

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of #1 Courthouse Plaza thereof on Wednesday, November 18, 2008 at 3:06 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 Attorney  
STEPHEN A. MacISAAC, County Attorney  
HOPE L. HALLECK, 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 invited the Arlington County Registrar, Linda Lindberg, to the podium to provide a post election report. Ms. Lindberg reported that on the Saturday before the election people waited in line for up to four hours at Courthouse Plaza to absentee vote. Ms. Lindberg expressed that coordination of the 2008 election was truly a team effort which included cooperation from a public safety and emergency response team, schools, County agencies that hosted polling places, County staff volunteers, and citizen volunteers. Absentee voting was up 190% and the Voter Registration Office was well prepared. Ms. Lindberg did not anticipate having such large crowds for absentee voting. Over the next couple of years Ms. Lindberg will be looking into having satellite absentee voting locations at some County recreation centers for the 2012 election. Ms. Lindberg reported that there were few complaints from voters. On election day there was about a 16% increase in total voters.

The Chairman congratulated Ms. Lindberg and everyone that assisted the voting effort. The Chairman asked Ms. Lindberg if it was possible to know what precinct voters came from if they voted in a centralized location like Courthouse Plaza.

Ms. Lindberg stated that a legislative change would be necessary to obtain that information. Ms. Lindberg expressed that she does feel we are moving closer to that being law because of the large number of absentee voters this year.

Mr. Zimmerman asked Ms. Lindberg if she could produce a report of people who voted early by precinct. Ms. Lindberg stated that she has a planning document in which she did exactly what Mr. Zimmerman asked. Mr. Zimmerman express that this type of information will be valuable for planning purposes.

Mr. Fisetete asked Ms. Lindberg how many additional voting machines overall there were this year. Ms. Lindberg stated that there were 51 optical scan tabulators which meant that there were additional voting stations at each polling place. There was almost double the amount of voting places at each polling place this year.

Mr. Fisetete asked Ms. Lindberg about the difference between optical scan used during the absentee process and the optical scan used during election day. Ms. Lindberg stated that there are two different types of optical scan system. With the system used during absentee voting, a voter connects two halves of a broken arrow and you draw a line between the two halves of the arrow. The optical can then read the markings in between those arrows. With the systems used during voting day, the voter fills in a bubble much like a scantron. The

functionality is the same and equally effective. Ms. Lindberg reported that approximately 20% of voters chose the optical scan system and 80% of voters used the voting machine.

The Vice Chairman thanked Ms. Lindberg and all of the volunteers. The Vice Chairman expressed that the in person absentee voting was extremely popular this year. It should be a goal of our electoral process to make it as easy as possible for as many people as possible to vote. Having a Saturday in person voting with more than one place where voters can go and vote would be an enormous benefit for people. The Vice Chairman would like the in person voting element to get a little more attention for the next presidential cycle. Ms. Lindberg agreed with the Vice Chairman.

Ms. Hynes asked how the experience was with the electronic poll book. Ms. Lindberg stated that it was much easier and faster to process voters. Ms. Lindberg also felt that the number of poll books was adequate for this election.

The Chairman again thanked Ms. Lindberg for a job well done.

The Chairman welcomed a special guest Mr. Don Hart, president of the Virginia Association of Counties (VACo). The Vice Chairman explained that one of Mr. Hart's goals as president of VACo is to visit every county in the Virginia Association of Counties during his term. The Vice Chairman also recognized Jim Campbell, Executive Director of VACo.

Mr. Hart thanked the Board and brought greetings from VACo. Mr. Hart expressed that Arlington County is important to VACo and Virginia. He appreciates Arlington County and the other counties because when they stand together as one they are strong. VACo will be there for Arlington County. Mr. Hart recognized the Vice Chairman and Mr. Fissette. Mr. Hart stated that Virginia is in trying times right now and with VACo's help things can be made a little easier. VACo works to accomplish success and not to prevent failure. Mr. Hart invited the Board members to get involved and to join VACo committees. Some of the focuses of VACo this year are: 1) unfunded mandates; 2) equalization between counties, cities and towns; and 3) the economic stimulus package. Mr. Hart looks forward to working with Arlington.

The Chairman thanked Mr. Hart for stopping by.

