

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of #1 Courthouse Plaza thereof on Tuesday, February 26, 2008 at 3:00 p.m.

PRESENT: J. WALTER TEJADA, Chairman
BARBARA A. FAVOLA, Vice Chairman
JAY FISETTE, Member
MARY HUGHES HYNES, Member
CHRISTOPHER ZIMMERMAN, Member

ALSO PRESENT: RON CARLEE, County Manager
STEPHEN A. MacISAAC, County Attorney
LOYDA SEQUEIRA, Acting Clerk

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COUNTY BOARD RECESSED MEETING

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COUNTY BOARD BUSINESS AND REPORTS

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I. COUNTY BOARD REPORTS

The Chairman recognized and congratulated Christopher Zimmerman for his election as Chairman of the Board of the Washington Metropolitan Area Transit Authority (WMATA). Mr. Zimmerman has represented Arlington County on the WMATA Board since January 1998, and he was previously Chairman of the WMATA Board in 2002.

The Chairman welcomed the Arlington Committee on Jamestown. The Arlington Committee on Jamestown has worked tirelessly to celebrate the 400th anniversary of Arlington's special history with Jamestown. The Chairman welcomed the Chair of the Arlington Committee on Jamestown, Ms. Joan McDermott, and asked her to present her final report. Ms. McDermott presented her report and described the projects that the Committee carried out. The Chairman thanked Ms. McDermott and the entire Arlington Committee on Jamestown for their efforts and successes.

The Chairman recognized the Arlington County Beautification Committee and the 2008 Landscape Recognition Award winners. Award winners were Ballston Plaza I, II, and III, Capital Hospice, Church of the Covenant, Clarendon Market Common, Colonial Place, Dorchester Towers, 1525 Wilson Boulevard, and Quebec Apartments. The Chairman thanked the Committee for their hard work and invited the Chair, Lola Rogers to the podium. Ms. Rogers explained the nomination process and the criteria for the receiving the award. The Chairman recognized each winner with a certificate of appreciation.

The Chairman announced the FitArlington Health & Wealth Challenge which will take place from February 24 to March 22. FitArlington challenges teams of 3 to 8 people to incorporate a variety of fiscally and physically responsible behaviors into their lives. Every good deed participants do earns their team points. Examples are: eat three servings of fruit or vegetables a day; save your pocket change; motivate yourself to add steps by carrying a pedometer; write down your expenses; and eat breakfast. The Arlington teams with the

most points are eligible to win prizes. For more information and to sign up visit www.arlingtonva.us. This is a joint effort of Arlington County and the Virginia Cooperative Extension.

The Chairman announced the FitArlington Health and Wellness Fair on March 8th from 10:00 a.m. to 5:00 p.m. at the Arlington Mill Community Center.

The Chairman gave an update on the Car-Free Diet. More than 100 people from the entire metro region have taken the Car-Free Diet Challenge. For more information go to www.carfreediet.com.

The Chairman reported on the Latino Youth Empowerment Forum which took place on February 9. More than 30 students from Wakefield and Stuart High Schools in Arlington and Fairfax attend this first-time forum. The focus of the forum was communicating to students the importance of finishing high school and moving on to higher levels of education. The forum was coordinated by the Latino Youth Empowerment Group which is a group of Latino students from Wakefield High School.

The Chairman announced the 2008 Walking Town Meetings. For 2008 the three Walking Town Meetings will be held on: May 27, 2008, 6:30 p.m. – 8:30 p.m.; June 19, 2008, 6:30 p.m. – 8:30 p.m.; and September 9, 2008, 6:00 p.m. to 8:00 p.m. Letters will go out to civic associations February 27 and applications will be due on March 31. Three neighborhoods will be selected to host these Walking Town Meetings.

The Vice Chairman announced a special ceremony on March 4 at 8:30 a.m. at the Kettler Capitals Iceplex to honor individuals with intellectual and developmental disabilities and to celebrate their caregivers.

