



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
March 30, 2009**

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DET:det

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, March 30, 2009, at 9:34 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Karen J. Harwood, Deputy County Attorney; Catherine A. Chianese, Assistant County Executive; Regina Stewart, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise A. Long, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS1. **MOMENT OF SILENCE** (9:35 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of the late Ms. Jane Vitray, a resident of the Hunter Mill District for many years, who served as secretary of the Electoral Board and was very active in the political process in the County, particularly as an advocate for women.

Chairman Bulova asked everyone to keep in thoughts the family of one of the founding members of the Friends of the Virginia Railway Express, the late Mr. George Billmyer, an early advocate of commuter trains on freight railroads.

1a. **WELCOME TO NEW BRADDOCK DISTRICT SUPERVISOR JOHN C. COOK** (9:36 a.m.)

Chairman Bulova welcomed John Cook, the new Braddock District Supervisor, to the Board.

2. **INTRODUCTION OF MOUNT VERNON DISTRICT STAFF** (9:37 a.m.)

Supervisor Hyland introduced the following new staff members from his office:

- Ms. Marcia Hanson, who is returning to his staff.
- Ms. Christine Morine, a graduate of Virginia Tech.

3. **NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) SCHEDULE** (9:39 a.m.)

Supervisor Frey expressed his appreciation to Chairman Bulova for not scheduling the first budget hearing on baseball's opening day or the NCAA championship night.

AGENDA ITEMS4. **PROCLAMATION DESIGNATING APRIL 13-19, 2009, AS "PUBLIC SAFETY TELECOMMUNICATIONS WEEK" IN FAIRFAX COUNTY** (9:39 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 13-19, 2009, as "*Public Safety Telecommunications Week*" in Fairfax County and urged all residents to show appreciation to members of this profession who assist 24/7, 365 days a year to protect citizens' health and safety. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Smyth being out of the room.

5. **PROCLAMATION DESIGNATING APRIL 2009 AS "SEXUAL ASSAULT AWARENESS MONTH" IN FAIRFAX COUNTY** (9:47 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 2009 as "*Sexual Assault Awareness Month*" in Fairfax County and urged all residents to become involved in supporting prevention, intervention, and education efforts and work together to eliminate sexual violence. Supervisor Foust, Supervisor Herrity, and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

6. **PROCLAMATION DESIGNATING APRIL 6–12, 2009, AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY** (9:56 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate April 6–12, 2009, as "*Public Health Week*" in Fairfax County and recognize that a strong, sustained commitment to public health is essential to maintain a healthy community and should, therefore, support the efforts to improve overall quality of life. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

7. **PROCLAMATION DESIGNATING APRIL 2009 AS "CHILDHOOD IMMUNIZATION MONTH" IN FAIRFAX COUNTY AND RECOGNITION OF THE HEALTH DEPARTMENT'S PARTNERS** (10:03 a.m.)

Supervisor Smyth moved approval of:

- The Proclamation to designate April 2009 as "*Childhood Immunization Month*" in Fairfax County
- Certificates of Recognition to the Health Department's partners in the Childhood Immunization Program:
 - Doctor Cyrelda Fermin of the Infant, Childhood and Adolescent Clinic, Incorporated
 - Minnieland Private Day School

Supervisor Gross seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING APRIL 2009 AS "FAIR HOUSING MONTH" IN FAIRFAX COUNTY** (10:11 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate April 2009 as "*Fair Housing Month*" in Fairfax County and urged all residents to join in promoting equal housing

opportunities in the County and throughout the United States. Supervisor Foust, Supervisor McKay, and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

Victor Dunbar, Chair of the Human Rights Commission, invited the Board to attend a luncheon on April 30.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

9. **10 A.M. – PRESENTATION OF THE ADVISORY SOCIAL SERVICES BOARD (ASSB) REPORT** (10:19 a.m.)

(BACs) Marcus Simon, Chair, ASSB, presented its annual report summarizing significant program issues, successes, and challenges from calendar year 2008.

Supervisor Hudgins noted that the African American community was disproportionately represented in many of the systems with a much higher participation rate than the County's population rate. She asked unanimous consent that the Board direct the ASSB to present the reasons for the disproportionality to the Human Services Committee. Without objection, it was so ordered.

Supervisor Hudgins stated that on page 31 of the report, reference was made to the Prerelease Employment Center and she asked unanimous consent that the ASSB provide information on the status of the funding grant. Without objection, it was so ordered.

Supervisor Hudgins also noted that the Washington Metropolitan Area Transit Authority has a job center for youth and expressed surprise that there have been no County youth participating. She asked unanimous consent that the Board direct the ASSB to pursue such participation. Without objection, it was so ordered.

Supervisor Gross expressed concern about a proposal for the Meals on Wheels program to deliver several days of frozen meals at one delivery. She stated that while it would provide the nutrition, it would not provide the personal contact that currently accompanies the deliveries, and she asked unanimous consent that the Board direct the ASSB to closely monitor this. Without objection, it was so ordered.

Supervisor McKay inquired as to the status and success of the Elder Link Program, with input from Barbara Antley, Division Director, Adult and Aging Services, Department of Family Services, concerning the Project Independence Program, a partnership between INOVA, the Community and Recreation Services, and the faith communities, that provides outreach for isolated older adults to help them safely stay in their own homes.

Supervisor Smyth stated that she had a personal family experience with the Meals on Wheels program and suggested that the ASSB pursue additional avenues for keeping in daily contact with participants in the event that daily delivery is curtailed.

Supervisor Herrity referenced Supervisor McKay's comments concerning the impact of the budget on the elderly community and reminded the Board that the 50+ Committee is meeting on Monday, April 6, and would focus on the impact of the budget on the aging population. Discussion ensued concerning the time of the meeting, with input from Merni Fitzgerald, Director, Office of Public Affairs.

EBE:ebe

10. **10:10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:35 a.m.)

(APPTS)
(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

The Board deferred the appointments of the Dranesville District and Sully District Representatives.

ADVISORY PLANS EXAMINER BOARD

CONFIRMATIONS:

Supervisor Hyland moved confirmation of the following appointments:

- Mr. Jack E. Rinker as the Professional Engineer/Surveyor #1 Representative
- Mr. James H. Scanlon as the Professional Engineer/Surveyor #3 Representative

Supervisor Gross seconded the motion, which carried by unanimous vote.

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY BOARD

Supervisor Herrity moved the appointment of Mr. Gifford Ray Hampshire as the Freeholder #2 Representative. Chairman Bulova and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Farmer #3 Representative

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointments of the Braddock and Hunter Mill District Representatives, and the Mount Vernon District Business Representative.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide an update regarding the Airports Advisory Committee. Without objection, it was so ordered.

ATHLETIC COUNCIL

Supervisor Foust moved the reappointment of Mr. Michael Champness as the Dranesville District Principal Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. James Richard Elder as the Hunter Mill District Alternate Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Harold Leff as the Hunter Mill District Principal Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. B. Jefferson Boggs, Jr. as the Mount Vernon District Alternate Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Jonathan Willmott as the Mount Vernon District Principal Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointments of:

- Mr. Ralph Wills as the Sully District Alternate Representative
- Mr. David L. Lacey as the Sully District Principal Representative.

Supervisor Gross seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Dranesville District Alternate Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointments of the Lee, Mason, Mount Vernon, and Springfield District Representatives.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

Chairman Bulova moved the reappointment of Mr. Marvin Cantor as the Design Professional #3 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Chairman Bulova moved the appointment of Mr. Thomas Schroeder as the Alternate #1 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Alternate #2 and #4 Representatives.

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

The Board deferred the appointment of the At-Large #3 Representative.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Hunter Mill District Representative.

CHILD CARE ADVISORY COUNCIL

Supervisor Frey moved the reappointment of Ms. Patricia Cornwell as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Providence District Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Chairman Bulova moved the reappointment of Mr. Mark Yeager as the At-Large Chairman's Representative. Supervisor Gross and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mount Vernon District, Providence District, and Religious Community Representatives.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointment of the Braddock District Representative.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Providence District Representative.

ECONOMIC ADVISORY COMMISSION

Chairman Bulova moved the appointment of Mr. Mohammad Siddique Sheikh as the At-Large Chairman's Representative #3. Supervisor Herrity seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved confirmation of the following appointment:

- Mr. Todd D. Sheller as the Metropolitan Washington Airports Authority Representative

Supervisor Gross seconded the motion, which carried by unanimous vote.

ENGINEERING STANDARDS REVIEW COMMITTEE

Chairman Bulova moved the reappointment of Mr. Robert L. Norwood as the Citizen #1 Representative. Supervisor Gross and Supervisor McKay jointly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Paul Noursi as the Citizen #3 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Citizen #2 Representative.

CONFIRMATIONS:

Supervisor Gross moved confirmation of the following appointments:

- Mr. Bruce E. Titus as the Fairfax Bar Association Representative
- Mr. Kevin Nelson as the Virginia Department of Transportation Representative

- Mr. Theodore D. Britt as the Northern Virginia Regional Council of Professional Engineers Representative
- Mr. Bijan Sistani as a Department of Public Works and Environmental Services Representative
- Mr. Steve Aitcheson as a Department of Public Works and Environmental Services Representative
- Mr. Jack Reale, Jr. as the Department of Planning and Zoning Representative
- Mr. James R. Davis as the Federation of Citizens Associations Representative

Supervisor Hyland seconded the motion, which carried by unanimous vote.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Gross moved the appointment of Mr. Glen R. White as the Mason District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Hunter Mill Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large #2 Business Community Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Provider #1 and Provider #2 Representatives.

INDUSTRIAL DEVELOPMENT AUTHORITY

The Board deferred the appointment of the At-Large #3 Representative.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

The Board deferred the appointment of the Braddock and Springfield District Representatives.

LIBRARY BOARD

Chairman Bulova moved the appointment of Mr. Charles A. Fegan as the At-Large Chairman's Representative. Supervisor Gross and Supervisor McKay jointly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Braddock District Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the Providence District Representative.

ROAD VIEWERS BOARD

The Board deferred the appointments of the At-Large #1 and #3 Representatives.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointments of the Fairfax County #2, #4, #7, and #8 Representatives.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Tenant Member #1 Representative.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the At-Large Chairman's and the Braddock District Representatives.

WETLANDS BOARD

The Board deferred the appointment of the At-Large #1 Representative.

AD HOC COMMITTEES

FAIRFAX COUNTY HISTORY MUSEUM SUBCOMMITTEES

The Board deferred the appointments of the Lee District #1 and #2 and Providence District #1 Representatives.

