### AGENDA

**Special Board of Directors Meeting**  
*Thursday, June 12, 2014, 6:00 pm*

**NOTE:** Times listed for Agenda Items are estimates only. Actual times may vary substantially dependent on circumstances. It is suggested that Members having an interest in a specific Agenda Item be in attendance from the start of the meeting.

## I. Procedural Items

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<th>Disposition</th>
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<tr>
<td>A. 6:00 pm Call to Order &amp; Opening Remarks</td>
<td>Discussion</td>
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<tr>
<td>Ken Knueven, President</td>
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*The purposes of this Special Meeting are to:*
1. Determine the conditions under which the Covenants Committee may grant temporary exception permits to Members bound by Section VI.2(b)(15) of the Reston Deed;
2. Establish a process to fill the open North Point District seat on the Board of Directors.

| B. 6:05 pm Adoption of Special Meeting Agenda | Action |
| Ken Knueven, President | |

## II. Discussion/Board Actions

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<td>C. 6:10 pm Issue Overview</td>
<td>Discussion</td>
</tr>
<tr>
<td>Ken Chadwick, Esq., Legal Counsel</td>
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<tr>
<td>Reston Deed Section VI.2(b)(15) Air-Conditioning Units</td>
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<tr>
<td>Members subject to Air-Conditioning Units Covenant</td>
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<tr>
<td>Nature of Requests for Temporary Exception Permits</td>
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| D. 6:55 pm Member Comments | Discussion |
| Ken Knueven, President | |

| E. 7:35 pm Amendments to Use & Maintenance Standards Resolution 15; Air-Conditioning Units/RELAC Cooling System | Discussion/Action |
| Eve Thompson, Board Director | |
| Determine the conditions under which the Covenants Committee may grant temporary exception permits to Members bound by Section VI.2(b)(15) of the Reston Deed. | |

| F. 9:35 pm Process to Fill Open North Point District Seat on the Board of Directors | Action |
| Cate Fulkerson, Chief Executive Officer | |

| G. 9:45 pm Adjourn | Action |
| Ken Knueven, President | |
Call to Order & Opening Remarks

The purposes of this Special Meeting are to:

1. Determine the conditions under which the Covenants Committee may grant temporary exception permits to Members bound by Section VI.2(b)(15) of the Reston Deed;

2. Establish a process to fill the open North Point District seat on the Board of Directors.
Item B

Adoption of Special Meeting Agenda
Item C

Issue Overview

Ken Chadqick, Esq., Legal Counsel

– Reston Deed Section VI.2(b)(15) Air-Conditioning Units
– Members subject to Air-Conditioning Units Covenant
– Nature of Requests for Temporary Exception Permits
Item D

Comments from RA Members

1. Member Comments during Reston Association Board Meetings are reserved for Reston Association residential property owners and renters.

2. When called on by the Board President, speakers are to state their full name and street address.

3. Individual Members, representing their own interest or opinion are allotted approximately three (3) minutes to speak.

4. Individuals speaking on behalf of a homeowners’ group, Reston Association committee, or Reston based organization are allotted approximately five (5) minutes.

NOTE: Comments are timed by the Secretary/Assistant Secretary. An alarm will sound when the speaker’s allotted time, as outlined above, has expired. This is done to ensure all speakers are given equal time at the lectern. The above guidelines are subject to change at the discretion of the President.
Item E

Amendments to Use & Maintenance Standards Resolution 15; Air-Conditioning Service Covenant Reasonable Accommodations

Eve Thompson, Lake Anne/Tall Oaks District Board Director

Supported RA Strategic Objective:

| Sustainability & Community Viability | To effectively manage all resources, resulting in a sustainable and viable community. | 1. Continuously preserve the integrity of our neighborhoods and their distinctive characteristics through covenants compliance. |
AGENDA ITEM SUMMARY
June 12, 2014

ITEM E: Amendments to Use & Maintenance Standards Resolution 15; Air-Conditioning Service Covenant
Reasonable Accommodations

PRESENTER: Eve Thompson, Lake Anne/Tall Oaks District Board Director

Board Motion: Move to approve the proposed revisions to Use & Maintenance Standards Resolution 15;
Air-Conditioning Service Covenant Reasonable Accommodations; thereby delineating the conditions under
which the Covenants Committee may grant temporary exemption permits to Members bound by Section
VI.2(b)(15) of the Reston Deed.