The Vice Chairman gave a legislative update on items that Arlington has interested in.

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II. APPOINTMENTS

On motion by J. WALTER TEJADA, Chairman, and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board made the following appointments to advisory groups:

Building Code Board of Appeals:

Re-Appoint	Fred Sheridan
Appoint	Michael Kelley
Appoint	Brian Foley

Commission For The Arts

Appoint	Allison Asplin
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Citizen Advisory Commission on Housing

Appoint	Reverend Gary Burns
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Information Technology Advisory Commission

Appoint	Walter McKenzie
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Planning Commission

Appoint Terry Serie

Advisory Commission on the Status of Women

Re-Appoint Tracy Gorman
Nell Marshall
Hoang Taing

Urban Forestry Commission

Appoint Chris Alvord

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III. REGIONAL REPORTS

Jay Fiset announced the Go Green Virginia program sponsored by the Virginia Municipal League. The URL is www.gogreenva.org. The program promotes environmental suitability and energy conservation at the local level throughout Virginia. Participants can qualify for up to 200 points. The top three jurisdictions in each of three different population categories that earn the most points will be given a special award at the annual conference of the Virginia Municipal League. Four regional forums are planned around the state in April.

Christopher Zimmerman gave a brief report on Metro. Stay tuned for an update and more extensive remarks on what Metro will be doing in 2008. Mr. Zimmerman and John Catoe, General Manager, attend the meeting of the Riders Advisory Council to get input on issues of concern to riders. There have been a number of efforts to improve the performance of the system including Metro Center bearing pad work which was successful. The Metro Board is also considering purchasing a track geometry vehicle which inspects track more regularly, efficiently, and perhaps more cheaply. Restructuring of Blue/Yellow line will also be discussed around the region in coming weeks. You may have read in the newspaper about the announcement of the proposed Metro Channel which will provide more viewing screens with more information about when trains are coming. The idea is to have more screens that provide more information. Finally, the one other item coming before the Metro Board is the joint development guidelines to improve the Metro planning process.

Mary Hughes Hynes provided information from the Aviation Policy Committee which is part of the Council of Governments. Helicopter traffic has increased in the region over the years and there is no way to measure the helicopter noise. A group is now looking at the issue of purchasing a mobile monitor to measure the noise.

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IV. COUNTY MANAGER REPORT

The County Manager announced that he would present the budget at the 6:45 p.m. portion of the Recessed Meeting.

The County Manager asked Susan Bell, Director of Community Planning, Housing and Development to present the community plan on accessory dwellings. Ms. Bell announced that they have done more than 14 community meetings since the 1st of the year. Other

Civic Association meetings are scheduled and the Committee of 100 will have its own forum on this issue on March 12. A community forum on the proposal is also scheduled for March 31 at the Central Library Auditorium. Staff expects to have a second forum once the Manager has reviewed the staff proposal. Staff is expecting to complete their assessment by the end of June. Staff hopes to advertise and have some type of consideration of adoption of the ordinance amendment by the end of the third quarter of this calendar year. Flyers, mail-outs, and website updates will be continual throughout the process.

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CLOSED MEETING; CERTIFICATION OF CLOSED MEETING DISCUSSIONS.

On motion by J. WALTER TEJADA, Chairman, seconded by MARY HUGHES HYNES, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board meeting in a closed meeting from 4:46 p.m. to 6:42 p.m., as authorized by §§2.2-3711.A.3 and 7 of the Virginia Code, for the purposes of discussing one matter involving the acquisition of real property for public purposes where discussion in public would adversely affect the County's negotiating and bargaining position; and the following matters requiring consultation with the County Attorney and staff concerning: final payment on the contracts for architectural services and construction of the Shirlington Library and Signature Theater, and the Trades Center; final payment on the contract for construction of the Shirlington Library and Signature Theater; the County's authority to enter into a labor protection agreement as a condition of receiving federal grant funds; the County's authority to fund a grant program providing repairs to homes in the vicinity of the Walter Pollution Control Plant; the County's authority to enforce compliance with occupancy limits in dwelling units; enforcement of the tenant relocation condition of Clarendon Center Site Plan Project; and the Procedures required to be followed in considering requests to amend the General Land Use Plan.