DMS:dms

11. **ADMINISTRATIVE ITEMS** (10:47 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Cook,

Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE DE-CREATION/RE-CREATION OF A SMALL SANITARY DISTRICT FOR LEAF COLLECTION SERVICE (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 4, 2009, at 4 p.m.** to consider the following change to a small sanitary district for leaf collection service in accordance with the Board’s adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 2 Within Providence District (Pine Ridge)	De-Create/ Re-Create	Remove from Leaf	Approve

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, LEE, MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Cox Com Incorporated – Leesburg Pike	Dranesville	Leesburg Pike (Route 7) (Additional ROW Only)
The Frase Limited Partnership	Dranesville	Great Falls Street (Route 694) (Additional ROW Only)
DSV Dulles Fox Mill Limited Partnership	Hunter Mill	Sunrise Valley Drive (Route 5320) (Additional ROW Only)
H. B. Lantzsch Incorporated Property	Hunter Mill	Leesburg Pike (Route 7) (Additional ROW Only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Ruth C. Lauanders Marital Trust	Hunter Mill	Centreville Road (Route 657) (Additional ROW Only)
		Sunrise Valley Drive (Route 5320) (Additional ROW Only)
Caton Woods	Lee	Bethnal Place (Route 6796)
		Caton Woods Court
		Franconia Springfield Parkway (Route 7900) (Additional ROW Only)
Cox Com Incorporated – Telegraph Road	Lee	Telegraph Road (Route 611) (Additional ROW Only)
Summit Oaks	Mount Vernon	Birch Crest Way
		Tangerine Place
		Treasure Oak Court
Corbin Property	Providence	Westchester Drive (Route 1083)
		Gallows Road (Route 650) (Additional ROW Only)
		Idylwood Road (Route 695) (Additional ROW Only)
Faircrest Outlot A and Parcels A-1 and A-2	Sully	Leland Road (Route 7773 North Side) (Additional ROW Only)
		Leland Road (Route 7773 South Side) (Additional ROW Only)

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITIES 2232 REVIEW APPLICATIONS (DRANESVILLE, LEE, MASON, PROVIDENCE, AND SPRINGFIELD DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-D09-2	Cricket Communications Antenna colocation on existing bell tower 1089 Liberty Meeting Court Dranesville District	June 13, 2009
FS-L09-3	Verizon Wireless Antenna colocation on existing transmission tower 3820 Javins Drive Lee District	June 15, 2009
FS-P09-4	Verizon Wireless Antenna colocation on existing water tank 3300 Gallows Road Providence District	June 15, 2009
FS-M09-1	Cricket Communications Rooftop antennas 5515 Cherokee Avenue Mason District	June 20, 2009
2232-M09-3	Fairfax County Park Authority Resource-based park (John C. and Margaret K. White Gardens) 3301 Hawthorne Lane Mason District	October 5, 2009
2232-S09-4	Department of Public Works and Environmental Services Renovation and expansion of West Ox Animal Shelter 4500 West Ox Road Springfield District	October 5, 2009

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-D09-5	Department of Public Works and Environmental Services Renovation and expansion of Dolley Madison Library 1244 Oak Ridge Avenue Dranesville District	October 5, 2009
FS-D09-10	Fairfax County Park Authority Add land and revise park master plan (Colvin Run Mill Park) 10017 Colvin Run Road Dranesville District	October 5, 2009

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-D-002, FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (DRANESVILLE DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Amendment Application SEA 94-D-002 to August 9, 2011, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE SAINT JOHN COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 27, 2009, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Saint John CPD, in accordance with current CPD restrictions.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE ROBIN GLEN COMMUNITY PARKING DISTRICT (CPD) (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 27, 2009, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Robin Glen CPD, in accordance with current CPD restrictions.

ADMIN 7 – INSTALLATION OF “NO PARKING” SIGNS ON RUFFIN DRIVE AND RHETT LANE (SPRINGFIELD DISTRICT)

- (R)
- Adopted the Resolution authorizing the installation of the following “No Parking” signs:
 - Ruffin Drive from Ruffin Court to Weatherington Lane on the north side.
 - Ruffin Court to Rhett Lane on the south side.
 - Rhett Lane west from Ruffin Drive south to include 4518 Rhett Lane.
 - Directed staff to install these signs at the earliest possible date.

ADMIN 8 – APPROVAL OF A “WATCH FOR CHILDREN” SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (HUNTER MILL DISTRICT)

- (R)
- Adopted the Resolution authorizing installation of a “Watch for Children” sign on Fox Rest Lane (Hunter Mill District).
 - Directed staff to request the Virginia Department of Transportation install the approved measure as soon as possible.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON COURTHOUSE ROAD AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (PROVIDENCE DISTRICT)

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **April 27, 2009, at 4 p.m.** to consider endorsing Courthouse Road, between Chain Bridge Road and Sutton Road, to be included in R-TAP for a through truck traffic restriction.

ADMIN 10 – AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP), FOR THE GANG PREVENTION COORDINATION ASSISTANCE PROGRAM

Authorized CRS to apply for and accept funding, if received, from the US Department of Justice, OJJDP, in the amount of \$200,000 for the Gang Prevention Coordination Assistance Program, to hire a limited term gang prevention coordinator, and to provide training, education, and gang prevention

programming for the Culmore neighborhood of the County. No local cash match is required.

12. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE POLICE DEPARTMENT AND THE FEDERAL BUREAU OF INVESTIGATION (FBI) ESTABLISHING THE CHILD EXPLOITATION AND HUMAN TRAFFICKING TASK FORCE** (10:47 a.m.)

On motion of Supervisor Hyland, jointly seconded by Supervisor Gross and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign a MOU between the Police Department and the FBI, establishing the Child Exploitation and Human Trafficking Task Force.

13. **A-2 – APPROVAL OF CHANGES TO THE FAIRFAX COUNTY GUIDELINES REGARDING REQUESTS MADE PURSUANT TO THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT OF 2002 (PPEA)** (10:48 a.m.)

On motion of Supervisor Gross, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the changes to the Fairfax County Guidelines regarding requests made pursuant to the PPEA, as outlined in the Board Agenda Item, to become effective on July 1, 2009. The proposed changes incorporate modifications resulting from legislation enacted during the 2006 – 2009 sessions of the Virginia General Assembly and other administrative changes recommended by staff in accordance with the State Model PPEA Guidelines.

14. **A-3 – APPROVAL OF PARKING REDUCTION FOR 6118 ARLINGTON BOULEVARD IN THE BAILEYS CROSSROADS/SEVEN CORNERS COMMERCIAL REVITALIZATION DISTRICT (MASON DISTRICT)** (10:49 a.m.)

On motion of Supervisor Gross, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 8.8 percent for parcel 51-4 ((1)) 2B pursuant to Paragraph 3A of Section A7-209, of the Zoning Ordinance, on the conditions outlined in the Board Agenda Item.

15. **A-4 – APPROVAL OF PROJECT AGREEMENTS FOR THE COLUMBIA PIKE STREETCAR PROJECT (MASON DISTRICT)** (10:49 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve, in substantial form, and authorize the County Executive to execute the following:

- A project coordination agreement with Arlington County to have Fairfax County and Arlington County serve jointly as the project sponsors of the Columbia Pike Streetcar Project for the purposes of the environmental documentation and preliminary engineering.
- An agreement to have the Washington Metropolitan Area Transit Authority serve as technical project manager on a reimbursable basis, including the provision of up to \$912,000 in County commercial and industrial property tax revenues for transportation for the environmental documentation and preliminary engineering of the project.

Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation (DOT), and Tom Biesiadny, Chief, Coordination and Funding Division, DOT, regarding the:

- Regional projects.
- Inclusion of this project in the Economic Stimulus Package.
- Time criteria for this project.
- Economic development opportunities.
- Special Tax Districts.
- Potential funding sources.

Supervisor Frey asked unanimous consent that the Board direct staff to determine the potential funding sources and operating costs for this project. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

16. **A-5 – ADOPTION OF A RESOLUTION APPROVING ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) OF ITS HEALTH CARE REVENUE BONDS (INOVA HEALTH SYSTEM PROJECT)** (10:56 a.m.)

(R)

(BONDS)

Supervisor Gross moved that the Board concur in the recommendation of staff and adopt the Resolution approving the issuance by the IDA of its Health Care Revenue Bonds Series 2009 in an aggregate principal amount not to exceed \$550 million. Supervisor Herry seconded the motion.

Supervisor Smyth noted that a public hearing is scheduled to be heard by the Board on a rezoning application pertaining to INOVA. Supervisor Smyth stated that the adoption of this Resolution does not prejudice the Board's decision on the pending rezoning case.

Supervisor Frey, Supervisor Gross, and Supervisor Hyland disclosed that they are members on the INOVA Services Board of Trustees.

The question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

17. **A-6 – APPROVAL OF EXPENDITURE OF PHASE I DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT FUNDS FOR THE DULLES RAIL PROJECT** (10:58 a.m.)

On motion of Supervisor Hudgins, jointly seconded by Supervisor Herrity and Supervisor Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the release of Phase I District funds to support the County share of the Dulles Rail construction project now underway.

18. **A-7 – AUTHORIZATION TO ISSUE A SOLICITATION FOR FINANCING OF EQUIPMENT UNDER A MASTER LEASE-PURCHASE AGREEMENT** (11 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize:

- Issuance of a solicitation to establish a contract to provide lease-purchase financing for future acquisition of eligible equipment under the form of a Master Lease Agreement
- Execution of a Master Lease Agreement with the successful bidder(s). The draft solicitation provides an alternative pricing model as the basis for setting lease rates under the Master Lease Agreement.
- The County Executive to retain the option to return to use of the US Treasury Note standard as previously used under the Master Equipment Lease-Purchase Program to determine lease rates, if the County Executive determines that the US Treasury Note standard would best meet County requirements.

Supervisor Gross seconded the motion.

Discussion ensued, with input from Cathy Muse, Director, Department of Purchasing and Supply Management, and Len Wales, County Debt Manager, Department of Management and Budget, regarding the:

- Criteria for leasing versus purchasing equipment.
- Interest rate.

The question was called on the motion and it carried by unanimous vote.

19. **A-8 – APPROVAL OF A WOLF TRAP FOUNDATION FOR THE PERFORMING ARTS LICENSE AGREEMENT (DRANESVILLE DISTRICT)** (11:03 a.m.)

On motion of Supervisor Foust, jointly seconded by Supervisor Gross and Supervisor Hudgins, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved the license agreement with Wolf Trap Foundation for the Performing Arts.
- Authorized the Director of the Department of Transportation to execute the finalized agreement on behalf of the County.

20. **A-9 – COMMENTS ON DESIGN PLANS FOR THE I-95/395 HIGH OCCUPANCY TOLL (HOT) LANES PROJECT (MASON, LEE, AND MOUNT VERNON DISTRICTS)** (11:03 a.m.)

Supervisor McKay moved that the Board concur in the recommendation of staff and offer conditional concurrence with the design plans for constructing HOT Lanes on I-95/395, generally as presented at the February 9, 10, and 11, 2009, public hearings, subject to the following modifications, comments, and requests for additional coordination to ensure that the project remains fully in conformance with the Board's Environmental Agenda and the County's Comprehensive Plan. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Supervisor McKay called the Board's attention to page 60 of the Board Agenda Item, and discussion ensued regarding the issue of transit for this project.

Supervisor Gross called the Board's attention to page 59 of the Board Agenda Item, and discussion ensued regarding the availability of transit from the High Occupancy Toll (HOT) Lanes to the Base Realignment and Closure (BRAC) locations, especially the Mark Winkler location.

Supervisor Smyth called the Board's attention to page 60 of the Board Agenda Item, and discussion ensued regarding the shoulder widths and sound walls along the corridor.

The question was called on the motion and it carried by unanimous vote.

21. **A-10 – APPROVAL OF 2009 ZONING ORDINANCE AMENDMENT WORK PROGRAM** (11:09 a.m.)

Supervisor Frey moved that the Board concur in the recommendation of staff and approve the 2009 Zoning Ordinance Amendment Work Program as recommended by the Development Process Committee, and as set forth in Attachments 2–4 of the Board Agenda Item dated March 30, 2009. Supervisor Gross seconded the motion.

Discussion ensued, with input from Eileen M. McLane, Zoning Administrator, Department of Planning and Zoning, regarding the yards on corner lots, the Priority 1 Work Program, and the timeline for the study.

The question was called on the motion and it carried by unanimous vote.

22. **A-11 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FEDERAL BUREAU OF INVESTIGATION (FBI) AND THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) DELINEATING THE RESPONSIBILITIES OF THE CENTRAL AMERICAN LAW ENFORCEMENT EXCHANGE (CALEE)** (11:11 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Herrity, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the FCPD to enter into a MOU between the FCPD and the FBI for the purpose of delineating the responsibilities of the CALEE participants, maximizing interagency cooperation, and formalizing relationships between the participating agencies for policy guidance, planning, training, and public and media relations.

23. **I-1 – CONTRACT AWARD – GREGORY DRIVE TREATMENT FACILITY/NEW HORIZONS (LEE DISTRICT)** (11:11 a.m.)

