



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of December 08, 2012**

DATE: November 13, 2012

SUBJECT: Judicial and Public Safety Services agreement between the County and the City of Falls Church.

C. M. RECOMMENDATION:

Approve the attached Judicial and Public Safety Services agreement between the County and the City of Falls Church, VA, and authorize the County Manager to execute the Agreement, subject to approval of the Agreement as to form by the County Attorney.

ISSUES: Since 1989, the County and the City of Falls Church have had a long term contractual agreement, under which the County provides several certain judicial and public safety services. In a separate agreement executed in 1989, the City provides the County with services from the Aurora House, a long term residence program for delinquent adolescent girls. After a thorough review of all services provided, one revised contract for these services has been developed and is being presented to both jurisdictions for approval.

SUMMARY: During the past year, County and City staff have performed an extensive review of shared services related to the District and Circuit Courts, the Juvenile Domestic Relations Court, the Emergency Communications Center, the Commonwealth Attorney, community correction programs, and the Alcohol Safety Action program. As a result, a new service delivery contract between the City of Falls Church and Arlington County has been developed to reflect present day operations, to more clearly specify cost allocation formulas, and to combine similar services in one contract.

BACKGROUND: On January 1, 1988, the City of Falls Church was transferred from the 19th Judicial District and Circuit to the 17th Judicial District and Circuit (Arlington County) by the State. As a consequence of this State action, the County has provided the City of Falls Church with certain services related to the Courts and its programs. The jurisdiction formally entered into an agreement in 1989 with regard to sharing judicial costs and for other services such as emergency communications and juvenile detention programs. Also in 1989, the City and the County entered into a separate agreement for the County to use the City's Aurora House for

County Manager:

BMD/mjs

County Attorney:

[Signature]

[Signature]

15. A.

Staff: Colleen Donnelly, Department of Management & Finance

juvenile delinquent girls. Since 1989, the jurisdictions have adhered to these two contracts and billed each other for services provided on a fiscal year basis.

DISCUSSION: The previous contract, executed in 1989, did not account for advances in technology, service modifications, or changes in service delivery methods. The new contract for Judicial and Public Safety Services accomplishes two important goals. First, it more thoroughly captures all of the services that are provided and the cost of those services. Second, it more clearly defines cost calculation and cost allocation formulas for services provided.

In order to refresh the contracts for current day use, County and City staff reviewed how all services are delivered and shared. The scope of services was expanded and revised as appropriate and usage data was employed whenever possible to determine cost share.

For example, the previous contract charged a flat rate to answer all of the City's 911 emergency calls. The rate was based on the number of land lines in the City at a certain point in time – the total charge was approximately \$17,800 each year for 24 hour /7 days a week /365 days a year 911 call services. The new contract provides that the City pay a portion of personnel, radio maintenance contract costs, phone system maintenance contract costs, utilities, and custodial expenses – totaling approximately \$420,000 per year – for the service provided by the County's Emergency Communications Center (ECC). This cost sharing for the City is based upon the percent of incoming 911 calls from the City and the percent of air time minutes used on the portable radio system.

The contract changes associated with the ECC are the most significant of the revisions. Generally, unless the City requested expanded services, the City's new costs were limited to a share of utility and custodial expenses.

The new contract provides important updates to the scope of services, contract terms, and cost allocation that was well overdue considering how services and service delivery has evolved since 1989.

The effective date of the proposed agreement is July 1, 2012 to June 30, 2017.

FISCAL IMPACT: Increased revenues resulting from this contract were built into the FY 2013 budget during the budget process. Therefore, no additional appropriation is required at this time.

**JUDICIAL AND PUBLIC SAFETY SERVICES
BETWEEN ARLINGTON COUNTY AND THE CITY OF FALLS CHURCH**

This Agreement is made and entered into this ___ day of _____ 2012 between the Council of the City of Falls Church, Virginia (“City”) and the County Board of Arlington County, Virginia (“County”).

I. Recitals:

On January 1, 1988, the City of Falls Church (“City”) was transferred from the 19th Judicial District and Circuit to the 17th Judicial District and Circuit. As a consequence, the City has been provided with certain services furnished by the following 17th Judicial entities: the Circuit Court; the General District Court; the Juvenile and Domestic Relations District Court; and the Arlington County Commonwealth's Attorney.

