

A Recessed Meeting of the County Board of Arlington County, Virginia, held in Room 307 of 2100 Clarendon Boulevard thereof on Tuesday, October 23, 2012 at 3:00 p.m.

PRESENT: MARY HYNES, Chair
J. WALTER TEJADA*, Vice Chairman
JAY FISETTE, Member
LIBBY GARVEY, Member
CHRISTOPHER ZIMMERMAN, Member

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

*arrived at 3:04 p.m.

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COUNTY BOARD RECESSED MEETING

ANALYSIS OF CONTINGENT ACCOUNTS

The Board received a Summary of Fiscal Year 2013 Contingent Accounts showing balances of \$500,000 in General and \$7,563,056 in Affordable Housing Investment Fund as of October 16, 2012.

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COUNTY BOARD BUSINESS AND REPORTS

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I. COUNTY BOARD REPORTS

Chair Hynes provided an update on the PLACE initiative and a meeting she attended with Mr. Fisette and two School Board members to discuss the addition being proposed at Ashlawn Elementary school. In addition, PLACE Space virtual town square now has 700 members with many active conversations on a variety of topics and circles organized by topic. The Chair announced PLACE Space ads will be displayed on ART buses and showed a mock-up of the bus advertisement. Finally, the Chair stated that a part of the PLACE initiative is an online forum called "Open Arlington" where government can post questions and seek community input. For more information, please visit www.arlingtonplace.us.

Chair Hynes showed the "Yarn Bombed Chair" created by the Guerrilla Stitch Brigade to launch the public art project at the Artisphere. Ms. Hynes introduced Cecilia Cassidy, Executive Director of the Rosslyn Business Improvement District (BID), along with Jennifer Lindsay and Shari Henry of the Guerilla Stitch Brigade.

Chair Hynes announced the upcoming annual People's Choice ABBIE Awards, which recognize the best businesses around Arlington, as chosen by thousands of Arlingtonians. Voting is open from October 17 through November 9, 2012. For more information, please visit: www.shoparlington.org/abbies.

The Chair announced the 14th Annual James B. Hunter Human Rights Awards. Applications are due by November 14, 2012. To nominate or apply, go to www.arlingtonva.us and search "human rights." The Board will honor the award recipients at a reception in the County Board Room, December 13, 2012.

The Chair provided an update on County-sponsored semiannual fall E-CARE event on October 13, 2012 at Thomas Jefferson Middle School. County staff collected more than 40 tons of household hazardous materials for disposal from 1,239 Arlington residents.

Chair Hynes invited restaurants and retailers to participate in the Arlington County Green Games, a year-long competition for businesses to reduce costs and emissions. Visit www.freshaireva.us for more information.

Chair Hynes stated that Arlington will host the 37th Marine Corps Marathon on October 28, 2012. The race starts and finishes in Arlington, and the course runs through many of Arlington's streets. More than 30,000 runners are expected.

The Chair noted that daylight savings time ends on November 4, 2012. The Fire Department reminds everyone that when clocks change, residents should take the opportunity to change the batteries in smoke alarms. For more information on smoke alarm safety, visit www.arlingtonva.us, search "smoke alarm."

Chair Hynes provided an update on Election Day, November 6, 2012. Voter registration is now closed, but residents can vote in-person absentee through November 3, 2012 at three locations. For information, please visit www.arlingtonva.us, search "vote."

Vice-Chairman Tejada provided information from a recent meeting of the Board of Directors of the Washington Metropolitan Council of Governments regarding voting concerns in Woodbridge and Prince William County. Allegedly, several voters were trying to vote in person absentee, but were turned away from polls after being told that Virginia does not have early voting.

Chair Hynes encouraged residents to consider donating to Arlington's Secret Santa program which benefits Arlington children in foster care, people with disabilities, low-income seniors and low-income families. For more information, go to www.arlingtonva.us, search "Santa."

Board Member Fisetta welcomed AmeriCorps volunteers who took part in a program sponsored by a three-year grant from the Virginia Department of Social Services. The volunteers have been involved in the restoration of the Four Mile Run watershed. Mr. Fisetta introduced Sarah Archer, who served as a volunteer in the first year of the program, and is now the County's Invasive Plant Program Coordinator. Following a presentation by Ms. Archer and the other volunteers, Mr. Zimmerman noted the importance of continuing the work of the program, possibly as a volunteer effort or to be considered in the next budget.