The Board next considered an item contained in the Board Agenda dated March 30, 2009, requesting authorization for staff to award a contract to the Falls Church Construction Corporation in the amount of \$2,547,225 for the construction of the Gregory Drive Treatment Facility/New Horizons, Project 04A002, Fund 311, County Bond Construction.

The staff was directed administratively to proceed as proposed.

24. **I-2 – CONTRACT AWARD – DESIGN OF TRANSPORTATION IMPROVEMENT PROJECTS, TASK ORDER CONTRACTS** (11:12 a.m.)

The Board next considered an item contained in the Board Agenda dated March 30, 2009, requesting authorization for staff to award a contract to PB Americas, Incorporated, Rinker Design Associates, PC, and Volkert and Associates, Incorporated, in the amount of \$2.5 million each to provide transportation improvement design services for various County projects which are not being designed by staff and/or when these services are not part of a design contract with an outside firm. The contracts will be renewable for two additional years.

The staff was directed administratively to proceed as proposed.

25. **I-3 – AMENDMENT TO A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE NORTHERN VIRGINIA REGIONAL GANG (NVRG) TASK FORCE** (11:12 a.m.)

The Board next considered an item contained in the Board Agenda dated March 30, 2009, requesting authorization for the FCPD to sign an amended MOA between the FCPD and the NVRG Task Force.

The staff was directed administratively to proceed as proposed.

26. **I-4 – CONTRACT AWARD – OPERATIONS AND MANAGEMENT SERVICES – PUBLIC TRANSPORTATION (FAIRFAX CONNECTOR BUS SERVICE)** (11:12 a.m.)

The Board next considered an item contained in the Board Agenda dated March 30, 2009, requesting authorization for staff to award a contract, as a single award (Option 3 – all three operating divisions), to MV Contract Transportation, Incorporated. The total estimated amount of this contract based on 457,932 annual revenue hours of service for five years has a projected cost of \$201,893,395.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation (DOT), Cathy Muse, Director, Department of Purchasing and Supply Management, and Judy Carleton, Management Analyst III, DOT, regarding the:

- Financial arrangements being entered into by the Board.
- Reasoning behind the chosen bidder.
- Chosen contract and the costs for the County in Fiscal Year 2010.

- Start up costs with the contract.
- Ability to make changes to the contract.
- Establishment of the rates.
- Transportation design study.
- Usage of Metro from the West Ox Station.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

27. **TENTH ANNIVERSARY OF THE VOLUNTEERS IN THE POLICE SERVICES** (11:28 a.m.)

Chairman Bulova said that this April marks the tenth anniversary of the Police Department's Volunteers in Police Services program. This program consists of 104 non-sworn volunteer citizens who provide a variety of administrative services to the Police Department. In 2008 alone, they provided over 20,000 hours of service, at an estimated savings of \$500,000 to the County.

Therefore, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives of the Volunteers in Police Services program to appear before the Board on April 27 to receive a proclamation recognizing this important ten year milestone. Without objection, it was so ordered.

28. **PARENTS WHO HOST, LOSE THE MOST MONTH** (11:29 a.m.)

Chairman Bulova said that in April 2007, the Board proclaimed its support of a *Parents Who Host, Lose the Most* public education campaign to educate parents about the underage drinking laws and facts associated with teen drinking. In its second year, 2008, this campaign was endorsed again by the Board with a proclamation which declared April 2008, as *Parents Who Host, Lose the Most* month in Fairfax County.

Chairman Bulova said that with spring break, proms, and graduations coming in full force this time of year, it is a good time to reach out to the public with the incredibly important message about the consequences of underage drinking and binge drinking, and what the community can do about it.

Accordingly, Chairman Bulova asked unanimous consent that the Board:

- Continue to support these efforts.

- Direct staff to invite representatives of the Fairfax Countywide Initiative to Reduce Underage Drinking to appear before the Board on April 27 to receive a Proclamation declaring May as “*Parents Who Host, Lose the Most Month*” in Fairfax County.

Without objection, it was so ordered.

29. **APPOINTMENT OF CHAIRMAN OF THE GOVERNING BOARD OF THE PARTNERSHIP TO PREVENT AND END HOMELESSNESS**
(11:30 a.m.)

(BACs) Chairman Bulova said that in March 2008, the Board approved the implementation plan to prevent and end homelessness in the Fairfax-Falls Church community in ten years. The plan seeks to transform the approach to homelessness into a flexible, relationship-based, and community-centered system through actions guided by the Board’s principles of prevention and Housing First. Putting this plan into practice involves nonprofit, business, government, and faith-based groups working in partnership to develop resources and deliver collaborative services to end homelessness in the community.

To fulfill these goals, a governing board will be responsible for setting policy, raising community visibility, and developing the resource capability necessary to implement the plan. The governing board will be comprised of elected officials, community leaders, and representatives from authorities, faith-based groups, businesses, and foundations. The governing board will provide the leadership for this community-County partnership.

Chairman Bulova announced that on March 18, 2009, former Town of Herndon Mayor Michael O'Reilly accepted the appointment as the chair of the governing board. She added that the Board is fortunate to have Mr. O'Reilly, who demonstrated he has the commitment and character to guide the Governing Board, in this leadership role.

Therefore, Chairman Bulova asked the Board to join her in welcoming Mr. O'Reilly and asked unanimous consent that the Board direct the Office of Public Affairs to prepare a press release to acknowledge this important step toward implementing the County's plan to prevent and end homelessness. Without objection, it was so ordered.

30. **LETTER TO THE US CONGRESS AFFIRMING THE COUNTY’S SUPPORT FOR HIGHER DENSITY TRANSIT IN MAJOR CORRIDORS IN NORTHERN VIRGINIA** (11:31 a.m.)

Chairman Bulova said that the County's Comprehensive Plan identifies nine enhanced public transportation corridors for which "major public transportation facilities (such as Metrorail, light rail, bus rapid transit, and high occupancy vehicle lanes) will be provided" in the corridor, "based upon the results of a

comprehensive alternatives analysis." These corridors include I-66, I-95, Richmond Highway (US Route 1), and the Beltway (I-495). Now that the Full Funding Grant Agreement has been signed for Phase I of the Dulles Rail Project, it is appropriate to begin studying higher density transit for other major corridors in the County.

Chairman Bulova said Metrorail and other higher density transit modes take hundreds of thousands of cars off the road each day and their stations not only facilitate environmentally friendly and gridlock-reducing transit-oriented development, but also stimulate economic growth. In particular, a major investment study completed by the Virginia Department of Transportation and Department of Rail and Public Transit concluded that a multimodal transportation strategy is required to accommodate the projected travel demand along the I-66 corridor in the County from I-495 to Haymarket, an area to be served by a potential Orange Line Metrorail extension. Additionally, as a result of military base realignments and closures (BRAC), thousands of jobs will shift to Fort Belvoir and its Engineering Proving Ground, which are currently only served by modest levels of bus service and are currently underserved by the interstate highway network during normal rush hours.

Chairman Bulova noted that last week Congressman Gerry Connolly introduced the "Northern Virginia Metrorail Extension Act of 2009," which authorizes preliminary engineering for the extensions of the Metrorail Orange, Blue, and Yellow Lines; as well as capacity expansion of the entire Metrorail system that serves so many County residents and federal employees.

Given the region's pressing transportation needs and the tremendous opportunities for environmentally sustainable growth and economic stimulus that additional Metrorail or other higher density transit stations promise, Chairman Bulova moved that the Board authorize her as Chairman to write to the County's US Congressional Delegation and urge support for efforts to advance the extension of Metrorail and alternatives analyses for enhanced public transportation in the I-66, I-95, US Route 1, and the I-495 corridors. Supervisor McKay seconded the motion.

Discussion ensued regarding the alternatives of high density transit.

Supervisor Smyth asked to amend the motion to include in the letter the examination of interim measures of transportation. This was accepted.

Discussion ensued further regarding the:

- Possibility of changing each transit stop into a "mini-Tyson's."
- Neighborhoods being overwhelmed by the high density transit.
- Circulation of a draft letter.

- Demand for alternative transportation.

Supervisor Frey asked unanimous consent that the Board direct staff to draft a copy of the letter for the Board's review. Without objection, it was so ordered.

The question was called on the main motion, as amended, and it carried by unanimous vote.

(NOTE: Later in the meeting, the Board took additional action on this matter. See Clerk's Summary Item #100.)

31. **TYSONS CORNER DEMONSTRATION PROJECTS** (11:52 a.m.)

Jointly with Supervisor Foust, Supervisor Hudgins, Supervisor McKay, and Supervisor Smyth, Chairman Bulova said that earlier this month she attended the signing of the Full Funding Grant Agreement for the first phase of the Dulles Rail project. Construction of the Silver Line has already begun. This project includes the construction of four metro stations in Tysons Corner. This project will provide the County with a historic opportunity. The County will be able to create a planned transit oriented, green, walkable, multi-use urban community.

Last fall the Tysons Land Use Task Force presented the Board with a report that included its recommendations for a future vision and area wide recommendations for development of Tysons Corner. This report was accepted by the Board and staff and the Planning Commission has been directed to develop detailed comprehensive plan text for the entirety of Tysons Corner, guided by the Area Wide Recommendations of the Task Force, the population and employment forecasts developed by George Mason University, the transportation and other public facility impact analyses and fiscal analyses. Staff has completed draft "straw man" Plan text. This document is currently being revised to reflect the results of additional analyses, and is being reviewed by the Planning Commission's Tyson's Corner Committee, and the Task Force's Draft Review Committee. This "straw man" draft represents a significant step by County staff in translating the work of the task force into Plan text. However, as stated by staff, many issues still need to be resolved at a more refined and informed level to implement the Task Force's Guiding Principles for Tysons.

Chairman Bulova said that with the arrival of rail imminent and the construction of the project underway, the County now has the opportunity to develop Tysons Corner in a way that is consistent with the Task Force's Guiding Planning Principles.

Chairman Bulova noted that last week the Planning Commission (PC) moved to extend the deadline given to staff for developing the area wide Plan text into the Fall of 2009. The PC also recommended the concept of one or more demonstration projects at station landing sites to help clarify planning issues such

as consolidation, phasing, design, and its relationship to street grid and other infrastructure, among other things. The PC also requested that staff develop a set of screening criteria to facilitate the selection and review of demonstration applications.

With this background, Chairman Bulova moved that the Board:

- Accept the PC's extension of the timeframe for developing area wide Plan text.
- Direct staff to work with the PC to begin developing a set of screening criteria to facilitate the evaluation and selection of applications for consideration as one or more demonstration projects at the station landing sites in the Tysons Corner Urban Center.
- Direct staff to recommend a process for reviewing the demonstration project(s) and integrating information derived from the project(s) with the development of both area wide and district specific Plan text.

Supervisor Smyth seconded the motion.

Supervisor McKay asked to amend the motion to include additional information for the public on the County's website. This was accepted.

Following discussion, the question was called on the motion, as amended, and it carried by unanimous vote.

32. **UPDATE ON THE SMART SAVINGS TASK FORCE** (12:01 p.m.)

(BACs) Chairman Bulova said that in anticipation of the significant drop in revenues the County is now experiencing as it prepares a budget for Fiscal Year 2010, the Board and the School Board embarked on an intensive Lines of Business Review and Program Review that also included extensive community and employee feedback. At the conclusion of these respective reviews back in January of last year, Chairman Bulova added that she and School Board Chairman Dan Storck proposed a joint Board of Supervisors - School Board Initiative to identify opportunities for short, medium, and long-term savings and/or improvements to County services through streamlining, combining, and/or consolidating separate County and School functions.

Chairman Bulova said that the Smart Savings Task Force is composed of herself, Vice-Chairman Gross, and Supervisor McKay from the Board of Supervisors, and Chairman Dan Storck, and School Board Members Brad Center and Janie Strauss.

She said that they have committed to be bold and creative in reviewing, on a high-level policy basis, those separate operations and assets that show real promise for achieving savings and/or improving services.