The County provides, at its cost, for the salary, benefits, offices, utilities, materials, equipment, supplies and other support to these various entities. Because the City jointly uses the services provided by these entities, the City has agreed to pay for its share of the costs.

The County has also agreed to provide services to the City related to its emergency communication operations, Community Corrections program, and the Alcohol Safety Action Program. And the City has agreed to pay for its share of costs related to these services.

The City has agreed to provide services to the County related to its residential home for juvenile girls (Aurora House), which is operated under the direction of the Juvenile and Domestic Relations District Court, but financed by the City. Because the County jointly uses this service, the County has agreed to pay for its share of the costs.

This agreement defines what payments are owed by the City to the County or owed by the County to the City for its share of local expenses for the services stated above and further identified in Section III. Scope of Service.

This Agreement and the work performed hereunder shall be governed in all respects by the laws of the Commonwealth of Virginia and the jurisdiction, forum, and venue for any litigation with respect thereto shall be in the Circuit Court for Arlington County, Virginia, and in no other court.

II. Definitions and Payments:

“**Child Care Day**” shall equal the participation of one child in a program per calendar day. For example, if a child participates in a program for 32 calendar days and a second child participates for 42 days, then the actual Child Care Days for the two participants is 74. Actual Child Care Days accrued by the City and County for any particular program shall be tracked by the jurisdiction operating the program. In addition, the actual Child Care days will be tracked according to whether the participant is a County or City resident in order to determine each jurisdiction’s utilization.

“Child Care Day Rate” shall be calculated by subtracting the fiscal year program revenues from the fiscal year program expenses (including any routine facility maintenance, utilities and custodial services). The resulting net expenses shall then be divided by the total Child Care Days accrued in the program during the fiscal year – this result shall equal the Child Care Day Rate.

“DES” refers to the County’s Department of Environmental Services. This department is responsible for facility maintenance, custodial services, and most utility payments associated with County facilities.

“FY” means fiscal year. For both jurisdictions, the fiscal year begins on July 1st and ends the following June 30th. A specific fiscal year shall be identified by using the year in which the month of June – the end of the fiscal year – occurs.

“Proportionate share” refers to the relative population of each jurisdiction to the total population of the combined jurisdictions. The 2010 Census reported total population for Arlington County is 207,627. The 2010 Census reported total population for the City is 12,332. [see Attachment A] The combined total is 219,959. Therefore, the City's proportionate share is 5.6%; the County's is 94.4%. Total population for each jurisdiction, and the resulting proportional share, shall be updated every five years using the most recent American Community Survey five-year data estimates of total population available from the US Census Bureau (www.census.gov).

Billing, Payments, and Providing Estimated Future Costs: The total amount owed during a fiscal year will include (1) the share of costs for services provided in the current fiscal year’s adopted budget and (2) the difference between actual costs and payments received (a reconciliation) for services provided during the fiscal year ended two years prior. For example, the total amount owed for FY 2013 will include the amount owed for services provided during FY 2013 and the reconciliation amount for FY 2011.

The County will invoice the City twice per year for its share of cost for judicial and public safety services provided in this contract. The City will invoice the County twice per year for its share of cost for services at the Aurora House provided in this contract.

Semi-annual invoices shall be sent no later than the 1st of December and June, with payments due within 30 days of receipt. Invoices shall be delivered to each jurisdiction’s finance department. The finance departments of the City and County shall designate a primary contact person each fiscal year for this purpose.

If either party wishes to contest a charge, it must do so in writing to the County or City Manager or designee within 15 days of receipt of the invoice. The contested charge shall be reviewed, a response issued, and an invoice adjustment made if required, within 15 days of receipt of the written objection. The invoice shall then be due within 15 days of the response.

Estimated costs of services provided by the County and City for the upcoming fiscal year will be provided in writing during the annual budget process, so that each jurisdiction may properly plan for expenses and revenues associated with this agreement. An initial written estimate of the future fiscal year costs shall be provided by December 30th. An updated written estimate of costs for the proposed

budget year shall be provided by February 15th. Each jurisdiction shall specify the final estimate of expenses to be charged to the other by March 31 so as to be included in the adopted budgets of each. After March 31, if the cost to provide a service changes, the jurisdiction receiving services shall not be obligated to pay for the additional cost until that fiscal year is reconciled.

For the fiscal year closing on June 30th, each party shall provide the other with a reconciliation of actual expenses for the services provided compared to payments received for services no later than August 31st.