Vice-Chairman Tejada announced the October 24, 2012 ribbon cutting event at Henry Wright Park in Buckingham Village, which will give residents an opportunity to learn about County services, and there will be a moon bounce and face painting.

Vice-Chairman Tejada, as Co-Chair of the Task Force to End Homelessness announced a community meeting to show residents how they can play a vital role in helping to end homelessness in Arlington on October 25, 2012 at Central Library. The meeting is part of Arlington's 10-Year Plan to End Homelessness.

Vice-Chairman Tejada announced that he has been invited to be a panelist at the 10th Leckey Forum: The Next Decade-Challenges of Density, Dollars, and Public Support on November 9, 2012 at the National Rural Electric Cooperative Association Conference Center.

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II. APPOINTMENTS

A motion was made by MARY HYNES, Chair to:

Building Code Board of Appeals

Reappoint Alice Findler for a term ending October 31, 2017

Emergency Preparedness Advisory Commission

Appoint Charles Fletcher for a term ending October 31, 2015

Fiscal Affairs Advisory Commission

Reappoint Brian Gordon for a term ending October 31, 2014

Fire Trial Board

Reappoint Mike Staples for a term ending October 31, 2014

Planning Commission

Reappoint Peter Fallon for a term ending October 31, 2013

Police Trial Board

Reappoint Raymond Harp for a term ending October 31, 2013

Reappoint Jesse L. Porter, Jr. for a term ending October 31, 2013

Reappoint William H. Rhodes and designate as Chair for terms ending October 31, 2013

Regional Juvenile Detention Commission

Appoint Pat Romano for a term ending October 31, 2014

The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye.

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III. REGIONAL REPORTS

The Chair showed a short video about the Glebe Road Bridge repair project on Route 50 and the ribbon cutting event. The repair was a joint project between the County and the Virginia Department of Transportation.

Board Member Fisetite announced the National Capital Area Chapter of the American Planning Association has awarded Arlington the Distinguished Leadership Award as part of the recipient group on behalf of the Capital Area Bikeshare program. The effort began as a joint program between Arlington County and the District of Columbia, and has grown to include the City of Alexandria, Montgomery County, City of College Park, City of Rockville and the University of Maryland.

Board Member Libby Garvey provided an update on a program of the Chesapeake Bay and Water Resources Policy Committee of the Metropolitan Washington Council of Governments called "TapIt," to encourage decreased use of plastic water bottles. TapIt is establishing a network of local businesses which will display a logo indicating that free water is available. For more information, please visit: www.tapitwater.com

Chair Hynes announced that WMATA is holding a series of public hearings on Metrobus service changes. The next meeting will be on October 24, 2012 at the Shirlington Library. For more information, please visit www.wmata.com.

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IV. COUNTY MANAGER REPORT

The County Manager announced several regional awards received by the County staff:

- The Government Finance Officers Association awarded the County's Comprehensive Annual Financial Report (CAFR) the Certificate of Achievement of Excellence in Financial Reporting, the highest form of recognition in financial reporting and government accounting. The Manager thanked Department of Management and Finance staff including Meiko French, staff lead, and staff from the Treasurer's Office, Arlington Public Schools, the County Attorney's Office and every County Agency.
- The County has been ranked number seven in the nation for Government Green Fleets, rated by Green Fleet magazine, for the green fleet policy and significant use of alternative fuels. The Manager thanked the Department of Environmental Services Equipment Bureau, led by Allen Mitchell.
- Arlington TV won second place in the nation for Excellence in Government Programming from the National Association of Telecommunications Officers and Advisors (NATOA). NATOA also awarded Arlington TV third place in the nation for the arlingtonva.tv website. The Manager thanked the Arlington TV staff, led by Executive Producer Rob Farr.
- The Columbia Pike Area Neighborhoods Plan was awarded the 2012 Benjamin Banneker Award for Outstanding Social Commitment and Community from the National Capital Area Chapter of the American Planning Association. The Manager thanked Jennifer Smith and the staff from Community Planning Housing and Development and community leaders for their efforts.

The Manager presented the response to the Taxicab Ordinance Changes proposed by Arlington United Taxicab Operators (AUTO), along with the Manager's recommendations. A motion was made by MARY HYNES, Chair, seconded by JAY FISETTE, Member to accept the County Manager's recommendations. A substitute motion was made by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Vice Chairman to defer consideration of the item to the November Board meeting. The substitute motion failed by a vote of 2 to 3. The voting recorded as follows: MARY HYNES, Chair - No, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - No, LIBBY GARVEY, Member - No and CHRISTOPHER ZIMMERMAN, Member - Aye. The original motion was adopted and carried by a vote of 3 to 2. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - No, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member - No. [Clerk's note: as set forth in the document entitled "Addendum-10-23-12-A-Response to Taxicab Ordinance Changes Proposed by AUTO" attached for the public record to these minutes.]

