mishap Reporting	18
Section 5: Protection of Privacy, Civil Rights, and Civil Liberties	20
Code of Virginia	22
Section 6: Data Management	24
Policy	24
Methods	24
Protection	24

Freedom of Information Requests (FOIA) 256

Section 7: Operations Positions 267

Chief Pilot 267

Pilot in Command (PIC) 267

Visual Observer (VO) 278

Safety Officer (SO) 278

Section 8: Safety 3029

Policy 3029

Medical Factors 3029

Risk Assessment and Mitigation 310

Safety Training 312

New Crew Members 321

Annual Training 321

Safety Training Materials / Documentation 312

Summary 312

Section 9: Operational Training 323

Objective 323

Initial Training 323

Recurring Training 334

Training Materials / Documentation 334

Section 10: General Operating Procedures 345

Request for Support 345

Mission Priorities 345

Mission Approval Criteria 345

Call-out Procedures 356

Mission Minimum Personnel Requirements 365

Flight Boundaries Imposed by the FAA 365

Personal Equipment 367

Equipment Identification 367

Emergency Procedures 368

Pre-Flight / Post-Flight Actions 378

Glossary of Terms 401

Acronyms 467

Appendix A - Retention Schedules 5490

Appendix B - Links 512

Appendix C - Wildlife Acts 523

Appendix D - Airspace in Fairfax County (Map) 535

Formatted: Highlight

Formatted: Font: 10 pt, Not Bold

DRAFT

SECTION 1: OVERVIEW

UNMANNED AIRCRAFT SYSTEMS (UAS) PURPOSE

Unmanned Aircraft Systems (UAS) provide enhanced operational capability, safety, and situational awareness for first responders, other staff or volunteers, affiliated partners, and the community. They can operate in many types of environments (natural or manmade), or other critical incidents which might be hazardous to the safety of first responders or others. UAS provides a unique, viable, safe, versatile, supplemental tool for incident commanders and first responders. UAS also have a cost benefit compared to manned aircraft. UAS is not a replacement for manned aircraft that have a different set of capabilities, but for some missions UAS provide first responders with a tool that can access areas where manned aircraft cannot fly due to weather or other safety regulations. UAS provides a viable, safe, and supplemental asset to other manned aircraft assets.

ANNUAL EXECUTIVE SUMMARY

The Fairfax County UAS Program Manager, in coordination with the UAS Steering Committee, will develop an annual executive summary to highlight program accomplishments, outline mission summaries, and provide information about the number of deployments, hours flown, support for other localities or partner agencies. Any significant revisions to this manual or other relevant policies will also be identified in the summary. This summary will be posted to the County webpage and will also be available to those persons without electronic access upon request.

PUBLIC EDUCATION AND INVOLVEMENT

To be transparent and maintain community trust, in the development of this program a UAS Task Force, with community representation was established, and the community was invited to participate in information and question sessions, or to otherwise review and comment on the use of UAS technology and this policy manual online or through email.

Transparency and community engagement will continue to be an integral program component, with multiple methods and strategies to not only provide information, but to also continue to seek and allow public comment on the purpose of the program, equipment, capabilities, policies, safety protocols, and safeguards to protect individuals' privacy, civil rights, and civil liberties. These methods and strategies will include but not limited to the following:

- Provide presentations at community meetings, town halls or special events. Invite media representation as possible.
- Community representation on the UAS Steering Committee.
- Predisposition to the release of information on the program, policies, missions, flight data, logs, etc.
- Provide public demonstrations to showcase the County's capability and provide public information and education on the UAS program.
- Establish and maintain a UAS webpage for transparency and to provide the public information on policy, equipment, training, mission types, and FAQs.

- Biennial formal assessment of the UAS program with community participation.
- Fairfax County Park Authority sponsored beginner classes to educate the community about UAS.
 - Special events and programs focusing on safety and UAS philosophy.
 - Both indoor and outdoor flight opportunities.

COUNTY UAS WEBPAGE

A key County principle is to provide transparency and information to the public. As part of a multi-tiered approach to this principle the UAS program will maintain a dedicated County webpage that will provide links to the UAS Program Manual, policies and procedures, information on missions flown, program updates, and locations where members of the public may fly personal drones in compliance with Federal restrictions in permitted areas of UAS flight.

Website: <https://www.fairfaxcounty.gov/uas>

PUBLIC COMMENT / REQUESTS

An email account has been created to provide access to the County UAS program for the public to ask questions about the program, offer feedback or suggestions, or notify of a complaint. The UAS Program Manager will be responsible for monitoring this email account and responding or coordinating responses with appropriate agencies.

Email address: UAS@fairfaxcounty.gov

Formatted: Highlight

PUBLIC ALERTING / NOTIFICATION

A UAS notification group has been created in Fairfax Alerts that will provide the public the opportunity to sign up for notifications for missions or training flights. These alerts will be sent geo-coded only to the immediate area in which flight operations which will be conducted within line of sight of the Pilot in Command and any visual observer, will be taking place. Other existing alternative alert/notification methods may be used in certain instances, particularly if an emergency or critical incident is occurring. The respective agency program coordinator or incident commander will be responsible for ensuring timely public notification.

PUBLIC / MEDIA INTERACTION DURING OPERATIONS

While on a mission assignment, it is likely that members of the public and/or media may approach the flight crew and attempt to observe the operation, ask questions, request an interview, or take pictures or video of the operation. Flight crew members are expected to be respectful, but their priority is safety of all involved.

Flight crew members or other representatives of the UAS program are encouraged to speak with the public and media about the program or the mission provided it is safe, does not interfere with flight operations, or compromise the integrity of any mission. When possible, designate a safe area for the public or media to assemble and observe.

The flight crew may request support from other County agencies, such as police, if needed to establish a safe perimeter and/or request a PIO to respond to assist.

Flight crews are to ensure that any sensitive mission information is not readily accessible by the public or media visually or using video or other photographic equipment.

In the event the public or media wants to fly their own unmanned aircraft near or within an active airspace, flight crews or other support staff may, if necessary, ask them to avoid flight operations in the immediate area due to safety and security concerns, or provide other reasonable mitigation and deconfliction measures, such as assigning perimeter zones or different altitudes, etc. The Pilot in Command has the ultimate authority and responsibility to continue or abort any mission if safety or mission effectiveness or security is compromised.

Formatted: Highlight

CONCERNS / COMPLAINTS / QUESTIONS

If a member of the public has a concern or would like further information about the program or a specific flight or UAS operator, that request will be handled first through the UAS Program Manager and then followed up with the respective Agency Program Coordinator as needed.

Any complaint that alleges a privacy, civil rights, or civil liberties violation, or other type of complaint, will be handled in accordance with established County or respective agency policy. Efforts will be made to respond to a complaint within 48 hours of notification unless the initial contact falls during a weekend or holiday.

All requests, questions or comments should be directed through the UAS program email account: UAS@fairfaxcounty.gov.

UAS EQUIPMENT CAPABILITIES

Each of the aircraft used in the UAS program brings a variety of technology and flight capabilities. Enhanced capabilities include:

- Operate in environments that are hazardous or potentially hazardous to personnel.
- Provide High Definition video and photographs.
- Thermal imaging/Forward-Looking Infrared Radar (FLIR).
- Carry an external payload (flotation device, radio, medication, automated external defibrillator (AED)).
- Operate in virtually all-weather conditions.
- Take off and land autonomously.
- Onboard passive collision detection.
- Autonomous return to home during loss of signal or reduced battery strength.

PROHIBITED USES

The UAS program and equipment shall not be used for the following:

- UAS flights in airspace prohibited by applicable Federal and state regulations unless a waiver of the applicable restriction is obtained prior to a flight.
- UAS flights beyond visual line of sight (BVLOS).
- As a weapon or otherwise modified to deploy any projectile, chemical agent, or electric shock analogous to that of an electronic control weapon.
- To conduct unauthorized surveillance activities.
- To collect or use data in any manner that would harass, coerce or discriminate against any person(s) based upon their ethnicity, race, gender, national origin, religion, sexual orientation, or gender identity.
- In violation of the United States Constitution, federal laws or regulations, or the Code of Virginia. When a search warrant is required by law, and no warrant exception exists, flight is prohibited unless authorized by a search warrant signed by a magistrate.
- Routine police patrol operations.
- In conditions that exceed the manufacturer's recommended limitations, including but limited to range, ceiling, wind strength, and battery charge.
- In other than [Class G airspace](#) unless specific authorization is granted by the FAA.
- Daisy-chaining observers to extend line-of-sight.
- To intentionally gather intelligence related to First Amendment protected speech, associations, or activity.
- For personal use of any type.
- To intentionally pursue, harass, disturb, or destroy wildlife.

MISSION PROFILES

Listed below are examples of the types of missions for which UAS systems may be deployed. This list is not exhaustive, and other types of missions may be flown provided they follow County and agency policies and are approved by the incident commander or remote Pilot-in-Command.

- Damage Assessment (natural or man-made event)
 - Structural, flood related, environment, transportation, pipeline breaks, and rail incidents.
 - Enhanced search grids through onboard software.
- Search and Rescue Missions (individuals, aircraft, vehicles and objects)
 - Search for endangered or critical missing individuals.
 - Provide a large-scale overview of the search area.
 - Identify potential hazards for search teams and vehicles.
 - Allow for limited tracking of search teams in an area.
 - Provide photographic and video capability and analysis.
 - Scene awareness and life safety to identify potential hazards to responders.
- Fire Scene Management
 - Overflight of structure fires (residential and commercial) by providing a 360-degree view for the incident commander.

- Aerial management and coordination for large outside fires to help determine the extent of coverage and identify structures, exposures or another infrastructure that may be impacted.
- Assist in helping account for personnel on the fire ground.
- Provide real-time aerial video footage of large-scale incidents.
- Assist in evaluating hazards, structure integrity and helping to ensure scene safety.
- Fire / Explosives Investigations
 - Assist fire investigators in assessing and documenting fire scenes for an overall scope of the scene.
 - Provide detailed overhead views of large fire scenes from multiple angles and is safer than placing aerial ladders in multiple locations to get aerial photos. This is both a time saving and safety issue. The UAS can also zoom in or fly in to get extreme close-up photos and distant scene photos that would normally require the use of the County Police's helicopter unit or other aviation assets.
 - Assist Blasting Enforcement Officer in developing requirements for blast site safety zones for commercial blasting projects.
 - Assist in post blast investigations in locating blast scene radius and areas impacted by an explosion.
- Hazardous Materials
 - Infrared (IR) Forward-Looking Infrared (FLIR) capabilities of the UAS in tracking flows of hazardous materials on waterways during a hazardous materials incident.
 - Assist with hazard identification and development of safety measures.
 - Provide area reconnaissance information without placing personnel in potentially hazardous locations:
 - Assist in determining hazardous materials involvement.
 - Determine potential run-off/movement of hazardous materials.
 - Ensure area is clear of the public.
- Urban Search and Rescue (USAR)
 - Assist with area reconnaissance including urban, suburban and rural locations.
 - Assist with personnel tracking and accountability in wide area search.
 - Provide real-time aerial video footage of rescue operations including but not limited to:
 - Trench rescue.
 - Structural collapse.
 - Swift water rescue.
- Plan Development
 - Assist the Fairfax Joint Local Emergency Planning Committee (FJLEPC) staff in developing site specific Hazardous Materials Emergency Response Plans (HMERP) for large critical hazard facilities and surrounding communities. Examples are waste and fresh water treatment facilities, and petroleum tank farms that cover many acres and are adjacent to residential and/or commercial communities and environmentally sensitive areas.

- Infrastructure
 - Assess hazardous pipeline infrastructure within Fairfax County to evaluate possible leaks and impacts during incidents or pipeline repair projects. This will assist in locating possible critical areas, communities, and sensitive environmental areas that could be impacted by hazardous chemicals leaks or be impacted by normal repairs and inspections of the pipelines.
 - Critical Infrastructure Assessment (bridges, antenna towers, stream and water management).
- Public Safety
 - Provide aerial mapping support to assist in crash reconstruction.
 - Provide aerial mapping, photographing and analyzing crime scenes.
 - Provide real-time traffic impact assessment and 3D mapping due to vehicle crashes or significant events (such as road backups/alternate routes of travel, weather, or evacuations).
 - Provide real-time situational awareness during managed deer hunts and sharpshooting operations on approved parklands to help provide an additional layer of safety for those involved and surrounding properties and residents.
 - Perimeter security.
- Dive Team Support
 - Reconnaissance of the area for best access points into the water.
 - Potentially identify the location of a missing vehicle/person (shadows, tire marks).
 - Scene awareness to identify potential hazards to responders.
- Geospatial Data Acquisition
 - Orthomosaics.
 - Elevation Surfaces.
 - Digital Surface Models.
 - 3D Point Clouds.

SECTION 2: LAW ENFORCEMENT USE OF UAS

It is important to distinguish between “general public safety missions” and the use of UAS technology by law enforcement. This policy has been developed in a manner that equally values security, safety, and privacy.

The following provisions specifically apply to the use of UAS technology by the Fairfax County Police Department (FCPD). The FCPD, consistent with other UAS user agencies, will promulgate specific agency guidelines in alignment with this program manual.