All notices of estimated expenses shall be provided to each jurisdictions finance department. The finance departments of the City and County shall designate a primary contact person each fiscal year for this purpose.

III. Scope of Services

Judicial Services

A. Circuit Court

The Circuit Court is the trial court of record of general jurisdiction in Virginia; it has authority to try a full range of cases both civil and criminal. The Arlington County Circuit Court hears the following types of cases: adoptions, appeals from General District Court; certain civil cases, equity suits, felonies and misdemeanors originating from grand jury indictments, juvenile cases that have been certified to the Circuit Court, writs of mandamus, probation, and certiorari involving proceedings arising from actions of the local governing body. The Court Clerk issues marriage licenses, records trade names for business, and performs many other governmental ministerial functions.

The Circuit Court is composed of the Judiciary and the Clerk's Office. The Court is partially state-funded -- the Judges receive salary payments directly from the Commonwealth, while local funds pay for supplemental personnel and non-personnel operating costs. The Commonwealth's Compensation Board provides funding to the County to support personnel costs in the Clerk's Office.

Judiciary:

The County pays the salaries and benefits for the non-judicial staff in the Judiciary.

Each fiscal year, the City shall pay its proportionate share of the County funded personnel and non-personnel operating expenses of the adopted budget that support the Circuit Court Judiciary. Generally, no revenues are received. If revenues are budgeted or received for the Circuit Court Judiciary, they will be deducted from operating expenses to determine a net expense.

Formula: City payment = (Proportionate Share) × (County FY Operating Expense – FY Revenues)

Clerk’s Office:

Each fiscal year, the City shall pay the County for its proportionate share of County personnel and non-personnel operating expenses of the adopted budget for the Clerk’s Office that is net of these revenues (if included in the adopted budget):

- revenue from the State Compensation Board
- excess fees remitted back to the Court by the Commonwealth, and
- miscellaneous state grants received for the Circuit Court (including the Technology Trust Fund grant).

The City shall also pay its proportionate share of DES facility maintenance, utility, and custodial expenses of the adopted budget associated with the Circuit Court and its Judiciary.

Formula: City payment = (Proportionate Share) × (County FY Operating Expense – Compensation Board Revenue – Excess Fees - State Grant Revenue)

B. General District Court

The General District Court has jurisdiction over criminal, traffic, civil, small claims and involuntary civil commitment cases. The Court handles misdemeanor cases, holds preliminary hearings to determine probable cause in felonies, and presides over involuntary mental commitment hearings. The Court also processes records such as criminal warrants, civil cases, and traffic summonses.

The Arlington General District Court is composed of the Judiciary and the Clerk's Office. The State directly pays the salaries of the judges and the Clerk's Office personnel. Each fiscal year, the County provides local funding for the General District Court’s operating expenses that supports personnel and non-personnel costs such as operating supplies, operating equipment, communications, and postage.

1. Judiciary

The General District Court judges will continue to sit in Falls Church on Wednesday of each week. The Court will hear adult traffic cases, adult criminal misdemeanor cases, and every other week civil matters. At least twice a month, the Court will hear preliminary hearings for felonies which occurred in the City. The City will provide a suitable courtroom and Judges' chambers, as well as office materials, supplies, and equipment.

The Judiciary is primarily state-funded. However, the County provides local funding for personnel and non-personnel operating expenses to support the Judiciary. Each fiscal year, the City shall pay its proportionate share of the County funded personnel and non-personnel operating expenses of the adopted budget that support the Judiciary. Generally, no revenues are received. If revenues are budgeted or received for the General District Court Judiciary, they will be deducted from operating expenses to determine a net expense.

Formula: City payment = (Proportionate Share) × (County FY Operating Expense – FY Revenue)

2. Clerk's Office

The City has its own full-service General District Court Clerk's Office and, therefore, it will not contribute to the cost of operating the Arlington County General District Court Clerk's Office.

C. Office of the Magistrate

The principal function of the magistrate is to provide an independent, unbiased review of complaints of criminal conduct brought to the office by law enforcement or the general public. Magistrate duties include issuing various types of processes such as arrest warrants, summonses, bonds, search warrants, and medical detention orders, plus certain other statutory functions. Magistrates also conduct bail hearings in instances in which an individual is arrested on a warrant charging him or her with a criminal offense. Magistrates provide services 24-hours a day, 365 days a year.

