



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
October 28, 2014**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, October 28, 2014, at 9:36 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** (9:36 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of former Board Chair Honorable Jean R. Packard who died on October 21, 2014, at the age of 91. Ms. Packard was a resident of the Braddock District since 1951. She chaired the Fairfax Board of Supervisors from 1972 to 1976. She also served as president of the Federation of Citizens Association, and was the first woman to be elected to the Soil and Water Conservation District Board, among many other accomplishments. Ms. Packard was a tremendously active citizen involved in many organizations especially in the environmental field. As Chairman, she initiated efforts to downzone a large swath of the Occoquan Watershed to protect the drinking water source for the County. The Jean R. Packard Occoquan Center at Occoquan Regional Park was recently named for her.

A remembrance service will be held on November 6, 2014, from 1–4 p.m. at Meadowlark Gardens in Vienna.

AGENDA ITEMS2. **RECOGNITION OF THE COUNTY BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** (9:39 a.m.)

Mari Radford, representative from FEMA, presented a plaque to the Board in recognition of the County achieving a Class 6 Community Rating System, resulting in a 20 percent discount on flood insurance premiums for residents who own structures in a special flood hazard area.

3. **REPORT FROM THE FIRE AND RESCUE DEPARTMENT (FRD) ON THE RECENT ANALYSIS BY THE INSURANCE SERVICES OFFICES, INCORPORATED (ISO)** (9:44 a.m.)

Chief Richard Bowers, Assistant Chief John Caussin, Captain Ronnie Rodriguez, and Battalion Chief Jason Jenkins, presented a report from the FRD on the recent analysis by ISO which resulted in the highest fire suppression rating possible.

Supervisor Gross asked unanimous consent that the Board direct staff to provide Board offices with simplified information to be used in newsletters. Without objection, it was so ordered.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct the Office of Public Affairs to publicize the FEMA designation as well as the ISO ratings. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Hyland suggested that the Economic Development Authority (EDA), use the news about the low cost of insurance as the result of the ratings in marketing to companies that would be interested in coming to the County.

Discussion ensued, with input from Chief Bowers, regarding:

- How residents will be able to take advantage of the rating and apply for low rates
- The process for getting a discount from insurance companies
- How residents/businesses/commercial property owners will know if they can get a discount

Chief Bowers acknowledged and thanked Captain Rodriguez and his team and the other agencies involved in helping achieve this rating.

4. **PROCLAMATION DESIGNATING OCTOBER 28, 2014, AS "FROG POND LEARNING CENTER DAY" IN FAIRFAX COUNTY** (10:01 a.m.)

Supervisor McKay moved approval of the Proclamation to designate October 28, 2014, as "*Frog Pond Early Learning Center Day*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING NOVEMBER 2014 AS "ADOPTION AWARENESS MONTH" IN FAIRFAX COUNTY** (10:12 a.m.)

Supervisor Herrity moved approval of the Proclamation to designate November 2014 as "*Adoption Awareness Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. DOUG DOWNER AND MEMBERS OF THE HERNDON DULLES CHAMBER OF COMMERCE FRIDAY NIGHT LIVE COMMITTEE (DRANESVILLE DISTRICT)** (10:19 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to Mr. Doug Downer and members of the Herndon Dulles Chamber of Commerce Friday Night Live Committee for producing the free outdoor summer concerts on the Herndon Town Green. Supervisor Hyland seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. SOUSAN FRANKEBERGER, PARK SERVICES STAFF, AND PARK FOUNDATION STAFF** (10:27 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Sousan Frankeberger, Park Services staff, and Park Foundation staff who produce the free concerts in County parks for residents during the summer. Supervisor Cook and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

Discussion ensued regarding the various summer concerts series in the County parks and at the Government Center, the volunteers, and the corporate sponsors who make it happen. More information about the summer concert series can be found on the Park Authority Website at: <http://www.fairfaxcounty.gov/parks/performances/>.

8. **PROCLAMATION DESIGNATING NOVEMBER 2014 AS "AMERICAN INDIAN HERITAGE MONTH" IN FAIRFAX COUNTY** (10:48 a.m.)

Supervisor Cook moved approval of the Proclamation to designate November as "*American Indian Heritage Month*" in Fairfax County. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

9. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE CHANTILLY PYRAMID MINORITY STUDENT ACHIEVEMENT COMMITTEE** (10:56 a.m.)

Jointly with Chairman Bulova, Supervisor Herrity, and Supervisor Hudgins, Supervisor Frey moved approval of the Resolution of Recognition presented to members of the Chantilly Pyramid Minority Student Achievement Committee for its thirtieth anniversary and for encouraging students to maintain high levels of achievement in school. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Following a brief discussion on the vision of the founder Shirley O. Nelson, and how far the program has come and the difference it has made on families, the question was called on the motion and it carried by unanimous vote.

10. **10:30 A.M. – PRESENTATION OF THE BARBARA VARON AWARD** (11:10 a.m.)

(BACs) This annual award was established to recognize a County resident's dedication to improving the community through volunteer service and to honor the memory of Barbara Varon, former chairman of the Electoral Board. The award's selection criteria states that nominees must reside in the County, demonstrate an appreciation for the diversity of the community's population, exhibit patriotism, show evidence of having a positive effect on the community, and be known for encouraging others to do the same.

Chairman Bulova presented the Barbara Varon Award to Ms. Janice Yohai.

ADDITIONAL BOARD MATTER

11. **INTRODUCTION OF KURT CREAGER, NEW DIRECTOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)** (11:20 a.m.)

Chairman Bulova introduced Kurt Creager, the new Director of HCD, to succeed Paula Sampson, who is retiring in January. On behalf of the Board, Chairman Bulova warmly welcomed him to the Board Auditorium.

AGENDA ITEMS

12. **10:45 A.M. – PRESENTATION OF THE SMALL BUSINESS COMMISSION (SBC) ANNUAL REPORT** (11:20 a.m.)

Gerarda Culipher, Small Business Commissioner (Springfield District Representative), presented the SBC annual report.

Discussion ensued with input from John Pellegrin, Small Business Commissioner (At-Large #1 Representative), regarding:

- The successful 2014 Vendor Forum
- Future goals which include small business involvement in the 2015 World Police and Fire Games and the resulting economic benefits
- Opportunities available for small businesses
- Educational outreach
- Transparency of the vendor process
- How vendors can compete for County contracts
- Ways Board Members can help promote vendor forums and other events through their newsletters
- Creation of a 12-month calendar to assist with public outreach
- Support received from Community Business Partnership, including the Women's Business Center in Springfield

Supervisor Hyland acknowledged Cathy Muse, Director, Department of Purchasing and Supply Management, and noted her incredible contribution to counties across the country in terms of her presence with the National Association of Counties (NACo) and thanked her for her work.

Discussion ensued with input from Ms. Muse who provided data showing the progress being made in terms of small, woman, minority, and disabled owned businesses.

13. **11 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:35 a.m.)
(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard October 28, 2014,” as distributed around the dais. Supervisor Hudgins seconded the motion.

Supervisor Hyland asked to amend the motion to defer the reappointment of the At-Large #1 Representative to the Wetlands Board, and this was accepted.

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

Appointments are as follows:

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Ms. Virginia “Ginny” Lehner Peters as the Sully District Representative

The Board deferred the appointment of the Lee District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family) Representative and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Reconfirmation of:

- Mr. John Murray as the Commonwealth Attorney Alternate Representative
- Mr. James Davis as the Fairfax Bar Association Representative

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

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Archaeologist Representative.

ATHLETIC COUNCIL

Reappointment of:

- Mr. Clarke Gray as the Providence District Alternate Representative

The Board deferred the appointment of the Braddock District Alternate and the Lee District Principal Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Lee District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

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

CELEBRATE FAIRFAX INC. BOARD OF DIRECTORS

Appointment of

- Ms. Karen Pica as the At-Large #1 Representative

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Sully District Representative.

CHILD CARE ADVISORY COUNCIL

Reappointment of:

- Ms. Courtney Park as the Hunter Mill District Representative

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

CITIZEN CORPS COUNCIL

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

COMMISSION FOR WOMEN

Reappointment of:

- Ms. Miriam S. Erickson as the Providence District Representative

Appointment of:

- Ms. Kathryn M. Winters as the Springfield District Representative

The Board deferred the appointment of the Braddock District Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION

The Board deferred the appointment of the At-Large, Lee, and Mount Vernon District Representatives.

CONSUMER PROTECTION COMMISSION

The Board deferred the appointment of the Fairfax County Resident #2 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Appointment of:

- Ms. Janice Shafer as the Sully District Representative

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

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

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Sully District Representative.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Jocelyn Rappaport as Fairfax City Representative
- Dr. Terrence McCormally as the Medical Community #3 Representative

- Ms. Judy Seiff as the Long Term Care Providers #3 Representative
- Ms. Mary Jayne Panek as the Long Term Care Providers #5 Representative
- Ms. Karen Brown as the Long Term Care Providers #7 Representative
- Dr. Heisung Lee as the Long Term Care Providers #8 Representative
- Ms. Marie Woodard as the Long Term Care Providers #21 Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

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

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #4 and #6 and the Provider #1 Representatives.

