



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**TUESDAY  
January 13, 2015**

*This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.fairfaxcounty.gov/bosclerk/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).*

---

**01-15**

---

**EBE:ebe**

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, January 13, 2015, at 9:32 a.m., there were present:

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

Others present during the meeting were Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; 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 MATTER**1. **MOMENT OF SILENCE** (9:32 a.m.)

Supervisor Herrity asked everyone to keep in thoughts the family of Burke resident Mr. Steve Beck, who died unexpectedly on December 8, 2014. Mr. Beck was Vice President of Operations for Dominion Electric Supply in Chantilly, served as Vice Chairman of the National Down Syndrome Society and was a Board Member for over five years. He was an advocate for people with disabilities: after eight years of advocacy, the President signed into law the ABLE (Achieving a Better Life Experience) Act last month.

Supervisor McKay asked everyone to keep in thoughts the family of Mr. Bruce Thompson who died on New Year's Day. Mr. Thompson was 84 years old and was one of the developers of the Kingstown development in Franconia. He was a visionary in bringing a high-quality mixed use community to the Franconia area.

Supervisor McKay said that there was a tragic fire in Lee District on December 15, 2014, and unfortunately the victim in that fire was William "Bill" Hakenson, who was 53 years old. He was the brother of Donald Hakenson who served on the History Commission. The fire occurred in their mother's house and he died trying to escape the fire. Supervisor McKay asked everyone to keep the family and the community in thoughts.

Supervisor McKay asked everyone to keep in thoughts the family of Congressman and former Mount Vernon District Board Member, Herbert E. Harris II, who died recently. He served Congress and the County for many years and recently served on the Mount Vernon Hospital Task Force. He was a legend in the community, was responsible for many of the mass transit enhancements in the County, and an advocate for progressive causes. Supervisor McKay asked everyone to keep his family in thoughts as well.

Supervisor Foust asked everyone to keep in thoughts the family of the following Dranesville community leaders who died recently:

- Ms. Violet "Vi" Carmona Bateman, a Herndon champion volunteer. She worked tirelessly to execute the building of the Herndon Community Center, and was a member of the initial committee to develop the "Herndon Harbor House" a facility for the elderly. She was an active member of the Herndon Chamber of Commerce.
- Ms. Darlene Thompson, who served as a Town of Herndon employee for 40 years, working as the assistant to no fewer than eight Chief Administrative Officers (CAO), most recently for the current CAO, Art Anselene.

- Colonel Pete Hilgartner, one of Great Falls' finest, he served in the Korean and Vietnam Wars; and was an author and businessman. He and his wife, Sara, were the moving force behind the establishment of the Great Falls Freedom Memorial which serves as a focal point for patriotic activities and a remembrance for those who have given their lives for the Country.

Supervisor Hyland also commented on the death of former Mount Vernon District Board Member and Congressman Herbert E. Harris, II.

Supervisor Hyland asked everyone to keep in thoughts the family of:

- Former Mount Vernon District Board Member Warren I. Cikins who died recently
- His good friend William "Billy" Maddox of the Eastern Shore, who died recently

Supervisor Cook asked everyone to keep in thoughts the family of Mr. William Hanks who died recently. He was active in the Fairfax Committee of 100, affordable housing issues, and was former chairman of the Braddock District Republican Committee.

Supervisor Frey asked everyone to keep in thoughts the family of Mr. Bill Ward, who died recently. His mother, Claudette Ward, is a longtime resident of the County who has appeared before the Board on several occasions.

Supervisor Frey noted the recent tragic events in Paris over the last two weeks and said that the second event happened very close to the sister community of Chante, France and asked everyone to remember them.

## **AGENDA ITEMS**

2. **RESOLUTION OF RECOGNITION PRESENTED TO MS. JANET HALL**  
(9:47 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to Ms. Janet Hall for her years of service on the Planning Commission. Supervisor Smyth seconded the motion and it carried by unanimous vote.

3. **RESOLUTION OF RECOGNITION PRESENTED TO MR. LEONADUS PLENTY** (10 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Mr. Leonadus Plenty, upon his retirement, for 32 years of service to the County, most recently as the general manager of the Lee District RECenter. Supervisor Cook seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

4. **RESOLUTION OF RECOGNITION PRESENTED TO MS. PAULA SAMPSON** (10:11 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to Ms. Paula Sampson, upon her retirement after 22 years of service to the County, the last 15 as Director of the Department of Housing and Community Development. Supervisor Hyland seconded the motion and it carried by unanimous vote.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE ARTS COUNCIL OF FAIRFAX COUNTY** (10:30 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificate of Recognition presented to the Arts Council of Fairfax County for receiving a Global Arts Initiative grant from the National Endowment for the Arts. Supervisor Hudgins and Supervisor McKay jointly seconded the motion.

Discussion ensued concerning Arts in the County and the recent Tinner Hill Historic Site dedication last Saturday and the wonderful zigzag wall with African connotations located on the site.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

6. **PROCLAMATION DESIGNATING JANUARY 19-23, 2015, AS "TEEN CANCER AWARENESS WEEK" IN FAIRFAX COUNTY** (10:41 a.m.)

Supervisor Herrity moved approval of the Proclamation to designate January 19-23, 2015, as "*Teen Cancer Awareness Week*" in Fairfax County. Supervisor Frey seconded the motion.

Discussion ensued regarding teen cancer and the work that Ms. Nikki Ferraro and her family have done with their foundation. More information can be found online at: [www.bitemecancer.org](http://www.bitemecancer.org).

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

7. **PROCLAMATION DESIGNATING JANUARY 2015 AS "HUMAN TRAFFICKING AWARENESS MONTH" IN FAIRFAX COUNTY** (10:51 a.m.)

Supervisor Cook moved approval of the Proclamation to designate January 2015 as "*Human Trafficking Awareness Month*" in Fairfax County. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Following discussion regarding the issue of human trafficking in the County and what is being done to eliminate it, the question was called on the motion and it carried by unanimous vote.

A parent awareness night event is scheduled for January 28, 2015, at 7 p.m. at West Springfield High School. More information can be found online at: [www.justaskva.org](http://www.justaskva.org).

Supervisor Hyland asked unanimous consent that the Board direct staff to record the presentation and make the information available to as many people as possible. Without objection, it was so ordered.

8. **10:30 A.M. – BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (11:10 a.m.)

Chairman Bulova announced that the list of Appointments of Board Members to Various Interjurisdictional Committees and Inter/Intra-Governmental Boards and Committees for Calendar Year 2015 had been distributed. She noted the following changes:

- The Columbia Pike Transit Initiative Policy Committee has been removed
- Kambiz Agazi, Environmental Coordinator has been appointed as an Alternate for the Council of Governments Metropolitan Washington Air Quality Committee

Supervisor Gross asked unanimous consent that the Board direct staff to make the following corrections to the Virginia Association of Counties Board of Directors:

- Remove listed positions of Secretary/Treasurer and President
- Add a note as follows: “The Board of Supervisors makes recommendations for consideration.”

Without objection, it was so ordered.