The Chief Magistrate will provide the City with access to a magistrate either at the City Hall Police Department or by video conference, or the City's officers and citizens will have access to and use of the magistrate's located at the Arlington County Court House. Similarly, when in Falls Church, Arlington's officers and citizens will have access to the magistrate located at the City Hall Police Department.

The City will provide at its sole expense office materials, supplies, and equipment for the magistrate to use while present in the City Hall.

The Office of the Magistrate is primarily funded directly by the State. However, the County provides local funding to supplement the Magistrate's personnel (only to those hired prior to 2008) and non-personnel operating expenses. Each fiscal year, the City shall pay its proportionate share of the County funded personnel expenses of the adopted budget that support the Office of the Magistrate. Generally, no revenues are received. If revenues are budgeted or received for the Magistrate, they will be deducted from operating expenses to determine a net expense.

Formula: City cost = (Proportionate Share) × (County FY Personnel Expense – FY Revenue)

D. Juvenile and Domestic Relations District Court

The Juvenile and Domestic Relations District Court (JDRDC) hears all matters involving juveniles such as criminal or traffic matters. In addition, this Court handles other matters involving the family such as custody, support and visitation. The Court also hears family abuse cases, cases where adults have been accused of child abuse or neglect, and criminal cases where the defendant and alleged victim are family or household members. JDRDC personnel investigate and supervise adults on matters relating to domestic violence, other intra-family criminal cases, and cases of adult offenses against children; investigate and supervise all matters involving children younger than 18 or those who committed offenses prior to turning 18. JDRDC operates over a dozen programs to assist and to improve the lives of its clients and positively impact public safety.

The Juvenile and Domestic Relations District Court is composed of four divisions: the Judiciary, Clerk's Office, Probation, and Community Programs. JDRDC is partially funded by the Commonwealth. The state directly pays the salaries of judges, and provides some reimbursement and grant funding for court services and community programs. Each fiscal year, the County provides local funding to support the JDRDC.

1. Judiciary

The judges will sit in Falls Church every second and fourth Tuesday. The City will provide, at its cost, a suitable courtroom, Judges' Chambers, and materials, including such things as books, office supplies, robes and the like.

The Judiciary is primarily state funded -- the state directly pays for the salaries and benefits of most personnel. However, each fiscal year the County provides local funding to supplement the personnel and non-personnel operating expenses associated with the Judiciary.

Each fiscal year, the City shall pay its proportionate share of the County funded personnel and non-personnel operating expenses of the adopted budget for the JDRDC Judiciary. Generally, no revenues are received. If revenues are budgeted or received for the JDRDC Judiciary, they will be deducted from operating expenses to determine a net expense.

Formula: City payment = (Proportionate Share) × (County FY Operating Expense – FY Revenue)

2. Clerk's Office

The City has a full-service Clerk's Office and will not contribute to the cost of the Arlington Clerk's Office.

3. Probation Office

The City also has its own Probation Office and provides many, but not all, of its own services. However, it is assumed that the City will use one-third of the services provided by the County's Probation Department. Services provided by the County Probation Office will include back-up intake support, after-hours intake, court coverage in Arlington when needed, guidance and direction from supervisors and the Parole Officer, short-term vacancy support (if needed), court psychologist, and Court Services Unit programs like Shoplifter, Victim Awareness, Life Skills, etc.

The State partially reimburses the County for personnel and non-personnel expenses in the Probation Office. On occasion, the County may also secure a federal grant to support these services.

Each fiscal year, the City shall pay its proportionate share of one-third of the County funded personnel and non-personnel operating expenses in the adopted budget associated with the Probation Office. Each fiscal year, the City shall also pay its proportionate share of one-third of the DES facility maintenance, utility, and custodial expenses of the adopted budget associated with JDRDC.

Operating expenses shall be offset by revenue from the Commonwealth and the Federal Government that is included in the County's adopted budget.

Formula: City payment = (Proportionate Share) × 1/3(County FY Operating Expenses – State Revenue – Federal Revenue)

4. Community Programs

Detention Diversion Program

JDRDC operates the Detention Diversion Program (DDP), which is a home detention alternative to the secure detention of juveniles charged with certain crimes. DDP Counselors closely monitor the juvenile's behavior at home, at school and in the community to ensure compliance with the court's orders.