- A. The UA is lawfully authorized for use by the Fairfax County Police Department under the following circumstances:
1. During the execution of a valid search warrant, including forensic crime scene processing and documentation, or in accordance with the exceptions as outlined in [Va. Code Ann. § 19.2-60.1](#). (see *Code of Virginia* section, pp. 23-24)
 2. An unmanned aircraft system may be deployed without a warrant:
 - a. When an Amber Alert is activated pursuant to [Va. Code Ann. § 52-34.3](#)
 - b. When a Senior Alert is activated pursuant to [Va. Code Ann. § 52-34.6](#)
 - c. When a Blue Alert is activated pursuant to [Va. Code Ann. § 52-34.9](#)
 - d. Where use of an unmanned aircraft system is determined to be necessary to alleviate an immediate danger to any person. Examples that may meet the “Immediate danger” threshold include, but are not limited to:
 - Missing Endangered Person
 - Suicidal/Homicidal Person
 - Barricaded/Armed Suspect
 - Fleeing Suspect considered armed and dangerous
 - Active Shooter incidents
 - Bomb/Improvised Explosive Device Incidents
 - Hazmat situations
 - e. To investigate a traffic crash, where a report is required pursuant to [Va. Code Ann. § 46.2-373](#), to survey the scene for the purpose of crash reconstruction and scene documentation.
 - f. For purposes related to training, testing, and equipment evaluation.

g. If operated in a location where a person with legal authority consents to a warrantless search.

B. The primary missions of the FCPD UAS Program are:

- Search and Rescue
- Crash reconstruction
- Forensic documentation

C. UAS operators shall take all reasonable precautions to avoid inadvertently recording or transmitting images of individuals and areas uninvolved with the mission.

D. Reasonable precautions to avoid inadvertent viewing and/or recording of uninvolved persons may include the following:

1. Deactivating or turning recording devices away from certain areas, structures, or persons during UAS operations.
2. Focusing on the areas necessary to the mission to minimize the inadvertent collection of data about uninvolved persons or places.
3. In many operations, it may be prudent and appropriate, to not use any of the UAS's recording capability during an operation, and instead use only the UAS live feed transmission capability to avoid creating "unintended images" of people or activities outside the scope of the investigation.

E. If an FCPD UAS must be flown over private property en-route to an authorized flight area, the PIC shall operate the UAS in a manner, and at an altitude to avoid disturbing any persons on the ground.

F. The need, availability, and use of the UAS shall never supersede the obtaining of a search warrant when such a warrant is required under Virginia law. FCPD shall not circumvent search warrant requirements by requesting any non-law enforcement or regulatory agencies to fly missions on its behalf.

G. Transparency regarding UAS operations, including how the agency deploys and operates the technology, fosters an informed community and promotes greater public trust. If asked, operators should inform individuals that they are using a UAS, and the purpose for the use if the disclosure does not jeopardize any operation or investigation.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

SECTION 3: ADMINISTRATION

STEERING COMMITTEE

A Fairfax County UAS Steering Committee will be formed and meet at least once every three (3) months. The committee will report to the Deputy County Executive for Public Safety and will include representatives from the Office of Emergency Management, Fire and Rescue Department, Police Department, Sheriff's Office, Office of the County Attorney, Risk Management Division, Department of Information Technology, Office of Public Affairs, Park Authority, and any ~~other~~ participating county agency ~~approved to possessing~~ or ~~using~~ UAS technology. Appropriate staff from any relevant state or federal agency may also be included.

A minimum of two community ~~or organization~~ members, with commensurate experience, interest, and knowledge, will also be selected and appointed as members of the Steering Committee to provide a community perspective, ~~protect and promote civil liberties and privacy~~, ensure program compliance, and ~~to~~ enhance community ~~engagement and~~ trust.

The committee will be responsible for supporting the UAS Program Manager, administering the County UAS program, developing the annual executive summary, ensuring that the program complies with all applicable federal, state, and local laws, regulations, and policies, ensuring coordination among participating agencies, updating the program manual, and reviewing best practices and new technology.

UAS PROGRAM MANAGER

The UAS Program Manager will be designated by, and report to, the Deputy County Executive for Public Safety, and will serve for a period of 2 years. The designation will be made following consultation with members of the Steering Committee. The Program Manager is responsible for the oversight of the Fairfax County UAS program and will work closely with all the agency program coordinators.

Position Requirements

- Current Fairfax County government employee.
- Current Remote Pilot Certificate issued by the FAA with small UAS rating.

Duties

- Member of the UAS Steering Committee.
- Develop the annual Executive Summary.
- Coordinate all County UAS training.
- Manage and update the UAS Program Manual.
- Coordinate the Public Program Evaluation Program.
- Provide updated information to all agency program coordinators.
- Manage the County UAS email account and webpage.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

- Maintain FAA certifications.
- Liaison with FAA, Virginia Public Safety UAS Council, Commonwealth of Virginia Unmanned Aerial Systems Sub-Panel, and the Washington Metropolitan Council of Governments (COG).
- Participate in local/regional committee meetings.
- Coordinate with external partners.
- Work closely with County senior leadership.
- Maintain flight proficiency as prescribed in this program manual.
- Maintain and update the County FAA Certificate of Authorization (COA).

AGENCY PROGRAM COORDINATORS

Each participating agency shall designate an Agency Program Coordinator to support the UAS Program Manager and coordinate an agency's UAS policies, operations, training, documentation, resource management, and data management. The UAS Program Manager shall maintain a list of current Agency Program Coordinators.

Position Requirements

- Current Fairfax County government employee.
- Designated by the agency director or designee.

Duties

- Member of the UAS Steering Committee.
- Manage an agency's UAS program in coordination with the UAS Program Manager.
- Coordinate agency training and all ensure operational guidelines are followed.
- Disseminate revisions to the UAS Program Manual to all agency flight crews and revise any respective agency policies as needed.
- Keep current on best practices and technology and make appropriate recommendations.
- Ensure that all aircraft updates and enhancements are downloaded.
- Ensure that data management/access and retention guidelines are being followed.
- Ensure preventive/operational maintenance is performed to standards and documented.
- Maintain copies of all training certificates, flight logs and maintenance logs.
- Respond to County program email as applicable.
- Responsible to ensure any respective agency standards of operating procedures, general orders, or other policy is updated.
- Conduct indoctrination training to new UAS members.
- Oversee procurement of UAS equipment.
- Conduct audits of agency flight and maintenance logs semiannually.

PROGRAM MANUAL REVISIONS

The UAS Program Manual will be reviewed periodically as required to incorporate any revisions due to federal, state, or local legislative, regulatory, or policy revisions, operational assessments, or best practices. At a minimum, the UAS Program Manual will be reviewed and updated, as needed, annually. Revisions will include additions of new or supplementary material, deletions of outdated information or changes in industry best practices. No proposed revision should contradict or override authorities or other plans contained in statute or regulation. All requests for revisions will be submitted to the Fairfax County UAS Steering Committee for coordination, approval, and distribution. Any department or agency may also propose revisions to the UAS Program Manual. Program manual revisions shall be reviewed and approved by the Deputy County Executive for Public Safety.

NOTICE OF REVISION

Notices of revision to the UAS Program Manual will be prepared and distributed by the UAS Steering Committee for all revisions made outside of the scheduled revision process. The notice of revision will include the effective date, revision number, subject, purpose, and action required by the UAS program team. The notice of revision will include revised pages for replacement within the UAS Program Manual.

Sample Record of Revision Form

Number	Date	Date Entered	Entered By
1.1	DD/MM/YEAR	DD/MM/YEAR	First Last

DRAFT

PROGRAM EVALUATION

Although program evaluation and improvement will be an ongoing objective, to ensure that the Fairfax County UAS program continues to evolve and maintain a high level of transparency the UAS Steering committee will schedule a formal evaluation of the UAS program, policies, and practices every two years (biennially). The first of these should begin on or about June 1, 2021. Representatives from the Steering Committee and the community will participate in this review process.

At a minimum, the review process will include the following:

- Review of the UAS program, practices, and policies.
- Review of any applicable federal, state, or local code or regulation amendments or additions to evaluate the need to make any programmatic or training revisions.
- A 30-day public comment period.
- Production of an executive summary of any revisions or recommended revisions.
- Update of the UAS program manual and any required training materials.
- Data storage and retention.

After the program evaluation process has been completed a copy of the executive summary and the updated UAS program manual will be published on the Fairfax County UAS webpage.

REQUIRED REPORTS / CERTIFICATIONS

The Fairfax County UAS program has specific reporting and certification requirements, to include:

- Annual review of the pilot and maintenance logs.
- Annual maintenance review of all aircraft, controllers, and spare parts.
- Annual Executive Summary.
- Applicable FAA and National Capitol Region waivers.
- Annual review and update of the UAS Operations Manual.
- Annual review of all training conducted.
- Quarterly update to county webpage.
- Maintain applicable FAA Remote Pilot knowledge and certifications.

The UAS Program Manager shall have the responsibility, in coordination with the Steering Committee, to ensure the timely completion of these reporting requirements.

MEMORANDUMS OF UNDERSTANDING / MUTUAL AID

Applicable existing MOUs and Mutual Aid agreements will be relied upon when providing support to other localities within the National Capital Region. All guidelines as outlined in this program manual will be followed when supporting another locality or agency. Additional or revised language may be required in current MOUs/MOAs/Mutual Aid agreements based on the restrictive nature of this UAS program.

SECTION 4: REGULATORY

All flights, regardless if operational or training, shall comply with all applicable federal, state, and local laws and regulations. All flights will be conducted following all applicable FAA regulations pertaining to the operations and certification of small Unmanned Aircraft Systems including but not limited to Title 14 CFR and Part 107.

Fairfax County will conduct UAS flight operations under either a ~~Federal Aviation Administration (FAA)~~ Certificate of Authorization (COA) or as a Civil Operator. This COA grants permission to fly within specific parameters established by the FAA.

To fly in controlled airspace and comply with Part 107, prior to any flight, Fairfax County will be required to obtain airspace authorization.

~~Current~~ FAA rules do not allow flights beyond the line of sight of the Pilot in ~~Ce~~command or visual observers line of sight without a FAA waiver ~~issued by the FAA~~. ~~Consequently, Consequently,~~ the Fairfax County UAS program will not make flights beyond visual line of sight (BVLOS), and ~~has not applied~~ does not intend at the current time to apply for such a waiver. Any future request to seek a waiver for BVLOS shall require Board of Supervisors' approval.

All ~~Federal Aviation Administration (FAA)~~ advisories, circulars, orders, bulletins or notices will be reviewed by the UAS Program Manager. Any changes that may impact the Fairfax County program will be updated to this program manual and the changes distributed per the record of manual changes section.

ADDITIONAL FAA COMPLIANCE

The program will comply with any additional information or regulatory requests from the Federal Aviation Administration (FAA) to include, for example:

- Any document, record, or report on:
 - Aircraft registration.
 - Flight records.
 - Incident reports.
 - Deviation from regulations.
 - Authorization from air traffic control (ATC).
 - Waiver from specific provisions (as appropriate).
- FAA may require upon request, to test or inspect:
 - Aircraft.
 - The remote pilot in command or person manipulating the flight controls.
 - Visual observer.
- Report any accident within 10 days that meets the following criteria:

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Not Highlight

Formatted: Space After: 8 pt, Line spacing: Multiple 1.08 li

- Causes serious injury to any person or who has a loss of consciousness.
- Damage to any property, other than the aircraft, greater than \$500.

Under every circumstance in which the FAA becomes involved, the Pilot in Command shall notify their respective Agency Program Coordinator within 24 hours. The Agency Program Coordinator must make appropriate notification to their agency chain of command and the UAS Program Manager.

In the event of any UAS accident, regardless if it meets the FAA threshold for a reportable accident, the Pilot in Command must notify their Agency Program Coordinator, UAS Program Manager, and Fairfax County Risk Management Division.

REPORTING REQUIREMENTS

While flying under an FAA approved Certificate Authority (COA) the following requirements will be adhered to at a minimum. There may be additional requirements as outlined in a Fairfax County COA that are not yet listed in this section. Those additional requirements are to be followed as well. Once a COA has been approved by the FAA this section will be updated to reflect the full extent of requirements.

- Documentation of all operations associated with UAS activities is required regardless of the airspace in which the UAS operates. NOTE: Negative (zero flights) reports are required.
- The Proponent must submit the following information monthly through the COA Application Processing System (CAPS):
 - Name of Proponent, and aircraft registration number,
 - UAS type and model,
 - All operating locations, to include city name and latitude/longitude,
 - Number of flights (per location, per aircraft),
 - Total aircraft operation hours,
 - Takeoff or landing damage, and
 - Equipment malfunction. Required reports include, failures or malfunctions to the:
 - Control station
 - Electrical system
 - Fuel system
 - Navigation system
 - On-board flight control system
 - Power plant
 - The number and duration of lost link events (control, performance and health monitoring, or communications) per UAS, per flight.

INCIDENT/ACCIDENT/MISHAP REPORTING

20 |

Page

Draft Unmanned Aircraft Systems Program Manual

After an incident or accident that meets the criteria below, and within 24 hours of that incident, accident or event described below, the proponent must provide initial notification of the following to the FAA via email at mail to: 9-AJV-115-UASOrganization@faa.gov and via the UAS COA On-Line forms (Incident/Accident).

