

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Tuesday, December 15, 2009 at 3:00 p.m.

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

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

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COUNTY BOARD RECESSED MEETING

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SPECIAL TRIBUTE TO JAMES BEA AND THOSE WHO CONTRIBUTED TO THE EMERGENCY WATER RESPONSE

Chairman Favola announced a special tribute to County employee, Mr. James Bea. The day before Thanksgiving, Mr. Bea a 24 year employee in the Water, Sewer, and Streets Bureau of the Utilities and Environmental Policy Division, Department of Environmental Services was repairing a water main break near the intersection of Old Glebe Rd and Glebe, when a piece of equipment hit a live power line. Ms. Favola expressed her condolences to the Bea family, Mr. Bea's co-workers and presented the family with a recognition on behalf of the County Board.

Chairman Favola also acknowledged and offered support to another employee who was seriously injured in the accident, Mr. Vincent Talley.

On behalf of the Board, Ms. Favola thanked the Department of Environmental Services Employees for their service, dedication, and commitment to the community.

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I. COUNTY BOARD REPORTS

Chairman Favola presented Ms. Sue Covucci, Arlington Food Assistance Center Board Chair with a promise to deliver the more than 1,200 pounds of food which have been donated on behalf of Arlington County by residents, visitors and staff in the "Arlington Takes a Bite Out of Hunger" food drive.

The Chairman congratulated the Arlington Venom soccer league, a local Arlington soccer team that recently won the state championship title! The team is comprised of boys under the age of 17, who play under the Arlington Travel Soccer Club, which represents 54 travel soccer teams for boys and girls.

Chairman Favola announced that a swearing-in ceremony for Mr. Fisetite, who was re-elected to the County Board last month will take place at 5:00 p.m. during this meeting.

Ms. Hynes announced the first meeting of the Emergency Preparedness Advisory Commission last week. Commission will report in December of each year and they are off to a good start.

Mr. Fisetto welcomed representatives from Inova Health Systems and CareFirst to the podium. Inova is largest provider of services to persons living with HIV and Aids in Northern Virginia. Mr. Fisetto announced a grant of little over \$250,000 from CareFirst to the Arlington Office of the Inova Juniper program.

On a motion by Mr. Fisetto, seconded by Ms. Favola, and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board adopted a RESOLUTION IN SUPPORT OF FEDERAL CLIMATE CHANGE LEGISLATION [Clerk's note: as set forth in the document entitled "Addendum 12-15-09-A – Climate Change Resolution" attached for the public record to these minutes].

[Addendum 12-15-09-A – Climate Change Resolution](#)

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II. [APPOINTMENTS](#)

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

Arlington Solid Waste Authority

Reappoint Jay Fisetto for a 4 year term
Appoint Barbara Donnellan as Acting Executive Director replacing Ron Carlee

Historical Affairs and Landmark Review Board

Reappoint Isabel Kaldenbach Montemayor
Linda C. Simmons
Lynn Alsmeyer-Johnson
Nancy Iacomini
Kevin Vincent
Tish Weichmann-Morris
Joan K. Lawrence
Gerald J. LaPorte
Laura L. Bobeczko
Charles Craig
Robert Dudka
Chris Allan Wilson

Partnership for Children, Youth and Families

Reappoint John Andelin
Levita Hayes Charity
Portia Clark
Lynn Dorfman
Debby Taylor
Judy Hadden
Linda Henderson

Public Facilities Review Committee

Reappoint Lander Allin as the School Representative

On a motion by BARBARA A FAVOLA, Chairman, and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISSETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, Appoint Barbara Donnellan as Acting County Manager effective Nov 1, 2009 in accordance with the terms of the Chairman's August 28, 2009 letter.

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III. REGIONAL REPORTS

Chairman Favola announced that the Northern Virginia Regional Commission sponsored a trip to Helsinki, Finland and four cities in Germany to learn how Europeans manage energy and develop, conserve and use alternative sources of energy. Participants from many local governments are putting together a "lessons learned" package which will be brought forward to Board in near future.

