



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
June 22, 2010**

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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 Tuesday, June 22, 2010, at 9:40 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; Catherine A. Chianese, Assistant County Executive; Angela Schauweker, Management Analyst II, Office of the 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 MATTER1. **MOMENT OF SILENCE** (9:41 a.m.)

(BACs) Supervisor Hudgins said that at 10:30 a.m. the metropolitan region will have a moment of silence, in remembrance of the nine people who died in the Metro crash last year, as well as the many injured and family members affected. She asked that the County join, in solidarity, the region, metro, and family members of those affected, in acknowledging the tragedy that this has caused to them and the region. She also asked everyone to keep them in thoughts and expressed her hope that everyone can all bring a sense of wholesome healing for them as they continue to deal with what was a very bad tragedy.

Chairman Bulova noted that Supervisor Hudgins and Supervisor McKay are members of the Metro Board, and would have liked to have been present at the commemoration ceremony. She also noted that the Board will take action later in the meeting regarding Metro matters which include funding for safety improvements for the system.

Supervisor Foust asked everyone to keep in thoughts Ms. Mary Kingman, who died recently. Ms. Kingman was a retired schoolteacher and was a nurse in the navy during World War II. She was very active in the community and served in various capacities.

Supervisor Hyland asked everyone to keep in thoughts the family of Mr. Frederick Suffa who died recently. Mr. Suffa was a member of the Board of Equalization.

(NOTE: Later in the meeting, the Board paused for a moment of silence. See Clerk's Summary Item #6.)

(NOTE: Later in the meeting, the Board took action on metro matters. See Clerk's Summary Items #14 and #20.)

AGENDA ITEMS2. **PROCLAMATION DESIGNATING JUNE 20–26, 2010, AS "FIRE AND EMS SAFETY, HEALTH, AND SURVIVAL WEEK" IN FAIRFAX COUNTY** (9:46 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate June 20–26, 2010, as "*Fire and EMS Safety, Health, and Survival Week*" in Fairfax County. This motion was multiply seconded and carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE ODYSSEY OF THE MIND TEAM** (10 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to members of the Odyssey of the Mind Team from Lake Braddock Secondary School. Supervisor Cook seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

4. **RESOLUTION OF RECOGNITION PRESENTED TO LAUREL RIDGE ELEMENTARY SCHOOL** (10:07 a.m.)

Supervisor Cook moved approval of the Resolution of Recognition presented to Laurel Ridge Elementary School for its fortieth anniversary. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE MADISON HIGH SCHOOL CREW TEAM** (10:16 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to members of the Madison High School crew team for its accomplishments in 2010. Supervisor Smyth seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE SOUTH LAKES HIGH SCHOOL BOYS' TRACK AND FIELD TEAM** (10:26 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to members of the South Lakes High School Boys' track and field team for its 2010 championship titles. Supervisor Foust seconded the motion.

ADDITIONAL BOARD MATTER

Moment of Silence (10:30 a.m.)

(NOTE: Earlier in the meeting, the Board discussed the remembrance ceremony. See Clerk's Summary Item #1.)

At 10:30 a.m. the Board paused for a moment of silence in remembrance of those who died in the 2009 Metro crash, as well as those who were injured.

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

7. **PROCLAMATION DESIGNATING JUNE 25, 2010, AS "KOREAN WAR REMEMBRANCE DAY" IN FAIRFAX COUNTY** (10:33 a.m.)

Supervisor Cook moved approval of the Proclamation to designate June 25, 2010, as "*Korean War Remembrance Day*" in Fairfax County. This motion was multiply seconded.

Supervisor Hudgins announced that on June 27, 2010, at 2 p.m., at the Meadowlark Botanical Garden, to commemorate the sixtieth anniversary of the Korean War, dedication of a Korean bell will take place. She invited everyone to attend.

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

Mr. James P. Zook, father of James Zook, Director, Department of Planning and Zoning, shared a war story with the Board regarding how the first black soldier was integrated in the military.

Tae Ha Lee, president, Korean War Veterans Association, through translator Michael Kwon, gave a presentation.

8. **PROCLAMATION DESIGNATING JUNE 26, 2010, AS "HEPATITIS AWARENESS DAY" IN FAIRFAX COUNTY** (11:05 a.m.)

Supervisor Smyth moved approval of the Proclamation to designate June 26, 2010, as "*Hepatitis Awareness Day*" in Fairfax County. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

9. **10:30 A.M. – PRESENTATION OF THE ONTHANK AWARD** (11:15 a.m.)

(BACs) Tom Garnett, Commissioner, Civil Service Commission, gave a brief presentation regarding the A. Heath Onthank Awards, the highest honor the County bestows on its employees. Kerrie Wilson, Chairman, A. Heath Onthank Award Selection Committee, introduced the committee members.

Susan Woodruff, Director, Department of Human Resources, announced the 2010 A. Heath Onthank Award recipients as follows:

- Steve Aitcheson, Director, Maintenance and Stormwater Management Division, Department of Public Works and Environmental Services
- Len Wales, County Debt Manager, Department of Management and Budget

- Grace Starbird (Retired), Area Agency on Aging, Department of Family Services

10. **10:45 A.M. – PRESENTATION OF THE TRANSPORTATION ADVISORY COMMISSION (TAC) 2009 TRANSPORTATION ACHIEVEMENT AWARD**

AND

PRESENTATION OF CERTIFICATE OF APPRECIATION PRESENTED TO MS. JANYSCE HEDETNIEMI (11:26 a.m.)

(BACs) Janyce Hedetniemi, Chair, TAC, presented the TAC 2009 Transportation Achievement Award to:

- Charles Strunk, Bicycle Coordinator, Department of Transportation

Chairman Bulova announced that she had a surprise presentation. Therefore, she relinquished the Chair to Vice-Chairman Gross and, jointly with Supervisor Cook, moved approval of the Certificate of Appreciation presented to Ms. Hedetniemi for her outstanding efforts as the Braddock District Representative to the TAC beginning in 2001. As the Chair of TAC she furthered the mission of the TAC through her exemplary service and work on many major transportation issues throughout the County, including her leadership role on the Tysons Task Force. Supervisor Cook and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

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11. **11 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:37 a.m.)

(APPTS)

(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Sully District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointments of the Citizen and the Lending Institution Representatives.

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Farmer #3 Representative.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Springfield District Representative.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Chairman Bulova moved the reappointment of Mr. Grant Nelson as the At-Large #2 Representative. Supervisor Foust and Supervisor Gross jointly seconded the motion, which carried by unanimous vote.

Chairman Bulova moved the reappointment of Mr. Darren Dickens as the At-Large #3 Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor Herrity moved the reappointment of Mr. Michael Thompson, Jr. as the Springfield District Representative. Supervisor Cook seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville District Representative, and the Women's Sports Principal and Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Chairman Bulova moved the reappointment of Ms. Lilyan Spero as the At-Large Chairman's Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Cook moved the reappointment of Mr. William Hanks as the Braddock District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Brian Halston as the Lee District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Rachel Rifkind as the Mason District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. John Byers as the Mount Vernon District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of the Honorable Emilie Miller as the Providence District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Olga Hernandez as the Sully District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Hunter Mill, and Springfield District Representatives.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Mason District Representative.