DRAFT

- All accidents/mishaps involving UAS operations where any of the following occurs:
 - Fatal injury, where the operation of a UAS results in a death occurring within 30 days of the accident/mishap
 - Serious injury, where the operation of a UAS results in:
 - Hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
 - A fracture of any bone (except simple fractures of fingers, toes, or nose);
 - Severe hemorrhages, nerve, muscle, or tendon damage;
 - Involving any internal organ; or
 - Involves second or third-degree burns, or any burns affecting more than 5 percent of the body surface.
 - Total unmanned aircraft loss
 - Substantial damage to the unmanned aircraft system where there is damage to the airframe, power plant, or onboard systems that must be repaired prior to further flight
 - Damage to property, other than the unmanned aircraft.
- Any incident/mishap that results in an unsafe/abnormal operation including, but not limited to:
 - A malfunction or failure of the unmanned aircraft's on-board flight control system (including but not limited to navigation)
 - A malfunction or failure of ground control station flight control hardware or software (other than loss of control link)
 - A power plant failure or malfunction
 - An in-flight fire
 - An aircraft collision involving another aircraft.
 - Any in-flight failure of the unmanned aircraft's electrical system requiring use of alternate or emergency power to complete the flight
 - A deviation from any provision contained in the COA
 - A deviation from an ATC clearance and/or Letter(s) of Agreement/Procedures
 - A lost control link event resulting in
 - Fly-away, or
 - Execution of a pre-planned/unplanned lost link procedure.

⊖ Initial reports must contain the information identified in the COA On-Line Accident/Incident Report.

⊖ Follow-on reports describing the accident/incident/mishap(s) must be submitted by providing copies of proponent aviation accident/incident reports upon completion of safety investigations.

⊖ The above procedures are not a substitute for separate accident/incident reporting required by the National Transportation Safety Board under 49 CFR Part 830 §830.5.

For other than Department of Defense operations, this COA is issued with the provision that the FAA be permitted involvement in the proponent's incident/accident/mishap investigation as

Formatted: Normal, No bullets or numbering

prescribed by FAA Order 8020.11, Aircraft Accident and Incident Notification, Investigation, and Reporting.

DRAFT

SECTION 5: PROTECTION OF PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES

UAS technology is an emerging field, particularly for use in public safety. Although the potential benefits and enhanced capabilities are substantial, concerns exist that UAS may be misused or abused, particularly by law enforcement agencies. UAS operators, observers, and support staff shall ensure the protection of individuals' civil rights, civil liberties and privacy in any UAS deployment. To accomplish this primary goal:

- All agency use under the County UAS program will comply with the *Code of Virginia*, to expressly include § 19.2-60.1., set forth below. This code section prohibits the use of this technology by law enforcement or regulatory agencies with enforcement authority without a valid search warrant except in carefully defined circumstances. Prior to implementing an agency UAS program, the Police Department will develop and maintain training for supervisors and commanders relevant to this code section to ensure compliance. Other participating entities with authority to enforce criminal law or regulatory violations, such as Fire Marshals, will also develop and maintain relevant training, and be required to also comply with the provisions of § 19.2-60.1. Any allegations or violations will be reported and investigated in accordance with County and department policies.
- All UAS users, regardless of agency, shall adopt a posture of minimal data collection, limited to only that data, including images or video recordings, which are essential to complete the objective of the UAS mission.
- All personnel operating a County UA shall take every reasonable precaution to avoid inadvertently recording or transmitting images of individuals and properties unrelated to the mission. To the maximum extent possible, onboard cameras shall be directed toward the area of interest and away from uninvolved individuals or properties to minimize such inadvertent recording or transmission of images.
- Unless required by an articulable operational purpose, the recording of data imagery shall not begin until the UA has arrived at the location designated for the mission.
- All personnel operating a County UA, including non-law enforcement or regulatory personnel, shall be knowledgeable about individual privacy rights, civil rights, civil liberties and Va. Code § 19.2-60.1.
- ~~Non-law enforcement and regulatory agencies or other regulatory agencies shall not be requested to fly missions on behalf of law enforcement and/or any regulatory agency in order to circumvent any search warrant requirements imposed by Virginia.~~
- UA live feed only transmit capability will be the normal, preferred UAS use by the Pilot in Command, on-scene commander, incident command post (ICP), Emergency Operations Center (EOC), or another Department Operation Center (DOC). The video or camera capability may be used during an operation if essential, but only at the discretion of the requesting agency / incident commander, following an approved checklist and with the rationale provided in a post-incident report.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

- All video and still images will be maintained in strict compliance with Fairfax County and the Library of Virginia policies and procedures. Recorded data should not be retained beyond any period required by Virginia law. Agencies shall conduct regular audits to ensure that recorded data is not retained beyond these time periods and is destroyed in compliance with Library of Virginia guidelines. See *Appendix A* for the retention periods applicable to certain data imagery.
- All persons who have access to any County UAS storage medium must have passed a County approved background check. County agencies maintaining imagery data will keep a complete and accurate record, including identity and purpose, of every access to such data by persons or organizations.
- The video is stored onboard the aircraft. The video transmission from the aircraft uses an encrypted data link. The video is viewable by the operator of the UAS utilizing a monitor at the ground control station.
- The UAS Program will employ reasonable technological or administrative safeguards to ensure that images incidentally or inadvertently recorded are not misused, disseminated or viewed unnecessarily to protect individual rights. The UAS training program shall include topics on Va. Code § 19.2-60.1, the protection of individuals' privacy, civil rights, and civil liberties, FOIA, and data dissemination, storage, retention, and security requirements.
- The users of UAS recorded data are responsible for ensuring dissemination of data is authorized, follows County policies and Virginia law, including but not limited to the Virginia Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act (VFOIA) and is consistent with the recipients' legitimate need to know and authority to receive such data. Any further dissemination by a data recipient will require the data owner's prior consent.
- Any collected data will not be indexed or otherwise arranged to be searchable by an individual's name, personal number or other identifiers.
- The County UAS program will not be paired with facial recognition technology to identify individuals in real-time.
- The UAS webpage and program email account will be maintained and monitored to provide information, and address any public questions, concerns or recommendations.
- The UAS Steering Committee has been established to review and update UAS procedures and training, identify new technologies, review best practices, revisions to UAS related laws and regulations, and any emerging case law or court decisions.
- The County UAS program will operate in strict compliance with all applicable federal, state, and local laws, regulations, and policies, and in a responsible and ethical manner. All operations will be balanced to accomplish the mission (e.g., emergency or life safety) while protecting privacy rights, civil rights, and civil liberties.
- The County UAS program will not use, retain, or disseminate collected data in any manner that would violate any Constitutional rights or in any manner that would discriminate against persons based upon, but not limited to, race, ethnicity, gender, national origin, or religion.

- No video or photographs taken by a County-owned and operated UA will be used for personal use. Any requests for appropriate County use, such as presentations or publications, must be approved by the UAS Program Manager and the data owner (respective County agency). The Program Manager may seek guidance, if needed, from the Office of the County Attorney. No inadvertent or incidental personal images or information will be permitted to be used under this section.

CODE OF VIRGINIA

During the 2013 General Assembly Session, House Bill 2012 imposed a moratorium on the use of unmanned aircraft systems by law-enforcement agencies until July 1, 2015, with certain exceptions. This legislation also required the Department of Criminal Justice Services, in consultation with the Office of the Attorney General and other agencies, to develop model protocols for the use of unmanned aircraft systems by law-enforcement agencies, resulting in House Document No. 12, Protocols for the Use of Unmanned Aircraft Systems by Law-Enforcement Agencies, published in 2013. Although the moratorium for use by law-enforcement has been lifted, House Document 12 was one of the foundational pillars to inform this program manual.

All agency use under the County UAS program will comply with the Code of Virginia, to expressly include § 19.2-60.1., listed below. Prior to implementing an agency UAS program, the Police and Fire and Rescue Departments will develop and maintain training for supervisors and commanders relevant to this code section to ensure compliance. Other participating entities with authority to enforce criminal law or regulatory violations, such as Office of the Fire Marshal or the Department of Code Compliance, will also develop and maintain relevant training before any use is approved, and be required to also comply with the provisions of § 19.2-60.1. Any allegations or violations will be reported and investigated in accordance with County and department policies.

§ 19.2-60.1. Use of unmanned aircraft systems by public bodies; search warrant required.

A. As used in this section, unless the context requires a different meaning:

"Unmanned aircraft" means an aircraft that is operated without the possibility of human intervention from within or on the aircraft.

"Unmanned aircraft system" means an unmanned aircraft and associated elements, including communication links, sensing devices, and the components that control the unmanned aircraft.

B. No state or local government department, agency, or instrumentality having jurisdiction over criminal law enforcement or regulatory violations, including but not limited to the Department of State Police, and no department of law enforcement as

defined in § 15.2-836 of any county, city, or town shall utilize an unmanned aircraft system except during the execution of a search warrant issued pursuant to this chapter or an administrative or inspection warrant issued pursuant to law.

C. Notwithstanding the prohibition in this section, an unmanned aircraft system may be deployed without a warrant (i) when an Amber Alert is activated pursuant to § 52-34.3; (ii) when a Senior Alert is activated pursuant to § 52-34.6; (iii) when a Blue Alert is activated pursuant to § 52-34.9; (iv) where use of an unmanned aircraft system is determined to be necessary to alleviate an immediate danger to any person; (v) by a law-enforcement officer following an accident where a report is required pursuant to § 46.2-373, to survey the scene of such accident for the purpose of crash reconstruction and record the scene by photographic or video images; (vi) by the Department of Transportation when assisting a law-enforcement officer to prepare a report pursuant to § 46.2-373; (vii) for training exercises related to such uses; or (viii) if a person with legal authority consents to the warrantless search.

D. The warrant requirements of this section shall not apply when such systems are utilized to support the Commonwealth or any locality for purposes other than law enforcement, including damage assessment, traffic assessment, flood stage assessment, and wildfire assessment. Nothing herein shall prohibit use of unmanned aircraft systems for private, commercial, or recreational use or solely for research and development purposes by institutions of higher education and other research organizations or institutions.

E. Evidence obtained through the utilization of an unmanned aircraft system in violation of this section is not admissible in any criminal or civil proceeding.

F. In no case may a weaponized unmanned aircraft system be deployed in the Commonwealth or its use facilitated in the Commonwealth by a state or local government department, agency, or instrumentality or department of law enforcement in the Commonwealth except in operations at the Space Port and Naval/Aegis facilities at Wallops Island.

G. Nothing herein shall apply to the Armed Forces of the United States or the Virginia National Guard while utilizing unmanned aircraft systems during training required to maintain readiness for its federal mission or when facilitating training for other U.S. Department of Defense units.

2015, cc. 764, 774; 2018, cc. 419, 546, 654.

SECTION 6: DATA MANAGEMENT

POLICY

Fairfax County would use unmanned aircraft to capture imagery and video data only to the extent necessary to assist or support the flight crew or affiliated personnel in planning, response, and recovery efforts, or for training purposes. The method of acquisition may include the utilization of commercial off-the-shelf camera payloads, advanced thermal imaging devices, multi-spectral sensor technologies and video capture equipment that are placed, as part of a UAS, for remote sensing purposes. The more important function for most UAS missions is the live video feed capability for the flight crew, Incident Commander or other authorized personnel to view.

All images and video collected using unmanned aircraft will be managed in compliance with County data collection and dissemination policies. County record retention procedures are derived from the requirements outlined in the Library of Virginia archives, records and collections services records retention and disposition schedules for localities.

The Library of Virginia publishes these Schedules pursuant to the Virginia Public Records Act, Va. Code Ann. §§ 42.1-76 through -91 of the Code of Virginia:

http://www.lva.virginia.gov/agencies/records/sched_local/index.htm

METHODS

IMAGES – Any images captured during flight are stored as data in the UAS internal storage medium. The storage medium is inserted or enabled during the pre-flight process, securely attached to the aircraft while in flight, and removed or disabled after each flight.

VIDEO – Real-time or near real-time video, captured and or distributed via electronic means, is stored on board the aircraft. The video transmission from the aircraft uses an encrypted data link. The video is viewable by the operator of the UAS utilizing a monitor at the ground control station. The encrypted video data is also distributed to external monitors by cable or other methods to on-scene personnel.

PROTECTION

To further safeguard any imagery data collected during a flight operation the following will be strictly adhered to:

- The storage medium will be handled only by the UAS pilot or observer.
- The UAS pilot or observer will secure the storage medium.
- Should the storage medium (memory card) need to be transferred to another County agency, a transfer document will be signed by both the UAS pilot or observer and the requestor. The storage medium protection requirements then transfer to the requesting/receiving agency.

- Authorized Fairfax County personnel will be granted permission and access to view any live video stream. In the event of an Emergency Operations Center (EOC) operation, those County agencies and affiliated trusted partners, such as Virginia Department of Transportation (VDOT), the Virginia Department of Emergency Management (VDEM), the Red Cross, or other agencies during an EOC activation will be permitted to view the live video.
- At **no time** will the public be allowed to view or record the live streaming imagery unless there has been consent by the on-scene incident commander and UAS Pilot in Command. An example where live video may be shown could be the impact to the highway system or other transportation sector with significant impact to the public.
- Viewers of the live video stream in an EOC or other operational environments are not authorized to record, distribute or disclose information gained from viewing the video stream without prior approval by the UAS Program Manager, who may consult as needed with the Deputy County Executive for Public Safety or the Office of the County Attorney.
- Data imagery maintained by a County agency will not be disseminated to another information system without specifying requirements for security and usage, including limitation on access thereto, and without receiving reasonable assurances that those requirements and limitations will be observed.
- County agencies maintaining imagery data will keep a list of all persons or organizations having regular access to such data.
- County agencies maintaining imagery data will keep a complete and accurate record, including but not limited to identity and purpose, of every access to such data by persons or organizations. Such record will be maintained for three (3) years or until personal information, including photographs and video of individuals, is purged, whichever is shorter.

