

A Regular Meeting of the County Board of Arlington County, Virginia, held in Room 307 of #1 Courthouse Plaza thereof on Monday, July 9, 2007, at 3:00 p.m.

PRESENT: Paul Ferguson, Chairman  
J. Walter Tejada, Vice Chairman  
Barbara A. Favola, Member  
Jay Fisetto, Member  
Christopher Zimmerman, Member

ALSO PRESENT: Ron Carlee, County Manager  
Stephen MacIsaac, County Attorney  
Peter Fallon, Planning Commission  
Peter Owen, Transportation Commission  
Antoinette Copeland, Clerk

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**COUNTY BOARD BUSINESS AND REPORTS**

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**I. COUNTY BOARD REPORTS**

- CHAIRMAN FERGUSON: Introduced Jaime Lareau of the Muscular Dystrophy Association who recognized the Arlington County Fire Department for its past successful "Fill the Boot" campaign and offered support for the one in August 2007.

- VICE CHAIRMAN TEJADA: 1) Provided an update on the FitArlington Expo held on June 23, 2007, at Wellburn Square in Ballston; and 2) spoke about his participation at the National Association of Latino Elected and Appointed Officials' Conference in Orlando, Florida, on the problem of and solutions to obesity.

- CHAIRMAN: Provided an update on the Fresh AIRE initiative measures taken in the first six months, including: 1) the doubling of the purchase of wind-generated electricity to 6% of County government's total operation; give away of more than 2,000 compact fluorescent lights; conducting 15 free energy audits; planting of 1,200 trees; ramped-up consumer education; the launching of the AIRE website and AIRE blog; approval of \$1.5 million budget to fund environmental efforts; adoption of residential utility tax; and partnership with federal Energy Star program. He also provided AIRE tips relating to fluorescent light bulbs, killing the energy empires, and stepping out of your car. The Chairman also spoke about the AIRE team's recent sponsorship of a "Greening Your Condo Association" seminar in June; the 2007 County Energy Star "Change a Light" campaign; and the August recess of the County Board.

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**RESOLUTION IN "SUPPORT FOR THE NATIONAL AFFORDABLE HOUSING TRUST FUND".**

On motion by Barbara A. Favola, Member, seconded by Jay Fisetto, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetto, Member - Aye, Christopher Zimmerman, Member - Aye, the Board adopted the following Resolution:

**Resolution County Board of Arlington, Virginia Support for the National Affordable Housing Trust Fund Act of 2007, H.R. 2895**

WHEREAS, affordable housing is critical to Arlington remaining a diverse and inclusive community; and,

WHEREAS, as a caring community, the County has focused particular attention on the housing needs of our most vulnerable populations including persons who have disabilities, persons who are homeless and persons who are elderly; and,

WHEREAS, H.R. 2895, the National Affordable Housing Trust Fund Act of 2007, was introduced on June 28, 2007 by House Financial Services Chairman Barney Frank (D-MA) and 16 bipartisan original co-sponsors; and

WHEREAS, the National Affordable Housing Trust Fund Act will establish a National Housing Trust Fund with ongoing, permanent, dedicated and sufficient sources of revenue to build, rehabilitate and preserve 1.5 million units of housing for the lowest income families over the next 10 years; and

WHEREAS, sixty percent of National Affordable Housing Trust Fund monies would go to localities who would be able to distribute the funds using mechanisms already in place and who will have flexibility in distributing the funds within the Trust Funds general guidelines; and

WHEREAS, the County has made it a priority to address the need for affordable housing and, through public-private partnerships, has produced 5,500 committed affordable housing rental units and 590 owner units; and,

WHEREAS, our entire community reaps the benefits of ensuring affordable housing choices for our low and moderate income residents and workers;

NOW, THEREFORE, WE DECLARE THAT, the Arlington County Board hereby endorses H.R. 2895, the National Affordable Housing Trust Fund Act of 2007, and urges the timely passage of this legislation to help alleviate the affordable housing shortage that exists in localities throughout Virginia and the Nation.