The Chairman recognized special guests of the Arlington based Non-Governmental Organization Our Task. Our Task's mission is to connect young adults across the world and help them understand, and confront, the tough global challenges their generation will be inheriting. Last summer the Chairman had the opportunity to meet with members of this organization and encouraged them to reach out to Arlington's High School students and showcase their diversity. Last Saturday Angeline Cione, from Our Task, led a workshop called the Earth Leadership Forum at the Central Library. A diverse group of students, along with volunteers and teachers, learned about the challenge their generation face and how they can help improve the future for themselves and their families. The Chairman welcomed Ms. Cione and Mr. Jerry Barney, Chairman of the Our Task Board, and asked them to make a few comments at the podium.

Mr. Barney stated that Our Task is an international non-profit organization that asks young people how they think young people should be running the planet. He then introduced Ms. Cione.

Ms. Cione reported that this Fall Our Task released their Youth Earth Plan. The report found that this generation is inheriting a unique situation in that the environment is being harmed and resources are being overused at the fastest rate in history. The Task is hoping to prepare this generation to learn and be empowered to face these challenges. Education and empowerment was the focus of the workshop held at Central Library last Saturday.

The Chairman thanked Ms. Cione for her report on such an important subject.

The Chairman reported that the last Diversity Dialogue was held on October 26, at Drew Model School. Kojo Nnamdi, host of WAMU 88.5's The Kojo Nnamdi Show attended and helped moderate a room full of engaged citizens. Approximately 500 Arlingtonians joined the three Diversity Dialogues this Fall. The Chairman expressed how great it was to see Arlingtonians of different backgrounds, ages, cultures, nationalities, interest and perspectives connecting with one another in a dynamic and friendly environment. The Chairman shared a short video presentation on the Diversity Dialogues produced by the talented video team at Arlington Virginia Network (AVN). The video segment is available on AVN and the County website. The Chairman stated that the Diversity Dialogue Task Force is currently hard at work on a report that will include the major findings and recommendations.

The Chairman reported that last week an important Latino Roundtable was held to discuss "Gang Prevention." The status of gangs in Arlington, as well as in the Washington Metropolitan Area, was addressed by two Gang Task Force Agents; one from Arlington County, Robert "Tito" Vilchez, and the other from the Northern Virginia Regional Task Force, Eric Vega. Both presenters spoke about the importance of gang prevention and the alternative services and options offered to teenagers to avoid getting involved in gangs. The presentation was followed by a "Mini-World Café" discussion where participants were able to discuss possible solutions to this problem. It was an interactive event where participants heard about the problem and were part of providing feedback for possible solutions.

The Chairman reported that Arlington County is sponsoring a one-week food drive to help those in need. Every week, more than 1,000 families in Arlington require food assistance. December 8-14 is "Arlington Takes a Bite Out of Hunger Week." County facilities will be collecting food donations to benefit the Arlington Food Assistance Center (AFAC). The Chairman encouraged community members to donate non-perishable items. AFAC particularly needs: soups, cereals, canned goods, pastas and peanut butter.

The Chairman announced that on Tuesday, December 16 at 6:00 p.m. all are invited to the year-end 2008 State of the County. The Chairman will present a 2008 highlight report and will present donations from the County sponsored food drive to the Arlington Food Assistance Center (AFAC).

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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:

**Fiscal Affairs Advisory Commission**

Appoint Heather Jones  
Susan Robinson  
Vikrant Arya

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**III. REGIONAL REPORTS**

The Vice Chairman reported that the Virginia Association of Counties passed a resolution asking that local governments be included in the federal stimulus package. The Vice Chairman requested that the Chairman write a letter to the Congressional Delegation, President, and President-Elect asking that local governments be included in the stimulus package.

On motion by BARBARA A. FAVOLA, Vice Chairman, 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 the Vice Chairman's request to send a letter to the Federal Government asking for local governments to be included in the stimulus package.

The Chairman thanked the Vice Chairman and stated that he would be happy to work to finalize the letter.

Mr. Zimmerman stated that this should not be viewed as another organization looking for a handout but rather an effort to stave off the effects of an economic crisis. Local governments cannot go into a deficit because their budget has to be balanced every year. Anything the Federal Government does to make it so that State and local governments have to cut spending and raise taxes is not good. Aide to local governments from the Federal Government would immediately get money into the economy which helps to keep people employed and helps continue spending.