FREEDOM OF INFORMATION REQUESTS

The Virginia Freedom of Information Act (VFOIA), Va. Code Ann. §§ 2.2-3700 through 3714, allows residents of Virginia open access to public records in the custody of a public body or its officers and employees, and open entry to meeting of public bodies where the business of the people is being conducted. Requests for UAS data, including but not limited to images, video, program manual, pilot and maintenance logs or other program materials will be treated as a public records request, and forwarded to the appropriate agency housing the data.

FOIA requests will be processed in compliance with the County FOIA Policy. The purpose of this FOIA policy is to set forth a uniform policy for processing, responding to, and tracking requests for public records. This FOIA policy seeks to balance the County's commitment to transparency and openness, while ensuring the protection of the County's privacy and security interests.

The County's FOIA policy may be accessed at the below link:
<https://www.fairfaxcounty.gov/publicaffairs/foia>

SECTION 7: OPERATIONS POSITIONS

CHIEF PILOT

The UAS program Chief Pilot is responsible for the development and performance of the training program for all UAS operations. The Chief Pilot shall have authority over the pilot and visual observer programs and ensure that all team members are trained, licensed, and operational as needed.

Position Requirements

- Current Fairfax County government employee.
- Current Remote Pilot Certificate issued by the FAA with small UAS rating.

Duties

- Member of the UAS Steering Committee.
- Oversee the Fairfax County UAS training program.
- Perform proficiency check flights of all pilots and visual observers.
- Maintain all training records for flight crews.
- Responsible for disseminating any legislative or regulatory revisions to flight crews countywide.
- Provide ground school and flight training.
- Coordinate after action conferences as needed.
- Coordinate any manufacturer updates to aircraft or software version enhancements.
- Ensure that all flight plans, and other documentation is filled out and maintained.

PILOT IN COMMAND (PIC)

The respective agency director must approve any request for an agency employee to become trained as an FAA Part 107 pilot. Once approved, the candidate will work directly with the UAS Chief Pilot to participate in both ground and flight school and familiarization training. The Pilot in Command will be responsible for flying the aircraft in a safe and approved manner and will assume overall responsibility for all safety related matters.

Position Requirements

- Current Fairfax County government employee.
- Current Remote Pilot Certificate issued by the FAA with small UAS rating.

Duties

- Available to respond to fly agency approved missions.
- Responsible for ensuring safety of each flight operations.

- Final authority in determining if flight operations will launch or continue if already initiated.
- Ensuring that pilot logbook, aircraft logbook and other paperwork is completed for each mission.
- Notify the UAS Program Manager of any deployment of the UAS with flight date, time and location.
- Ensure flight conditions complies with all applicable FAA rules and regulations, including but not limited to flight within line of sight requirements.
- Follow checklists for each flight regardless if training or actual mission.
- In the absence of a safety officer on the scene, the PIC will be responsible for ensuring that all safety protocols are followed prior to, during, and after each flight.

VISUAL OBSERVER (VO)

The Visual Observer is responsible for supporting the Pilot in Command to help ensure all UAS operations are done in a safe, protected, and effective manner. All flight operations, operational or training, shall, at a minimum, have both a Pilot in Command and a Visual Observer.

Position Requirements

- Current Fairfax County government employee.
- Remote Pilot Certificate with small UAS rating.

Duties

- Maintain an unaided visual line of sight any time the aircraft is airborne.
- Ensure the takeoff and landing zones, and surrounding area, are clear and safe of any public or other hazards.
- Coordinate as needed with the Incident Commander via in-person, voice, or other communication modes.
- Focus 100 percent of attention on the aircraft once airborne.
- Ensure that there are no potential conflicts or hazards in the sky such as birds, aircraft, wires or trees.

SAFETY OFFICER (SOFR)

If available, a Safety Officer is also responsible for overall UAS mission safety. In coordination with the Pilot in Command, and after evaluating safety risk factors, the Safety Officer shall have the final determination as to whether to commence a mission. While the Safety Officer will continue to monitor safety for the duration of a mission, and provide input to the PIC, once airborne the PIC has final authority to continue or discontinue the flight of the UAS.

If no Safety Officer is available or assigned to a mission the Pilot in Command will assume the role. Regardless of any of the duties outlined, any crew member participating in the mission has

the responsibility to provide critical safety information to the PIC both before and during the flight.

Position Requirements

- Current Fairfax County government employee.
- Completed the Safety Officer course.

Duties

- Responsible for ensuring safe UAS operations.
- Assist in conducting a hazard risk assessment prior to any flight.
- Assist in debriefing missions and training sessions with emphasis on safety concerns and issues.
- Serve as a crew member as needed.

SECTION 8: SAFETY

POLICY

Safety first shall be an overarching priority and philosophy for the County UAS program. This program is committed to providing a safe environment for the public and flight crews and to ensure flight operations are performed in a safe, secure, responsible, lawful, and ethical manner. To mitigate risks, each flight crew shall comply with the requirements of this program manual, safety protocols, all applicable federal, state, and local laws, regulations, and policies, and follow all recommended manufacturer guidelines for each operation. The goal is to have zero accidents or injuries. Guiding safety principles include:

- All flight crew members must recognize that there is still an element of risk during each mission and focus on risk assessment and mitigation.
- Regardless of assigned duties, all crew members have a primary duty to safety considerations, and the authority and responsibility to act immediately to notify and warn others and to suspend operations.
- All flight operations are to comply with the UAS program guidance, applicable laws, regulations, or policies, and any agency specific policies.
- Risk assessment and mitigation are not just pre-flight activities but must continue during a mission.
- Unnecessary risks shall not be taken.
- Any identified safety hazard, whether procedural, operational, or maintenance related shall be corrected as soon as possible.
- Additional safety suggestions or recommendations may be made to the UAS Chief Pilot or Program Manager for consideration.
- Performance of regular audits of safety policies, procedures, and practices.
- Research, monitor, review, and incorporate, as appropriate, any emerging UAS safety best practices.

MEDICAL FACTORS

Every member of the flight crew shall adhere to the following guidelines as outlined by the FAA (Illness, Medication, Stress, Alcohol, Fatigue and Eating - IMSAFE).

- Pilots and observers shall only deploy the UAS when rested and emotionally prepared for the tasks at hand.
- The safety rule is to not act as a pilot or observer when suffering from any physical illness, exhaustion, or emotional problems which can seriously impair judgment, memory and alertness. All crew members are expected to “stand down” when these or any other factors could reasonably be expected to adversely affect their ability to perform flight duties.
- A self-assessment of physical condition shall be made by all members during pre-flight activities.

- Performance can be seriously impacted by prescription and over the counter drugs. All flight crew members are responsible to self-monitor their condition and to report to their respective Agency Program Coordinator or the Program Manager when they are unable to participate safely. If it is determined that any medication taken could hamper a pilot or observer that member shall be prohibited from the deployment or exercise.
- No member shall act as a pilot or observer within eight hours after consumption of any alcoholic beverages, while under the influence of alcohol, or while having an alcohol concentration of 0.04 as per Federal Aviation Regulation (FAR) 91.17.

RISK ASSESSMENT AND MITIGATION

Safety requires effective practices in managing multiple risk factors to include, the aircraft, environment, and the human component. The use of small unmanned aircraft being placed into service will always have some level of risk. However, it is important to always promote a zero-accident and safety-first philosophy and reduce and mitigate risks by doing the following:

- All UAS crew members shall review safety and operations checklists prior to operations.
- All UAS crew members shall be briefed before each flight.
- Ensure that all pilots have the required training and the necessary skill level to safely execute the mission assignment.
- Follow all preflight procedures to include:
 - Weather assessment.
 - Airspace assessment.
 - Aircraft assessment and preflight checklist.
 - Assessment and accounting of personal condition.
- Operate to the extent possible in open and clear areas and always within line of sight of the Pilot in Command and Visual Observer.
- After each flight, ensure the following:
 - Post flight check lists are completed.
 - Aircraft and pilot flight logs are completed.
 - Maintenance of the aircraft is documented.
 - Conduct a hot-wash of the mission to identify potential issues and highlight positive actions.
- Ensure that the necessary safety equipment is on hand prior to flight departure:
 - Fire extinguisher and/or sand.
 - First-aid kit.
 - Appropriate clothing to include a reflective vest.
- Additional factors to consider prior to flight departure:
 - Flights over people with an emphasis on safety and the right to privacy.
 - Flights over sensitive areas.
 - Any flight that may adversely impact wildlife ecologically important areas, or sensitive habitats (preserved lands and waters, areas with threatened or endangered species).

- Launches, landings and routes should avoid areas that would result in disruption to migratory patterns, breeding, nesting, feeding or sheltering of wildlife, when feasible.
 - County personnel shall regularly review the Federal Aviation Administration's Strike Database (<https://wildlife.faa.gov/>) for guidance on areas to avoid.
 - Potential aviary activity may be found at: https://ebird.org/home_.
 - For awareness for UAS operators, the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act are listed in Appendix C.
- However, UAS operators will be authorized to balance the need to conduct a life safety mission for any person(s) against the need to protect wildlife.

SAFETY TRAINING

NEW CREW MEMBER

Safety training for all new UAS crew members will take place prior to any hands-on operation with aircraft or any mission flights. This training will ensure the crew member has the latest information about the program and safety guidance and understands the process to report potential conflicts. All training will be documented in the crew members' training folders.

ANNUAL

All Fairfax County UAS crew members will participate in an annual safety training program. This training program will cover topics that include updates to federal, state or local legislation, regulations, or policies, best practices from previous missions flown, review of updates to the UAS program manual, and a review of safety information regarding aircraft and position assignments.

SAFETY TRAINING MATERIALS / DOCUMENTATION

The UAS Program Manager and Steering Committee, in coordination with the Agency Program Coordinators, will be responsible for developing, maintaining, and updating UAS related safety and risk assessment and mitigation training materials and documentation.

SUMMARY

It is the duty of every member within the UAS flight crew to contribute to the goal of safety-first operations and zero accidents. The process of assessment is not just for preflight, but a continual effort that needs to be second nature for every member of the flight crew during every aspect of each mission.

SECTION 9: OPERATIONAL TRAINING

OBJECTIVE

The key to safe and effective operations is maintaining a professional level of knowledge and competency through training.

The Fairfax County UAS program is comprised of three formal training programs. The first training program is the 16-hour ground school that will be used to help prepare all new program crew to take the FAA Part 107 exam. Training will include topics in meteorology, flight standards, aeronautical chart interpretation, communications and flight safety. If a candidate has an FAA Part 61 pilot's certificate, and has a current flight review, they will not be required to take the ground school.

The second training program to be completed by each candidate is flight school. During this training, each pilot and observer will be exposed to the basics of flight characteristics for the aircraft, maintenance procedures, safety and hands on flying the aircraft. Each pilot prior to flying an actual mission must have a minimum of 10 documented hours of flight time. Once the 10 hours has been met, the Chief Pilot will test and certify that the Pilot-In-Training has met all the training requirements and is a certified Fairfax County UAS pilot.

The third training program is recurring flight training. To maintain both the skills and qualification as a pilot each crew member must fly a minimum of three qualifying events in the preceding 90 days. A qualifying event can be either a live mission or training session. Each crew member must also maintain a current Remote Pilot Certificate issued by the FAA with small UAS rating to retain pilot qualifications in the UAS program.

The Fairfax County Park Authority has provided the UAS program a site where flight training may be conducted.

All flight hours and training will be maintained in the individual pilot's logbook.

INITIAL TRAINING

- Any new member shall successfully complete the required initial training before deployment as a member of a UAS flight crew.
- In addition to the formal training, pilots and observers must have completed enough safety training, to include communicating any instructions or information required to remain clear of conflicting traffic.
- In conjunction with fulfilling all training requirements for pilot/observer duties, the new member must also become familiar with UAS program operations, aircraft, and equipment.
- Before a member can operate as a pilot they must complete a period of flight training with the UAS instructors to demonstrate proficiency of the flight training exercises and

the airframe. This must be accomplished to show their ability and knowledge of the UAS.

- In conjunction with fulfilling all training requirements for pilot/observer duties, the new member must also demonstrate proficiency with applicable rules, regulations and policies governing the protection of individuals' privacy, civil rights, and civil liberties in the Commonwealth of Virginia, FOIA requests, and data dissemination, storage, retention, and security requirements.
- In conjunction with fulfilling all training requirements for pilot/observer duties, the new member must also become familiar with applicable rules, regulations and policies governing the applicable FOIA requirements and data dissemination, storage, retention, and security requirements in the Commonwealth of Virginia.