BACKGROUND
On January 13, 2014, Director Eve Thompson presented her proposed amendments to Use and Maintenance
Standards Resolution 15 to the Board Planning Committee (BPC). Overall, the BPC favored the proposed edits by
Director Thompson. Legal Counsel reviewed and refined those amendments for the penultimate iteration of
Resolution 15; Air-Conditioning Units/RELAC Cooling System.

On February 19, 2014, Legal Counsel and Director Thompson brought the proposed changes to the Covenants
Committee for discussion. Proposed changes from that discussion were incorporated in the attached document.
Please note the word “handicapped” has been changed to “disabled” as desired by all in light of guidance from
HUD that, although the Fair Housing Act uses the term “handicapped”, from HUD’s perspective, the term
“disabled” is a fully acceptable term when addressing questions of accommodation.

On March 10, 2014 Legal Counsel Ken Chadwick gave a brief overview of the changes made after the February 19,
2014 meeting with the Covenants Committee. However, in light of a miscommunication between Counsel and
Staff around an addendum to the Resolution (a form for exemption) and suggestions from community members
to postpone consideration, the Resolution was not forwarded to the Board of Directors for review, and a Special
Meeting was planned for June 12, 2014 to conclusively determine the form of Resolution 15.

PLEASE NOTE: The amended resolution is offered in both “Clean” and ‘Redline” draft formats.

BUDGET IMPACTS
As this resolution impacts those Reston Association Members that use the Central Air-Condition System, notice of
the Special Meeting, with information on viewing the proposed amendments to the resolution has been made
available to the affected Members through a direct mail postcard. The expense to the Association of printing
mailing the postcard to just over 340 affected units was approximately $160.

Supported RA Strategic Objective:

<table>
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<th>Sustainability &amp; Community Viability</th>
<th>To effectively manage all resources, resulting in a sustainable and viable community.</th>
</tr>
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<tbody>
<tr>
<td>2. Continuous preserve the integrity of our neighborhoods and their distinctive characteristics through covenants compliance.</td>
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WHEREAS, the Board of Directors is responsible for the administration and operation of the Reston Association ("Association") consistent with the amended provisions of the Reston Governing Documents; and

WHEREAS, Section III.5(e) of the First Amendment to the Deed of Amendment to the Deeds of Dedication of Reston ("Amended Reston Deed") provides the Reston Association ("RA") Board of Directors with all powers necessary and appropriate for carrying out the purposes of the Association which are enabled by law or the Reston Documents; and

WHEREAS, Section III.3(2)(a) of the Amended Reston Deed delineates that it is a purpose of the Association to interpret, administer, and enforce the protective covenants and restrictions of the Amended Reston Deed in such a manner as to conserve, protect, and enhance the value of all real property subject to the Amended Reston Deed; and

WHEREAS, Section III.7 of the Amended Reston Deed sets forth the composition and responsibilities of the Covenants Committee; and

WHEREAS, Section VI.2(b)(15) of the Amended Reston Deed states that: "In any residential Cluster in which central air-conditioning service is available to the Lot line, no individual air-conditioning units of any type shall be permitted" ("CAC Service Covenant"); and

WHEREAS, there have been times in the past and may be times in the future when individual residents may need to seek a temporary reasonable accommodation to the CAC Covenant from the Association under federal, state or county fair housing laws; and

WHEREAS, for the benefit and protection of RA and of individual Members who use and benefit from the use of the central air-conditioning ("CAC") systems, the RA Board of Directors deems it desirable to establish procedures to assure that requests for reasonable accommodations to the CAC Service Covenant shall be fairly administered and documented so that such requests may be granted when reasonably necessary to accommodate persons with disabilities or handicaps pursuant to federal, state and county fair housing laws who request permission to supplement their CAC systems.

NOW, THEREFORE, BE IT RESOLVED, that the following administrative procedures shall be implemented with respect to requests for approval from the Covenants Committee to supplement CAC systems to accommodate disabled persons as required by federal, state and county fair housing laws ("Fair Housing Laws"): 

1. Residents seeking a temporary reasonable accommodation to the CAC Service Covenant ("Resident") from the Association for their Lot and any dwelling unit thereon ("Lot") should submit their request for reasonable accommodation to the CAC Service Covenant to the Association through the Director of Covenants Administration.
2. Resident shall obtain an Application for Permission to Supplement Central Air Conditioning (attached as Exhibit 1 hereto). This form is to be available from the Association's offices and online on the Association's website. The application must be completed by Resident and an appropriate health care provider and submitted to the Director of Covenants Administration.