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## **II. APPOINTMENTS**

On motion by Paul Ferguson, Chairman, and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisette, Member - Aye, Christopher Zimmerman, Member - Aye, the Board made the following appointments to advisory groups:

### **COMMUNITY SERVICES BOARD**

Appoint James Mack

### **FISCAL AFFAIRS ADVISORY COMMISSION**

Appoint Martin Reape  
Malena Brookshire

### **INFORMATION TECHNOLOGY ADVISORY COMMISSION**

Reappoint Joe Pelton  
David Williams

### **PARK AND RECREATION COMMISSION**

Appoint Bryan Steffen  
Reappoint Tobin Smith for one year to August 31, 2008  
Christian Zur for full 3 year term

**COMMISSION ON THE STATUS OF WOMEN**

Appoint Lara Allyson Doyle

**EAST FALLS CHURCH PLANNING TASK FORCE**

Appoint Lisa Chavez from the Planning Commission  
Franz Gimmler from the Transportation Commission  
Nancy Iacomini as At-large member  
Anthony Jones from the Economic Development Commission  
Thanna Schemmel from the Pedestrian Advisory Committee  
Varun Nikore from the Madison Manor Civic Association

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**III. REGIONAL REPORTS**

**RESOLUTION "REAFFIRMING OPPOSITION TO ADDITIONAL SLOTS AND PERIMETER CHANGES AT REAGAN WASHINGTON NATIONAL AIRPORT".**

On motion by Barbara A. Favola, Member, seconded by Jay Fiset, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fiset, Member - Aye, Christopher Zimmerman, Member - Aye, the Board adopted the following resolution:

**Resolution County Board of Arlington, Virginia Reaffirming Opposition to Additional Slots and Perimeter Changes at Reagan Washington National Airport**

WHEREAS, the County of Arlington, Virginia, has supported the Metropolitan Washington Council of Governments (COG's) long standing position on the governance and land use and noise compatibility policy at Reagan Washington National Airport; and,

WHEREAS, the County supports maintaining the existing slot rule of 60 landings and takeoffs per hour and a non-stop 1,250 mile rule at Reagan Washington National Airport; and,

WHEREAS, the County supports COG's Aviation Policy Committee's role in providing a broad, balanced, and integrated perspective on matters relating to airport and aircraft policies in the Washington Metropolitan region; and,

WHEREAS, the slot and high density rules have been effective in "capping" noise at Reagan Washington National Airport; and,

WHEREAS, the current Reagan Washington National Part 150 Noise Exposure and Comaptibility Study, which was submitted to the Federal Aviation Administration in 2004, was developed using existing high density and slot perimeter rules for forecasting future operations at the airport; and,

WHEREAS, the Part 150 Planning effort was a collaborative effort between the Metropolitan Washington Airports Authority and COG; and,

WHEREAS, Reagan Washington National Airport's important role in our region must be carefully balanced against its noise and environmental impacts on the residents of the region; and,

WHEREAS, the Washington Metropolitan region continues to be adversely impacted by noise from Reagan Washington National Airport; and,

WHEREAS, the Washington Metropolitan region has not requested expansion at Reagan Washington National Airport and has a stated policy of encouraging air expansion at Dulles National Airport; and,

WHEREAS, the Washington Metropolitan Area Airports Authority does not support expansion at Reagan Washington National Airport;

NOW, THEREFORE, BE IT RESOLVED THAT, the County of Arlington, Virginia, opposes efforts to usurp regional and local authority over airports,

BE IT FURTHER RESOLVED, that the County of Arlington, Virginia reaffirms its position opposing additional slots and perimeter rule changes at Reagan Washington National Airport; and,

BE IT FURTHER RESOLVED, that the County Clerk shall provide copies of this resolution to the Executive Director of the Metropolitan Washington Council of Governments, all members of the regional congressional delegation of the United States Congress; the Chairs and members of the appropriate congressional committees and the President of the United States.

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VICE CHAIRMAN TEJADA: Provided an update on the work of the Metropolitan Washington Council of Governments' Human Services Policy Committee, including an upcoming workshop in August for minority media.