The program currently provides 14 slots for juveniles. Each fiscal year, the City shall pay the County for the City's actual usage of Child Care Days. Child Care Days and the Child Care Day Rate shall be calculated according to the defined methodology stated in Section II above.

Formula: City cost = (FY City Child Care Days Used) × (FY Child Care Day Rate for Detention Diversion Program)

- In order to establish the upcoming fiscal year budget, the parties agree to determine the average number of City Child Care Days for the two previously reconciled budget years. This average shall be multiplied by the Child Care Day Rate of the proposed FY budget to determine the estimated cost for the upcoming fiscal year.

Gang Task Force Coordinator

The City agrees to pay twenty percent (20%) of the total personnel (salary and benefits) expense for the gang task force coordinator position funded in the County's adopted budget. If future grant revenue is secured to support this position, then the amount of revenue received shall be used to offset the personnel expenses, prior to calculating the City's twenty percent share.

Formula: City payment = 20% × (County FY Personnel Expense for Gang Task Force Coordinator Position)

Argus House

Argus House is a community-based group home for at-risk boys between the ages of 13 and 18. The program emphasizes personal accountability, competency development, leadership, and positive functioning in the community. Argus House works closely with parents, siblings, schools, probation counselors, employers, and members of the community to help residents make lasting changes in their lives. The daily program includes: peer groups, study hall, anger management and social skills training, therapeutic recreation, regular community service projects, parent groups, and multifamily activities.

Each fiscal year, the City shall pay the County for the City's actual usage of Child Care Days. Child Care Days and the Child Care Day Rate shall be calculated according to the defined methodology stated

in Section II above. County funded personnel and non-personnel operating expenses are offset by revenues such as client fees, state grant funds, and federal grants funds that support Argus House.

Formula: City payment = (FY City Child Care Days Used) × (FY Child Care Day Rate for Argus House)

- In order to establish the upcoming fiscal year budget, the parties agree to determine the average number of City Child Care Days for the two previously reconciled budget years. This average shall be multiplied by the Child Care Day Rate of the proposed FY budget to determine the estimated cost for the upcoming fiscal year.

A similar formula will be utilized to calculate the City's cost for using the Arlington County Girls Outreach Center, if utilized.

Aurora House Services Provided by the City

Aurora House is a residential counseling center for girls' aged 13 to 17, and certified by the Virginia Department of Juvenile Justice. Aurora House offers long-term community-based treatment to a group of up to 12 girls. Participants receive individual, group, and family counseling, case management, and educational support during their stay.

Each fiscal year, the County shall pay the City for the County's actual usage of Child Care Days. Child Care Days and the Child Care Day Rate shall be calculated according to the defined methodology stated in Section II above. City funded personnel and non-personnel operating expenses are offset by revenues such as client fees, state grant funds, and federal grants funds that support Aurora House.

Formula: County payment = (FY County Child Care Days Used) × (FY Child Care Day Rate for Aurora House)

- In order to establish the upcoming fiscal year budget, the parties agree to determine the average number of County Child Care Days for the two previously reconciled budget years. This average shall be multiplied by the Child Care Day Rate of the proposed FY budget to determine the estimated cost for the upcoming fiscal year.

E. Office of the Commonwealth's Attorney

The Office of the Commonwealth's Attorney in Arlington County will perform those statutorily assigned duties and will prosecute all felony, misdemeanor, and traffic cases for the City and will hold preliminary hearings for such cases in the City of Falls Church.

Local County funds are the primary source of financial support for personnel and non-personnel operating expenses for the Office of the Commonwealth's Attorney. County funds are partially offset by revenues from the State Compensation Board and with state and federal grant funds.

Each fiscal year, the City shall pay its proportionate share of the County funded personnel and non-personnel operating expenses of the adopted budget for the Office of the Commonwealth’s Attorney. Each fiscal year, the City shall also pay its proportionate share of County DES facility maintenance, utility, and custodial expenses of the adopted budget associated with the Commonwealth’s Attorney. Operating expenses shall be offset by state revenue, federal grant revenue and services charges that are included in the adopted budget.