[Addendum-10-23-12-A-Response to Taxicab Ordinance Changes Proposed by AUTO](#)

The Manager introduced Deputy County Manager Marsha Allgeier, who presented the Charge for the Affordable Housing Study including the scope, structure and timeline for the study. A motion was made by J. WALTER TEJADA, Vice Chairman, seconded by CHRISTOPHER ZIMMERMAN, Member to defer consideration of approval of the Charge for the Affordable Housing Study to the November Recessed Board meeting as part of the County Manager's report. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member - Aye. [Clerk's note: as set forth in the document entitled "Addendum-10-23-12-B-Charge for Affordable Housing Study" attached for the public record to these minutes.]

[Addendum-10-23-12-B-Charge for Affordable Housing Study](#)

The Manager announced Community Crime Forums to be hosted by the Arlington County Police to discuss current crime trends throughout Arlington County. Each forum will be hosted in one of the three Police Districts. Chief of Police M. Douglas Scott, Deputy Chief Michael Dunne, District Commanders and officers from each district's community policing team will be in attendance to present information and answer questions.

The Manager introduced Police Chief M. Douglass Scott, who provided a brief overview of the Ballston Mall incident and noted inter-agency collaboration shown during the incident. The Board commended the Police Department for their work.

The Manager showed a short video describing the County's Leaf Collection program, which begins October 29, 2012 and ends January 11, 2013. For more information, please visit www.arlingtonva.us and search "leaf."

The Board recessed from 6:00 p.m. to 6:36 p.m.

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CONSENT ITEMS (ITEMS REMOVED FROM THE CONSENT AGENDA SATURDAY, OCTOBER 20, 2012)

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USE PERMITS REQUEST/REVIEWS/AMENDMENTS

7. [U-3206-08-1 Use Permit Review for a childcare center up to 18 children at the Child and Family Network; located at 4108 4th Street N. \(RPC# 20-022-004\)](#)

Following a duly advertised public hearing at which there were no speakers, a motion was made by CHRISTOPHER ZIMMERMAN, Member, seconded by JAY FISETTE, Member to renew the child care center for up to 18 children subject to all previous conditions and with a County Board review in eight (8) months (June 2013). The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye.

[Board Report # 7-Revised](#)

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CAPITAL PROJECTS

15. [Funding Request for Neighborhood Conservation Program Projects.](#)

Following a duly advertised public hearing at which there were speakers, a motion was made by CHRISTOPHER ZIMMERMAN, Member, seconded by J. WALTER TEJADA, Vice Chairman to approve the use of a total of \$2,718,418.00 of Neighborhood Conservation bond funds, including \$1,970,892.00 for the priority neighborhood projects listed in Attachment A and \$747,526.00 for projects requiring additional funding in Attachment B, as approved by the Neighborhood Conservation Advisory Committee (NCAC) for spring 2012, and authorize the County Manager to proceed with implementation of these projects. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye. [Clerk's note: as set forth in the document entitled "Addendum-10-23-12-C-NCAC Projects" attached for the public record to these minutes.]

[Board Report #15](#)

[Addendum-10-23-12-C-NCAC Projects](#)

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APPROPRIATIONS, GRANT APPLICATIONS & OTHER CONTRACTS

18. [Approval of Four Project Agreements \("Agreements"\) Between Arlington County, Virginia \("Grantee"\) and the Virginia Department of Rail and Public Transportation \("DRPT"\) For Use of Commonwealth Transportation Funds.](#)

Following a duly advertised public hearing at which there were speakers, a motion was made by CHRISTOPHER ZIMMERMAN, Member, seconded by LIBBY GARVEY, Member to approve four project agreements (WMATA Capital, Local Capital, WMATA / Local Operating, NVTC administrative funds) for use of Commonwealth Transportation Funds between DRPT and the Grantee (Arlington County), in the substantially final forms attached hereto, and authorize the County Manager to execute the Agreements, subject to approval of the Agreements as to form by the County Attorney, and authorize the County Manager to execute a letter to DRPT providing the details of the grant administration responsibilities the County will assign to the Northern Virginia Transportation Commission ("NVTC") as the County's grant agent for purposes of the aforesaid project agreements. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye. [Clerk's note: as set forth in the document entitled "Addendum-10-23-12-D-DRPT Agreements" attached for the public record to these minutes.]