3. The Covenants Committee will review the submitted documentation to verify that proper support has been provided for the accommodation.

4. Any reasonable accommodation afforded by the Covenants Committee shall:
   
a. Be deemed to be personal to the Resident, temporary in nature and valid for as long as the accommodation is needed by the Resident. (The Association, prospectively, through its Covenants Committee, shall also have the authority to and may, from time to time, request updated documentation and confirmation from the requesting Resident relative to the continuing need for the reasonable accommodation by the Resident);

b. In no way invalidate nor waive the application of the CAC Service Covenant to the Property nor to the particular dwelling involved in the request for the reasonable accommodation; and,

c. In no way be applicable to subsequent residents or owners of the Lot.

5. Receiving a reasonable accommodation to the CAC Service Covenant from the Covenants Committee is not intended to nor does it supersede any existing contractual obligations between the Resident and any third-party vendor.

6. Nothing in this Resolution is intended to waive or alter the requirement that a Member or Resident has to obtain the prior approval from the Design Review Board ("DRB") for any addition, alteration or improvement to a Lot pursuant to Article VI, Section VI.1 (c ) (1) and (2) of the Amended Reston Deed.

ATTEST: This Resolution was adopted at a Regular Meeting of the Reston Association Board of Directors held on October 13, 2011; and amended on May 23, 2013; and amended on June ____________, 2014.

________________________________
Assistant Secretary

Reston Association
Use and Maintenance Standards Resolution 15; Air-Conditioning Units/ Cooling System
_______________________________, 2014
APPLICATION FOR PERMISSION TO SUPPLEMENT CENTRAL AIR CONDITIONING

I would like to request a fair housing accommodation in the form of a temporary exemption from the prohibition in Section VI.2(b)(15) of the Amended Reston Deed in order to allow me to install supplemental air conditioning in my home. This accommodation is necessary to enable the following disabled resident(s) to fully use and enjoy their home:

________________________________________________________________________
(Name of disabled resident)     (Name of disabled resident)

________________________________________________________________________
(Name of disabled resident)     (Name of disabled resident)

In order to be eligible for consideration for the requested exemption I understand that I must provide documentation to Reston Association establishing that a resident of my home is eligible for an accommodation under the applicable fair housing laws. To do so, I have completed and returned Attachment 1. This provides documentation from the disabled person’s health care provider explaining that the resident(s) listed above is disabled and explaining why supplemental air conditioning is necessary to accommodate their disability.

I affirm that I have read and understand the requirements set forth in Use and Maintenance Standards Resolution 15; Air-Conditioning Units/RELAC Cooling System. I agree to abide by the terms and conditions of that Resolution as a condition of receiving an exemption from Reston’s covenants so that I may supplement my air-conditioning system temporarily.

_________________________________________  ______________________________
(Signature)      (Print Name)

__________________
Date
ATTACHMENT 1

HEALTH CARE PROVIDER'S CONFIDENTIAL CERTIFICATION LETTER

To: Reston Association ("Association")
c/o Director of Covenants Administration
12001 Sunrise Valley Drive
Reston, Virginia 20191

I hereby declare, under penalty of perjury, that the following statements are true and correct to the best of my knowledge:

1. ________________________________ ("Patient") is my patient whose address is ____________________________________________________________.

2. My name, business address, and business telephone number are as follows:
   __________________________________________________________
   __________________________________________________________
   __________________________________________________________

3. I certify that I am a duly licensed physician or qualified health care provider in the Commonwealth of Virginia.

4. The Federal Fair Housing Act defines a disabled person as one who has "(1) a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) a record of having such an impairment, or (3) being regarded as having such impairment." I hereby certify that Patient is a disabled person pursuant to the above definition from the Fair Housing Act.

5. I am aware that Patient has requested a waiver of the above Association's recorded covenants, and is requesting an exemption from the enforcement of those to allow the installation of supplemental air-conditioning equipment in the Patient's home.

6. I hereby certify that patient's requested accommodation will alleviate or mitigate Patient's disability described above or otherwise assists patient in using and enjoying Patient's home.

7. I understand that this information is solely for the internal use of the above-named Association, that it will be kept confidential and will be provided only to authorized representatives of the above-named Association.

I declare under penalty of perjury under the laws of the Commonwealth of Virginia that the foregoing statements are true and correct.