There are many areas in which the County and schools already cooperate, such as: finance and purchasing; many human resources functions; use of athletic fields and community meeting spaces, some meals and vending services, and printing. She distributed to the Board a list of some of these.

As discussed at the Budget Committee meeting last week, one program that has been identified already for consideration is the County's School Aged Child Care (SACC) program. In the County Executive's Advertised Budget a pilot for an alternative model to the existing program has been funded in two new elementary schools (Coppermine and Laurel Hill) which have not yet opened and were not already slated to have SACC available. The hope is that a different model might be more affordable for parents, could serve more schools and families, thus reduce existing waiting lists, and make better use of space in the schools, while still retaining the program's excellence and educational focus.

Some additional areas to be explored include: food service, warehousing, the Automated External Defibrillator program, Risk Management, legal services, para transit, landscaping, and grounds maintenance.

Significant long term savings and efficiencies for both the General County and School System will be realized through the County's implementation of Enterprise Resource Plan (ERP), software which will allow more opportunity for doing things jointly. This technology will replace current inefficient and antiquated systems with the installation of the required software. Transition to ERP should be in place by 2011.

Chairman Bulova said that the next steps will be to identify key County and School Division personnel to review each area to provide their thoughts and recommendations on opportunities that could result in cost savings while maintaining or enhancing current service levels.

Chairman Bulova noted how much of the committee's discussions were informed by and benefited from both the community dialogue sessions and the County's extremely insightful employee "Brown-Bag Lunches" budget discussions. The Task Force has agreed to meet every other month to continue to flesh out smart savings opportunities and will share its direction and progress with colleagues on the respective boards.

Discussion ensued regarding SACC and the possible combination of legal services for the County and schools.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

33. **TWENTIETH ANNIVERSARY OF NATIONAL EMPLOYEE HEALTH AND FITNESS DAY** (12:15 p.m.)

Supervisor Gross said that May 20, 2009, marks the twentieth anniversary of National Employee Health and Fitness Day, which is a National Health Observance Day founded by the National Association for Health and Fitness. The purpose of this day is to encourage America's workforce to be physically active in their daily lives.

Healthy employees, and their families, incur lower medical costs and are more productive. If health care expenditures can be reduced by three percent it will save \$2,162,898 per year in self-funded expenditures. Proactive investments in employees will not only improve their overall health, but also curb rising health costs.

On May 20, the Fairfax County Live Well Workforce Wellness Program will sponsor a day long symposium of health plan contractors, health screenings, and wellness workshops at the Government Center for County employees.

Therefore, Supervisor Gross asked unanimous consent that the Board proclaim May 20, 2009, as "*Employee Health and Fitness Day*," in Fairfax County, and direct staff to invite representatives from the Live Well Council to be recognized with the proclamation at the May 4 Board meeting. Without objection, it was so ordered.

34. **DONATE LIFE MONTH IN FAIRFAX COUNTY** (12:16 p.m.)

Supervisor Gross said that each year, the Board declares April as "Donate Life" Month. This year the request was delayed, and she asked unanimous consent that the Board declare April as "*Donate Life Month*" in Fairfax County, and that staff invite the appropriate people to appear before the Board at its April 27 meeting to receive a proclamation. Without objection, it was so ordered.

35. **REQUEST FOR EXPEDITED PUBLIC HEARING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-012 (MASON DISTRICT)** (12:17 p.m.)

Supervisor Gross said that Special Exception Amendment Application SEA 84-M-012 is a request by Quan Q. and Ngan T. Nguyen to amend their existing special exception for an office to modify the hours of operation for the existing doctor's office. Although this application is extremely straightforward, it has been delayed a number of times for technical reasons, most recently due to health related issues experienced by the applicant's agent. There are no physical changes to the site proposed with this application, which is currently scheduled for a public hearing before the Planning Commission on April 30, 2009. Due to the straightforward nature of this application, Supervisor Gross moved that the Board direct staff to expedite a public hearing to be held before the Board on

May 4, 2009. The applicant is aware that the expediting of this application should not be construed to prejudice the consideration of this application in any way. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

36. **SNOW REMOVAL** (12:18 p.m.)

Supervisor Gross said that the sudden snowstorm earlier this month brought many calls to her office concerning plowing the snow off the roads in neighborhoods. Just as important, and sometimes overlooked, are the sidewalks in front of residential and commercial properties. Children and adults, who depend on clear sidewalks as part of their daily routine, are put at risk of injury (or worse) when they are forced to walk on icy sections or along the edge of the road.

The Cities of Falls Church and Alexandria already have laws requiring property owners to clear their sidewalks. One constituent suggests a minimum requirement of a two foot wide path be cleared within the first 12 to 24 hours after snowfall.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to disseminate information on previous efforts to develop a policy addressing when property owners are responsible for sidewalks adjacent to their homes. Without objection, it was so ordered.

Discussion ensued regarding the possibility of not enacting a law, but instead urging that citizens voluntarily remove snow, and urging civic and homeowner associations to become involved in the snow removal process.

Supervisor Gross asked unanimous consent that the Board direct staff to circulate information regarding the County's Policy for snow removal to the public. Without objection, it was so ordered.

NV:nv

37. **HONORING THE FIFTIETH ANNIVERSEARY OF SAINT BERNADETTE'S PARISH (SPRINGFIELD DISTRICT)** (12:25 p.m.)

Supervisor Herrity announced that next month, Saint Bernadette's Catholic Parish will celebrate 50 years of faith and services in the Springfield District. It was founded in April of 1959 by the Dioceses of Richmond after Saint Michael's Parish in Annandale became too large to accommodate the influx of families moving into the County.

As outlined in his written Board Matter, Supervisor Herrity recounted the history and successful growth of the parish. Accordingly, he moved that the Board declare April 17, 2009, as "*Saint Bernadette's Parish Day*" in Fairfax County and direct the Office of Public Affairs to prepare a proclamation to be presented at the

parish's fiftieth anniversary dinner on April 17. Supervisor McKay seconded the motion, which carried by unanimous vote.

38. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR JOHN C. COOK** (12:26 p.m.)

Supervisor Cook announced that he had no Board Matters to present today.

39. **ADDENDUM TO THE REPORT OF THE DRANESVILLE BUDGET TASK FORCE** (12:27 p.m.)

Supervisor Foust reminded the Board that he previously reported on the formation of the Dranesville Budget Task Force comprised of 13 citizens from across his district and chaired by Rip Sullivan. He said that many task force members attended the Lines of Business presentations made by staff to the Board Members. Despite their diverse backgrounds and different policy priorities, the task force achieved a consensus report, a copy of which was previously provided to the Board and the County Executive.

Supervisor Foust said that the task force reviewed the County Executive's Advertised Budget in light of its previous recommendations and set forth a variety of observations for consideration in an addendum to the report.

Accordingly, Supervisor Foust provided copies of the addendum around the dais and moved that the Board forward a copy to the County Executive for consideration by him and staff. Supervisor McKay seconded the motion.

Chairman Bulova and Supervisor Foust commended the members of the task force for their efforts.

The question was called on the motion, which carried by unanimous vote.

40. **REQUEST FOR CERTIFICATE TO HONOR MR. MICHAEL HERSHMAN (DRANESVILLE DISTRICT)** (12:29 p.m.)

(BACs) Supervisor Foust pointed out that Michael Hershman of McLean is one of two private citizens who serve on the Board's Audit Committee. He is a long serving member and has made significant contributions to the County and its residents by his distinguished service. Supervisor Foust also noted that Mr. Hershman is an internationally recognized expert on matters relating to transparency, accountability, governance, and security. Mr. Hershman is also president of the Fairfax Group and is a co-founder of Transparency International, a global anti-corruption organization. In December of 2006, Mr. Hershman was appointed as the independent compliance officer for Siemens AG.

Supervisor Foust announced that Mr. Hershman was named to Ethisphere Institute's 2008 list of the top 100 most influential people in business ethics.

Ethisphere Institute is an international think tank dedicated to the advancement and sharing of best practices in business ethics, corporate social responsibility, anti-corruption, and sustainability. On April 21, many of Mr. Hershman's friends and colleagues will gather to honor him for his efforts to promote business ethics worldwide and to congratulate him for his selection as one of the most influential people in business ethics.

Accordingly, Supervisor Foust moved that the Board direct staff to prepare a Certificate of Appreciation for Mr. Hershman in recognition of his service to the County as well as his selection by Ethisphere Institute for signature by the Chairman and the Dranesville District Supervisor for presentation at the April 21 event. Supervisor Gross and Chairman Bulova jointly seconded the motion, which carried by unanimous vote.

41. **QUARTERLY STATUS REPORT ON OPERATIONS BY THE OFFICE OF FINANCIAL AND PROGRAMS AUDITOR** (12:31 p.m.)

(BACs) Supervisor Foust, Chairman, Board's Audit Committee, noted that the Board had been presented with the Quarterly Status Report on Operations as of March 23, 2009, prepared by the Office of Financial and Programs Auditor. He stated that the report demonstrates that the Office of Financial and Programs Auditor participated in several significant ways in improving the County's financial situation including the following:

- An additional transfer of \$3 million to the General Fund from the budget for the recently completed McConnell Public Safety and Transportation Operations Center.
- The continued monitoring of the Police Department's citation of applicable County Codes, rather than State Codes, when issuing traffic citations to increase the County's revenues.

Supervisor Foust also said that the report notes the Office's continuing effort to review contracts awarded by the County for consulting services and its ongoing review of the Department of Tax Administration's efforts to collect sales tax that had been improperly paid to other jurisdictions. The report also notes that the auditor has reviewed County health care costs and will be working with staff to identify opportunities to reduce costs associated with this program.

Accordingly, Supervisor Foust moved that the Board adopt the report. Chairman Bulova seconded the motion, which carried by unanimous vote.

42. **CONNECTOR BUS ROUTES 595, 597, AND 380 (DRANESVILLE, HUNTER MILL, AND LEE DISTRICTS)** (12:34 p.m.)

In a joint written Board Matter with Supervisor Hudgins, Supervisor Foust said he had a Budget Consideration Item for the restoration of the Fairfax Connector Bus

Routes 595 and 597 that have been proposed for elimination in the County Executive's Advertised Budget. Route 597 provides weekday express bus service via ten daily trips from Reston to Crystal City, while Route 595 provides weekday express bus service via 13 daily trips from Reston to the Pentagon. The proposed elimination is included in Lines of Business (LOB) reduction 100-40-143.

Jointly with Supervisor Hudgins, Supervisor Foust moved that the Board add a Consideration Item to the Fiscal Year 2010 Budget to retain Connector Bus Routes 595 and 597 and establish new rates for this service. Based on information available, he expressed his belief that the current difference between annual costs and annual revenues is \$356,965. However, that difference can be reduced substantially by a reasonable rate increase and a more reasonable estimate of fuel costs. Supervisor Hudgins seconded the motion.

Chairman Bulova explained the Consideration Item process and noted that the alternate funding (a rate increase) would be the Consideration Item.

Following discussion, Supervisor McKay asked to amend the motion to add the restoration of Route 380 in Franconia with a corresponding rate increase, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

PMH:pmh

43. **INSTALLATION OF RICHMOND HIGHWAY PEDESTRIAN WARNING SIGNAGE (LEE AND MOUNT VERNON DISTRICTS)**
(12:41 p.m.)

Jointly with Supervisor McKay, Supervisor Hyland said that Richmond Highway is the number one roadway in the County for pedestrian crashes and fatalities. One area of particular concern is the segment between Highland Lane and Buckman Road, where a Virginia Department of Transportation (VDOT) analysis determined there is a cluster of non-intersection crashes. In this area over the past few years, there have been eight reported pedestrian crash injuries and five pedestrian fatalities. In 2007, the County constructed a median refuge and turn lanes near the Engleside Post Office, to control turning movements and provide for pedestrian refuge.