On motion by Mr. Tejada, seconded by Ms. Favola and carried by a vote of 5 to 0 by roll call, the voting recorded as follows:

Member & Vote

- Mr. Tejada - Aye
- Ms. Favola - Aye
- Mr. Fisetete - Aye
- Ms. Hynes - Aye
- Mr. Zimmerman - Aye

the Board certified that to the best of each member's knowledge that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered by the Board.

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THE FOLLOWING ITEMS TO BE HEARD BEGINNING AT 6:30 P.M.

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[CONSENT ITEMS \(ITEMS REMOVED FROM THE CONSENT AGENDA SATURDAY.](#)

FEBRUARY 23, 2008)

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3. **SP #397 SITE PLAN AMENDMENT: SAUL CENTERS, INC., AMEND PROJECT PHASING; 3000, 3012, 3016, 3020, 3028 WILSON BLVD., 3010, 3019 CLARENDON BLVD., 1101 N. HIGHLAND ST. (RPC #18-012-001, -002, -003, -004, -005, -006, -007, -008, -009, -010).**

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, after a duly advertised public hearing, at which the public spoke, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application SP #397 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan for a request to amend project phasing for the parcel of real property known as 3000, 3012, 3016, 3020, 3028 Wilson Blvd., 3010, 3019 Clarendon Blvd., 1101 N. Highland St. (RPC #18-012-001, -002, -003, -004, -005, -006, -007, -008, -009, -010), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to the following revised condition and drawing as set forth in the document entitled "Addendum 2-26-08-A – SP #397" attached for the public record to these minutes:

6. The developer agrees to develop and implement (after approval) a plan for temporary pedestrian and vehicular circulation during construction. This plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, and any other feature necessary to ensure safe pedestrian and vehicular travel around the site during construction. Throughout construction, the developer agrees to ensure that safe pedestrian access is maintained along both sides of Clarendon Boulevard, the south side of Wilson Boulevard, the east side of North Highland Street, and the portion of 11th Street adjacent to the Old Dominion Building; exceptions may be made only during an emergency as defined below, during actual demolition, and for such limited periods as are unavoidable for utility upgrades. In the event that the developer pursues concurrent construction of the North Block and South Block, the developer agrees to maintain the following cross-section along Clarendon Boulevard:

- One 10-foot travel lane along the north side of Clarendon Boulevard;
- One 11-foot travel lane along the south side of Clarendon Boulevard;
- One 4-foot bike lane along the south side of Clarendon Boulevard; and
- Minimum 8-foot wide clear covered or protected pedestrian walkway on each side of the street.

The developer agrees to submit this plan to, and obtain approval of the plan from, the County Manager as meeting these standards, before the issuance of the Clearing, Grading and Demolition Permit. The developer agrees to provide a copy of the approved plan to the Clarendon Alliance, Clarendon-Courthouse Civic Association, Lyon Park Citizens Association and the Lyon Village Citizens Association. The County Manager may approve subsequent amendments to the plan, if consistent with this approval.

The developer agrees, during the hours of construction, to provide "flagmen" to assist in the direction of traffic along or around a street any time that any driving lane of such a street is partially or fully blocked due to temporary construction activities. In addition, the developer agrees to notify the Clarendon Alliance and the

presidents of the Courthouse Civic Association, the Lyon Park Citizens Association, and the Lyon Village Citizens Association and all abutting property owners in writing (or, by mutual agreement, by e-mail) at least seven calendar days in advance of any street closure, except in the case of an emergency, of more than one hour duration on any street. "Emergency" street closures may include, but not be limited to, those relating to rupture or potential rupture of a water or gas main, insecure building façade, or similar unforeseeable public danger. "Emergency" street closures shall not include closures for setting up or dismantling of a crane, exterior building construction, materials deliveries, or utilities work, or similar situations.