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MEMBER ZIMMERMAN: Reported on behalf of the Washington Metropolitan Area Transit Authority Board of Directors that for the second in its 31 year history, more than 200 million people rode the Metrorail System during a fiscal year and for the 11th consecutive year ridership increased on the rail system. In addition, more people took trips on Metrorail during June 2007 than during any other month in Metrorail's history, exceeding 770,000 on 13 weekdays with the highest ridership days in June (the highest being 805,153 on June 22).

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**Arlington County Board Statement on Northern Virginia Implementation of State Transportation Funding Legislation.**

On motion by Paul Ferguson, Chairman, seconded by Barbara A. Favola, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fiset, Member - Aye, Christopher Zimmerman, Member - Aye, the Board adopted the following statement:

Arlington County Board Statement  
on  
Northern Virginia Implementation  
of  
State Transportation Funding Legislation  
*Action Needed Now*

**1. Urgency of transportation crisis** The Arlington County Board has strongly advocated for action on the transportation crisis that confronts Northern Virginia. We have noted that insufficient funding for transportation hurts the economy, the environment, emergency and disaster response as well as education and social services; that economic development and growth are strangled by congestion and insufficient funding for traffic improvements; that environmental issues such as poor air quality are caused in part by too much traffic and poorly funding transportation; that emergency and disaster response could become disastrous if transportation funding is not increased. We have worked with our colleagues around Northern Virginia to build consensus to deal with this crisis, and we urged the General Assembly and the Governor to come together on a plan to help us cope with it.

**2. Board's support of compromise legislation** To that end, the Board supported HB 3202, as finally passed by the General Assembly and signed by the Governor, and which became law this month. In doing so, we noted that the legislation was by no means ideal, but that, with the Governor's modifications to the bill, it opens the way toward meaningful action on transportation in Northern Virginia. While it will not address all the transportation problems of our region and our commonwealth, it will enable us to move ahead on vitally-needed transportation improvements.

**3. Benefits to the Region and to Arlington** Action by the Northern Virginia Transportation Authority to implement the provisions of HB 3202 will provide Arlington and our region with significant increases in transportation funding for all modes from stable, reliable, and permanent sources. A significant factor is that all money that would be raised in Northern Virginia, more than \$300 million annually, will remain in Northern Virginia, building our transportation infrastructure. This would bring much needed funding to the broad range of mobility needs: roads, public transportation, pedestrian and bicycle facilities, and intermodal improvements. It will also provide an on-going, dedicated revenue stream for the Washington Metropolitan Area Transit Authority (WMATA), which will help ensure that Metro's on-going capital needs will be funded. And, it will provide a similar dedicated revenue stream for Virginia Railway Express. The initial projects that would be funded under the proposed bond issue represent a good start in addressing these needs. The list is regionally balanced and reflects an intermodal commitment, with a substantial portion devoted to transit, pedestrian, and bicycle improvements. We are, of course, pleased with the inclusion of funding for much-needed projects in Arlington that derive from our own plans and priorities. We look forward to the development of the larger, six-year plan that would get underway later in the year, if these measures move forward. None of these benefits can be realized unless NVRTA acts to implement the regional provisions of HB 3202.

#### **4. A Great Regional Effort**

After years of advocacy met with frustration, Northern Virginia is now on the verge of real action on transportation, but taking the final steps will require both political resolve and tremendous organizational effort. NVRTA must now implement not only the 2007 transportation funding legislation (HB 3202), but also the full provisions of the 2002 legislation that created the Authority, to launch a new regional enterprise. It must address both financial and organizational challenges, seek resolution of any outstanding legal questions.

Given that the organization has as yet no staff of its own, it is remarkable that it is now in a position to tackle this monumental task, based on the extensive work over the last couple of months by the five Working Groups the Authority established. That so much has been accomplished is a reflection both of the urgency of the situation and of the commitment around the region to confront it. The work of these groups, reflected in the resolutions and supporting documents now before the Authority, represents a tremendous in-kind contribution of professional expertise and quality staffing from all the jurisdictions of Northern Virginia, as well as regional agencies and support from the Commonwealth. This has included transportation planners, financial advisors, legal counsel and others.