Supervisor Hyland said that staff has continued to work with VDOT to improve pedestrian safety in this area. As a result of this effort, VDOT proposes to construct overhead mounted pedestrian warning signage for the area between Highland Lane and Buckman Road, to be funded with VDOT safety funding. This innovative approach to improve pedestrian safety is new to the County, and will alert drivers that extra awareness of pedestrians is required. The installation

of these signs is expected to improve pedestrian safety for those crossing Richmond Highway to access homes, businesses, and bus stops.

Supervisor McKay and Supervisor Hyland commended the Department of Transportation (DOT) and VDOT staff for their efforts to help protect the lives of the residents. This is an investment in the continuing improvements to Richmond Highway and demonstrates the partnership between County and State agencies to effectuate positive change.

Therefore, jointly with Supervisor McKay, Supervisor Hyland moved that the Board:

- Endorse the installation of the pedestrian warning signage and direct DOT to transmit the Board's support to VDOT.
- Direct staff to coordinate and expedite the permitting and installation of the signage with VDOT.

Supervisor McKay seconded the motion and it carried by unanimous vote.

44. **CONSIDERATION ITEM – POLICE AND FIRE AND RESCUE DEPARTMENT TIER I AND II ITEMS AND UTILITY EXPENDITURES FOR VOLUNTEER FIRE STATIONS** (12:42 p.m.)

Supervisor Hyland said that on Monday, March 16, the Fire and Police Chief presented their budget reductions to the Board and requested restoration of two tiers of positions and services into the Fiscal Year (FY) 2010 Budget. As Chair of the Public Safety Committee, Supervisor Hyland said that he believes the cuts proposed in the Advertised Budget go too deep.

Therefore, Supervisor Hyland moved that the Board add:

- The Fire and Rescue Department and Police Department Tier I and Tier II restoration requests in an amount totaling \$14,767,024 as Consideration Items to the FY 2010 Budget.
- \$490,677 as a Consideration Item to the FY 2010 Budget to fund the utility expenditures for the Volunteer Fire Stations.

Supervisor Gross seconded the motion and it carried by unanimous vote.

45. **CONSIDERATION ITEM – FIRE AND RESCUE BOAT** (12:43 p.m.)

Supervisor Hyland said when the Fire Chief made his presentation requesting restoration of positions and programs into the Fiscal Year (FY) 2010 budget, it included restoration of staff in the Special Operations Division in the amount of \$1,341,169. This restoration would staff the Hazardous Materials Unit and

emergency preparedness staff. However, the proposal would not restore the fuel, equipment, maintenance, training and certifications costs for the Fire and Rescue Department's fireboat as well as the swift-water and flat water response boats. These costs are critical to maintain and protect boaters and shorelines.

Therefore, Supervisor Hyland asked unanimous consent that the Board add the amount of \$80,284 as a Consideration Item to the FY 2010 Budget to fund the Fireboat. Without objection, it was so ordered.

46. **RECOGNITION FOR MR. BOBBY DITTMAN ON 25 YEARS OF SERVICE TO THE COUNTY** (12:45 p.m.)

Supervisor Hyland said that last Friday, Bobby Dittman, a fixture in the Environment and Facilities Inspections Division, Department of Public Works and Environmental Services, retired after 25 years of dedicated service to the residents of the County. He referred to his written Board Matter which outlined Mr. Dittman's accomplishments.

Therefore, Supervisor Hyland moved that the Board direct the Office of Public Affairs to invite Mr. Dittman to appear before the Board to be recognized for his 25 years of service to the County. Supervisor McKay seconded the motion.

Following comments by Supervisor McKay, the question was called on the motion and it carried by unanimous vote.

47. **RECOGNITION FOR MS. SHAWN AKARD'S AMERICAN HORTICULTURAL SOCIETY (AHS) 2009 ANNUAL GREAT AMERICAN GARDNER'S NATIONAL AWARD FOR YOUTH AND CHILDREN'S GARDENING** (12:47 p.m.)

Supervisor Hyland said that the AHS 2009 Annual Great American Gardener's National Award for Youth and Children's Gardening was bestowed upon Shawn Akard, a Wellington Civic Association resident, for her efforts as the Outdoor Garden Coordinator for Hollin Meadows Elementary School. Ms. Akard competed on a national scale against nationally recognized horticultural experts and came out on top.

Supervisor Hyland referred to his written Board Matter which outlined Ms. Akard's accomplishments and noted that Ms. Akard's award will be presented at the annual AHS Awards Banquet on June 4, 2009, at the AHS headquarters located at River Farm, Mount Vernon, Virginia.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to invite Ms. Akard to appear before the Board to be recognized for her extraordinary program and award. Without objection, it was so ordered.

48. **NO BOARD MATTERS FOR PROVIDENCE DISTRICT SUPERVISOR SMYTH** (12:48 p.m.)

Supervisor Smyth announced that she had no Board Matters to present today.

49. **NON-PROFIT FORECLOSURE PURCHASES** (12:49 p.m.)

Supervisor Hudgins said that on February 24, 2009, Conrad Egan, the Co-Chair of the County Affordable Housing Advisory Committee, sent her a letter on behalf of the committee asking the Board to change one element of its guidelines for the use of federal neighborhood stabilization foreclosure funds.

The new program will give an opportunity to non-profits to purchase foreclosed property to be used for affordable rental housing. The advisory committee's proposed change will improve the guidelines and is another example of the thoughtful contributions made by the advisory committee.

Supervisor Hudgins noted that when this program was approved by the Board on November 17, 2008, one of the guidelines for non-profit purchases was that the support of the District Supervisor would be needed for a non-profit organization to purchase more than one property in any single development, subdivision, or neighborhood.

The advisory committee requested that the guideline be revised instead to require notification to be given to the District Supervisor rather than require the district Supervisor's support. The advisory committee noted that where foreclosures and abandonment are widespread, the purchase by a non-profit organization of several homes in the same neighborhood could have a very positive impact on a community. The advisory committee also noted that State funding for neighborhood stabilization programs may become available and the guidelines discourage scattered site acquisitions.

This suggested change is different and would have no effect on the standing requirement that support will continue to be needed with regard to the ten foreclosed homes authorized to be purchased under the Silver Lining program by the Redevelopment and Housing Authority.

The Advisory Committee's request was presented, discussed, and viewed favorably at the Board's Housing Committee meeting on March 23, 2009.

Therefore, Supervisor Hudgins moved that the Board's November 17, 2008, Action Item 9 be revised and amended with respect to the guidelines for the \$1 million in Neighborhood Stabilization Program funds available for loans to non-profit organizations to provide that the District Supervisor will be notified of the proposed purchase by the non-profit organization of more than one property in any single development, subdivision, or neighborhood, instead of requiring the

support of the District Supervisor for such a purchase by the non-profit organization. Supervisor McKay seconded the motion.

Following discussion of the motion, the question was called on the motion and it carried by unanimous vote.

50. **FORMATION OF A TYSONS METRORAIL ACCESS GROUP (HUNTER MILL DISTRICT)** (12:53 p.m.)

Supervisor Hudgins said that the Reston Metrorail Access Group (RMAG), a task force of business and civic representatives with staff and consultants, was initiated in the spring of 2006 to create a multimodal access study within a mile of Reston's two Metrorail Stations at Wiehle Avenue and Reston Parkway. The recommendations were well received and now that Rail to Dulles is reality, implementation is a priority. There has been some discussion by residents in communities adjacent to Tysons Corner about the need for a multimodal access study to Tysons Metrorail Stations.

Therefore, jointly with Supervisor Foust and Supervisor Smyth, Supervisor Hudgins moved:

- That a Tysons Metrorail Access Group (TMAG), similar in composition and purpose as the RMAG group, be established with the representatives from three bordering Supervisor districts, TYTRAN, and the Town of Vienna, to create a plan that identifies multimodal access challenges and possibilities to Tysons four new Metrorail Stations.
- Direction to staff to report with necessary funding and the proposed structure. With the Tysons Plan nearing completion, bus access, sidewalk and trail, and bicycle connectivity to and from surrounding communities will be vital to the success of the new urban "downtown."

Chairman Bulova seconded the motion and it carried by unanimous vote.

51. **RESTON COMMUNITY CENTER (RCC) THIRTIETH ANNIVERSARY (HUNTER MILL DISTRICT)** (12:54 p.m.)

Supervisor Hudgins said that in May, the RCC will celebrate its thirtieth anniversary of being an integral part of the Reston experience. RCC was established by the Reston community in 1979, to bring the community together through enriching leisure time experiences. Its mission is to provide a broad range of programs in arts, aquatics, enrichment, and life-long learning, and to create and sustain community traditions. Because RCC was created by the Reston community for the Reston community, it offers unique environments that are caring, warm, and put the welfare of the community before all other concerns.

The RCC Board of Governors and staff are outstanding in their professionalism, enthusiasm, talent, and dedication to community service. Each year RCC offers more than 1,800 programs, trips, events, and services that are accessible to all, celebrate diversity, and enrich the community. Whether at one of its two facilities, at Hunters Woods or Lake Anne, or in any of its partner settings throughout Reston, RCC supports the aspirations and celebrations of residents and employees enjoying themselves and making discoveries.

Therefore, Supervisor Hudgins moved that the Board direct staff to prepare a certificate for delivery at the anniversary celebration to be held on May 23, 2009, to recognize the outstanding contribution of the RCC to the Reston Community. Chairman Bulova seconded the motion and it carried by unanimous vote.

52. **HERNDON-RESTON FRIENDLY, INSTANT, SYMPATHETIC HELP (FISH) (HUNTER MILL DISTRICT)** (12:56 p.m.)

Supervisor Hudgins said that in May 2009, Herndon-Reston FISH will mark 40 years of helping people meet emergencies and short-term needs. FISH responds to requests for rent, transportation to medical appointments, furniture, utilities, medical items, and other short term emergency needs. It works closely with social workers from the County, local hospitals, and community organizations to prevent evictions, keep utilities on, and ensure people can pay for their prescriptions. They also conduct free workshops to mentor clients needing assistance in financial planning and budgeting. In addition, since 1981, they have operated the Bargain Loft, an all-volunteer thrift store that provides almost 50 percent of FISH's annual budget. FISH is not merely a social service organization, it is a valued community asset, without which the Herndon-Reston community would not be as strong or as productive.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a certificate for delivery at the anniversary celebration to be held on May 9, 2009, to recognize the outstanding contribution of Herndon-Reston FISH. Without objection, it was so ordered.

53. **HAPPY BIRTHDAY RESTON AND MR. ROBERT SIMON! (HUNTER MILL DISTRICT)** (12:57 p.m.)

Supervisor Hudgins said that 45 years ago, Robert Simon, Jr., established a community that was revolutionary for its time, based on three fundamental ideas:

- People should be able to live near the place where they work if they want to.
- Housing should be available for all people of all income groups if they wish to live and work in the same community.

- Diverse cultural, religious, educational and recreational facilities should be an integral part of the community from the beginning.

Since that time, Reston has flourished into that very community and become a model for planning and development, home to households of many ages, sizes, nationalities, and incomes as well as a diverse and active business community and extensive, multi-modal transportation options.

On April 18, Restonians will celebrate Reston's forty-fifth birthday and Mr. Simon's ninety-fifth birthday in conjunction with Founders Day activities.

Therefore, Supervisor Hudgins moved that the Board direct staff to prepare two certificates for delivery at the Founders Day celebration, one to recognize the birthday of this unique and remarkable place and the other to the milestone birthday of Mr. Simon, the visionary founder of Reston. Chairman Bulova seconded the motion and it carried by unanimous vote.

54. **SENIOR TAX RELIEF WORKSHOP** (12:59 p.m.)

Supervisor Hudgins announced that Hunter Mill District will be holding a Senior Tax Relief workshop. The meeting will be held on Wednesday, April 8, 2009, from 10 a.m. until 2 p.m. at the Vienna Community Center. Staff from the Department of Taxation will assist residents with applying for real estate and personal property tax relief, plus rental grants.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to assist in notifying the public and the appropriate media about this meeting. Without objection, it was so ordered.