RECURRING TRAINING

Recurring flight training will maintain a member's knowledge and skills as follows:

- Review and update on best practices and legal updates as it relates to the protection of individuals' privacy, civil rights, and civil liberties.
- Review and update on best practices or law as it relates to FOIA requests and data dissemination, storage, retention, and security requirements.
- All designated members within a participating agency shall maintain proficiency in their pilot/observer abilities.
- Pilots and observers will be required to fly a minimum of three actual or training missions every 90 days to maintain proficiency.
- Recurrent training is not limited to actual operating/observer skills but includes knowledge of all pertinent UAS/aviation matters.
- Failure to prove proficiency, including failure to maintain a current Remote Pilot Certificate issued by the FAA with small UAS rating, can result in removal from UAS responsibilities.

TRAINING MATERIALS / DOCUMENTATION

The UAS Program Manager and Steering Committee, in coordination with the Agency Program Coordinators, will be responsible for developing, maintaining, and updating UAS related training materials and documentation.

SECTION 10: GENERAL OPERATING PROCEDURES

REQUEST FOR SUPPORT

All requests for UAS support shall be made directly to a respective agency program coordinator or through the Department of Public Safety Communications Center (DPSC) (County 911 Center). DPSC will maintain the current list of certified UAS operators and supervisors to contact.

MISSION PRIORITIES

If more than one request is received for UAS support, the UAS agency program coordinator in collaboration with the requestors will evaluate and determine the priority mission. If there is a determined need for a second crew the UAS agency program coordinator will review the lineup and on-call notification list or request support from another participating agency. In general terms, requests for UAS support will be prioritized as follows:

- Life or Public Safety.
- Investigation/Documentation.
- Damage Assessment/Situational Awareness.

MISSION APPROVAL CRITERIA

The on call UAS agency program coordinator will make the determination as to the approval of the mission request. Important approval decision factors include, but are not limited to:

- Is the mission request justified and necessary?
- Is the mission request within the capabilities of the equipment, program and personnel?
- Does the mission fall within federal, state, and local laws, regulations, and policies?
- Can the UA be deployed safely based on current and forecast weather conditions?
- Can the UA be deployed in the operational environment without unduly risking the personal privacy of individuals or groups of individuals?
- Are there sufficiently trained and qualified personnel available to safely operate the UA?
- If the UA deployment requires a search warrant, has one been requested and approved?
- Is there enough information available to make the decision or will a follow up call need to be made to the requestor?
- Determine proximity of critical infrastructure or restricted airspace.

If a mission is approved, a UAS Pilot in Command (PIC) will be selected and notified. Once deployed, the assigned PIC retains final approving authority, and may alter or cancel the mission. If a mission is altered or canceled notification will be made to the requestor and PIC's agency program coordinator.

CALL-OUT PROCEDURES

Agencies will develop or follow existing call-out procedures and protocols. Agency program coordinators will be responsible for ensuring any respective agency call-out rosters are maintained, updated, and shared, if needed, with the Department of Public Safety Communications.

MISSION MINIMUM PERSONNEL REQUIREMENTS

All UAS missions, operational or training, require a minimum of a Pilot in Command (PIC) and visual observer (VO). Under no circumstances will a mission be approved or flown with only a PIC. A safety officer is a preferred addition if available, but not required.

In the event a pilot is still in training and has not been approved to fly missions as a solo operator the chief pilot or another certified PIC must be present to observe, monitor, and evaluate the trainee. For more complex missions that require a second or third crew and UAS there must also be a UAS agency program coordinator on-scene to coordinate with the incident commander.

FLIGHT BOUNDARIES IMPOSED BY THE FAA

The FAA has been charged by the United States Congress to integrate the Unmanned Aircraft Systems into the National Airspace System (NAS). Utilizing a “Safety First” principle the FAA has carefully designated airspace throughout the United States in which UAS may not fly. The Washington DC area is the most restricted airspace in the country. As a result, due to its proximity to the Nation’s Capital, the airspace overlying Fairfax County has complex layers of varying access restrictions. With more than 60 percent of Fairfax County falling into the Flight Restricted Zone (FRZ) it is imperative that the PIC evaluates the location they will be taking off from the area they will be traversing to get to the scene, and the area of operation to ensure they can operate without an airspace authorization. The following basic guidelines will be followed:

- Flight crews are authorized to fly in Class G airspace anywhere in Fairfax County to include the Towns of Vienna, Herndon, and Clifton and parts of the City of Fairfax. PIC’s of missions located in Surface Class B, C or D airspace must have a Wide Area Authorization or be approved via the Low Altitude Authorization and Notification Capability (LAANC) system. Missions will only be flown in other localities based on appropriate request and approval protocols.
- If a surrounding jurisdiction requests assistance of the UAS team, that request must first go to the UAS agency program coordinator for review. In many cases the requesting agency may be referred to the Virginia Department of Emergency Management (VDEM) first as they have a team that is available 24/7.
- If VDEM is not available, an assessment will be made to determine availability of a County flight crew. Approval by the crew’s agency program coordinator will need to be done first and if approved, the UAS team will need to submit an emergency FAA COA to get access to the other jurisdiction.

Formatted: Font: (Default) Calibri, 12 pt, Highlight

- County UAS program flight operations will follow FAA regulations.
- The maximum altitude for UAS flight operations shall not exceed 400' per FAA regulations.

PERSONAL EQUIPMENT

Each member of the flight crew will be responsible for wearing appropriate clothing and having the correct equipment with them while on duty. The following are some of the guidelines that should be followed:

- The UAS flight crew should always wear eye protection always while engaged in flight operations.
- All flight crew shall wear the assigned program vest that identifies them as a member of the Fairfax County UAS team. The back of the vest must clearly identify the team position assigned, as an example, UAS Pilot, Pilot in Command, Visual Observer or Safety Officer.
- The flight crew shall always operate in a professional manner and take into consideration that all deployments have the potential for public or media interaction.
- The UAS flight crew will wear their County issued identification.
- Equipment including the County issued portable radio, air-band transceiver and cellular phone must be brought to each mission deployment.
- Water and snacks should become a part of a crew flight bag. Missions may only last an hour, but others may last multiple hours. Any dietary or special allergies requirements must be taken into consideration.
- FAA rules do not allow visual aids other than corrective glasses for keeping the UAS within line of sight, although not permitted for flight operations, a set of binoculars may be carried and used to scan the sky and surrounding area for obstructions or other hazards. They are not permitted to be used by flight crews during flight operations.

EQUIPMENT IDENTIFICATION

In order to ensure that all unmanned aircraft are easily recognized as part of the Fairfax County UAS program all aircraft will display both the FAA assigned identification number and a county seal or agency logo.

EMERGENCY PROCEDURES

Personnel flying the UAS will be trained that in any emergency, the safety of persons on the ground and in the air is the number one priority. The following are the emergency procedures, and each will be documented with an emergency checklist for flight crew to review.

- Fire - UAS will be flown away from people and property until a safe landing location can be found. A fire extinguisher and first-aid kit will be located at the mission site.
- Loss of Link - Onboard system will be established to execute lost link protocol by either landing immediately or returning to launch point to land, depending on conditions, operational and safety requirements. In the event the lost link happens near an airport or helicopter landing area, a call to the appropriate airport tower will be immediately made. The phone numbers are located on the aeronautical chart.

- Loss of Visual Line of Sight - If flight crew members lose, other than momentarily, sight of the aircraft, the pilot will initiate a 'Go-Home' on the remote control. The 'Go-Home' protocol is identical to the Loss of Link protocol. Once visual contact with the aircraft is re-established the pilot will take back the aircraft using the remote control.
- Loss of Propulsion - During propulsion failure, coordinated flight cannot be maintained effectively in the most common configurations. An announcement will be made to all personnel on-scene advising them of the emergency. If the aircraft fails to successfully land at a predetermined location a recovery operation will be initiated.
- Personal Injury - In the unlikely event of an emergency involving the aircraft and person(s) on the ground, the flight crew shall maintain a list of applicable numbers (EMS, Dispatch) for emergency contact.
- Lost Communications - the PIC and VO will be ideally physically collocated during operations and communications will be through direct verbal communication. However, if the PIC and VO are not collocated and direct verbal communication is not possible, the following communication tools can be utilized:
 - Handheld radio.
 - Voice activated headsets and microphones.
 - Cellular telephone.
 - Hand Signals (used solely or in conjunction with the communication equipment).
 - If communication is lost and cannot be re-established, the UAS will immediately land.

PRE-FLIGHT/ POST-FLIGHT ACTIONS

- Inspections
 - All flight crew members are responsible for a thorough preflight inspection of the UAS.
 - Before and after each deployment (whether a mission or training), the flight crew shall conduct a thorough inspection of the UAS in accordance with the instructions contained in the manufacturer's user manual.
 - Any issues found that will jeopardize the safe operation of the UAS shall be documented and resolved immediately prior to flight.
 - Any physical damage to equipment that cannot be resolved on-site, and which have an impact on safety of the mission, will override the deployment. These issues must be resolved before flight.
- Weather
 - Before each deployment, the flight crew will gather weather forecasts covering the projected area of operations, flight duration and to include an additional buffer of 6 hours after the flight is projected to end.
 - The flight crew shall utilize FAA approved weather resources to obtain the latest and most current weather conditions.
 - If available, an anemometer should be utilized to better estimate the wind speed

- and determine if it is within the capabilities of the airframe being flown.
 - The weather conditions reported for the operation shall be recorded in the pre-flight checklist.
- Documentation
 - Inspection and weather checks will be documented prior to flight within the flight logbook.
 - After each flight, the pilot will document the UAS operations and log appropriate flight/equipment usage times in their logbook.
- Planning
 - The flight crew shall familiarize themselves with all available information concerning the deployment including but not limited to the weather conditions, hazards, description of the incident, deployment goals, and other relevant information.
 - The flight crew will ensure that the location for take-off and emergency landing is adequate for a safe deployment.
 - The take-off/landing area should be clearly marked and identifiable with easily seen markers.
 - Identify a location for the media and public who may want to engage the flight crew.
 - At least one emergency landing area should be identified prior to deployment.
 - The flight crew will ensure that they are aware of their surroundings in the event an emergency landing is necessary. This includes the ability to recover the UAS.
- Checklists
 - The flight crew shall utilize pre-flight checklists to ensure the highest level of safety for deployment.
- Maintenance
 - Although there are few parts on the UAS that need servicing, it is necessary that the manufacturer's maintenance schedule is followed and properly documented.
 - Any issues that arise during maintenance that cannot be resolved by routine methods shall be forwarded to the manufacturer/approved dealer for further technical support.
- Other
 - The flight crew will ensure that no items are attached to the UAS prior to flight that are not required for safe operation or to complete the mission goal.
- Pre-Flight Briefing
 - Review of mission goals and methods to achieve goals, including but not limited to handoff procedures. This will be done with the incident commander and all UAS crew members prior to launch.
 - Review of current and forecasted weather conditions and weather limitations
 - Review of current Notice to Airmen (NOTAM) and Temporary Flight Restrictions (TFR) that have been issued for the proposed flight area.
 - Identification of mission limitations and safety issues such as battery charge,

- Global Positioning Satellite (GPS) strength, and potential for radio interference.
- Review of proposed flight area, including maximum ceiling and floor and applicable airspace restrictions.
- Review of communication procedures between flight crew members, including but not limited to the availability of cellular phones and portable air band radio to communicate with air traffic control in the event of a fly-away or lost link.
- Review of emergency/contingency procedures including but not limited to aircraft system failure, flight termination, divert, and lost link procedures.
- Review of required video or digital images requirements.
- Contents of the COA, if applicable.

- Radio frequencies to be used by the Pilot in Command to communicate with and control the UAS.

- The weather evaluation will include current weather and projected weather moving into the area within the next 6 hours. The flight crew will comply with all FAA rules which do not allow UAS flights during certain weather conditions, after the weather evaluation is completed.

- Post Flight Briefing

- After all flights, the Pilot in Command will perform a post flight review with their team and incident commander/designee.
- Opportunities for improvement will be documented.
- Protocols for the memory card will be followed.
- Notifications as needed.
- An inspection of all equipment will be done, and any damage or other deficiency found will be noted in the maintenance logbook.
- Pilot flight hours will be added to the logbook.

Formatted: Font: Calibri, 12 pt, Highlight

Formatted: Font: Calibri, 12 pt, Highlight

Formatted: Font: Calibri, 12 pt, Highlight

GLOSSARY OF TERMS

Above Ground Level (AGL): AGL is the altitude expressed in the actual number of feet measured above the ground.

Air Traffic Control (LATC): A service operated by appropriate authority to promote the safe, orderly and expeditious flow of traffic.

Area Command (Unified Area Command): An organization established (1) to oversee the management of multiple incidents that are each being handled by an ICS organization or (2) to oversee the management of large or multiple incidents to which several Incident Management Teams have been assigned. Area Command has the responsibility to set overall strategy and priorities, allocate critical resources per priorities, ensure that incidents are properly managed, and ensure that objectives are met, and strategies followed. Area Command becomes Unified Area Command when incidents are multi-jurisdictional. Area Command may be established at an EOC facility or at some location other than an ICP.

Available Resources: Resources assigned to an incident, checked in, and available for use.

Beyond Visual Line of Sight (BVLOS): FAA rules require that UAS flights must remain in the sight of the remote Pilot in Command or the visual observer with vision that is unaided by any device other than corrective throughout the entire flight.