Supervisor Frey raised the issue of serving on the Inova Health Care Services Board and a change to State law that affects membership on that Board. Discussion ensued, with input from David P. Bobzien, County Attorney, who will provide information later in the day regarding the appointments to the Inova Health Care Services Board.

A brief discussion ensued regarding appointments to the Mosaic District Community Development Authority which is not an Interjurisdictional Board.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved:

- Approval of the list of Appointments of Board Members to Various Interjurisdictional Committees and Inter/Intra-Governmental Boards and Committees for Calendar Year 2015 package, as amended, with the exception of the appointments of Supervisor Frey and Supervisor Hyland to the Inova Health Care Services Board
- That the Board direct the County Attorney to review the issue of how the legislation impacts the appointments to the Inova Health Care Services Board

Vice-Chairman Gross stated that she will continue to serve on the Inova Health Systems Board.

Following a brief discussion regarding appointments to the Washington Metropolitan Area Transit Authority Board, the question was called on the motion, as amended, and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Hyland moved the reappointment of Supervisor Gross as Vice-Chairman of the Board. Supervisor Hudgins and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, there was additional discussion regarding the Inova Health Care Services Board appointments. See Clerk's Summary Item #40.)

The full list of appointments is as follows:

### **INTERJURISDICTIONAL COMMITTEES**

#### **ALEXANDRIA**

Gerald Hyland, Chairman  
Sharon Bulova  
Penelope Gross  
Jeffrey McKay

#### **ARLINGTON**

Penelope Gross, Chairman  
Sharon Bulova  
John Foust  
Linda Smyth

#### **DISTRICT OF COLUMBIA**

Sharon Bulova  
Gerald Hyland  
Jeffrey McKay  
Linda Smyth

**FAIRFAX CITY**

John Cook, Chairman  
Sharon Bulova  
Linda Smyth

**FALLS CHURCH**

Penelope Gross, Chairman  
Sharon Bulova  
John Foust  
Linda Smyth

**FORT BELVOIR** (Board of Advisors/Base Realignment and Closure)

Sharon Bulova  
Patrick Herrity  
Gerald Hyland  
Jeffrey McKay

**HERNDON**

John Foust, Chairman  
Sharon Bulova  
Catherine Hudgins

**LOUDOUN COUNTY**

Michael Frey, Chairman  
Sharon Bulova  
John Foust  
Catherine Hudgins

**PRINCE WILLIAM**

(includes UOSA, City of Manassas, and City of Manassas Park)  
Michael Frey, Chairman  
Patrick Herrity  
Sharon Bulova  
Gerald Hyland

**VIENNA**

Catherine Hudgins, Chairman  
Sharon Bulova  
John Foust  
Linda Smyth

**INTERGOVERNMENTAL BOARDS AND COMMITTEES**

(including Federal and State)

**COMMUNITY CRIMINAL JUSTICE BOARD**

Gerald Hyland

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)**

**COG BOARD OF DIRECTORS**

Sharon Bulova, Principal  
John Foust, Principal  
Penelope Gross, Principal  
Michael Frey, Alternate  
Patrick Herrity, Alternate  
Catherine Hudgins, Alternate

**COG METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE**

Sharon Bulova, Principal  
John Cook, Principal  
Linda Smyth, Principal  
Kambiz Agazi, Alternate (for any member)

**COG CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE**

Penelope Gross, Principal  
Gerald Hyland, Principal

**COG CLIMATE, ENERGY AND ENVIRONMENTAL POLICY COMMITTEE**

Penelope Gross – Principal  
Kambiz Agazi (Staff) - Principal

**COG EMERGENCY PREPAREDNESS COUNCIL**

John Foust, Principal

**COG HUMAN SERVICES AND PUBLIC SAFETY COMMITTEE**

Penelope Gross  
Catherine Hudgins

**COG REGION FORWARD COMMITTEE**

Sharon Bulova, Principal  
John Cook, Principal  
Michael Frey, Principal

**COG TASK FORCE ON REGIONAL WATER SUPPLY ISSUES**

Penelope Gross



**COG NATIONAL CAPITAL REGION TRANSPORTATION  
PLANNING BOARD**

Catherine Hudgins, Principal  
Linda Smyth, Principal  
Sharon Bulova, Alternate  
Patrick Herrity, Alternate

**FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED**

John Foust  
Michael Frey

**GEORGE MASON UNIVERSITY FAIRFAX CAMPUS ADVISORY  
BOARD**

Sharon Bulova  
John Cook

**INOVA HEALTH CARE SERVICES BOARD**

**INOVA HEALTH SYSTEMS BOARD**

Penelope Gross

**NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)**

Sharon Bulova  
John Cook  
Penelope Gross  
Patrick Herrity  
Catherine Hudgins  
Jeffrey McKay  
Linda Smyth

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION  
(NVTC)**

(including WMATA and VRE Representatives)  
Sharon Bulova, Principal (VRE Operation)  
John Cook, Principal (VRE Operation)  
John Foust  
Catherine Hudgins, Principal (WMATA)  
Jeffrey McKay (VRE Alternate)

**PHASE I DULLES RAIL TRANSPORTATION IMPROVEMENT  
DISTRICT COMMISSION**

Sharon Bulova, Chairman  
John Foust  
Catherine Hudgins  
Linda Smyth

**PHASE II DULLES RAIL TRANSPORTATION IMPROVEMENT  
DISTRICT COMMISSION**

Sharon Bulova  
John Foust  
Michael Frey  
Catherine Hudgins

**POTOMAC WATERSHED ROUNDTABLE**

Penelope Gross

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT  
DISTRICT COMMISSION**

Sharon Bulova  
John Foust  
Michael Frey  
Catherine Hudgins

**VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)**

(Elected by Region 8. The Board of Supervisors makes recommendations for consideration.)

Sharon Bulova  
Penelope Gross  
Catherine Hudgins  
Gerald Hyland  
Jeffrey McKay  
Linda Smyth

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY  
(WMATA)**

(Appointed by NVTC. The Board of Supervisors makes recommendations for consideration.)