As one local government, we take pride in having been part of this effort to work collectively, in pursuit of the common interests of our constituents, to deliver what the people we represent most need. The reports of the Working Groups are a triumph of regional cooperation. Their recommendations provide a practical strategy for implementation of the enacted state law by the Authority.

#### **5. Action Needed Now**

We believe that this is a time to be pragmatic, to accomplish what is possible now and go forward. We simply cannot afford to wait any longer for an ideal solution to our transportation finance crisis. The economic vitality of Northern Virginia, its environmental health, and its quality of life are at risk

if we do not begin making critical investments now.

Therefore, the Northern Virginia Transportation Authority should act swiftly to fulfill its responsibilities and implement the powers it has been granted under state law. This includes the revenue measures, bond issuance, project proposals, legal actions, and organizational initiatives that are embraced by the recommendations of the Working Groups.

We urge the Northern Virginia Transportation Authority to act affirmatively on the Working Group Recommendations that are before it this Thursday, July 12.

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**Declaration of County Board of Arlington, Virginia, U.S. Cool Counties Climate Stabilization Declaration.**

On motion by Paul Ferguson, Chairman, seconded by Christopher Zimmerman, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisette, Member - Aye, Christopher Zimmerman, Member - Aye, the Board adopted the following declaration:

**Declaration  
County Board of Arlington, Virginia  
U.S. Cool Counties Climate Stabilization Declaration**

WHEREAS, there is a consensus among the world's leading scientists that global warming caused by human emission of greenhouse gases is among the most significant problems facing the world today; and

WHEREAS, documented impacts of global warming include but are not limited to increased occurrences of extreme weather events (i.e., droughts and floods), adverse impacts on plants and wildlife habitats, threats to global food and water supplies – all of which have an economic impact on communities and their local governments; and

WHEREAS, leading scientists have projected that stabilization of climate change in time to minimize such impacts will require a reduction of global warming emissions to 80 percent below current levels by the year 2050; and

WHEREAS, currently the United States is responsible for producing approximately 25 percent of the world's global warming pollutants; and

WHEREAS, many leading U.S. companies that have adopted greenhouse gas reduction programs to demonstrate corporate and operational responsibility have also publicly expressed preference for the federal government to adopt precise and mandatory emissions targets and timetables as a means by which to provide a uniform and predictable regulatory environment to encourage and enable necessary and long-term business investments; and

WHEREAS, state, regional and local governments throughout the United States are adopting emissions reduction targets and programs, and this effort is bipartisan, coming from Republican and Democratic leadership;

WHEREAS, the U.S. Conference of Mayors has endorsed the U.S. Mayors Climate Protection Agreement, which commits cities to reduction of global warming emissions to 7 percent below 1990 levels by 2012, and calls for a federal limit on emissions; and

WHEREAS, the State of California has mandated statewide reduction of greenhouse gas emissions to 80 percent below 1990 levels by 2050; and

WHEREAS, more than 100 county leaders signed a letter written by Dane County, Wisconsin, that was sent to the President in March 2006 calling for increased energy investment and development of jobs focused on clean energy technologies; and

WHEREAS, counties have a unique role to play in reducing greenhouse gas emissions and preparing for the impacts of climate change through their regional jurisdiction over policy areas such as air quality, land use planning, transportation, zoning, forest preservation, water conservation, and wastewater and solid waste management; and

WHEREAS, the economic arguments for implementing climate solutions are compelling, from the near-term economic gains of energy efficiency to the long-term climate stabilization that can prevent irreparable harm from catastrophic climate change impacts; and

WHEREAS, many counties throughout the nation, both large and small, are reducing global warming pollutants through programs that provide economic and quality of life benefits such as reducing energy bills, preserving green space, implementing better land use policies, improving air quality, promoting waste-to-energy programs, expanding transportation and work choices to reduce traffic congestion, and fostering more economic development and job creation through energy conservation and new technologies;

NOW, THEREFORE, WE DECLARE THAT:

We, as Cool Counties, will take immediate steps to help the federal, state, and our governments within our county to achieve the 2050 climate stabilization goal by making the following commitments:

- i. Create an inventory of our county government (operational) greenhouse gas ("GHG") emissions and implement policies, programs and operations to achieve significant, measurable and sustainable reduction of those operational GHG emissions to help contribute to the regional reduction targets as identified in paragraph ii;
- ii. Work closely with local, state, and federal governments and other leaders to reduce county geographical GHG emissions to 80 percent below current levels by 2050, by developing a GHG emissions inventory and regional plan that establishes short-, mid-, and long-term GHG reduction targets, with recommended goals to stop increasing emissions by 2010, and to achieve a 10 percent reduction every five years thereafter through to 2050; and
- iii. Urge Congress and the Administration to enact a multi-sector national program of requirements, market-based limits, and incentives for reducing GHG emissions to 80 percent below current levels by 2050, and urge Congress and the Administration to strengthen standards by enacting legislation such as a Corporate Average Fuel Economy ("CAFE") standard that achieves at least 35 miles per gallon (mpg) within 10 years for cars and light trucks. We will take immediate steps to identify regional climate change impacts and will draft and implement a county plan to prepare for and build resilience to those impacts.

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#### **IV. COUNTY MANAGER REPORT**

The County Manager introduced a visitor from the County's Sister City of Reims, France, who is serving as an intern in the Manager's Office.

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

On motion by Mr. Ferguson, seconded by Mr. Tejada and carried by a vote of 5 to 0, the voting recorded as follows: Mr. Ferguson Aye, Mr. Tejada - Aye, Ms. Favola - Aye, Mr. Fisetete Aye, Mr. Zimmerman Aye, the Board met in a closed meeting from 3:55 p.m. to 6:30 p.m., as authorized by §§2.2-3711.A.3 and 7 of the Virginia Code, for the purpose of discussing one matter involving the disposition of publicly held real property where discussion in public would adversely affect the County's negotiating and bargaining position; and certain legal matters requiring consultation with the County Attorney concerning the meaning and application of Section 36.H.6.i. of the Zoning Ordinance, the County's authority to supplement the salaries of district court personnel, and prospective bond validation proceedings to be filed by the Northern Virginia Transportation Authority.

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

Member and Vote

- Mr. Ferguson - Aye
- Mr. Tejada - Aye
- Ms. Favola - Aye
- Mr. Fisetete - 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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**EVENING RECESSED MEETING. CONVENED AT 6:30 P.M.**

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**CONSENT ITEMS (ITEMS REMOVED FROM THE CONSENT AGENDA SATURDAY, JULY 7, 2007)**

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**7. U-2556-87-5 USE PERMIT AMENDMENT & REVIEW: EXTEND TIME TO COMMENCE EXPANSION OF CHILD CARE CENTER; 2425 N. GLEBE ROAD (CHMS, LLC, RPC #02-062-006).**

On motion by Barbara A. Favola, Member, seconded by J. Walter Tejada, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetete, Member - Aye, Christopher Zimmerman, Member - Aye, the Board adopted the following ordinance, after a duly advertised public hearing:

BE IT ORDAINED that, pursuant to application U-2556-87-6 on file in the Office of the Zoning Administrator for an amendment and renewal of a special exception for a use permit to extend the time to commence the expansion of the child care center for the parcel of real property known as

2425 North Glebe Road (RPC #02-062-006), approval is granted to extend the time to commence the expansion for 70 days and the parcel so described shall be used according to the use permit approval requested by the application, subject to all previous conditions, with a review by the County Board on September 8, 2007.

Board Report Item #7

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**34. EMERGENCY PREPAREDNESS AND RESPONSE PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF HEALTH.**

On motion by Barbara A. Favola, Member, seconded by Jay Fisetto, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetto, Member - Aye, Christopher Zimmerman, Member - Aye, the Board appropriated \$92,580 from the Virginia Department of Health (VDH) (101.364501) Emergency Preparedness and Response Program to the Department of Human Services (101.55001). These carryover funds will be used by Arlington to purchase equipment and supplies to support public health preparedness activities, including pandemic influenza outreach and education.