Mr. Zimmerman announced the milestone of the 40th anniversary of beginning of construction of Metro, which began on Dec. 9, 1969. Mr. Zimmerman noted this is particularly relevant in light of Metro's current budget difficulties and the aging of the system.

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IV. COUNTY MANAGER REPORT

The Board received the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2008 from the County Manager. Ms. Donnellan reported that the County's fiscal management was found to be strong. Ms. Barbara Wiley, Acting Comptroller thanked the Accounting and Internal Audit staff in the Department of Management and Finance for their work in preparing the report.

Ms. Donnellan spoke about the November 2009 water main break and introduced Mr. Bob Griffin, Director of the Department of Environmental Services, who gave a presentation on the break, the impact on the level of water in the nearby reservoir, the aging infrastructure and the likely causes of the break.

Ms. Donnellan presented the Board with the Arlington County 2009 Annual Report, which is available on the County web site at www.arlingtonva.us.

On a motion by BARBARA A FAVOLA, Chairman, seconded by CHRISTOPHER ZIMMERMAN, Member and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISSETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, move to go into recess for the Solid Waste Authority Meeting.

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V. ARLINGTON SOLID WASTE AUTHORITY MEETING

On a motion by Chairman Favola, seconded by Mr. Fisetto, and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A. FAVOLA, Chairman – Aye, JAY FISETTE, Vice Chairman – Aye, MARY HUGHES HYNES, Member – Aye, J. WALTER TEJADA, Member – Aye, CHRISTOPHER ZIMMERMAN, Member – Aye, the Board recessed the meeting at 4:08 p.m. to convene the annual meeting of the Arlington Solid Waste Authority (ASWA). The ASWA met from 4:08 p.m. to 4:10 p.m. Without objection, at 4:10 p.m., the Chairman reconvened the Recessed meeting.

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Chairman Favola highlighted the achievements of 2009, which included launching an education campaign on teen binge drinking, *Business Week* magazine naming Arlington “The best place in the country to ride out a recession,” opening three new/renovated parks, preserving 140 affordable housing units at Buckingham Village 3, and many others. Chairman Favola showed a short video of the 2009 highlights and then recognized the Chairs of the Advisory Commissions by presenting each a certificate.

Chairman Favola announced that on January 1, the County Board will elect Jay Fisetto to be Chairman for 2010, and the Vice-chairman will be Christopher Zimmerman.

Without objection, Chairman Favola recessed the meeting until 5:00p.m. for the swearing-in ceremony.

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

*** CONSENT ITEMS (ITEMS REMOVED FROM THE CONSENT AGENDA SATURDAY, DECEMBER 15, 2009)**

Site Plans/Amendments/Reviews

6. **SP # 389 SITE PLAN AMENDMENT TO MODIFY CONDITIONS #1, 19, 51, 64, 68, 77, 78, AND 79, REDUCE AMOUNT OF RETAIL BY APPROXIMATELY 1,845 SQ FT, INCREASE BY 13 UNITS NUMBER OF RESIDENTIAL UNITS, AND FAÇADE MODIFICATIONS, LOCATED AT 2020 WILSON BLVD. AND 2021 CLARENDON BLVD. (RPC #17-011-009, -013, -015, -016).**

On a motion by MARY HYNES, Member, seconded by JAY FISETTE, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, after a duly advertised public hearing at which there were no speakers, the Board adopted the following ordinance:

BE IT ORDAINED that, pursuant to application SP #389 on file in the Office of the Zoning Administrator for an amendment to a special exception for a site plan to reduce the amount of retail by approximately 1,845 square feet to 32,840 square feet, to increase the number of residential units to 154 units, and to modify the building's façade for the parcel of real property known as 2020 Wilson Boulevard and 2021 Clarendon Boulevard (RPC #17-011-009, -013, -015, -016) 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 modified conditions #1, 19, 51, 64, 68, 77, 78, and 79, [Clerk's note: as set

forth in the document entitled "Addendum 12-15-09-B – SP #389" attached for the public record to these minutes].