Mr. Zimmerman reported that beginning January 4 Metro paper transfers will no longer be used. The SmarTrip will now be used and individuals will still be able to transfer for free. Now riders will be able to go from rail to bus and bus to rail on the transfer. Additionally, riders will get \$0.10 off when riders ride the bus using a SmarTrip card. The main purpose is to move away from the antiquated paper transfer to the SmarTrip

technology. Metro is providing free SmartTrip cards to social services and looking to drop the cost of the card. Finally, Metro is making it easier to buy SmartTrip cards. Riders can purchase the cards at any of the Arlington Commuter Stores and at other outlets. Ideally Metro is working to make the card available at places such as drugstores and grocery stores. Use of SmartTrip cards will speed up boarding onto buses. As of this week, grab handles have been installed in all the newest rail cars and Metro is working to have handles installed on all other rail cars.

Mr. Fisette reported that the Council of Governments (COG) adopted the National Climate Change Report. Representing Arlington was our current Clerk to the Court, Paul Ferguson. The report lays out a blue print and sets regional emissions targets. For example, the goal is to get to 2005 emission levels by 2012. The next step by the committee is a recommendation on how to change the organizational structure at COG in order to further the effort.

Ms. Hynes recommended that a link to the report be provided on Arlington County's FreshAire webpage.

Mr. Fisette reported that the Council of Governments (COG) passed a resolution regarding supporting continued charitable giving by Fannie Mae and Freddie Mac. Mr. Fisette brought forward a similar resolution for the Board to support.

On motion by JAY FISETTE, 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 adopted the following resolution:

**RESOLUTION SUPPORTING CONTINUED CHARITABLE GIVING BY  
FANNIE MAE AND FREDDIE MAC**

**ADOPTED – NOVEMBER 18, 2008**

WHEREAS, Fannie Mae and Freddie Mac are two of the largest business organizations in the National Capital Region, employing thousands of workers and contributing to the overall vitality of the area economy; and

WHEREAS, Fannie Mae and Freddie Mac are also among the top two charitable givers in this region, directly or indirectly assisting thousands of at-risk families and individuals every year; and

WHEREAS, charitable contributions from Fannie Mae and Freddie Mac exceeded \$47 million in the National Capital Region and nearly \$2 million in 2007 to non-profits serving Arlington County residents, such as the Greenbrier Learning Center, AHC, Inc., Doorways for Women and Families, Wholistic Family Agape Ministries Institute, Northern Virginia Family Service, BU-GATA, and SCAN of Northern Virginia;

WHEREAS, Arlington County recognizes and values the programs and services provided by our local non-profit partners and therefore invests local dollars in support of their work; and

WHEREAS, the Housing and Economic Recovery Act of 2008, P.L. 110-289, placed Fannie Mae and Freddie Mac into conservatorship in September 2008 to restore the financial strength and solvency of the organizations and stabilize the housing finance markets; and

WHEREAS, the stability of the nation's housing finance system and the fiscal solvency of Fannie Mae and Freddie Mac are an urgent issue and may require structural changes to the organizations; and

WHEREAS, the Federal Housing Finance Agency (FHFA) is the lead regulator during the period of conservatorship; and

WHEREAS, as a part of that obligation, FHFA has pledged to review the charitable efforts of Fannie Mae and Freddie Mac as part of its oversight responsibilities; and

WHEREAS, in a letter to the Nonprofit Roundtable of Greater Washington dated October 2nd, James B. Lockhart III, Director of the FHFA, stated that "is envisioned that the Enterprises will continue to make charitable contributions"; and

WHEREAS, given the very difficult financial conditions facing the National Capital Region at present and in the foreseeable future, it is unlikely that area local governments or other businesses

or foundations would be able to quickly make up the difference in philanthropy, should Fannie Mae and Freddie Mac cease or dramatically scale back their charitable support of area non-profits and vulnerable families; and

WHEREAS, on October 8th, the Washington Metropolitan Council of Governments (COG) adopted a resolution supporting continued charitable giving by Fannie Mae and Freddie Mac; and