CITIZEN CORPS COUNCIL

Supervisor Smyth moved the reappointment of Ms. Jean Zettler as the Providence District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

Supervisor Herrity moved the reappointment of Captain James Kirkpatrick as the Springfield District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

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

COMMISSION ON AGING

The Board deferred the appointment of the Sully District Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Religious Community Representative.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct the Clerk to coordinate this appointment with Sandy Chisholm, the County's Community Interfaith liaison. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointment of the Mount Vernon District Representative.

CRIMINAL JUSTICE ADVISORY BOARD**CONFIRMATION:**

Supervisor Hudgins moved confirmation of the following appointment:

- Ms. Suzanne Lubkeman as the Circuit Court Alternate Representative

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

ECONOMIC ADVISORY COMMISSION**CONFIRMATION:**

Supervisor Foust moved confirmation of the following appointment:

- Mr. Brett Coffee as the Small Business Representative

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

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

Chairman Bulova moved the appointment of Mr. Arthur "Bud" Morrisette as the At-Large #3 Citizen Representative. This motion was multiply seconded and it carried by unanimous vote.

Chairman Bulova moved the reappointment of Mr. Ronald Johnson as the At-Large #4 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ENGINEERING STANDARDS REVIEW COMMITTEE

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Frey moved the reappointment of Mr. Richard Weisman as the Sully District Representative. Chairman Bulova seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Gross moved confirmation of the following appointment:

- Mr. Kevin Sun as the Student Representative

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

FAIRFAX AREA DISABILITY SERVICES BOARD

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

Supervisor Frey asked unanimous consent that the Board direct staff to provide an update on the status of the term limit requirement for the Disability Services Board. Without objection, it was so ordered.

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Supervisor Foust moved the reappointment of Mr. Terrence Jones as the Dranesville District Representative. Supervisor Gross seconded the motion which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. James Rees, IV as the Mount Vernon District Representative. Supervisor Foust seconded the motion which carried by unanimous vote.

The Board deferred the appointment of the Braddock District Representative.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Chairman Bulova moved the reappointment of Ms. Jane Haycock Woods as the At-Large #2 Representative. Supervisor Gross and Supervisor McKay jointly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Susan Beeman as the Mason District Representative. Chairman Bulova and Supervisor Foust jointly seconded the motion which, carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Mattie Palmore as the Mount Vernon District Representative. Supervisor McKay seconded the motion which carried by unanimous vote.

Supervisor Frey moved the appointment of Ms. Diane Tomasini Hofstadter as the Sully District Representative. Chairman Bulova seconded the motion which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

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

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the At-Large #2 Chairman's Representative and the Braddock District Representative.

Supervisor Hudgins announced the resignation of Mr. Henry B. Latimer as the Hunter Mill District Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Supervisor Gross moved the appointment of Bernard E. Thompson, Esq. as the Mason District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Providence District Representative.

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

The Board deferred the appointment of the Fairfax County #1 Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Chairman Bulova moved the reappointment of Ms. Eileen Nelson as the At-Large Chairman's Representative. Supervisor Smyth seconded the motion which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Richard Nilsen as the Lee District Representative. Chairman Bulova seconded the motion which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Nabil Barbari as the Mason District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Jeffrey Levy as the Mount Vernon District Representative. Supervisor McKay seconded the motion which carried by unanimous vote.

The Board deferred the appointments of the Providence and Springfield District Representatives.

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

TRANSPORTATION ADVISORY COMMISSION

(NOTE: Earlier in the meeting, the Board made a presentation to a member of this commission. See Clerk's Summary Item #10.)

Chairman Bulova moved the reappointment of Mr. Edson Tennyson as the At-Large Representative. Supervisor Hyland and Supervisor McKay jointly seconded the motion, which carried by unanimous vote.

Supervisor Cook moved the appointment of Mr. Kevin Morse as the Braddock District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Foust moved the reappointment of Mr. John Terzaken as the Dranesville District Representative. Supervisor McKay seconded the motion which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Jennifer Joy Madden as the Hunter District Representative. Supervisor Foust and Supervisor McKay jointly seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Harry Zimmerman as the Lee District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Roger L. Hoskin as the Mason District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Frank Cohn as the Mount Vernon District Representative. Supervisor McKay seconded the motion which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Stephen Still as the Providence District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Jeffrey M. Parnes as the Sully District Representative. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Springfield District Representatives.

VOLUNTEER FIRE COMMISSION

CONFIRMATIONS:

Supervisor Hyland and Supervisor McKay jointly moved confirmation of the following appointments:

- Mr. Jeffrey D. Sargent as the Volunteer Fire/Rescue Association #1 Representative
- Mr. GERAL B. STRIDER as the Zone #1 Representative
- Mr. Timothy G. Fleming as the Zone #2 Representative

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

WATER AUTHORITY

Supervisor Foust moved the appointment of Dr. Armand B. Weiss as the Dranesville District Representative. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Linda Singer as the Hunter Mill District Representative. Chairman Bulova seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Richard Dotson as the Providence District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Philip W. Allin as the Sully District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

WETLANDS BOARD

The Board deferred the appointment of the Lee District Representative.

ADDITIONAL APPOINTMENT**PLANNING COMMISSION**

Supervisor McKay announced the resignation of Rodney Lusk as the Lee District Representative and asked unanimous consent that the Board direct staff to invite Mr. Lusk to appear before the Board to be recognized. Without objection, it was so ordered.

Supervisor McKay moved the appointment of Mr. James Thomas Migliaccio as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

12. **ADMINISTRATIVE ITEMS** (11:55 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor McKay 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 – APPROVAL FOR INSTALLATION OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS, AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (BRADDOCK AND HUNTER MILL DISTRICTS)

- (R)
- Adopted the Resolution authorizing installation of “\$200 Additional Fine for Speeding” signs on the following road:
 - Wakefield Chapel Road between Braddock Road and Little River Turnpike (Braddock District)
 - Approved the installation of a “Watch for Children” sign on the following road:
 - Bridge Hill Lane (Hunter Mill District)
 - Directed staff to request the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible.

ADMIN 2 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with their registration numbers, as inactive Plans Examiners:

- Marius Burdubus 269
- Lucelle Marie Sacdalan Espine 285
- Arun G. Gan 10 (Retired)
- Laura Miller 259
- Gregory L. Rodgers 167
- Basant K. Sood 115 (Retired)
- Jessica G. Strother 158
- Alester Sturdivant Jr. 282
- Owen B. Yumang 236

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (BRADDOCK AND DRANESVILLE 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-B10-15	T-Mobile Northeast LLC Antenna colocation on existing tower 7171 Wimsatt Road Braddock District	September 2, 2010
2232-D09-36	New Cingular Wireless PCS LLC / T-Mobile Northeast LLC 115-foot monopole (tree pole) 2000 Westmoreland Street (Longfellow Middle School) Dranesville District	September 9, 2010

**ADMIN 4 – STREETS INTO THE SECONDARY SYSTEM
(PROVIDENCE, SPRINGFIELD, 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>
Oakton Green	Providence	Leigh Jillion Court
		Hunter Mill Road (Route 674) [Additional Right-of-Way (ROW) Only]
Camden Monument Place Parcel A and A-1	Springfield	Fair Lakes Parkway (Route 7700) (Additional ROW Only)
Fairwood Estates Tract 21	Sully	Stonecroft Boulevard (Route 607) (Additional ROW Only)
		Murdock Street (Route 10513) (Additional ROW Only)
Orchard Glen	Sully	Orchard Glen Court
		Oxon Road (Route 764) (Additional ROW Only)
		Oxon Road (Route 764) (Additional ROW Only)

13. **A-1 – APPROVAL OF 2010 ZONING ORDINANCE AMENDMENT
WORK PROGRAM** (11:55 a.m.)

Supervisor Frey moved that the Board concur in the recommendation of staff and approve the 2010 Zoning Ordinance Amendment Work Program as recommended by the Development Process Committee, and as set forth in Attachments 2, 3, and 4 of the Board Agenda Item dated June 22, 2010. Supervisor Gross seconded the motion.

Discussion ensued, with input from Eileen M. McLane, Zoning Administrator, Department of Planning and Zoning (DPZ), and Lorrie Kirst, Deputy Zoning Administrator, DPZ, regarding the Zoning Ordinance, the level of noise, and sponsors of signs at youth athletic fields.

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

14. **A-2 – APPROVAL OF METRO CAPITAL FUNDING AGREEMENT**
(12:02 p.m.)

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

- Approve, in substantial form and subject to the final approval of the agreement by the Metro Board of Directors, the funding agreement to support the Washington Metropolitan Area Transit Authority (WMATA) Capital Improvement Program.
- Designate the County Executive as the County's authorized representative for execution of the agreement and for the purpose of dispute resolution.

Supervisor McKay seconded the motion.

Chairman Bulova noted that later in the meeting there will be a joint Board Matter regarding a seat on the Metro Board.

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

(NOTE: Later in the meeting, a Board Matter was presented relating to Metro. See Clerk's Summary Item #20.)

15. **C-1 – NATIONAL ASSOCIATION OF COUNTIES' ANNUAL CONFERENCE** (12:08 p.m.)

The Board next considered an item contained in the Board Agenda dated June 22, 2010, requesting that the Board designate a voting and alternate delegate to represent the County at the NACo Annual Conference to be held in Washoe County, Nevada, July 16–20, 2010.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board appoint:

- Supervisor Hyland as the County's voting delegate for NACo.

- Supervisor Gross as the County's alternate voting delegate for NACo.

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

16. **C-2 – APPROVAL OF NEW CHARTER AND BYLAWS FOR THE SMALL BUSINESS COMMISSION (SBC)** (12:09 p.m.)

(BACs) The Board next considered an item contained in the Board Agenda dated June 22, 2010, regarding new charter and bylaws for the SBC.

Supervisor Gross moved approval of the new charter and bylaws for the SBC. Chairman Bulova seconded the motion.

Supervisor Gross called the Board's attention to handwritten page one of the Board Agenda Item and raised a question regarding magisterial versus county election districts and discussion ensued with input from Michael Long, Deputy County Attorney.

With regard to the text on handwritten page one, Supervisor Gross moved to amend her motion to change the language to read as follows: "One commission member shall be appointed to represent each **magisterial** district...."

Supervisor Herrity asked to amend the amendment to change the wording to **supervisor** district. Following discussion, with input from David P. Bobzien, County Attorney, regarding changing the wording, this was accepted.

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

17. **I-1 – CONTRACT AWARD – ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM IMPLEMENTATION SERVICES** (12:14 p.m.)

The Board next considered an item contained in the Board Agenda dated June 22, 2010, requesting authorization for staff to award a contract to SAP Public Services, Incorporated, in an amount of \$35,325,590 for ERP System implementation services.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the funding of the system.

Further discussion ensued, with input from Edward L. Long, Deputy County Executive, regarding keeping the Board apprised of any updates to the project.

The staff was directed administratively to proceed as proposed.

18. **I-2 – PLANNING COMMISSION ACTION ON APPLICATION 2232-V10-11, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (MOUNT VERNON DISTRICT)** (12:17 p.m.)

The Board next considered an item contained in the Board Agenda dated June 22, 2010, announcing the Planning Commission's (PC) approval of Public Facilities Application 2232-V10-11. The PC noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the *Code of Virginia*. The application sought approval to construct approximately 14,600 linear feet of 20-inch and 1,625 linear feet of 36-inch pipeline for a reclaimed water pipeline system from the Noman Cole Treatment Plant to the Covanta Waste to Energy Facility, running generally underground along or near Pohick River Drive, Lorton Road, and Furnace Road, connecting the facilities, Tax Maps 107-3 ((1)) 19, 20; 107-4 ((1)) 8B, 10, 15A, 24; 107-4 ((4)) 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28; 108-3 ((1)) 23; 113-1 ((1)) 14; and portions of roads rights-of-way on Tax Maps 107-4 and 107-3.

NV:nv

ADDITIONAL BOARD MATTERS

19. **RECOGNITION OF HOWARD GUBA, DEPUTY DIRECTOR, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES)** (12:18 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite Mr. Howard Guba to appear before the Board on July 13, to receive a certificate honoring his 25 years of service to the County. Without objection, it was so ordered.

20. **COMMONWEALTH'S REQUEST FOR TWO METRO BOARD SEATS AND CAPITAL FUNDING AGREEMENT** (12:18 p.m.)

(NOTE: Earlier in the meeting, the Board took action regarding the Metro Capital Funding Agreement. See Clerk's Summary Item #14.)

In a joint Board Matter with Supervisor Hudgins and Supervisor McKay, Chairman Bulova stated that on May 26, 2010, Virginia Secretary of Transportation Sean Connaughton wrote to the Northern Virginia Transportation Commission (NVTC) and implied that the Commonwealth would like two of Virginia's four seats on the Metro Board of Directors, in exchange for the State's contribution of \$50 million per year to match Federal funds for Metro. Currently, these four seats are held by local elected officials. In addition, the Virginia local government members of Metro, the District of Columbia, and the State of Maryland have been working with Metro to implement a new capital funding agreement by July 1, 2010, when the current capital funding agreement expires.

This new agreement is critical to numerous capital and safety projects, including the replacement of the 1000 series Metrorail cars which are more than 30 years old.

Chairman Bulova said that Virginia's commitment to match the Federal funds was made unconditionally. The Commonwealth's conditions were raised only 36 days before the new capital agreement must be adopted. She asserted that the appropriate time to raise this issue would have been in January 2010, when the Commonwealth's representative to the NVTC supported the appointment of the current Metro Board members. She stated that she considered the withholding of the capital funds required to match the Federal dollars in exchange for seats on the Metro Board of Directors a hostile action. Withholding critical capital and safety funds will further delay the implementation of critical projects and increase those project costs.

Chairman Bulova noted that the Metropolitan Washington Council of Governments and the Board of Trade are currently studying Metro governance. She said that this is a more appropriate opportunity to discuss a variety of alternatives, including direct Commonwealth representation on the Metro Board.

Accordingly, Chairman Bulova moved that the Board direct staff to draft a letter to Governor McDonnell, for the Chairman's signature, that expresses the Board's concerns, and indicates that the Board is open to finding an appropriate time to engage in a discussion about Commonwealth representation on the Metro Board of Directors, but makes it clear that withholding funds on that condition is patently unfair and will delay the ability to put critical safety funding to work. Supervisor Hudgins and Supervisor McKay jointly seconded the motion.

Discussion ensued on the motion and it included the urgency of action, safety issues, the inclusion of a transportation professional on the Metro Board, the status of the Metro system, and funding sources including the County riders.

Following discussion regarding review of the final letter, with input from Katharine Ichter, Director, Department of Transportation; Chairman Bulova indicated that the letter would be provided to the Board prior to the end of the day, but there would be no second vote on it.

The question was called on the motion, which **CARRIED** by a recorded vote of seven, Supervisor Cook, Supervisor Frey, and Supervisor Herrity voting "NAY."

(NOTE: Later in the meeting, additional action was taken regarding this issue. See page 37.)

21. **COUNTY COMMENTS ON THE METROPOLITAN WASHINGTON AIRPORT AUTHORITY'S (MWAA) DRAFT HIGHWAY NOISE POLICY FOR THE DULLES TOLL ROAD** (12:46 p.m.)

Chairman Bulova reminded the Board that in 2008, MWAA assumed the operation of the Dulles Toll Road from I-495 to Dulles Airport. MWAA recently initiated an evaluation of the need for additional highway sound walls and for renovations or replacement of existing sound walls along the Dulles Toll Road. To establish criteria for determining the need for future noise abatement measures along the Toll Road, MWAA has developed a Draft Dulles Toll Road Highway Noise Policy for public review and comment. Public comments on the Draft Noise Policy will be accepted from June 1 through June 30, 2010. Afterwards, the policy will go to MWAA's Board of Directors for review and approval.

Therefore, jointly with Supervisor Foust and Supervisor Hudgins, Chairman Bulova moved that the Board endorse the draft letter to be sent to the MWAA, providing comments on the Draft Dulles Toll Road Highway Noise Policy. Supervisor Foust seconded the motion, and it carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

22. **RECOGNIZING LANGLEY HIGH SCHOOL BOYS' LACROSSE TEAM: 2010 STATE CHAMPIONS (DRANESVILLE DISTRICT)** (12:47 p.m.)

Supervisor Foust congratulated the Langley High School boys' lacrosse team for winning the Virginia High School League's State tournament and becoming State lacrosse champions. The Saxons clinched the title on June 12 against the Loudoun Valley Vikings at Westfield High School.

Supervisor Foust noted that the Saxons came to the tournament as reigning champions. The Langley Saxons lacrosse team has made two appearances at the State tournament, last year and this year. Both times, the team was victorious.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite the Langley Saxons boys' lacrosse team, coaches, and school administrators to appear before the Board on July 27 to be recognized for their outstanding achievement. Without objection, it was so ordered.

23. **RECOGNIZING McLEAN HIGH SCHOOL GIRLS' SOFTBALL TEAM: 2010 STATE CHAMPIONS (DRANESVILLE DISTRICT)** (12:48 p.m.)

Supervisor Foust congratulated the McLean High School girls' softball team for winning the Virginia High School League's AAA State championship and becoming State softball champions. The Highlanders clinched the title on June 12, three games to nothing, against the Lee-Davis Confederates at Westfield High School.

Noting that this is the first State title for the McLean Highlanders girls' softball team, Supervisor Foust asked unanimous consent that the Board direct staff to invite the McLean Highlanders girls' softball team, coaches, and school officials to appear before the Board on July 13 to be recognized for their outstanding achievement. Without objection, it was so ordered.

24. **MOUNT PLEASANT BAPTIST CHURCH (HUNTER MILL DISTRICT)**
(12:49 p.m.)

Supervisor Hudgins noted that the Mount Pleasant Baptist Church ("applicant") is currently governed by a special permit. Since the approval of the special permit, the church has acquired two additional properties, and the applicant now proposes to consolidate the church's property [Tax Map 15-4 ((1)) Parcels 27, 28, 29 and 32] as a new special exception application, and to remove the existing dwelling unit located on Parcel 28, which is currently in blighted condition and too costly for repair. The applicant is not proposing any new construction, changes in seating capacity, hours of operation, or daily enrollment and has requested an expedited Board public hearing for the special exception application. Staff is presently evaluating the application and a hearing has been scheduled before the Planning Commission on July 29, 2010.

Therefore, Supervisor Hudgins moved that the Board direct the Director of the Zoning Evaluation Division of the Department of Planning and Zoning to schedule a public hearing to be held before the Board for Special Exception Application SE 2010-HM-008 for the next available public hearing after the Planning Commission date. Supervisor Hudgins noted that this motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from complying with the provisions of all applicable ordinances. Chairman Bulova seconded the motion, and it carried by a vote of nine, Supervisor Frey being out of the room.

25. **TOWN OF VIENNA'S INDEPENDENCE DAY CELEBRATION**
(HUNTER MILL DISTRICT) (12:50 p.m.)

Supervisor Hudgins announced that the Town of Vienna will be draped in red, white, and blue for the Town's July 4 celebration at the Vienna Community Center. The day-long celebration begins at 11 a.m. and continues throughout the day with entertainment, children's stage, family games, arts and crafts, chili cook-off, antique and classic car show, and rides. Once the sun sets, the Town's fireworks show will blast off at Southside Park. She encouraged everyone to come out for this longtime hometown celebration and asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event. Without objection, it was so ordered.

26. **RESTON FESTIVAL (HUNTER MILL DISTRICT)** (12:51 p.m.)

Supervisor Hudgins announced that Reston will celebrate its forty-sixth birthday at the Reston Festival on July 10–11. She invited everyone to visit the Reston Town Center for a weekend of fun, food, games, arts, crafts, kids' rides, and three stages of entertainment, including bingo.

Supervisor Hudgins said that community spirit still drives this celebration. The Reston Festival strives to showcase the best local entertainment talent, artisans, businesses, and community resources in celebration of the birthday of Reston. The festival emphasizes the importance of volunteerism and community involvement by introducing Reston residents and businesses to a wide array of volunteer organizations in and around Reston.

Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to publicize this festival. Without objection, it was so ordered.

27. **THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY (TJHSST) FRESHMAN CREW TEAM** (12:52 p.m.)

Supervisor Gross announced that the freshman crew team of TJHSST won medals at the Regionals and State and finished eighth nationally. Accordingly, she asked unanimous consent that the Board direct staff to invite the team to appear before the Board in recognition of its accomplishments. Without objection, it was so ordered.

28. **IMPLEMENT PARKING RESTRICTION ON THE WEST SIDE OF ROW STREET FROM LEESBURG PIKE TO MUNSON HILL ROAD (MASON DISTRICT)** (12:53 p.m.)

Supervisor Gross said that she has received complaints about the over parking of vehicles on Row Street, which cause the road to narrow considerably and would prevent an emergency response vehicle from accessing Munson Hill Road. Travel lanes measure approximately 12 feet per lane on roads with two-way traffic. A measurement of Row Street at Munson Hill Road indicates the width is 26 feet wide. Row Street cannot accommodate parking on both sides of the road, and provide access to emergency response vehicles traveling from Leesburg Pike to access residences on Munson Hill Road.

After consulting with Department of Transportation (DOT) staff, Supervisor Gross said that the most reasonable option currently available is to restrict parking on one side of this road, which would not adversely affect parking for the residents who have corner lot properties on Munson Hill Road and Leesburg Pike. This would mitigate the safety concerns expressed by the police and other public safety personnel.

Therefore, Supervisor Gross moved that the Board direct DOT staff to take the necessary steps to install signs restricting parking on the west side of Row Street, from Leesburg Pike to Munson Hill Road. This restriction would improve safety and access to residents who may be in need of emergency assistance. Supervisor Smyth seconded the motion and it carried by unanimous vote.

29. **NO BOARD MATTERS FOR PROVIDENCE DISTRICT SUPERVISOR LINDA O. SMYTH** (12:54 p.m.)

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

(NOTE: Later in the meeting, Supervisor Smyth presented a Board Matter. See Clerk's Summary Item #53.)

PMH:pmh

30. **GOVERNOR'S COMMISSION ON GOVERNMENT REFORM AND RESTRUCTURING** (12:55 p.m.)

Supervisor McKay said that the Governor's Commission on Government Reform and Restructuring held its first meeting on June 4. This commission has been tasked with identifying opportunities for creating efficiencies in State government, and is divided into four committees, each reviewing a broad area of operations. The Intergovernmental Relations Committee is chaired by Norfolk Mayor Paul Fraim and is charged in part with examining the relationship between the State and local governments. The Governor has stated that he remains a strong supporter of the Dillon Rule, but has indicated that he would be supportive of rebalancing the state/local relationship to allow more local flexibility in dealing with local concerns. The administration has also suggested that areas for the commission's review may include reducing unfunded mandates on localities and enhancing incentives for regional collaboration.

As part of the commission's work this summer, members will be holding regional town hall meetings to solicit public comment. It is important that the Board's views be presented, since the commission is deliberating and may consider draft recommendations in the next several weeks. The full commission's next meeting is July 20, and the deadline for its first set of recommendations to the Governor is August 28. A Northern Virginia town hall meeting has not yet been scheduled, but will likely be announced with relatively short notice. Along with Board priorities/positions already adopted in the Legislative Program, Supervisor McKay referred to his written Board Matter and the draft outline for the preparation of testimony and said that it offers a framework of ideas that would be conveyed to the commission.

Therefore, Supervisor McKay moved that the Board:

- Approve the draft outline for the preparation of testimony to the Commission.
- Direct staff to bring specific items from the Commission to the Board for action as necessary.

Supervisor Foust seconded the motion.

Discussion ensued regarding:

- A letter from the Department of Transportation concerning revisions to the process.
- The potential privatization of State ABC stores.

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

31. **CONCURRENT PROCESSING FOR THE PROPERTY WHICH IS THE SUBJECT OF A REZONING APPLICATION FILED BY FLEET DRIVE LLC (LEE DISTRICT)** (12:59 p.m.)

Supervisor McKay said that Fleet Drive LLC has filed a rezoning application for an assemblage of parcels on Fleet Drive. Fleet Drive LLC is requesting Board approval of concurrent processing so that the Department of Public Works and Environmental Services (DPWES) will accept and review its site plan application while the rezoning application is being processed.

Therefore, Supervisor McKay moved that the Board:

- Approve concurrent processing for the property which is the subject of a rezoning application filed by Fleet Drive LLC.
- Direct DPWES to accept and review site plan submissions pertaining to this property.

This motion should not be construed as a favorable recommendation on the rezoning application, nor does this motion relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or standards. Chairman Bulova and Supervisor Foust jointly seconded the motion and it carried by unanimous vote.

32. **PAKISTANI FESTIVAL USA 2010** (1 p.m.)

Supervisor Herrity said that for the last 24 years Pakistan's Independence Day has been celebrated in the Washington metropolitan area by a large festival that attracts thousands of people from all over the country. The festival celebrates the transition of Pakistan from a country that was under imperial rule, to one that was founded on the principles of self-government and democracy on August 14, 1947.

Supervisor Herrity noted that in the past the festival has been held at different locations in Washington, DC, as well as in Maryland, and last year it was held at George Mason University. He added that the festival showcased a plethora of Pakistani foods, music, handicrafts, jewelry, and much more.

In honor of Pakistani-Americans in the area, and in conjunction with Pakistan's Independence Day, Supervisor Herrity moved that the Board direct staff to prepare a resolution recognizing August 14 as "*Pakistani-American Day*" in Fairfax County to be presented at this year's festival. Chairman Bulova and Supervisor Foust jointly seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

33. **SPRINGFIELD YOUTH CLUB WEST END RUGBY TEAM (SPRINGFIELD DISTRICT)** (1:02 p.m.)

Supervisor Herrity said that on Saturday June 5 the Springfield Youth Club West End rugby team competed in the Rugby Virginia High School Division I State Championship game at T.C. Williams High School in Alexandria. West End overcame a very good Fairfax Police Youth Club team by a score of 18 to 9 to be crowned Virginia State champions.

Supervisor Herrity said that both the players and coaches of West End deserve a lot of credit for attaining the championship this year, bouncing back after narrowly losing the State championship game last year.

Supervisor Herrity noted that rugby is a fast growing sport in the County and rugby's inclusion in the 2016 Olympics is expected to accelerate that growth. The County will also be hosting international rugby in 2015 when it hosts the World Police and Fire Games.

Therefore, Supervisor Herrity moved that the Board direct staff to invite the West End team and coaches to appear before the Board to receive a resolution honoring them for their outstanding accomplishment of winning the Rugby Virginia High School Division I State Championship. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

34. **HONORING ACHIEVEMENTS AT WEST SPRINGFIELD HIGH SCHOOL (WSHS) (SPRINGFIELD DISTRICT)** (1:03 p.m.)

Jointly with Supervisor Cook, Supervisor Herrity said that WSHS is a cornerstone in the community academically, athletically, and culturally. It has also been a source of many County community leaders. He reported that this last month has been an exceptional one for those involved with the high school as some very special things have been going on there.

- On Saturday, June 12, the WSHS baseball team won the State Championship. The team rounded off an excellent season that saw them finish with 24 wins and only 4 defeats, with an impressive 10-2 victory against Woodbridge to bring the State title back to Northern Virginia for the first time since 2002.

- The Girls' 4x800 track relay team won the regional title in style, breaking WSHS' 8-year standing record time of 9:14.74 in the process. The team consisted of freshman Maddie Wittich, and seniors Alex Watt, Paige Kvartunas, and Anna Barber.
- Erik Bakke, a Junior at WSHS, finished third in the National Forensics League Congressional Debate on Thursday, June 17, in Kansas City, Missouri. Over 3,200 students took part in the competition, and Erik was hand selected as one of the top 6 finalists before finishing third.
- Two teachers were recognized and awarded for excellence. Social studies teacher Jim Percoco won the History Channel sponsored 2010 Virginia Preserve History Teacher of the Year Award. Japanese Honor Society and Japanese Club teacher Adam Powdell won the coveted Elgin Heinz Outstanding Teacher Award for Japanese Language from the United States-Japan Foundation.

Therefore, Supervisor Herrity moved that the Board direct staff to invite the following to appear before the Board to receive recognition for their accomplishments:

- Principal Wardinski, on behalf of all of the teachers, students, and parents recognizing these accomplishments.
- Members of the WSHS baseball team
- Members of the girls; 4x800 track relay team
- Erick Bakke, Jim Percoco, and Adam Powdell

Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

35. **SCHOOL CAPITAL IMPROVEMENT PROGRAM (CIP) ACCELERATION** (1:06 p.m.)

Supervisor Herrity said that as part of the Fiscal Year (FY) 2011 Budget Guidance, the Board included the following language regarding school construction:

The Board of Supervisors and the School Board should work together to take advantage of historically low construction costs and interest rates by exploring ways to accelerate projects on the school CIP. If projects are not fully developed, techniques such as design-build should be considered.

Supervisor Herrity said that it is his understanding that the Board has yet to hear anything from the School System on this issue since no one can accurately predict how long these historically low costs will remain.

Therefore, Supervisor Herrity moved that the Board:

- Direct staff to add school CIP acceleration to the July 6 agenda for the Board of Supervisors/School Board meeting.
- Request the School Division to make a presentation on this issue.

Supervisor Smyth seconded the motion.

Following discussion, regarding the July 6 agenda, the question was called on the motion and it carried by unanimous vote.

36. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (1:09 p.m.)

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

37. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)** (1:09 p.m.)

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

38. **TRIP TO CHINA** (1:09 p.m.)

Supervisor Hyland reported on his recent trip to the County's sister city in Harbin, China with Chairman Bulova and Barry Biggar, President and CEO, Visit Fairfax.

Chairman Bulova also reported on her experiences from the trip.

39. **INTENT TO DEFER PUBLIC HEARINGS (SULLY AND MOUNT VERNON DISTRICTS)** (1:22 p.m.)

Supervisor Frey announced his intent, later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 2009-SU-024, Proffered Condition Amendment Application PCA 2003-SU-035, and Special Exception Amendment Application SEA 2003-SU-023.

Supervisor Hyland announced his intent, later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 2009-MV-018.

(NOTE: Later in the meeting, the public hearings were formally deferred. See Clerk's Summary Items #43 and #44.)

40. **RECESS/CLOSED SESSION** (1:22 p.m.)

Supervisor Smyth 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. *Keisha Carr v. Fairfax County Department of Family Services*, Record No. 0351-10-4 (Va. Ct. App.); *Linda Saifi v. Fairfax County Department of Family Services*, Record No. 0736-10-4 (Va. Ct. App.)
 - 2. *Najib Gerdak v. County of Fairfax and Jane Doe*, Case No. CL-2010-0006041 (Fx. Co. Cir. Ct.)
 - 3. *Victoria Insurance Company as Subrogee of Donnita Nicholas v. Fairfax County Police Department and M. G. Richa*, Case No. GV10-010700 (Fx. Co. Gen. Dist. Ct.)
 - 4. *Kenneth R. Andersen v. Zoning Administrator of Fairfax County*, Case No. CL-2010-0006912 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 5. *Kevin M. Ferguson and C. Nicole Ferguson v. Board of Zoning Appeals of Fairfax County, Virginia*, Case No. CL 2010-0007746 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 - 6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Frank G. Eubank, Jr., Trustee of the Frank G.*

Eubank, Jr., Trust, Case No. CL-2009-0014688
(Fx. Co. Cir. Ct.) (Dranesville District) (Strike
Team/BNV Case)

7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Michael Shen*, Case No. CL-2009-0010971 (Fx. Co. Cir. Ct.) (Providence District)
8. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Faleh A. M. Al Hogbani*, Case No. CL-2009-0016717 (Fx. Co. Cir. Ct.) (Mason District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gary C. Smith and Carolyn W. Smith, Trustees of the Smith Living Trust*, Case No. CL-2009-0004848 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. ARPA Enterprises, Inc.*, Case No. CL-2008-0015529 (Fx. Co. Cir. Ct.) (Providence District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jaime R. Rueda*, Case No. CL-2009-0008709 (Fx. Co. Cir. Ct.) (Mason District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dino Mitchell*, Case No. CL-2007-0008571 (Fx. Co. Cir. Ct.) (Providence District)
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ronald Tonstad*, Case No. CL-2009-0013132 (Fx. Co. Cir. Ct.) (Mason District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Leo S. Morrison, Jr.*, Case No. CL-2008-0012787 (Fx. Co. Cir. Ct.) (Dranesville District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Olumuyiwa Olaseinde and*

Wuraola Olaseinde, Case No. CL-2009-0015549
(Fx. Co. Cir. Ct.) (Lee District)

16. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Scott W. Pruitt*, Case No. CL-2009-0013751 (Fx. Co. Cir. Ct.) (Springfield District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gualtar Antonio Ramos*, Case No. CL-2008-0007170 (Fx. Co. Cir. Ct.) (Providence District)
18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Adeb S. Ibrahim, Jr.*, CL-2008-0005850 (Fx. Co. Cir. Ct.) (Lee District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Arturo Castellon*, Case No. CL-2008-0004426 (Fx. Co. Cir. Ct.) (Springfield District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Brian Richard Bartunek and Sharon C. Bartunek*, Case No. CL-2010-0005678 (Fx. Co. Cir. Ct.) (Springfield District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mirna G. Rubio and Manuel R. Perez*, Case No. CL-2010-0000611 (Fx. Co. Cir. Ct.) (Lee District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nasir Ahmad and Wosai Ahmadi*, Case No. CL-2010-0000725 (Fx. Co. Cir. Ct.) (Mason District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sue Baek and Seong J. Kim*, Case No. CL-2010-0000726 (Fx. Co. Cir. Ct.) (Mason District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Henry Wilson and Mary R.*

Wilson, Case No. 2010-0007946 (Fx. Co. Cir. Ct.)
(Mount Vernon District)

25. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Guillermo Renato Garcia and Lenny Quiroz*, Case No. CL-2010-0007947 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team/BNV Case)
26. *James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. SCI Virginia Funeral Services, Inc.*, Case No. CL-2010-0008134 (Fx. Co. Cir. Ct.) (Providence District)
27. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. James W. Lewis*, Case No. CL-2010-0008214 (Fx. Co. Cir. Ct.) (Mason District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert Moreno and Angel R. Moreno*, Case Nos. 10-0011208 and 10-0011209 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Memorial Venture, LLC*, Case Nos. 10-0010997 and 10-0010998 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ala Motlagh and Denise C. Motlagh*, Case Nos. 10-014401 and 10-014402 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Claude A. Wheeler, II*, Case Nos. 10-014477 and 10-014478 (Fx. Co. Gen. Dist. Ct.) (Lee District)

And in addition:

- In the matter of Z.C.; Juvenile and Domestic Relations District Court Number JJ392454

Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Foust and Supervisor McKay being out of the room.

DET:det

At 4:04 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTION FROM CLOSED SESSION

41. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:04 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. Supervisor Foust and Supervisor Smyth jointly 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."

ADDITIONAL BOARD MATTER

42. **AMENDMENT TO BOARD'S MEETING CALENDAR** (4:05 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board's calendar be amended to remove the August 3, 2010, meeting noting that the Board had previously made a decision not to schedule public hearings on that date to observe National Night Out. Without objection, it was so ordered.

Vice-Chairman Gross returned the returned the gavel to Chairman Bulova.

AGENDA ITEMS

43. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2009-SU-024 (SULLY EAST LC) (SULLY DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-SU-035 (SULLY EAST LC) (SULLY DISTRICT)

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2003-SU-023 (SULLY EAST LC) (SULLY DISTRICT) (4:06 p.m.)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 2009-SU-024, Proffered Condition Amendment Application PCA 2003-SU-035, and Special Exception Amendment Application SEA 2003-SU-023 until

July 13, 2010, at 3:30 p.m. Chairman Bulova seconded the motion and it carried by unanimous vote.

44. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2009-MV-018 (SCANNELL PROPERTIES NUMBER 117, LLC AND SCANNELL PROPERTIES NUMBER 82, LLC) (MOUNT VERNON DISTRICT)** (4:07 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2009-MV-018 until **July 27, 2010, at 3 p.m.** Supervisor McKay seconded the motion and it carried by unanimous vote.

45. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PROJECT W00400 (W4130) - FLORENCE LANE WALKWAY (LEE DISTRICT)** (4:08 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 June 3 and June 10, 2010.

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

Following the public hearing, Supervisor McKay moved adoption of the Resolution authorizing the acquisition of the necessary land rights for the construction of Project W00400 (W4130) - Florence Lane Walkway, Fund 307, Pedestrian Walkway Improvements. Supervisor Foust and Supervisor Gross jointly 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."

46. **4 P.M. – PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON FLORENCE LANE, SHAFFER DRIVE, AND SCHOOL STREET, AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (LEE DISTRICT)** (4:10 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 June 3 and June 10, 2010.

Steven K. Knudsen, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor McKay submitted items for the record.

Supervisor McKay moved adoption of the Resolution endorsing Florence Lane, Shaffer Drive, and School Street between Telegraph Road and North Kings Highway to be included in the RTAP for a through truck traffic restriction. Supervisor Foust 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."

47. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE SIGNAL HILL COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)** (4:12 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 June 3 and June 10, 2010.

Janet Nguyen, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Cook moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Signal Hill CPD, in accordance with current CPD restrictions. Supervisor Frey 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."

48. **ORDERS OF THE DAY** (4:14 p.m.)

Following a discussion with David P. Bobzien, County Attorney, concerning the time, Chairman Bulova announced that the Board would hear public comment before proceeding with the 4:30 p.m. public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic)

49. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (4:15 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 June 3 and June 10, 2010.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a

maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by the following individuals:

- Mr. James Speiss, regarding the building permit process.
- Ms. Jennie Craig, regarding Child and Family Services practices.

Following the presentation by Mr. Speiss, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to refer this issue relating to swimming pool installations to the Development Process Committee for review. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Hyland stated that it had been brought to his attention that the County might have more stringent requirements for the installation of solar panels than other jurisdictions in the State and asked unanimous consent that the Board direct staff to refer this issue to the Development Process Committee for review. Without objection, it was so ordered.

50. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW** (4:29 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 June 3 and June 10, 2010.

David J. Ferris, Manager, Policy and Planning, Police Department, presented the staff report.

Supervisor McKay stated that he had a meeting with the County Attorney's office and several members of the Police Department who raised concerns about Code updates that are not included in this but preclude them in certain instances from writing citations to the County versus the State Code and asked unanimous consent that the Board direct staff to expeditiously report their findings to the Board. Without objection, it was so ordered.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law. Supervisor McKay 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."

51. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN**

(Note: Earlier in meeting, public comment was heard. See Clerk's Summary Item #49.)

52. **4:30 P.M. – PH ON PROPOSED PLAN AMENDMENT ST05-CW-1CP, TYSONS CORNER URBAN CENTER (PROVIDENCE AND HUNTER MILL DISTRICTS)**

AND

PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), TO CREATE A NEW PLANNED TYSONS CORNER (PTC) URBAN DISTRICT (PTC)

(4:31 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 June 3 and June 10, 2010.

Clark Tyler, Chairman, Tysons Land Use Task Force, outlined the mission and focus of the task force and presented the context of the hearing.

Following an inquiry to David P. Bobzien, County Attorney, Chairman Bulova also called the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to create a new Planned Tysons Corner Urban District.

Following an explanation from Chairman Bulova on how the hearings would proceed, James P. Zook, Director, Department of Planning and Zoning (DPZ) introduced Matthew Ladd, Planner II, Policy and Plan Development Branch, Planning Division, DPZ. Mr. Ladd:

- Introduced staff who had been working on the Tysons team.
- Presented highlights of the Planning Commission's (PC) recommendations and modifications.

Additional presentations were made by:

- Mr. Zook concerning issues that might not be in accord with staff recommendations and other proposals.
- Walter Alcorn, Vice-Chairman, PC, concerning the process the PC utilized in developing its recommendations.

Discussion ensued, with input from Mr. Zook and Daniel Rathbone, Director, Transportation Planning Division, Department of Transportation, concerning:

- The definition and calculation of an initial development level of 45 million square feet and its effect on the commercial tax base.
- The projected timeframe in which the grid of streets, specifically the grid outside the quarter mile radius, would be built.
- Interest in building outside of the quarter mile radius.
- The estimated cost to land owners of each of the requirements in the current proposed comprehensive plan.

ADDITIONAL BOARD MATTER

Commonwealth's Request for Two Metro Board Seats and Capital Funding Agreement

(Note: Earlier in the meeting the Board discussed this issue. See Clerk's Summary Item #20.)

Chairman Bulova stated that as a result of an earlier discussion regarding the Washington Metropolitan Area Transit Authority (WMATA) issue, a draft letter has been circulated with an edit suggested by Supervisor Hudgins, and she asked that the Board review it and provide any additional revisions to staff for recirculation.

Following the public hearing, which included testimony by 58 speakers, Supervisor Hudgins submitted items for the record.

Chairman Bulova asked staff to present closing remarks and include the following issues which were raised during the public hearing:

- Flexibility
- Density bank
- Workforce housing
- Requirement for public facility plan
- Incentives for Leadership in Energy and Environmental Design (LEED) certification in the gold and platinum categories

Supervisor Frey requested a point of clarification regarding whether it was the Board's intent to vote on this proposal tonight and discussion ensued.

Mr. Zook presented closing remarks and addressed concerns raised during the public hearing. Discussion ensued regarding:

- Parcel consolidation and inflexible language that could encourage holdouts for higher prices
- The absorption of additional density by large applications through strict interpretation
- The ability to monitor the plan
- The quality of development beyond the quarter mile
- Mitigation of the Environmental Quality Corridor (EQC) and grid development, specifically as it relates to Boone Boulevard

Following remarks by Chairman Bulova, Supervisor Smyth, jointly with Supervisor Hudgins and Chairman Bulova, moved that the Board adopt the proposed plan amendment for the Tysons Corner Urban Center, ST05-CW-1CP, as recommended by the Planning Commission on May 27, 2010, and set forth as Attachment I of the Board Agenda Item dated June 22, 2010, with the modifications found on the handout of marked-up replacement pages dated June 22, 2010.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board waive further reading of the motion. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Smyth further moved that the Board adopt the "Board of Supervisors' Tysons Corner Urban Center Workforce Dwelling Unit Administrative Policy Guidelines," set forth as Attachment IV of the Board Agenda Item dated June 22, 2010, with a modification to Paragraph 9B on Page 8 of 13 to change the term of price control for rental units from 99 years to 50 years. Supervisor Foust and Supervisor Hyland jointly seconded the motion.

Supervisor Frey moved a substitute motion to defer the decision on the proposed plan amendment until July 27, 2010. Supervisor Cook and Supervisor Herrity jointly seconded the motion.

Following discussion, the question was called on the substitute motion and it **FAILED** by a recorded vote of seven, Supervisor Cook, Supervisor Frey, and Supervisor Herrity voting "AYE."

Supervisor Smyth asked to amend the original motion to include the following: that the Board adopt the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to establish the PTC Urban District, as recommended by the PC on May 27, 2010, and set forth as Attachment 1 of the Board Agenda Item dated June 22, 2010, with the following three revisions:

- To clarify what constitutes the final inspection for purposes of establishing the special exception for increase in floor area ration (FAR), revise Paragraph 6 of Section 9-629, Lines 3-7 on Page 24 of Attachment 1 to read:
 6. Notwithstanding the provisions of Sect. 9-015, the special exception allowing increased floor area shall automatically expire in whole or in part, without notice, ten (10) years from the date of approval, or such other timeframe as specified by the Board, unless the core and shell final building inspections(s) ~~has~~ been approved for that floor area of the building(s) containing the subject to special exception floor area; or additional time is granted by the Board for any building approved for special exception floor area, but has not received core and shell final building inspection. The Board may approve a request for additional time, subject to the following:
- For consistency of format, revise paragraph 8 of Section 6-501, Line 36 on Page 2 of Attachment 1 to read:
 8. Contribute to implementing the workforce and affordable housing affordable housing policies for Tysons to provide housing to various income levels.
- Revise Section 6-507, Bulk Regulations, by adding the following to the end of Paragraph 2B, Line 46 on Page 13 of Attachment 1 to read as follows:
 - 2B. However, for those properties within the TOD District beyond the one-fourth (1/4) mile and proposed for residential mixed use development as defined in the adopted Comprehensive plan, the FAR set forth in Par. A above may be applied provided that the applicant demonstrates to the Board's satisfaction that there is acceptable pedestrian access to the Metrorail Station; that the proposed FAR can not be achieved with the inclusion of bonuses for affordable housing or public facilities; and that the property is adjacent to or redeveloping in coordination with property that is located within one-fourth (1/4) mile from a Metrorail Station entrance.

and that the Board adopt the “Board of Supervisors’ Guidelines for Vehicle Trip Generation Analysis for Rezoning Applications to the Tysons PTC District” as set forth as Attachment 3 of the Board Agenda Item dated June 22, 2010. This was accepted.

Discussion ensued, with additional input from Mr. Zook and Commissioner Alcorn, concerning:

- Monitoring
- The transportation planning process
- Financing transportation improvements and cost sharing
- Density

The question was called on the motion, as amended, and it **CARRIED** by a recorded vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth and Chairman Bulova voting “**AYE**,” Supervisor Frey and Supervisor Herrity voting “**NAY**.”

Supervisor Smyth, jointly with Supervisor Hudgins and Chairman Bulova, moved the following (identified as Attachment III of the Board Agenda Item dated June 22, 2010) that address recommendations of the PC and add to them additional implementation items including multi-modal access to the Metro stations, urban design guidelines, staffing issues and flexibility in the review of zoning applications of special merit, and asked unanimous consent to include the following revisions:

- Item 9: change “extension of the Orange Line on I-66” to “extension of **mass transit** on I-66.”
- Item 20: change “and generally meet the objectives of the Plan to “and, **on balance**, meet the objectives of the Plan.”

Without objection, it was so ordered.

Chairman Bulova seconded the motion as revised.

Discussion ensued concerning changes to Item 9. Supervisor Smyth asked unanimous consent that the Board direct staff to consider its discussion in their planning considerations. Without objection, it was so ordered.

Supervisor Herrity called the Board's attention to Item 11 and asked to amend that motion, as follows, to add: **“and tie into the mass transit and high occupancy vehicle (HOV) coming off the high occupancy toll (HOT) lanes on 495.”** This was accepted.

Discussion ensued concerning the cost of the circulator study, with input from Mr. Rathbone.

The question was called on the add-on motions, as amended, and it carried by unanimous vote.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite appropriate staff to appear before the Board to be recognized for their significant contributions to this effort. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

ADDITIONAL BOARD MATTER

53. **CONCURRENT FILING OF COUNTY-OWNED PROPERTY AND RIGHT-OF-WAY WITH THE GEORGELAS GROUP LLC/ “DEMONSTRATION PROJECT” REZONING AND SPECIAL EXCEPTION APPLICATIONS** (11:12 p.m.)

Supervisor Smyth stated that the Georgelas Group “demonstration project,” a 28.45 acre area located north and adjacent to the future Tysons West Metro station, has provided real world insight and helped in the development of the new Comprehensive Plan for Tysons Corner. The demonstration project also included the 2.58 acre County Fire Station #28* located at 1560 Spring Hill Road and identified in the tax records as 29-3-((1)) 57B.

Supervisor Smyth said that the Georgelas Group is prepared to immediately file a rezoning on the demonstration project area including the fire station and a small area of public right-of-way that is proposed to be vacated and abandoned (1,575 square feet) and noted that consent to the inclusion of the fire station site and the right-of-way in the application is required from the Board as the owner of the fire station site and the public right-of-way.

Supervisor Smyth moved that the Board authorize the:

- Inclusion of the fire station site located at 1560 Spring Hill Road on tax map parcel 29-3((1)) 57B and approximately 1,575 square feet area of public right-of-way located between tax map parcels 29-3((1)) 53A and 57J in the rezoning and possible special exception applications to be filed by Georgelas Group LLC.

- County Executive to act as agent of the Board in connection with this(ese) application(s) adding that the applicant understands that the Board's concurrence with the(ese) filing(s) will not prejudice the consideration of the application in any way.

Supervisor Hyland seconded the motion.

Discussion ensued with input from James P. Zook, Director, Department of Planning and Zoning, concerning the use of the property, the demonstration project, and the fire station number.

*Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked to amend the motion to correct the station number from 28 to 29, and this was accepted.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

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

54. **BOARD ADJOURNMENT** (11:17 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-5
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	5-13
Items Presented by the County Executive	
Administrative Items	13-15
Action Items	15-16
Consideration Items	16-17
Information Items	17-18
Board Matters	
Chairman Bulova	18-20
Supervisor Cook	25-26
Supervisor Foust	20-21
Supervisor Frey	n/a
Supervisor Gross	22
Supervisor Herrity	24-27
Supervisor Hudgins	18-19, 21-22
Supervisor Hyland	27
Supervisor McKay	18-19, 23-24
Supervisor Smyth	41-42
Action from Closed Session	32
Public Hearings	32-41