Board Report Item #34

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**REGULAR HEARING ITEMS.**

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**57. U-1671-65-3 USE PERMIT AMENDMENT (CARRY-OVER): AMENDMENT FOR ADDITIONAL CLASSROOMS, FACULTY OFFICES, ACADEMIC SPACE, LABORATORIES, DORM ROOMS, ACCESSORY USES, PARKING; 2807 N. GLEBE ROAD, 4655 N. 26TH ST. AND SUBJECT PROPERTY BOUNDED BY OLD DOMINION DRIVE, YORKTOWN BOULEVARD AND NORTH 26TH STREET (MARYMOUNT UNIVERSITY, RPC #03-065-001, 03-047-001, -217).**

Ms. Favola disqualified herself from the discussion and vote on Item #57 relating to Use Permit U-1671-65-3 for Marymount University as she is employed with Marymount University and, in the spirit of the State and Local Government Conflict of Interests Act, which precludes her from participating in this matter.

On motion by Jay Fisetto, Member, seconded by Christopher Zimmerman, Member and carried by a vote of 4 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Jay Fisetto, Member - Aye, Christopher Zimmerman, Member - Aye, the Board adopted the following ordinance, after a duly advertised public hearing at which the public spoke:

Board Report Item #57

BE IT ORDAINED that, pursuant to application U-1671-65-3 on file in the Office of the Zoning Administrator for an amendment to a special exception for a use permit for additional classrooms, faculty offices, academic space, laboratories, dorm rooms, accessory uses, and parking for the parcels of real property known as 2807 North Glebe Road, 4655 North 26th Street, and subject property bounded by Old Dominion Drive, Yorktown Boulevard, and North 26th Street (RPCs #03-065-001, 03-047-001, -217), approval is granted and the parcels so described shall be used according to the use permit approval requested by the application, subject to all previous conditions and the amended condition and new conditions as set forth in the attached addendum to these minutes entitled "**Addendum 7-9-07-A - U-1671-65-3, Marymount University**", which apply solely to the subject site.

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**54. APPROVAL OF AN AGREEMENT OF SALE FOR THE CONVEYANCE BY THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA TO WALTER SANTOS AND JULIA BENITEZ OF AN UNIMPROVED LOT LOCATED ON SOUTH NELSON STREET, KNOWN AS LOT 32, BLOCK 38, DOUGLASS PARK, ARLINGTON, VIRGINIA (RPC # 31015060).**

On motion by Christopher Zimmerman, Member, seconded by J. Walter Tejada, Vice Chairman and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetete, Member - Aye, Christopher Zimmerman, Member - Aye, the Board:

1. Approved an Agreement of Sale for the conveyance by the County Board of Arlington County, Virginia (Seller), to Walter Santos and Julia Benitez (Purchasers) of an unimproved lot located on South Nelson Street, known as Lot 32, Block 38, Douglass Park, Arlington, Virginia (RPC # 31015060).

2. Authorized the Real Estate Bureau Chief, Department of Environmental Services, to execute the Agreement of Sale and all related documents necessary to convey the Property, subject to approval as to form of all documents by the County Attorney.

Board Report Item #54

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**55. CLAIM OF THOMAS PLUTA.**

On motion by Mr. Zimmerman, seconded by Ms. Favola, and carried by a vote of 5 to 0 recorded as follows: Paul Ferguson, Chairman - Aye; J. Walter Tejada, Vice Chairman - Aye; Barbara A. Favola, Member - Aye; Jay Fisetete, Member - Aye; and Christopher Zimmerman, Member - Aye, the Board denied the claim of Thomas Pluta.

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**56. CLAIM OF JAMES D. MCKINNEY, JR., BETTY A. MCKINNEY, AND JAMES D. MCKINNEY, III.**

On motion by Ms. Favola, seconded by Mr. Zimmerman, and carried by a vote of 5 to 0 recorded as follows: Paul Ferguson, Chairman - Aye; J. Walter Tejada, Vice Chairman - Aye; Barbara A. Favola, Member - Aye; Jay Fisetete, Member - Aye; and Christopher Zimmerman, Member - Aye, the Board denied the claim of James D. McKinney, Jr., Betty A. McKinney, and James D. McKinney, III.