WHEREAS, COG has encouraged local elected officials to adopt similar positions or statements for communication to federal regulators and Members of Congress;

**NOW, THEREFORE, BE IT RESOLVED THAT THE ARLINGTON COUNTY BOARD:**

1. Recognizes the critical role that local nonprofits play in meeting human service needs, especially among our most vulnerable populations.
2. Requests that the FHFA maintain substantial charitable giving programs as part of any restructuring of the business operations of Fannie Mae and Freddie Mac, with a prioritization of those programs that ensure a basic safety net is maintained.
3. Requests that Congress, and our Washington Area Congressional Delegation in particular, work with FHFA to ensure that Fannie Mae and Freddie Mac continue to fill both of their important roles in the National Capital Region.

The Vice Chairman recommended that a letter be transmitted by the Chairman to Fannie Mae and Freddie Mac regarding this resolution.

The Chairman agreed with the Vice Chairman.

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**IV. COUNTY MANAGER REPORT**

The County Manager reported that he would be providing a report on budget planning for FY 2010 at the 6:30 p.m. portion of the meeting.

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**CLOSED MEETING; CERTIFICATION OF CLOSED MEETING DISCUSSIONS.**

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 met in a closed meeting from 4:34 p.m. to 6:34 p.m., as authorized by §§2.2-3711.A.1 and 7 of the Virginia Code, for the purposes of discussing one personnel matter and one legal matter requiring consultation with the County Attorney concerning satisfaction of legally required prerequisites to construction of I-66 improvements.

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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, NOVEMBER 15, 2008)**

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- 2. **SP #106 SITE PLAN REVIEW FOR OUTDOOR RESTAURANT/RETAIL SEATING PLAN AND OUTDOOR MUSIC; 2756, 2762, 2766, 2768, 2770, 2772, 2774, 2780 S. QUINCY ST., 4013, 4014, 4015, 4017, 4019, 4021, 4025, 4028, 4029, 4031, 4039, 4043, 4044, 4047, 4052, 4053 CAMPBELL AVE. (FORMERLY SOUTH 28TH STREET), 2772 S. ARLINGTON MILL DRIVE (RPC #29-020-003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014, -015, -016, -017, -018, -019, -020, -021, -022, -023, -024; 29-019-024).**

On motion by JAY FISETTE, 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, after a duly advertised public hearing, at which the public spoke, the Board adopted the following ordinances:

BE IT ORDAINED that, pursuant to application SP #106 on file in the Office of the Zoning Administrator for a review of an amendment to a special exception for a site plan for outdoor restaurant/retail seating plan and outdoor music for the restaurants of Phase I of the Village at Shirlington for the parcel of real property known as 2756, 2762, 2766, 2768, 2770, 2772, 2774, 2780 S. Quincy St., 4013, 4014, 4015, 4017, 4019, 4021, 4025, 4028, 4029, 4031, 4039, 4043, 4044, 4047, 4052, 4053 Campbell Ave. (formerly South 28th Street), 2772 S. Arlington Mill Drive (RPC #29-020-003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014, -015, -016, -017, -018, -019, -020, -021, -022, -023, -024; 29-019-024), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, with an administrative review in one (1) year (November 2009), and a County Board review in two (2) years (November 2010).

BE IT ORDAINED that, pursuant to application SP #106 on file in the Office of the Zoning Administrator for a review of an amendment to a special exception for a site plan for live entertainment and additional outdoor seating for the parcel of real property known as 4053 Campbell Avenue (Extra Virgin Restaurant) (RPC #29-020-004), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, and with a County Board review in two (2) years (November 2010).

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- 7. **SP #392 SITE PLAN AMENDMENT: ZOM CLARENDON, LP, AMEND CONDITION #33 TO ALLOW ISSUANCE OF A BUILDING PERMIT PRIOR TO SUBMISSION OF ELEVATION PLAT; 1126, 1128, 1200, 1228 N. IRVING ST., 3217, 3225 WASHINGTON BLVD. (RPC #15-078-003, -004, -005, -013, -014, -015, -016, -017, -018, -023).**

On motion by JAY FISETTE, 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, 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 #392 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan to modify the condition for submittal of the plat of excavated area for the parcel of real property known as 1126, 1128, 1200, 1228 N. Irving St., 3217, 3225 Washington Blvd. (RPC #15-078-003, -004, -005, -013, -014, -015, -016, -017, -018, -023), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, and the following revised development condition #33:

- 33. The developer may seek issuance and receive a Footing to Grade Permit prior to submission of the plat of excavated area. Construction pursuant to the Footing to Grade Permit shall not commence until a plat of the excavated area showing spot elevations is submitted and approved by the County. The Plat of Excavated Area shall confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board on December 13, 2005, and as indicated in the plans referenced in Conditions #1 and #10 above. The Plat of Excavated Area shall be drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size.