Where county street lighting has been removed *or disconnected* due to construction and not yet replaced *or reconnected*, the developer agrees to maintain lighting around the perimeter of the site between the start of construction and completion of the project. The lighting shall be designed to illuminate the temporary pedestrian walkways and roads around the perimeter of the site. The developer may do this by means of overhead lights (e.g. "cobra head" lights) that meet the lighting standards for Arlington County streets, or by stringing lamps of the kind used in "used car" lots or similar along sidewalks and streets along the perimeter of the site. If lighting is accomplished by the latter, such lighting shall be with 75 watt bulbs (or approximate equivalent) placed no more than 25 feet apart and 6 to 10 feet high. Lighting shall be turned on between dusk and dawn 7 days a week. Any high-intensity overhead lighting, such as lighting placed on construction cranes, shall be used only during construction hours (except lower levels after hours for safety and security reasons), and shall be placed so as not to directly illuminate residential dwellings south of North Garfield Street or be a nuisance to neighboring property owners. For purposes of this condition, "completion of the project" shall mean the time when the County standard lighting fixtures are in place and operational around the perimeter of the site.

The developer agrees to maintain street surfaces adjacent to the site in a clean, smooth condition devoid of potholes at all times during the construction period. Whenever a significant portion of an adjacent road surface is disturbed for reasons relating to the construction, including utility work, the developer agrees to repair promptly the disturbed portion(s) of pavement with hot patching to return the road surface to a clean, smooth condition. The developer agrees to insure that the road surface is promptly repaired regardless of whether the excavation work or other damage to the road surface was done by the developer, the developer's contractors, or private utility companies. The developer agrees to make reasonable efforts to schedule construction work so that digging in the street surfaces will not occur during the winter months. However, if the road surface is disturbed during the winter months, the developer may temporarily restore the road surface using cold patching and then hot patch the disturbed surface at the earliest opportunity when weather conditions permit. If cold patching is used, it shall be properly maintained and resurfaced as necessary to maintain a clean, smooth road condition. The term "significant portion of a road" is understood to include, but not be limited to, a cut in the road surface that exceeds 10 feet in length or 100 square feet in size. This condition is in addition to any other conditions in this site plan and any County requirements relating to reconstruction and repaving of streets at the completion of construction.

In addition, to facilitate the Clarendon Mardi Gras Parade, the Clarendon Criterium bicycle race and Clarendon Day, the developer agrees to coordinate construction including utility work so that appropriate portions of the road surfaces of Clarendon Boulevard, Wilson Boulevard and North Highland Street are in a clean, smooth condition on the dates of Mardi Gras, the Clarendon Criterium bicycle race and Clarendon Day. The developer shall consult with the sponsor of the Clarendon Criterium and the Executive Director of the Clarendon Alliance prior to the respective events concerning the road surface conditions and the developer agrees

to make any reasonable correction to the road surface disturbed by construction in time for the planned event. In the case of any disagreement, the County Manager shall determine whether the requested correction is reasonable.

[Addendum 2-26-08-A – SP #397](#)

[Board Report #3](#)

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15. FUNDING REQUEST FOR NEIGHBORHOOD CONSERVATION PROGRAM PROJECTS.

On motion by BARBARA A. FAVOLA, Vice Chairman, seconded by J. WALTER TEJADA, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISSETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, The Board approved the use of a total of 3,761,365 of Neighborhood Conservation bond funds, including \$3,413,000 for the priority neighborhood projects listed in Attachment A of the County Manager's February 13, 2008 report and projects requiring additional funding in Attachment B of the County Manager's February 13, 2008 report totaling \$348,365 as approved by Neighborhood Conservation Advisory Committee (NCAC) for Fall 2007, and authorized the County Manager to proceed with implementation of these projects.