HUMAN RIGHTS COMMISSION

Reappointment of:

- Mr. Daoud Khairallah as the At-Large #8 Representative

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Lee District #1 and Mount Vernon District #2 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the Braddock District Representative.

LIBRARY BOARD

The Board deferred the appointment of the Dranesville District Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large Chairman's, Hunter Mill, Lee, and Providence District Representatives.

ROAD VIEWERS BOARD

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Appointment of:

- Ms. Sylvie Ludunge as the Fairfax County #2 Representative

The Board deferred the appointment of the Fairfax County #3 and #5 Representatives.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Condo Owner, and the Tenant Member #2 and #3 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the Mason District Representative.

TRANSPORTATION ADVISORY COMMISSION

The Board deferred the appointment of the Providence District Representative.

TREE COMMISSION

Appointment of:

- Charles "Rick" Ayers as the Providence District Representative

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

TRESPASS TOWING ADVISORY BOARD

Reappointment of:

- Mr. Fred Scheler as the Towing #1 Representative

WETLANDS BOARD

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

YOUTH BASKETBALL COUNCIL ADVISORY BOARD

Confirmation of:

- Mr. E. J. Thomas as the Treasurer and Vienna Youth Incorporated Representative
- Mr. Dave Vennergrund as the Commissioner
- Mr. Gordon Austin as the Chairman
- Mr. Eric Cooksey as the Secretary and the Herndon Optimist Club Representative
- Mr. David Maher as the Arlington County Recreation Representative commissioner
- Mr. James Bosley as the Member At-Large Representative and Lee Mount Vernon Sports Club Representative
- Mr. Grady Bryant as the Member At-Large Alternate Representative
- Mr. Frank DeLatour as the Parliamentarian and the Annandale Boys and Girls Club Alternate Representative
- Mr. Charles Chandler as the Scheduler
- Mr. Christopher Pulley as the Fairfax County Recreation Representative
- Mr. Curtis Boxley as the Alexandria City Recreation Representative
- Mr. Marvin Elliott as the Alexandria City Recreation Alternate Representative
- Mr. Lezone Kenney as the Annandale Boys and Girls Club Representative
- Mr. Larry Barr as the Arlington County Alternate Representative
- Mr. Daryl Lucas as the Baileys Community Center Representative
- Mr. Jim Watson as the Braddock Road Youth Club Representative

- Mr. Stew Clark as the Braddock Road Youth Club Alternate Representative
- Ms. Kathy Krug as the Burke Basketball Representative
- Mr. Cliff Krug as the Burke Basketball Alternate Representative
- Mr. John Enders as the Chantilly Youth Association Representative
- Mr. Rick Shryock as the Chantilly Youth Association Alternate Representative
- Mr. George Ragan as the Fairfax Police Youth Club Representative
- Mr. Chris Madison as the Falls Church Parks and Recreation Representative
- Mr. Scott Whitaker as the Falls Church Parks and Recreation Alternate Representative
- Mr. Alton Greene as the Fort Belvoir Youth Services Representative
- Mr. Herb Marshall as the Fort Belvoir Youth Services Alternate Representative
- Ms. Nicole Woody as the Fort Belvoir Youth Services Alternate #2 Representative
- Mr. Jack Lohrer as the Fort Hunt Youth Athletic Association Representative
- Mr. David Bruce Bauer, Jr. as the Gainesville Basketball Association Representative
- Mr. Richard Warrick as the Great Falls Basketball Representative
- Ms. Laura Bean as the Great Falls Basketball Alternate Representative
- Ms. Martha Coleman as the Gum Springs Community Center Representative
- Mr. Chris Watari as the Herndon Optimist Club Alternate Representative
- Mr. Mike Trivisonno as the James Lee Community Center Representative

- Mr. Tim Strike as the James Lee Community Center Alternate Representative
- Ms. Kim Thompson as the Lee District Basketball Representative
- Mr. Dennis McMinn as the Lee District Basketball Alternate Representative
- Mr. Lee Hingle as the Lee/Mount Vernon Sports Club Alternate Representative
- Mr. Jeff Goettman as the McLean Youth Incorporated Representative
- Mr. Gerry Megas as the McLean Youth Incorporated Alternate Representative
- Mr. Andy Kim as the Mercer Representative
- Mr. Jason Murphy as the Mercer Alternate Representative
- Mr. David Fields as the Mount Vernon Youth Association Representative
- Mr. Stacey Johnson as the Mount Vernon Youth Association Alternate Representative
- Mr. John Schmid as the Reston Youth Basketball League Representative
- Mr. James Byrne as the Reston Youth Basketball League Alternate Representative
- Mr. Ed Knox as the Southwestern Youth Association Representative
- Mr. Chris Spera as the Springfield Youth Club Representative
- Mr. Spencer Kimball as the Springfield Youth Club Alternate Representative
- Mr. Scott Choate as the Turnpike Basketball Club Representative
- Mr. Mike Mastrota as the Turnpike Basketball Club Alternate Representative

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14. **ADMINISTRATIVE ITEMS** (11:36 a.m.)

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

Supervisor Smyth called the Board's attention to Admin 1 – Supplemental Appropriation Resolution AS 15131 for the Department of Family Services to Accept Funding from the Department of Justice, Office on Violence Against Women, in Support of the County's Domestic Violence Action Center. Noting the shortfall in funding, Supervisor Smyth raised a question regarding whether the County is exploring other potential funding sources given the heightened awareness of domestic violence. A brief discussion ensued, with input from Ina Fernandez, Director, Office for Women and Domestic and Sexual Violence Services, concerning alternate funding resources.

Supervisor Smyth called the Board's attention to Admin 5 – Authorization to Advertise a Public Hearing on Proposed Amendments to The Code of the County of Fairfax, to Add a New Chapter 125 (Resident Curator Program Ordinance) and raised a question regarding whether the Park Authority's request for funding will be part of the public hearing. Discussion ensued, with input from Fred Selden, Director, Department of Planning and Zoning, who noted that it will be considered in the next budget cycle.

Discussion continued regarding the Resident Curator Program, with input from Mr. Selden.

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 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 15131 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT FUNDING FROM THE DEPARTMENT OF JUSTICE (DOJ), OFFICE ON VIOLENCE AGAINST WOMEN, IN SUPPORT OF THE COUNTY'S DOMESTIC VIOLENCE ACTION CENTER (DVAC)

(SAR) (NOTE: Earlier in the meeting, this item was discussed. See above.)

Approved SAR AS 15131 for DFS to accept funding in the amount of \$300,000 from DOJ, Office of Violence Against Women, in support of DVAC. No local cash match is required, however, the grant award no longer covers the full cost of the programs. Therefore, to continue the program at the current level, \$217,350 in additional funding is needed. Existing balances from the original grant award will be used to cover the shortfall in Fiscal Year (FY) 2015. Beginning in FY 2016, additional General Fund dollars will need to be identified to continue the program at the current level. Funding will continue to support five existing grant positions.

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (SPRINGFIELD, PROVIDENCE, AND MASON DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P14-25	Verizon Wireless Installation of Telecommunications Facility 1651 Old Meadow Road McLean, VA Providence District	December 19, 2014
FS-M14-29	AT&T Installation of Telecommunications Facility 5100 Backlick Road Annandale, VA Mason District	December 20, 2014
2232-M14-5	AT&T Installation of Telecommunications Facility (Monopole) 3301 Peace Valley Lane Falls Church, VA Mason District	January 26, 2015
FSA-S06-10-1	Fairfax County Park Authority Facility Planning at South Run District Park 7550 Reservation Drive Springfield, VA (Springfield District)	May 1, 2015

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO REPEAL THE NOVEMBER 18, 1996, RESOLUTION THAT IMPOSED CERTAIN LIMITATIONS ON THE COUNTY’S SPOT BLIGHT ABATEMENT PROGRAM

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 2, 2014, at 4 p.m.**, to repeal the November 18, 1996, Resolution that imposed certain limitations on the County’s Spot Blight Abatement Program.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 46 (HEALTH OR SAFETY MENACES), REGARDING PUBLIC NUISANCE

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 2, 2014, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 46 (Health or Safety Menaces), to amend several portions of the chapter which governs menaces and nuisances.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO ADD A NEW CHAPTER 125 (RESIDENT CURATOR PROGRAM ORDINANCE)

- (A) (NOTE: Earlier in the meeting, this item was discussed. See page 14.)

Authorized the advertisement of a public hearing to be held before the Board on **November 18, 2014, at 5 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, to add a new Chapter 125 (Resident Curator Program Ordinance).