[Board Report #6](#)

[Addendum 12-15-09-B – SP #389](#)

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11. [U-3202-08-2 USE PERMIT RENEWAL FOR NEW CINGULAR WIRELESS TELECOMMUNICATIONS FACILITY, ANTENNAS, AND GROUND EQUIPMENT AND USE PERMIT AMENDMENT FOR T MOBILE TO LOCATE ANTENNAS ON AN EXISTING TELECOMMUNICATIONS FACILITY LOCATED AT 2305 S. WALTER REED DRIVE \(RPC #29-002-029\).](#)

After a duly advertised public hearing at which there were no speakers, on a motion by CHRISTOPHER ZIMMERMAN, Member, seconded by BARBARA A FAVOLA, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board deferred consideration of the use permit for renewal of the New Cingular wireless telecommunications facility, antennas, and ground equipment to the April 2010 meeting, and deferred consideration of the use permit amendment for T Mobile for new antennas on an existing telecommunications facility at 2305 S. Walter Reed Drive (RPC #29-002-029) to the January 2010 Board meeting.

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20. [WATER POLLUTION CONTROL PLANT](#)

After a duly advertised public hearing at which there were no speakers, on a motion by MARY HYNES, Member, seconded by J. WALTER TEJADA, Member and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board took the following actions:

1. Authorized an amendment (6I) to engineering contract No. 96-03 held by Malcolm Pirnie, Inc. (Malcolm) in the amount not to exceed \$350,000.
2. Authorized the Purchasing Agent to execute the amendment subject to legal review by the County Attorney.

[Board Report #20 A](#)

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24. CHILD ADVOCACY CENTER DEVELOPMENT GRANTS.

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

1. Appropriated \$25,405 from the Commonwealth of Virginia Office of the Secretary of Health and Human Resources to the Department of Human Services for a contract bilingual social worker for Arlington’s Child Advocacy Center.
2. Authorized the County Manager or his designee to accept the grant and execute the agreement.

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

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32. LONG BRIDGE PARK

- A. Award of contract for construction services for Long Bridge Park and Old Jefferson Davis Highway per invitation to bid Number 96-09.

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

1. Approved the award of contract Number 96-09 in the amount of \$23,698,000.00 to The Donohoe Companies, Inc. t/a Donohoe Construction Company and approved an allocation of \$2,400,000.00 as a contingency for change orders for a total contract authorization of \$26,098,000.00.
2. Authorized the Purchasing Agent to execute the contract documents, subject to review of such documents by the County Attorney.

[Board Report #32 A](#)

- B. Award of contract for fabrication and installation of public art for Long Bridge Park.

After a duly advertised hearing at which the public spoke, on a motion by JAY FISETTE, Vice

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

1. Approved the Award of Contract for \$400,000 to Doug Hollis and approved an allocation of \$60,000 as a contingency for change orders for a total contract authorization of \$460,000.
2. Authorized the Purchasing Agent to execute the contract documents, subject to review of such documents by the County Attorney.

[Board Report #32 B](#)

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33. PROPOSED ARLINGTON COUNTY BOARD 2010 LEGISLATIVE PACKAGE.

After a duly advertised hearing at which the public spoke, on a motion by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board approved the County Manager's recommendation to finalize and adopt the Arlington County Board 2010 Legislative Package at the December 12, 2009, meeting with the three changes included in the Manager's December 14, 2009 Supplemental Report as follows:

Items to Add:

From Barbara Favola:

- TANF (Temporary Assistance for Needy Families) Emergency Contingency Fund- Support budget, statutory or regulatory changes to permit localities to draw down emergency federal funds. Under the American Recovery and Reinvestment Act, localities (and/or non-profits) that provide the necessary matching funds (\$1 local to \$4 federal) may have access to emergency federal funds for low-income families needing assistance during the recession. Currently the authorization goes to the state.