[Board Report #15](#)

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16. PARK ENHANCEMENT GRANT PROGRAM AWARDS FY 2008.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISSETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board approved an allocation of \$61,884 from previously appropriated County Park Enhancement Grant Program funds for eight projects as recommended by the Park and Recreation Commission.

[Board Report #16](#)

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18. APPROPRIATION OF U.S. DEPARTMENT OF JUSTICE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) FUNDS.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by BARBARA A. FAVOLA, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER

TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board appropriated, in FY 2008, \$45,251 in SCAAP funds from U.S. Department of Justice (101.364900) to the Sheriffs Office (101.22301).

[Board Report #18](#)

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THE FOLLOWING ITEMS TO BE HEARD NO EARLIER THAN 6:45 P.M.

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REGULAR HEARING ITEMS (REGULAR HEARING ITEMS FROM SATURDAY FEBRUARY 23, 2008, IF NEEDED, AS WELL AS THOSE LISTED BELOW)

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26. [ARLINGTON HEIGHTS NEIGHBORHOOD CONSERVATION PLAN UPDATE.](#)

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by BARBARA A. FAVOLA, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board adopt the resolution (attached to the February 13, 2008 County Manager's report) to accept the Arlington Heights Neighborhood Conservation Plan Update with staff comments specified in the plan.

[Board Report #26](#)

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27. [RECEIPT OF THE COUNTY MANAGER'S PROPOSED BUDGET AND REQUEST TO ADVERTISE FISCAL YEAR 2009 BUDGET ITEMS:](#)

A. Request to advertise proposed real estate tax rate.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement of the proposed Calendar Year (CY) 2008 real estate tax rate of \$0.838 for public hearing on March 27, 2008 using the attached advertisement in the County Manager's February 15, 2008 report (Attachment V).

[Board Report #27 A](#)

B. Request to advertise the Chain Bridge Road Service District tax rate as part of the real estate tax rate.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing to be held on March 27, 2008 for a proposed Calendar Year 2008 tax rate for the Chain Bridge Road Service District of \$0.056 that is in addition to the current real estate rate using the resolution in the County Manager's January 30, 2008 report (Attachment I).

[Board Report #27 B](#)

[Board Report #27 B-Attachment](#)

- C. Request to advertise the 2nd Road North Service District tax rate as part of the real estate tax rate.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing on March 27, 2008 for a proposed Calendar Year 2008 tax rate for the 2nd Road North Service District of \$0.144 that is in addition to the current real estate rate using the attached resolution in the County Manager's February 4, 2008 report (Attachment I).

[Board Report #27 C](#)

- D. Request to advertise the Rosslyn Business Improvement Service District ("Rosslyn BID") tax rate as part of the overall real estate tax rate.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing on March 27, 2008 for a proposed Calendar Year (CY) 2008 tax rate for the Rosslyn Business Improvement Service District ("Rosslyn BID") of \$0.082 that is in addition to the current real estate rate, using the attached resolution in the County Manager's February 4, 2008 report (Attachment I).

[Board Report #27 D](#)

- E. Request to advertise the Crystal City Business Improvement Service District ("Crystal City BID") tax rate as part of the overall real estate tax rate.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN,

Member - Aye, the Board authorized advertisement for a public hearing on March 27, 2008 for a proposed Calendar Year (CY) 2008 tax rate for the Crystal City Business Improvement Service District ("Crystal City BID") of \$0.043 that is in addition to the current real estate rate, using the attached resolution in the County Manager's February 4, 2008 report (Attachment I).

[Board Report #27 E](#)

- F. Request to advertise for a public hearing on March 27, 2008, for a proposed real estate tax rate on properties used for or zoned to permit commercial and industrial uses.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement of a public hearing on March 27, 2008 on the attached proposed amendment in the County Manager's February 19, 2008 report (Attachment 1) to Chapter 20 (Real Estate Assessments) to impose a real estate tax of \$0.125 per \$100 of assessed value on properties used for or zoned to permit commercial and industrial uses in CY 2008 for transportation purposes.