55. **CONSIDERATION ITEM** (12:59 p.m.)

Supervisor Hudgins stated that she would report later in the meeting with an additional consideration item for Human Services.

56. **INTERNATIONAL BUILDING SAFETY WEEK** (1 p.m.)

Supervisor Frey noted that for many years, International Building Safety Week has been observed in this nation to increase public awareness of the importance of building codes and construction safety.

This year, International Building Safety Week will be observed during the week of May 3–9, 2009. To mark the event, the Department of Public Works and Environmental Services has scheduled public outreach efforts in several local hardware and building material supply retail stores. In addition, the Department will honor a worthy individual or corporate resident with the 2009 Building Safety Community Partnership Award. The award was first presented in 1998 to recognize individuals and corporate citizens in the County who have made significant contributions to the promotion of the goal of building safety in the

County.

Therefore, Supervisor Frey asked unanimous consent that the Board:

- Direct staff to prepare a proclamation for the Board's meeting on May 4, 2009, declaring the week of May 3–9, 2009 as “*Building Safety Week*” in Fairfax County.
- Also recognize the 2009 Community Partnership Award recipient at the same time.

Without objection, it was so ordered.

57. **ANGELMAN SYNDROME FOUNDATION** (1 p.m.)

Supervisor Frey said that on May 16 the Angelman Syndrome Foundation will hold its annual walk-a-thon in 19 cities nationwide.

Therefore, Supervisor Frey asked unanimous consent that the Board proclaim May 16 as “*Angelman Syndrome Awareness Day*” in Fairfax County, and direct staff to invite Mr. Hal Lippman of the foundation to appear before the Board on May 4 to receive this Proclamation. Without objection, it was so ordered.

58. **OUTSTANDING INTERPRETATION AWARD (SPRINGFIELD DISTRICT)** (1:01 p.m.)

Supervisor Frey announced that Miss Jamie Chang, a fifth grader at Union Mill Elementary, won the Outstanding Interpretation Award at the Virginia State Parent/Teacher Association (PTA) Reflections Contest for her Visual Arts entry, "Bow Wow." Her entry has now advanced to the National PTA level of competition.

To recognize her for this excellent achievement, Supervisor Frey asked unanimous consent that the Board direct staff to invite Miss Chang to appear before the Board on Monday, April 27, 2009. Without objection, it was so ordered.

59. **OAKTON HIGH SCHOOL BASKETBALL (SULLY DISTRICT)** (1:02 p.m.)

Supervisor Frey said that the Oakton High School varsity basketball team had an amazing season. As a result of their skill and hard work, they went undefeated in regular season play and the District and Regional playoffs. At the Virginia State Championship, they capped their season with a tremendous showing, making it all the way to the finals, where they suffered an unfortunate loss to Princess Anne High School. Jointly with Supervisor Hudgins and Supervisor Smyth, Supervisor Frey asked unanimous consent that the Board direct staff to invite Coach Fred

Priester and the team to appear before the Board to be recognized for this noteworthy accomplishment. Without objection, it was so ordered.

60. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2007-LE-007 (FRANCONIA TWO LP) (LEE DISTRICT)** (1:03 p.m.)

Supervisor McKay announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 2007-LE-007.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item #89.)

61. **FISCAL YEAR (FY) 2010 BUDGET (LEE DISTRICT)** (1:03 p.m.)

Supervisor McKay said that since last September, members of his budget advisory committee have been hard at work studying the proposed FY 2010 County budget. Their goal was two-fold: to provide recommendations specific to the FY 2010 budget and to provide recommendations for 2010 and beyond. The 16 members of the group, chaired by Suzette Kern, reflects the citizens of Lee District and the larger County.

Supervisor McKay said that the group's report is lengthy; both the full report and the school subcommittee report are available electronically from his office. He noted that he shared the Lee District Budget Advisory Group's opinion that this budget falls short of the structural changes necessary to guide the County through economic minefields for the next several years. He added that he has asked them to continue their work past adoption of the FY 2010 budget and he is asking County budget staff to assist this committee in their ongoing work.

Looking beyond the immediate fiscal needs of FY 2010, the Lee District Budget Advisory Group recommends the establishment of a high level task force to redefine the County's planning, programming, and budgeting. The group also recommends that the Board undertake a strategic planning exercise with the goal of producing a long term County-level strategic plan.

Supervisor McKay commended this group for its hard work and its recognition that the County needs a budget that can withstand economic storms.

Therefore, Supervisor McKay asked unanimous consent that the Board forward this report to the County Executive for review. Without objection, it was so ordered.

62. **TRANSIT ORIENTED DESIGN GUIDELINES** (1:05 p.m.)

Supervisor McKay said that with the Board's adoption of Transit Oriented Design guidelines in 2007 and an increasing desire to focus higher-density growth in proximity to the County's Transit Stations, the County has been taking a closer look at how the areas around those transit stations are planned. With the additional factor of the BRAC movements to Fort Belvoir and the associated transportation network impacts, and after extensive discussions with the Jefferson Manor community, it is an appropriate time to look at an area near the Huntington Metro Station as a long-term planning study. The area of this study will be limited to Lee District.

As one of the metro stations closest to Fort Belvoir, certain areas north and east of the Huntington metro station have been studied for plan amendments in the BRAC APR process. Land Units L and M, which are located southwest of the metro property across North Kings Highway, have been examined in previous planning studies but no nomination for the area was submitted for the BRAC APR process.

Since this area is within the active Jefferson Manor Conservation District, amendment of the Conservation Plan may be required. Staff of the Department of Planning and Zoning should work with staff in the Department of Housing and Community Development to ensure proper coordination between any necessary amendments.

Therefore, Supervisor McKay moved that the Board authorize the initiation of a Special Planning Study of Land Unit L and the adjoining properties in Land Unit M contained within the Huntington Transit Station Development area that will:

- Consider a mix of uses at an appropriate intensity for Transit Oriented Development.
- Determine if additional needs created by BRAC can be accommodated at this location.
- Provide for input from residents of the Jefferson Manor Conservation area.
- Ensure safe and convenient pedestrian access to the Huntington metro station.

Supervisor Hyland seconded the motion.

Following discussion of the motion, Supervisor Hyland noted that he may, at a later time, ask the Board to include the Huntington community in the study should it not be able to provide flood control by the year 2013.

Discussion ensued with input from Anthony H. Griffin, County Executive, regarding the scheduling of this item.

The question was called on the motion and it carried by unanimous vote.

63. **OPUS EAST, LLC (LEE DISTRICT)** (1:10 p.m.)

Supervisor McKay said that Opus East, LLC is processing a rezoning and associated special exception application for an office development on Backlick Road referred to as Patriot Ridge. These applications propose construction of office space related to BRAC. Opus East is on a very tight BRAC-driven schedule. The scheduled Planning Commission hearing date has been deferred twice, and is currently scheduled for a Planning Commission hearing on April 16, 2009.

Therefore, Supervisor McKay said that in an effort to keep these applications moving forward, the applicant has requested the scheduling of the Board public hearing.

Therefore, Supervisor McKay moved that the Board direct staff to schedule a public hearing to be held before the Board on Rezoning Application RZ 2009-LE-014 and Special Exception Application SE 2008-LE-028 on May 4, 2009. This motion should in no way prejudice the full review of this application and does not preclude the applicant from adherence to all adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

64. **GOOD SHEPHERD HOUSING AND FAMILY SERVICES** (1:12 p.m.)

Jointly with Supervisor Herrity, Supervisor Hyland, and Chairman Bulova, Supervisor McKay said that Good Shepherd Housing and Family Services is a non-profit community-based agency that has been working to address the problems of homelessness and affordable housing in the southeastern section of the County for 35 years. Its programs serve working poor, disabled, and elderly residents of the southeast portion of the County.

Therefore, Supervisor McKay moved that the Board direct staff to invite Good Shepherd's executive director, Shannon Steene, his staff, and members of the Good Shepherd Board to appear before the Board for recognition of 35 years of exemplary service and compassion. Supervisor Hyland and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

65. **UNITED COMMUNITY MINISTRIES (UCM)** (1:12 p.m.)

Supervisor McKay said that UCM is a non-profit community-based agency that has been working to address the problems of poverty in the southeastern section

of Fairfax County for 40 years. He referred to his written Board Matter which outlines the many services provided by UCM.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite UCM Executive Director Cynthia Hull, her staff, and members of the UCM Board to appear the Board for recognition of 40 years of exemplary service and compassion. Without objection, it was so ordered.

66. **RECESS/CLOSED SESSION** (1:14 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 1. *Fairfax County Department of Public Works v. C. Ray Davenport, Commissioner, Virginia Department of Labor and Industry* (Fx. Co. Cir. Ct.)
 2. *Grinsis Yasmin Rivera v. Fairfax County Department of Family Services*, Record No. 2319-08-4 (Va. Ct. App.)
 3. *Robert J. Lewis, Trustee, et al. v. Board of Supervisors of Fairfax County, Virginia*, CL-2008-0016936 (Fx. Co. Cir. Ct.) (Braddock District)
 4. *Bourj, Ltd. v. Board of Supervisors of Fairfax County*, Case No. CL-2008-0017107 (Fx. Co. Cir. Ct.) (Braddock District)

5. *Argiris Mallis v. Fairfax County*, Case No. CL-2008-0014296 (Fx. Co. Cir. Ct.) (Providence District)
6. *Robert D. Scrimshaw v. Kevin C. Greenlief*, CL-2008-0011634 (Fx. Co. Cir. Ct.) (Lee District);
Robert D. Scrimshaw v. Kevin C. Greenlief, CL-2008-0012973 (Fx. Co. Cir. Ct.) (Lee District);
Robert D. Scrimshaw v. Kevin C. Greenlief, CL-2008-0013602 (Fx. Co. Cir. Ct.) (Lee District)
7. *Light Global Mission Church v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2008-0016274 (Fx. Co. Cir. Ct.) (Sully District)
8. *Advanced Towing Company, LLC, Roadrunner Wrecker Service, Inc., and King's Towing, Inc. v. Fairfax County Board of Supervisors*, Case No. CL-2008-0011827 (Fx. Co. Cir. Ct.)
9. *Glencourse Cluster Association v. Fairfax County* (Fx. Co. Bd. of Building Code Appeals) (Hunter Mill District)
10. *Fairfax County Redevelopment and Housing Authority v. James C. Riekse, Rajesh Kapani, Rajinder P. Kapani, Frederick L. Shreves, II, Trustee, Vincent J. Keegan, Trustee, Mortgage Electronic Registration Systems, Inc., and Weichart Financial Services*, Case No. CL-2007-0011400 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Board of Supervisors of Fairfax County, Virginia, and Eileen M. McLane, Fairfax County Zoning Administrator v. Board of Zoning Appeals of Fairfax County, Virginia, and Hermilio Machicao*, Case No. CL-2008-0010800 (Fx. Co. Cir. Ct.);
Eileen M. McLane, Fairfax County Zoning Administrator v. Hermilio Machicao and J.A.M. Homes, Inc., Case No. CL-2008-0016138 (Fx. Co. Cir. Ct.) (Lee District)
12. *Krispy Kreme Doughnut Corporation and Damaged Sewer Facilities Serving the Gunston Commerce Center* (Tax Map Nos. 113-3((1)) parcels 5E, 5F, 5G, 5H1, 5H2, 5H3, 5J, and 5K1) (Mount Vernon District)