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- 8. [U-1146-54-2 USE PERMIT AMENDMENT: ARLINGTON FOREST CLUB, INC., CLUB HOUSE ADDITION TO EXISTING POOL BATH HOUSE, PARKING REDUCTION; 411 N. JEFFERSON ST. \(RPC #13-043-018, -019, -050\).](#)

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 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 deferred consideration of the use permit amendment request to the first regular County Board Meeting in January 2009.

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- 25. [REQUEST TO ADVERTISE FOR A PUBLIC HEARING ON PROPOSED CHANGES TO REAL ESTATE TAX RELIEF FOR ELDERLY AND DISABLED PERSONS.](#)

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, after a hearing, at which the public spoke, the Board approved advertisement for a public hearing on December 13, 2008, as proposed in the County Manager's November 15, 2008 report, on amendments to Chapter 43 of the Arlington County Code, Real Estate Tax Relief for the Elderly and Disabled to:

- 1. Adopt a change to reduce the maximum income standard to 80 percent of the Weldon Cooper standard for married households, as allowed by State Code, effective January 1, 2009.
- 2. Adopt new guidelines providing a total exemption for eligible households with income up to 45 percent of Weldon Cooper, a 50 percent exemption for households with income between 46 percent to 55 percent of Weldon Cooper, and a 25 percent exemption for households with income between 56 percent to 80 percent of Weldon Cooper, adjusted for household size
- 3. Adopt a change to reduce the assets allowed for an exemption to \$340,000.
- 4. Adopt a change to allow deferrals for assets up to \$540,000.
- 5. Adopt a change to eliminate the income disregard of up to \$10,000 for non-owner relatives in the home.

[Board Report #25](#)

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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, NOVEMBER 15, 2008, IF NEEDED, AS WELL AS THOSE LISTED BELOW)**

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- 34. [BARCROFT NEIGHBORHOOD CONSERVATION PLAN UPDATE](#)

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, after a duly advertised public hearing, at which there were no speakers, the Board adopted the following resolution to accept the Barcroft Neighborhood Conservation Plan Update with staff comments specified in the plan attached to the County Manager's October 17, 2008 report:

**Resolution To Accept Barcroft  
Neighborhood Conservation Plan**

**Whereas**, the County Board created the Neighborhood Conservation Program in 1964 to encourage neighborhoods to carry out neighborhood improvement plans and provide dedicated funding to implement those plans; and

**Whereas** the Neighborhood Conservation Program is a mechanism for improvement and maintenance of areas where residents indicate a desire to achieve an improved neighborhood and fulfill a broader vision of the modern "urban village" through coordination of public and private efforts; and

**Whereas**, these plans are initiated and prepared by the neighborhoods, who work with the Neighborhood Conservation Advisory Committee and County staff; and

**Whereas**, Neighborhood Conservation Plans have three purposes:

- 1) To build a neighborhood vision and consensus on issues affecting the neighborhood, to evaluate County service delivery and the state of the neighborhood, and to suggest policies and projects that will improve the neighborhood
- 2) To establish eligibility for Neighborhood Conservation funding
- 3) To provide guidance to the County Board, Commissions, Departments and staff concerning issues in neighborhoods; and

**Whereas**, the County Board created the Neighborhood Conservation Advisory Committee (NCAC) to guide the Neighborhood Conservation Program, and the NCAC reviewed this Barcroft Conservation Plan and recommends its acceptance; and

**Whereas**, the Planning Commission also recommended acceptance of the Barcroft Neighborhood Conservation Plan, as updated through May, 2008.