[Board Report #27 F](#)

- G. Request to advertise for a public hearing on the personal property tax rate and the allocation method of the State's vehicle tax relief provided to Arlington County.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing on March 27, 2008 on the proposed Calendar Year 2008 personal property tax rate of \$5.00 per \$100 of assessed value using the attached resolution in the County Manager's February 21, 2008 report (Attachment I) and for public service corporations the real estate tax rate of \$0.838 per \$100 of assessed value as requested to be advertised in the prior agenda item.

[Board Report #27 G](#)

- H. Request to advertise a public hearing for a proposed FY 2009 household solid waste increase.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement of a public hearing on the proposed amendment to Chapter 10, Article I (Refuse) of the Code of Arlington County, Virginia, to be held on March 27, 2008 to increase the annual Household Solid Waste Rate to a maximum of \$306.56.

[Board Report #27 H](#)

- I. Request to advertise a public hearing on the proposed Fiscal Year 2009 water/sewer rate increase

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement of a public hearing on the proposed amendment to Chapter 26, Article 1 of the Arlington County Code (Utilities Ordinance) and authorized the advertisement for a public hearing to be held on March 27, 2008, for proposed rate increases in the Water Sewer services. The proposed amendment would increase the water rate by no more than \$0.01, from \$3.34 to \$3.35 per thousand gallons and the sewer rate by no more than \$1.33, from \$5.86 to \$7.19 per thousand gallons.

[board Report #27 I](#)

- J. Request to advertise a public hearing to be held on March 27, 2008, on the proposed amendments to the Utilities Ordinance related to Water Service Connection Charges.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement of March 27, 2008 public hearing on proposed amendments to Chapter 26, Article I of the County Code, effective July 1, 2008.

[Board Report #27 J](#)

- K. Request to advertise public hearings on proposed amendments to Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify, and Inform and to Section 36. Administration and Procedures of the Zoning Ordinance to increase zoning fees to adjust for inflation.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board adopted the resolution in the County Manager's February 1, 2008 report to ratify advertisement of public hearings on the proposed amendments to Section 36 and Section 34 of the Arlington County Zoning Ordinance placed on February 18, 2008 and February 25, 2008, as notification of public hearing by the Planning Commission on March 3, 2008, and authorized advertisement of public hearing for the County Board on March 27, 2008 to amend, reenact, and recodify the Arlington County Zoning Ordinance provisions in Section 34. Nameplates, Signs, and Other Displays or Devices to Direct, Identify, and Inform, and in Section 36. Administration and Procedures to increase zoning fees necessary to provide for efficient administration of the County's review process, to encourage economic

development, and to promote the health, safety, and general welfare of the public. Formal action on the proposed Zoning Ordinance Amendments will take place at the April 19, 2008, County Board Meeting.

[Board Report #27 K](#)

- L. Request to advertise Housing Grants for Needy Persons.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing on March 27, 2008 on amendments to Chapter 44 of the Arlington County Code, Housing Grants for Needy Persons, effective July 1, 2008, to: (1) Adopt an increase in the maximum assets allowed to receive a Housing Grant from \$35,000 to \$340,000; and (2) adopt a policy change to extend to elderly and disabled households the maximum allowable rent for large households.

[Board Report #27 L](#)

- M. Request to advertise Department of Parks, Recreation and Cultural Resources' Fees for Fiscal Year (FY) 2009.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement of a public hearing to be held on March 27, 2008, for the setting of the FY 2009 Department of Parks, Recreation and Cultural Resources program fees as stated in the County Manager's January 30, 2008 report (Attachment I).