13. *Kirk Wiles and Jane Kincheloe Wiles v. Board of Zoning Appeals for Fairfax County, Virginia*, Case No. CL-2009-0003136 (Fx. Co. Cir. Ct.) (Springfield District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ominex, Inc., and Belleview SC Co., LLC*, Case No. CL-2008-0016278 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Guy Kreiser, Josefina Kreiser, and Joanne S. Kreiser*, Case No. CL-2008-0008940 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Beltran Sanchez Carbajal, Sulma Patricia Flores de Sanchez, and Evelin Y. Mendoza*, Case No. CL-2007-0013442 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
17. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Corinne B. Boals*, Case No. CL-2008-0011677 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Duane L. Hecox, Carolyn Day Hecox, and Wallace E. Day, Jr.*, Case No. CL-2008-0001326 (Fx. Co. Cir. Ct.) (Springfield District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Forrest J. Hatcher, Sr., and Marva K. Hatcher*, Case No. CL-2008-0003912 (Fx. Co. Cir. Ct.) (Providence District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Circle Towers ,LLC*, Case No. CL-2008-0013591 (Fx. Co. Cir. Ct.) (Providence District)

21. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Hafiz Mohammad Imran*, Case No. CL-2008-0008257 (Fx. Co. Cir. Ct.) (Lee District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vladimir Altamirano and Sandra Altamirano*, Case No. CL-2008-0016938 (Fx. Co. Cir. Ct.) (Providence District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juvenal Meneses*, Case No. CL-2009-0002075 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Pablo Almanza and Marcelina Almanza*, Case No. CL-2008-0016554 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sergio E. Ayala and Laura Sanchez*, Case No. CL-2008-0016939 (Fx. Co. Cir. Ct.) (Lee District)
26. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Issam Hineidi*, Case No. CL-2008-0016509 (Fx. Co. Cir. Ct.) (Providence District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ivy K. Inocencio and Marissa P. Gomez*, Case No. CL-2009-0002830 (Fx. Co. Cir. Ct.) (Mount Vernon District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose A. Gutierrez and Julia B. Gutierrez*, Case No. CL-2009-0002829 (Fx. Co. Cir. Ct.) (Mount Vernon District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Soledad Marreros*, Case No. CL-2009-0002967 (Fx. Co. Cir. Ct.) (Mount Vernon District)

30. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Porfirio H. R. Bonilla and Gloria Alvarez Diaz*, Case No. CL-2009-0003062 (Fx. Co. Cir. Ct.) (Springfield District) (Strike Team Case)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert J. Ayoub and Jack J. Ayoub*, Case No. CL-2009-0003281 (Fx. Co. Cir. Ct.) (Providence District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Paul L. Veeder*, Case No. CL-2009-0003259 (Fx. Co. Cir. Ct.) (Providence District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert Edward DeMarr and Elizabeth DeMarr*, Case No. CL-2009-0003562 (Fx. Co. Cir. Ct.) (Providence District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Maria Portillo*, Case No. CL-2009-0003563 (Fx. Co. Cir. Ct.) (Mount Vernon District) (Strike Team Case)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nest Estates, LLC*, Case No. CL-2009-0003771 (Fx. Co. Cir. Ct.) (Dranesville District)
36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose A. Munoz*, Case No. CL-2009-0003770 (Fx. Co. Cir. Ct.) (Lee District)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Blanca Castillo*, Case No. CL-2009-0003879 (Fx. Co. Cir. Ct.) (Lee District)
38. *Eileen M. McLane, Fairfax County Zoning Administrator v. Peter Paul Mitrano*, Case No. 08-0029359 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

39. *Eileen M. McLane, Fairfax County Zoning Administrator v. Auto Sound Express, Inc., and Kleriotis, LLC*, Case No. 08-0037438 (Fx. Co. Gen. Dist. Ct.) (Lee District)
40. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juan C. Cadima*, Case No. 09-0002346 (Fx. Co. Gen. Dist. Ct.) (Mason District)
41. *Eileen M. McLane, Fairfax County Zoning Administrator v. Crystal Lewis*, Case No. 09-0006932 (Fx. Co. Gen. Dist. Ct.) (Lee District)
42. *Eileen M. McLane, Fairfax County Zoning Administrator v. Trung Dinh-Chi Phan*, Case No. 09-0006933 (Fx. Co. Gen. Dist. Ct.) (Lee District)
43. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marguerite A. Thoburn*, Case No. 09-0006935 (Fx. Co. Gen. Dist. Ct.) (Providence District)
44. *Eileen M. McLane, Fairfax County Zoning Administrator v. Reynaldo D. Ventura*, Case No. 09-0006930 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
45. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tram Le and Phong Le*, Case No. 09-0006931 (Fx. Co. Gen. Dist. Ct.) (Providence District)
46. *Board of Supervisors of Fairfax County, Virginia, v. Jade Dunn Loring Metro, LLC, et al.*, Case No. CL-2008-0003247 (Fx. Co. Cir. Ct.) (Providence District)
47. *Board of Supervisors of Fairfax County, Virginia v. Park View Limited Partnership and Developers Surety and Indemnity Company*, Case No. CL-2009-0003280 (Fx. Co. Cir. Ct.) (Mount Vernon District)

And in addition:

- Appeal Application of Kirk Wiles, Jane Kincheloe Wiles, and Paradise Springs Winery, A 2008-SP-065

- Claim of Clifton Rogers, Jr., of 5304 Inverchapel Road, et al

Supervisor Hyland seconded the motion and it carried by unanimous vote.

DET:det

At 2:51 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland, and with Chairman Bulova presiding.

ADDITIONAL BOARD MATTER

67. **ABSENCE OF MOUNT VERNON DISTRICT SUPERVISOR HYLAND**
(2:51 p.m.)

Chairman Bulova advised the Board that Supervisor Hyland would not be present for the afternoon session as he is scheduled for surgery tomorrow.

ACTIONS FROM CLOSED SESSION

68. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:52 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

69. **AUTHORIZATION OF THE APPEAL OF THE DECISION IN FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES V. C. RAY DAVENPORT, COMMISSIONER, VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY, CL-2007-0012420** (2:52 p.m.)

Supervisor Frey moved that the Board authorize the County Attorney to appeal the March 3, 2009, Order of the Fairfax County Circuit Court entered in *Fairfax County Department of Public Works and Environmental Services versus C. Ray Davenport, Commissioner, Virginia Department of Labor and Industry*, case number CL-2007-0012420, as outlined by the County Attorney in closed session. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

70. **DENIAL OF CLAIMS RELATING TO SEWER BACKUPS ON INVERCHAPEL ROAD IN ANNANDALE, VIRGINIA** (2:53 p.m.)

Supervisor Foust moved that the Board deny the claims relating to sewer backups on Inverchapel Road in Annandale, Virginia, that were the result of Hurricane Hannah, for the reasons outlined by the County Attorney in closed session. Supervisor Gross seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Cook and Chairman Bulova voting “NAY,” Supervisor Hyland being out of the room.

EBE:ebe

AGENDA ITEMS

71. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION), TO ADOPT AMENDMENTS TO THE STATEWIDE FIRE PREVENTION CODE AND FIRE MARSHAL FEES** (2:54 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Dereck Baker, Deputy Chief, Fire and Rescue Department, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

72. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), REGARDING FIRE MARSHAL FEES** (2:57 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Dereck Baker, Deputy Chief, Fire and Rescue Department, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

73. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 8.1 (SECURITY ALARM SYSTEMS)**
(2:59 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Debra Olsen, False Alarm Reduction Unit, Police Department, presented the staff report.

Supervisor Hudgins asked unanimous consent that the Board refer to the County Attorney's memorandum about continuous false alarms for consideration at Legislative Committee deliberations. Without objection, it was so ordered.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

74. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-17.1-9, CONCERNING LATE PAYMENT PENALTIES FOR DELINQUENT PERSONAL PROPERTY TAXES** (3:01 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Kevin C. Greenlief, Director, Department of Tax Administration, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

75. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.3, TO IMPOSE A LICENSE TAX ON CERTAIN MOTOR VEHICLES NOT OTHERWISE DISPLAYING CURRENT LICENSE PLATES** (3:01 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Kevin C. Greenlief, Director, Department of Tax Administration, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

76. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), TO INCREASE FINES FOR PARKING VIOLATIONS**
(3:04 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Kevin C. Greenlief, Director, Department of Tax Administration, presented the staff report.

Supervisor Foust asked unanimous consent that the Board direct staff to provide comparison tables on the proposed rates versus what other jurisdictions in the area are charging. Without objection, it was so ordered.

A brief discussion ensued, with input from Mr. Greenlief, regarding the fiscal impact of the rate increase.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

77. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.2, TO ESTABLISH LOCAL VEHICLE REGISTRATION LICENSE FEES (FORMERLY DECAL FEES)** (3:06 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Kevin C. Greenlief, Director, Department of Tax Administration, presented the staff report.

A brief discussion ensued, with input from Anthony H. Griffin, County Executive, regarding whether the County has an authority to impose per cylinder tax on vehicles.

Following the public hearing, which included testimony by two speakers, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

78. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES** (3:14 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 5 and March 12, 2009.

Shahram Mohesenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

79. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTERS 2 (PROPERTY UNDER COUNTY CONTROL), 61 (BUILDING PROVISIONS), 101 (SUBDIVISION ORDINANCE), 104 (EROSION AND SEDIMENTATION CONTROL), AND 112 (ZONING ORDINANCE), REGARDING ADJUSTMENT OF THE FEES CHARGED FOR PLAN REVIEW AND INSPECTION AND PERMIT SERVICES** (3:15 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

James Patterson, Director, Land Development Services, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

80. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING ZONING FEE SCHEDULE** (3:17 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Donna McNeally, Assistant Director, Zoning Evaluation Division, (ZED), Department of Planning and Zoning, (DPZ), presented the staff report.

Discussion ensued, with input from Regina Coyle, Director, ZED, DPZ, regarding the fees associated with deferrals.

Supervisor Smyth asked unanimous consent that the Board direct staff to review the public hearing deferral process and report its findings. Without objection, it was so ordered.

Further discussion ensued, with input from Anthony H. Griffin, County Executive; Ms. Coyle; and Eileen M. McLane; Zoning Administrator, DPZ, regarding deferrals and the associated fees.

Chairman Bulova called the Board's attention to the red folders and noted that they contained a memorandum to the Board dated March 27, 2009, regarding the Zoning Fee Schedule.

Following the public hearing, which included testimony by two speakers, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

81. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO CONSIDER ENACTING AN APPENDIX O, TO ESTABLISH A STORMWATER SERVICE DISTRICT** (3:34 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Randy Bartlett, Director, Stormwater Management, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by six speakers, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

82. **3 P.M. – PH TO CONSIDER THE PROPOSED ESTABLISHMENT OF A TAX RATE ON ALL REAL PROPERTY SITUATED WITHIN THE STORMWATER SERVICE DISTRICT OF THE COUNTY** (3:51 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Randy Bartlett, Director, Stormwater Management, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

83. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO CONSIDER THE ADOPTION OF A FEE INCREASE FOR REGULATORY SERVICES DEALING WITH PRIVATE SCHOOLS AND CHILD CARE, ONSITE SEWAGE DISPOSAL SYSTEMS, WELL WATER SUPPLY SYSTEMS, FOOD SERVICE ESTABLISHMENTS, AND WATER RECREATION FACILITIES** (3:54 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Thomas Crow, Director, Division of Environmental Health, Health Department, presented the staff report.

Following the public hearing, Chairman Bulova closed the public hearing while keeping the record open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

84. **3:30 P.M. – PH TO CONSIDER THE CREATION OF A COMMUNITY DEVELOPMENT AUTHORITY (CDA) FOR THE MOSAIC – MERRIFIELD TOWN CENTER DEVELOPMENT (PROVIDENCE DISTRICT)** (3:56 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Barbara A. Byron, Director, Office of Community Revitalization and Reinvestment, presented the staff report.

Following the public hearing, which included testimony by three speakers, Supervisor Smyth moved that the Board propose the adoption of the ordinance and defer action on the adoption of the proposed amendments to the Code of the County of Fairfax, creating a new Appendix P, CDA for the Mosaic – Merrifield Town Center Development to **April 27, 2009, at 3 p.m.** Chairman Bulova seconded the motion.

