

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Tuesday, June 14, 2011 at 3:03 p.m.

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

ALSO PRESENT: BARBARA M. DONNELLAN, County Manager
STEPHEN MacISAAC, County Attorney
HOPE L. HALLECK, 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

Chairman Zimmerman welcomed members of the Commission on Long-Term Care Residences, and introduced Peggy Johnston, Vice Chair of the Commission. Mr. Zimmerman and Ms. Johnston recognized the recipients of the Long-Term Care Residences awards and thanked them for their work.

Chairman Zimmerman introduced Bob Blancato, Chairman of Virginia Commonwealth Council on Aging and member of Arlington Commission on Aging. Mr. Blancato introduced Dr. Richard Lindsay, Chair of the Virginia Commonwealth Council on Aging's Best Practices Awards Committee and Jim Rothrock, Interim Commissioner of the Virginia Department for the Aging. Dr. Lindsay and Mr. Rothrock presented Arlington County & Culpepper Garden with a "Best Practices" award for partnership with a low-income apartment complex to provide cost-effective assistance that helps older residents live independently. Doug Williams, Chair of Culpepper Garden Board was also present.

The Chairman announced a new Sister City: Ivano-Frankivsk, Ukraine. An Arlington delegation traveled to Ukraine May 20 on a trip sponsored by Arlington Sister City Association and on May 24, signed a reciprocal Sister City charter with Ivano-Frankivsk.

Mr. Zimmerman announced two new shows on the Arlington Virginia Network (AVN): "UpClose," an issue-driven magazine show featuring stories that are important to residents and "26 Square," a story-driven magazine show featuring people who live, work, and play in Arlington. Residents can see entire show on AVN – Comcast 25 and Verizon 40 – and on www.arlingtonva.tv.

Chairman Zimmerman announced upcoming events:

- Columbia Pike Charettes, a 7-day series of open design studios will be held on June 24–30. There will be public meetings at Sheraton National Hotel, 900 S. Orme St. as part of Columbia Pike Land Use and Housing Study. For updates and details, visit www.arlingtonva.us; search "Columbia Pike".
- The Community Energy Advisory Group is holding its first meeting Friday, June 24, 7:30-10:30am at Central Library and the meeting is open to public.
- Arlington is participating in the regional housing fair at the Northern Virginia Housing Opportunities Expo 2011 on Saturday, June 25, 10am-4pm at TC Williams High School, 3330 King Street, Alexandria.
- As part of the County's cable franchise renewal process with Comcast, the County is holding a series of focus groups on the future of cable service, community media and technology. Go to www.arlingtonva.us, search "Comcast" to learn more and to register by June 15.

Following the recess, the Chairman welcomed graduates of 11th Arlington Neighborhood College Program and presented certificates to each of the twenty participants. The Chairman thanked them for their commitment to the community.

Vice-Chairman Hynes introduced Barbara Gomez, Chair of the Partnership for Youth, Children provided an update and outline of next steps for 2010 Arlington Out of School Time Working Group.

Mr. Tejada announced that NovaSalud Inc., Northern Virginia AIDS Ministry and Buckingham Community of Arlington invite the public to receive free HIV Rapid Testing on June 24, 2011 from 5 p.m. to 9 p.m. at the Gates of Ballston Community Center. The program is being offered in conjunction with National HIV Testing Day on June 27, 2011.

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II. APPOINTMENTS

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

Arlington Commission on Long-Term Care Residences

Appoint Thomas Fonseca for a term ending June 30, 2014
Appoint Genevieve Timpane for a term ending June 30, 2014

CIP Working Group

Appoint Larry Mayer to as an ITAC Representative replacing Frank Jazzo for a term ending December 31, 2012
Appoint Christine Robinson as an Alternate ITAC Representative replacing Joe Pelton for a term ending December 31, 2012

Commission for the Arts

Designate Gail Raiman as Chair for a term ending June 30, 2013

Community Energy Advisory Group

Appoint Alexei Cowett as a Business Representative
Appoint Eileen Nacey as a Business Representative replacing Brian Coulter
Appoint Martin Ogle as a Citizen Representative
Appoint Eric Dobson as a Nonprofit/Association Representative
Appoint Annette Osso as a Nonprofit/Association Representative

George Mason University Arlington Campus Advisory Board

Appoint John Shooshan as Business Community Representative for a term ending June 30, 2014
Appoint Carol Rickards to as Business Community Representative for a term ending June 30, 2014