[Board Report #18](#)

[Addendum-10-23-12-D-DRPT Agreements](#)

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REQUESTS TO ADVERTISE

23. [Request to advertise for public hearing on December 8, 2012, an Ordinance to Amend, Reenact and Recodify Chapter 15 \(Noise Control\) of the Code of Arlington County, Virginia \(Code\) \(Attachment B of the staff report\), to be effective upon adoption.](#)

Following a duly advertised public hearing at which there were speakers, a motion was made by MARY HYNES, Chair, seconded by CHRISTOPHER ZIMMERMAN, Member to defer consideration of the authorization to advertise to the December 8, 2012 meeting for a public hearing at the January Board meeting for an ordinance to Amend, Reenact and Recodify Chapter 15 (Noise Control) of the Code of Arlington County, Virginia ("Code"), to be effective upon adoption. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye. [Clerk's note: as set forth in the document entitled "Addendum-10-23-12-E-Chapter 15" attached for the public record to these minutes.]

[Board Report #23](#)

[Addendum-10-23-12-E-Chapter 15](#)

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THE COUNTY BOARD WILL CONSIDER THE FOLLOWING ITEMS NO EARLIER THAN 6:45 P.M.

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REGULAR HEARING ITEMS

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27. 2311 WILSON BOULEVARD

- A. Enactment of an ordinance to vacate: 1) a public water main easement located along the southern boundary line of Parcel H2, Foster’s Subdivision Being the Resubdivision, Vacation and Rededication of Parcel H, Block 11 Aurora Heights; and 2) a portion of a Public Use and Access Easement located on Parcel H2, Foster’s Subdivision Being the Resubdivision, Vacation and Rededication of Parcel H, Block 11 Aurora Heights, a subdivided portion of RPC No. 15058015, with Conditions.

- B. SP #263 Site Plan Amendment to construct an approximately 157,844 sq. ft. commercial office building including approximately 7,812 sq. ft. retail, 7,000 sq. ft. childcare, 5,600 sq. ft. conference center, and 2,300 sq. ft. fitness center uses, and an approximately 6,183 sq. ft. standalone commercial retail building and modification of Zoning Ordinance requirements to parking ratio, bonus density for community facilities, LEED Gold certification, and ENERGY STAR building certification, and exclusions from density of gross floor area associated with childcare, conference center, below grade fitness center, and below grade mechanical equipment and other modifications as may be necessary to achieve the proposed development plan; located at 2201, 2305, 2311, and 2317 Wilson Boulevard, 1515 and 1519 N. Adams Street (RPC #15-058--015, -016 and -017, 15-059-001, -002, -003, -004, -005, -006, -007, -008, -009, -010).

Following a duly advertised public hearing at which there were speakers, a motion was made by MARY HYNES, Chair, seconded by LIBBY GARVEY, Member to:

- A. Defer consideration of the proposed enactment of an ordinance to vacate a public water main easement and a portion of a public use and access easement related to the Clean Technology project, SP #263 to the December 8, 2012 County Board meeting.

- B. Defer the subject site plan amendment to the December 8, 2012 County Board meeting.

The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye.

[Board Report #27 A](#)

[Board Report #27 B](#)

[Board Report #27 B \(Attachment-Site Plan Drawings\)](#)

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ADDITIONAL ITEM

A motion was made by MARY HYNES, Chair, seconded by J. WALTER TEJADA, Vice Chairman to authorize the County Attorney to serve a notice of intent to file an application for judicial review of the August 31, 2012 ruling of the Virginia Tax Commissioner involving the assessment of the Nielsen Company (US), LLC and to seek judicial review of that ruling in the Arlington Circuit Court. The motion was adopted and carried by a vote of 5 to 0. The voting recorded as follows: MARY HYNES, Chair - Aye, J. WALTER TEJADA, Vice Chairman - Aye, JAY FISETTE, Member - Aye, LIBBY GARVEY, Member - Aye and CHRISTOPHER ZIMMERMAN, Member – Aye.

ADJOURNMENT

Without objection, at 10:53 p.m., the Board adjourned the meeting.

MARY HYNES, Chair

ATTEST:

HOPE L. HALLECK, Clerk
Approved: November 17, 2012