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION), REGARDING AN INCREASE IN TAXICAB RATES AND REVISIONS TO PENALTY PROVISIONS FOR OPERATING AN UNLICENSED TAXICAB

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 18, 2014, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation), to impose a 3.5 percent increase in taxicab fares and to revise penalty provisions for operating an unlicensed taxicab.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ISSUANCE OF A COUNTY REVENUE BOND TO FINANCE SILVER LINE PARKING GARAGES THROUGH THE ECONOMIC DEVELOPMENT AUTHORITY (EDA)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 18, 2014, at 4 p.m.**, to consider the issuance of a Revenue Bond to finance the Silver Line parking garages through the EDA.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE OLD COLUMBIA PIKE COMMUNITY PARKING DISTRICT (CPD) (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 18, 2014, at 5 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Old Columbia Pike CPD. The proposed District includes Old Columbia Pike (Route 712), from the western boundary of 4500 Old Columbia Pike, to the eastern boundary of 4308 Columbia Pike, north side only, and from Little River Turnpike to Elmdale Road, south side only.

ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS) AND APPENDIX Q, REGARDING ADJUSTMENT OF THE FEES CHARGED BY LAND DEVELOPMENT SERVICES (LDS) FOR PLAN REVIEW, PERMITS, AND INSPECTION SERVICES

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on November 12, 2014, and before the Board on **December 2, 2014, at 5 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), and Appendix Q, to adjust the fees charged by LDS for plan review, permits, and inspection services. The proposed amendments will become effective at 12:01 a.m. on January 1, 2015.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION), REGARDING ADJUSTMENT OF THE FEES CHARGED BY THE FIRE MARSHAL FOR PLAN REVIEW, PERMITS, AND INSPECTION SERVICES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 2, 2014, at 5 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection), to adjust the fees charged by the Fire Marshal for plan review, permits, and inspection services. The proposed amendments will become effective at 12:01 a.m. on December 31, 2014.

ADMIN 11 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES (NCS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG), ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, IN SUPPORT OF THE PURCHASE OF WHEELCHAIR-LIFT EQUIPPED VEHICLES

Authorized NCS to apply for and accept, if received, grant funding in the amount of \$275,000, from COG, to support the purchase of five wheelchair lift-equipped

vehicles to replace high-mileage vehicles currently owned by the County. This includes a 20 percent local cash match of \$55,000, which is available in Fund 10060, Department of Vehicle Services, FASTRAN Replacement Reserve.

ADMIN 12 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES (NCS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG), ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, TO SUPPORT ENHANCED TRANSPORTATION OPTIONS

Authorized NCS to apply for and accept, if received, grant funding in the amount of \$337,500, from COG, for two new full-time exempt positions, to support a network of mobility managers to implement strategies to improve the mobility and transportation options and services for older adults and individuals with disabilities. A 20 percent local cash match of \$67,500 is required and will be met through \$52,500 from the Federal-State Grant Fund, and \$15,000 from cash contributions from other partnering jurisdictions in Northern Virginia.

ADMIN 13 – AUTHORIZATION FOR VARIOUS COUNTY AGENCIES TO APPLY FOR AND ACCEPT FUNDING FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) THROUGH THE CONTINUUM OF CARE PROGRAM, AND AUTHORIZATION FOR CONSOLIDATED PLAN CERTIFICATION

- Authorized the Department of Housing and Community Development (HCD), Fairfax-Falls Church Community Services Board (CSB), and the Department of Family Services (DFS)[on behalf of the Office to Prevent and End Homelessness (OPEH) who administers the grants], to apply for and accept, if received, the grant applications listed below. Total funding of \$3,624,053, including \$2,765,213 in HUD funding, \$440,837 in local cash match, \$20,674 in County in-kind resources, and \$397,329 of private in-kind match will be requested to support the County grants.
 - HCD, in partnership with Pathway Homes, will apply for and accept funding, if received, for four renewal Shelter Plus Care grants totaling \$1,589,314. The required match of \$397,329 will be met with in-kind resources provided by Pathway Homes, for a total funding to \$1,986,643. No local cash match is required. Funding will continue to support rental assistance for 100 units of permanent housing for 118 homeless persons.

- The CSB will apply for and accept funding, if received, for one renewal grant totaling \$259,504 which will be matched by \$20,674 of County in-kind resources bringing total funding to \$280,178. Funding will support a project providing permanent supportive housing to 14 chronically homeless vulnerable individuals, including one existing full-time exempt grant position in the Federal-State grant fund. The County is under no obligation to continue this position when the grant funding expires.
- DFS (on behalf of OPEH) will apply for and accept funding, if received, for two renewal grants totaling \$1,357,232, including \$916,395 in HUD funding and \$440,837 in local cash match. Funding is for 20 permanent supportive housing units for families with a disabled head of household and 28 transitional housing units assisting families displaced by domestic violence make rapid transitions from domestic violence shelters to permanent housing.
- Endorsed 21 grant applications by County non-profit organizations totaling \$4,902,304 in HUD funding, with \$419,101 in State match and \$416,522 in match to be met with non-profit organizations cash or in-kind resources for a total of \$5,737,927.
- Authorized the County Executive to sign the certification, on behalf of the County, to be included with the community application, as required by the HUD instructions.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED ORDINANCE TO APPROVE A REGIONAL JOINT ACTION AGREEMENT FOR THE NORTHERN VIRGINIA LONG-TERM CARE OMBUDSMAN PROGRAM

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 18, 2014, at 3 p.m.**, to consider a proposed Ordinance to approve a Regional Joint Action Agreement with the Northern Virginia Long-Term Care Ombudsman Program.

15. **A-1 – APPROVAL OF THE ISSUANCE OF A SOLICITATION FOR POLICE-DIRECTED TOWING SERVICES** (11:43 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the issuance of a Request for Proposal by the County Purchasing Agent to contract for law enforcement towing for the County and culminating with the award of contracts for each designated towing zone.

16. **A-2 – APPROVAL OF STATE LITTER PREVENTION AND RECYCLING GRANT FUNDING TRANSFER TO CLEAN FAIRFAX COUNCIL, INCORPORATED** (11:44 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the transfer of the State Litter Prevention and Recycling grant funding in the amount of \$128,034 to Clean Fairfax Council, Incorporated. Supervisor Hyland seconded the motion.

Supervisor McKay asked unanimous consent that the Board direct staff to report with information regarding the County's efforts to raise public awareness that littering is illegal. Without objection, it was so ordered.

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

17. **A-3 – APPROVAL OF AN AMENDMENT TO THE PARKING SURCHARGE AGREEMENT BETWEEN THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) AND THE COUNTY** (11:46 a.m.)

On motion of Supervisor Hudgins, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Second Amended and Restated Surcharge Implementation Agreement with WMATA, in substantial form, and authorized the County Executive or his designee to execute the Agreement on behalf of the County.

18. **A-4 – ENDORSEMENT OF APPLICATIONS FOR THE FISCAL YEAR (FY) 2016 VIRGINIA DEPARTMENT OF TRANSPORTATION'S (VDOT) TRANSPORTATION ALTERNATIVES GRANT PROGRAM** (11:47 a.m.)

(Rs) On motion of Supervisor McKay, seconded by Supervisor Hudgins, and 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," the Board concurred in the recommendation of staff and endorsed the proposed list of applications and their respective Resolutions for the FY 2016 Transportation Alternatives Program.

19. **A-5 – AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE TYSONS PARTNERSHIP TO PROVIDE FUNDING TO AND OPERATION STANDARDS FOR THE TYSONS TRANSPORTATION MANAGEMENT ASSOCIATION (TMA)** (11:48 a.m.)

(R) Supervisor Smyth moved that the Board concur in recommendation of staff and adopt a Resolution granting the Director of the Department of Transportation authorization to execute the agreement, in substantial form, between the County and the Tysons Partnership for the Tysons TMA. Supervisor Hudgins seconded the motion.

Supervisor Smyth noted that the County is currently collecting proffer contributions from developers for TMA and the Tysons Partnership is filling that role. These are specific proffers for the TMA, not road funds.

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,"

20. **A-6 – APPROVAL OF A NEW PAY STRUCTURE FOR GENERAL COUNTY EMPLOYEES** (11:50 a.m.)

Chairman Bulova provided background on the process used for consideration of implementing the new pay structure for general County employees. She thanked Supervisor Gross, Chair of the Board's Personnel Committee, Supervisor Cook, Supervisor Foust, and Supervisor Frey for their involvement in the process.

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the new pay structure for General County employees. Supervisor Cook seconded the motion.

Supervisor Gross provided remarks regarding the Work Groups extensive collaboration to recommend a General County pay structure, summarizing the recommendations and funding requirements. She thanked staff and employee representatives for their work in the process.

Chairman Bulova noted the guiding principles used in development of the new pay structure.

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

21. **I-1 – FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) FEE SCHEDULE** (12:01 p.m.)

The Board next considered an item contained in the Board Agenda dated October 28, 2014, announcing implementation of CSB's new Fee Schedule.

ADDITIONAL BOARD MATTERS

22. **MOTION TO RECONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE NUMBERING INSTRUCTIONS FOR ADDING FOOD TRUCKS TO SECTION 10-102** (12:02 p.m.)