Certificate of Authorization (COA): Authorization issued by the FAA to a public operator and grants permission to operate a UAS for governmental functions within specific boundaries and parameters.

Call out Procedure: The process used to activate the Fairfax County UAS program for deployment of resources.

Civil Morning Twilight: Begins when the sun is 6 degrees below the horizon and ends at sunrise.

Civil Evening Twilight: Begins at sunset and ends when the sun reaches 6 degrees below the horizon.

Class A Airspace: Extends from 18,000 feet (5,500 m) mean sea level MSL to FL600 (approximately 60,000 feet (18,000 m) MSL) throughout the contiguous United States and Alaska.

Class B Airspace: Surrounds the busiest airports (Washington Dulles, Reagan National) from the surface to 10,000 feet MSL. The dimensions of Class B airspace vary depending on the needs of the airport.

Class C Airspace: Extends from the surface to 4,000 feet MSL. These airports are busy enough to have an air traffic control tower and be serviced by radar approach control. The dimensions are tailored to each individual airport, but typically extend out to 5 miles for the inner layer and 10 miles for an outer layer that covers 1,200 feet to 4,000 feet (think of an upside-down wedding cake).

Formatted: Highlight

Class D Airspace: Surrounds smaller airports that have control towers and extends from the surface to 2,500 feet MSL.

Class E Airspace: Surrounds instrument approach paths or federal airways, in all other locations other than Class A, B, C or D airspace, not including the uncontrolled Class G airspace.

Class G Airspace: Includes all airspace below 14,500 feet (4,400 m) MSL not otherwise classified as controlled. There are no entry or clearance requirements for class G airspace, even for IFR operations. Class G airspace is typically the airspace very near the ground (1,200 feet or less), beneath class E airspace and between class B-D cylinders around towered airstrips.

Command Staff: In an incident management organization, the Command Staff consists of the Incident Commander and the special staff positions of Public Information Officer, Safety Officer, Liaison Officer, and other positions as required, who report directly to the Incident Commander. They may have an assistant or assistants, as needed.

Controlled Airspace: A generic term that covers the different classifications of airspace (Class A, B, C, D and E airspace) and defined dimensions within which air traffic control service is provided to IFR flights and to VFR flights in accordance with the airspace classification.

~~Controlled airspace is a generic term that covers the different classifications of airspace and defined dimensions within which air traffic control (ATC) service is provided in accordance with the airspace classification. Controlled airspace consists of: Class A, B, C, D and E.~~

Formatted: Font: Not Bold, No underline, Font color: Auto, Highlight

Formatted: No underline, Font color: Auto, Highlight

Declaration of Emergency: Whenever, in the opinion of the governing official, the safety and welfare of the people of the jurisdiction require the exercise of extreme emergency measures due to a threatened or actual disaster, they may declare a state of emergency to exist.

Disaster Recovery Center (DRC): A facility established in a centralized location within or near the disaster area at which disaster victims (individuals, families, or businesses) apply for disaster aid. Commonwealth and federal officials may establish one or more DRC within federally declared jurisdiction where One-on-one assistance can be provided to disaster survivors.

Emergency/Disaster: An event that demands a crisis response beyond the scope of any single line agency or service and that presents a threat to a community or larger area. An emergency is usually an event that can be controlled within the scope of local capabilities; a major emergency or disaster usually requires resources beyond what is available locally.

Emergency Operations Center (EOC): The physical location at which the coordination of information and resources to support domestic incident management activities normally takes place. An EOC may be a temporary facility or may be in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction. EOCs may be organized by major functional disciplines (e.g., fire, law enforcement, and medical services), by jurisdiction (e.g., Federal, State, regional, County, city, tribal), or by some combination thereof.

Emergency Operations Plan (EOP): A document which provides for a preplanned and coordinated response in the event of an emergency or disaster situation.

45 |

Page

Draft Unmanned Aircraft Systems Program Manual

Emergency Support Function (ESF): A function which tasks agencies to provide or to coordinate certain resources in response to emergencies or disasters.

Flight Observer (FO): The individual trained to maintain the line-of-sight and 360-degree hazard awareness with the aircraft in direction support of the Pilot-in-Command. They are responsible for the safe operations of the immediate area.

Geographic Information System (GIS): A computer system capable of assembling, storing, manipulating, and displaying geographically referenced information, i.e. data identified per their locations.

Incident: An occurrence or event, natural or human caused, that requires an emergency response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

Incident Action Plan (IAP): An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.

Incident Command Post (ICP): The field location at which the primary tactical-level, on-scene incident command functions are performed. The ICP may be collocated with the incident base or other incident facilities and is normally identified by a green rotating or flashing light.

Incident Command System (ICS): A model for disaster response that uses common terminology, modular organization, integrated communications, unified command structure, action planning, manageable span-of-control, predesignated facilities, and comprehensive resource management. In ICS there are five functional elements: Command, Operations, Logistics, Planning and Finance/Administration.

Incident Commander (IC): The individual responsible for the management of all incident operations.

Initial Damage Assessment Report: A report that provides information regarding overall damage to public and private property, thereby providing a basis for an emergency declaration and/or disaster assistance.

Instrument Flight Rules (IFR): Under IFR, ATC exercises positive control of all aircraft within designated airspace. Any pilot operating in this environment must meet minimum equipment requirements and have special certification to fly.

Joint Field Office (JFO): An administrative office established by FEMA and staffed by appropriate

federal/state personnel following a disaster declaration by the president. The Disaster Field Office is the primary field location for the coordination of response and recovery operations.

Joint Information Center (JIC): Is a facility established to coordinate all incident-related public information activities. It is the central point of contact for all news media at the scene of the incident. Public information officials from all participating agencies should collocate at the JIC.

Joint Information System (JIS): The JIS refers to processes, procedures, and systems for communicating timely and accurate information to the public during crisis or emergency situations.

Jurisdiction: A range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authorities. Jurisdictional authority at an incident can be political or geographical (e.g., city, County, tribal, state, or federal boundary lines) or functional (e.g., law enforcement, public health).

Landing Zone (LZ): A place designated and intended to be used for the takeoff and landing of the UAS aircraft.

Liaison Officer (LOFR): A member of the Command Staff responsible for coordinating with representatives from cooperating and assisting agencies.

Local Emergency: The condition declared by the local governing body when, in its judgment, the threat or actual occurrence of a disaster is or threatens to be of enough severity and magnitude to warrant coordinated local government action to prevent or alleviate loss of life, property damage, or hardship. A local emergency arising wholly or substantially out of a resource shortage may be declared only by the Governor, upon petition of a local governing body, when he deems the situation to be of enough magnitude to warrant coordinated local government action to prevent or alleviate the hardship or suffering threatened or caused thereby.

Major Disaster Declaration: Any natural or man-made disaster in any part of the United States which, in the determination of the President of the United States, is or thereafter determined to be of sufficient severity and magnitude to warrant disaster assistance above and beyond emergency services by the federal government to supplement the efforts and available resources of local and state governments, and relief organizations in alleviating the damage, loss, hardship, or suffering caused.

Mitigation: Mitigation is any activity taken to eliminate or reduce the degree of long-term risk to human life and property from natural, technological, and human-caused hazards.

Mutual Aid Agreement (MAA): A written agreement between agencies and/or jurisdictions in which they agree to assist one another, upon request, by furnishing personnel and equipment in an emergency.

National Airspace System (NAS): The common network of U.S. airspace; air navigation facilities, equipment and services, airports or landing areas; aeronautical charts, information and services; rules, regulations and procedures, technical information, and manpower and sharing material.

Included are system components shared jointly with the military.

National Incident Management System (NIMS): A system mandated by HSPD-5 that provides a consistent, nationwide approach for Federal, State, local, and tribal governments; the private sector; and NGOs to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. To provide for interoperability and compatibility among Federal, State, local, and tribal capabilities, the NIMS includes a core set of concepts, principles, and terminology. HSPD-5 identifies these as the ICS; multiagency coordination systems; training; identification and management of resources (including systems for classifying types of resources); qualification and certification; and the collection, tracking, and reporting of incident information and incident resources.

National Response System: Pursuant to the NRF, the mechanism for coordinating response actions by all levels of government (40 CFR § 300.21) for oil and hazardous substances spills and releases.

National Weather Service (NWS): The federal agency which provides localized weather information to the population, and during a weather-related emergency, to state and local emergency management officials.

Nongovernmental Organization (NGO): A nonprofit entity that is based on interests of its members, individuals, or institutions and that is not created by a government but may work cooperatively with government. Such organizations serve a public purpose, not a private benefit. Examples of NGOs include faith-based charity organizations and the American Red Cross.

Notice to Airmen (NOTAM): A NOTAM is time critical information concerning the establishment, condition, or change in any component of the NAS. The NOTAM provides knowledge that is essential to personnel concerned with flight operations in a designated area.

Pilot in Command (PIC): The individual responsible for the overall flight operations of a specific mission.

Presidential Declaration: A presidential declaration frees up various sources of assistance from the Federal government based on the nature of the request from the governor.

Public Assistance: Aid available to state or local governments to pay part of the costs of rebuilding a community's damaged infrastructure. Public Assistance may include debris removal, emergency protective measures and public services, repair of damaged public property, loans needed by communities for essential government functions and grants for public schools.

Recovery: Recovery in the short-term is any activity to return vital life-support systems and critical infrastructure to minimum operating standards; and in the long-term any activity designed to return life to normal or an improved state.

Response: Response is any action taken immediately before, during, or after an emergency to reduce casualties, save lives, minimize damage to property, and enhance the effectiveness and speed of recovery.

Search and Rescue: The employment of available personnel, equipment and facilities in rendering aid to persons and property in distress, or potential distress, in the air, water or on the land.

Service Information Center (SIC): A SIC is an information and resource facility established by the County to effectively communicate response and recovery information to the public, provide recovery services to the public, streamline the recovery process, and alleviate the burdens of recovery for impacted populations.

Standard Operating Procedures (SOP): Guidelines for operating procedures in an emergency; includes but not limited to equipment, processes and methods.

State of Emergency: The condition declared by the Governor when, in his judgment, a threatened or actual disaster in any part of the State is of enough severity and magnitude to warrant disaster assistance by the State to supplement local efforts to prevent or alleviate loss of life and property damage.

Unaffiliated Volunteer: An individual who is not formally associated with a recognized voluntary disaster relief organization or assigned to an agency; also, known as a spontaneous or emergent volunteer.

Uncontrolled Airspace: ~~As defined as a~~ any airspace that is not controlled airspace. There are almost no requirements for Visual Flight Rule (VFR) aircraft flying in Class G airspace, other than certain cloud clearance and visibility requirements.

Unmanned Aircraft System (UAS): An aircraft that is operated without a physical human presence within or on the aircraft which, in the way it is used or the way it is equipped, can perform audio or visual surveillance and guided by remote control.

Unified Command: An application of ICS used when there is more than one agency with incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the Unified Command to establish their designated Incident Commanders at a single Incident Command Post and to establish a common set of objectives and strategies and a single Incident Action Plan.

Virginia Department of Emergency Management (VDEM): Commonwealth of Virginia Department of Emergency Management.

Visual Observer (VO): The VO is equally responsible for the visual observation of the UAS while in-flight. They are responsible for notifying the Pilot in Command of any obstructions, terrain, structures, air traffic, weather or any circumstance that may impact the aircraft. They manage communications and integration with the person in charge.

Volunteer: Any individual accepted or assigned to perform services by an agency that has authority to accept volunteer services when the individual performs services without promise, expectation, or receipt of compensation for services performed.