**Now, therefore be it resolved** that after careful consideration of the recommendations of the Neighborhood Conservation Advisory Committee, the County Board hereby accepts the Barcroft Conservation Plan, as updated through May, 2008 as a statement of the Barcroft neighborhood and directs the County Manager to ensure that the recommendations of this plan are considered in decision-making and actions that affect the Barcroft neighborhood.

[Board Report #34](#)

[Board Report #34-Attachment](#)

[Board Report #34-Attachment 2](#)

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**35. [PROPOSED ARLINGTON COUNTY BOARD 2009 LEGISLATIVE PACKAGE.](#)**

The County Manager introduced Ms. Patricia Carroll to give a brief overview of the proposed legislative package attached to the County Manager's November 4, 2008 report.

Ms. Carroll reported that because of the unprecedented nature of the current economic situation and its effect on the 2009 General Assembly session and Arlington County, staff added a preamble to the legislative package this year. The preamble states that with falling revenue numbers, the governor and General Assembly are grappling

with balancing the budget. Arlington County wants to ensure that the Commonwealth continues to supply sufficient funds for core services such as public education, health and human services, public safety, natural resources and environmental services. Additionally, the General Assembly should approve user fees to provide dedicated funding for transportation also a core service but not one that has received adequate general fund monies. Arlington County also seeks equal taxing authority for counties and cities because cities in the Commonwealth have a broader range of revenue options and Arlington County requests that the General Assembly fully fund the true cost of K through 12 public education. In this year's package the legislative priorities include the following recommendations: to ensure workforce competitiveness; to increase affordable housing through funding and programs; to protect the civil rights of Arlingtonians and residents of the Commonwealth; to increase public safety; to decrease energy consumption and protect the environment; to preserve and increase services to our most vulnerable residents; to provide permanent, stable and reliable transportation funding; to promote healthy behaviors through smoking restrictions and encouraging fitness; and to ensure immigrants are treated fairly. Ms. Carroll completed her statement by asking if there were any questions.

Next the Board heard testimony from public speakers.

Mr. Fisette recommended that language be added to the Northern Virginia Aging Network section of the document, under the Human Services section (page 4), to support the living homes tax credit; and revise the forth bullet, under the General Guidelines section (page 5), to read "Oppose further limits on Medicaid eligibility and to provide a reimbursement level which might prevent access to health care." Mr. Fisette obtained unanimous consent from his colleagues to incorporate the two recommendations into the package.

Ms. Favola emphasized that the Legislative Package is a living document. The document is a package of principles and is not comprehensive.

Mr. Tejada stated that the Board will adopt the 2009 Legislative Package at the December County Board Meeting.

Mr. Zimmerman urged individuals that want to provide feedback on the proposed 2009 Legislative Package to submit their comments to the Board before the December County Board Meeting.

[Board Report #35](#)

[Board Report #35-Attachment](#)

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**36. [BUDGET PLANNING FY 2010.](#)**

On motion by JAY FISETTE, 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 FISETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board received the County Manager's Budget Forecast for Fiscal Year 2010, as outlined in the County Manager's November 14, 2008 report; and provided the following budget guidance for Fiscal Year 2010 to the County Manager:

**County Board Guidance for Preparation of the Manager's Proposed FY 2010 Budget**

**Goals:**

The County Board directs the County Manager to prepare a FY 2010 budget that reflects the serious economic downturn while honoring the County's vision and legacy. Specifically, the FY 2010 budget must protect our core services, continue our investments in affordable housing and environmental sustainability, and ensure a social services safety net for those in need.

**Principles:**

The following principles shall guide the development of the Manager's Proposed FY 2010 budget:

1. There shall be no increase in the average real estate tax burden on homeowners above the CY 2008 level.

2. Ensure long-term financial sustainability, anticipating no greater than flat revenue growth over at least a three year period.
3. Preserve the County's triple AAA bond rating.
4. Fully fund all debt, lease and other contractual commitments, including those "subject to appropriation" in the base budget.
5. Add no new positions or programs supported by local tax revenues, unless bringing existing services in-house can be shown to save money.
6. Eliminate discretionary expenses and inefficiencies while protecting core services.
7. Comply with the Revenue Sharing Agreement with the Schools.