[Board Report #27 M](#)

- N. Request to advertise for a public hearing on an amendment to the Fire Prevention Code, Chapter 8, Section 8-10.1.11 of the Code of Arlington County, Virginia, concerning the inspection fee for witnessing fire protection systems tests.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement of a public hearing on March 27, 2008 for an ordinance amendment to the Fire Prevention Code, Chapter 8, Section 8-10.1.11 of the Code of Arlington County, Virginia, concerning the inspection fee for witnessing fire protection systems tests as stated in the County Manager's February 11, 2008 report.

[Board Report #27 N](#)

- O. Request to advertise a public hearing on March 27, 2008, for a proposed amendment to Chapter 25-9 of the Code of Arlington County, Virginia, to increase taxicab license fees.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement for a public hearing to be held on March 27, 2008, to consider an ordinance to amend, reenact, and recodify Chapter 25 (Taxicabs), Section 25-9, Subsection 25-9(2)(c), (d), and (e), Subsection 25-9 (3), and Subsection 25-9 (4) of the Arlington County Code relating to taxicab application, renewal, retest, duplicate license, and inspection fee, to become effective on July 1, 2008.

[Board Report #27 O](#)

[Board Report #27 O-Attachment](#)

- P. Request to advertise a public hearing on March 27, 2008, for a proposed amendment to Chapter 33-14 of the Code of Arlington County, Virginia, to increase fees for false alarm responses.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing March 27, 2008, to amend Chapter 33-14 of the Code of Arlington County Virginia, to increase fees for false alarms responses.

[Board Report #27 P](#)

[Board Report #27 P-Attachment](#)

- Q. Request to advertise an increase in the Emergency Medical Services (EMS) ambulance transport fees that were adopted in fiscal year 2006.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement for a public hearing on March 27, 2008 for an increase in the EMS ambulance transport fees.

[Board Report #27 Q](#)

- R. Request to advertise a public hearing on an ordinance amending the Arlington Transit

("ART") Cash and Token Fares.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized advertisement of a public hearing to be held on March 27, 2008, to amend a non-codified ordinance, concerning the Arlington Transit ("ART") Passenger Fare Schedule by adding and increasing certain fares, to become effective on July 1, 2008.

[Board Report #27 R](#)

- S. Request to advertise a public hearing to consider enactment of an Ordinance amending, Chapter 22, Street Development and Construction Ordinance, Section 22-9 of the Code of Arlington County, Virginia, concerning the penalty for violation of any provision of Chapter 22 to become effective July 1, 2008.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement of a public hearing, to be held on March 27, 2008, to consider enactment of an ordinance amending, Chapter 22, Street Development and Construction Ordinance, Section 22-9 of the Code of Arlington County, Virginia, concerning the penalty for violation of any provision of Chapter 22 to become effective July 1, 2008.

[Board Report #27 S](#)

- T. Request to advertise a public hearing on March 27, 2008, to amend, reenact and recodify Chapter 3, Building Code; Chapter 7, Electrical Code; and Chapter 18 Plumbing and Gas Codes of the Code of Arlington County, Virginia, concerning the fees charged for construction and related permits.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement of a public hearing on March 27, 2008 for an ordinance to amend, reenact and recodify Chapter 3, Building Code; Chapter 7, Electrical Code; and Chapter 18, Plumbing and Gas Codes of the Code of Arlington County, Virginia, concerning the fees charged for construction and related permits. Formal action on the proposed amendments to the Code of Arlington County will take place at the April 19, 2008, County Board Meeting.

[Board Report #27 T](#)

- U. Request to advertise a public hearing on a proposed sanitary district tax of \$.014 per \$100 of assessed real property value to pay for operating and capital costs necessary to upgrade and expand the County's stormwater drainage and sewer infrastructure.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER

TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement for a public hearing to be held on March 27, 2008, to amend Chapter 26 of the Code of Arlington County, Virginia, to impose a sanitary district tax rate in the amount of \$.014 per \$100 of assessed real property value.