Catherine Hudgins, Principal

**INTRAGOVERNMENTAL AND OTHER COMMITTEES**

**50+ COMMITTEE**

(Committee of the Whole)  
Patrick Herrity, Chairman  
John Cook, Vice-Chairman

**AUDIT COMMITTEE**

John Foust, Chairman  
Sharon Bulova  
Michael Frey, Vice Chairman  
Patrick Herrity

**BOARD PROCEDURES COMMITTEE**

Penelope Gross, Chairman  
Michael Frey, Co-Chairman

**BUDGET POLICY COMMITTEE**

(Committee of the Whole)  
Sharon Bulova, Chairman  
John Foust, Vice-Chairman

**COMMUNITY REVITALIZATION AND REINVESTMENT COMMITTEE**

(Committee of the Whole)  
Gerald Hyland, Co-Chairman  
Jeffrey McKay, Co-Chairman

**DEVELOPMENT PROCESS COMMITTEE**

(Committee of the Whole)  
Michael Frey, Chairman  
Penelope Gross, Vice-Chairman

**ECONOMIC ADVISORY COMMITTEE**

(Committee of the Whole)  
John Foust, Chairman  
Patrick Herrity, Vice-Chairman

**ENVIRONMENTAL COMMITTEE**

(Committee of the Whole)  
Penelope Gross, Chairman

**HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE**

(Committee of the Whole)  
Catherine Hudgins, Chairman  
John Foust, Vice-Chairman

**HUMAN SERVICES COMMITTEE**

(Committee of the Whole)  
Catherine Hudgins, Chairman  
Penelope Gross, Vice-Chairman

**INFORMATION TECHNOLOGY COMMITTEE**

(Committee of the Whole)  
Linda Smyth, Chairman  
Catherine Hudgins, Vice-Chairman

**LEGISLATIVE COMMITTEE**

(Committee of the Whole)  
Jeffrey McKay, Chairman

**PERSONNEL AND REORGANIZATION COMMITTEE**

(Committee of the Whole)

Penelope Gross, Chairman

Linda Smyth, Vice-Chairman

**PUBLIC SAFETY COMMITTEE**

(Committee of the Whole)

Gerald Hyland, Chairman

**TRANSPORTATION COMMITTEE**

(Committee of the Whole)

Jeffrey McKay, Chairman

John Foust, Vice-Chairman

Catherine Hudgins, Vice-Chairman

**DAL:dal**

9. **ADMINISTRATIVE ITEMS** (11:19 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor McKay seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING PERTAINING TO THE CONVEYANCE OF BOARD-OWNED PROPERTY AND TO CONSIDER A PROPOSED COMPREHENSIVE AGREEMENT AMONG THE BOARD OF SUPERVISORS, LAKE ANNE DEVELOPMENT PARTNERS, LLC, AND COMMUNITY PRESERVATION AND DEVELOPMENT CORPORATION FOR THE REDEVELOPMENT OF THE CRESCENT PROPERTY AND OTHER PARCELS IN THE LAKE ANNE VILLAGE CENTER (HUNTER MILL DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 2015, at 4:30 p.m.**, pertaining to the conveyance of Board-owned property and to consider a Proposed Comprehensive Agreement among the Board, Lake Anne Development Partners, LLC, and Community Preservation and Development Corporation for the redevelopment of the Crescent property and other parcels in the Lake Anne Village Center (Hunter Mill District).

**ADMIN 2 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (HUNTER MILL DISTRICT)**

- Endorsed the traffic calming plan for Abbotsford Drive consisting of the following:

- One speed table on Abbotsford Drive (Hunter Mill District)
  - One raised crosswalk on Abbotsford Drive (Hunter Mill District)
  - Striped parking and bicycle lanes on Abbotsford Drive, from Counsellor Drive NW to Center Street (Hunter Mill District)
  - Removal of existing chicanes on Abbotsford Drive (Hunter Mill District)
- Directed staff in the Department of Transportation to schedule the removal and installation of the approved traffic calming measures as soon as possible.

**ADMIN 3 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATIONS (MOUNT VERNON, PROVIDENCE, BRADDOCK AND DRANESVILLE DISTRICTS)**

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P14-39	Verizon Wireless and Milestone Communications, Incorporated 7500 Magarity Road Falls Church, VA	April 4, 2015
FS-B13-20	New Cingular Wireless PCS, LLC 8100 Braddock Road Annandale, VA	April 11, 2015
FS-D14-42	Newpath Networks, Incorporated 8352 Old Dominion Drive McLean, VA	April 12, 2015
FS-H14-21	Verizon Wireless 11922 Freedom Drive Reston, VA	April 16, 2015

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-V14-14	Northern Virginia Regional Park Authority Occoquan Regional Park 9751 Ox Road Lorton, VA Mount Vernon District	April 30, 2015

**ADMIN 4 – STREETS INTO THE SECONDARY SYSTEM  
(DRANESVILLE, LEE, MASON, AND SULLY DISTRICTS)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Hanson's Addition to Edwin D. Becker	Dranesville	Chelsea Manors Court  Springvale Road (Route 674) [Additional Right-of-Way (ROW) Only]
The Howard Gardner School	Lee	Franconia Road (Route 644) (Additional ROW Only)
Kingstowne Gas Station and Kohl's Department Stores	Lee	Kingstowne Boulevard (Route 8113) (Additional ROW Only)
Highland View	Mason	Cook Street
Lake Investment Associates, LLC (Shirley Industrial Park Lot 38A)	Mason	Commercial Drive (Route 4007) (Additional ROW Only)
Virginia Electric and Power Company (Ashton Commons)	Mason	Little River Turnpike (Route 236) (Additional ROW Only)
The Ponds at Lafayette and Moore Lafayette I and II LLC	Sully	Pleasant Valley Road (Route 609) (Additional ROW Only)  Pleasant Valley Road (Route 609) (Additional ROW Only)

**Subdivision****District****Street**

Lafayette Center Drive  
(Route 8527)  
(Additional ROW Only)

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109.1 (SOLID WASTE MANAGEMENT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 17, 2015, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 109.1 (Solid Waste Management).

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING PERTAINING TO THE CONVEYANCE OF BOARD-OWNED PROPERTY AND TO CONSIDER A PROPOSED COMPREHENSIVE AGREEMENT WITH WESLEY-HAMEL LEWINSVILLE LLC FOR THE REDEVELOPMENT OF THE LEWINSVILLE SENIOR CENTER AND DAYCARE PROPERTY (DRANESVILLE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 2015, at 4:30 p.m.**, to consider a Comprehensive Agreement between the County and Wesley Hamel Lewinsville LLC for the redevelopment of the Lewinsville property under the provisions of the Public-Private Education Facilities and Infrastructure Act of 2002, as amended.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE DEED OF LEASE WITH INOVA HEALTH CARE SERVICES FOR 8221 WILLOW OAKS CORPORATE DRIVE (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 2015, at 4 p.m.**, to consider amending the Deed of Lease with Inova Health Care Services for 8221 Willow Oaks Corporate Drive (Providence District).

10. **A-1 – APPROVAL OF THE BOARD OF SUPERVISORS’ MEETING SCHEDULE FOR CALENDAR YEAR 2015 AND AUTHORIZATION FOR THE CHAIRMAN TO POSTPONE A SCHEDULED MEETING IN THE EVENT OF WEATHER OR OTHER HAZARDOUS CONDITIONS**  
(11:20 a.m.)

- (R) Supervisor Gross moved that the Board concur in the recommendation of staff and adopt a Resolution:

- Approving the Board meeting schedule for January through December 2015
- Authorizing the Chairman to defer any scheduled meeting to the Tuesday following a scheduled Board meeting if the Chairman, or the Vice-Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for Members to attend

Supervisor Hyland seconded the motion. Supervisor Gross noted that on the meeting calendar the September 22, 2015, public hearings are to be concluded by 4:30 p.m. and stated her hopes that staff not schedule too many land use public hearings that day.