From Mary Hynes:

- Establish line-of-credit to guarantee DRPT commitments: To honor the Virginia Department of Rail and Public Transportation's (DRPT's) signed contracts with local transit systems for state transit grants, the Commonwealth should establish a line-of credit. With the harsh economic climate, DRPT has been forced to cut back on its financial commitments. A line-of-credit would prevent this breach of contract from occurring.

Item to Remove:

From Jay Fisetete:

- Decouple Utility Profits From Electric Utility Sales: Promote decoupling of electric utility profits from electric utility sales in order to more fully tap cost-effective efficiency resources and meet clean energy goals.

[Board Report #33](#)

34. ARLINGTON MILL REDEVELOPMENT PROJECT.

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

1. Authorized the County Manager to modify plans for the Approved Arlington Mill Community Center (AMCC) redevelopment project as needed to construct the public portions of the project independently from the housing portion of the project, with a target opening the first quarter of 2013.
2. Authorized the County Manager to pursue a development partner for the residential housing to be built on the northern portion of the site.

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35. APPROVAL OF THE AWARD OF AGREEMENT NUMBER 448-09 BETWEEN THE COUNTY BOARD AND WHITING-TURNER CONTRACTING COMPANY FOR THE CONSTRUCTION OF FIRE STATION NO. 3 LOCATED AT 4100 OLD DOMINION DRIVE.

After a duly advertised public hearing at which there were no speakers, on motion by JAY FISETTE, Vice Chairman, seconded by MARY HYNES, Member and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board took the following actions:

1. Approved the award of Agreement Number 448-09 between the County Board of Arlington County and Whiting-Turner Contracting Company for the construction of Fire Station No. 3 in an amount not to exceed \$4,495,000, plus a contingency of \$539,400, for a total contract authorization of \$5,034,400; and
2. Authorized the Purchasing Agent to execute the contract documents, subject to approval by the County Attorney.

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ADDITIONAL ITEMS

On motion by BARBARA A FAVOLA, Chairman, seconded by JAY FISETTE, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: BARBARA A FAVOLA, Chairman - Aye, JAY FISETTE, Vice Chairman - Aye, MARY HYNES, Member - Aye, J. WALTER TEJADA, Member - Aye, CHRISTOPHER ZIMMERMAN, Member - Aye, the Board authorized the County Manager to execute an Agreement terminating the lease between Teachers Insurance and

Annuity Association of American and the County Board, dated November 27, 1989, as amended, for premises at 4350 North Fairfax Drive, Arlington, Virginia.

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

1. Approve the attached Amended and Restated Lease Agreement between The County Board of Arlington County, Virginia, as Landlord, and Arlington Arts Center, as Tenant, for a portion of a parcel of land and improvements located at 3550 Wilson Boulevard, ("Leased Premises"); and
2. Authorize the Real Estate Bureau Chief, or his designee, to execute on behalf of The County Board of Arlington County, Virginia, the Amended and Restated Lease Agreement and all related documents, subject to approval as to form by the County Attorney.

[Board Report 12-15-09-Arlington Arts Center](#)

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

1. Approved the attached Agreement of Sale between Kirby Lithographic Company, Inc. ("Seller") and the County Board of Arlington County Virginia ("Purchaser"), attached to this Report as Exhibit A, for the purchase of 1.2992 acres of land, more or less, and improvements thereon (the "Agreement"), known as 2900 South Eads Street, Arlington, Virginia RPC #37027002 (the "Property"); and
2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, or his designee, to execute, on behalf of the County Board, the Agreement and all related documents necessary for the acquisition, subject to approval as to form of such documents by the County Attorney.

[Board Report 12-15-09 2900 South Eads Street](#)

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ADJOURNMENT

Without objection, at 9:07 p.m., the Board adjourned the meeting.

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BARBARA FAVOLA, Chairman

ATTEST:

HOPE L. HALLECK, Clerk
Approved: April 24, 2010