Formula: City payment = (Proportionate Share) × (County FY Operating Expense – State Revenue – Federal Grant Revenue – Service Charges)

Public Safety Services

F. Office of Emergency Management

Emergency 911 calls from the City are routed to the County’s Emergency Communications Center (“ECC”). The County’s ECC technicians dispatch calls from City residents and businesses for Fire services, including for fire, rescue and emergency medical technician services, to the County’s Fire Department. Calls from the City for Police services are also received by the County’s ECC, but when a technician determines that the caller requires the Police, rather than the Fire Department, the caller is transferred to the City’s Police Department for dispatch. The City also uses the County’s digital radio system and infrastructure for fire/police/sheriff emergency communications.

On a monthly basis, the County shall determine the total number of ECC calls processed and the number and percentage of ECC calls processed that are for the City. At the end of each fiscal year, the total fiscal year percentage of ECC processed calls for the City shall be calculated using the monthly data. This shall be the City’s percentage of ECC calls.

On a monthly basis, the County shall determine the total hours, minutes, and seconds of radio air time used on its digital radio communications systems and the hours, minutes, and seconds of radio air time used by the City on its assigned radio devices. At the end of each fiscal year, the total fiscal year percentage of radio air time for the City shall be calculated using the monthly data. This shall be the City’s percentage of radio air time.

This data shall be provided to the City and used to determine total ECC related costs for the City and project future City costs.

- Each fiscal year, the City shall pay a portion of Emergency Communications Center personnel costs in the County’s adopted budget. The City’s share shall consist of the total salary and benefits for all Emergency Communication Center personnel in the adopted budget multiplied by the City’s percentage of ECC calls during the fiscal year.

Formula: City payment = (FY City % ECC calls) × (County FY Personnel Expense for ECC)

- To project costs for the proposed FY budget, the percentage of ECC calls attributed to the City from the most recently reconciled fiscal year shall be used to develop the upcoming fiscal year's payment.
- Each fiscal year, the City shall also pay a portion of DES facility maintenance, utility, and custodial expenses in the County's adopted budget associated with the ECC. The City's share shall be calculated using its percentage of ECC calls during the fiscal year.

Formula: City payment = (FY City % ECC calls) × (County FY DES Expense for ECC)

- To project costs for the proposed FY budget, the percentage of ECC calls attributed to the City from the most recently reconciled fiscal year shall be used to develop the upcoming fiscal year's payment.
- Each fiscal year, the City shall pay a portion of the ECC phone system maintenance costs consisting of the County's contract expense(s) in the given fiscal year multiplied by the City's percentage of ECC calls.

Formula: City payment = (FY City % ECC calls) × (County FY ECC Phone System Maintenance Expenses)

- To project costs for the proposed FY budget, the percentage of ECC calls attributed to the City from the most recently reconciled fiscal year shall be used to develop the upcoming fiscal year's payment. And, phone system maintenance shall be estimated using a monthly average cost from a recent twelve month period and considering the contract terms.
- The City shall pay a portion of the County's contract(s) for maintenance, preventative maintenance, technical support and monitoring contract of its digital radio communications system and network. The City share of costs shall consist of the total contract costs for the fiscal year multiplied by the percentage of radio air time use attributed to the City in the fiscal year.

Formula: City payment = (FY % City Radio Air Time) × (County FY Radio Maintenance Expenses)

- To project costs for the proposed FY budget, the City's percent of air time from the most recently closed fiscal year shall be applied to the County's projected radio maintenance contract expense for the future fiscal year.

G. Community Corrections

The General District Court Judges, when sitting in the City, from time to time will utilize the Arlington County Community Corrections Unit (CCU) to provide sentencing reports, community supervision, referral assistance, and community monitoring of local offenders. The CCU, a part of the Arlington County Manager's Office, upon request of the court Judges, will prepare sentencing

reports, provide probation supervision and/or monitoring, assist offenders with referrals to address issues such as mental health, substance abuse and anger management, and otherwise keep the Court informed of an offender's status while he or she is in the Community. The CCU will provide written status reports, notify the Court when offenders commit new offenses or otherwise violate their terms and conditions of Probation, and appear in Court to explain offender status.

Each fiscal year, the City agrees to pay its proportionate share of County funded personnel and non-personnel expenses in the adopted budget for CCU, less revenue via the State's Comprehensive Community Corrections Act grant funds.

Formula: City payment = (Proportionate Share) × (County FY Operating Expense – State Revenue)

H. Alcohol Safety Action Program

The Sheriff's budget includes the Alcohol Safety Action Program (ASAP) which is mostly self-supporting. Each fiscal year, the City agrees to pay a percentage share of net County expense based upon on the number of City residents referred to the program as a portion of all program referrals.