(O) Chairman Bulova relinquished the Chair to Vice-Chairman Gross and said that at the last Board meeting on October 7, 2014, the Board adopted a Zoning Ordinance Amendment to permit food trucks as a permitted accessory use in

commercial and industrial districts, commercial portions of a P District or on any construction site, all of which are subject to certain specified standards and limitations. As part of that amendment, "Food Trucks, as regulated by Section 2-510" was added as a specific use to Section 10-102, Permitted Accessory Uses. The instructions associated with amending Section 10-102 stated that Food Trucks, as well as "Child care centers for occasional care" which was Paragraph 32, be placed in their correct alphabetical order and that subsequent paragraphs be renumbered accordingly.

Unfortunately, staff did not realize the significant impact that changing the numbering order of the permitted accessory uses listed in Section 10-102 would have on other agencies, including the Department of Code Compliance's case reporting systems.

Since these impacts outweigh the editorial value of placing the items in alphabetical order, Chairman Bulova moved that the Board:

- Revise the instructions for adding food trucks to Section 10-102 as follows:
 - Amend Section 10-102, Permitted Accessory Uses, by adding a new Paragraph 33 at the end of Section 10-102 to read as follows: "33. Food trucks, as regulated by Section 2-510."
 - Retain the previous numbering of permitted accessory uses in effect on October 7, 2014.

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

23. **COMMISSION TO ENSURE THE INTEGRITY AND PUBLIC CONFIDENCE IN STATE GOVERNMENT** (12:04 p.m.)

Chairman Bulova said, as her colleagues are aware, late last month Governor McAuliffe established the Commission to Ensure the Integrity and Public Confidence in State Government. She stated that she was honored to be appointed to serve on this Commission, which is co-chaired by former Congressman Rick Boucher and former Lieutenant Governor Bill Bolling.

The Commission is being asked to take a comprehensive look at Virginia's public ethics and conflict of interest laws. The interim report is due December 1, but the Commission will continue to meet in 2015. Topics to be considered this fall include gifts and disclosures, post-governmental employment, and redistricting. Other issues that have been referred to the Commission are wide-ranging and

include campaign finance, the selection of judges, and whether Virginia's governors should be able to serve a second consecutive term.

The Commission had its first meeting yesterday and adopted a set of principles, a draft of which she attached to her written Board Matter. She noted that it was slightly modified yesterday, and she will circulate the final version once it is available. She stated that the Commission had a robust discussion and there appears to be general consensus on a variety of issues, including instituting an independent ethics commission and placing a cap on intangible gifts in addition to tangible ones. As part of the conversation, she shared some information on the County's process for redistricting in 2011, stating her belief that an open and inclusive process could be an excellent model for the State.

Chairman Bulova said she plans to provide additional information as recommendations take shape. It is her expectation that legislation will be introduced as a result of the Commission's work this fall, and staff will plan to bring those bills to the Legislative Committee for discussion. Staff will also be working with the Virginia Association of Counties (VACo) and the Virginia Municipal League (VML) during the General Assembly session, as these issues are vitally important to local governments as well.

In addition, she wanted to provide the public with information on how they can participate in the important work of the Commission. There will be a public forum on Thursday, November 6, from 6–7:30 p.m., at the University of Virginia School of Law. The event will take place in Caplin Auditorium, located in Withers-Brown Hall. In addition, public comment is being accepted through the Commission's website: <https://governor.virginia.gov/integrity-commission>

Therefore, Chairman Bulova:

- Asked unanimous consent that the Board direct the Office of Public Affairs to promote this opportunity to participate in the public process for the Commission.
- Encouraged anyone who would like to participate in this process to take this opportunity to do so. Ensuring high ethical standards and public integrity throughout the Commonwealth is critical to the political system, and the Commission has committed to reviewing public comments carefully and thoroughly.

Without objection, it was so ordered.

A brief discussion ensued regarding the regulations and legislation.

24. **FLINT HILL CEMETERY ASSOCIATION (PROVIDENCE DISTRICT)**
(12:10 p.m.)

Supervisor Smyth said that the Flint Hill Cemetery Association contacted her regarding its plans to file a site plan to proceed with a columbarium project approved with its special permit and variance applications to expand the cemetery. The historic Flint Hill Cemetery, established in 1875 and located in Oakton, is maintained by the nonprofit Flint Hill Cemetery Association. The cemetery has operated for 138 years as a public benefit to the community and its future independent operation will continue to rely on the dedication of the volunteers that serve on the Flint Hill Cemetery Association Board. The association is diligently working to preserve cash reserves and manage the long-term financial stability of the cemetery. To that end the association has requested a waiver of all site plan submission fees.

Therefore, Supervisor Smyth moved that the Board waive all associated site plan fees for the nonprofit Flint Hill Cemetery Association. This motion shall not be construed as a favorable recommendation by the Board on the proposed applications, and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

25. **THIRTIETH ANNIVERSARY OF THE GREATER MERRIFIELD BUSINESS ASSOCIATION (GMBA) (PROVIDENCE DISTRICT)**
(12:12 p.m.)

Supervisor Smyth said that in 1984 the GMBA was formed when a group of concerned business and land owners came together to oppose a bus warehouse proposed to be built in Merrifield. The effort was successful and now the location is part of the Mosaic complex, a multi-use community of commercial buildings, residences, and retail businesses. Since that time, GMBA, a non-profit organization, brings together local business and property owners to provide a common voice to promote general economic development, better land use, and transportation. Many GMBA members served on the task force that led to the current transformation of Merrifield. It serves as an energetic advocate to continue to move Merrifield forward. In addition to serving as a networking group and community advocate, GMBA organizes events in Merrifield such as the Fall Festival, which is in its tenth year, and the newer Taste of Merrifield. Both are day-long events with activities enjoyed by the entire family.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to prepare a Resolution, to be signed by the Chairman and the District Supervisor, recognizing the GMBA on its thirtieth anniversary for its numerous contributions to the Merrifield area and the County as a whole. Without objection, it was so ordered.

EBE:ebe

26. **SPRINGFIELD TOWN CENTER (LEE DISTRICT)** (12:13 p.m.)

Supervisor McKay said that after years of planning and hard work, the doors to Springfield Town Center have finally opened. The grand opening was held on October 17, 2014, and included eager shoppers, many of whom got in line as early as 4 a.m. to see the end result of this new revitalized place to dine and shop.

This was no small feat – in fact, it took years of focused dedication from County staff to help usher the mall through a rezoning, permit requests, and more. County employees devoted countless nights, weekends, and holidays to ensure that Springfield Town Center would stay on schedule to open in time for the holiday shopping season.

In particular, the efforts put forth by the Fire Marshal's Office, the County's Building Review and Inspection team, and Zoning Evaluation workers were invaluable to the mall.

In appreciation for staff's hard work, not only personally but on behalf of the community, Supervisor McKay extended his sincerest thanks and recognized a number of the County employees who helped bring this project to fruition. (The list of staff is referenced in his written Board Matter.)

Therefore, Supervisor McKay asked unanimous consent that the Board direct the directors of the agencies identified, or appropriate staff members of their choosing, to appear before the Board for recognition of their great work and dedication to help open Springfield Town Center. Without objection, it was so ordered.

27. **REQUEST FOR RECOGNITION – MR. LEON PLENTY** (12:15 p.m.)

Supervisor McKay said that Leon Plenty, general manager of the Lee District RECenter since 1982, is retiring on December 11, 2014.

During his long career with the Fairfax County Park Authority (FCPA), Mr. Plenty has worked at seven of the nine FCPA RECenters as well as Lake Accotink Park. He began with FCPA 32 years ago as a Park Specialist I and Operations Manager and was promoted to park manager four years later.

Under Mr. Plenty's management, the Lee District RECenter went from a facility that operated in the red to a completely self-supported center and has maintained that status for 13 of the last 16 years. Mr. Plenty has expanded camp and pre-school programs, and been involved in the unique accessible family recreation areas, Chessie's Big Backyard, and Our Special Harbor.

Mr. Plenty may be retiring from FCPA but he is not retiring from active community involvement. He will be working on his photography and videography business and pursuing his music passion. Mr. Plenty is a bass player and intends to join a local jazz band and his church choir.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Mr. Plenty to appear before the Board on December 2, 2014, to be recognized for his outstanding career with the Park Authority and extraordinary service to the citizens of the County. Without objection, it was so ordered.

28. **RESIDENTIAL PLACEMENTS FOR INDIVIDUALS** (12:16 p.m.)

Supervisor McKay said that at the Board's September 30 Legislative Committee meeting, the Board discussed an issue brought forward by the Community Services Board regarding residential placements for individuals with intellectual disabilities. As the Board is well aware, both standards of care and the State's settlement agreement with the U.S. Department of Justice favor residential placements that are integrated into the community. These arrangements are more beneficial for the residents and less costly than institutional care. However, practical concerns have made finding suitable community-based arrangements difficult and there exists a significant wait list for placements.

The high costs of purchasing and maintaining housing in Northern Virginia, coupled with Medicaid reimbursement rates that barely cover operational costs, can create a difficult financial situation for the operators of group homes and intermediate care facilities (ICFs), resulting in a scarcity of placement options. At the same time, the need for such residential options has spiked due to the proposed closure of the State training centers.