Discussion ensued, with input from James V. McGettrick, Assistant County Attorney, about the legal requirement.

The question was called on the motion, and it carried by a vote of nine, Supervisor Hyland being out of the room.

85. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-491-02 (T&M McLEAN VENTURE LLC) (DRANESVILLE DISTRICT)** (4:16 p.m.)

Supervisor Foust moved to defer the public hearing on Proffered Condition Amendment Application PCA C-491-02 until **April 27, 2009, at 4:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

DAL:dal

86. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2004-LE-012 (REDBRICK DEVELOPMENT GROUP, LLC AND MDP GROVETON, LLC) (LEE DISTRICT)** (4:17 p.m.)

(NOTE: On January 12, 2009, the Board deferred the public hearing on this item until March 30, 2009.)

The application property is located in the southwest quadrant of the intersection of Richmond Highway and Memorial Street, Tax Map 92-2 ((1)) 13A; 93-1 ((1)) 97 and 98; 93-1 ((38)) (1) 1, 4 and 7.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a description of the application and site location.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by one speaker, Chairman Bulova, on behalf of Supervisor Hyland, stated that she had an item for the record from the Mount Vernon Council of Citizen's Association.

Chairman Bulova noted that Supervisor Hyland was absent from the public hearings because he is having pre-op work done in preparation for surgery tomorrow.

Mr. Williams presented the staff and Planning Commission recommendations.

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Application PCA 2004-LE-012, subject to the proffers dated March 26, 2009, and the Conceptual Development Plan Amendment.
- Waiver of the service drive requirement along Richmond Highway.
- Modification of the transitional screening yard requirements and waiver of the barrier requirements along the eastern and western property lines.
- Waiver of Public Facilities Manual Section 6-0303.8 to permit the use of an underground detention facility and a separate underground water quality control facility in a residential area, subject to the development conditions entitled Waiver Number 22564-WPFM-002-1 conditions dated December 2, 2008.

Supervisor Foust and Supervisor Gross jointly seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Hyland being out of the room.

(NOTE: On March 12, 2009, the Planning Commission approved Final Development Plan Amendment Application FDPA 2004-LE-012.)

87. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-034 (TD BANK, NA) (MASON DISTRICT)** (4:31 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 2007-MA-034 until **May 4, 2009, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

88. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2008-HM-016 (THI IV DULLES AIRPORT LLC) (HUNTER MILL DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-C-029-11 (THI IV DULLES AIRPORT LLC) (HUNTER MILL DISTRICT) (4:33 p.m.)

(O) The application property is located on the west side of Sunrise Valley Drive and on the north side of Dulles Corner Drive, Tax Map 15-2 ((2)) 1.

Ms. Elizabeth A. McKeeby reaffirmed the validity of the affidavit for the record.

Supervisor Frey disclosed the following campaign contribution which he had received in excess of \$100 from:

- William H. Gordon, William H. Gordon Associates, Incorporated, on behalf of 4501 Daly Limited Partnership

William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a description of the application and site location.

Ms. McKeeby had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Mr. O'Donnell presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA 86-C-029-11.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2008-HM-016, from the PDC and AN Districts to the PDC and AN Districts, subject to the proffers dated March 19, 2009.

- Modification of the loading space requirement, in favor of the loading spaces depicted on the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modification of Public Facilities Manual Standard 12-0702.1B2, to permit reduction of the minimum planting width requirement from eight feet to six feet, as shown on the CDP/FDP and described in the proffers.
- Modification of the peripheral parking lot landscaping requirements, in favor of the landscaping on the CDP/FDP.

Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hyland being out of the room.

(NOTE: On March 18, 2009, the Planning Commission approved Final Development Plan Application FDP-2008-HM-016, subject to the development conditions dated March 4, 2009.)

89. **4 P.M. – PH ON REZONING APPLICATION RZ 2007-LE-007 (FRANCONIA TWO LP) (LEE DISTRICT)** (4:42 p.m.)

Supervisor McKay moved to defer the public hearing on Rezoning Application RZ 2007-LE-007 until **April 27, 2009, at 3:30 p.m.** Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

90. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT ST06-III-UP2 FOR THE LAKE ANNE VILLAGE CENTER, LOCATED IN RESTON IN THE VICINITY OF NORTH SHORE DRIVE AND VILLAGE ROAD (HUNTER MILL DISTRICT)** (4:44 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Loren C. Bruce, Planner, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Heidi Merkel, Senior Planner, PD, DPZ, regarding affordable housing and the preservation of trees.

Following the public hearing, which included testimony by six speakers, Supervisor Hudgins submitted items for the record.

Mr. Bruce presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Plan Amendment ST06-III-UP2, as recommended by the Planning Commission, and shown in Attachment 3 of the Board Agenda Item, and amended in the handout dated March 30, 2009. The recommended plan text seeks to protect the historic quality and enhance the long-term viability of Lake Anne Village Center. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

91. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 9 (MASON DISTRICT)** (5:20 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Discussion ensued, with input from Mr. Majdi, regarding the original date of the petitions.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Culmore RPPD, District 9. The District expansion includes Courtland Drive (Route 2943) from Washington Drive (Route 794) to the southern boundary of 61-2((17)) (E) parcel 29 and the southern boundary of 61-2((17)) (A) parcel 27. Supervisor Hudgins seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, and Chairman Bulova voting “AYE,” Supervisor Frey, Supervisor Hyland, and Supervisor Smyth being out of the room.

92. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, ESTABLISHING THE NORTHERN VIRGINIA COMMUNITY COLLEGE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 39 (BRADDOCK DISTRICT)** (5:30 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by three speakers, Chairman Bulova stated that she and Supervisor Cook had items for the record.

Following a query to Regina Stewart, Administrative Assistant, Office of the County Executive, regarding the schedule, Supervisor Cook moved to defer decision on this item until **June 1, 2009, at 4 p.m.** while keeping the record open for written testimony. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

93. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE GEORGETOWN PIKE/WALKER ROAD TURN LANE (DRANESVILLE DISTRICT)**
(5:41 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Richard Finnell, Right-of-Way Agent, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Foust moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project R19301, Georgetown Pike/Walker Road Turn Lane Improvements, Fund 124, County and Regional Transportation Projects. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey and Supervisor Hyland being out of the room.

94. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING MINI-WAREHOUSING ESTABLISHMENTS IN THE PDC DISTRICT** (5:43 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Michelle O’Hare, Deputy Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Foust moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning

Ordinance), regarding mini-warehousing establishments in the PDC District, as recommended by the Planning Commission, and set forth as Attachment 2 in the memorandum dated March 27, 2009, with an effective date of 12:01 a.m. on the day following adoption. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Frey and Supervisor Hyland being out of the room.

95. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE GROVE AT HUNTLEY MEADOWS COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)** (5:46 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Maria Turner, Senior Transportation Planner, Department of Transportation, presented the staff report.

Discussion ensued, with input from Ms. Turner, regarding Lindberg Drive and why the entire length of the road was not included in the proposal.

Following the public hearing, which included testimony by one speaker, Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Grove at Huntley Meadows CPD, in accordance with existing CPD restrictions. Supervisor Herrity and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

96. **4:30 P.M. – PH ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2010** (5:52 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Stephen Knippler, Senior Program Manager, Grants Management, Department of Housing and Community Development, presented the staff report.

Chairman Bulova noted that the Consolidated Community Funding Pool was created when the County experienced a recession during the 1990's.

Discussion ensued regarding accessory dwelling units.

Following the public hearing, which included testimony by one speaker, Chairman Bulova submitted an item for the record and noted that the record will remain open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

97. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-M-003-3 (MONTESSORI SCHOOL OF NORTHERN VIRGINIA, INCORPORATED) (MASON DISTRICT)**
(6:06 p.m.)

The application property is located at 6820 Pacific Lane, Tax Map 71-2 ((8)) A and 93B.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Supervisor Frey disclosed the following campaign contribution which he had received in excess of \$100 from:

- Burgess and Niple, Incorporated

Supervisor Herrity disclosed the following campaign contribution which he had received in excess of \$100 from:

- Burgess and Niple, Incorporated

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Discussion ensued, with input from Ms. Strobel, regarding the size of the playground and the number of children on it at any one time.

The public hearing was held and included testimony by nine speakers. Following the testimony of Ms. Betsy Mitchell (Speaker Five), Representative of the Montessori School of Northern Virginia, discussion ensued regarding the age limit for students at the school.

Supervisor Gross and Supervisor McKay submitted items for the record.

Following rebuttal from Ms. Strobel, discussion ensued, with input from Michael Davis, Senior Transportation Planner, Department of Transportation, regarding the peak hour traffic study.

Further discussion ensued, with input from Ms. Strobel and Ms. Mitchell regarding accessibility to the school, school bus pick up locations, and the number of children being picked up.

Ms. Strunk presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 90-M-003-3, subject to the development conditions dated March 25, 2009.
- Modification of the transitional screening requirements in favor of that shown on the SEA Plat, as conditioned.

Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

98. **5 P.M. – JOINT PH ON THE REVISED SIX-YEAR VIRGINIA DEPARTMENT OF TRANSPORTATION SECONDARY SYSTEM CONSTRUCTION PROGRAM FOR FISCAL YEARS (FY) 2009 THROUGH 2014** (7:14 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 12 and March 19, 2009.

Tom Biesiadny, Chief, Coordination and Funding Division, Department of Transportation, gave a brief presentation regarding the report.

Leonard Siegel, Arlington/Fairfax Preliminary Engineering Manager, Virginia Department of Transportation (VDOT), presented an overview of what is remaining in the Secondary System Construction Program for FY 2009 through 2014.

Following the public hearing, Chairman Bulova announced that the record will remain open for oral and written testimony until April 20, 2009, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

Supervisor McKay called the Board's attention to handwritten page 10 of the Board Agenda Item, regarding the schedule and cost change summary, and discussion ensued with input from Mr. Siegel.

Supervisor McKay moved approval of the revised Secondary System Construction Program report for FY 2009 through 2014. Supervisor Hudgins seconded the motion.

Following a brief discussion regarding the design process for Rolling Road and funding shortfalls, the question was called on the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Hyland being out of the room.

DAL:dal/EBE:ebe

99. **7 P.M. – PH ON THE COUNTY EXECUTIVE’S PROPOSED FISCAL YEAR (FY) 2010 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FY’S 2010 - 2014 (WITH FUTURE FY’S TO 2019) AND THE CURRENT APPROPRIATION IN THE FY 2009 REVISED BUDGET PLAN** (7:22 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearings were duly advertised in that newspaper in the issues of March 12 and March 19, 2009, as follows:

- County Executive’s proposed FY 2010 advertised Budget Plan and the CIP for the FYs 2010-2014 (with future FYs to 2019).
- The current appropriation in the FY 2009 revised Budget Plan.

Chairman Bulova opened the first of four nights of public hearings on the FY 2010 Budget as proposed by the County Executive.

The public hearing was held with testimony presented by 45 speakers.

ADDITIONAL BOARD MATTER

100. **LETTER TO THE US CONGRESS AFFIRMING THE COUNTY’S SUPPORT FOR HIGHER DENSITY TRANSIT IN MAJOR CORRIDORS IN NORTHERN VIRGINIA** (10:28 p.m.)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk’s Summary Item #30.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that she be authorized to sign the letter on behalf of the Board. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

101. **BOARD RECESS** (10:28 p.m.)

Chairman Bulova announced that the Board would recess until March 31, 2009, at 3 p.m., at which time the budget public hearings will continue. She noted that there will be a presentation by the School Board at 7 p.m., followed by the continuation of the public hearing regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2010 Advertised Budget Plan.
- Capital Improvement Program for FY 2010–2014 (with future FYs to 2019).
- Current appropriation level in the FY 2009 Revised Budget Plan.

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