Park and Recreation Commission

Reappoint Paul Holland for a term for a term ending June 30, 2014
Reappoint Eric Sildon for a term for a term ending June 30, 2012
Appoint Conor Marshall for a term for a term ending June 30, 2014

Public Facilities Review Commission

Reappoint Eric Harold as Environment and Energy Conservation Commission Representative for a term ending June 30, 2013

Rosslyn Business Improvement Corporation Board

Reappoint Sara Melendez for a term ending June 30, 2013
Reappoint Michael Shea for a term ending June 30, 2013

Rosslyn Renaissance Board of Directors

Reappoint David Briggs for a term ending June 30, 2013

Transportation Commission

Reappoint William Gearhart as Chairman for a term ending June 30, 2012

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III. REGIONAL REPORTS

Mrs. Hynes announced that the Finance and Administration Committee of the WMATA Board approved the budget to be sent forward to the full Board. The budget maintains current service levels with no fare increases.

Mrs. Favola announced that the Council of Governments Chesapeake Bay Committee will be meeting with representatives of the Environmental Protection Agency in an attempt to come to an agreement on TMDL and related issues.

Mr. Tejada announced a new partnership between Linea Directa, a weekly Spanish-language public service television service in existence for over 20 years, and the Metropolitan Washington Council of Governments.

Mr. Fisetete reported that he spoke to the COG Board as the Chair of the COG's Climate Energy and Environment Committee to carry forward a recommendation of the Committee to establish a Regional Electric Vehicle Coalition.

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IV. COUNTY MANAGER REPORT

On a motion by CHRISTOPHER ZIMMERMAN, Chairman, seconded by JAY FISETTE, Member and carried by a vote of 4 to 1, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - No, the Board approved the 2012 Rosslyn Sector Plan Addendum Scope of Work with changes. [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-A-Rosslyn Scope of Work" attached for the public record to these minutes.]

[Addendum 6-14-11-A-Rosslyn Scope of Work](#)

CLOSED MEETING; CERTIFICATION OF CLOSED MEETING DISCUSSIONS

On a motion by CHRISTOPHER ZIMMERMAN, Chairman, seconded by MARY HYNES, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A FAVOLA, Member - Aye, JAY FISETTE-Aye, J. WALTER TEJADA, Member - Aye, the Board met in a closed meeting from 4:55 p.m. to 10:08 p.m., as authorized by Virginia Code sections 2.2-3711.A.7 for the purpose of discussing the following:

one matter involving the acquisition of real property for public purposes, and one matter involving the disposition of publicly held real property, where discussion in public could adversely affect the County's negotiating position; and

consultation with the County Attorney and appropriate staff concerning the following:

the terms and conditions of an AHIF loan for affordable housing purposes;

the terms and conditions of the County’s contract with Forsythe Transportation for operation of the ART Bus System;

the County’s authority to restrict admission to the County’s canine community areas;

potential litigation related to the County’s traffic calming project in the Chain Bridge Forest community; and

Case No. CL 11-992 pending in the Circuit Court of Arlington County.

On a motion by CHRISTOPHER ZIMMERMAN, Chairman, seconded by MARY HYNES, Vice Chairman and carried by a vote of 5 to 0 by roll call, the voting record as follows:

Member & Vote

- Mr. Zimmerman - Aye
- Ms. Hynes - Aye
- Ms. Favola - Aye
- Mr. Fisetete - Aye
- Mr. Tejada - 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, JUNE 11, 2011)

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3. SP #298 SITE PLAN AMENDMENT OF AMERICAN TAP ROOM FOR A RESTAURANT WITH LIVE ENTERTAINMENT; LOCATED AT 3101 WILSON BLVD. (RPC# 15-071-031).

After a duly advertised public hearing at which there were speakers, on a motion by BARBARA A. FAVOLA, Member, seconded by JAY FISETTE, Member and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board adopted the attached ordinance for a site plan amendment for a live entertainment at American Tap Room, subject to all previously approved conditions a change to condition #66, and the new conditions of the staff report, with an administrative review in six (6) months (December 2011), and a County Board review in November 2012. [Clerk’s note: as set forth in the document entitled “Addendum 6-14-11-B-SP #298” attached for the public record to these minutes.]

[Board Report #3](#)

[Board Report #3-Supplemental- \(Revised Conditions\)](#)

[Board Report #3-Supplemental #2- \(Revised Conditions\)](#)

[Addendum 6-14-11-B-SP #298](#)

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4. [CIRCA](#)

- B. Enactment of an ordinance to permit the encroachment of: 1) a canvass canopy and related equipment contained therein; and 2) anchor sleeves for removable wrought iron sidewalk café fencing; within a portion of the right of way for Clarendon Boulevard abutting the northern boundary of Parcel "A", Block "F" Lyon's Addition to Clarendon, RPC # 180-13-011, with conditions.