_________________________________   _______________________
Signature      Date
WHEREAS, the Board of Directors is responsible for the administration and operation of the Reston Association ("Association") consistent with the amended provisions of the Reston Governing Documents; and

WHEREAS, Section III.5(e) of the First Amendment to the Deed of Amendment to the Deeds of Dedication of Reston ("Amended Reston Deed") provides the Reston Association ("RA") Board of Directors with all powers necessary and appropriate for carrying out the purposes of the Association which are enabled by law or the Reston Documents; and

WHEREAS, Section III.3(2)(a) of the Amended Reston Deed delineates that it is a purpose of the Association to interpret, administer, and enforce the protective covenants and restrictions of the Amended Reston Deed in such a manner as to conserve, protect, and enhance the value of all real property subject to the Amended Reston Deed; and

WHEREAS, Section III.7 of the Amended Reston Deed sets forth the composition and responsibilities of the Covenants Committee; and

WHEREAS, Section VI.2(b)(15) of the Amended Reston Deed states that: "In any residential Cluster in which central air-conditioning service is available to the Lot line, no individual air-conditioning units of any type shall be permitted" ("RELAC Covenant/CAC Service Covenant"); these central air-conditioning systems are commonly referred to as "RELAC HVAC systems"; and

WHEREAS, there have been times in the past and may be times in the future when individual residents may need to seek a temporary reasonable accommodation to the CAC Covenant from the Association under federal, state or county fair housing laws; and

WHEREAS, for the benefit and protection of RA and of individual Members who use and benefit from the use of the central air-conditioning ("CAC") systems of RELAC HVAC systems, the RA Board of Directors deems it desirable to establish procedures to assure that requests for reasonable accommodations to the CAC Service Covenant to supplement RELAC HVAC systems shall be fairly administered and documented so that such requests may be granted when reasonably necessary to accommodate persons with disabilities or handicaps pursuant to federal, state and county fair housing laws who request permission to supplement their CAC systems they may be granted only when reasonably necessary to accommodate homeowners who request permission to supplement their RELAC HVAC systems with individual heating and cooling units or systems.

NOW, THEREFORE, BE IT RESOLVED, that the following administrative procedures shall be implemented with respect to requests for approval from the Covenants Committee to supplement CAC systems to accommodate disabled persons as required by federal, state and county fair housing laws ("Fair Housing Laws"): 

1. Residents seeking a temporary reasonable accommodation to the CAC Service Covenant ("Resident") from the Association for their Lot and any dwelling unit thereon ("Lot") should submit their request for
reasonable accommodation to the CAC Service Covenant to the Association through the Director of Covenants Administration.

2. Resident shall obtain an Application for Permission to Supplement Central Air Conditioning (attached as Exhibit 1 hereto). This form is to be available from the Association’s offices and online on the Association’s website. The application must be completed by Resident and an appropriate health care provider and submitted to the Director of Covenants Administration.

3. The Covenants Committee will review the submitted documentation to verify that proper support has been provided for the accommodation.

4. Any reasonable accommodation afforded by the Covenants Committee shall:
   
   a. Be deemed to be personal to the Resident, temporary in nature and valid for as long as the accommodation is needed by the Resident. (The Association, prospectively, through its Covenants Committee, shall also have the authority to and may, from time to time, request updated documentation and confirmation from the requesting Resident relative to the continuing need for the reasonable accommodation by the Resident);

   b. In no way invalidate nor waive the application of the CAC Service Covenant to the Property nor to the particular dwelling involved in the request for the reasonable accommodation; and,

   c. In no way be applicable to subsequent residents or owners of the Lot.

5. Receiving a reasonable accommodation to the CAC Service Covenant from the Covenants Committee is not intended to nor does it supersede any existing contractual obligations between the Resident and any third-party vendor.

6. Nothing in this Resolution is intended to waive or alter the requirement that a Member or Resident has to obtain the prior approval from the Design Review Board ("DRB") for any addition, alteration or improvement to a Lot pursuant to Article VI, Section VI.1(c)(1) and (2) of the Amended Reston Deed.

NOW, THEREFORE, BE IT RESOLVED, that the following administrative procedures shall be implemented with respect to requests for approval from the Covenants Committee to supplement RELAC HVAC systems:

1. Residents who request permission for a temporary exemption from the prohibitions of the RELAC Covenant shall provide documentation from their medical provider explaining that the resident is handicapped and why the supplemental HVAC system is necessary to accommodate their disability in order for the handicapped person to be able to reside in the home.