[Board Report #27 U](#)

- V. Request to advertise the attached amendment to the Fire Prevention Code, Chapter 8, Section 8-10.1.11 of the Code of Arlington County, Virginia, to start charging an inspection fee for required inspections prior to issuing permits.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the advertisement for a public hearing to be held on March 27, 2008 to amend the Fire Prevention Code to charge an inspection fee for required inspections prior to issuing permits.

[Board Report #27 V](#)

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ADDITIONAL ITEMS

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INCREASE IN THE AUTHORIZATION OF FUNDS TO CONTRACT 293-00 FOR THE CLOSE-OUT OF THE LUKMIRE PARTNERSHIP, INC. DESIGN SERVICES CONTRACT FOR THE TRADES CENTER/PRCR OPERATIONS BUILDING, 2800 TAYLOR ST.

On motion by J. WALTER TEJADA, Chairman, seconded by BARBARA A. FAVOLA, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board approved an increase Contract 293-00 with the Lukmire Partnership, Inc. for the design of the Trades Center facilities and PRCR Operations Building by \$27,892 for a total contract value of \$1,167,252, and authorized final payment on the contract including execution of a mutual release of all claims of the contractor and the County.

INCREASE IN THE AUTHORIZATION OF FUNDS TO CONTRACT 121-98 FOR THE CLOSE-OUT OF THE LUKMIRE PARTNERSHIP, INC. DESIGN SERVICES CONTRACT FOR THE SHIRLINGTON LIBRARY/SIGNATURE THEATER, 2800 S. STAFFORD ST. AND SERVICES TO CENTRAL LIBRARY, 1015 N. QUINCY ST.

On motion by CHRISTOPHER ZIMMERMAN, Member, seconded by MARY HUGHES HYNES, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board approved an increase in Contract No. 121-98 with the Lukmire Partnership by \$91,726 for the design of the Shirlington Library/Theater for a total contract value of \$1,561,927, and by \$4,845 for the design of Central

Library for a total contract value of \$29,845, and approved a corresponding decrease in the contract amount for the design of Westover Library, and authorized final payment on the contract including execution of a mutual release of all claims of the contractor and the County.

AUTHORIZATION OF COUNTY MANAGER TO EXECUTE SETTLEMENT AGREEMENT AND MUTUAL RELEASE WITH SIGAL CONSTRUCTION COMPANY RELATED TO CONSTRUCTION OF THE SHIRLINGTON LIBRARY/SIGNATURE THEATER, 2800 S. STAFFORD ST. AND SERVICES TO CENTRAL LIBRARY, 1015 N. QUINCY ST.

On motion by BARBARA A. FAVOLA, Vice Chairman, seconded by J. WALTER TEJADA, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the County Manager to execute a Settlement Agreement and Mutual Release with Sigal Construction Company related to construction of the Shirlington Library/Theatre.

AUTHORIZATION OF LABOR PROTECTION AGREEMENT WITH LABOR UNIONS AND A FEDERAL FUNDING COOPERATION AGREEMENT WITH THE INDUSTRIAL DEVELOPMENT AUTHORITY TO SATISFY FEDERAL TRANSIT ADMINISTRATION GRANT REQUIREMENTS

On motion by MARY HUGHES HYNES, Member, seconded by CHRISTOPHER ZIMMERMAN, Member and carried by a vote of 5 to 0, the voting recorded as follows: J. WALTER TEJADA, Chairman - Aye, BARBARA A. FAVOLA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board approved a Labor Protection Agreement providing labor protection guarantees as a condition of the County's receipt of Federal Transit Authority funding, and approved a Federal Funding Cooperation Agreement with the Arlington County IDA, and authorized the County Manager to execute both agreements on behalf of the Board.

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ADJOURNMENT

Without objection, at 10:06 p.m. the Board adjourned the meeting.

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MINUTES APPROVED BY THE COUNTY BOARD AT THE MARCH 15, 2008 REGULAR MEETING.

J. WALTER TEJADA, Chairman

ATTEST:

LOYDA SEQUEIRA, Acting Clerk