After a duly advertised public hearing at which there were speakers, on a motion by JAY FISETTE, Member, seconded by BARBARA A. FAVOLA, Member and carried by a vote of 3 to 1, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Abstain, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - No, the Board enacted the attached Ordinance to permit the encroachment of: 1) a canvass canopy and related equipment contained therein; and 2) anchor sleeves for removable wrought iron sidewalk café fencing; within a portion of the right of way for Clarendon Boulevard abutting the northern boundary of Parcel "A", Block "F" Lyon's Addition to Clarendon, RPC # 180-13-011, with conditions (Attachment 1). [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-C-Circa" attached for the public record to these minutes.]

On a motion by JAY FISETTE, Member, seconded by BARBARA A. FAVOLA, Member and the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board authorized advertisement, on its own motion, of a public hearing to consider an amendment to condition #65 of site plan amendment number 397, located at 1200 North Garfield Street, also identified as RPC 18-013-011, related to outdoor cafés, to provide for removal of the outdoor seating and barriers from some of the outdoor cafés that front on streets that abut the project, for the months of December, January and February, including the insertion of plugs in the barrier sleeve holes, and other amendments to provide for seasonal use of the outdoor cafés located on sidewalks around the project.

[Board Report #4B](#)

[Addendum 6-14-11-C-Circa](#)

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10. [AT&T TELECOMMUNICATIONS FACILITIES:](#)

- A. U -3283-11-1 Use Permit for AT&T antennas and related equipment on an existing telecommunications facility located at 1125 Patrick Henry Drive. (RPC# 09-067-001).
- B. U-3286-11-1 Use Permit for AT&T antennas and related equipment on an existing telecommunications facility located at 4102 North Old Glebe Road. (RPC# 03-066-001).

After a duly advertised public hearing at which there were speakers, on a motion by JAY FISETTE, Member, seconded by CHRISTOPHER ZIMMERMAN, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board approved the use permit requests to install antennas and related equipment on existing telecommunications facilities, subject to the proposed conditions of the staff report.

A. U-3283-11-1: 1125 Patrick Henry Drive (Westover Baptist Church)

1. The applicant agrees that the antennas and related equipment will be installed as shown on plans dated ~~January 14, 2011~~ June 9, 2011, and approved by the County Board on June 11, 2011. The applicant agrees that any future installation of antennas or equipment cabinets may be reviewed and approved by the Zoning Administrator. [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-D-AT & T" attached for the public record to these minutes.]
2. ~~The applicant agrees to have an independent engineering firm conduct, at its sole expense, field measurements of its electromagnetic emissions in publicly accessible areas. The first test shall be conducted within 30 days after the applicant's equipment is installed and becomes operational. Thereafter, the test shall be conducted annually from the approval date of the special exception use permit (June 11, 2011). True and correct copies of the field measurement, certified by the engineer licensed to practice in the Commonwealth of Virginia, shall be submitted to the Zoning Administrator no later than July 1st of each year. If at any time the applicant's operations cause it to exceed Federal Communications Commission (FCC) standards, the applicant agrees to immediately cease operations until the violation can be corrected. The applicant agrees not to continue operations until such time as the system is operating with the applicable standards.~~ The County Manager shall have the right, upon request of consent to AT&T, to require a test of the cumulative level of radiofrequency (RF) emissions, at AT&T's expense. Such consent shall not be unreasonably withheld, but shall not be granted more than once per calendar year.
3. The applicant shall identify a community liaison that shall be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Westover Village Civic Association and the Zoning Administrator.
4. The applicant agrees that any AT&T antennas on the site shall be removed within ninety (90) days after any cessation of use.