2. Requesting residents also must provide written documentation from a qualified RELAC certified and licensed heating and cooling professional or contractor certifying that the central air-conditioning system in the home is in good repair and is operating properly so that it can be established that the need for a supplemental HVAC system is due to inadequacy of the water serving the home rather than a mechanical deficiency with the equipment serving the home; which can and should be maintained in good working order. In addition, requesting residents must establish that they have worked with RELAC to maintain or, if necessary, upgrade their RELAC equipment and that they still need to supplement HVAC equipment prior to applying for permission to install supplemental HVAC equipment.
3. Provision of the foregoing information is a prerequisite to presentation of a request for permission to be permitted to install a supplemental HVAC system to the Covenants Committee for consideration and where appropriate, approval. The Covenants Committee reserves the right to request additional documentation from requesting residents as reasonably necessary to establish that the requesting person is qualified for a temporary exemption from the RELAC Covenant.

4. The Covenants Committee is not authorized to grant permission to the requesting party unless the requesting party agrees to abide by the terms of this Resolution and the conditions for approval given by the Covenants Committee pursuant to the terms of this Resolution.

5. The Covenants Committee shall advise the requesting party, and the requesting party shall agree, as a condition of approval that the Reston Association will file a Notice of Violation ("NOV") on their Lot pursuant to Amended Deed Section IX.1(b) and Design Review & Covenants Administration Resolution 5. The NOV shall be released when the supplemental HVAC equipment is removed.

ATTEST: This Resolution was adopted at a Regular Meeting of the Reston Association Board of Directors held on October 13, 2011; and amended on May 23, 2013; and amended on June ____, 2014.

__________________________________
Assistant Secretary
Item F

Process to Fill Open Hunters North Point District Seat on the Board of Directors
ITEM F: Process to Fill Open North Point District Seat on the Board of Directors

PRESENTER: Cate L. Fulkerson, Chief Executive Officer

**Board Motion 1:** Move to fill the open North Point Director Seat vacated by Tim Cohn, on effective on Friday, May 30, 2014, whose term was to expire in April 2016.

**Board Motion 2:** Moved to adopt the following resolution which establishes the procedures for the Board of Directors to appoint Member to fill the open North Point District Director Seat:

WHEREAS, Tim Cohn, resigned his position as the North Point District Director effective Friday, May 30, 2014; and

WHEREAS, Director Cohn’s term on the Board was set to expire in April, 2016; and

WHEREAS, Section III.5(d)(3) of the Reston Deed specifies that a vacancy on the Board of Directors may be filled by appointment by the remaining Directors, even if less than a quorum, until the next annual election at which time the Category A and C Members shall elect a Director to fill the unexpired term; and

WHEREAS, there is significant work to be accomplished by the Board and these tasks can best be accomplished with a full complement of the Board, nine members.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors fill Mr. Cohn’s unexpired term as North Point District Director at the Board of Director’s regularly-scheduled meeting of July 31, 2014.

MAY IT FURTHER BE RESOLVED that the Board directs as follows:

− Staff to immediately post the open position on the Association’s web site and social media sites, including RA News, and invite all interested candidates to submit a Statement of Candidacy to the Secretary or Assistant Secretary of the Association, no later than Monday, July 21, 2014, 5:00 pm;

− Reston Association staff shall certify, no later than Tuesday, July 22, 2014 that interested candidates meet all of the qualifications to serve on the Board; and

− All qualified candidates to appear before the full Board at its regularly-scheduled meeting of July 31, 2014 for a discussion of the candidates’ interest and qualifications.

**BOARD AUTHORITY**

Section III.5(d)(3) of the Association’s Bylaws delineates that a vacancy of a Director seat may be filled by appointment by the remaining Directors, even if less than a quorum, until the next annual election at which time the Category A and C Members shall elect a Director to fill the unexpired term.
The Board of Directors desires to appoint a Member of the Reston Association to fill the vacant North Point District Director seat. The term of such appointment will expire in April 2014. All individuals interested in making application for appoint must completed the following Statement of Candidacy. Please print or type all information.

Name
Address
Phone Contact
E-mail Address

The answers to the following questions will be considered by the Board of Directors to better understand each Candidate’s knowledge of the Reston Association and qualifications for serving on the Association’s Board of Directors.

A. Qualifications: (Maximum 150 words)

B. Goals: What would be your goals as a Reston Association Director? (Maximum 150 words)

_____________________________________________   __________________________________
Signature        Date
Item G

Adjourn