Formatted: No underline, Font color: Auto, Highlight

Formatted: Font: Not Bold, No underline, Font color: Auto, Highlight

Formatted: Font: Not Bold, No underline, Font color: Auto, Highlight

DRAFT

DRAFT

ACRONYMS

AED – Automatic External Defibrillator

ATC – Air Traffic Control

BVLOS – Beyond Visual Line of Sight

COA – Certificate of Authority

CERT - Community Emergency Response Team

COOP – Continuity of Operations Plan

COG - Continuity of Government

DHS - Department of Homeland Security

DOC - Department Operation Centers

DOD - Department of Defense

DMORT - Disaster Mortuary Operation Response Teams

DPSC - Department of Public Safety Communications

DRC - Disaster Recovery Centers

EAN - Employee Alert Network

EAS - Emergency Alert System

EOD – Explosives Operation Division

EMAC - Emergency Management Assistance Compact

EMnet - Emergency Management Notification Network

EOC - Emergency Operations Center

ESF - Emergency Support Function

FAA – Federal Aviation Administration

FAC - Family Assistance Center

FCRC - Fairfax County Recovery Center

FEMA - Federal Emergency Management Agency

FLIR – Forward Looking Infrared

FRZ – Flight Restriction Zone

GIS - Geographic Information Systems

52 |

Page

Draft Unmanned Aircraft Systems Program Manual

IAP - Incident Action Plan
IC - Incident Command
ICP – Incident Command Post
ICS - Incident Command System
IMSAFE – Illness, Medication, Stress, Alcohol, Fatigue, Emotion
IMT - Incident Management Team
IT - Information Technology
JFO - Joint Field Office
JIC - Joint Information Center
LEPC - Local Emergency Planning Committee
LOFR - Liaison Officer
MACC - Multi-Agency Coordination Center
MCS - Multi-Agency Coordination System
MDW - Military District of Washington
MWWOG - Metropolitan Washington Council of Governments
[MSL – Mean Sea Level](#)
NCR - National Capital Region
NDMS - National Disaster Medical System
NGO - Non-Governmental Organizations
NIMS - National Incident Management System
NOAA - National Oceanic and Atmospheric Administration
NOTAM – Notice to Airman
NVHA – Northern Virginia Hospital Alliance
NRF - National Response Framework
NVRC - Northern Virginia Regional Commission
OSC – On Scene Coordinator
PDA - Preliminary Damage Assessment
PIC – Pilot in Command

PIO - Public Information Officer
PSA - Public Service Announcements
RECP - Regional Emergency Coordination Plan
RHCC - Regional Healthcare Coordination Center
RPIC – Remote Pilot in Command
NVRIC – Northern Virginia Regional Intelligence Center
RICCS - Regional Incident Communication and Coordination System
SARA - Superfund Amendments and Reauthorization Act
SHMO - State Hazard Mitigation Officer
SIC - Service and Information Centers
SNS - Strategic National Stockpile
SOFR - Safety Officer
SUAS – Small Unmanned Aircraft System
TFR – Temporary Flight Restrictions
UA – Unmanned Aircraft
UAS – Unmanned Aircraft Systems
USAR – Urban Search and Rescue Team
VADEQ- Virginia Department of Environmental Quality
VCMC - Volunteer Coordination and Mobilization Center
VDEM - Virginia Department of Emergency Management
VDOT - Virginia Department of Transportation
VFOIA – Virginia Freedom of Information Act
VIPS - Volunteers in Police Service
VO – Visual Observer

APPENDIX A – Retention Schedules

Note: This Appendix sets forth several retention schedules that may apply to data imagery captured as part of the County's UAS Program. Retention schedules are based on the content of the record and not its format. This Appendix is excerpted from the retention schedules for localities issued by the Library of Virginia. Records will be destroyed in accordance with Library of Virginia instructions when the retention period expires. The Library of Virginia frequently amends these schedules and the current versions may be found at <http://www.lva.virginia.gov/agencies/records/retention.asp>.

Type of Record:	General Schedule and Series	Retention period
Disaster recovery files	GS-16 Series 200036	Five years after claims filed or written off
Fire Training: Class Records	GS-17 Series 200392	Five years after end of calendar year
Fire Code Compliance Inspection Reports	GS-17 Series 007043	10 years after submission
Law enforcement surveillance or monitoring recordings not used as evidence	GS-17 Series 100796	30 days after event
Law enforcement missing Persons files	GS-17 Series 100780	75 years
Law enforcement missing Persons files – Resolved	GS-17 Series 100779	One year after case closed
Law enforcement missing Persons with history files – Resolved	GS-17 Series 100755	Five years after case closed
Reports: Traffic accident/crash - Law Enforcement	GS-17 Series 005670	Three years after closed
Reports: Traffic Accident/Crash - Citizen	GS-17 Series 100781	Three years after event
Traffic Management and Control	GS-17 Series 100806	One year after last action

[illegible]

DRAFT

APPENDIX B - LINKS

FAA UAS resources:
<https://www.faa.gov/uas/>

FAA Drone Registration:
<https://drone-registration.net/>

SkyVector Aeronautical Charts/Mapping:
<https://skyvector.com/>

FAA UAS Facility Maps:
https://www.faa.gov/uas/request_waiver/uas_facility_maps/

FAA Resources /Policy/Documents/Regulations:
https://www.faa.gov/uas/resources/policy_library/

United States Code:
<http://uscode.house.gov/view.xhtml?path=/prelim@title49/subtitle7&edition=prelim>

FAA Webinar Series:
<https://www.faa.gov/uas/resources/webinar/> [or faa.gov/go/dronewebinar](https://www.faa.gov/go/dronewebinar)

Formatted: Highlight

Waivers and Authorizations:

https://www.faa.gov/uas/getting_started/emergency_approval/

Temporary Flight Restriction - TFR:

<https://tfr.faa.gov/tfr2/list.html>

Notice to Airman – NOTAM:

<https://pilotweb.nas.faa.gov/PilotWeb/>

FAA Public Safety and Government

https://www.faa.gov/uas/public_safety_gov/

VFR Charts

<https://faa.gov/go/vfrcharts>

Fairfax County Parks:

<https://www.fairfaxcounty.gov/parks/model-aircrafts-drones>

Formatted: Default Paragraph Font, Highlight

Formatted: Space After: 0 pt, Line spacing: single

Formatted: Highlight

Formatted: No underline, Font color: Auto, Highlight

Formatted: Highlight

APPENDIX C – WILDLIFE ACTS

Formatted: Highlight

MIGRATORY BIRD TREATY ACT

The Migratory Bird Treaty Act makes it illegal to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or

59 |

Page

Draft Unmanned Aircraft Systems Program Manual

eggs of such a bird except under the terms of a valid Federal permit. Migratory bird species protected by the Act are listed in 50 CFR 10.13.

Webpage:

<https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>

BALD AND GOLDEN EAGLE PROTECTION ACT

The Bald and Golden Eagle Protection Act (16 USC 668-668d) prohibits anyone from taking, possessing, or transporting a bald eagle (*Haliaeetus leucocephalus*) or golden eagle (*Aquila chrysaetos*), or the parts, nests, or eggs of such birds without prior authorization. This includes inactive nests as well as active nests. Take means to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb. Activities that directly or indirectly lead to take are prohibited without a permit.

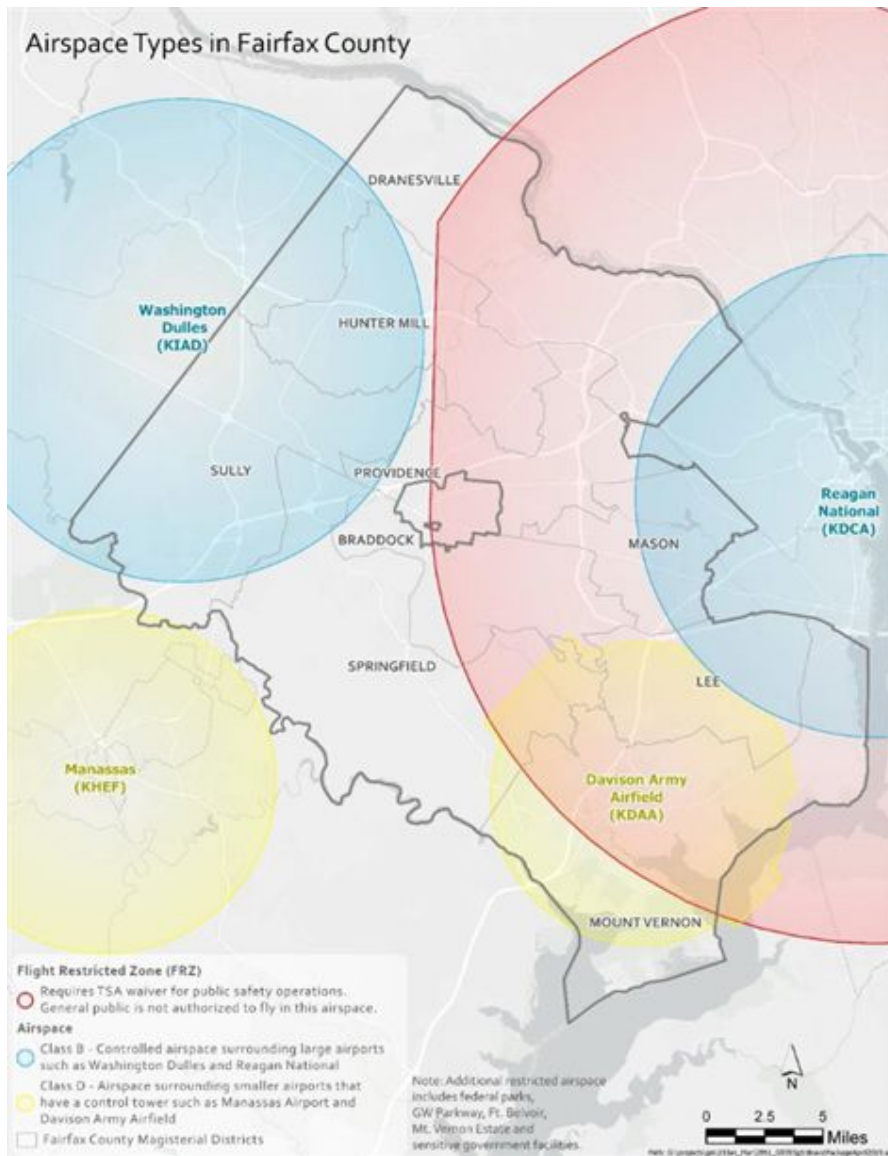
A permit can be issued for taking eagles when the take is associated with, but not the purpose of, an activity and cannot practicably be avoided. We refer to this type of take as "incidental take." Authorization is subject to conditions to minimize impacts. The regulation authorizing incidental take permits for bald and golden eagles can be found in the Code of the Federal Register 50 CFR 22.26

If activities need to be conducted near an eagle nest or may disturb roosting or foraging eagles, a permit may be required from the U.S. Fish and Wildlife Service for "incidental take."

AIRBORNE HUNTING ACT

This Act approved November 18, 1971 added to the Fish and Wildlife Act of 1956 a new section 13 (16 U.S.C. 742j-l), which is commonly referred to as the Airborne Hunting Act or Shooting from Aircraft Act, prohibits shooting or attempting to shoot or harassing any bird, fish, or other animal from aircraft except for certain specified reasons, including protection of wildlife, livestock, and human life as authorized by a Federal or State issued license or permit. States authorized to issue permits are required to file reports with the Secretary of the Interior containing information on any permits issued.

APPENDIX D – AIRSPACE IN FAIRFAX COUNTY



Formatted: Font: 12 pt, No underline, Font color: Auto

Formatted: Justified, Space After: 0 pt

INFORMATION – 1

Contract Award – Human Resources Benefits Consulting

On February 8, 2019, the Department of Procurement and Material Management issued a Request for Proposal (RFP200002786), on behalf of the Department of Human Resources Benefits Division, for consulting services to assist the County with a comprehensive range of employee benefit services and solutions as listed below:

- Support the development and implementation of a five-year health and welfare strategy with annual updates;
- Explore supplemental plan options for retirees, including but not limited to, Medicare Advantage plans and the addition of a private exchange for Medicare with advocacy services for eligible retirees;
- Advise on trends in best practices;
- Analyze performance of service providers to include data/actuarial analysis;
- Support for rate negotiations;
- Advise on changes in laws and regulations impacting benefit offerings;
- Assist staff to ensure that, within funding available, benefit programs are competitive;
- Assist in the delivery of cost-effective plans that are understood and valued by employees;
- Conduct an actuarial review of health costs incurred to include incurred but not reported and projection of future claims and related changes to premiums;
- Perform auditing services for the health carriers with regard to payment timeliness and accuracy.

The RFP was publicly advertised in accordance with the Fairfax County Purchasing Resolution. In response, the County received three proposals that were evaluated by a Selection Advisory Committee (SAC) appointed by the County Purchasing Agent. The SAC scored the proposals in accordance with the award criteria established in the RFP. The SAC negotiated with the two top ranked offerors and subsequently recommended award to Aon Consulting, Inc. for the provision of these services.

The SAC found that Aon Consulting, Inc. was the clear leader both in the technical proposal scores and combined final scores. The SAC voted them highest for their experience with retiree benefits, local governments and municipalities including local Washington D.C. regional experience. Through negotiations, Aon Consulting, Inc. agreed to a 7% reduction in their hourly rates

Board Agenda Item
May 21, 2019

and agreed to guarantee those rates for the three-year term of the contract. Per project performance guarantees were also negotiated and agreed upon.

The Department of Tax Administration has verified that the selected offeror has the required 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 Aon Consulting, Inc. The contract will begin on June 1, 2019, and terminate on May 31, 2022, with two one-year renewal options. The total estimated amount of this contract over the three-year term is \$675,000.

FISCAL IMPACT:

These services are estimated at \$225,000 per year for various projects assigned by Fairfax County. Each assigned project and its costs will vary but will be approved prior to inception. Each individual project will have agreed-upon performance guarantees. Funding for this contract will come from the general fund.

ENCLOSED DOCUMENT:

Attachment 1 – List of Offerors

STAFF:

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

List of Offerors

Name	SWAM Status
Aon Consulting, Inc.	Large; SWAM not identified
Arthur J. Gallagher & Co.	Large; SWAM not identified
Segal Consulting	Large; SWAM not identified

INFORMATION – 2

Contract Award – Psychiatric Residency Services

The Fairfax-Falls Church Community Services Board (“CSB”) provides opportunities for future psychiatrists by partnering with Sponsoring Institutions. These partnerships help to establish a talent pipeline by training and exposing psychiatric residents to the specialty of public sector psychiatry. Third and fourth year psychiatric residents are supervised and educated while they provide psychiatric services to CSB clients.

The George Washington University (GWU) School of Medicine and Health Sciences sponsors a four-year doctors-in-training (Residents) program in psychiatry accredited by the Accreditation Council for Graduate Medical Education (ACGME). The GWU psychiatry residency program was accredited in December 1950 and has established reputation for training excellent and competent physicians in the field of psychiatry.