Formula: City Payment = (City ASAP Referrals / Total ASAP referrals) ×
(County FY operating expense – ASAP Charges for Services Revenue)

To project costs for the proposed FY budget, ASAP staff shall provided a projected number of City referrals and total referrals based on prior year actual.

Administrative Overhead/Capital/ Technology Fee

Each fiscal year, the City shall pay the County an additional amount equal to one (1) percent of total service charges as a fee to help offset the County's administrative overhead, pay-as-you-go capital, and technology investments costs associated with the services provided under this agreement.

Formula: City Payment = (Total FY service charges under this agreement) × 0.01)

IV. TERM:

All remedies available to the County under this Agreement are cumulative, and no such remedy shall be exclusive of any other remedy available to the County at law or in equity.

The failure of either party to exercise in any respect a right provided for in this Agreement shall not be deemed to be a subsequent waiver of the same right or any other right.

The parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than those signing this agreement as parties hereto, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for

personal injury, property damage, or breach of contract pursuant to the terms of this agreement or otherwise.

Term: This agreement shall commence on July 1, 2012 and remain in effect until June 30, 2017. This agreement may be modified or amended as mutually agreed upon in writing by the parties. Obligations hereunder are subject to the annual appropriation of funds by the Arlington County Board or the Council of the City of Falls Church, as appropriate.

Termination: This agreement may be terminated in its entirety or in part by either party prior to its expiration date by providing one hundred twenty (120) days written notice to the other party. In the event of termination prior to expiration, amounts due to either jurisdiction shall be prorated if based upon a fiscal year lump sum or shall be calculated on actual use for services associated with child care days, referral or monthly expenses. Unpaid amounts for services provided shall be due immediately upon termination.

Notice of termination shall be provided:

to City of Falls Church:

City Manager
City of Falls Church
300 Park Avenue
Suite 303 East
Falls Church, VA 22046

to Arlington County:

County Manager
Arlington County
2100 Clarendon Blvd.
Suite 302
Arlington, VA 22201

Upon termination or expiration of this agreement, the parties shall calculate the final amounts due for services rendered and provide the other party with a final invoice. Each party shall pay its respective final invoice within 30 days of receipt.

For the City of Falls Church, VA:

For Arlington County, VA:

Wyatt Shields
City Manager

Date

Barbara M. Donnellan
County Manager

Date

Map View: [2010 Census Interactive Population Map](#)

2010 Census Interactive Population Search

VA - Falls Church city

Population	
Total Population	12,332

Housing Status (in housing units unless noted)	
Total	5,489
Occupied	5,101
Owner-occupied	2,967
Population in owner-occupied (number of individuals)	7,743
Renter-occupied	2,134
Population in renter-occupied (number of individuals)	4,547
Vacant	388
Vacant: for rent	109
Vacant: for sale	122
Vacant: for seasonal/recreational/occasional use	74

Population by Sex/Age	
Male	6,043
Female	6,289
Under 18	3,047
18 & over	9,285
20 - 24	539
25 - 34	1,669
35 - 49	2,871
50 - 64	2,701
65 & over	1,293

Population by Ethnicity	
Hispanic or Latino	1,109
Non Hispanic or Latino	11,223

Population by Race	
White	9,853
African American	532
Asian	1,162
American Indian and Alaska Native	33
Native Hawaiian and Pacific Islander	4
Other	259
Identified by two or more	489

VA - Arlington County

Population	
Total Population	207,627

Housing Status (in housing units unless noted)	
Total	105,404
Occupied	98,050
Owner-occupied	42,457
Population in owner-occupied (number of individuals)	96,272
Renter-occupied	55,593
Population in renter-occupied (number of individuals)	108,463
Vacant	7,354
Vacant: for rent	3,164
Vacant: for sale	609
Vacant: for seasonal/recreational/occasional use	2,094

Population by Sex/Age	
Male	103,501
Female	104,126
Under 18	32,626
18 & over	175,001
20 - 24	17,704
25 - 34	57,402
35 - 49	46,476
50 - 64	32,754
65 & over	18,054

Population by Ethnicity	
Hispanic or Latino	31,382
Non Hispanic or Latino	176,245

Population by Race	
White	148,970
African American	17,632
Asian	19,931
American Indian and Alaska Native	971
Native Hawaiian and Pacific Islander	171