As discussed in the Legislative Committee, a recent administrative action has exacerbated this problem by making financing for the acquisition, construction, or renovation of these facilities more difficult to obtain. Until recently, the Virginia Housing Development Authority (VHDA) and the Virginia Department of Housing and Community Development (DHCD) have provided below-market financing to operators of ICFs and Medicaid Waiver group homes. However, recently this financing has been curtailed due to a decision that for the purpose of financing ICFs and Medicaid Waiver group homes should be treated as medical facilities, rather than housing. This decision was made in spite of the fact that this care is often provided in a residential setting such as a single family dwelling. In addition, the Board has also heard concerns from its provider community about residency limits that would make their business models unsustainable, potentially reducing capacity to meet the needs of the community.

At the September 30 Legislative Committee meeting, the Board directed staff to draft a letter to the Governor raising these concerns and offering to work with the administration to find a possible solution. In addition, the letter was to be copied to the legislative work group examining issues related to the training center

closures as well; two members of the County's delegation serve on this work group. A draft of this letter was discussed at the October 21, 2014, Legislative Committee meeting and a revised draft was circulated on October 23, 2014.

Therefore, Supervisor McKay asked unanimous consent that the Board send the letter, as contained in his written Board Matter, under the Chairman's signature to Governor McAuliffe with copies to Secretaries Hazel and Jones, and to the members of the SB 627 work group. Without objection, it was so ordered.

29. **BUCKMAN ROAD** (12:19 p.m.)

Supervisor McKay said that two parcels located at 4203 Buckman Road (tax map parcel 101-3 ((1)) 15B) and 4201 Buckman Road (tax map parcel 101-3 ((1)) 15A) have a fairly complicated background that require a Comprehensive Plan amendment. The parcels sit adjacent to the Richmond Highway Corridor revitalization district and just north of the South County Center CBC boundary.

Parcel 15B was originally developed with a farmhouse and outbuilding. In the 1960s, these two structures were converted into five multifamily units. In 1994, a Plan amendment and rezoning were approved to address the multifamily use.

At the time, the desire was for the site to be converted back to a single-family detached house should redevelopment occur in the future; therefore the adopted Plan amendment added site-specific text stating parcel 15B is *"planned for the existing development and uses on the property...in the event that the property is redeveloped, the appropriate density is 2-3 dwelling units per acre, consistent with the adjacent single-family detached subdivision."*

For many years the property was poorly maintained and a source of concern to the surrounding neighbors. The multifamily units on parcel 15B are currently vacant and dilapidated. The property owner envisions redeveloping the parcel for five townhouses. Redevelopment of the site would bring about much needed clean up and ensure current stormwater management practices, building codes, and other regulations are in place.

Therefore, Supervisor McKay moved that the Board:

- Authorize a Plan amendment for staff to consider single family attached residential use on parcels 101-3 ((1)) 15B and 15A. Consolidation of the two parcels is encouraged; if parcel consolidation is not achieved, development on parcel 15B should be designed in a manner that complements the development of a compatible use and intensity on parcel 15A.
- Direct staff to concurrently review this Plan amendment with proposed zoning request(s) and allow concurrent processing of the site plan.

This motion should not be construed as a favorable recommendation on this proposed plan amendment or any subsequent rezoning or other applications with respect to the property. Chairman Bulova seconded the motion and it carried by unanimous vote.

30. **REQUEST TO RECOGNIZE THE SOUTH COUNTY HIGH SCHOOL GOLF TEAM FOR WINNING ITS FIRST STATE GOLF CHAMPIONSHIP TITLE (MOUNT VERNON DISTRICT)** (12:22 p.m.)

Supervisor Hyland referred to his written Board Matter and said that the South County High School golf team won the 2014 State Championship, and asked unanimous consent that the Board direct staff to invite the South County High School golf team and its coaches to appear before the Board for recognition. Without objection, it was so ordered.

31. **REQUEST TO AUTHORIZE A PLAN AMENDMENT FOR THE WOODLAWN COMMUNITY BUSINESS CENTER (CBC)** (12:23 p.m.)

Supervisor Hyland said that two land use studies by the Urban Land Institute (ULI) in 2012 and the Virginia Polytechnic Institute and State University (Virginia Tech) in 2010 examined the Woodlawn CBC and recommended mixed use development, community serving retail and residential uses in sub-units A-1, A-2, A-3, and suburban neighborhood parcels 1 and 3. The area is undergoing positive change as Richmond Highway is being widened, Jeff Todd Way is open to Telegraph Road, the National Trust and Arcadia are positioned to bring forward a new vision for the Woodlawn Plantation, Wegmans is slated to open next year, and the new Springfield Town Center is open for business. The Woodlawn CBC is the new crossroads where history meets new opportunities.

To leverage the new infrastructure, the Mount Vernon Council has endorsed a resolution that asks the Board to authorize a Plan amendment which would authorize a residential option in this CBC. Supervisor Hyland asked that Board Members endorse the following motion so staff in the Department of Planning and Zoning may evaluate the proposal and bring language before the Planning Commission and Board.

Therefore, Supervisor Hyland moved that the Board authorize a Plan amendment for the Woodlawn CBC and direct staff to prepare and evaluate language based on the ULI and Virginia Tech studies. Supervisor Foust and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

PMH:pmh

32. **RECOGNIZING THE TWENTY-FIFTH ANNIVERSARY OF THE LASALLIAN ALUMNI ASSOCIATION (SPRINGFIELD DISTRICT)**
(12:25 p.m.)

Supervisor Herrity said that on November 15, the Lasallian Alumni Association will celebrate its twenty-fifth anniversary. The Lasallian Alumni Association is for graduates of the Lasallian Schools from around the globe that were operated by the De Le Salle Christian Brothers. Educational congregations of the De La Salle Christian Brothers were originally founded in France in the seventeenth century and have been recognized for their extraordinary service by the Catholic Church and leading global organizations such as the United Nations.

Supervisor Herrity noted that the Lasallian Alumni Association was founded in 1989 for the purpose of promoting and recognizing the Lasallian educational spirit among Vietnamese youth. The Association promotes this culture through several award programs to include an Academic Excellence Awards program and a Service Award program called "Illuminating the Way." These two award programs have been presented to more than 800 students over the years. This year the Lasallian Alumni Association will be celebrating its twenty-fifth anniversary at a dinner on November 15.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a proclamation for presentation to the Lasallian Alumni Association on November 15 at its annual dinner to congratulate its twenty-fifth anniversary and outstanding service to the youth. Without objection, it was so ordered.

33. **PEDESTRIAN SAFETY** (12:27 p.m.)

Supervisor Gross said that one of the most-dreaded calls a Board Member can receive from public safety personnel is the call that notifies us of a pedestrian accident. She noted that she has received two in the past 10 days, and both incidents could, and should, have been prevented. The first, which resulted in the death of a female pedestrian, occurred on Leesburg Pike, near Seven Corners, just west of both a signalized pedestrian crossing and a brand-new sidewalk. The second, on Friday morning, involved two middle school students at their bus stop in a quiet neighborhood. Fortunately, those injuries were survivable. Although both incidents are still under investigation, it appears that pedestrian error was a factor in each; drivers were traveling within the speed limit in both cases, and the pavements were clear and dry.

Supervisor Gross noted that this Sunday, November 2, at 2 a.m., when we move from Daylight Saving Time to standard time, meaning that evenings will be darker earlier, an additional risk for both pedestrians and drivers. This timing provides an excellent opportunity to highlight the importance of pedestrian safety, and the responsibility of drivers and pedestrians to keep themselves safe. Speed humps

and traffic calming devices may slow vehicular traffic in neighborhoods, but they do not protect pedestrians who may be crossing improperly or cannot be seen along the edge of the road. Pedestrians and drivers alike need to be educated to avoid the tragic calls to Board Members and victims' families.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the:

- County Executive and the Office of Public Affairs to work in concert with the Police and Fire Departments to raise awareness about pedestrian safety through media announcements, school information circuits, foreign language media, and any other method that can get the word out and reduce or eliminate these tragic occurrences
- Office of Public Affairs to create a pedestrian safety campaign timeline so that pedestrian safety can be highlighted on a regular basis throughout each year, and incorporated within the information provided by the County to media outlets, on the website, and for civic and community organizations

Without objection, it was so ordered.

A brief discussion ensued regarding pedestrian safety and enforcement.

Supervisor McKay asked unanimous consent that the Board direct staff to develop a simple comprehensive message that can be used as part of the education process by parents as well as in the schools. Without objection, it was so ordered.

34. **SENIOR SAFETY SUMMIT FOR DRANESVILLE AND HUNTER MILL DISTRICTS** (12:35 p.m.)

In a joint Board Matter with Supervisor Hudgins, Supervisor Foust said that on December 5 from 10 a.m. until noon, the senior summit: "Safety in our Community - Preventing the 911 Call" will be held at the Herndon Senior Center. Staff from the two offices and the Fire and Rescue Department have been working on plans for the summit. Representatives from the Police Department, the Town of Herndon Police Department, the Sheriff's Office, the Department of Cable and Consumer Services, the Health Department, and the Office of Emergency Management will make presentations at the event.

Supervisor Foust said that older adults from the Herndon and Reston communities are invited to learn about safety topics such as fire and injury/fall prevention, home and personal safety, Project Lifesaver (keeping at-risk residents safer and reducing care giver anxiety), File of Life, disaster preparedness and how to defend yourself from scams and other frauds. Participants will be invited to take part in a question-and-answer session and enjoy refreshments and socializing.

Similar sessions will be planned for the McLean/Great Falls area and the Oakton/South Reston area during 2015.

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

35. **ONE-HUNDREDTH ANNIVERSARY OF THE McLEAN CITIZENS ASSOCIATION (MCA) (DRANESVILLE DISTRICT)** (12:37 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Foust announced that 2014 marks the one-hundredth anniversary of the MCA, the County's oldest civic organization.

Since 1914, the MCA has served as the "voice of McLean" and unofficial town council for the 31,000 households of the greater McLean area. The MCA is led by a 40-member Board of Directors, which includes 20 members representing active homeowner and civic associations within the greater McLean area, 14 at-large members and 6 officers.

Supervisor Foust referred to his written Board Matter which outlined the history of the MCA.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to:

- Prepare a proclamation to be signed by the Chairman and the Dranesville District Supervisor congratulating the MCA on its one-hundredth anniversary
- Invite representatives of the MCA Board to appear before the Board on November 18 to be recognized for 100 years of commitment and contributions to the residents of greater McLean

Without objection, it was so ordered.

36. **WOMEN'S CENTER OF NORTHERN VIRGINIA CELEBRATES ITS FORTIETH ANNIVERSARY (HUNTER MILL DISTRICT)** (12:41 p.m.)

Supervisor Hudgins said that founded in 1974, the mission of The Women's Center was, and is, to significantly improve the psychological, career, financial, and legal well-being of women, men, and their families, regardless of their ability to pay. The Women's Center provides easy access to highly trained professionals and therapists, to ensure a high level of counseling and care. The private, non-profit counseling and education centers are truly part of the community.

Supervisor Hudgins noted that on November 8, the Women's Center will celebrate its fortieth anniversary which promises to be a festive evening of dinner and dancing. The live and silent auctions will support the reduced fee counseling, educational programs, and resources that the Women's Center provides to women, men, teens, and children who otherwise could not afford them.

Supervisor Hudgins urged all to attend and support this milestone gala event on November 8 at the McLean Hilton.

Therefore, Supervisor Hudgins asked unanimous consent that the direct staff to:

- Publicize this worthy event through County government outreach tools
- Invite the Members of the Women's Center to appear before the Board to receive its congratulation and thanks for the four decades of meeting area needs

Without objection, it was so ordered.

37. **ARTS COUNCIL OF FAIRFAX COUNTY, INCORPORATED** (12:42 p.m.)

Supervisor Hudgins said that founded in 1964, the Arts Council of Fairfax County, Incorporated, is a 501(c)3 non-profit organization designated as the County's local arts agency. It is the only umbrella organization serving and representing all forms of art in the County. It is the voice of the arts, dedicated to fostering dynamic and diverse local arts, ensuring that arts thrive by providing vision, leadership, capacity building services, advocacy, funding, education, and information. Each year, the Arts Council celebrates the extraordinary contributions of artists and arts organizations, and the individuals, businesses, and foundations in the County and the Cities of Fairfax and Falls Church, by presenting Arts Awards to outstanding educators, leaders, and philanthropists in the Arts.

On Friday, October 24, the 2014 Arts Awards were presented to four outstanding honorees:

- Jinx Hazel Arts Award presented to Bill Reeder and Richard Kamenitzer of George Mason University
- Arts Impact Award to Greater Reston Arts Center (GRACE)
- Arts Education Award to Cappies of the National Capital Area (Cappies NCA)
- Arts Philanthropy Award to Pat and Steve Macintyre

Supervisor Hudgins reported that two notables were from the Hunter Mill District: winner of the Arts Impact Award, the Greater Reston Arts Center (GRACE) and the Arts Philanthropy Award, Mrs. Patricia and Mr. Steve Macintyre.

Therefore, Supervisor Hudgins asked unanimous consent that the Board recognize the 2014 honorees of the Arts by inviting them to attend the November 18 Board meeting to receive its thanks and congratulations. Without objection, it was so ordered.

38. **TWENTIETH ANNIVERSARY OF THE NOVA - ANNANDALE SYMPHONY ORCHESTRA (BRADDOCK DISTRICT)** (12:45 p.m.)

In a joint Board Matter with Supervisor Gross and Chairman Bulova, Supervisor Cook announced that this year marks the twentieth anniversary of a local musical ensemble, the NOVA - Annandale Symphony Orchestra.

Supervisor Cook noted that the NOVA - Annandale Symphony Orchestra is one of only a handful in the metropolitan area that brings student, amateur, semi-professional and professional musicians, together to share their passion of music. This is all woven together under the baton of Maestro Christopher Johnson who has been their leader since 1996.

Therefore, Supervisor Cook asked unanimous consent that the Board congratulate the NOVA - Annandale Symphony Orchestra and direct staff to invite them to appear before the Board to be formally recognized. Without objection, it was so ordered.

39. **REZONING/FINAL DEVELOPMENT PLAN APPLICATIONS RZ/FDP 2014-BR-001 - SD HOMES LLC (BRADDOCK DISTRICT)** (12:46 p.m.)

Supervisor Cook said that last January, SD Homes LLC filed a Rezoning/Final Development Plan Applications RZ/FDP 2014-BR-001 on Tax Map Parcel 69-1 ((1)) Lot 31 to rezone approximately .96 acres from the R-1 District to the R-3 District. This proposal would permit two single family detached dwelling units at a density of 2-05 dwelling units per acre (du/ac). The applicant has recently submitted a revised development plan which responds to concerns raised by staff and the community. The Planning Commission public hearing is scheduled for November 13 and this application is ready to move forward for a public hearing before the Board.

Therefore, Supervisor Cook moved that Board direct staff to expedite the scheduling of a public hearing to be held before the Board on Rezoning/Final Development Plan Applications RZ/FDP 2014-BR-001 to December 2. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Frey seconded the motion and it carried by unanimous vote.

40. **REQUEST FOR CONCURRENT PROCESSING FOR CSH ARTISAN FAIRFAX LLC – SPECIAL EXCEPTION APPLICATION SE 2014-SU-010 (SULLY DISTRICT)** (12:47 p.m.)

Supervisor Frey said that CSH Artisan Fairfax LLC has filed the above-referenced Special Exception to permit an assisted living facility on Lee Jackson Memorial Highway, more specifically, Tax Map Parcel 34-4-((1)) 60.

Supervisor Frey noted that the Planning Commission (PC) public hearing has been deferred twice to address concerns about an off-site service drive which staff agrees is not necessary to the safe operation of this site. The PC approved the special exception last week. It is likely that this application will be scheduled for December 2 without action of this Board.

Therefore, Supervisor Frey moved that the Board authorize:

- Staff to schedule a public hearing to be held before the Board on December 2, 2014
- The Director of the Department of Public Works and Environmental Services to accept for concurrent processing all site and engineering plans and permits associated with the proposed development

The applicant understands that approval of this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and will not prejudice the consideration of this application in any way. Supervisor Foust seconded the motion and it carried by unanimous vote.

41. **NATIONAL CAT DAY** (12:48 p.m.)

Supervisor Frey announced that Wednesday, October 29, is National Cat Day according to *Animal Sheltering Magazine*. He added that events promoting adoption of cats at shelters are going on throughout the region.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to assist the shelter in publicizing these events. Without objection, it was so ordered.

42. **PRESS CONFERENCE REGARDING SYRIAN BLANKET DRIVE** (12:49 p.m.)

Chairman Bulova announced that on Wednesday, October 29, at the press room in the Government Center, a press conference will be held regarding a kick-off of the Syrian Blanket Drive. She noted the blanket drive is for Syrian refugees who are being housed in Turkey.

A brief discussion ensued regarding the blanket drive.

43. RECESS/CLOSED SESSION (12:51 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. Erroneous Real Estate Tax Assessment Appeals filed by Wilkes Artis, Chartered, Against Board of Supervisors of Fairfax County, Virginia (Fx. Co. Cir. Ct.) (All Districts)
 2. *Sheila E. Frace, Trustee v. John F. Ribble, III*, Case No. CL-2013-0017108); *Leslie B. Johnson v. Sheila E. Frace, Trustee*, Case No. CL-2014-0000128 (Fx. Co. Cir. Ct.) (Dranesville District)
 3. *Council of Co-Owners of the Skyline Plaza Condominium Project, Inc. v. Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia* (Fx. Co. Bd. of Bldg. Code App.) (Mason District)
 4. *James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. Edward Caine and Susan Power*, Case No. CL-2013-0008131 (Fx. Co. Cir. Ct.) (Dranesville District)
 5. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Clyde E. Nishimura*, Case No. CL-2012-0005565 (Fx. Co. Cir. Ct.) (Lee District)

6. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Helen M. Parker-Smith*, Case No. CL-2014-0001775 (Fx. Co. Cir. Ct.) (Providence District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edward E. Ankers, Jr.*, Case No. CL-2006-0010511 (Fx. Co. Cir. Ct.) (Hunter Mill District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2012-0013536 (Fx. Co. Cir. Ct.) (Providence District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harry Martin*, Case No. CL-2008-0008078 (Fx. Co. Cir. Ct.) (Sully District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Joanne Kreiser*, Case No. CL-2012-0008224 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jaime R. Rueda*, Case No. CL-2009-0008709 (Fx. Co. Cir. Ct.) (Mason District)
13. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ronnie L. Chase, N. Bruce Chase, Norman C. Chase, Alvin M. Chase, Carl A. Chase, Gladys B. Ferguson, Deloris R. Chase, and Josephine C. Evans*, Case No. CL-2014-0009499 (Fx. Co. Cir. Ct.) (Mount Vernon District)

14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lucia O. Palacio*, Case No. CL-2014-0001444 (Fx. Co. Cir. Ct.) (Providence District)
15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Joyce P. Borden*, Case No. CL-2014-0008508 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Janak R. Sachdev and Neelam Sachdev*, Case No. CL-2014-0010732 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. William Bryant Gallagher, Jr.*, Case No. CL-2014-0004199 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Donald P. Fanelli*, Case No. CL-2014-0010616 (Fx. Co. Cir. Ct.) (Dranesville District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Young Bong Cho and Young Soo Cho*, Case No. CL-2014-0012410 (Fx. Co. Cir. Ct.) (Springfield District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Fez Bistro, LLC, Next Merrifalls Plaza LLC, Reese Merrifalls, LLC, Reese Merrifalls Two, LLC, and Janice Yun*, Case No. CL-2014-0012602 (Fx. Co. Cir. Ct.) (Providence District)
21. *Melissa Rioja v. Fairfax County Park Authority and Abasto Howard*, Case No. GV14-014434 (Fx. Co. Gen. Dist. Ct.)

22. *Oscar Benitez v. Fairfax County Risk Management and Herbert Michael Napper*, Case No. GV14-008942 (Fx. Co. Gen. Dist. Ct.)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Michael L. Lewis and Sonja B. Lewis*, Case No. GV14-014522 (Fx. Co. Gen. Dist. Ct.) (Lee District)
24. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Yurie C. Chigna*, Case No. GV14-007900 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
25. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Charles R. Gentry*, Case No. GV14-013553 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
26. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Brian A. Robertson*, Case Nos. GV14-011446 and GV14-011447 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. JPMorgan Chase Bank, N.A.*, Case No. GV14-0021529 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
28. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. JPMorgan Chase Bank, N.A.*, Case No. GV14-021528 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Won Pae Kim and Chung Sook Kim*, Case No. GV14-021707 (Fx. Co. Gen. Dist. Ct.) (Lee District)

And in addition:

- 2014 Amendments to the Virginia State and Local Conflict of Interests Act

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

DET:det

At 3:39 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

44. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:39 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Foust 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."

AGENDA ITEMS

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MA-012 (AAA MID-ATLANTIC, INCORPORATED) (MASON DISTRICT)** (3:40 p.m.)

The application property is located on the north side of Arlington Boulevard east of its intersection with Wilson Boulevard, Tax Map 51-3 ((1)) 35 A pt. and 35 B pt.

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

Joe Gorney, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

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

Following the public hearing, Mr. Gorney presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2014-MA-012 subject to the development conditions dated October 23, 2014.

- Modification of the off-street parking requirements of the CRD to permit a 20 percent parking reduction to facilitate the proposed onsite improvements.
- Waiver of the interior parking lot landscaping requirements of the CRD in lieu of the alternatives as shown on the proposed plat and as conditioned.
- Modification of the peripheral parking lot landscaping requirements of the CRD in favor of the alternatives as shown on the proposed plat and as conditioned.
- Deviation to the tree preservation target in favor of the alternatives as shown on the proposed plat and as conditioned.

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

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-D-004-03 [SUNOCO, INCORPORATED (R&M)] (DRANESVILLE DISTRICT) (3:47 p.m.)**

The application property is located at 2150 Centreville Road, Herndon, 20170, Tax Map 16-1 ((1)) 7A.

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

Suzanne Wright, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

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

Following the public hearing, Ms. Wright presented the staff and Planning Commission recommendations.

Supervisor Foust moved:

- Approval of Special Exception Amendment Application SEA 84-D-004-3, subject to the development conditions dated October 22, 2014.
- Waiver of the requirement that surface parking spaces be at least 10 feet away from the street right-of-way along Parcher Avenue.

- Modification of the requirement that surface parking spaces be at least 10 feet away from the street right-of-way along Centreville Road to that shown on the SEA Plat.

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

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2013-PR-009 (TYSONS WESTPARK, LC) (PROVIDENCE DISTRICT)** (3:53 p.m.)

Supervisor Smyth, noting affidavit issues, moved to defer the public hearing on Rezoning Application RZ 2013-PR-009 until **November 18, 2014, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

48. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 97-D-002-02 (CHARLES E. JENKINS, TR.) (DRANESVILLE DISTRICT)** (3:54 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 October 10 and October 17, 2014.

The application property is located at 10509 Beach Mill Road, Great Falls, 22066, Tax Map 3-4 ((1)) 44Z, 45Z, and 46Z. Chairman Bulova noted that this application did not require an affidavit.

Michael Lynskey, Planner, Department of Planning and Zoning, presented the staff report.

On behalf of the applicant, Ms. Jane Kelsey made a brief statement.

Following the public hearing, Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor Foust moved approval of Agricultural Renewal Application AR 97-D-002-02, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Jenkins Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 15, 2014. Supervisor Hyland and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor McKay being out of the room.

49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SU-023 (MEENAKSHI VERMA STRINGFELLOW HOME CHILD CARE) (SULLY DISTRICT)** (3:59 p.m.)

(NOTE: On October 7, 2014, the Board deferred this public hearing until October 28, 2014.)

The application property is located at 5031 Cool Fountain Lane, Centreville, 20120, Tax Map 55-1 ((26)) 115.

Ms. Meenakshi Verma reaffirmed the validity of the affidavit for the record.

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

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

Following the public hearing, which included testimony by two speakers, discussion ensued, with input from Kris Abrahamson, Branch Chief, Rezoning and Special Exception Evaluation Branch, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), concerning:

- How staff addresses the possibility and/or allegation of non-compliance with homeowners' association (HOA) rules and restrictions
- Proffer language respective to the use of the garage
- Timeliness and content of a letter submitted by the HOA
- Parking requirements and safety concerns
- The location of the play area
- Use of a residential play area by a small business
- Precedence for an application with neither a drive area or play area
- The contingency of Condition #11

Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor Frey submitted items for the record and asked unanimous consent that the Board direct staff to review the letter submitted by the attorney on behalf of the HOA. Without objection, it was so ordered.

Supervisor Frey, following a chronology of the case, moved approval of Special Exception Application SE 2014-SU-023, subject to the development conditions dated September 3, 2014. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Discussion ensued, with additional input from Ms. Abrahamson, concerning HOA liability insurance relative to the play area.

Discussion continued concerning:

- Whether development attributes support a day care facility of this size
- Precedence
- Regulated versus unregulated/unlicensed day care

Discussion continued concerning contingency, precedence, and requirements for playground use for home child care, with input from Barbara C. Berlin, Director, ZED, DPZ.

Chairman Bulova noted that child care facilities are licensed by the State, not the County.

The question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Hudgins, Supervisor McKay, and Supervisor Smyth voting "NAY."

50. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-S-021 (MILESTONE TOWER LP, III D/B/A MILESTONE COMMUNICATIONS AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS) (SULLY DISTRICT)** (4:34 p.m.)

The application property is located at 15001 Lee Highway, Centreville, 20121, Tax Map 64-2 ((3)) 26A.

Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record.

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

- Frank W. Stearns, Esquire, a partner in the law firm of Donohue and Stearns, PLC

Michael Lynskey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Stearns 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.

Following the public hearing, Mr. Lynskey presented the staff and Planning Commission (PC) recommendations.

Supervisor Frey moved:

- Approval of Special Exception Amendment Application SEA 90-S-021, subject to the development conditions dated October 28, 2014.
- Modification of transitional screening requirements, per Section 13-305, Paragraph 3, to consider existing vegetation and proposed vegetation, as depicted on the SEA plat and as conditioned, as satisfying requirements.
- Modification of the barrier requirements to consider the existing 11-foot chain-link fence with slats and the proposed 8-foot chain-link fence with slats, as depicted on the SEA plat, as satisfying requirements.
- Continuation of a waiver of the service drive requirement along Lee Highway.
- To direct the Director of the Department of Public Works and Environmental Services to continue a waiver of the dustless surface requirement of the Public Facilities Manual, to allow the gravel driveway and parking areas shown on the SEA plat.

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

(NOTE: On October 22, 2014, the PC approved Public Facilities Application 2232-Y13-10, noting that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia, as amended.)

51. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SU-021 (GAY ANN SCHULTE D/B/A MS. GAY’S DAY CARE) (SULLY DISTRICT)** (4:43 p.m.)

The application property is located at 5874 Linden Creek Court, Centreville, 20120, Tax Map 53-2 ((7)) 23.

Ms. Gay A. Schulte reaffirmed the validity of the affidavit for the record.

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

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

Following the public hearing, Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 2014-SU-021, subject to the development conditions dated September 23, 2014. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

52. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-014 (FOZIA HUSSAIN/KIDS CLUB INFANT DAY CARE) (MOUNT VERNON DISTRICT)** (4:49 p.m.)

The application property is located at 8156 American Holly Road, Lorton, 22079, Tax Map 107-1 ((5)) (C) 11.

Ms. Fozia Hussain reaffirmed the validity of the affidavit for the record.

Nicholas Rogers, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

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

Following the public hearing, Mr. Rogers presented the staff and Planning Commission recommendations.

Supervisor Hyland submitted items for the record.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 2011-MV-002, subject to the development conditions dated October 15, 2014. Supervisor McKay seconded the motion and it carried by a unanimous vote.

Following a brief discussion regarding the application number, with input from Mr. Rogers, Supervisor Hyland restated the motion for the record as follows:

- That the Board approve Special Exception Application SE 2014-MV-014 subject to the development conditions dated October 15, 2014

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

53. **ORDERS OF THE DAY** (4:54 p.m.)

Chairman Bulova announced that because of the number of speakers scheduled to appear before the Board at the public hearing on the Bicycle Master Plan, the remaining cases would be taken out of order.

54. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING TELECOMMUNICATION FACILITIES – MODIFICATIONS TO PERMIT ANTENNAS AND RELATED EQUIPMENT ON EXISTING OR REPLACEMENT UTILITY POLES OR LIGHT/CAMERA STANDARDS** (4:56 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 October 10 and October 17, 2014.

Andrew B. Hushour, Deputy Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Discussion ensued, with input from Mr. Hushour, concerning:

- Maximum size of an equipment cabinet or structure
- Wiring and its visual impact

Following the public hearing, Mr. Hushour presented the staff and Planning Commission recommendations.

Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding telecommunication facilities, as advertised, to allow modifications to permit antennas and related equipment on existing or replacement utility poles or

light/camera standards, with an effective date of 12:01 a.m. on the day following adoption. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

55. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PLANNED DEVELOPMENT DISTRICT RECREATIONAL FEES** (5:06 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 October 10 and October 17, 2014.

Gayle Hooper, Landscape Architect, Park Planning Branch, Park Authority, presented the staff report.

Following the public hearing, Ms. Hooper presented the staff and Planning Commission recommendations.

Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Planned Development District recreational fees, as recommended by the Planning Commission. The proposed amendments become effective at 12:01 a.m. on the day following adoption with the following grandfathering provisions:

- Rezoning applications to the PDH, PDC, PRM, or PTC Zoning Districts containing dwelling units, including proffered condition amendments which propose to add dwelling units, that are accepted prior to the effective date of the amendment and approved by March 1, 2015, shall be grandfathered and not be subject to this amendment.
- Proffered condition amendments which propose to add dwelling units and are accepted on or after the effective date of the amendment shall be subject to the requirements of this amendment for the additional density.

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."

56. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2011-MV-002 (UZMA TANVEER BUTT/SUNNY DAY CARE ONE LLC) (MOUNT VERNON DISTRICT)** (5:11 p.m.)

The application property is located at 8740 Talbott Farm Drive, Alexandria, 22309, Tax Map 110-1 ((27)) 11A.

Ms. Uzma Tanveer Butt reaffirmed the validity of the affidavit for the record.

Nicholas Rogers, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Discussion ensued concerning the statement of justification with input from Ms. Butt regarding the number of children in her household.

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

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

Mr. Rogers presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 2011-MV-002, subject to the development conditions dated October 15, 2014. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

57. **4:30 P.M. – PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON SPRING VALLEY DRIVE, MITCHELL STREET, CLINTON ROAD, AND CANARD STREET (MASON DISTRICT)** (5:19 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 10 and October 17, 2014.

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

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

Supervisor Gross moved adoption of the Resolution endorsing the following roads to be included in the RTAP for a through truck traffic restriction:

- Spring Valley Drive between Braddock Road and Mitchell Street
- Mitchell Street between Spring Valley Drive and Edsall Road
- Clinton Road between Spring Valley Drive and Mitchell Street
- Canard Street between Mitchell Street and Edsall Road

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

Discussion ensued, with input from Mr. Knudsen, concerning the process.

Supervisor Gross stated that she would work with the Virginia Department of Transportation to expedite the study.

58.

5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN (5:28 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 10 and October 17, 2014.

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

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

- Ms. Sandra Schoen, regarding One Virginia 2021 and requesting the Board’s support of a resolution for fair redistricting
- Mr. Bill Barfield, regarding the Fairfax Federation of Citizens Associations’ legislative package of citizen issues

59. **4 P.M. – PH ON THE PROPOSED COMPREHENSIVE PLAN AMENDMENT 2013-CW-T2, INCLUDING ADOPTION OF THE FAIRFAX COUNTY BICYCLE MASTER PLAN AND RELATED MODIFICATIONS TO THE TRANSPORTATION POLICY PLAN AND 2002 COUNTYWIDE TRAILS PLAN MAP** (5:36 p.m.)

Charlie Strunk, Bicycle Program Coordinator, Capital Projects and Operations Division, Department of Transportation (DOT), presented the staff report.

Discussion ensued concerning restriping and repaving, with input from Mr. Strunk concerning the process.

Discussion continued concerning the successful completion of work on Sherwood Hall Lane in the Mount Vernon District and the need for public input concerning new roads.

Following the public hearing, which included testimony by 18 speakers, Supervisor Foust and Supervisor Hudgins submitted items for the record.

Mr. Strunk presented the staff and Planning Commission (PC) recommendations.

Supervisor McKay noted that Plan Amendment 2013-CW-T2 proposes to update the Comprehensive Plan to reflect the recommendations of the Fairfax County Bicycle Master Plan, add a new Bicycle Network Map, and update the Countywide Trails Plan Map. Revisions to both the Area Plans and transportation section of the Policy Plan are also recommended to be consistent with the new guidance.

Other components of the amendment include:

- Revising Appendix 3 of the transportation section of the Policy Plan to add definitions of bicycle facilities found on the Bicycle Network Map
- Incorporating Chapters 1 - 4 of the Bicycle Master Plan dated May 2014, into the transportation section of the Policy Plan, to be designated as Appendix 5; and endorsing, in concept, Chapters 5 and 6 of the Bicycle Master Plan. These chapters are oriented to policy and programmatic approaches, which, while outside the purview of the Comprehensive Plan, will be useful in implementing bikeway network recommendations
- Page 73, Additional School Transportation Recommendations for Consideration, modify the last bullet to read: "Enhance ~~Restore~~ funding for school sidewalk/trails projects. Additional funding is subject to annual appropriations to be approved by the Board of Supervisors"

- Incorporate the modifications to the Bicycle Master Plan document and Bicycle Network Map, as referenced in the memorandum to the PC, dated October 15, 2014, and recommended by the PC on October 15, 2014, with the exception to Merrilee Drive. After an additional conversation with the Providence District Supervisor, Merrilee Drive will be classified as "Shared Roadway," however a bike lane/climbing lane is acceptable as an interim improvement prior to the redevelopment of Merrilee Drive
- Incorporate additional changes, additions, and clarifications brought forward by the PC on October 15, 2014, including:
 - Page 37, Section 3.3, second paragraph, clarify by adding the underlined text: "In general, these roads are multilane highways and/or have relatively high posted speeds limits..."
 - Modify the Bicycle Network Map by adding the designation, "Striped Shoulder" on Old Dominion Drive from Georgetown Pike to the National Park entrance for a distance of 0.81 miles (limit of State maintenance)
- Direct DOT, as part of its public involvement process, to continue to contact and coordinate with impacted neighborhoods, landowners, and other stakeholders prior to implementing individual bicycle projects included in this plan

Therefore, Supervisor McKay moved that the Board, in support of the County's first Bicycle Master Plan, approve Plan Amendment 2013-CW-T2, with modifications as referenced above. Supervisor Hudgins and Chairman Bulova jointly seconded the motion.

Discussion ensued concerning:

- Maintenance of current and future trails
- Funding
- Right-of-way requirements and constraints
- Use of statistics by the County to prioritize new routes
- Inclusion of neighborhood outreach language
- The importance of the County being multi-modal

- The plan as it pertains to economic development
- Safe routes to school
- The last two chapters of the report
- Other multi-modal successes including the Wiehle garage bike parking facility
- The County's on-line trail map

Following comments from Chairman Bulova concerning Mr. Strunk's outstanding efforts on this matter, the question was called on the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

60. **JOINT BUDGET DEVELOPMENT COMMITTEE DRAFT REPORT**
(7:03 p.m.)

Supervisor Smyth announced that the draft report of the Joint Budget Development Committee is now available online; it is expected to be finalized on November 5.

61. **BOARD ADJOURNMENT** (7:04 p.m.)

The Board adjourned.

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