B. U-3286-11-1: 4102 North Old Glebe Road (Walker Chapel United Methodist Church)

1. The applicant agrees that the antennas and related equipment will be installed as shown on plans dated June 1, 2011, and approved by the County Board on June 11, 2011. The applicant agrees that any future installation of antennas or equipment cabinets may be reviewed and approved by the Zoning Administrator. [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-D-AT & T" attached for the public record to these minutes.]
2. ~~The applicant agrees to have an independent engineering firm conduct, at its sole expense, field measurements of its electromagnetic emissions in publicly accessible areas. The first test shall be conducted within 30 days after the applicant's equipment is installed and becomes operational. Thereafter, the test shall be conducted annually from the approval date of the special exception use permit (June 11, 2011). True and correct copies of the field measurement, certified by the engineer licensed to practice in the Commonwealth of Virginia, shall be submitted to the Zoning Administrator no later than July 1st of each year. If at any time the applicant's operations cause it to exceed Federal Communications Commission (FCC) standards, the applicant agrees to immediately cease operations until the violation can be corrected. The applicant agrees not to continue operations until such time as the system is operating with the applicable standards.~~ The County Manager shall have the right, upon request of consent to AT&T, to require a test of the cumulative level of radiofrequency (RF) emissions, at AT&T's expense. Such consent shall not be unreasonably withheld, but shall not be granted more than once per calendar year.

3. The applicant shall identify a community liaison that shall be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Old Glebe Civic Association and the Zoning Administrator.
4. The applicant agrees that any AT&T antennas on the site shall be removed within ninety (90) days after any cessation of use.

[Board Report #10](#)

[Addendum 6-14-11-D-AT & T](#)

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17. REQUEST TO CONSIDER PROPOSED ORDINANCE RE-ESTABLISHING THE CRYSTAL CITY BUSINESS IMPROVEMENT SERVICE DISTRICT WITHOUT A SUNSET AND APPROVAL OF THE REVISED SERVICE AGREEMENT WITH THE CRYSTAL CITY BUSINESS IMPROVEMENT DISTRICT, INC.

After a duly advertised public hearing at which there were speakers, on a motion by MARY HYNES, Vice Chairman, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board took the following actions:

1. Adopted the Ordinance (Attachment #1) re-establishing the Crystal City Business Improvement Service District without a sunset. [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-E-Crystal City BID" attached for the public record to these minutes.]
2. Authorized the County Manager to execute the revised Services Agreement (Attachment #2) between the County and the Crystal City Business Improvement District, Inc., subject to further non-material modifications of the terms that do not disadvantage the position of the County approved by the County Manager and in a form approved by the County Attorney. [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-F-Crystal City Services Agreement" attached for the public record to these minutes.]

[Board Report #17](#)

[Addendum 6-14-11-E-Crystal City BID](#)

[Addendum 6-14-11-F-Crystal City Services Agreement](#)

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20. APPROVE AN AMENDMENT TO FIRE STATION NO. 3 DESIGN CONTRACT WITH HUGHES GROUP ARCHITECTS TO PROVIDE INCREASED FUNDING FOR CONSTRUCTION ADMINISTRATION AND APPROVE AN INCREASE IN FUNDING FOR FIRE STATION NO. 3 CONSTRUCTION CONTRACT WITH WHITING-TURNER TO ACCOMMODATE UNFORESEEN SITE CONDITIONS ON OLD DOMINION BOULEVARD.

After a duly advertised public hearing at which there were speakers, on a motion by MARY HYNES, Vice Chairman, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISETTE, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board took the following actions:

1. Approved an Amendment to Agreement Number 447-07 for design services between the County Board and Hughes Group Architects (HGA) for Fire Station No. 3 to increase the funding authorization by \$17,000 and a contingency of \$10,000 for a total contract authorization of \$997,932;
2. Authorized the Purchasing Agent to execute the contract Amendment documents, subject to review and approval by the County Attorney;
3. Approved an increase of a not-to-exceed amount of \$100,000 to Contract 448-09 between the County Board and Whiting-Turner Contracting Company (W-T) for the construction of Fire Station No. 3 at 4100 Old Dominion Drive for a total contract authorization of \$5,314,400.

[Board Report #20](#)

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ADDITIONAL ITEMS

34. EXTEND ROUTE ART 45 TO COLUMBIA HEIGHTS WEST

On a motion by CHRISTOPHER ZIMMERMAN, Chairman, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: CHRISTOPHER ZIMMERMAN, Chairman - Aye, MARY HYNES, Vice Chairman - Aye, BARBARA A. FAVOLA, Member - Aye, JAY FISSETTE, Member - Aye, J. WALTER TEJADA, Member - Aye, the Board accepted the report attached to the staff report. [Clerk's note: as set forth in the document entitled "Addendum 6-14-11-G-ART 45" attached for the public record to these minutes.]

[Board Report #34](#)

[Addendum 6-14-11-G-ART 45](#)

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ADJOURNMENT

Without objection, at 9:36 p.m., the Board adjourned the meeting.

CHRISTOPHER ZIMMERMAN, Chairman

ATTEST:

HOPE L. HALLECK, Clerk
Approved: July 9, 2011