



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
February 26, 2013**

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04-13

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 Tuesday, February 26, 2013, at 9:32 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 Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; Cynthia L. Tianti, Deputy County Attorney, Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Dianne E. Tomasek and Ekua Brew-Ewool, Administrative Assistants, Office of Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:32 a.m.)

Supervisor McKay announced that he had circulated an item, House Resolution Number 117, a resolution introduced by State Delegate Robert Sickles commemorating Mr. Bernard M. Fagelson on the occasion of his one-hundredth birthday. Mr. Fagelson died last week.

Supervisor McKay said Mr. Fagelson was a mentor of many people involved in civic activities, a trailblazer on civil rights, and a real gentleman of a person to know.

Chairman Bulova asked the Board to keep in thoughts the friends and family of Mr. Fagelson.

Supervisor Hyland noted that he had attended the service for Mr. Fagelson and added that he was the consummate Virginia gentleman, an absolute expert in the field of zoning and land use, and very involved in supporting political candidates.

Supervisor Hyland asked the Board to keep in thoughts the family of Mr. Bob Bernier who lived in the Tauxemont community and participated in making the community so much better.

AGENDA ITEMS2. **PROCLAMATION DESIGNATING MARCH 2013 AS “INTELLECTUAL AND DEVELOPMENTAL DISABILITIES INCLUSION MONTH” IN FAIRFAX COUNTY** (9:37 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of a Proclamation designating March 2013 as “*Intellectual and Developmental Disabilities Inclusion Month*” in Fairfax County and urges all residents to recognize the tremendous value and potential of people with intellectual and developmental disabilities and include them in all aspects of community life.

Supervisor Foust and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning:

- Changes over the years in the way individuals with intellectual and developmental disabilities are treated and included
- Mutual benefits of inclusion

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

Annie Frickel, spokesperson for The ARC of Northern Virginia and Director of First Impressions, noted that new Virginia Way cookies, prepared by the students at the Davis Career Center culinary arts class, had been distributed to the Board.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

3. **RESOLUTION OF RECOGNITION PRESENTED TO MR. DAVID CURTIN (SPRINGFIELD DISTRICT)** (9:49 p.m.)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. David Curtin for his accomplishments at the Special Olympics. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

4. **PROCLAMATION DESIGNATING MARCH 2013 AS "TUBERCULOSIS AWARENESS MONTH" IN FAIRFAX COUNTY** (9:56 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate March 2013 as "*Tuberculosis Awareness Month*" in Fairfax County and urges all residents to learn about TB, cover their coughs and sneezes, and join ongoing efforts to stop the disease. Supervisor Gross seconded the motion.

Discussion ensued concerning the difference in current versus past treatment and prevention.

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

Dr. Gloria Addo-Ayensu, Director, Health Department, noted that tuberculosis is both preventable and curable with little cost.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MR. RICK TAUBE** (10:09 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Mr. Rick Taube for 30 years of noteworthy and dedicated service to the County and the region. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion.

Following several tributes by Board Members, the question was called on the motion and it carried by unanimous vote.

6. **RESOLUTION OF RECOGNITION PRESENTED TO MR. HAROLD PYON (SPRINGFIELD DISTRICT)** (10:21 a.m.)

Supervisor Herrity moved approval of the Resolution of Recognition presented to Mr. Harold Pyon for his years of dedicated service to Virginia, the County, and the Springfield District. Supervisor Hyland and Chairman Bulova jointly seconded the motion.

Following several tributes by Board Members, the question was called on the motion and it carried by unanimous vote.

7. **RESOLUTION OF RECOGNITION PRESENTED TO MR. ROY LOUNSBURY (MASON DISTRICT)** (10:36 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to Mr. Roy Lounsbury for 23 years of dedicated and exceptional service on the Mason District Land Use Committee. Supervisor Foust and Supervisor Hyland jointly seconded the motion.

Following several tributes by Board Members, the question was called on the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

8. **CERTIFICATES OF RECOGNITION PRESENTED TO THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, THE DEPARTMENT OF CODE COMPLIANCE, THE POLICE DEPARTMENT, THE OFFICE OF THE SHERIFF, AND THE OFFICE OF THE COUNTY ATTORNEY** (10:47 a.m.)

Supervisor McKay moved approval of the Certificates of Recognition presented to the Department of Public Works and Environmental Services, the Department of Code Compliance, the Police Department, the Office of the Sheriff and the Office of the County Attorney for their combined effort to clear a property of excessive junk and vehicles in disrepair. Supervisor Foust seconded the motion and it carried by unanimous vote.

9. **10:30 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (11:01 a.m.)

Chairman Bulova announced that she had a copy of the Transaction 2040 Transportation Plan that was adopted by the Northern Virginia Transportation Authority (NVTA) and then presented to the Board as well as other Boards of jurisdictions throughout Northern Virginia. She noted that the document was useful during the Virginia General Assembly's deliberation of a transportation plan regarding questions pertaining to how funding would be spent.

Supervisor McKay, Chairman of the Board's Legislative Committee, briefed the Board on the final report and updated tracking chart distributed to Board Members at the dais.

He noted that there is both good news and challenges ahead including:

- A partial restoration of funding for the cost of competing adjustment funding for support positions
- An agreement of sorts on the subject of Medicaid expansion which could extend health care coverage for approximately 25,000 to 30,000 people in the County
- Passage of a transportation funding package which provides the first significant new transportation funding in a generation

Supervisor McKay noted that chief among the factors contributing to the passage of the transportation bill was the County's efforts and participation in the Urban Crescent Coalition which was comprised of local governments up and down the Interstate 95 and 64 corridors in Virginia, the economic engine of the Commonwealth of Virginia. He also thanked members of the Fairfax County delegation who played leadership roles in a bipartisan basis to come forth in support of the final package; however, he added that Governor McDonnell, who supports the bill, will also have an opportunity to make amendments to it.

Supervisor McKay stated that many of the bills targeting local governments were either killed or improved in the course of the session: of the 55 bills that the County originally opposed, only 11 remained. He added that one particularly troubling development was not significantly improved but was passed by the General Assembly; the bill allows low performing schools to be transferred to a newly-created State-wide school division creating a disturbing precedent for State control over individual local schools.

He noted that the underfunding of core services will continue to be a significant issue for localities including:

- Kindergarten through grade 12 education where State funding is at approximately the 2007 level
- HB 599 program

Supervisor McKay concluded with recognition of staff that represented the County in Richmond, and announced that this was the thirty-first session for Sue Mittereder, Legislative Director, during 29 of which she represented the County and the Fairfax County Public Schools. She will be retiring later this year.

Supervisor McKay moved approval of the final report and the updated tracking charts. Chairman Bulova seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct Department of Public Works and Environmental Services staff to provide additional information to the Environmental Committee on House Bill 2190, Stormwater Management Ordinances, and the impact this will have on how the County deals with stormwater on development sites. Without objection, it was so ordered.

Discussion ensued, concerning a Virginia Association of Counties (VACo) summary of the transportation bill which references Northern Virginia's wholesale gas tax, with input from Noelle Dominguez, Legislative Liaison, Coordination and Funding Division, Department of Transportation (DOT).

Supervisor Frey asked unanimous consent that the Board direct staff to provide an update on the contributions of localities across the Commonwealth to fund their community services boards. Without objection, it was so ordered.

Following an inquiry concerning the pre-school initiative piece in the budget, with input from Claudia Arko, Management Analyst IV, Office of the County Executive, the question was called on the motion, and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

REQUEST FOR RECOGNITION OF SUE MITTEREDER, COUNTY LEGISLATIVE DIRECTOR (11:16 a.m.)

Supervisor McKay announced that the Board has come to the end of an era with the upcoming retirement of longtime Legislative Director Sue Mittereder, who is retiring after more than 30 years of public service and has ably represented the County before the Virginia General Assembly since 1989. He noted that on February 18, the General Assembly recognized Ms. Mittereder for her service in House Joint Resolution Number 933 and said it is fitting that the Board also recognize her for her outstanding service to the citizens of the County.

Supervisor McKay asked unanimous consent that the Board direct staff to invite Ms. Mittereder to appear before the Board at a future date to be recognized. Without objection, it was so ordered.

Chairman Bulova asked Mr. Biesiadny to provide additional information on transportation funding. Mr. Biesiadny stated that a one-page handout had been distributed to Board Members at the dais and noted that there are three Northern Virginia specific revenue sources:

- The Grantor's tax (paid by the property seller)
- The .7 percent sales tax
- The 3 percent transit occupancy tax

Chairman Bulova pointed out that there is weighted voting on the NVTA that takes into account the County's larger population. Mr. Biesiadny added that there are three factors that have to be met in NVTA voting, as follows:

- Majority of the members present
- Majority of the jurisdictions (5 of 9)
- Majority of the population (the County represents 55 to 60 percent of the population)

Discussion ensued, concerning the \$300 million allocation for Dulles Rail Phase 2, with input from Mr. Biesiadny regarding:

- Incremental payments which will go to the Metropolitan Washington Airports Authority (MWAA)
- Tolls
- Funding of the Route 28 station
- The Board's input into decisions

Supervisor Cook asked unanimous consent that the Board direct staff to provide additional information on mileage to be repaved each year. Without objection, it was so ordered.

Discussion ensued, concerning congestion relief, with input from Ms. Dominguez concerning evaluating and ranking projects.

Supervisor Smyth asked unanimous consent that the Board direct staff to provide additional information regarding estimated sales tax and transient occupancy revenue from Tysons. Without objection, it was so ordered.

PMH:pmh

10. **10:40 A.M. – COUNTY EXECUTIVE PRESENTATION OF THE PROPOSED FISCAL YEAR (FY) 2014 BUDGET** (11:32 a.m.)

Edward L. Long Jr., County Executive, presented his proposed FY 2014 Budget. He expressed his appreciation to staff for their hard work and the community for their feedback and involvement.

Chairman Bulova highlighted the key dates for the *FY 2014 Advertised Budget Plan* as follows:

- | | |
|----------|---|
| March 5 | – Advertise FY 2013 Third Quarter/FY 2014 Real Estate Tax rate |
| March 12 | – Budget Committee - 1 p.m. |
| March 18 | – Budget Committee - 2 p.m. |
| March 19 | – Board Meeting |
| April 9 | – Board Budget Public Hearings - effective tax rate 3:30 p.m./6 p.m. Budget |
| April 10 | Board Budget Public Hearing - 3 p.m. |
| April 11 | Board Budget Public Hearing - 3 p.m. |
| April 19 | – Budget Committee, 2 p.m. (Pre-Markup) |
| April 23 | – Budget Markup and Approval of Third Quarter |
| April 30 | – Budget Adoption |

Discussion ensued with input from Mr. Long and Susan Datta, Director, Department of Management and Budget, regarding:

- The process for submitting budget questions and receiving answers
- Delivery of budget documents to Board Members
- Environmental issues
- Capital Improvement Program (CIP)
- Transit issues

- School budget request
- Compensation to employees
- New positions/eliminated positions
- Status of FOCUS

Supervisor Frey announced that the Sully District Budget Town meeting is scheduled for March 13 at 7 p.m. at Rocky Run Middle School. It will be co-hosted with Sully District School Board Member Kathy Smith and the Sully District Council of Citizens' Association of West Fairfax County Citizens' Association.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct the Office of Public Affairs to publicize the budget town hall meetings. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Cook asked unanimous consent that the Board direct staff to provide the Board with the list of possible agency reductions of five percent for each of the next two years. Without objection, it was so ordered.

Supervisor Cook announced that he will be hold the following Braddock District Town Hall meetings:

- Monday, March 18 at 7:30 p.m. at Little Run Elementary School
- Tuesday, April 2 at 7:30 p.m. at Robinson Secondary School

Discussion ensued regarding:

- Dialogue at budget committee meetings
- Average real estate increase
- Community Funding Pool
- Public Safety requests

Supervisor Smyth noted, for the record, that the Tysons Service District rates are the County Executive's recommendations.

Supervisor Smyth announced that a joint budget meeting with Patty Reed, Providence District School Board Member and the Providence District Council is

scheduled for Wednesday, March 6 at 7:15 p.m., at the Dunn Loring Administrative Center on Gallows Road.

Discussion continued regarding:

- Stormwater fee rates
- Long term view of the commercial tax base and rezonings
- AAA Bond rating
- School renovations

Supervisor Herrity announced that the Springfield District Town Hall meeting is scheduled for Wednesday, March 6 at 7 p.m., at the West Springfield Government Center Community Room.

Supervisor McKay referred to the Schools and asked unanimous consent that the Board direct staff to report with information regarding:

- Expenditures based on one time balances
- The amount left in various accounts unspent and carried over into the next budget year
- The percent of expenditures in the last quarter of the school year compared to the previous three quarters

Without objection, it was so ordered.

Discussion continued regarding:

- Planning “hotspots” in the County
- Health Insurance issues
- \$350,000 for Strive implementation
- Police Department positions
- Long term Public Safety visibility

Supervisor McKay asked unanimous consent that the Board direct staff to report with information regarding:

- What’s driving up the cost of fire apparatus and ambulance replacement

- Can the Board do anything to influence the cost

Without objection, it was so ordered.

Discussion ensued regarding:

- Additional recommended revenue adjustments
- Sales tax increase on new vehicle purchases
- Increase in Grantors tax
- Tax increase for the purchase of a car
- The requirement for an increase in the C&I Tax

Supervisor McKay announced that a joint Lee District School Board/County Board budget meeting is scheduled for Wednesday, March 13, 7 p.m. until 9 p.m., in the Community Room at the Franconia Government Center.

Discussion continued regarding:

- Third Quarter budget
- Five percent agency cuts
- Managed Reserve and Revenue Stabilization Fund

Supervisor Foust announced the following Dranesville District Town Hall meetings:

- March 12 at 7 p.m., at the McLean Community Center
- April 2 at 7 p.m., at the Great Falls Library
- April 3 at 7 p.m., at the Herndon Town Council Chambers

Supervisor Gross announced that the Mason District Town Hall meeting on the budget is scheduled for Wednesday, March 20 at 7 p.m. at the Mason District Governmental Center.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding the average life of fire apparatus. Without objection, it was so ordered.

Supervisor Hudgins announced that the Hunter Mill District Town Hall meetings on the budget are scheduled for:

- March 27 at 7 p.m. at the Reston Community Center
- April 6 from 10 a.m. until noon at the Vienna Community Center

Supervisor Hyland announced that he is waiting to confirm the Mount Vernon District Town Hall meeting regarding the budget.

Supervisor Hyland asked unanimous consent that the Board reach out to the Chamber of Commerce, the business community, and restaurant owners to consider putting to referendum a meals tax. Without objection, it was so ordered.

ADDITIONAL BOARD MATTER

11. **CAPITAL FACILITIES AND DEBT MANAGEMENT WORKING GROUP** (1:15 p.m.)

Chairman Bulova said deliberations for Fiscal Year (FY) 2014 are now shifting into high gear. She said that the Board will be working with the School Board and she noted that the School System is one of the greatest assets and historically a majority of the County's General Fund revenue and General Obligation Debt capacity has been transferred to the School System to sustain the investment.

Chairman Bulova noted that when the Board met with the School Board in November on the budget, it heard about the growing concerns over the capital needs due to a growing student population and the projected pace of renovations to keep existing facilities current. She said that she recently received a follow-up letter from School Board Chairman Ilryong Moon detailing these concerns and requesting enhanced capital funding starting in FY 2015. A copy of Chairman Moon's letter as well as her response is included with her written Board Matter.

Chairman Bulova said that the County shares its debt capacity with the School System and the County government has capital needs of its own, including some projects which have been postponed for years. There is also a responsibility to keep tax bills affordable for residents and stay within the debt limits to retain the AAA bond rating.

To focus on the challenge of the respective capital needs, Chairman Bulova proposed the creation of a Capital Facilities and Debt Management Working Group consisting of three members of the Board of Supervisors and three members of the School Board. This working group will jointly review the School System and County government's capital needs and examine the fiscal constraints. Members of the working group will meet throughout the Budget Process and beyond and will report regularly to their respective Boards.

Chairman Bulova said that she has requested Supervisor McKay, Supervisor Cook and Supervisor Foust to represent the Board of Supervisors and ask that School Board Chairman Moon select three of his colleagues to represent the Public Schools.

Supervisor Herrity suggested that there should be a review of:

- How buildings are designed and constructed
- Reserve levels
- How to move projects more quickly through the zoning and permitting process

A brief discussion ensued regarding Supervisor Herrity's suggestions.

EBE:ebe

12. **11:40 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (1:23 p.m.)

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy "Appointments to be Heard February 26, 2013," as distributed around the dais. Supervisor Hyland seconded the motion.

Supervisor Foust asked to amend the motion to include a confirmation for Mayor William Holloway as the Town of Clifton Representative to the Economic Advisory Commission. And this was accepted.

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

Appointments are as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Mr. Clifford L. Fields as the At-Large Chairman's Representative

Appointment of:

- Mr. Charles Thomas Coyle, III as the Mount Vernon District Representative

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Ms. Meg Keadle Rayford as the At-Large Chairman's Representative
- Ms. Sarah Newman as the Hunter Mill District Representative
- Ms. Edwina Louise Dorch as the Mount Vernon District Representative

The Board deferred the appointment of the Sully District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

Appointment of:

- Mr. Joshua D. Foley as the Braddock District Representative

The Board deferred the appointment of the Mason District Representative.

ATHLETIC COUNCIL

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Appointment of:

- Ms. Therese Martin as the Hunter Mill District Representative

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

Reappointment of:

- Mr. David Anthony Beale as the Design Professional #3 Representative

- Mr. Wayne Bryan as the Alternate #2 Representative

The Board deferred the appointment of the Design Professional #1 Representative and Alternate #1 and Representative.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

The Board deferred the appointment of the Professional #6 Representative.

CHILD CARE ADVISORY COUNCIL

Reappointment of:

- Ms. Gita D'Souza Kumar as the Sully District Representative

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

CITIZEN CORPS COUNCIL

The Board deferred the appointment of the Providence District Representative.

COMMISSION FOR WOMEN

Appointment of:

- Ms. Julia T. Boone as the Hunter Mill District Representative

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION

Appointment of:

- Ms. Carmen Ana Cintron as the Mount Vernon District Representative

Reappointment of:

- Rabbi Rosaline Gold as the Religious Community Representative

The Board deferred the appointment of the Lee and Providence District Representatives.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Reappointment of:

- Mr. Gregory Packer as the Mount Vernon District Representative
- Ms. Linda W. Thomas as the Providence District Representative
- Mr. Jay Hilbert as the Sully District Representative

CONSUMER PROTECTION COMMISSION

Appointment of:

- Mr. Jason Chung as the the Fairfax County Resident #7 Representative

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Reappointment of:

- Mr. Richard Nagel as the Dranesville District Representative

The Board deferred the appointment of the Braddock, Hunter Mill, Mason, Providence, and Sully District Representatives.

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. Dana Kauffman as the Northern Virginia Community College Representative
- Mayor William Holloway as the Town of Clifton Representative

(NOTE: Later in the meeting, an additional appointment was made to this commission. See Clerk's Summary Item #26.)

ENGINEERING STANDARDS REVIEW COMMITTEE

Confirmation of:

- Mr. John W. Ewing as the National Association of Industrial Office Properties (NAIOP) Representative

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Reappointment of:

- Ms. Stella Koch as the At-Large Chairman's Representative

The Board deferred the appointment of the At-Large #2 Representative and Providence District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Lee and Sully District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Christine D. Clark as a Long Term Care Provider

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Confirmation of:

- Mr. Brian Kelleher as the Chamber of Commerce Representative
- Mr. Michael Session as the Northern Virginia Hospitality Council #1 Representative
- Mr. Sami Zeitoun as the Northern Virginia Hospitality Council #3 Representative
- Mr. Ben Hiatt as the Northern Virginia Hospitality Council #6 Representative
- Mr. Claude Andersen as the Northern Virginia Hospitality Council #9 Representative

FAIRFAX –FALLS CHURCH COMMUNITY SERVICES BOARD

Nomination of:

- Mr. Gary A. Ambrose as the At-Large #3 Representative

(The Board is scheduled to take action on this appointment on March 19, 2013.)

The Board deferred the appointment of the Mount Vernon and Sully District Representatives.

GEOTECHNICAL REVIEW BOARD

Confirmation of:

- Mr. Christopher Giese as the Alternate #2 Representative

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #1 and #6 Representatives and the Provider #1 Representative.

HUMAN RIGHTS COMMISSION

Appointment of:

- Ms. Janice Brangman the At-Large #3 Representative

HUMAN SERVICES COUNCIL

Appointment of:

- Mr. Jack Dobbyn as the the Mount Vernon District #1 Representative

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Reappointment of:

- Ms. Patricia Smith-Solan as the Hunter Mill District Representative

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

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the Hunter Mill and Sully District Representatives.

PARK AUTHORITY

Appointment of:

- Mr. Faisal Khan as the At-Large Chairman's Representative

- Ms. Mary Cortina as the At-Large #1 Representative

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #4 Representative.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Citizen Member #1 and #3 Representative and Tenant Member #3 Representative.

TREE COMMISSION

The Board deferred the appointment of the Providence District Representative.

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Alternate Representative.

13. **ADMINISTRATIVE ITEMS** (1:24 p.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Gross called the Board's attention to Admin 5 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Civil Penalties. Discussion ensued, with input from Leslie Johnson B. Johnson, Zoning Administrator, Department of Planning and Zoning, and Cynthia Bailey, Senior Assistant County Attorney, regarding streamlining the review on sheds construction to minimize violations and the costs associated with litigation.

Supervisor Smyth called the Board's attention to Admin 7 – Authorization to Advertise a Public Hearing on the Proposed Consolidated Plan One-Year Action Plan for Fiscal Year (FY) 2014. Discussion ensued, with input from Paula Sampson, Director, Department of Housing and Community Development, regarding the number of staff positions funded and the cost.

Supervisor Smyth asked unanimous consent that the Board direct staff to provide information on the cost associated with the positions. Without objection, it was so ordered.

Supervisor Smyth called the Board's attention to Admin 9 – Authorization to Advertise Public Hearings on a Proposed Amendment to the Public Facilities Manual (PFM), Regarding Tysons Corner Urban Center. Discussion ensued, with input from Paul Shirey, Director, Code Development and Compliance Division,

Department of Public Works and Environmental Services (DPWES), regarding drainage and stormwater, streamlining the modification process as part of the conditions, and flexibility for the required modification standards.

Chairman Bulova announced that the Board would consider Admin 10 separately.

The question was called on the motion to approve Administrative items with the exception of Admin 10, 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 OF A RESOLUTION TO ALLOW ALL AMERICAN AMBULANCE AND TRANSPORT TO OPERATE TRANSPORT SERVICES FOR HOSPITALS AND NURSING HOMES WITHIN THE COUNTY

- (R) Adopted a Resolution authorizing All American Ambulance and Transport to operate transport services for hospitals and nursing homes within the County.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONVEY BOARD-OWNED PROPERTY TO EASTWOOD PROPERTIES, INCORPORATED (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 9, 2013, at 4 p.m.** to consider conveying Board-owned property to Eastwood Properties, Incorporated.

ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)

- (R) Approved the request that the following streets be accepted into the State System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Fair Oaks Plaza (Random Hills Road Public Improvement)	Braddock	Waples Mill Road (Route 665) [Additional Right-of-Way (ROW) Only]
		Random Hills Road (Route 7230) (North Side) (Additional ROW Only)
		Random Hills Road (Route 7230) (South Side) (Additional ROW Only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Sunrise Valley Drive (Reston Square)	Hunter Mill	Sunrise Valley Drive (Route 5320) (Additional ROW Only)
Acredale Lot 18	Providence	Babcock Road (Route 3890)
Murray Farms Lots 31-35 (Kensington Parc Rugby Road PI Plan)	Sully	Rugby Road (Route 750) (Additional ROW Only)

ADMIN 4 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

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

- Jason M. Sereno (298)
- Grid Gremi, PE (299)
- Daniela G. Medek (300)

ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING CIVIL PENALTIES

(A) (R) (NOTE: Earlier in the meeting, the Board discussed this item. See page 19.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 4, 2013, at 8:15 p.m., and before the Board on **May 14, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding civil penalties.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO ESTABLISH THE PINE SPRING RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 45 (PROVIDENCE DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to establish the Pine Spring RPPD, District 45. The proposed district includes:

- Arlington Boulevard (service road), from Fairmont Street to Cedar Hill Road, north side only
- Cedar Hill Road (Route 2921), east side, from Arlington Boulevard service road to the eastern intersection with Woodberry Lane; and west side, from Arlington Boulevard service road to the western intersection with Woodberry Lane

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2014

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 19.)

Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2013, at 4 p.m.** regarding the proposed Consolidated Plan One-Year Action Plan for FY 2014.

ADMIN 8 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) AND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING ORDINANCE), REGARDING EDITORIAL CHANGES TO THE FIRE REGULATIONS, MANHOLE PLATE REFERENCES, AND VERTICAL DATUM REQUIREMENTS

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 4, 2013, and before the Board on **April 30, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Chapter 101 (Subdivision Ordinance), and the PFM, regarding editorial changes to the fire regulations, manhole plate references, and vertical datum requirements.

ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE PUBLIC FACILITIES MANUAL (PFM), REGARDING TYSONS CORNER URBAN CENTER

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See pages 19–20.)

Authorized the advertisement of a public hearing to be held before the Planning Commission on April 4, 2013, and before the Board on **April 30, 2013, at 4 p.m.** to consider proposed amendments to the PFM, regarding the Tysons Corner Urban Center.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO INCREASE THE BASE CHARGE, AND MAINTAIN THE SEWER SERVICE CHARGES, CONNECTION CHARGES, AND AVAILABILITY CHARGES, AND CLARIFY THE METER READING DATE ON WHICH THE BASE CHARGES WILL TAKE EFFECT

(NOTE: Earlier in the meeting, the Board deferred consideration of this item. See page 20.)

(NOTE: Later in the meeting the Board took action on this item. See Clerk's Summary Item #20.)

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), RELATING TO ELECTION PRECINCTS AND POLLING PLACES (BRADDOCK AND SULLY DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2013, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), to move the polling place for the University precinct in Braddock District and move the polling place for the Dulles precinct in Sully District and rename the precinct.

14. **A-1 – APPROVAL OF THE MANAGEMENT AGREEMENT CONTRACT (MAC) WITH THE VOLUNTEER FIRE DEPARTMENTS** (1:35 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve and adopt the MAC with the Volunteer Fire Departments as outlined in the Board Agenda Item dated February 26, 2013. Supervisor Hyland seconded the motion.

Discussion ensued, with input from Jeffrey Katz, Volunteer Liaison, Fire and Rescue Department (FRD), and Chief Ron Mastin, Fire Chief, FRD, regarding the agreements and ownership of the facilities.

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

15. **A-2 – ENDORSEMENT OF APPLICATIONS FOR SAFE ROUTES TO SCHOOL, (SRTS) GRANT (HUNTER MILL AND PROVIDENCE DISTRICTS)** (1:38 p.m.)

- (Rs) Supervisor Hudgins moved that the Board concur in the recommendation of staff and:

- Endorse the SRTS projects for which applicants have submitted School Travel Plans and qualify for SRTS Infrastructure Grant funding
- Adopt a Project Endorsement Resolution for each project application endorsed by the Board and outlined in Attachments I through VII of the Board Agenda Item dated February 26, 2013

Supervisor Foust seconded the motion.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, (DOT), and Chris Wells, Pedestrian Program Manager, Capital Projects Section, DOT, regarding community outreach and timeframe for approval for funding.

Supervisor Smyth asked to amend the motion to defer action on the Graham Road Project as described in Attachments IV and V of the Board Agenda Item. And this was accepted.

Supervisor Hudgins asked unanimous consent that the Board direct staff to review the process and coordination of the projects. Without objection, it was so ordered.

The question was called on the motion, as amended, 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.”

16. **A-3 – LEASE AGREEMENT FOR COMMUTER PARKING AT AMERICAN LEGION, POST 176 (LEE DISTRICT)** (1:42 p.m.)

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

- Approved an agreement to provide essential commuter parking at American Legion, Post 176
- Authorized the director of the Department of Transportation to execute this agreement

ADDITIONAL BOARD MATTERS

17. **ORDERS OF THE DAY** (1:43 p.m.)

Following an inquiry to David P. Bobzien, County Attorney, regarding the amount of time needed in closed session, Chairman Bulova announced that

Admin 10 and Board Matters would be presented later in the meeting, before public hearings.

(NOTE: Later in the meeting, Admin 10 and Board Matters were presented. See Clerk's Summary Items #20 – #38.)

18. **RECESS/CLOSED SESSION** (1:43 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. *Emmanuel K. Boateng v. Fairfax County Police Department*, Case No. 12-1653 (U.S. Ct. App. 4th Cir.)
 2. *The Newberry Station Homeowners Association, Inc., Brandon Farlander, and Michael Miller v. Board of Supervisors of Fairfax County, Virginia, Iskalo CBR LLC, and the Washington Metropolitan Area Transit Authority*, Case No. CL-2011-0005030 (Fx. Co. Cir. Ct.) (Lee District)
 3. *ELCON Enterprises, Inc. v. County of Fairfax, Virginia, Fairfax County Department of Purchasing and Supply Management, Cathy Muse, and Quality Elevator Co., Inc.*, Case No. CL-2012-0018243 (Fx. Co. Cir. Ct.)
 4. *Jacob Davison v. Fairfax County Department of Public Works and Environmental Services*,

- Audrey Clark, Diana Dyer, and Debra McMahon*, Case No. CL-2013-0001233 (Fx. Co. Cir. Ct.) (Providence District)
5. *Khadija Ahmed v. Phimmery Mounkhoth*, Case No. CL 2012-0002136 (Fx. Co. Cir. Ct.) (Providence District)
 6. *Edward Akowuah v. County of Fairfax, Fairfax County Police Department, Officer G.A. Waked and Does*, Case No. 1:13cv83 (E.D. Va.)
 7. *Gary Steven Pisner v. State Building Code Technical Review Board and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia*, Case No. CL-2012-0001462 (Fx. Co. Cir. Ct.) (Springfield District)
 8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gene C. Ballard*, Case No. CL-2009-0009095 (Fx. Co. Cir. Ct.) (Lee District)
 9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Carolyn Studds*, Case No. CL-2010-0017283 (Fx. Co. Cir. Ct.) (Dranesville District)
 10. *The County of Fairfax, Virginia, and James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. Brian E. Bennett and Rebecca A. Crump*, Case No. CL-2010-0010469 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tavares Family Limited Partnership*, Case No. CL-2013-0000220 (Fx. Co. Cir. Ct.) (Lee District)
 12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tavares Family Limited Partnership*, Case No. CL-2013-0000198 (Fx. Co. Cir. Ct.) (Lee District)
 13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v.*

Clyde E. Nishimura, Case No. CL-2012-0005565
(Fx. Co. Cir. Ct.) (Lee District)

14. *Leslie B. Johnson, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official v. Reina Meza and Silvio Meza*, Case No. CL-2012-0014556 (Fx. Co. Cir. Ct.) (Providence District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sidney B. Hill and Wanda C. Hill*, Case No. CL-2012-0011053 (Fx. Co. Cir. Ct.) (Hunter Mill District)
16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Janice A. York-Brown and Willie I. Brown*, Case No. CL-2012-0015616 (Fx. Co. Cir. Ct.) (Lee District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carl H. Richmond, Jr., and Elizabeth S. Richmond, Trustees of the Carl H. Richmond, Jr. Revocable Trust and the Elizabeth S. Richmond Revocable Trust*, Case No. CL-2013-0001344 (Fx. Co. Cir. Ct.) (Lee District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Hanson A. Gyamfi and Emelia A. Gyamfi*, Case No. CL-2012-0004306 (Fx. Co. Cir. Ct.) (Lee District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lois Alford*, Case No. CL-2013-0002115 (Fx. Co. Cir. Ct.) (Mount Vernon District)
20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Kum Hui Krakos*, Case No. CL-2013-0002568 (Fx. Co. Cir. Ct.) (Mason District)

21. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Freddie L. Gaskins and Sandra M. Gaskins*, Case No. CL-2013-0002780 (Fx. Co. Cir. Ct.) (Providence District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Larry A. Arthur and Julie T. Arthur*, Case No. CL-2013-0002869 (Fx. Co. Cir. Ct.) (Mount Vernon District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert F. Blakemore*, Case No. CL-2013-0002868 (Fx. Co. Cir. Ct.) (Providence District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Oscar Fernando Velasco and Ybis Jovana Velasco-Lopez*, Case Nos. GV12-028029 and GV12-028030 (Fx. Co. Gen. Dist. Ct.) (Mason District)
25. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. John A. Moody, Jr., and Sonja A. Moody*, Case No. GV13-000262 (Fx. Co. Gen. Dist. Ct.) (Lee District)
26. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Rotanna L. Mullen*, Case No. GV13-000202 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rafiq M. Bashshiti*, Case No. GV13-000935 (Fx. Co. Gen. Dist. Ct.) (Providence District)
28. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Nasima Shahreen and Ashrafal Siddique*, Case No. GV13-001750 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

29. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Edwin H. Funk, Jr.*, Case Nos. GV13-003199 and GV13-003355 (Fx. Co. Gen. Dist. Ct.) (Lee District)
30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Maximiliano M. Saavedra and Marie F. Saavedra*, Case Nos. GV13-003200 and GV13-003299 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judy V. Marshall*, Case No. GV13-003197 (Fx. Co. Gen. Dist. Ct.) (Providence District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Blaine D. Porter*, Case No. GV13-003198 (Fx. Co. Gen. Dist. Ct.) (Providence District)
33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nisar Faizi, Malali Faizi, and Daniel Faizi*, Case No. GV13-003214 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
34. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Patience Hann*, Case No. GV13-003212 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
35. *Board of Supervisors of Fairfax County, Virginia v. Equity Homes, LLC, Ray Yancey, Trustee, and Arch Insurance Company*, Case No. CL-2012-0003600 (Fx. Co. Cir. Ct.) (Braddock District)

Supervisor Hyland seconded the motion.

Supervisor Frey asked to amend the motion to include discussion regarding an appointment to the Electoral Board. And this was accepted.

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

DAL:dal

At 3:03 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

19. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:03 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 Hyland 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."

EBE:ebe

AGENDA ITEM

20. **ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO INCREASE THE BASE CHARGE, AND MAINTAIN THE SEWER SERVICE CHARGES, CONNECTION CHARGES, AND AVAILABILITY CHARGES, AND CLARIFY THE METER READING DATE ON WHICH THE BASE CHARGES WILL TAKE EFFECT** (3:04 p.m.)

(A) (NOTE: Earlier in the meeting, the Board deferred consideration of this item. See Clerk's Summary Item #13.)

Discussion ensued, with input from Randy Bartlett, Deputy Director, Department of Public Works and Environmental Services, (DPWES) and Edward L. Long Jr., County Executive, regarding the rate increases and the proposed charges.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to provide information to the Board's Budget Committee regarding the reason for the proposed increases. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Discussion continued, with input from Mr. Bartlett, regarding regulatory compliance and required plant upgrades to meet permit conditions.

Supervisor Herrity asked unanimous consent that the Board direct staff to include a breakdown on cost and comparisons with neighboring jurisdictions. Without objection, it was so ordered.

Discussion continued, with input from Mr. Bartlett, regarding the:

- Anticipated usage comparison in terms of commercial/residential buildings and impact on customers
- Distinctions between other utilities and the charges
- Cost equity for upgrades
- Costs for drinking water and waste water treatment sewer rates

Supervisor Foust asked unanimous consent that the Board direct staff to include the efforts made to reduce operating costs for the upcoming fiscal year and the reserves resulting in the rate increases, and how and when the reserves will be used. Without objection, it was so ordered.

Supervisor Gross moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 9, 2013, at 3 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), to increase the base charge, and maintain the sewer service charges, connection charges, and availability charges, and clarify the meter reading date on which the base charges will take effect. Supervisor Foust seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Herrity voting “NAY.”

ADDITIONAL BOARD MATTERS

21. **IMPROVING CUSTOMER SERVICE** (3:23 p.m.)

Chairman Bulova said that an informed and engaged constituency is a well-served constituency. Today, a convergence of websites, mobile devices, public information, online services, technology tools, and social media focuses on how to best serve the customer – which means County residents and businesses.

Chairman Bulova said that the County already has some options for the public to engage to get things done, fixed or reported. Last year, the Office of Public Affairs unveiled a new, single phone number, email address, and Twitter account that is easy to remember -- 703-FAIRFAX. Residents can call, email or tweet 703-FAIRFAX to get assistance.

Many County agencies have implemented policies and practices meant to improve customer service. The Department of Public Works and Environmental Services, Land Development Services created a new Customer and Technical Support Center. The Fairfax County Library has made access to eBooks easier for tablet devices. Fairfax Connector actively responds to riders on social media to answer concerns and allay confusion. Neighborhood and Community Services allows the community to apply for field or gym space online, as well as manage schedules, submit rosters, and pay fees.

Chairman Bulova said that these efforts only begin to tackle what many in the region and across the country are accomplishing. Many jurisdictions already have or will soon boast dedicated call centers, tracking numbers, mobile apps, and intuitive websites focused on a more unified approach to customer service. The County's current online phone directory for the public has more than 500 entries.

The County should not expect busy parents or tired commuters to navigate the organizational chart to determine the best contact for a County service. Additionally, many of the County's services overlap departments or even levels of government. There is the need to make the customer service experience of government more intuitive and easy for the more than a million residents. A more coordinated approach would allow the County to track trends and act quickly to meet the needs of County residents and businesses.

Therefore, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board direct the Office of Public Affairs to:

- Lead a Countywide, cross-agency study as to how to improve the customer service experience, covering all platforms – mobile apps, texting, email, websites, phone, and other new options that may deliver services better, more efficiently and more cost effectively.
- Investigate best practices from across the country, especially the use of new technological tools like Open311.
- Provide recommendations to the Board before the Fiscal Year (FY) 2013 Carryover Review to move forward in providing a cohesive, consistent, and integrated customer service approach to better serve County constituents.

Supervisor Hyland seconded the motion.

Discussion ensued, with input from Merni Fitzgerald, Director, Office of Public Affairs, regarding getting expert help from outside sources on best practices and also to make sure that people with limited technology knowledge can access the service.

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

22. **WELCOMING DR. ANGEL CABRERA** (3:29 p.m.)

Chairman Bulova announced that Dr. Ángel Cabrera became George Mason University's (GMU) President last summer. Before joining the leadership administration at the university, Dr. Cabrera served as the President of Thunderbird's School of Global Management and the Dean of a European business school. In addition to his work in academia, international organizations have recognized him for his achievements and drive.

Chairman Bulova said that in 2002, the World Economic Forum recognized Dr. Cabrera as a Global Leader for Tomorrow and in 2005, named him a Young Global Leader. In addition to this honor, Dr. Cabrera was asked to contribute when the United Nations was drafting its Principles for Responsible Management Education. Dr. Cabrera has also been recognized by the World Economic Forum, the Aspen Institute, and the Clinton Global Initiative.

The County is fortunate to have the benefit of Dr. Cabrera's experience at GMU.

Therefore, Chairman Bulova asked unanimous consent that the Board direct staff to invite Dr. Cabrera to appear before the Board for an official welcome to the County. Without objection, it was so ordered.

23. **REQUESTS FOR RECOGNITION** (3:30 p.m.)

Chairman Bulova asked unanimous consent that the Board direct staff to invite representatives from the following offices to appear before the Board to be recognized:

- The Office for Women and Domestic and Sexual Violence Services to accept a proclamation recognizing "*Sexual Assault Awareness Month*"
- Members of the Unified Prevention Coalition of Fairfax County to accept a proclamation recognizing "*Parents Who Host, Lose the Most Month*"
- The Health Department to accept a proclamation recognizing "*Direct Support Professionals Appreciation Month*"
- The Health Department to accept a proclamation recognizing "*Immunization Awareness Month*"
- The Health Department to accept a proclamation recognizing "*Food Safety Month*"

- The Fairfax County Health Department to accept a proclamation recognizing “*HIV/AIDS Awareness Day*”
- The Office of Human Rights and Equity Programs to accept a proclamation recognizing “*Asian/Pacific American Heritage Month*”

In addition, Chairman Bulova asked that proclamations be prepared and sent to:

- The National Capital Chapter of the National Multiple Sclerosis Society recognizing “*Multiple Sclerosis Week*” in Fairfax County
- The Capital Area Food Bank recognizing its Fourth Annual InterFaith Golf Cup Challenge on April 8, 2013

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

24.

REQUEST FOR RECOGNITION OF ROBINSON SECONDARY SCHOOL'S VARSITY WRESTLING TEAM (BRADDOCK DISTRICT)
(3:32 p.m.)

Supervisor Cook congratulated the Robinson Secondary School's wrestling team for winning its second AAA state title in three years. The Robinson team won the title in convincing fashion, beating second-place Westfield 142.5 to 101.

The team was led by junior Jake Pinkston, who took first place in the 285-pound weight class. But while a wrestler may go out on the mat all by himself, it takes a team effort to win. Pinkston's first place finish was supplemented by two second-place finishes, and six other teammates finishing top seven in the State. Supervisor Cook congratulated Jack Bass, Cole DePasquale, Austin Riggs, Dallas Smith, Zak DePasquale, Greyson Olimpo, Daniel Mika, and Dane Robbins for their hard work and determination.

Supervisor Cook also congratulated Coach Bryan Hazard, a 1991 graduate from Robinson. Wrestling is a grueling sport that requires incredible talent and stamina. A wrestling team needs a firm, fair, and talented coach to reach such successful levels of performance.

Therefore, Supervisor Cook asked unanimous consent that the Board congratulate the team for its achievement and invite them to appear before the Board to be formally recognized. Without objection, it was so ordered.

DET:det

25. **MEMORANDUM OF UNDERSTANDING (MOU) WITH KARBALA PROVINCE, REPUBLIC OF IRAQ** (3:34 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Foust said that the County has a continuing interest in cultural exchange, economic development and educational opportunities on an international stage. Over the past several years, the Board has entered into three partnership agreements: with the city of Harbin, China; Songpa-Gu, Korea; and Kecioren, Turkey.

For some time now, the Governor of Karbala Province in the Republic of Iraq, Mr. Amal Ad Deen Hameed, has expressed an interest in partnering with a “well-run, efficient, and transparent” local government in the United States to serve as an example for the development of its local agencies and processes as Karbala redevelops, citing land use planning and coping with large numbers of tourists as two immediate interests.

Supervisor Foust noted that Karbala Province has a population of approximately one million people and covers about 1,943 square miles. It is located about 62 miles north of Baghdad. The capital of Karbala Province is Karbala, a holy city for Shi’ah Muslims. The province, particularly the capital city, is a religious tourist destination that attracts millions of visitors each year.

In anticipation of a visit from a delegation from Karbala in 2012, the Board voted on January 24, 2012, to explore a partnership with the Karbala Province. Due to travel complications, the delegation was unable to visit the County last year.

Supervisor Foust said that Mr. Hameed will be part of a delegation visiting the County on March 6, 2013. The delegation will include governors from four other provinces in Iraq as well as several key government officials from the Republic of Iraq. In advance of the visit, Mr. Hameed suggested that the issue of a partnership agreement be revisited.

Supervisor Foust moved that the County execute a MOU, a copy of which is included with the written Board Matter, with the Province of Karbala, Republic of Iraq, on March 6, 2013. The MOU provides that the County and the Province of Karbala would facilitate cooperation and exchange between the two governments in a number of areas, including economy, trade, science and technology, education, and tourism and would consider taking steps necessary to enter into a Sisterhood Agreement. It is understood that no County dollars will be used for the partnership, except for incidentals such as phone and fax costs. Supervisor Hyland seconded the motion and it carried by unanimous vote.

26. **ADDING AN AT-LARGE REPRESENTATIVE TO MEMBERSHIP ON THE ECONOMIC ADVISORY COMMISSION (EAC)** (3:37 p.m.)

(APPT)

In a joint Board Matter with Supervisor Herrity and Chairman Bulova, Supervisor Foust stated that there are currently four At-Large representatives to the EAC. He expressed the belief that it would be in the best interest of the EAC and its mission to add a fifth At-Large appointment.

Supervisor Foust moved that the Board amend the list of EAC membership to add a fifth At-Large representative. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Supervisor Foust moved the appointment of Ms. Jennifer Siciliano, as an At-Large Representative to the EAC. This motion, the second to which was nearly unanimous, carried by unanimous vote.

27. **SAINT MARK - SPECIAL EXCEPTION AMENDMENT (HUNTER MILL DISTRICT)** (3:39 p.m.)

Supervisor Hudgins said that The Most Reverend Paul S. Loverde, Bishop of the Catholic Diocese of Arlington, Virginia, and His Successors in Office, has filed a special exception application amendment with the Department of Planning and Zoning (DPZ) for property located at 9970 Vale Road, Vienna, Tax Map reference 37-4 ((1)) parcel 42, to make several modifications to the approved development conditions, most notably a change in the permitted school hours. She noted that the applicant has requested expedited processing.

Supervisor Hudgins moved that the Board direct DPZ to schedule an expedited public hearing to be held before the Board for Special Exception Amendment Application SEA 00-H-028 on May 14, 2013. 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, regulations, or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

PMH:pmh

28. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (3:40 p.m.)

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

29. **BEAU DONOHUE WINS STATE WRESTLING CHAMPIONSHIP AT WESTFIELD HIGH SCHOOL** (3:41 p.m.)

Supervisor Frey said that Beau Donohue, a senior at Westfield High School won his third State wrestling championship in the 145-pound weight class earlier this

month. Mr. Donohue's victory helped the Bulldogs to a second place finish among 129 teams at the AAA State Championship Meet in Chesapeake. His 53 wins this season represent more than a 90 percent win rate and contributed to a very impressive total exceeding 200 wins in his wrestling career at Westfield.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Donohue and his coaches to appear before the Board to be recognized for his accomplishments. Without objection, it was so ordered.

30. **LYME DISEASE AWARENESS MONTH** (3:42 p.m.)

Supervisor Herrity said that Lyme disease affects many families in the County and has been on the increase over the last couple of years. Several hundred cases have been reported in the County in the last few years and many also went unreported as the testing for the disease is only 50 percent accurate and many victims do not show obvious symptoms like the "Bulls-eye rash." Lyme disease is the fastest growing vector-borne infectious disease in the United States today. According to the U.S. Centers for Disease Control (CDC), it is the sixth fastest growing disease in the United States - a truly shocking statistic.

It is a terrible disease that can take many forms in its victim from muscle pain to arthritis, to heart disease and Bell's Palsy. Lyme Disease Awareness Month is officially recognized in May and offers an opportunity to bring this issue to the public's attention. It also educates the public on the intricacies of the disease, which it is transmitted via ticks, that you may have to get tested more than once due to the high false negative rate of the test, and that the disease can often reflect the same symptoms of other diseases. In fact, the General Assembly just passed a bill to require people who take the Lyme disease test to be briefed on its high false negative rate.

When detected early, the disease is considered curable with a limited course of antibiotics; that is why education is so important, and why the work of Dr. Arias and his colleagues in the Health Department is so critical. It is also important that County material reflect the high false negative rate of the test.

Therefore, Supervisor Herrity moved that the Board direct staff to invite Dr. Arias of the Health Department and his co-workers to appear before the Board in April to receive a resolution declaring May 2013 as "*Lyme Disease Awareness Month*" and that the material be revised to include information on the high false negative rate of the test. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

31. **ROBINSON SECONDARY SCHOOL'S MEN'S SWIM TEAM WON THE AAA STATE SWIMMING CHAMPIONSHIP (SPRINGFIELD DISTRICT)**
(3:43 p.m.)

Supervisor Herrity announced that the Robinson Secondary School's Men's swim team won the AAA State swimming championship. He added that they beat out James Madison High School.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite the team to appear before the Board to be recognized. Without objection, it was so ordered.

Supervisor Smyth noted that other teams were scheduled to appear at the same time.

32. **REQUEST FOR RECOGNITION - MS. MARCELLA FULMORE (LEE DISTRICT)** (3:44 p.m.)

Supervisor McKay said that the County is fortunate to have dedicated teachers and social workers in the school system who work hard every day to make a difference in their students' lives. One such social worker is Marcella Fulmore, who will be honored next month with the Virginia Mentoring Partnership's 2012 Outstanding Mentor award.

Supervisor McKay referred to his written Board Matter outlining Ms. Fulmore's accomplishments and asked unanimous consent that the Board direct staff to invite Ms. Fulmore and members of the literacy program and successful mentoring group that she created called Powerful African American Males About Success (PAAMAS) to appear before the Board on April 9 to be recognized. Without objection, it was so ordered.

33. **LOW COST INTERNET ACCESS TO LOW INCOME FAMILIES**
(3:46 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor McKay said that on February 18 Board Members received an email from Ramona Morrow, president of the Fairfax County Council of PTAs, asking for support for the organization's request to Cox Communications that it provide low cost internet access to low income County families.

Supervisor McKay noted that the school system has already made a large investment in instructional technology. As the internet plays an increased role in lives, it is imperative that citizens know how to use this technology effectively in homes and schools. Not only must students know how to use technology and the internet effectively, but there must be access to those technologies for students to gain knowledge in all academic areas.

Supervisor McKay noted that there are many students in Fairfax County Public Schools (FCPS) without adequate home access to the internet and that these students have a significant learning disadvantage. Teachers are also affected by having to teach students with different levels of internet access.

To address these problems, FCPS has asked Cox Communications to provide low cost internet access to low income County families with children in the school system. Cox is one of the members of Connect2Compete, a national effort to close the broadband adoption gap. Cox has been responsive to FCPS' request and is looking at providing discounted monthly internet access and low cost computers to families of children in its service area who are eligible for free or reduced price meals.

Therefore, Supervisor McKay asked unanimous consent that the Board direct the Department of Cable and Consumer Services to negotiate with Cox on the franchise renewal, that it strongly encourage that Cox include Connect2Compete to benefit the neediest students. The franchise agreement should also encourage provisions for Cox to provide Connect2Compete online support as many families receiving this internet service will not know how to use this technology. Without objection, it was so ordered.

34. **RECOGNITION OF PUBLIC SAFETY AND COMMUNICATIONS EMPLOYEES** (3:46 p.m.)

Supervisor Gross said that the Department of Public Safety Communications will be observing National Public Safety Telecommunications Week, April 14–20, 2013.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to invite members of that office to appear before the Board to be recognized. Without objection, it was so ordered.

35. **REQUEST FOR EXPEDITED AND CONCURRENT PROCESSING REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2013-MV-001 (MOUNT VERNON DISTRICT)** (3:48 p.m.)

Supervisor Hyland said that A and R Huntington, LLC, is developing land adjacent to the Huntington Metro Station. This development will continue the amazing transformation of the Huntington Transit Area into a higher density, urban core within walking distance to mass transit. A and R Development now requests expedited and concurrent processing of its site plan so construction can begin sooner.

Therefore, Supervisor Hyland moved that the Board authorize expedited and concurrent processing of the site plans for applications Rezoning/Final Development Plan Application RZ/FDP 2013-MV-001 on tax map number 83-1 ((8)) lots 8,92A, 92B, 93A, 93B and 94A. This motion should not be construed as

a favorable recommendation on any application by the Board, and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards. This action in no way prejudices the substantive review of the application. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

36. **REQUEST TO RECOGNIZE MS. JESSICA STROTHER ON THE OCCASION OF HER RETIREMENT FROM URBAN FOREST MANAGEMENT DIVISION** (3:50 p.m.)

Supervisor Hyland announced that Ms. Jessica Strother will retire from the County on March 8 after 31 years of dedicated public service.

Supervisor Hyland referred to his written Board Matter which outlined Ms. Strother's many accomplishments and asked unanimous consent, that the Board direct the Office of Public Affairs to invite Ms. Strother and the Urban Forestry Division to appear before the Board to recognize her for her service to the County. Without objection, it was so ordered.

37. **REQUEST TO RECOGNIZE THE CONTRIBUTION OF DOMINION POWER TO SUPPORT THE FAIRFAX COUNTY PARK FOUNDATION'S ARTS IN THE PARK SUMMER CONCERT SERIES** (3:50 p.m.)

Supervisor Hyland said Dominion Power has been a major sponsor for the County's Arts in the Park Summer Concert Series for several years. Its recent donation of \$8,000 will help ensure the continuation of this popular free concert series. Other donors, like Cox Communications, AAA Recycling and Trash Removal Services, Davis Industries, EnviroSolutions, ExxonMobil, Vulcan Materials, and members of the community have all helped make the concert series a success.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff send a letter, on behalf of the Board, thanking Dominion Power for its contribution. Without objection, it was so ordered.

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AGENDA ITEMS

38. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2012-MV-004 (8921 PROPERTIES, LLC) (MOUNT VERNON DISTRICT)** (3:51 p.m.)

(O) The application property is located on the east side of Telegraph Road, approximately 300 feet south of its intersection with Lockport Place, Tax Map 108-1 ((1)) 10.

Ms. Sara V. Mariska reaffirmed the validity of the affidavit for the record.

Nicholas Rogers, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Mariska 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. Rogers presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2012-MV-004, be amended from the R-1 District to the I-4 District, subject to the proffers dated February 26, 2013.
- Waiver of the interior parking lot landscaping requirement and modification of the peripheral parking lot landscaping requirement, in favor of that shown on the GDP.

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

39. **4 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 09-IV-2MV AND 09-IV-27MV, LOCATED SOUTH OF HUNTINGTON AVENUE, EAST OF NORTH KINGS HIGHWAY, AND WEST OF THE HUNTINGTON METRORAIL STATION (MOUNT VERNON DISTRICT)**
(4 p.m.)

The APR Item 09-IV-2MV is located on Tax Map 83-1((1))32.

The APR Item 09-IV-27MV is located on Tax Maps 83-1((23))1-364, located at 2601-2638 Fort Farnsworth Road; 2509-535 and 2601-2621 Huntington Avenue; 2600-2613 Indian Drive; 5701-5727 Indian Court; 5709, 5711, 5713, 5715, 5717, 5719, 5721, 5723, 5725, 5727, 5729, 5731, 5733, 5735, 5737, 5739, 5741, and 5743

North Kings Highway; 2601-2655 Redcoat Drive; and 2601- 2636 Wagon Drive, Alexandria, VA 22303.

Kimberly Rybold, Planner III, Policy and Plan Development Branch, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report.

Following the public hearing, which included testimony by two speakers, Ms. Rybold presented the staff and Planning Commission (PC) recommendations.

Supervisor Gross raised a question regarding the PC recommendation concerning stormwater, with input from Marianne Gardner, Director, PD, DPZ.

Supervisor Hyland raised a question regarding an issue raised by one of the speakers concerning the building height and its impact on the view of abutting properties, with input from David P. Bobzien, County Attorney.

Discussion continued, regarding the view impact, with input from Ms. Rybold.

Supervisor Hyland moved:

- Approval of APR Items 09-IV-2MV and 09-IV-27MV, as recommended by the PC, and outlined on pages 16–26 of the Staff Report dated October 26, 2012.
- Authorized an affected area transportation study, as recommended by the PC in the verbatim dated January 24, 2013. This study would more comprehensively assess transportation needs, evaluate the feasibility of potential changes to traffic patterns, and determine potential small and large-scale multimodal solutions to address transportation issues in the Huntington Transit Station area.

Supervisor McKay seconded the motion.

Following a brief discussion regarding the proposed applications, the question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

40. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE BONNIE BRAE COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)** (4:24 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 February 8 and February 15, 2013.

Maria Turner, Senior 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, establishing the

Bonnie Brae CPD, in accordance with current CPD restrictions. The proposed District encompasses the following streets:

- Allerton Road from Zion Drive to Black Oak Drive
- Arrowood Street from Black Oak Drive to Southport Lane
- Black Oak Drive from the cul-de-sac north to the cul-de-sac south
- Fiesta Road from Southport Lane to the cul-de-sac inclusive
- Indigo Lane from cul-de-sac north to the cul-de-sac south
- Southport Lane from Black Oak Drive to the cul-de-sac inclusive

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

41. **ORDERS OF THE DAY** (4:26 p.m.)

Chairman Bulova announced that the Board would proceed with Public Comment because the next public hearing on the schedule had a large number of individuals registered to testify.

Supervisor Herrity raised a concern regarding the time schedule, with input from David P. Bobzien, County Attorney, who noted that it was Public Comment time, and not a public hearing.

42. **4 P.M. – PH ON A PROPOSED AGREEMENT WITH THE COMMISSIONER OF HIGHWAYS OF THE COMMONWEALTH OF VIRGINIA, REGARDING SIGN REMOVAL IN THE PUBLIC RIGHT-OF-WAY**

(NOTE: Later in the meeting, this public hearing was held. See Clerk’s Summary Item #44.)

43. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (4:27 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 February 8 and February 15, 2013.

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 comment was held and included testimony by the following individuals:

- Ms. Debra Filippi, regarding I-95 HOT lanes northern terminus ramp at Edsall Road
- Mr. Steve Hasty, regarding I-95 HOT lanes
- Mr. Richard Newman, regarding I-95 HOT lanes

Following the testimony of Ms. Filippi, Supervisor McKay asked questions regarding issues she raised concerning why the project does not extend to Arlington County and the lack of a local environmental impact assessment when the terminus was changed, with input from Ms. Filippi.

(NOTE: Later in the meeting, one additional speaker who had signed up for public comment, presented testimony. See Clerk's Summary Item #45.)

44. **4 P.M. – PH ON A PROPOSED AGREEMENT WITH THE COMMISSIONER OF HIGHWAYS OF THE COMMONWEALTH OF VIRGINIA, REGARDING SIGN REMOVAL IN THE PUBLIC RIGHT-OF-WAY** (4:38 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 February 8 and February 15, 2013.

Michael Congleton, Code Authority, Department of Code Compliance, presented the staff report.

Discussion ensued, with input from Mr. Congleton; Laura Gori, Assistant County Attorney; David P. Bobzien, County Attorney; Sean Whitmore, Captain, Alternative Incarceration Branch, Sheriff's Office; and Jeff Blackford, Director, Department of Code Compliance, regarding:

- The proposed agreement
- State law regarding signage

- Sign enforcement
- When and where signs can be posted
- Staffing for the proposed signage removal
- The role of the inmates in alternative incarceration and privileges they receive for volunteering
- Adopt-a-Highway Program
- Community labor force
- The types of signs found in the public right-of-way and whether they will all be removed, if illegal
- Fine enforcement

Supervisor McKay noted that Backlick Road needs to be added to the projected sign enforcement route list.

Supervisor Herrity noted that there are several roads on the list that need to be removed because they are self-policed.

Discussion continued, with input from Mr. Congleton and Mr. Blackford regarding:

- Policing and boundaries
- The timeframe for finalizing the projected sign enforcement route list
- Signage on utility poles
- Pesticide signage

Chairman Bulova noted that political signs will also be removed, if illegal.

Following the testimony of John Davis (Speaker 14), Representative of the Braddock Road Youth Club, discussion ensued regarding the difficulties the County faces in trying to provide a policy for advertising youth sports.

Supervisor Hyland asked unanimous consent that the Board direct staff to work with staff from each magisterial district to find locations for community event signage. Without objection, it was so ordered.

Following the public hearing, which included testimony by 15 speakers, Supervisor Herrity stated that he had items for the record.

Supervisor Cook submitted items for the record.

Supervisor Gross moved that the Board approve the proposed agreement with the Commissioner of Highways of the Commonwealth of Virginia, regarding sign removal in the public right-of-way, as outlined in Attachment 2 of the Board Agenda Item dated February 26, 2013. Supervisor Herrity and Supervisor McKay jointly seconded the motion.

Supervisor Herrity expressed his hopes that the signage agreement be re-evaluated after one year.

Supervisor Foust raised a question regarding the hours of operation for the proposed sign removal, with input from Mr. Whitmore.

Supervisor McKay raised a question regarding roads not included on the list scheduled for enforcement, with input from Mr. Congleton.

Discussion continued with Board Members giving remarks about the sign removal agreement and expressing their concerns and/or support/opposition of the motion.

Chairman Bulova reiterated Supervisor Hyland's request and tasked Board Members with identifying areas in their district where messaging can be done legally, that is not a proliferation of signs. She suggested that they work with the Virginia Department of Transportation, the Park Authority, and other County staff.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct the Office of Public Affairs to publicize the action that has been taken, sharing with civic and homeowner associations and as many organizations that can be reached, to let individuals know what the new rules are and how they can comply. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

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

45. **4:30 PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (4:27 p.m.)

(NOTE: Earlier in the meeting, public comment was heard. See Clerk's Summary Item #43.)

Additional public comment was held and included testimony by:

- Mr. Nils Bjork presented comments regarding the loss of ice in the arctic.

ADDITIONAL BOARD MATTER

46. **SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) – SILENCE OF HUNGER CHALLENGE (HUNTER MILL DISTRICT)** (7:14 p.m.)

Supervisor Hudgins said that she had an additional Board Matter to present, and introduced Lauren Rogers, Senior Girl Scout, from Troop #3096. Ms. Rogers announced that she is working on her Gold Award, which is raising awareness regarding hunger in the County. This past summer and fall she worked with elementary school students educating them about hunger in the County. Although she enjoyed making younger children aware of hungry issues in the County, she thought it would be a good idea to see what else she could do about raising awareness among County officials.

Ms. Rogers gave a presentation regarding the SNAP program and the SNAP the Silence of Hunger Challenge, which is an attempt to live on \$5 per day or \$25 per week. She announced that recently the Montgomery County Officials participated in the SNAP the Silence of Hunger Challenge and it raised a lot of awareness regarding the hunger issues within their county.

Ms. Rogers proposed a challenge for the Board to participate in the SNAP the Silence Hunger Challenge in October 2013, which is Hunger Awareness Month in the County. She stated that this would generate a lot of public awareness as the Board would experience first-hand the hunger issues County residents are facing. Then, hopefully the Board would be able to find solutions to the root causes of hunger within the County.

Formerly known as the Food Stamp Program, SNAP offers nutrition assistance to millions of eligible, low-income individuals and families and provides economic benefits to communities. SNAP is the largest program in the domestic hunger safety net; in Fiscal Year (FY) 2009, the Department of Family Services (DFS) saw an average of 13,769 SNAP clients per month and in FY 2011 that number was 21,269. According to Fairfax County Public Schools, approximately 24 percent of the student enrollment qualify for free and reduced price meals.

To better address hunger issues in the County, Supervisor Hudgins asked unanimous consent that the Board direct staff to forward Ms. Rogers comments to the DFS (which manages SNAP), to work with her regarding this issue. Without objection, it was so ordered.

47. **BOARD ADJOURNMENT** (7:18 p.m.)

The Board adjourned.

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