Supervisor Frey raised a question regarding the Board's first scheduled meeting following the August recess, with input from Catherine A. Chianese, Clerk to the Board.

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."

11. **A-2 – ADJUSTMENT TO FAIRFAX CENTER, CENTREVILLE, TYSONS, TYSONS-WIDE AND TYSONS GRID OF STREETS ROAD FUNDS AND APPROVAL OF PROPOSED PROJECTS AND STUDIES (DRANESVILLE, SPRINGFIELD, BRADDOCK, SULLY, AND PROVIDENCE DISTRICTS)**  
(11:22 a.m.)

On motion of Supervisor Smyth, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved:

- The rate schedule, including a 2.18 percent adjustment of the existing contribution rates in all fund areas with the new rate effective February 1, 2015
- The proposed Tysons project as shown in Attachment 3 of the Board Agenda Item

12. **A-3 – AUTHORIZATION TO SIGN DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) FISCAL YEAR (FY) 2013 PROJECT FUNDING AGREEMENT AMENDMENT** (11:23 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 authorized the County Executive to sign a project agreement amendment with DRPT. This amendment will supplement previously received FY 2013 Washington Metropolitan Area Transit Authority (WMATA) capital funds.



13. **I-1 – PLANNING COMMISSION (PC) ACTION ON APPLICATION 2232-P14-6, VERIZON WIRELESS AND MILESTONE COMMUNICATIONS (PROVIDENCE DISTRICT)** (11:24 a.m.)

The Board next considered an item contained in the Board Agenda dated January 13, 2015, announcing the PC's approval of Public Facilities Application 2232-P14-6, 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. The application sought approval to develop a telecommunications facility located at 8100 Wolftrap Road, Vienna, VA 22182, Tax Map 39-2 ((8)) 2A, Area II.

14. **I-2 – PLANNING COMMISSION (PC) ACTION ON APPLICATION 2232-Y14-7, VERIZON WIRELESS AND MILESTONE COMMUNICATIONS (SULLY DISTRICT)** (11:24 a.m.)

The Board next considered an item contained in the Board Agenda dated January 13, 2015, announcing the PC's approval of Public Facilities Application 2232-Y14-7, noting that it met the criteria of character, location, and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia. The application sought approval to develop a telecommunications facility located at 6309T Bull Run Post Office Road, Centerville, VA 20120, Tax Map 52-2 ((1)) 11E, Area III.

**ADDITIONAL BOARD MATTERS**

15. **CHAIRMAN'S NEW YEAR RECEPTION** (11:25 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and announced that tomorrow, January 14, she will be hosting, at her expense, the annual Chairman's New Year Reception from 4:30–6:30 p.m. in the Government Center Forum.

The Chantilly High School Culinary Arts students will prepare the refreshments and there will be music for lots of fellowship and good time.

She invited her colleagues, County staff, and active citizens in the community to attend and celebrate the New Year.

16. **CREDIT RATING AGENCIES LETTER** (11:26 a.m.)

Chairman Bulova said that at the November 25 Budget Committee meeting, the Board directed staff to present information to the credit rating agencies summarizing the County's commitment to strong financial management including maintaining its top credit ratings. Specifically the County will address the issues of pension funding requirements, the County's use of one-time funds, and the County's reserve funds, that have been discussed previously with the credit

agencies. Draft letters to the rating agencies were distributed to Board Members last week for review and are attached to her written Board Matter.

Chairman Bulova moved that the Board approve the letters and direct staff to provide this information to the rating agencies in advance of rating discussions scheduled as part of the County's Winter 2015 General Obligation Bond sale. Supervisor Hyland seconded the motion and it carried by unanimous vote.

17. **DAMAGE TO BELTWAY TREE PLANTINGS** (11:28 a.m.)

Chairman Bulova said she was deeply disappointed to learn that in December portions of the trees and vegetation recently planted along the Beltway had been mowed down by a contractor. The plantings were the result of a multi-year public private partnership between local non-profit groups, concerned residents, the Virginia Department of Transportation, Transurban, and County staff through the County's Restoration Project. The General Assembly appropriated funds for the plantings to restore the tree canopy lost during the construction of the express lanes.

These plantings were intended to return the stormwater and habitat funds which existed before construction began and they would have provided an additional visual and sound buffer for neighborhoods which back up to the Beltway. Plant species were selected so that they could thrive with no watering or mowing. These functions are still critical and while the mowing is a setback to restoration, it does not have to be the final chapter in this story.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the Department of Public Works and Environmental Services to prepare a letter to the Virginia Secretary of Transportation requesting that the Commonwealth hold the contractor responsible for restoring the damage done to the plantings. Without objection, it was so ordered.

18. **REQUEST FOR RECOGNITION – AFRICAN AMERICAN HERITAGE MONTH** (11:29 a.m.)

Chairman Bulova asked unanimous consent that the Board direct staff to invite representatives from the Office of Human Rights and Equity Programs to appear before the Board on January 27, 2015, to receive a proclamation recognizing February 2015 as "*African American Heritage Month*" in Fairfax County. Without objection, it was so ordered

19. **REQUEST FOR INFORMATION REGARDING AN UPDATED DEER MANAGEMENT PLAN** (11:30 a.m.)

Chairman Bulova stated her understanding that the County's Wildlife Biologist, Dr. Katherine Edwards, and the Director of the Animal Shelter, Tawny Hammond, have been meeting with Members of the Board as part of a

Deer Management Program audit that Chief of Police, Colonel Edwin C. Roessler requested. They have been working closely with the Park Authority, other County agencies, stakeholders, and the Virginia Department of Game and Inland Fisheries to evaluate the needs of the County and best practices in deer management. She looks forward to meeting with them later this month to review the results of the review.

Deer Management is critical in mitigating the environmental impact of a large, uncontrolled deer population and the concerns arising from related impacts to public safety and human health. Since the Deer Management Plan was last updated in 1998, staff has implemented many changes and improvements.

Chairman Bulova asked unanimous consent that the Board direct staff to report in 2015 with a recommended updated plan reflecting improvements the County has made in implementing additional safety protocols and incorporating technology changes and resident concerns. Without objection, it was so ordered.

20. **NOTICE OF A PUBLIC HEARING REGARDING BOARD COMPENSATION** (11:31 a.m.)

Chairman Bulova said that at the last Board Meeting, the Board asked the County Executive to report with the legal process and requirements for adjusting compensation for Board Members and to prepare comparison data regarding compensation for elected officials representing jurisdictions of similar size and scope of responsibilities to the County. The County Executive prepared this information for the Board to review prior to today's meeting.

Virginia State law prohibits any Board from increasing its own salary. A vote regarding compensation may only take place every four years, and any action to increase Board Members' salaries must be taken prior to the adoption of the budget during an election year. Accordingly, any adjustment approved by the Board at this time would apply to Board Members who take office on January 1, 2016, as a result of the November 3, 2015, election.

State law further requires that a public hearing shall be held on the salaries to be established. A vote must take place on or before April 15. If the issue of compensation is not addressed now, the next Board will be unable to vote to adjust Board Members' compensation until the 2019 election year, with an implementation date of January 1, 2020.

The Board last took action to increase Board Members' salaries eight years ago in 2007. At that time, the Board increased its Members' compensation from \$59,000 to the current \$75,000 annual salary. This salary increase became effective on January 1, 2008.

Data collected by the County Executive indicates that Board Members are compensated at significantly lower rates than council members or supervisors

from other neighboring jurisdictions. For instance, the population of the District of Columbia is little more than half that of the population of the County and its Council Members earn a salary of approximately \$133,000. Both Montgomery and Prince George's Counties in Maryland, which are closer in population size to the County, compensate their Council Members in the six-figure range.

For this Board to consider an increase for Board Members assuming office in 2016, Chairman Bulova moved that the Board authorize staff to advertise a public hearing to be held on January 27, 2015, to consider whether Board Members' compensation should be adjusted to \$90,000 for Members of the Board and \$95,000 for the Chairman of the Board beginning January 1, 2016. Supervisor McKay seconded the motion.

Following comments regarding the motion, Supervisor Hyland moved a substitute motion to increase the compensation by \$5,000 for a total of \$95,000 for Board Members and \$100,000 for the Chairman.

A lengthy discussion ensued with Board Members expressing their viewpoints and support/non-support of the motion.

Supervisor Foust asked unanimous consent that the Board direct staff to report with information regarding how much homeowners taxes have increased in the past three years. Without objection, it was so ordered.

Following further discussion regarding Board compensation, the question was called on the substitute motion and it **CARRIED** by a recorded vote of seven, Supervisor Herrity, Supervisor Smyth, and Chairman Bulova voting "NAY."

The question was called on the main motion, as substituted, and it **CARRIED** by a recorded vote of eight, Supervisor Herrity and Supervisor Smyth voting "NAY."

Vice-Chairman Gross returned the gavel to Chairman Bulova.

21. **REQUEST FOR A STATUS REPORT FROM THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)** (11:55 a.m.)

Supervisor Herrity said it is no secret that WMATA is a critical component of the region's transportation system. It is also no secret that it has had more than its fair share of well documented personnel and procurement problems that have resulted in significant issues of waste, fraud, and abuse. These problems were most recently highlighted in a Federal Transit Administration (FTA) report issued in March 2014. As a result of the FTA report, WMATA lost its ability to automatically receive federal funds to pay for many of its expenses resulting from its capital improvement program which total nearly \$1 billion. Because of this restriction, WMATA is experiencing significant cash flow problems which have resulted in it being forced to borrow \$250 million.

In April 2014, WMATA responded to the FTA report and itemized several steps it was taking to remedy the deficiencies and operate within generally accepted management and procurement processes. Since its initial response last April, no status update has been given to the general public on the progress made to remedy these deficiencies. Recently published news articles appear to indicate that the procurement problems have still not been resolved.

This year WMATA is asking the County and other jurisdictions for an increased subsidy. He stated his belief that the County owes it to taxpayers and commuters to get an update on the progress it has made in addressing the issues raised in the FTA report and other identified issues to insure that the taxpayer and commuters funds are being spent wisely and in accordance with law and regulation.

Therefore, Supervisor Herrity moved that the Board direct the County Executive to:

- Send a letter to WMATA asking for a status report on the progress it has made in addressing the concerns raised in the 2014 FTA report which resulted in the suspension of automatically receiving Federal funds
- Request WMATA to provide details on the \$250 million loan it is attempting to secure and any impact it may have on County residents, taxpayers, and commuters

Supervisor Frey seconded the motion.

Supervisor McKay announced that the general manager and staff from WMATA will be attending the Northern Virginia Transportation Committee meeting next month to provide an update on issues of concern.

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

**EBE:ebe**

22. **K-12 SCHOOL FUNDING (LEE DISTRICT)** (12:02 p.m.)

- (R) Jointly with Chairman Bulova, Supervisor McKay said that increased State funding for K-12 education has long been a top priority for the County, and is featured prominently in the 2015 Legislative Program. During last year's budget discussions, the Board resolved to work even more closely with the School Board to address this critical issue. Unfortunately, it has increasingly been the practice of the Commonwealth to significantly underfund core services, leaving localities to fill funding gaps with local revenues in order to maintain essential services, including the County's quality public school system. During the recent national recession, state funding for K-12 declined significantly – since Fiscal Year (FY) 2009, structural budget cuts to K-12 have cost localities more than

\$1.7 billion per biennium Statewide. State K-12 funding in FY 2014 remains below the FY 2007 level.

Additionally, Virginia provides inadequate funding to meet the needs of children with higher level needs, including special education students (costs are approximately 100 percent more than general education), those learning English as a second language (costs are approximately 30 percent more than general education), and those living in economically disadvantaged households (costs are approximately 10 percent more than general education).

Though the County is often described as a wealthy community, it is equally true that there are many individuals and families struggling financially. More than 52,000 students in the County Public Schools qualify for free or reduced price lunch. While that figure may seem shocking, what is even more shocking is this – only four school divisions in the State have more total children than the County has children living in low-income households.

While the Governor and General Assembly have protected K-12 from additional funding cuts in recent months, the reality is that the State is simply not providing adequate funding to educate the County's youngest Virginians. As Chairman Bulova noted in her testimony at the delegation's public hearing on Saturday, the County's public school system is the key to economic success, as investments in schools are a fundamental part of the strong business climate that has been created in the County. County schools are training the workforce of the future – a workforce that will need to compete both nationally and internationally. In fact, the Fairfax Chamber of Commerce included language in its 2015 Legislative Program stating, "...the future growth of the Northern Virginia economy, and consequently Virginia's economy, is dependent on proper investment in K-12 education, which occurs only if the Commonwealth fully funds the Standards of Quality and provides a more fair calculation of the Local Composite Index."

Earlier this month, the School Board adopted a resolution calling on the Commonwealth to fully meet its Constitutional responsibility to adequately fund K-12 education. School Boards around the Commonwealth are adopting similar resolutions, urging State action on this vital issue.

Therefore, Supervisor McKay moved that the Board:

- Adopt the Resolution, calling on the State to provide increased funding for K-12 public education
- Direct staff to transmit the Resolution to the Fairfax County General Assembly delegation and the Executive Director of the Virginia Association of Counties (VACo).

Supervisor Hyland seconded the motion and it carried by unanimous vote. Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross,

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

23. **TETHERING ORDINANCE** (12:06 p.m.)

Jointly with Supervisor Frey, Supervisor McKay said that an increasing number of localities throughout the country and in Virginia are establishing ordinances that limit the permissible use of tethering. (Tethering is tying animals outside unattended.) Most recently, Fairfax City passed such an ordinance and the City of Alexandria and Arlington County have also established tethering ordinances. Animal welfare is important to residents and tethering can put a dog’s health at risk, especially when it limits the dog’s access to food, water, or shelter. Additionally, dogs are social animals and tethering can cause behavioral problems such as aggression and biting.

Therefore, Supervisor McKay moved that the Board direct staff to report within the first quarter of 2015 with best practices to address this issue and that a tethering ordinance be added to the Priority 1 Zoning Ordinance Work Program, if necessary, to add an anti-tethering ordinance to the County’s code. Supervisor Frey seconded the motion.

Following discussion regarding the need for clarification from staff as to whether anti-tethering is a Zoning Ordinance issue, the question was called on the motion and it carried by unanimous vote.

24. **COUNTY AND FORT BELVOIR FIREFIGHTERS COOPERATION**  
(12:08 p.m.)

Supervisor McKay said that last month, the County and Fort Belvoir firefighters partnered for training to help strengthen their skills and promote teamwork.

During December, the two organizations trained weekly, practicing a large high-rise fire drill, hose deployment, and search and rescue operations. The training took place at the former DeWitt Hospital building and included two engines from Fairfax County, a ladder truck from both the County and Fort Belvoir, two engines from Fort Belvoir, and a Fort Belvoir battalion chief.

The County and Fort Belvoir have a mutual aid agreement and this particular training was proposed by the County. The Fire Department had several goals in mind, including getting younger members needed training to better respond to real-world situations.

The initial large drill was done in real time and simulated a fire in the building. Younger firefighters were able to practice rope-assisted search in limited visibility, finding victims, communicating with battalion leadership, and safely removing victims.

Once the large drill was complete, smaller drills took place and included forceful entry, search and rescue, and rapid intervention (used when a firefighter is injured or stuck in a burning building.) This joint training is just one of many examples of the partnership with Fort Belvoir and its benefits to both the County and the post.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Colonel Michelle Mitchell, Fort Belvoir Garrison Commander, and appropriate Fort Belvoir and County participants in this joint exercise to appear before the Board for recognition on February 17, 2015. Without objection, it was so ordered.

25. **LEE DISTRICT NEW YEAR'S OPEN HOUSE** (12:09 p.m.)

Supervisor McKay said that on Saturday, January 24, his office will host the traditional Lee District New Year's open house. It is scheduled from 1-3 p.m. in the community room of the Franconia Governmental Center.

Supervisor McKay said that, again this year, students from Edison High School's Culinary Academy will prepare the refreshments. The Springfield Art Guild will also display the work of local artists.

He invited Board Members to attend and enjoy the Lee District hospitality, and asked unanimous consent that the Office of Public Affairs publicize the event. Without objection, it was so ordered.

26. **RETIREMENT BROCHURE** (12:10 p.m.)

Supervisor McKay noted that a retirement brochure that was mailed to constituents titled Financial Strategies for Successful Retirement lists Fairfax County Public Schools (FCPS) on the cover of the brochure and makes it look like it is being organized by FCPS. He said that the event is being held at school buildings but is not endorsed by the County.

Supervisor McKay asked unanimous consent that the Board direct the County Executive to work with the Department of Cable and Consumer Affairs and FCPS to stop the production of misleading literature that makes it appear that a particular business or event is endorsed by the County and make sure to get information to the public about such publications. Without objection, it was so ordered.

Supervisor Foust asked to amend the request to include talking to the Schools as to whether this particular group can be denied the right to lease space in the schools as this is not the first time it has happened. Without objection, the request, as amended, was so ordered.



27. **RECOGNIZING MARCH AS “ALTERNATE DISPUTE RESOLUTION (ADR) MONTH” (BRADDOCK DISTRICT)** (12:13 p.m.)

Supervisor Cook said that the ADR process incorporates techniques that act as a means for disagreeing parties to come to an agreement short of litigation. It is a collective term for the ways that parties can settle disputes, with (or without) the help of a third party. ADR describes a variety of approaches to resolve conflict which avoid the cost, delay, and unpredictability of the traditional processes while at the same time improving workplace communication and morale.

The County has often celebrated March as ADR month and has recognized a leader in the field. This year, that leader is Dr. Jarle Crocker, an adjunct faculty member at George Mason University's School for Conflict Analysis and Resolution. He has over 12 years of experience as a practitioner and has focused his work on the design and facilitation of consensus building processes across a range of public policy issues. In the past, Dr. Crocker has also provided assistance to many different projects, including the Department of Justice's Defending Childhood Initiative that addresses issues of children's exposure to violence.

Therefore, Supervisor Cook asked unanimous consent that the Board recognize March as “*Alternate Dispute Resolution Month*” in Fairfax County and direct staff to invite Dr. Jarle Crocker to appear before the Board on February 17, 2015, to be recognized for his dedication and service. Without objection, it was so ordered.

28. **COMMUNITY PARKING DISTRICT (CPD) FOR BRADDOCK GREEN COURT** (12:15 p.m.)

Supervisor Cook said that the residents of Braddock Green Court, a small community of 15 homes off Braddock Road, would like to create a CPD for their street and a small segment of Braddock Road that is a frontage road between their community and George Mason Park. The frontage area was created by the builder and Virginia Department of Transportation (VDOT) in 1986 to facilitate eastbound ingress and egress from their community. Over the past two years, the frontage area has become a storage area for boats and trailers that are not owned by members of the community. While legal, it has created problems for residents as they enter and exit the community, particularly in the winter.

The Department of Transportation (DOT) has no opposition to the CPD, but because Braddock Green Court and the Braddock Road frontage does not meet the minimum size requirements of 5 blocks or 2000 linear feet needed for a CPD, the Board must waive the size requirement as allowed by Section 82-5B- 3.1(c) .

Therefore, Supervisor Cook moved that the Board waive the size requirement to allow for the creation of a CPD for this community. Supervisor Gross seconded the motion, and it carried by unanimous.

29. **SETTING A POLICY FOR COLLECTION AND RETENTION OF ELECTRONIC DATA** (12:16 p.m.)

Jointly with Supervisor Hyland and Supervisor Foust, Supervisor Cook noted that technology has brought to all levels of government the ability to collect and retain significant amounts and types of electronic data. Locally, the use of license plate readers can be used for such beneficial tasks as locating suspected criminals or analyzing travel patterns, and tracking the location of cell phones as part of police surveillance operations.

The County uses license plate readers. Last year a local newspaper reported on the issue of police collection of cell phone location data, but the County has not publicly confirmed whether it possesses or uses such technology.

Technology that tracks the location of vehicles and cell phones can provide powerful benefits to law enforcement and urban planners. However, it also raises significant civil liberty concerns. Such data could allow the government to track the daily movements of innocent residents without warrant or any showing of probable cause or public benefit.

While people may disagree on whether local government should even possess or use such technology, and if so under what rules, Supervisor Cook said he hoped what can be agreed on today is that it is the responsibility of the Board, the elected body of the County, to set these guidelines and procedures. It should not be left to individual departments to establish their own policies, but the Board has not yet spoken on these issues.

Therefore, Supervisor Cook moved that the Board direct the County Executive to provide to the Board, within 90 days, a recommended policy which would govern the County's use of technology that collects sensitive data as well as the use, possession and retention of the data collected. Supervisor Foust and Supervisor Hyland jointly seconded the motion.

Discussion ensued regarding the motion, and whether there is an existing State guideline already in place or whether it is on the agenda for the upcoming General Assembly session.

Supervisor McKay said that County Legislative staff will review upcoming bills before the General Assembly and report to the Board.

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

**PMH:pmh**

30. **NEW PROVIDENCE DISTRICT SUPERVISOR'S OFFICE** (12:23 p.m.)

Supervisor Smyth announced that the Providence District Supervisor's office has been moved from Fire Station 30 to the new Providence Community Center. She

added that the grand opening ceremony will be held on Saturday, January 16 at 10 a.m.

31. **REGENCY CENTERS – LAND UNIT J PLAN AMENDMENT AND CONCURRENT PROCESSING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 2006-SU-025-02 (SULLY DISTRICT)**  
(12:24 p.m.)

Supervisor Frey said that Regency Centers is the contract purchaser for a 21-acre portion of Commonwealth Centre, located in Land Unit J immediately to the east of the interchange at Route 28/Westfields Boulevard. This portion of Land Unit J is planned for office, conference center/hotel, industrial/flex and industrial uses. Commonwealth Centre consists of 101 acres and was approved in 2007 for a mixed-use development comprised of 1.12 million square feet of office, hotel and retail uses. To date, the property has been developed with only two office buildings. No further office, retail or hotel uses have been constructed. Regency Centers proposes to file zoning applications to substitute for a portion of the approved office and hotel uses a more vibrant activity center to include a Wegmans Market and other complimentary restaurant and retail uses. The vast majority of the currently entitled office uses consisting of over one million square feet will not be the subject of the zoning applications.

Staff has determined that the proposed retail use is not envisioned by the Comprehensive Plan. The applicant is poised to submit the necessary zoning applications that propose to provide high quality design in terms of landscaping, building design, and plaza areas with strong pedestrian linkages within the site and to the adjacent roadways to enable a more successful, complementary mix of land uses within this portion of the Dulles Suburban Center. Given the proximity to Route 28 and Westfields Boulevard interchange and ramps, traffic is a major consideration and the applicant should prepare a traffic analysis to evaluate impacts of the proposed increase in retail use on the surrounding road network.

Therefore, Supervisor Frey moved that the Board:

- Authorize staff to consider an amendment to the Comprehensive Plan for Tax Map Parcel 44-1 ((1)) 6 part to support approximately 180,000 square feet of freestanding-retail use. The consideration should include a traffic analysis to examine impacts on the road network, and improvements needed to alleviate such impacts resulting from the increase in retail use
- Direct staff to accept for processing, concurrent with the Comprehensive Plan amendment, the associated Proffered Condition Amendment Application PCA 2006-SU-025-02

This motion should not be construed as a favorable recommendation for a potential Plan amendment or any subsequent rezoning or other applications and

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

32. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**  
(12:27 p.m.)

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

33. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (12:27 p.m.)

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

34. **CAPTAIN MICHAEL WALL (HUNTER MILL DISTRICT)** (12:28 p.m.)

Supervisor Hudgins said that Reston District Police Captain Michael Wall is transferring from the Reston District for a new assignment with the County Police Department Helicopter Division. Since his arrival two years ago, Captain Wall has had a positive impact on the Reston District station.

Supervisor Hudgins referred to her written Board Matter which outlined Captain Wall's accomplishments. She noted that her office appreciates the service Captain Wall provided to the Reston District. She wished him the best as he moves forward with his career with the County Police Department.

35. **REQUEST FOR BOARD CONSENT TO ALLOW THE FILING OF SPECIAL EXCEPTION AND 2232 PUBLIC FACILITY DETERMINATION APPLICATIONS ON PORTIONS OF LAND OWNED BY THE BOARD (HUNTER MILL DISTRICT)** (12:30 p.m.)

Supervisor Hudgins said that the Metropolitan Washington Airports Authority (MWAA), in cooperation with the Washington Metropolitan Area Transit Authority (WMATA), the Virginia Department of Transportation (VDOT), the County, the Town of Herndon and Loudoun County, is designing and constructing the Silver Line Metrorail Project. It is a 23.1-mile extension of WMATA's Metrorail system in the Dulles Toll Road Corridor. This extension - the Locally Preferred Alternative (LPA) - extends the existing 106-mile Metrorail system from the Metrorail Orange Line in the County through Tysons Corner, through Washington Dulles International Airport, and beyond the airport to Route 772 in eastern Loudoun County. MWAA is constructing the LPA in two phases: Phase 1 - Extension to Wiehle Avenue (now completed), and Phase 2 - Extension to Dulles Airport/Route 772.

Phase 2 of the Silver Line will extend 11.4 miles from the Phase 1 terminus at the Wiehle-Reston East Station to Route 772 in Loudoun County, with service to Dulles Airport. The Phase 2 track alignment will be constructed in:

- The median of the Dulles International Airport Access Highway (DIAAH)
- On Dulles Airport property
- In the median of the Dulles Greenway

This second phase will include six new stations (Reston Town Center, Herndon, Innovation Center, Dulles Airport, Route 606 and Route 772). The three County transit rail stations within the DIAAH are features shown on the adopted Comprehensive Plan. One of these three stations will have facilities located on land currently owned by the Board. This station is Herndon Station.

Supervisor Hudgins said that the Herndon Station will feature an at-grade platform located within the median of the DIAAH, east of the Monroe Street overpass and adjacent to the existing County Herndon-Monroe Park-and-Ride. Pedestrian bridges will extend to the north and south over the DIAAH and the Dulles Toll Road (DTR), linking the platform to station access areas outside of the DTR.

On the south side of the DTR, an entrance pavilion and plaza will be located at the existing 27.3 acre Herndon-Monroe Park-and-Ride site, which already has County 2232 Public Facility Determination approval for an additional park and ride garage and enhanced access to serve the new Metrorail rail station. This entrance pavilion and its surrounding pedestrian plaza, elevator connection to the County parking garage, and revisions to the existing Kiss-and-Ride area, requires Special Exception application zoning approval by the Board because the land is zoned I-4.

A 2232 public facility determination application is required to allow the Traction Power Substation (TPSS) #13 location, to be deemed in substantial accord with the adopted Comprehensive Plan. This TPSS is defined as an “Accessory Electrically-powered Regional Rail Transit Facility” in the Zoning Ordinance, which is permitted in all zoning districts and which is subject to the requirements of Section 15.2-2232 of the Code of Virginia.

Therefore, Supervisor Hudgins moved that the Board authorize MWAA to include portions of the 27.3 acre parcel owned by the County, Tax Map Parcel #16-4((1))-0027, in a special exception application, and a 2232 Public Facility Determination application, and to expedite processing of these applications to allow the Silver Line Metrorail improvements. This motion should not be construed as a favorable recommendation by the Board on the merits of either application and does not relieve the applicant from compliance with the

provisions of all applicable ordinances, regulations, development conditions or adopted standards. Supervisor Hyland seconded the motion and it carried unanimous vote.

36. **TOWN OF VIENNA CELEBRATES 125 YEARS** (12:34 p.m.)