Since 2001, GWU has provided residents in their third and fourth year of residency training to CSB sites. Third and fourth year psychiatry residents are independently licensed in the District of Columbia, and all have resident training licenses issued by the Virginia Board of Medicine. The residents work at CSB Mental Health Clinics or other facilities, as assigned, throughout the county, including outpatient sites and residential programs.

The CSB has successfully partnered with a university offering a psychiatry residency program accredited by the American Council of Graduate Medical Education (ACGME) for approximately 20 years. The strategic partnership provides an ongoing opportunity for residents to gain practical experience in the specialty of Community Psychiatry and prepare for professional employment in public health care. These services were solicited in 2009 and awarded to GWU under Contract 4400000977. In January 2019, the County conducted a Request for Information to determine if there were additional interested accredited programs. Only GWU responded to the request, thus they were determined to be a sole source.

Unless otherwise directed by the Board of Supervisors, the Purchasing Agent will proceed to award a sole source contract to George Washington University to provide Psychiatric Residency Services. The contract is ten years and the total estimated amount of the contract is \$400,000.

Board Agenda Item
May 21, 2019

FISCAL IMPACT:

The total estimated amount of the contract will not exceed \$400,000.

ENCLOSED DOCUMENTS:

None

STAFF:

Joe Mondoro, Chief Financial Officer

Cathy Muse, Director, Department of Procurement and Material Management

Tisha Deeghan, Deputy County Executive

Daryl Washington, Executive Director, Community Services Board

Board Agenda Item
May 21, 2019

10:20 a.m.

Matters Presented by Board Members

11:10 a.m.

CLOSED SESSION:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Panajot M. Ilias, Laureta Ilias, Julia Ilias, Alex Ilias v. Stephen H. Souder and County of Fairfax, Virginia*, Case No. C 02-CV-18-002006 (Anne Arundel County, Maryland, Circuit Court)
 - 2. *Matthew Gage McCloud v. Mark Butler*, Case No. CL-2018-0007408 (Fx. Co. Cir. Ct.)
 - 3. *Erica M. Allen Winslow v. Ramona Simmons*, Case No. GV19-008954 (Fx. Co. Gen. Dist. Ct.)
 - 4. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mishal H. Al-Thani*, Case No. CL-2018-0001769 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 5. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Laurence Putnam Wheeler and Susie A. Wheeler*, Case No. CL-2019-0005794 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bruce A. Blackerby*, Case No. CL-2019-0005679 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mary C. O'Brien*, Case No. CL-2019-0000067 (Fx. Co. Cir. Ct.) (Lee District)
 - 8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James L. Price*, Case No. CL-2018-0017871 (Fx. Co. Cir. Ct.) (Lee District)
 - 9. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Keun Hoon Lee and Yong Ja Lee*, Case No. CL-2019-0000700 (Fx. Co. Cir. Ct.) (Lee District)

10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mohammed J. Abdlaez and Inshirah Ali*, Case No. CL-2018-0017405 (Fx. Co. Cir. Ct.) (Mason District)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Otis Williams, Jr.*, Case No. CL-2019-0000069 (Mount Vernon District)
12. *Elizabeth Perry, Property Maintenance Code Official v. Cynthia Etkin*, Case No. GV18-027882 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Charles Alan Little*, Case No. CL-2019-0000561 (Fx. Co. Cir. Ct.) (Springfield District)

Board Agenda Item
May 21, 2019

3:30 p.m.

Public Hearing on SEA 88-D-008 (VA. Electric & Power Co., D/B/A Dominion Energy Virginia) to Amend SE 88-D-008, Previously Approved for an Electrical Substation to Allow Site Modifications and an Increase in Fence Height, Located on Approximately 3.29 Acres of Land Zoned R-1 and I-4 (Providence District)

This property is located at 8440 Tyco Road, Tysons, 22182. Tax Map 29-1 ((1)) 50C.

The Board of Supervisors deferred this public hearing from May 7, 2019, until May 21, 2019 at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:

On April 3, 2019, the Planning Commission voted 9-0 (Commissioner Sargeant recused himself from the vote. Commissioners Strandlie and Tanner were absent from the meeting.) to recommend to the Board of Supervisors the following actions:

- Approval of SEA 88-D-008, subject to the development conditions dated April 3, 2019; and
- Approval of a modification of wall height, as required by Paragraph 3H of Section 10-104 of the Zoning Ordinance, in favor of the 12-foot tall wall shown on the SEA plat.

Concurrently, the Planning Commission voted 9-0 (Commissioner Sargeant recused himself from the vote. Commissioners Strandlie and Tanner were absent from the meeting.) to find that the electric substation proposed under 2232-P18-20 satisfies the criteria of location, character, and extent, as specified in Section 15.2-2232 of the Code of Virginia, as amended, and therefore is substantially in accord with the Comprehensive Plan.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<https://www.fairfaxcounty.gov/planning-zoning/zoning-application-board-packages-fairfax-county-board-supervisors>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Harold Ellis, Planner, DPZ

Public Hearing to be Deferred
--

Board Agenda Item
May 21, 2019

3:30 p.m.

Public Hearing on PRCA-B-846-02 (Reston Heights Residential I, LLC) to Amend the PRC Plan Associated with RZ-B-846 to Permit Modifications to PRC Plan and Conditions for Mixed-Use Development, Located on Approximately 9.89 Acres of Land Zoned PRC (Hunter Mill District)

This property is located on the E. side of Reston Parkway and W. side of Sunrise Valley Drive, Tax Map 17-3 ((21)) 1A, 2B, 3A, 4A, and 5A.

PLANNING COMMISSION RECOMMENDATION:

On May 8, 2019, the Planning Commission voted 9-0 (Commissioners Tanner, Strandlie, and Cortina were absent from the meeting) to defer decision only to a date certain of May 22, 2019.

The Planning Commission also voted 9-0 (Commissioners Tanner, Strandlie, and Cortina were absent from the meeting) to recommend that the Board of Supervisors defer its public hearing until a date following Planning Commission decision.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<https://www.fairfaxcounty.gov/planning-zoning/zoning-application-board-packages-fairfax-county-board-supervisors>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Harold Ellis, Planner, DPZ

Board Agenda Item
May 21, 2019

3:30 p.m.

Public Hearing on PCA 84-C-048 (Prince Towne, LLC) to Amend the Proffers for RZ 84-C-048 Previously Approved for Residential Development to Permit Residential Development at a Density of 1.84 Dwelling Units Per Acre with Associated Modifications to Proffers and Site Design, Located on Approximately 4.9 Acres of Land Zoned R-2 (Hunter Mill District)

This property is located on the N.W. side of West Ox Road, approximately 600 feet E. of Fairfax County Parkway. Tax Map 25-4 ((14) 85, 86 and 87.

The Board of Supervisors deferred this public hearing from March 19, 2019 to April 9, 2019, at 2:00 p.m.; and then again to May 21, 2019 at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:

On May 8, 2019, the Planning Commission voted 9-0 (Commissioners Tanner, Cortina, and Strandlie were absent from the meeting) to recommend to the Board of Supervisors approval of PCA 84-C-048, subject to the execution of proffered conditions consistent with those dated April 15, 2019.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<https://www.fairfaxcounty.gov/planning-zoning/zoning-application-board-packages-fairfax-county-board-supervisors>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Harold Ellis, Planner, DPZ

Board Agenda Item
May 21, 2019

3:30 p.m.

Public Hearing on PCA 2011-PR-023-02/CDPA 2011-PR-023-02 (Cityline Partners LLC) to Amend the Proffers and Conceptual Development Plan to Approve for RZ 2011-PR-023, Previously Approved for Mixed-Use Development to Permit a Continuing Care Facility and Retail, and Associated Modifications to Proffers and Site Design at an Overall Floor Area Ratio of 3.80, Located on Approximately 4.04 Acres of Land Zoned PTC (Providence District) (Concurrent with PCA 2011-PR-023-03)

and

Public Hearing on PCA 2011-PR-023-03 (Cityline Partners LLC) to Amend the Proffers for RZ 2011-PR-023, Previously Approved for Mixed-Use Development to Permit Mixed-Use Development and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of 3.09, Located on Approximately 2.91 Acres of Land Zoned PTC (Providence District) (Concurrent with PCA 2011-PR-023-02/CDPA 2011-PR-023-02)

This property is located on the S. side of Westpark Drive, E. of its intersection with Westbranch Drive. Tax Map 29-4 ((7)) 9pt.

This property is located on the S. side of Westpark Drive, E. of its intersection with Westbranch Drive and W. of its intersection with Jones Branch Drive. Tax Map 29-4 ((7)) 3A and 9pt.

The Board of Supervisors deferred this public hearing at the May 7, 2019 meeting until May 21, 2019 at 3:30 p.m.

PLANNING COMMISSION RECOMMENDATION:

On May 8, 2019, the Planning Commission voted 9-0 (Commissioners Tanner, Strandlie, and Cortina were absent from the meeting) to defer decision only to a date certain of May 16, 2019. The Planning Commission recommendation will be forwarded following decision.

ENCLOSED DOCUMENTS:

Planning Commission Verbatim Excerpt and Staff Report available online at:
<https://www.fairfaxcounty.gov/planning-zoning/zoning-application-board-packages-fairfax-county-board-supervisors>

STAFF:

Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Stephen Gardner, Planner, DPZ

Board Agenda Item
May 21, 2019

4:00 p.m.

Public Hearing on Proposed Plan Amendment 2018-II-F2 (One University), Located in the Northwest Quadrant of the Intersection of University Drive and Route 123 (Braddock District)

ISSUE:

Plan Amendment (PA) 2018-II-F2 proposes to amend the Comprehensive Plan guidance for Tax Map Parcels # 57-3((1))11A & 11B and 57-4((1))2B, located at 4348 Ox Road, 4400 Saint Edwards Place, and 4500 University Drive in the Fairfax Planning District, George Mason Community Planning Sector of the Comprehensive Plan, within the Braddock Supervisor District. The subject area is currently owned by the Fairfax County Redevelopment and Housing Authority (FCRHA). The amendment considers adding a development option to support up to 240 affordable multifamily housing units, up to 360 multifamily housing units envisioned to serve George Mason University (GMU) students, and limited community/public use.

PLANNING COMMISSION RECOMMENDATION:

At a regular meeting held on May 8, 2019, the Planning Commission (PC) voted 8-0-1 (Commissioner Hart abstained, commissioners Tanner, Strandlie and Cortina were absent from the meeting) to recommend to the Board the adoption of the staff recommendation, as appears on pages 19 to 21 of the staff report dated April 3, 2019, with modifications as shown on a PC handout dated May 8, 2019 (included with the PC Verbatim).

RECOMMENDATION:

The County Executive recommends that the Board of Supervisors adopt the Planning Commission recommendation. The recommendation would add a redevelopment option on the site for up to 240 affordable multifamily housing units, up to 340 multifamily units envisioned to serve George Mason University students, and a limited amount of public meeting space for the use of FCRHA. The option would be subject to conditions concerning buffering and screening, tree preservation, pedestrian safety, architecture and streetscape, and environmental protection. An editorial amendment is also recommended to remove a Plan option that is no longer implementable and to correct an error in the Plan Map designation for a subject parcel.

TIMING:

Planning Commission public hearing – April 24, 2019
Board of Supervisors' public hearing – May 21, 2019

Board Agenda Item
May 21, 2019

BACKGROUND:

In July of 2017, Fairfax County, on behalf of the FCRHA, received and accepted an unsolicited proposal under the provisions of the Public-Private Education and Infrastructure Act of 2002 (PPEA) to develop affordable housing and student housing on the site. In accordance with the procedures adopted by Fairfax County and the provisions of the PPEA, Fairfax County advertised for competing development proposals and ultimately selected one proposal to move forward for the potential redevelopment of the site, subject to an interim agreement authorizing the developers to pursue both the Comprehensive Plan amendment and the zoning necessary to permit the proposal.

On July 31, 2018, the Board authorized staff to consider an amendment to the Comprehensive Plan for the subject area that would support up to 240 affordable and 360 student housing units, as well as limited community space/use as may be appropriate. Review of the Plan amendment is concurrent with review of an associated Rezoning/Final Development Plan application (RZ/FDP 2018-BR-025), which the Department of Planning and Zoning (DPZ) accepted for review on November 16, 2018. RZ/FDP 2018-BR-025 is not exempt from the provisions of Va. Code § 15.2--2303.4 (proffer reform bill).

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

The Planning Commission verbatim excerpt and recommendation is available online at: <https://www.fairfaxcounty.gov/planningcommission/sites/planningcommission/files/assets/documents/pdf/2019%20verbatims/verbatim50819pa2018-ii-f2oneuniversity-deconly.pdf>

The Staff Report for PA 2018-II-F2 is available online at:

<https://www.fairfaxcounty.gov/planning-zoning/sites/planning-zoning/files/assets/documents/compplanamend/oneuniversity/2018-ii-f2.pdf>

STAFF:

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

Marianne R. Gardner, Director, Planning Division (PD), DPZ

Meghan Van Dam, Branch Chief, Policy & Plan Development Branch (PPDB), PD, DPZ

Michael Lynskey, Planner II, PPDB, PD, DPZ

Board Agenda Item
May 21, 2019

4:30 p.m.

Public Comment from Fairfax County Citizens and Businesses on Issues of Concern