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**ADDITIONAL ITEMS**

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**59. REQUEST TO ADVERTISE THE AMENDMENT, REENACTMENT AND RECODIFICATION OF THE ARLINGTON COUNTY CODE CHAPTER 66 ARTICLE I § 66-3 (TECHNOLOGY ZONES) IN ORDER TO MODIFY THE PRESENT DEFINITION OF A QUALIFIED TECHNOLOGY BUSINESS AND TO LOWER THE NUMBER OF EMPLOYEES NEEDED TO QUALIFY IN THE DOWNTOWN TECHNOLOGY ZONES OF THE ROSSLYN-BALLSTON AND THE JEFFERSON DAVIS CORRIDORS WITHIN ARLINGTON COUNTY AND TO REFLECT THAT CHANGE IN CHAPTER 11 ARTICLE III § 11-86 (LICENSES).**

On motion by Christopher Zimmerman, Member, seconded by Jay Fisetete, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetete, Member - Aye, Christopher Zimmerman, Member - Aye, the Board authorized the advertisement for a Public Hearing to be held at the September 8, 2007 County Board meeting to consider: (1) Proposed amendment set forth as Attachment A to the report dated June 15, 2007, to modify what defines a qualified technology business activity; and (2) proposed amendment set forth as Attachment B of the aforementioned report to modify the minimal business size a qualified technology business must be in order in the Downtown Technology Zones to qualify.

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**60. APPROVAL OF A DEED OF LEASE BETWEEN CESC SQUARE L.L.C., AS LANDLORD, AND THE COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA, AS TENANT, AT 1638 CRYSTAL SQUARE ARCADE, SUITE B, ARLINGTON, VIRGINIA 22202 (RPC #34020249) AND ACCEPTANCE AND APPROPRIATION OF A GRANT AWARD FROM THE VIRGINIA NATIONAL DEFENSE INDUSTRIAL AUTHORITY.**

On motion by Barbara A. Favola, Member, seconded by Paul Ferguson, Chairman and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetete, Member - Aye, Christopher Zimmerman, Member - Aye, the Board:

1. Approved the Deed of Lease attached to the June 15, 2007 report between CESC SQUARE L.L.C., and The County Board of Arlington County, Virginia, at 1638 B Crystal Square Arcade, Arlington, Virginia 22202 (RPC #34020249).
2. Authorized the Real Estate Bureau Chief, or his designee, to execute the Lease on behalf of the County Board, and all related documents, subject to approval as form by the County Attorney.
3. Accepted a grant award from the Virginia National Defense Industrial Authority (VNDIA) (101.364900) and appropriated \$420,000 to Arlington Economic Development and appropriated \$187,349 in Fiscal Year 2008.

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**AUTHORIZATION FOR COUNTY ATTORNEY TO PARTICIPATE AND FILE PLEADINGS RELATING TO PROCEEDINGS OF NORTHERN VIRGINIA TRANSPORTATION AUTHORITY.**

On motion by Paul Ferguson, Chairman, seconded by Christopher Zimmerman, Member and carried by a vote of 5 to 0, the voting recorded as follows: Paul Ferguson, Chairman - Aye, J. Walter Tejada, Vice Chairman - Aye, Barbara A. Favola, Member - Aye, Jay Fisetete, Member - Aye, Christopher Zimmerman, Member - Aye, the Board authorized the County Attorney to participate in the manner he deems appropriate, and to file pleadings on behalf of the County Board related thereto, in any proceedings filed by the Northern Virginia Transportation Authority to validate the issuance by it of debt supported by revenues from the various taxes and fees the Authority has been authorized to levy pursuant to HB 3202, effective July 1, 2007.

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**ADJOURNMENT.**

Without objection, at 10:55 p.m. the Board adjourned the meeting.

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PAUL FERGUSON, Chairman

ATTEST:

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ANTOINETTE COPELAND, Clerk  
Approved: