



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
September 10, 2013**

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DAL:dal

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, September 10, 2013, at 9:37 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; 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; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:37 a.m.)

Supervisor Herrity asked everyone to keep in thoughts the family of Detective Matthew Charron, who died August 29, 2013, after a battle with leukemia. He was a detective with the Fairfax County Police Department where he served with pride and distinction for over 25 years.

Supervisor McKay noted that Detective Charron grew up in Springfield and was a graduate of Robert E. Lee High School. He also served in the Army as a military police officer.

Supervisor Foust asked everyone to keep in thoughts the family of Mr. Louis Peterson, who died on August 24, 2013. He was very involved in the Herndon/Reston Youth Lacrosse. He served as a commissioner and a coach since the program started as Herndon Optimist Youth Lacrosse in 1996, and was preparing to assume broader responsibilities as the new head of the Northern Virginia Youth Lacrosse League.

Supervisor Gross asked everyone to keep in thoughts the family of Ms. Tina Trapnell, her predecessor on the Board. Her father, retired Marine Lieutenant General Wallace Robinson, died last month and will be buried at Arlington National Cemetery this week.

Supervisor Hyland asked everyone to keep in thoughts Mount Vernon District residents Mr. and Mrs. Frank and Suellen West, whose 18-year-old son died last week. He was studying at the College of Charleston in South Carolina.

AGENDA ITEMS2. **PRESENTATION TO THE POLICE DEPARTMENT** (9:42 a.m.)

Glenn Mowrey, National Law Enforcement Liaison, Security Industry Alarm Coalition representative, presented the Police Department with the Directors Award of Distinction for Excellence in False Alarm Management for consistently reducing false alarm calls.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO COUNTY RESIDENTS AND BUSINESSES** (9:52 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to the following residents and businesses that have made properties available to Fairfax County public safety personnel for training:

- 450 Druid Hill LLC, Marishane Stahl

- The Christopher Companies
- Lake Barcroft Association
- The Madeira School
- Sekas Homes
- Ahmed Afzal
- Jeffrey T. and Margaret J. Balistrere
- Mohammad Amir Birjandi
- Kent Bui
- James A. Carr
- Edward Bland Garrett and Judith Simon Garrett
- Donald Higham
- Cindy and Doug Ingram
- Steven and Lisa Lamp
- Farid Naimi
- C. Patrick Ohlhorst, CloudIV Homes, LLC
- Clark A. Schweers and Shannon L. Schweers
- John and Tatiana Shults
- Ken Zhang and Jane Wang
- Kara Waters
- Ezatolah Zarkani

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE FAIRFAX POLICE YOUTH CLUB WOMEN'S HIGH SCHOOL RUGBY TEAM AND THE MEN'S NORTHERN VIRGINIA HIGH SCHOOL RUGBY FOOTBALL CLUB (SPRINGFIELD DISTRICT)**
(10:03 a.m.)

Supervisor Herrity moved approval of the Certificates of Recognition presented to members of the:

- Men's Northern Virginia High School Rugby Football Club for outstanding teamwork and noteworthy character resulting in

winning the 2013 Rugby Virginia High School Division I State Championship

- Fairfax Police Youth Club Women's High School Rugby Team for outstanding teamwork and noteworthy character resulting in winning the 2013 Rugby Virginia High School Division I State Championship

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

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. KENNETH DISSELKOEN** (10:10 a.m.)

Supervisor McKay moved approval of the Certificate of Recognition presented to Mr. Kenneth Disselkoen, upon his retirement, for 17 years of service to the County in numerous positions, the last six as the director of the Department of System Management for Human Services. Supervisor Hyland seconded the motion and it carried by unanimous vote.

6. **CERTIFICATES OF RECOGNITION FOR MR. LAURNZ "LARRY" SWARTZ AND MR. RYAN RANDALL AND RESOLUTION OF RECOGNITION FOR MR. ROBERT MEARS** (10:26 a.m.)

Supervisor Frey moved approval of the:

- Certificate of Recognition for Mr. Ryan Randall for his accomplishments, contributions, and recognition as a future leader, resulting in his selection as a 2013 Hedge Fund Rising Star by *Institutional Investor* magazine. (Mr. Randall was unable to attend.)
- Certificate of Recognition presented to Mr. Lurnz "Larry" Swartz for more than 15 years of dedicated service to the County; his selection as the 2013 Small Public Plan Manager of the Year by the *Institutional Investor* magazine; and nomination for the 2012 Industry Innovation Award by *Assets International CIO* magazine.
- Resolution of Recognition presented to Mr. Robert Mears for nearly 40 years in public service in the Commonwealth of Virginia, the last 32 years in the County, most recently as the director of the Retirement Administration Agency.

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

7. **RESOLUTION OF RECOGNITION PRESENTED TO MR. KEVIN FAY**
(10:43 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to Mr. Kevin Fay for his significant and extraordinary years of service to the County, including as a member of the Park Authority Board since 2003. Supervisor Gross, Supervisor Herrity, and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

8. **RESOLUTION OF RECOGNITION PRESENTED TO MS. BARBARA DOYLE** (10:56 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Barbara Doyle, Chief Executive Officer of Inova Mount Vernon Hospital, for her remarkable and noteworthy service to the County. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING SEPTEMBER 15 – OCTOBER 15, 2013, AS "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY**
(11:13 a.m.)

Supervisor Gross moved approval of the Proclamation to designate September 15 – October 15, 2013, as "*Hispanic Heritage Month*" in Fairfax County and encourages all residents to join in recognizing members of the Hispanic-American community in the County and throughout the United States. Supervisor Cook and Supervisor Herrity jointly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Herrity, and Supervisor Hudgins being out of the room.

10. **PROCLAMATION DESIGNATING SEPTEMBER 8-14, 2013, AS "SUICIDE PREVENTION WEEK" IN FAIRFAX COUNTY** (11:24 a.m.)

Supervisor Cook moved approval of the Proclamation to designate September 8-14, 2013, as "*Suicide Prevention Week*" in Fairfax County and urges all residents to educate themselves about its warning signs and seek information about preventing suicide. Supervisor Hyland seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

11. **INTRODUCTION OF INTERN IN CHAIRMAN'S OFFICE** (11:31 a.m.)

Chairman Bulova introduced Mr. Erik Lorenz, who is interning in her office. Mr. Lorenz is a US Army veteran and is in his junior year at George Mason University, pursuing a degree in government and international politics. He is very excited to learn about local government. On behalf of the Board, she warmly welcomed him to the Board Auditorium.

PMH:pmh

AGENDA ITEM

12. **10:30 A.M. – PUBLIC HEARING ON THE COUNTY AND SCHOOLS’
FY 2013 CARRYOVER REVIEW TO AMEND THE APPROPRIATION
LEVEL IN THE FISCAL YEAR (FY) 2014 REVISED BUDGET PLAN**
(11:34 a.m.)

(SAR)

(FPR)

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 August 23 and August 30, 2013.

Following the public hearing, which included testimony by four speakers, Chairman Bulova briefly explained the process of adopting the County's Carryover (or positive ending balance) now that the books have closed on FY 2013. She noted that the General Fund budget totaled \$3.6 billion. The County is required by law to have a balanced budget. The yearly requirement is to end the fiscal year in the black and not in the red.

Chairman Bulova said that the ending balance as of June 30 is a total of \$93.56 million, a relatively modest year-end balance. It is the result primarily of two things:

- An increase of \$30.2 million in what was originally projected for revenue, primarily Real Estate and Personal Property taxes. Staff projected revenue within 0.87 percent of their budget estimate, less than 1 percent
- Expenditure savings that are also less than what was budgeted, much of this is a result of "close management" in agency spending - savings realized by the Workforce - that are returned to the General Fund, in the amount of \$63.36 million. After accounting for about \$37 million of the items that were committed for in FY 2013, but not yet paid for, the net balance is \$26 million or less than 1 percent of what was budgeted

Chairman Bulova explained that the combination of higher revenues and lower expenditures minus encumbered obligations and funding for the Managed Reserve is a balance of \$56 million. While \$56 million sounds like a lot of money, to put it in perspective, it is only enough money to cover the County's payroll for about three weeks.

The County Executive suggests using some of this one-time balance to pay for a number of one-time expenditures, such as Americans with Disabilities Act (ADA)

requirements and, per the Board's direction, as a match to the School System to install artificial turf on school fields.

Chairman Bulova added that the County Executive also suggests putting \$9.8 million of this aside to pay for one-time requirements in next year's budget, FY 2015, a move that will help to close a projected shortfall as the County continues to struggle from a sluggish recovery from the greatest economic downturn since the Great Depression of the 1930s.

Chairman Bulova pointed out that this move, combined with setting aside the ending Carryover Balance below, will put the County in a better position this spring as the Board prepares to adopt next year's FY 2015 budget and to achieve its goal of moving the workforce into a competitive position with their regional counterparts.

After these actions, the Carryover Balance that the Board is about to address totals \$27.21 million.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Carryover package including Supplemental Appropriation Resolution (SAR) AS 14012 and an amendment to the Fiscal Planning Resolution (FPR) AS 14900, including the FY 2013 Carryover Review package as presented on July 30, 2013, which resulted in an available non-recurring balance of \$27.21 million with the following non-recurring adjustments:

In addition to the adjustments included in the County Executive's recommended Carryover package, the Board:

1. Acknowledges the hard work of County employees and the high quality services they have provided to the community by using \$10.2 million for a non-recurring compensation adjustment of \$850 (before taxes) for all merit employees to be paid on November 1, 2013. It is anticipated that this adjustment would provide approximately \$500 to all regular merit employees net of tax withholdings.

Chairman Bulova pointed out that if the Board was proposing a cost of living adjustment (COLA) or Market Rate Percentage Adjustment (MRA) instead of this across-the-board adjustment, employees at the higher end of the pay scale would receive the highest adjustments. This action rewards all employees evenly across-the-board. Additionally, this adjustment will not exacerbate the County's projection for reduced revenue in FY 2015, which would make it more difficult to fund a new compensation plan for our employees.

Relatively modest health insurance rate increases than originally anticipated - in the 3 percent range - as are anticipated for the plan year beginning January 1, 2014, a new free mail order option for generic maintenance drugs and a more robust Wellness program should all be positive news for employees.

Directs that staff continue to look for opportunities to minimize the impact of health care changes on employees. Opportunities for one-time health care premium holidays should be evaluated as appropriate.

Reaffirms its commitment to work with employees via the Workforce Dialogue process throughout the fall to identify a fair and sustainable compensation package that continues to pay employees competitively as well as meets the fiscal stewardship responsibilities of the Board.

Reaffirms its commitment to review County job classes to ensure market pay competitiveness and to make necessary changes as part of the FY 2015 budget.

Reaffirms its support for the County Executive's recommendation for FY 2015 to reduce the employee retirement contribution rate for members of the Police Retirement System. Over a period of years the County has been reducing the employee contribution rate to reach 8.65 percent by FY 2016 to make the benefit more comparable between the Police and Uniformed Retirement systems, recognizing that Police do not participate in Social Security and the benefit structure and contribution rates are different between the two systems. This reduction will be phased in over two years with the first reduction taking place in FY 2015 resulting in a reduction from 10 percent to 9.325 percent.

2. Directs staff to make the necessary code changes and schedule a public hearing to reduce the social security offset for disability related retirements for both the Uniformed and Employees' Retirement Systems from 25 percent to 15 percent effective January 1, 2015* (*sic*). The cost for this adjustment is estimated to be \$250,000. The FY 2015 employer contribution rates will be adjusted to reflect this change.
3. Addresses the numerous exterior issues at the Great Falls Grange that are non-ADA compliant including parking, walking routes and an exterior lift for emergency egress on the second floor of the Grange and use \$350,000 to supplement the funding for interior

requirements that is already included in Carryover to complete compliance requirements at the site.

4. Funds \$16,000 to continue/wrap-up a number of archeological preservation efforts within the County to ensure that documentation and recommendations for conserving archeological resources are made before they are lost.
5. Combats speeding and unsafe driving in neighborhoods by providing \$350,000 for an education campaign (\$150,000) and traffic calming (\$200,000) to help address concerns of neighborhoods about traffic safety. Also direct staff to identify funding sources for future traffic calming requirements.
6. Provides funding for the significant backlog in maintenance needs at County-owned trails and sidewalk by funding \$200,000 to meet the most critical requirements pending the comprehensive review of funding needs that will be addressed in future capital budget requests.
7. Earmarks \$1 million within the Reserve for Federal Sequestration Cuts for potential requirements within the Housing Blueprint/Bridging Affordability program as a result of the use of \$1 million in Blueprint funding for the Housing Choice Voucher (HCV) Reserve. It is currently anticipated that the Housing Blueprint/Bridging Affordability funding is sufficient to meet existing requirements. However, if necessary, this \$1 million would be available to replace the funding designated for the HCV Reserve.

With this and other required adjustments, the remaining balance to be set aside in reserve for one-time FY 2015 requirements is \$15.6 million.

Supervisor Foust and Supervisor Smyth jointly seconded the motion.

*Chairman Bulova clarified her motion regarding item number 2 - the effective date should be January 1, **2014**.

Discussion ensued, with input from Susan Datta, Chief Financial Officer and Director, Department of Management and Budget, regarding bonuses.

Supervisor Herrity moved to amend the motion that the proposed one-time bonus be replaced with a 2 percent MRA to begin on January 1, 2014, and the difference of \$0.8 million be funded out of the amount identified for reserves for FY 2015. Supervisor Frey seconded the motion.

Discussion continued with input from Edward L. Long, Jr., County Executive, and Ms. Datta, regarding:

- Bonuses/MRA
- Employee compensation
- Budget shortfall
- Sequestration

The question was called on the amendment to the motion and it **FAILED** by a recorded vote of seven, Supervisor Frey, Supervisor Herrity, and Supervisor Hudgins voting “**AYE.**”

Following additional discussion regarding bonuses, Supervisor Hyland moved to amend the motion to increase the amount of the bonus from \$850 to \$1250 and that the resulting adjustment be taken out of reserve that is presently proposed to be set aside. The amendment to the motion died due to the lack of a second.

The question was called on the main 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.**”

Vice-Chairman Gross returned the gavel to Chairman Bulova.

DET:det

13. **ORDERS OF THE DAY** (12:47 p.m.)

Chairman Bulova announced that following consideration of Administrative and Action items, the Board may need to do Board Matters later in the meeting, following the completion of public hearings.

14. **ADMINISTRATIVE ITEMS** (12:47 p.m.)

Supervisor Gross moved approval of the Administrative Items, including a correction to Admin 8. The second to this motion was inaudible.

Supervisor Smyth called the Board’s attention to Admin 4 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, to Adopt a New Chapter 124 (Stormwater Management Ordinance), to Repeal Chapter 105 (Pollution of State Waters) and Chapter 106 (Storm Drainage), and to Amend Chapter 101 (Subdivision Ordinance), Chapter 104 (Erosion and Sedimentation Control), Chapter 112 (Zoning Ordinance), Chapter 118 (Chesapeake Bay Preservation Ordinance), and Appendix Q (Land

Development Services Fees), Regarding Implementation of the Virginia Stormwater Management Act and Virginia Stormwater Management Program (VSMP) Permit Regulations. Supervisor Smyth stated that while the proposed changes to stormwater management may be dramatic, a correction is needed at the bottom of page 115 of the Board Agenda Item dated September 20, 2013: change the word imperious to **impervious**.

Supervisor Herrity called the Board's attention to Admin 4 and Admin 7 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Public Facilities Manual (PFM), Chapter 6 (Storm Drainage) and Chapter 12 (Vegetation Preservation and Planting), Regarding Water Quality Controls, Adequate Outfall, Detention, Maintenance of Stormwater Management Facilities, and Replanting of Disturbed Areas, and asked unanimous consent that the Board direct staff to identify where the proposed regulations exceed State requirements. Without objection, it was so ordered.

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

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), REGARDING INCREASING THE MEMBERSHIP OF THE SYSTEM'S BOARD OF TRUSTEES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 8, 2013, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to increase the Board of Trustees for the Fairfax County Uniformed Retirement System from eight to ten members by adding a fourth trustee appointed by the Board of Supervisors and a trustee elected from and by the retired members of the System.

ADMIN 2 – APPROVAL OF THE DISTRIBUTION OF A PLAIN ENGLISH EXPLANATION FOR THE 2013 SCHOOL BOND REFERENDUM

- (BONDS) Authorized the preparation and printing of an explanation for the forthcoming referendum on whether the County should be authorized to issue bonds in the maximum aggregate principal amount of \$250 million for the Fairfax County Public Schools.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONTINUE TO LEASE BOARD-OWNED PROPERTY AT THE LEWINSVILLE FACILITY TO McNAIR CHILD DEVELOPMENT CENTER, INCORPORATED DBA “FUN AND FRIENDS CHILD DEVELOPMENT CENTER” (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 8, 2013, at 4 p.m.** to continue to lease Board-owned property at the Lewinsville Facility to McNair Child Development Center, Incorporated dba “Fun and Friends Child Development Center.”

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO ADOPT A NEW CHAPTER 124 (STORMWATER MANAGEMENT ORDINANCE), TO REPEAL CHAPTER 105 (POLLUTION OF STATE WATERS) AND CHAPTER 106 (STORM DRAINAGE), AND TO AMEND CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL), CHAPTER 112 (ZONING ORDINANCE), CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), AND APPENDIX Q (LAND DEVELOPMENT SERVICES FEES), REGARDING IMPLEMENTATION OF THE VIRGINIA STORMWATER MANAGEMENT ACT AND VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSMP) PERMIT REGULATIONS

- (A) (R) (NOTE: Earlier in the meeting, a correction was noted regarding this item. See page 11.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 9, 2013, and before the Board on December 3, 2013, to consider proposed amendments to the Code of the County of Fairfax, to adopt a new Chapter 124 (Stormwater Management Ordinance), to repeal Chapter 105 (Pollution of State Waters) and Chapter 106 (Storm Drainage), and to amend Chapter 101 (Subdivision Ordinance), Chapter 104 (Erosion and Sedimentation Control), Chapter 112 (Zoning Ordinance), Chapter 118 (Chesapeake Bay Preservation Ordinance), and Appendix Q (Land Development Services Fees), regarding implementation of the Virginia Stormwater Management Act and VSMP Permit Regulations.

ADMIN 5 – APPROVAL TO CHANGE A PORTION OF THE PROPOSED STREET NAME FROM LAKEFORD DRIVE TO FAIRVIEW PARK DRIVE (PROVIDENCE DISTRICT)

Approved a street name change in the Official County Digital Property Map and the Master Addressing Repository for a portion of Lakeford Drive, from the intersection with Lee Highway, to Fairview Park Drive, southwest of the intersection with New Providence, on Tax Map Number 049-4, effective 30 days

following Board approval, in accordance with the Code of the County of Fairfax, Chapter 102 (Streets and Sidewalks), Section 102-1-9.

ADMIN 6 – APPROVAL OF A STREET NAME CHANGE FROM CANE HILL WAY TO CALEB COURT (LEE DISTRICT)

Approved a street name change in the Official County Digital Property Map and the Master Addressing Repository from Cane Hill Way to Caleb Court on Tax Map Number 100-1, effective 30 days following Board approval, in accordance with the Code of the County of Fairfax, Chapter 102 (Streets and Sidewalks), Section 102-1-9.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM), CHAPTER 6 (STORM DRAINAGE) AND CHAPTER 12 (VEGETATION PRESERVATION AND PLANTING), REGARDING WATER QUALITY CONTROLS, ADEQUATE OUTFALL, DETENTION, MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES, AND REPLANTING OF DISTURBED AREAS

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Planning Commission on October 9, 2013, and before the Board on December 3, 2013, to consider proposed amendments to the PFM, Chapter (Storm Drainage) and Chapter 12 (Vegetation Preservation and Planting), regarding water quality controls, adequate outfall, detention, maintenance of stormwater management facilities, and replanting of disturbed areas.

ADMIN 8 – STREETS INTO THE SECONDARY SYSTEM (LEE DISTRICT)

(NOTE: Earlier in the meeting, it was noted that this item was corrected. See page 10.)

- (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> |
|---------------------------------------|-----------------|---|
| Groveton Woods Condominium (Phase II) | Lee | Harrison Lane (Route 723) [Additional Right-of-Way (ROW) Only] |
| | | Harrison Lane (Route 723) (Additional ROW Only) |

ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 14067 FOR THE DEPARTMENT OF VEHICLE SERVICES (DVS) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (VDEQ) AS A RESULT OF THE VIRGINIA ELECTRIC POWER COMPANY (VEPCO) SETTLEMENT TO INSTALL DIESEL RETROFITS ON SCHOOL BUSES

- (SAR) Approved SAR AS 14067 for VDS to accept grant funding in the amount of \$128,488 from VDEQ to purchase and install approximately eight diesel exhaust retrofits on selected Fairfax County Public Schools school buses, along with necessary data collection and ancillary support equipment. No local cash match is required.

ADMIN 10 – DISCONTINUANCE OF PORTIONS OF CREST DRIVE (ROUTE 9684) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (MASON DISTRICT)

- (R)
- Adopted a Resolution requesting that portions of Crest Drive (Route 9684) be discontinued from the Secondary System of State Highways.
 - Authorized the County Executive to sign the maintenance agreement.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON DANIELS AVENUE, POPLAR STREET, AND LITTLE RIVER TURNPIKE SERVICE ROAD (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 8, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, as defined in Section 82-5-7 of the Code of the County of Fairfax, recreational vehicles and all trailers from parking on Daniels Avenue from the southern boundary of 4104 Daniels Avenue to Maple Place, Little River Turnpike service road from the eastern boundary of 7205 Little River Turnpike to John Marr Drive, and Poplar Street from Annandale Road to Daniels Avenue, seven days per week.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON WILLIAMS DRIVE (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 8, 2013, at 4 p.m.** to consider proposed amendments to the Code of the

County of Fairfax, Appendix R, to prohibit commercial vehicles, as defined in Section 82-5-7 of the Fairfax County Code, recreational vehicles and all trailers from parking on Williams Drive from Arlington Boulevard to Javier Road, from 9 p.m. to 6 a.m., seven days per week.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON PENROSE PLACE (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 8, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, as defined in Section 82-5-7 of the Fairfax County Code, recreational vehicles and all trailers from parking on Penrose Place from Lee Road to 14339 Penrose Place on the south side and from Lee Road to Chantilly Crossing Lane on the north side, from 7 p.m. to 7 a.m., seven days per week.

ADMIN 14 – EXTENSION OF REVIEW PERIOD FOR A 2232 REVIEW APPLICATION (MASON DISTRICT)

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-M13-13 | New Cingular Wireless, PCS, LLC 6362 Lincolnia Road, Alexandria Mason District | November 12, 2013 |

15. **A-1 – APPROVAL OF THE UPDATE TO THE CONTRACTUAL AGREEMENT FOR THE NORTHERN VIRGINIA REGIONAL IDENTIFICATION SYSTEM (NOVARIS)** (12:51 p.m.)

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

- Approved the NOVARIS Contractual Agreement update of 2013 between the Police Departments of Fairfax County, Alexandria, Arlington, City of Fairfax, City of Falls Church, Prince William County, and the Loudoun County Sheriff's Office.
- Authorized the County Executive to sign the contractual agreement.

16. **A-2 – ESTABLISHMENT OF A REVISED MEMBERSHIP FOR THE MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY (CDA) BOARD (PROVIDENCE DISTRICT)** (12:51 p.m.)

Noting that this action was being taken as a result of an issue concerning the Newbury Station Homeowners Association court decision, Supervisor Smyth moved that the Board concur in the recommendation of staff and approve the revised membership of the Mosaic District CDA Board. Supervisor McKay seconded the motion.

Chairman Bulova stated that this change removes the Providence District Supervisor from membership on this Board. Supervisor Smyth noted that at some point two additional members will need to be replaced.

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

17. **A-3 – APPROVAL OF A DRAFT BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 2014** (12:53 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the draft meeting schedule for January through December 2014. Supervisor McKay seconded the motion and it carried by unanimous vote.

Discussion ensued concerning Easter, the scheduling of budget public hearings, and the early availability of the advertised budget. Chairman Bulova noted that by State law, the County is mandated to adopt a budget by May 1.

18. **A-4 – PRESENTATION OF THE DELINQUENT TAX LIST FOR TAX YEAR 2012 (FISCAL YEAR 2013)** (12:55 p.m.)

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

- Continue to pursue the collection of delinquent taxes found in Attachment A of the Board Agenda Item dated September 10, 2013, and continue collection of non-tax delinquencies.
- Remove certain small uncollectable overdue accounts listed in Attachments D and E of the Board Agenda Item dated September 10, 2013, pursuant to *Virginia Code* Section 58.1-3921.

Supervisor McKay seconded the motion.

Chairman Bulova referenced an article in today's *Washington Post* concerning how the County's system works compared to other jurisdictions.

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

19. **A-5 – APPROVAL OF A LICENSE AGREEMENT BETWEEN THE COUNTY AND GEORGE MASON UNIVERSITY (GMU) RELATED TO THE OPERATION OF BUS SERVICE AT THE BURKE CENTRE VIRGINIA RAILWAY EXPRESS (VRE) STATION (BRADDOCK DISTRICT)** (12:55 p.m.)

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

- Approved the License Agreement with GMU
- Authorized the County Executive to execute the finalized agreement on behalf of the County.

20. **A-6 – ENDORSEMENT OF INTERSTATE 66 (I-66) VIENNA METRORAIL ACCESSIBILITY AND CAPACITY IMPROVEMENTS (I-66 BUS RAMP) (PROVIDENCE DISTRICT)** (12:56 p.m.)

Supervisor Smyth moved that the Board concur in the recommendation of staff and endorse the design plans for the I-66 Vienna Metrorail Accessibility and Capacity Improvements (I-66 Bus Ramp) project, as generally presented at the Design public hearing held on March 27, 2013, with the conditions as outlined in the Board Agenda Item dated September 10, 2013. Supervisor Foust seconded the motion.

Discussion ensued, with input from Michael J. Guarino, Transportation Planner, Capital Projects Section, Capital Projects and Operation Division, Department of Transportation (DOT), and Thomas P. Biesiadny, Director, DOT, concerning:

- Current and projected bus usage
- Reclassification from High Occupancy Vehicle (HOV) 2 to HOV 3
- Direct bus access from the HOV lane to Metro

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

21. **I-1 – COUNTY HOLIDAY SCHEDULE – CALENDAR YEAR 2014** (1 p.m.)

The Board next considered an item contained in the Board Agenda dated September 10, 2013, informing the Board of the proposed calendar year 2014 holiday schedule for County employees.

Supervisor Gross moved to amend the proposed calendar year 2014 holiday schedule for County employees and include Friday, December 26, 2014, as a

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

22. **I-2 – CONTRACT AWARD – CONTINUOUS DUTY NURSING SERVICES** (1:02 p.m.)

The Board next considered an item contained in the Board Agenda dated September 10, 2013, informing the Board that staff intends to award a fee for service non-competitive contract to Anchor Healthcare Services, for continuous duty nursing services, for a period of two years ending July 31, 2013, with three one-year renewal options.

23. **I-3 – MINOR SCHEDULE CHANGES TO FAIRFAX CONNECTOR ROUTES TO BE IMPLEMENTED IN SEPTEMBER 2013 (LEE, MOUNT VERNON, SPRINGFIELD, AND SULLY DISTRICTS)** (1:02 p.m.)

The Board next considered an item contained in the Board Agenda dated September 10, 2013, informing the Board that in September the Department of Transportation intends to implement minor schedule and/or routing changes to several Fairfax Connector routes as outlined in the Board Agenda Item dated September 10, 2013.

Supervisor McKay thanked staff for the changes, particularly those affecting routes in the 150s and 160s on Route 1 which will correct a long-standing problem on weekends and on-time performance by improving reliability of service.

(NOTE: Later in the meeting, Board Matters were presented. See Clerk's Summary Items #41-75.)

24. **RECESS/CLOSED SESSION** (1:03 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. Enactment of an Uncodified Ordinance Relating to CoxCom, LLC's Satisfaction of Conditions Established in Appendix H of the Fairfax County Code
2. *Eric S. Clark v. The County of Fairfax, Virginia, Richard W. Nagel, R.L. Davis, John Spata, John H. Kim, T. B. Smith, S. N. Brim, Jonathan Stern, Kenneth Pfeiffer, Randall C. Hargus, John Does 1-30*, Civil Action No.1:13-cv-616 (E.D. Va.)
3. *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)
4. *Steve T. Tran, Sheila M. Tran, Tricia L. Cooper, and Trustees of the Falls Church Church of Christ v. Fairfax County Board of Supervisors and CG Peace Valley, LLC*, Case No. CL-2013-0010098 (Fx. Co. Cir. Ct.) (Mason District)
5. *Joseph F. and Juliana Campagna, Fairfax Christian School, Inc., Hunter Mill East, LLC, Hunter Mill West, LLC, Robert L. and Rosemary S. Thoburn, and Thoburn Limited Partnership v. Fairfax County Board of Supervisors*, Case No. CL-2010-0005862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lucy W. Berkebile*, Case No. 2011-0012842 (Fx. Co. Cir. Ct.) (Dranesville District)
7. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Rajendra Bernard Edwards*, Case No. CL-2012-0008576 (Fx. Co. Cir. Ct.) (Hunter Mill District/Town of Vienna)
8. *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)

9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Zahir Ahmed*, Case No. CL-2012-0019602 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Charilene N. Lucas, a/k/a Christine N. Lucas*, Case No. CL-2011-0012915 (Fx. Co. Cir. Ct.) (Lee District)
11. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tina M. Howard*, Case No. CL-2011-0017608 (Fx. Co. Cir. Ct.) (Providence District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Michael A. Agge and Annabel M. Agge*, Case No. CL-2012-0008511 (Fx. Co. Cir. Ct.) (Lee District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Leslie B. Johnson, 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)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Santos Gutierrez*, Case No. CL-2011-0003448 (Fx. Co. Cir. Ct.) (Lee District)
16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gail K. Etherton and Debora S. Etherton*, Case No. CL-2011-0013547 (Fx. Co. Cir. Ct.) (Springfield District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Patrick McAlee and Barbara McAlee*, Case No. CL-2012-0010063 (Fx. Co. Cir. Ct.) (Mount Vernon District)

18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sheldon P. Ellison and Wauleah A. Ellison*, Case No. CL-2010-0017783 (Fx. Co. Cir. Ct.) (Mason District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Patricia Connors*, Case No. CL-2012-0008723 (Fx. Co. Cir. Ct.) (Mount Vernon District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tung Nguyen and Benjawan Pancharoen Nguyen*, Case No. CL-2013-0008398 (Fx. Co. Cir. Ct.) (Mason District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. King Tyree Lodge 292, et al.*, Case No. CL-2013-0005715 (Fx. Co. Cir. Ct.) (Providence District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Peter Komtzamanys*, Case No. CL-2013-0010321 (Fx. Co. Cir. Ct.) (Sully District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Francis A. Headley, Grace F. Headley, and Jerome E. Headley*, Case No. CL-2013-0003839 (Fx. Co. Cir. Ct.) (Mason District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tania Soto-Yapura*, Case No. CL-2013-0008359 (Fx. Co. Cir. Ct.) (Mason District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Deutsche Bank National Trust Company*, Case No. CL-2013-0003836 (Fx. Co. Cir. Ct.) (Mount Vernon District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert L. Gelles and Anita A. Gelles*, Case No. CL-2013-004820 (Fx. Co. Cir. Ct.) (Springfield District)

27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Saul Llamas and Claudia K. Ramos*, Case No. CL-2013-0005664 (Fx. Co. Cir. Ct.) (Mason District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Beverly J. Geraghty*, Case No. CL-2013-0004121 (Fx. Co. Cir. Ct.) (Braddock District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Loan Phuong*, Case No. CL-2013-0003688 (Fx. Co. Cir. Ct.) (Braddock District)
30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Columbia Crossroads, LP*, Case No. CL-2013-0007938 (Fx. Co. Cir. Ct.) (Mason District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Federal National Mortgage Association*, Case No. CL-2013-0007122 (Fx. Co. Cir. Ct.) (Lee District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lilian H. Lopez*, Case No. CL-2013-0005807 (Fx. Co. Cir. Ct.) (Mason District)
33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Silvio A. Diaz and Amalia D. Jesus Diaz*, Case No. CL-2013-0011448 (Fx. Co. Cir. Ct.) (Mason District)
34. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ly Chau, Bolmarket Corporation, and Lozada Corporation*, Case No. CL-2013-0011534 (Fx. Co. Cir. Ct.) (Providence District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jose V. Chavez*, Case No. CL-2013-0011849 (Fx. Co. Cir. Ct.) (Providence District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Mohammad S. Khan and Sunawar Khan*,

Case No. CL-2013-0011848 (Fx. Co. Cir. Ct.)
(Providence District)

37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert E. Barnes and Dale A. Barnes*, Case No. CL-2013-0011895 (Fx. Co. Cir. Ct.) (Mount Vernon District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. The Key Building Partnership and NAFS Food Services, Inc.*, Case No. CL-2013-0011950 (Fx. Co. Cir. Ct.) (Lee District)
39. *Leslie B. Johnson, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Martha Campoy*, Case No. CL-2013-0011846 (Fx. Co. Cir. Ct.) (Lee District)
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. FW VA-Willston Centre II, LLC*, Case No. CL-2013-0012161 (Fx. Co. Cir. Ct.) (Mason District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yonis A. Rodriguez and Belen P. Rodriguez*, Case No. CL-2013-0012211 (Fx. Co. Cir. Ct.) (Sully District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Thomas M. Barrett*, Case No. CL-2013-0012213 (Fx. Co. Cir. Ct.) (Dranesville District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Chom Sun Cholihan*, Case No. CL-2013-0012453 (Fx. Co. Cir. Ct.) (Sully District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Devin L. Battley*, Case No. CL-2013-0012500 (Fx. Co. Cir. Ct.) (Mason District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Adnan A. Ashkar*, Case

No. CL-2013-0012524 (Fx. Co. Cir. Ct.) (Mason District)

46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kiet Nguyen and Jenny Nguyen*, Civil Case No. GV13-013293 (Fx. Co. Gen. Dist. Ct.) (Mason District)
47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Byung Young Kim and Myung Sook Kim*, Case No. GV13-013294 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Miguel A. Orellana*, Case No. GV13-013434 (Fx. Co. Gen. Dist. Ct.) (Lee District)
49. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Vivian Villaroel*, Case No. GV13-012764 (Fx. Co. Gen. Dist. Ct.) (Mason District)
50. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rosa Castillo*, Case No. GV13-008364 (Fx. Co. Gen. Dist. Ct.) (Mason District)
51. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jerry Komorowski*, Case No. GV13-007341 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
52. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sokhom Kith and Sara R. Kith*, Case No. GV13-015244 (Fx. Co. Gen. Dist. Ct.) (Providence District)
53. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Karen A. Kallio*, Case No. GV13-012768 (Fx. Co. Gen. Dist. Ct.) (Mason District)
54. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Luis A. Rios and Maria E. Rios*, Case No. GV13-015145 (Fx. Co. Gen. Dist. Ct.) (Providence District)
55. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Hannah Wu*, Case No. GV13-015628 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

56. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harlan Y.M. Lee and Mary Jane Lee*, Case No. GV12-026231 (Fx. Co. Gen. Dist. Ct.) (Providence District)
57. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Candace K. Noonan*, Case No. GV12-014862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
58. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Salvador Garcia*, Case No. GV13-016925 (Fx. Co. Gen. Dist. Ct.) (Lee District)
59. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mac Arthur Weston*, Case No. GV13-0017285 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
60. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ibrahim I. Abdullah*, Case No. GV13-017286 (Fx. Co. Gen. Dist. Ct.) (Mason District)
61. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ahmad Ellini*, Case No. GV13-018003 (Fx. Co. Gen. Dist. Ct.) (Providence District)
62. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel De Torres Perez and Beverly A. Youmans*, Case No. GV13-018117 (Fx. Co. Gen. Dist. Ct.) (Mason District)
63. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Christopher Brinsko*, Case No. GV13-018553 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
64. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marisol Ferrel*, Case No. GV13-018556 (Fx. Co. Gen. Dist. Ct.) (Providence District)
65. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tammy L. Umbel*, Case No. GV13-018555 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
66. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Margarita E. Lorenz*, Case

No. GV13-018554 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

67. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John L. Butterfield and Nancy S. Butterfield*, Case No. GV13-018973 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
68. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jingyang Tao and Carrie Song*, Case Nos. GV13-018987 and GV13-018988 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
69. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Jingyang Tao and Carrie Song*, Case Nos. GV13-018986 and GV13-018989 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
70. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Helen M. Parker-Smith*, Case Nos. GV13-019039 and GV13-019040 (Fx. Co. Gen. Dist. Ct.) (Providence District)
71. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Charles V. Stanley, Jr.*, Case Nos. GV13-019037 and GV13-019038 (Fx. Co. Gen. Dist. Ct.) (Lee District)
72. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Arthur F. Parnell*, Case No. GV13-018974 (Fx. Co. Gen. Dist. Ct.) (Mason District)
73. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Samya Ahmed Salih and Mustafa Abdel Magee Younis*, Case No. GV13-018971 (Fx. Co. Gen. Dist. Ct.) (Mason District)
74. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marcus Robinson and William Robinson*, Case No. GV13-018969 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
75. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Marcus Robinson and William Robinson*, Case No. GV13-

018970 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

76. *Leslie B. Johnson, Fairfax County Zoning Administrator v. 8228 Richmond Highway, LLC, Case No. GV13-018972 (Fx. Co. Gen. Dist. Ct.) (Lee District)*

And in addition:

- Section 6409(a) of the Middle Class Tax Relief Act of 2012
- Application SEA 93-M-047, New Cingular Wireless PCS, LLC, and the Parklawn Recreation Association, Incorporated
- Virginia Code Section 15.2-2308.A

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

EBE:ebe

At 3:28 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

25. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:28 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 Hyland seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

26. **APPOINTMENT OF MR. JEFFREY K. WEILER, AS EXECUTIVE DIRECTOR, RETIREMENT BOARDS** (3:29 p.m.)

Supervisor Gross moved the appointment of Mr. Jeffrey K. Weiler to the position of Executive Director, to the Retirement Boards, at a starting salary of \$158,000 annually, effective September 16, 2013. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

27. **APPOINTMENT OF MS. SHARON ROYKA THEODORE TO THE BOARD OF ZONING APPEALS (BZA)** (3:30 p.m.)

Supervisor Hyland moved that the Board concur in the appointment by the Circuit Court of Ms. Sharon Royka Theodore to the BZA and direct the County Attorney to advise the Court of the Board's concurrence, in accordance with the procedure set forth in Virginia Code Section 15.2-2308.A. Supervisor Gross seconded the motion and it carried by unanimous vote.

Chairman Bulova noted that Ms. Theodore is a resident of the Mount Vernon District.

28. **AUTHORIZATION FOR THE CLERK TO THE BOARD TO PROVIDE NOTICE OF INTENT – COX CABLE FRANCHISE** (3:31 p.m.)

Supervisor Hudgins said that on May 14, 2013, the Board adopted an ordinance granting CoxCom, LLC, a renewed cable franchise. That ordinance conditioned the franchise on the Communications Administrator's receipt of documents to secure Cox's obligations under the Franchise Agreement. Cox has provided all of the required documents.

Therefore, Supervisor Hudgins moved that the Board authorize the Clerk to provide notice in a newspaper, having general circulation in the County, of the Board's intention to propose the passage of an ordinance that would deem Cox to have timely satisfied all such conditions. The Board will consider adoption of such an ordinance on September 24, 2013. Supervisor Foust seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

29. **INTRODUCTION OF INTERN** (3:32 p.m.)

Chairman Bulova introduced John Rowley, a senior at Oakton High School, who is interning in her office. He is applying to the University of Virginia and will major in Bio-Medical Engineering. On behalf of the Board, she warmly welcomed him to the Board Auditorium.

AGENDA ITEMS

30. **3:30 P.M. – BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, ESTABLISHING PARKING RESTRICTIONS WITHIN THE HILLTOP BUSINESS PARK (LEE DISTRICT)** (3:32 p.m.)

(O) (NOTE: On June 4, 2013, the Board held a public hearing regarding this item and deferred decision until September 10, 2013.)

Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix R, establishing parking restrictions on all public streets within the Hilltop Business Park (Lee District) by prohibiting commercial vehicles as defined in Section 82-5-7(b) and 82-5B-1, recreational vehicles, and all trailers from parking on Angleton Court, Conell Court, Hill Park Court, Hill Park Drive, and Kincannon Place, from 9 p.m. to 6 a.m., seven days per week. 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.”

31. **3:30 P.M. – BOARD DECISION ON THE PROPOSED INTERIM DEVELOPMENT AGREEMENT BETWEEN THE BOARD AND LAKE ANNE DEVELOPMENT PARTNERS LLC (LADP) FOR THE REDEVELOPMENT OF THE CRESCENT APARTMENT SITE (HUNTER MILL DISTRICT)** (3:34 p.m.)

(NOTE: On July 30, 2013, the Board held a public hearing regarding this item and deferred decision until September 10, 2013.)

Following remarks regarding the agreement, Supervisor Hudgins moved that the Board:

- Authorize the County Executive, or his designee, to execute the Interim Development Agreement between the Board and LADP for the redevelopment of the Crescent Apartment site.
- Authorize a Comprehensive Plan Amendment for Land Units A, D and E of the Lake Anne Village Center to consider a modification to the consolidation recommendations for the Full Consolidation Option, if such an amendment proves necessary.
- Concur in the filing of the necessary land development applications by LADP and/or their affiliates on property owned by the Board known as the Crescent Apartments, (Tax Maps 17-2((16)) 1-A and 17-2((14)) (1) 2G).
- Authorize the County Executive to execute any necessary proffers on behalf of the Board.
- Direct the Director of the Department of the Public Works and Environmental Services to concurrently process the site plan and other engineering applications associated with this application.
- Authorize the expedited processing of each land development application.

These motions should not be construed as a favorable recommendation on the application by the Board and do not relieve the applicant from compliance with the provisions of any applicable ordinance, regulation, or adopted standards. This application in no way prejudices the substantive review of the application. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

ADDITIONAL BOARD MATTER

32. **EXPLANATION OF BOARD MEMBERS RECUSAL FROM A PUBLIC HEARING** (3:41 p.m.)

Chairman Bulova announced that a recent State Supreme Court opinion stated that if there is any relationship or contribution in excess of \$100 that Board Members have received when participating in a land use application public hearing, they need to disclose and recuse from the hearing. As is the case with the next three public hearings, she announced she will call the public hearings together, but will relinquish the Chair to Acting-Chairman McKay, who along with Supervisor Foust and Supervisor Smyth will be the only Board Members voting on the applications.

AGENDA ITEMS

33. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-V-010 (INOVA HEALTH CARE SERVICES) (MOUNT VERNON DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-SU-032-04 (INOVA HEALTH CARE SERVICES) (SULLY DISTRICT)

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2008-PR-009-02 (INOVA HEALTH CARE SERVICES) (PROVIDENCE DISTRICT) (3:44 p.m.)

(O) (NOTE: On July 30, 2013, the Board deferred the public hearing regarding these items until September 10, 2013.)

The Proffered Condition Amendment Application PCA 94-V-010 property is located in the northwest quadrant of the intersection of Holland Road and Hinson Farm Road, Tax Map 102-1 ((1)) 4 pt.

The Proffered Condition Amendment Application PCA 2000-SU-032-04 property is located south of Ox Trail, east of Rugby Road, north and south of Alder Woods

Drive, Tax Map 45-2 ((1)) 41B1, 41L, 41L3, 41L4, 41L5; 45-2 ((2)) 38, 39A, 39B, 46A1 and 51A1.

The Proffered Condition Amendment Application PCA 2008-PR-009-02 property is located in the northwest quadrant of the intersection of Gallows Road and Woodburn Road, Tax Map 49-3 ((39)) 4B, 5B, 6, 7, 7L and 59-2 ((1)) 1A1 and 1D1.

Chairman Bulova disclosed that she:

- Received a campaign contribution in excess of \$100 from Supervisor Hyland, a Trustee on the Inova Health Care Services Board, through Gerald Hyland for Supervisor
- Received a campaign contribution in excess of \$100 from Supervisor Gross, a Trustee on the Inova Health Systems Foundations Board
- Attended an event hosted by Supervisor Gross for her Champagne and Chocolate fundraiser with a complimentary ticket having a value of \$35

Chairman Bulova stated that, based on recent changes in County policies, she will recuse herself from the public hearing on the three proffered condition amendment applications filed by Inova. However, she will remain at the dais to preserve a quorum.

Chairman Bulova relinquished the Chair to Supervisor McKay.

Supervisor Hudgins disclosed that she attended with her spouse the Inova Health System Foundation's 2012 Annual Gala with complimentary tickets having a face value in excess of \$100 each. Supervisor Hudgins stated that, based on recent changes in County policies, she will recuse herself from the public hearing on the three proffered condition amendment applications. However, she will remain at the dais to preserve a quorum, but will not be participating in the hearing in any way.

Supervisor Frey disclosed that he:

- Is a Trustee on the Inova Health Care Services Board
- Received a campaign contribution in excess of \$100 from Stephen M. Cumbie, Past Chairman and Trustee on the Inova Health System Foundation Board and Director on the Inova Holdings, Incorporated Board

- Received a campaign contribution in excess of \$100 from Supervisor Patrick Herrity

Supervisor Frey stated that, based on recent changes in County policies, he will recuse himself from the public hearing on the three proffered condition amendment applications filed by Inova. However, he will remain at the dais to preserve a quorum.

Supervisor Hyland disclosed that he:

- Is a Trustee on the Inova Health Care Services Board
- Donated a campaign contribution in excess of \$100 made to Chairman Bulova by Hyland for Supervisor

Supervisor Hyland stated that, based on recent changes in County policies, he will recuse himself from the public hearing on the three proffered condition amendment applications filed by Inova. However, he will remain at the dais to preserve a quorum.

Supervisor Gross disclosed that:

- She is a Trustee on the Inova Health Systems Foundations Board and attended the Inova Health System Foundation's 2012 Annual Gala with complimentary tickets having a face value in excess of \$100
- She made a campaign contribution in excess of \$100 to Chairman Bulova's campaign
- Chairman Bulova attended an event hosted by her campaign with a complimentary ticket having a value of \$35

Supervisor Gross stated that, based on recent changes in County policies, she will recuse herself from the public hearing on the three proffered condition amendment applications filed by Inova. However, she will remain at the dais to preserve a quorum.

Supervisor Foust disclosed that he attended with his spouse the Inova Health System Foundation's 2012 Annual Gala with complimentary tickets having a face value in excess of \$100 each. Supervisor Foust stated that, based on recent changes in County policies, he will recuse himself from the public hearing on the three proffered condition amendment applications filed by Inova. However, he will remain at the dais to preserve a quorum.

Supervisor Herrity disclosed campaign contributions in excess of \$100 which he had:

- Received from Todd A. Stottlemeyer, a Trustee on the Inova Health System Foundation Board
- Contributed to Supervisor Frey, a Trustee of the Inova Health Care Services Board

Supervisor Herrity stated that, based on recent changes in County policies, he will recuse himself from the public hearing on the three proffered condition amendment applications filed by Inova. However, he will remain at the dais to preserve a quorum.

Mr. Timothy Sampson reaffirmed the validity of the affidavit for the record.

Megan Duca, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the applications and sites locations.

Mr. Sampson 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 he proceeded to present his case.

Discussion ensued, with input from Mr. Sampson, regarding the application with regards to the limit of enrollment restrictions and total number of children who will be accepted to the child care centers.

Ms. Duca presented the staff and Planning Commission recommendations.

Supervisor Smyth moved approval of Proffered Condition Amendment Application PCA 94-V-010, subject to the proffers dated June 25, 2013. Supervisor Cook seconded the motion and it carried by a vote of three, Supervisor Cook, Supervisor Smyth, and Acting-Chairman McKay, voting "AYE."

A brief discussion ensued, with input from David P. Bobzien, County Attorney, regarding the recusal and voting process.

Supervisor Smyth moved approval of Proffered Condition Amendment Application PCA 2000-SU-032-04, subject to the proffers dated May 31, 2013. Supervisor Cook seconded the motion and it carried by a vote of three, Supervisor Cook, Supervisor Smyth, and Acting-Chairman McKay, voting "AYE."

Supervisor Smyth moved approval of Proffered Condition Amendment Application PCA 2008-PR-009-02, subject to the proffers dated July 16, 2013. Supervisor Cook seconded the motion and it carried by a vote of three, Supervisor Cook, Supervisor Smyth, and Acting-Chairman McKay, voting "AYE."

Acting-Chairman McKay returned the gavel to Chairman Bulova.

34. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2013-BR-003 (THE EVERGREEN COMPANIES, LLC) (BRADDOCK DISTRICT)**
(3:58 p.m.)

(O) The application property is located at 9717, 9719, 9721, and 9723 Braddock Road, Fairfax, 22032, Tax Map 69-1 ((1)) 39B, 39C, 40A and 40B.

Mr. Scott E. Adams reaffirmed the validity of the affidavit for the record.

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

- Mr. Matthew Marshall, a principal in Land Design Consultants and one of the owners

Supervisor Frey stated that, based on recent changes in County policies, he will recuse himself from the public hearing and will remain at the dais to preserve a quorum, but will not be participating in the hearing in any way.

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

Discussion ensued, with input from Mr. O'Donnell, who confirmed that the street is a public street and is wide enough for parking on one or both sides.

Mr. Adams 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 he proceeded to present his case.

Supervisor Cook submitted an item for the record.

Mr. O'Donnell presented the staff and Planning Commission (PC) recommendations.

Supervisor Cook moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2013-BR-003, from the R-1 District to the PDH-3 District, subject to the proffers dated August 28, 2013. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hudgins being out of the room.

(NOTE: On July 18, 2013, the PC approved Final Development Plan Application FDP 2013-BR-003.)

35. **ORDERS OF THE DAY** (4:09 p.m.)

Chairman Bulova announced that the public hearing regarding Special Exception Amendment Application SEA 93-M-047 will be held later in the meeting, due to the large number of speakers scheduled to testify.

36. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-M-047 (THE PARKLAWN RECREATION ASSOCIATION, INCORPORATED AND NEW CINGULAR WIRELESS PCS, LLC) (MASON DISTRICT)** (4:09 p.m.)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item #39.)

37. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.3, TO IMPOSE A PENALTY FOR CERTAIN MOTOR VEHICLES NOT PROPERLY DISPLAYING CURRENT VIRGINIA LICENSE PLATES** (4:10 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 August 23 and August 30, 2013.

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

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), imposing a penalty for failure to display Virginia license plates. Supervisor McKay and Supervisor Hyland jointly seconded the motion.

Supervisor Foust thanked staff for their outreach efforts to educate citizens on the new ordinance and asked unanimous consent that the Board direct staff to report in one year, with information regarding whether the outreach efforts are working. Without objection, it was so ordered.

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

38. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2009-DR-008 (OAKCREST SCHOOL) (HUNTER MILL DISTRICT)** (4:14 p.m.)

Supervisor Hudgins moved to defer the public hearing on Special Exception Amendment Application SEA 2009-DR-008 until **September 24, 2013, at 4 p.m.** Supervisor McKay seconded the motion, and it carried by unanimous vote.

AGENDA ITEMS

39. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-M-047 (THE PARKLAWN RECREATION ASSOCIATION, INCORPORATED AND NEW CINGULAR WIRELESS PCS, LLC) (MASON DISTRICT)** (4:14 p.m.)

The application property is located at 6011 Crater Place, Alexandria, 22312, Tax Map 61-4 ((6)) (T) 56 and 72-2 ((3)) (T) C.

Mr. Edward Donahue reaffirmed the validity of the affidavit for the record.

Supervisor Herrity disclosed a campaign contribution in excess of \$100 which he had receive from:

- Mr. Frank Stearns, Donahue and Stearns, LLC

Supervisor Cook disclosed a campaign contribution in excess of \$100 which he had received from:

- Mr. Edward Donahue, Donahue and Stearns, LLC

Rebecca Horner, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Mr. Donahue 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 he proceeded to present his case.

Discussion ensued, with input from Mr. Donahue, regarding:

- The number of homes which will receive better service and improved coverage with the application
- The height and type of the proposed pole
- Limitations on the height of the pole

Following the testimony of Mr. Thomas Kelly (Speaker Five), discussion ensued regarding location of the cell tower in relation to his home.

Following the testimony of Mr. Daren Shumate (Speaker Seven), discussion ensued regarding the details of the application, negotiations regarding the number of carriers, and what is proposed/approved on the application property.

Following the public hearing, which included testimony by 35 speakers, Supervisor Gross asked to keep the record open. Following a brief discussion, Chairman Bulova announced that the record would remain open to receive testimony by letter or email to ClerktotheBOS@fairfaxcounty.gov.

Discussion ensued, with input of Mr. Donahue, regarding the location of the tower on the property and whether other locations were considered.

Following rebuttal by Mr. Donahue, he submitted a copy of the Treepole Impact Study for the record.

Discussion ensued, with input from Mr. Donahue, regarding the use/capacity of other parcels.

Ms. Horner presented the staff and Planning Commission recommendations.

Supervisor Gross moved to defer decision on Special Exception Amendment Application SEA 93-M-047, until **September 24, 2013, at 3:30 p.m.** Supervisor Foust seconded the motion and it carried by unanimous vote.

DET:det

ADDITIONAL BOARD MATTERS

40. **BOARD RECESS** (6:36 p.m.)

At 6:36 p.m., the Board recessed briefly, and at 6:45 p.m., reconvened with all Members present, and with Chairman Bulova presiding.

41. **REQUEST FOR RECOGNITIONS** (6:45 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite Fire Chief Richard Bowers and members of the Fire and Rescue Department (FRD) to appear before the Board to receive a proclamation recognizing its participation in the “*Safety in Our Community*” program,” a Countywide community outreach program that focuses on the overarching goal of “preventing the 911 call” through checking and installing smoke alarms. FRD personnel have visited over 12,600 homes, installed 1,260 smoke alarms, and installed 1,004 batteries. Without objection, it was so ordered.

Chairman Bulova asked unanimous consent that the Board direct staff to prepare proclamations for the following:

- MD Volt, in partnership with MOM’s Organic Market in Herndon; the organization is recognizing “*National Plug-in Day*” on

Saturday, September 28, and the proclamation will be presented by Supervisor Foust.

- Private First Class (PFC) Aram Wartanian, in recognition of “*Red Ribbon Week*,” reminding everyone about the dangers of illegal drugs.
- The Office of Emergency Management in recognition of “*National Preparedness Month*.”
- The DC Diaper Bank in recognition of “*Diaper Need Awareness and DC Diaper Bank Week*.”
- The National Association of Insurance and Financial Advisors in recognition of “*Life Insurance Awareness Month*.”

Without objection, it was so ordered.

42. **“JEANS DAY” IN FAIRFAX COUNTY** (6:47 p.m.)

Chairman Bulova stated that this is an effort for participating organizations, including the County, to wear jeans to help bring attention to the Ten-Year Plan to Prevent and End Homelessness. She noted that the County Chamber of Commerce and membership organizations participate in this and asked unanimous consent that the Board direct the Office of Public Affairs to work with the Office to Prevent and End Homelessness to prepare a proclamation and publicize “*Jeans Day 2013*” in Fairfax County. Without objection it was so ordered.

43. **WORLD POLICE AND FIRE GAMES, BELFAST, NORTHERN IRELAND** (6:48 p.m.)

Chairman Bulova announced that jointly with Supervisor Frey, she had the opportunity to represent the County at the 2013 World Police and Fire Games in Belfast, Northern Ireland, last month. Supervisor Frey, Deputy County Executive Dave Rohrer, Chief Ed Roessler, Chief Richard Bowers, and other representatives of the Fairfax 2015 team were also present. It was a tremendous honor and a great event for all. By all accounts, Belfast and its team did a phenomenal job in staging the games this year and have set a very high bar for the County in 2015.

Chairman Bulova stated that she brought home the flag presented to the Fairfax 2015 team as the next host and announced that it will be proudly and prominently displayed over the next two years. She added that while there is a lot of work to do as the County prepares, it would be appropriate to start with a few moments for the Team to share the Belfast experience with the Board, both from the perspective of the County’s role as the next host as well as to honor the athletes who represented the County so ably. She added that the County’s team won a lot of medals, including gold in weight-lifting and darts.

Chairman Bulova asked unanimous consent that the Board direct staff to schedule such a presentation for the first meeting in October in cooperation with Mr. Bill Knight, Mr. Barry Biggar, and the Fairfax 2015 team. Without objection, it was so ordered.

Chairman Bulova noted that Visit Fairfax, which is funded through hotel and motel taxes, is the organization funding most of the efforts, however there will be a contribution from the County to make the games happen.

44. **FAIRFAX COUNTY POLICE DEPARTMENT RECOGNITION**
(6:51 p.m.)

Chairman Bulova announced that recently the Virginia Association of Chiefs of Police and the International Association of Chiefs of Police recognized members of the County's Police Department for a job well done.

Private First Class (PFC) Michael Mittiga was awarded the accolade of 2012 Traffic Safety Office of the Year. Hailing from the Mount Vernon Police District, PFC Mittiga was granted the award for excellence in performing his duties and for his leadership contributions. He was directly responsible for removing 152 reckless drivers from the road in 2012, in addition to citing hundreds of seatbelt violators.

Further, the Motor Carrier Safety Program was given an award for its attention to ensuring safe driving by trucks and commercial vehicles. Detectives involved in this program are charged with inspecting commercial cars and trucks and eradicating hazardous vehicles from roads.

Chairman Bulova thanked all members of the Police Department for their efforts to keep citizens safe and further recognized PFC Mittiga and the Motor Carrier Safety Program for making County residents proud. She asked unanimous consent that the Board direct the Office of Public Affairs to publicize these recognitions. Without objection, it was so ordered.

45. **SUMMER CONCERTS** (6:52 p.m.)

Chairman Bulova announced that in many districts, Board Members hosted summer concerts in local parks and outdoor spaces; in the months of June, July, and August, County residents were given the opportunity to share in the experience of live music in a community setting. Without the aid of Sousan Frankeberger, a Park Authority partner and booking agent, County employees, and general sponsors, these concerts would not be possible.

Chairman Bulova mentioned that this was the first season for the Chairman's "*Evening on the Ellipse*" concert series and thanked staff who helped to make that possible including Facilities Management, the Department of Cable and

Consumer Services, Mr. Michael S. Liberman, Ms. Marguerite Guarino, and Ms. Holly Prymak, to name a few.

46. **TRY “TRANSIT WEEK” AND “CAR FREE DAYS”** (6:54 p.m.)

Chairman Bulova encouraged the Board to take part in “*Try Transit Week*” which will take place this year from September 16-20 and “*Car Free Days*” which will take place from September 20-22. The County and the greater DC Metro region are well-served by a strong and growing network of transit choices.

Chairman Bulova noted that the Fairfax Connector, Metrobus, Metrorail, and the Virginia Railway Express are just a few of the local transit options available to residents. She noted that the Department of Transportation has a more detailed listing on its web page available at <http://www.fairfaxcounty.gov/connector/> and asked unanimous consent that the Board direct the Office of Public Affairs to publicize the website. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

47. **PROPOSED CHANGES IN THE COUNTY PUBLIC LIBRARY SYSTEM** (6:55 p.m.)

Chairman Bulova announced that Supervisor Foust’s Board Matter was being done jointly with Supervisor Cook, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and herself. She added that Supervisor Smyth had some concerns and invited her to bring those to the Board’s attention at this time. She also noted that Sam Clay, Director of the Libraries; Charles A. Fegan, Vice-Chairman of the Library Board of Trustees; and David J. Molchany, Deputy County Executive, were present in the auditorium.

Supervisor Foust thanked Supervisor Cook for his assistance in drafting this Board Matter. He said that the Library Board is currently in the process of considering implementation of significant operational changes. The Library Director has stated that changes are required to meet the evolving needs of Library users, brought on by technology and the internet, while providing services within constrained budgets. Many of the proposed changes would consolidate staff functions to allow the Library to operate with a reduced number of employees.

A beta test of the changes is planned at the Reston Regional Library and the Burke Centre Library. The beta testing was initially scheduled to commence on September 1. The Library Board has delayed the test until at least October to provide an opportunity for discussion at its September 11 meeting.

Supervisor Foust said that the Library Board and the Director are to be commended for taking the initiative to consider changes that may result in more efficient ways of meeting the needs of Library users. However, many constituents

are concerned about the adverse effects these changes, if implemented, might have. They believe that the proposed changes would substantially reduce the quality of library services in the County. He added that Library employees are concerned about the impact on service as well as the potential impact on their jobs and the Library's ability to attract qualified employees if the changes are implemented. Both Library users and staff have also voiced significant concerns about a perceived lack of public outreach and input on what amounts to some very significant change proposals.

Based on the response of Library users and staff, it is apparent that there has not been the level of effective outreach and communication that should be undertaken before the proposed changes, or any material changes, are implemented by the Library Board.

Therefore, Supervisor Foust moved that the Board direct the County Executive to inform the Library Board, at or before its September 11 meeting, that the Board of Supervisors:

- Commends the Library Board and Director for seeking to find more efficient ways to meet the evolving needs of the public
- Requests that the Library Board to conduct an extensive outreach program to inform and educate the public and Library employees regarding the proposed changes
- Requests that the outreach program be designed to consider the concerns raised by Library users and employees as well as their input and suggestions
- Requests that the change proposals be modified, as deemed appropriate by the Library Board, to incorporate the input received during the public outreach process
- Requests that the Library Board not implement any change that would have a material impact on Library users and/or Library employees until the public outreach process is completed

Supervisor Cook and Supervisor Gross jointly seconded the motion.

Supervisor Smyth asked to amend the motion to include a request that the Library's discard policy be reviewed to ensure that every usable book is either resold or redistributed, and this was accepted.

Discussion ensued concerning:

- Distribution of books through Friends of the Library and the development of other partnerships

- The importance of workforce engagement when changes are being contemplated and made
- The manner and deadline for a response

Chairman Bulova noted that the Library Board was meeting tomorrow and asked for comment from Mr. Fegan who provided input on the following:

- The Library Board's expected decision to put on hold the proposed changes
- Scheduling of a meeting to obtain input from staff regarding proposed changes
- The Library Board's target date of November 15
- Establishment of an *ad hoc* committee to review all current policies pertaining to the disposition of assets that will culminate in a recommendation to the Library Board on the disposition of any future assets

Following Mr. Fegan's presentation, Supervisor McKay asked unanimous consent that the Board direct the County Executive to provide information on the County's Policy for disposition of property in an effort to ensure a Countywide level of uniformity and consistency. Without objection, it was so ordered.

Discussion continued concerning a deadline for a response. Following additional discussion, Supervisor Gross asked unanimous consent that the Board direct staff to schedule a presentation by Mr. Clay and the Library Board before the Board at its meeting on November 19. Without objection, it was so ordered.

Further discussion ensued concerning:

- Book disposition and a broader review of Countywide disposition of property
- The importance of community engagement
- Concern over dissemination of misinformation
- Concern over micromanagement
- Oversight
- The importance of outreach

Supervisor Cook asked unanimous consent that the Board direct the County Executive to discuss in meetings with senior management staff the importance of outreach/engagement both with community and staff. Without objection, it was so ordered.

Following additional discussion regarding public input, the question was called on the motion, as amended, and it **CARRIED** by a recorded vote of seven, Supervisor Herrity voting “NAY,” Supervisor Frey and Supervisor Hyland being out of the room.

48. **McLEAN PROJECT FOR THE ARTS (MPA) WILL PRESENT ITS SEVENTH ANNUAL COMMUNITY MPAARTFEST (DRANESVILLE DISTRICT)** (7:35 p.m.)

Supervisor Foust said that on Sunday, October 6, from 10:30 a.m. until 4:30 p.m., the MPA will present its seventh annual community MPAartfest. He added that this wonderful event connects art and the community within the beautiful setting of McLean Central Park and expressed his appreciation to the MPA, its many volunteers, corporate and community sponsors, and other community volunteers for creating such an outstanding experience.

Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to distribute information publicizing this event to County offices, libraries, public schools and community groups. Without objection, it was so ordered.

49. **RECOGNIZING THE 140TH ANNIVERSARY OF SHILOH BAPTIST CHURCH (DRANESVILLE DISTRICT)** (7:38 p.m.)

Supervisor Foust congratulated members of Shiloh Baptist Church on the 140th anniversary of its congregation. Shiloh Baptist is one of the oldest African-American churches in the County.

Supervisor Foust asked unanimous consent that the Board direct staff to invite Reverend Dr. Robert Cheeks Jr. and members of Shiloh Baptist Church to appear before the Board on October 8 so that they may be recognized for the church’s 140th anniversary and for the prominent place that the church has played in African-American history in the County. Without objection, it was so ordered.

50. **RECOGNITION OF THE McLEAN LITTLE LEAGUE SOFTBALL MAJORS ALL-STAR TEAM (DRANESVILLE DISTRICT)** (7:38 p.m.)

Supervisor Foust congratulated the McLean Little League Softball Majors All-Star Team for winning the State Championship, the Southeast Regional tournament, and for advancing to the finals of the World Series held in Portland, Oregon last month. The World Series semi-finals and finals were broadcast by ESPN.

Supervisor Foust asked unanimous consent that the Board direct staff to invite the members of the McLean Majors, along with its coaches, team manager and parents, to appear before the Board at its October 8 meeting to be recognized for outstanding achievements. Without objection, it was so ordered.

DAL:dal

51. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (7:39 p.m.)

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

52. **REQUEST FOR RECOGNITION – FAMILY CAREGIVER SUPPORT PROGRAM** (7:39 p.m.)

Supervisor Herrity said the County’s Family Caregiver Support Program was recently honored with a Best Practices Award from the Commonwealth Council noting its “creative and effective approach to serving older Virginians.”

Families are the major provider of long-term care, but caregiving exacts a heavy emotional, physical, and financial toll. Many caregivers who work and provide care experience conflicts between these responsibilities. Also, many caregivers are older themselves, making them more vulnerable to a decline in their own health. Family caregivers also relieve the County budget of the need to provide full support.

The Family Caregiver Support Program provides many services including respite care to assist caregivers in taking a break; free seminars and trainings on issues such as providing care, handling finances, handling stress, legal issues, and Medicare; support for the physical and emotional challenges involved with caregiving; and the telephone support groups for speakers of English and Korean. These services can reduce caregiver depression, anxiety, and stress and enable them to provide care longer, thereby avoiding or delaying the need for costly institutional care.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite Family Caregiver Program staff and volunteers who support the program to appear before the Board to receive a resolution honoring them for their innovative and most valuable work in assisting caregivers to better manage their responsibilities while ensuring their loved ones remain in the community for as long as possible. Without objection, it was so ordered.

53. **REQUEST FOR RECOGNITION OF MR. JOHN WHITE (PROVIDENCE DISTRICT)** (7:40 p.m.)

Supervisor Herrity brought to the attention of the Board the incredible service of John White. Mr. White retired from the Department of State, Foreign Service in

1990 with a total of 33 years of combined civilian and military service, and has lived in Orange Hunt since 1979.

Mr. White's incredible story starts in 2001, when, after he suffered a stroke, his doctor ordered him to lose weight and get more exercise. Mr. White soon started patrolling the streets near Orange Hunt, and when doing so, noticed the amount of litter on County roadways. In his own words he decided that it was better to "light a candle than curse the darkness" and he started carrying bags with him on his walks to pick up the trash along the way.

Mr. White's route is no laughing matter; he routinely patrols Huntsman Boulevard from Old Keene Mill Road to the Fairfax County Parkway; Sydenstricker Road from Hunt Valley School to Field Master Drive, Field Master Drive to Old Keene Mill Road, and the paths of the Greentree Village Park that borders Field Master Drive. He also walks along Dorothy Lane to the Huntsman Park and the paths inside the park.

On this route he has cleared cans, bottles, take-out cartons, coffee cups, and over 15,000 cigarette butts. He has also picked up a passport, driver licenses, credit cards, library cards, student identification cards, unopened mail, luggage, car parts, wallets, cameras, cell phones, one computer, and every article of clothing imaginable. He tries to return all items of value to their owners and those that he cannot are donated to charity. Any trash that is acceptable is recycled. The largest item he has "picked up" so far is a leaf-spring from a tractor trailer on Huntsman that he says took all his strength to drag off the road.

In addition to his "trash collecting" he has notified the following:

- The Virginia Department of Transportation (VDOT) regarding damaged or missing street signs
- Dominion Power regarding burned out street lights on Huntsman
- Cox Cable regarding damaged or missing cable tower covers
- Animal Control regarding dead animals along the roadside
- Fairfax Water and/or Sewer regarding missing manhole covers
- Metro regarding missing or damaged bus stop signs

He has also returned to their owners at least half a dozen dogs.

Mr. White is an inspiration to all, and his selflessness and determination to do the right thing is clear. Supervisor Herrity said it is people like him who embody the very meaning of community, and expressed that he is proud to say that Mr. White is a Springfield District resident.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite Mr. White to appear before the Board to receive a resolution recognizing his selfless community service, and for making West Springfield a much cleaner and better place to live. Without objection, it was so ordered.

54. **REQUEST FOR RECOGNITION – HEADS UP FOOTBALL (SPRINGFIELD AND SULLY DISTRICTS)** (7:42 p.m.)

In a joint Board Matter with Supervisor Frey, Supervisor Herrity said that Fairfax County Public Schools (FCPS) has become the first school district in the United States to adopt USA Football's "Heads Up Football" program to promote a better, safer game for its high school student-athletes.

In preparation for the 2013 season, all 250 high school football coaches in FCPS, including head coaches and assistants, were trained in Heads Up Football techniques that reinforce tackling mechanics aimed at reducing helmet contact, Centers for Disease Control and Prevention (CDC) concussion recognition and response protocols, and proper helmet and shoulder pad fitting. Coaches also completed USA Football's varsity-level coach training course designed for National Federation of State High School Associations (NFHS) membership.

With 25 high school football programs and more than 3,300 student-athletes, FCPS high schools have been joined by more than 1,900 youth football programs nationwide in adopting Heads Up Football this season. Each high school has designated one coach from its staff to serve as its player safety coach. This individual was trained by USA Football to implement Heads Up Football's player safety protocols, including coaching certification, and conducted safety clinics for fellow coaches, parents, and players.

There were several key players in starting this program in FCPS and in the community including Bill Curran (FCPS), Mark Meana (USA Football Board Member), Dick Adams (Annandale High School Head Coach), Mike Lalli (Chantilly High School Head Coach), Chris Haddock (Centreville High School head Coach), and Senator Dave Marsden.

Therefore, jointly with Supervisor Frey, Supervisor Herrity asked unanimous consent that the Board direct staff to invite the key players in bringing Heads Up Football to FCPS to appear before the Board to receive resolutions recognizing their efforts to make football a safer and more enjoyable sport in the County. Without objection, it was so ordered.

55. **FIREMEN'S CHILI COOK-OFF CHALLENGE (SPRINGFIELD DISTRICT)** (7:43 p.m.)

Supervisor Herrity said that the Clifton Labor Day Car Show added a Firemen's Chili Cook-Off challenge. Seven County fire stations competed for the top prize

of \$1000 (which went into the stations "Fill the Boot"), a trophy, and bragging rights. The Clifton Station won first place in the blind taste test.

Supervisor Herrity thanked:

- Captain Willie Bailey for all his support in getting the stations to participate
- Chief Bowers
- Deputy Chief Riley who came out and encouraged stations to participate
- Assistant Fire Chief Caussin who was one of the participants
- Chairman Bulova who came out to taste and support the event

Chairman Bulova noted that it was a great event and the chili was outstanding.

PMH:pmh

56. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)**
(7:45 p.m.)

Chairman Bulova announced that Supervisor Frey had left for the day and that he had no Board Matters to present today.

57. **CELEBRATING THE OAK HILL MANSION OPEN HOUSE (BRADDOCK DISTRICT)** (7:45 p.m.)

Supervisor Cook announced that working with the Park Authority, the Board will be co-sponsoring the Oak Hill History Day. This free program, a celebration of local history, is slated for Saturday, September 28, from noon until 4 p.m. at the historic Oak Hill Mansion, located at 4716 Wakefield Chapel Road in Annandale.

This year will feature dramatic reenactments from David Fitzhugh, Andrew Fitzhugh, Mary (Mrs. Robert E.) Lee, Anna Maria Fitzhugh, Sarah Tracy and husband Upton Herbert, Strother Gibson, Silas Burke, William Marbury Fitzhugh, and others with deep connections to this house and area.

Therefore, Supervisor Cook asked unanimous consent that the Board direct the Office of Public Affairs publicize this event. Without objection, it was so ordered.

58. **NEIGHBORHOOD ANTI-SPEEDING** (7:46 p.m.)

Supervisor Cook noted his appreciation for the Board's support of the neighborhood anti-speeding program that was originally co-sponsored by

Supervisor Hyland and Supervisor McKay. He also thanked those that signed the petition.

59. **CELEBRATING FOUR DECADES OF THE GREATER RESTON ARTS CENTER (GRACE) (HUNTER MILL DISTRICT)** (7:47 p.m.)

Supervisor Hudgins said that with the opening of the 2013-2014 exhibition season, the GRACE will celebrate its fortieth anniversary.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a proclamation recognizing and congratulating GRACE for four decades of outstanding community service and cultural enrichment in visual arts to be presented at the launching of the celebration event - 40 for 40 on Wednesday, September 12. Without objection, it was so ordered.

60. **COMMON TRANSPORTATION GOALS** (7:48 p.m.)

Supervisor Hudgins said that transportation is a very important aspect of every community. To look at schools capital facility's needs, Chairman Bulova has established a joint School Board and Board of Supervisors Working Group. One significant issue needing consideration is School/County bus service.

Therefore, Supervisor Hudgins moved that the Board:

- Refer the matter on exploring County/School system transportation services to the Working Group
- Add a meeting to the agenda of a joint School Board and Board of Supervisors Working Group Agenda for discussion

Supervisor Cook seconded the motion and it carried by a vote of six, Supervisor Foust, Supervisor Frey, Supervisor Herrity, and Supervisor Hyland being out of the room.

61. **FAIRFAX CONNECTOR WEBSITE** (7:51 p.m.)

Supervisor Hudgins said that as it gets closer to the opening of the Silver Line and the reconfiguration of the Fairfax Connector routes information presented to the public needs to reflect current usage preferences.

Increasingly, transit users are using their mobile phones to access information about bus schedules, bus routes, and service changes/alerts. If the information is easily navigated, it enhances the overall experience.

To improve customer experience, the Department of Information Technology (DIT) is presently in the process of refreshing the County government homepage.

Supervisor Hudgins expressed her belief that the next webpage which should be refreshed is the Fairfax Connector website, specifically for mobile users. Items like website layout, mobile applications, and social media engagement should be addressed in this change.

Therefore, Supervisor Hudgins moved that the Board direct staff from DIT and Department of Transportation (DOT) develop and implement recommendations changes to the Fairfax Connector website, reflecting current usage preferences. Chairman Bulova seconded the motion and it carried by a vote of six, Supervisor Foust, Supervisor Frey, Supervisor Herrity, and Supervisor Hyland being out of the room.

62. **CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) REGARDING PARKING** (7:53 p.m.)

Supervisor Hudgins said that parking is one of the biggest issues facing so many neighborhoods and businesses. The challenges in resolving parking issues begs for a review of the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) regarding parking.

Supervisor Hudgins said that many areas within the County are urbanizing; they need new standards to be added to the parking ordinance to fully urbanize. The new parking ordinance would take into consideration changes in technology, parking management, and community needs.

Some changes may have to be pursued through the General Assembly. She said that the options need to be evaluated to enact and update the parking ordinance.

Therefore, Supervisor Hudgins moved that the Board direct staff to assemble a working group with representatives from the Department of Transportation, the County Attorney's Office, the Police Department, and the Department of Planning and Zoning to review the County Parking Ordinance and to make recommendations and/or a progress report to the community within six months. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Foust, Supervisor Frey, Supervisor Herrity, and Supervisor Hyland being out of the room.

63. **REQUEST FOR CONCURRENT PROCESSING - SEKAS HOMES, LIMITED (HUNTER MILL DISTRICT)** (7:55 p.m.)

Supervisor Hudgins said that Sekas Homes, Limited has filed a Rezoning/Final Development Plan Application RZ/FDP 2013-HM-012 which is an application to rezone property at Tax Map 28-4((8)) Parcels 3-7 and 28-4 ((9)) Parcel A from the R-1 District to the PDH-2 District and is proposing nine single family

detached homes. The applicant is requesting concurrent processing of the site plan and any other associated plans concurrently with the rezoning.

Therefore, Supervisor Hudgins moved that the Board direct the Director of the Department of Public Works and Environmental Services to process the site plan and other associated plans concurrently with Rezoning/Final Development Plan Application RZ/FDP 2013-HM-012. This motion should not be construed as a favorable recommendation by the Board on the proposed applications 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 a vote of six, Supervisor Foust, Supervisor Frey, Supervisor Herrity, and Supervisor Hyland being out of the room.

64. **MOUNT PLEASANT BAPTIST CHURCH CELEBRATES ITS 147TH ANNIVERSARY (HUNTER MILL DISTRICT)** (7:57 p.m.)

Supervisor Hudgins announced that Mount Pleasant Baptist Church is celebrating its 147th anniversary.

65. **REQUEST FOR WAIVER OF THE FILING FEE FOR A WATER QUALITY IMPACT ASSESSMENT (MASON DISTRICT)** (7:57 p.m.)

Supervisor Gross said that the Glen Forest Recreation Association is located at 3300 Kaywood Place in the Falls Church portion of the County, and exists in an environmentally sensitive area near Long Branch stream. Almost the entire property is located within a Resource Protection Area (RPA), and the surrounding areas are primarily wooded. Over the last several years, trees and vegetation were removed from this property to support their picnic and recreational areas. However, following a Notice of Violation earlier this year for this accumulated vegetation removal, the pool is now commencing a required replanting of the property and has filed a Water Quality Impact Assessment. The result of this planting effort will improve the tree canopy and provide stormwater management and stream quality benefits; however, this endeavor presents financial challenges for the non-profit pool.

Therefore, Supervisor Gross moved that the Board direct the Director of Department of Public Works and Environmental Services authorize a waiver of the filing fee for a Water Quality Impact Assessment for 3300 Kaywood Place, Falls Church, VA. Supervisor Herrity seconded the motion and it carried by a vote of seven, Supervisor Foust, Supervisor Frey, and Supervisor Hyland being out of the room.

66. **THIRTIETH ANNIVERSARY OF THE AUXILIARY POLICE OFFICER (APO) PROGRAM** (7:59 p.m.)

Supervisor Gross referred to her written Board Matter regarding the APO Program and asked unanimous consent that the Board applaud this remarkable

milestone and direct staff to invite Chief Roessler, Deputy Chief Tom Ryan, Major Dave Moyer, Captain Susan Culin, Lieutenant Mike Grinnan and Volunteer Coordinator Second Lieutenant Alan Hanson, as well as available APO volunteers, to appear before the Board on November 19 to be presented with a proclamation as an expression of gratitude. Without objection, it was so ordered.

67. **2013 NORTHERN VIRGINIA UNITED SENIOR WOMEN'S BASKETBALL ASSOCIATION (NoVA UNITED)** (7:59 p.m.)

Supervisor Gross referred to her written Board Matter regarding NoVA United and asked unanimous consent that the Board applaud the athletes from the NoVA United Senior Women's Basketball Association, direct the Office of Public Affairs to prepare a certificate of recognition for members of NoVA United, and invite them to appear before the Board to be recognized. Without objection, it was so ordered.

68. **2013 BI-NATIONAL HISPANIC HEALTH (BHW) AWARENESS WEEK** (8 p.m.)

Supervisor Gross asked unanimous consent that the Board:

- Proclaim the week of September 28 - October 5, 2013, as "*Bi-National Hispanic Health Awareness Week*," in Fairfax County
- Direct the Office of Public Affairs to prepare a proclamation with the Chairman's signature and the Mason District Supervisor's signature to be presented at the "*Ferta de la SaludHUpana*" to be held on Saturday, September 28, 2013, from 10 a.m. until 3 p.m. at the Willston Multicultural Center, 6131 Willston Drive, Falls Church, VA 22044

Without objection, it was so ordered.

69. **VOTING CREDENTIALS FOR THE ANNUAL MEETING OF THE VIRGINIA ASSOCIATION OF COUNTIES (VACo)** (8:01 p.m.)

Supervisor Gross referred to voting credentials for the annual meeting of VACo and she asked unanimous consent that the Board direct the Clerk to ensure that this item is scheduled for the September 24 Board meeting. Without objection, it was so ordered.

70. **ARTICLE REGARDING DAVID P. BOBZIEN, COUNTY ATTORNEY** (8:01 p.m.)

Supervisor Gross referred to an article in the August 23 edition of *Team Fairfax Insider* regarding David P. Bobzien, County Attorney, and his dedication to public service.

71. **NO BOARD MATTERS FOR SUPERVISOR HYLAND (MOUNT VERNON DISTRICT)** (8:03 p.m.)

Chairman Bulova announced that Supervisor Hyland had left the meeting to attend a South County Federation meeting and that he had no Board Matters to present today.

72. **SPRINGFIELD COMMERCIAL REVITALIZATION DISTRICT (CRD) STREETScape AND PUBLIC IMPROVEMENTS (LEE DISTRICT)** (8:03 p.m.)

Supervisor McKay said that in 1988, *Commercial and Redevelopment Area Improvement Bonds* were approved to fund public improvement projects in several of the County's revitalization districts. At this time, there is a small remaining balance in Bond Fund 315 of approximately \$231,000 allocated for use in the Springfield Commercial Revitalization District (CRD) for the specific purpose of streetscape and other public improvements.

Community representatives - including the Greater Springfield Chamber of Commerce, along with staff, have worked together to develop a prioritized list of projects to use the outstanding funds. The list consists primarily of bicycle and pedestrian access projects as well as safety improvements in the Springfield CRD.

Therefore, Supervisor McKay moved that:

- The Board direct the County Executive to authorize staff to release the remaining money in the Springfield CRD bond funds for use in improvement projects.
- These funds be released with the provision that the Lee District Supervisor must authorize specific project expenditures from these funds.

Chairman Bulova seconded the motion and it carried by a vote of seven, Supervisor Foust, Supervisor Frey, and Supervisor Hyland being out of the room.

73. **PARK AUTHORITY FEES** (8:05 p.m.)

Supervisor McKay referred to his written Board concerning Park Authority fees and asked unanimous consent that the Board direct staff to report with information regarding:

- For all Park facilities and programs, is data collected on the number of County, non-County users?

- If that data is collected, what are the numbers/percentages for category?
- For facilities where there is a perceived competitive factor such as golf courses, what is the competition; does the competition have different fees for County/non-County users; and has analysis been done on the potential impact of raising fees for non-County users?
- For RECenter passes—what would the anticipate impact to fees be if a non-user premium were charged? What is the potential competition for non-County users?
- How neighboring jurisdictions handle the resident/non-resident fee question.

Without objection, it was so ordered.

74. **BACKPACK DRIVE** (8:06 p.m.)

Supervisor McKay announced that Fairfax County firefighter's and numerous community partners had a successful backpack drive, distributing over 2600 backpacks and school supplies at the Penn Daw Fire Station.

75. **PINK HEALS TOUR (HUNTER MILL DISTRICT)** (8:07 p.m.)

Supervisor Hudgins announced that the Pink Heals Tour stopped at the Reston Town Center on Sunday. Pink fire engines, ambulances, and police cruisers were on display to support women battling cancer.

76. **BOARD ADJOURNMENT** (8:09 p.m.)

The Board adjourned.

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