The County Manager shall also provide: (1) an impact assessment were we to keep expenses within existing tax rates, and; (2) an impact assessment, including the extent to which tax rates would have to increase, were we to maintain services at the FY09 revised budget level.

**Strategies:**

In developing his proposed budget, the manager should:

- Evaluate strategic choices such as investments in maintenance capital that would reduce on-going operating expenses.
- Where possible, present fee options that could offset the potential elimination of a non-essential service.
- Present alternatives that reduce costs through consolidation, mergers, contracting, partnerships, and other service mechanisms.

[Board Report #36](#)

[County Board Guidance for Preparation of the Manager's Proposed FY 2010 Budget](#)

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**33. NEWSEUM (THE PUBLIC HEARING ON THIS ITEM HAS BEEN CLOSED.)**

- A. SP #18 AND #89 Site Plan Amendment: Monday Properties Services, LLC, amend conditions #1 (SP #89) and #92 (SP #18) regarding use of the former Newseum space; 1850 N. Moore St., 1815 N. Fort Myer Drive., 1101 Wilson Blvd. (RPC #16-037-004, -005, 16-039-002).
- B. Approval of the deed of lease between 1101 WILSON OWNER, LLC, as Landlord, and The County Board of Arlington County, Virginia, as Tenant, for 53,826 square feet of space in a portion of a building located at 1101 Wilson Boulevard, Arlington, Virginia (RPC # 16-039-002).

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, after a duly advertised public hearing, at which the public spoke during the November 15, 2008 County Board Meeting, the Board took the following actions:

1. Approved the site plan amendment to modify condition 92 for SP #18 and condition 1 for SP #89 relative to the use of the former Newseum space as follows:  
  
BE IT ORDAINED that, pursuant to application SP #18 and SP #89 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan for an amendment to Conditions #1 (SP #89) and #92 (SP #18) regarding the use of the former Newseum space for the parcel of real property known as 1850 N. Moore Street, 1815 North Fort Myer Drive, 1101 Wilson Boulevard (RPC #16-037-004, -005, 16-039-002), approval is granted and the parcel so described shall be used according to the approval requested by the application, subject to all previously approved conditions, and the following two (2) amended conditions, #92 of SP #18 and #1 of SP #89 as set forth in the document entitled "Addendum 11-18-08-A – SP #18 and SP #89" attached for the public record to these minutes; and
2. Approved the Deed of Lease ("Lease") attached to the County Manager's November 14, 2008 report and

the County Manager’s November 18, 2008 supplemental report between 1101 WILSON OWNER, LLC, as Landlord, and The County Board of Arlington County, Virginia, as Tenant, for 53,826 Square Feet of Space in a Portion of a Building Located at 1101 Wilson Boulevard, Arlington, Virginia (RPC # 16-039-002); and

- 3. Authorized the Real Estate Bureau Chief, or his designee, to execute on behalf of the County Board of Arlington County, Virginia, the Deed of Lease and all related documents, including, but not limited to, any Memorandum of Lease, Memorandum of Lease Termination, and all documents, present or future, concerning subordination, non-disturbance, attornment, and estoppels, all subject to approval as to form by the County Attorney; and
- 4. Appropriated \$370,000 from the Rosslyn Fund Trust and Agency Account (799.359910) to Non-Departmental (101.91102) for the FY 2009 base costs of the Newseum lease.

[Addendum 11-18-08-A – SP #18 and SP #89](#)

[Board Report #33 A](#)

[Board Report #33 B](#)

[Board Report #33 B-Supplemental](#)

[Board Report #33 B.-Attachment](#)

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**ADDITIONAL ITEMS**

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**SETTLEMENT OF LAWSUIT STREET RETAIL V. COUNTY BOARD CASE # 08-434**

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 FISSETTE, Member - Aye, MARY HUGHES HYNES, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the County Board approved the Settlement Agreement and the exhibits there to attached to the confidential legal memorandum dated November 7, 2008 in the case of Street Retail v. County Board, Case Number 08-434, and authorized the County Manager to execute the document on behalf of the County Board.

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**ADJOURNMENT**

Without objection, at 9:28 p.m. the Board adjourned the meeting.

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J. WALTER TEJADA, Chairman

ATTEST:

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HOPE L. HALLECK, Acting Clerk  
Approved: February 21, 2009