Supervisor Hudgins announced that this year the Town of Vienna celebrates the 125<sup>th</sup> anniversary of its incorporation. On February 28, the Town will kick-off the year-long “Celebrate Vienna 125” festivities with a reenactment of the 1890 incorporation along with music, bonfire, and of course, a birthday cake.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the Vienna Mayor and members of the Town Council to appear before the Board on February 17, 2015, to receive congratulations on its 125 year heritage. Without objection, it was so ordered.

37. **ENDORSEMENT TO NAME WIEHLE AVENUE-RESTON EAST METRORAIL STATION BICYCLE PARKING ROOM** (12:38 p.m.)

In a joint Board Matter with the Board, Supervisor Hudgins said that she is seeking the Board’s endorsement of naming the Wiehle Reston-East Metrorail Station bicycle parking room after Charlie Strunk. He has been the County’s first Bicycle Program Manager and will be retiring from County service today.

Supervisor Hudgins referred to her written Board Matter and outlined the history of the County Bicycle Program and Mr. Strunk’s involvement with the program.

Supervisor Hudgins announced that in 2014, with the opening of the Silver Line, the Department of Transportation (DOT) also opened the Wiehle Reston-East Metrorail Station Bicycle Parking Room. It is the first secure bicycle room in the County. Mr. Strunk led not only the design efforts, but coordinated with other County departments, stakeholders, and advocacy groups to ensure all voices and concerns were heard.

The Wiehle Reston-East Bike Room currently has 300 members from all over the region, including Maryland and the District of Columbia. This bike room is a proto type for other rooms being planned at the Stringfellow Park-and-Ride Lot, the Rolling Road VRE Station, Route 1 Transit Center; as well as the Herndon and Innovation Center Metrorail Stations.

In honor of his dedication to the County and tenacity in successfully developing the bicycle program, Supervisor Hudgins moved that the Board:

- Authorize the naming of the Wiehle Reston-East Bicycle Parking Room in honor of Charlie Strunk, the County’s first Bicycle Program Manager

- Direct that a plaque/sign be placed in the room to recognize Charlie's significant contribution to both the Bicycle Program and the County

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

38. **MOUNT VERNON COUNCIL RESOLUTION ON THE RICHMOND HIGHWAY MULTIMODAL TRANSIT STUDY** (12:40 p.m.)

Supervisor Hyland said that in November and December, the Mount Vernon Council of Citizens' Association (MVCCA) passed a resolution providing guidance to the County and the State Delegation on their preference for the next steps to obtain funding for the widening of Richmond Highway and the implementation of the Multimodal Transit Study. In the resolution, the MVCCA endorses the hybrid option, urges the extension of Metro sooner than the study's previous recommendation and encourages the use of grants and other funding, like the six-year plan, to acquire right of way and commence construction.

Therefore, Supervisor Hyland asked unanimous consent that the Board share the resolution with the Department of Transportation for its information and review. Chairman Bulova seconded the motion.

Following a brief discussion regarding the recommendations, Supervisor McKay asked unanimous consent that the Board direct staff to circulate to Board Members Resolution J-1014-02B. Without objection, it was so ordered.

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

39. **MOUNT VERNON DISTRICT TOWN MEETING** (12:42 p.m.)

Supervisor Hyland announced that the Mount Vernon District Town meeting will be held at the end of the month.

40. **INOVA HEALTH CARE SERVICES BOARD** (12:43 p.m.)

(NOTE: Earlier in the meeting, the issue of serving on the INOVA Care Services Board was discussed. See Clerk's Summary Item #8.)

In response to a query from Chairman Bulova, David P. Bobzien, County Attorney, referred to the membership of Supervisor Frey and Supervisor Hyland on the Inova Health Care Services Board and said that on April 21, 2014, he sent a memorandum to the Board in which he recommended that Board Members who sit on the Inova Boards continue to recuse themselves from handling Inova land use applications.

41. RECESS/CLOSED SESSION (12:44 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. *Angela Pledger v. Fairfax County*, Case No. 14-1590 (U.S. Ct. of App. for the Fourth Cir.)
  3. *Eric S. Clark v. The County of Fairfax, Virginia, John H. Kim, T. B. Smith, John Spata*, Case No. 14-1767 (U.S. Ct. of App. for the Fourth Cir.)
  4. *Kathryn T. Hollis, et al. v. Schaefer Pyrotechnics, Inc., et al.*, Case No. CL-2013-0019054 (Fx. Co. Cir. Ct.)
  5. *Joyce Banin, and on behalf of minor child, A.K. v. Biggs J. Byerson, Jesse Thorton, John Doe*, Case No. 1:14-cv-26 (E.D. Va.)
  6. *Christopher Alipui v. Biggs J. Byerson, John Doe (White Male Officer), John Doe (White Male Officer), John Doe (Duty Sergeant), John Doe (Lady Detective)*, Case No. 1:14-cv-103 (E.D. Va.)
  7. *Antjuan Proctor v. Fairfax County, Virginia*, Case No. 1:13-CV-1427 CMH/JFA (E.D. Va.)



8. *Ann Good v. Fairfax County and Stacey Kincaid*, Case No. 1:14-cv-1350 (E.D. Va.)
9. *David T. Clenney v. Officer V.R. Swartz*, Case No. 1:14CV1702 (E.D. Va.)
10. *William Alfred Roberts, Jr. v. County of Fairfax, Virginia, City of Fairfax, Virginia, City of Falls Church, Virginia*, Case No. 1:14cv1337 (E.D. Va.)
11. *Tony Giardina v. Fairfax County Police*, Case No. CL-2014-0015555 (Fx. Co. Cir. Ct.)
12. *Poplar Place Homeowners Association v. Fairfax County* (State Building Code Technical Review Board) (Dranesville District)
13. *Gregory S. Mercer v. Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia* (State Building Code Technical Review Board) (Providence District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Randal S. Cordes*, Case No. CL-2013-0000441 (Fx. Co. Cir. Ct.) (Dranesville District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sergio Andrade*, Case No. CL-2008-0016277 (Fx. Co. Cir. Ct.) (Sully District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judy V. Marshall*, Case No. CL-2014-0000688 (Fx. Co. Cir. Ct.) (Providence District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mariano C. Evangelista and Armida A. Evangelista*, Case No. CL-2013-0000221 (Fx. Co. Cir. Ct.) (Mason District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duane S. Whitney, Edward N. Whitney, Arthur M. Whitney, Pamela V. Whitney, Rhonda L. Whitney, Candace Alexander, and Jeanette Alexander*, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)

19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duc Dang*, Case No. CL-2012-0011237 (Fx. Co. Cir. Ct.) (Providence District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James G. Miller, Trustee of the James G. Miller Living Trust, and Atlantic Construction Fabrics, Inc.*, Case No. CL-2009-0002430 (Fx. Co. Cir. Ct.) (Sully District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hillbrook Real Estate Holdings, LLC*, Case No. CL-2010-0013770 (Fx. Co. Cir. Ct.) (Mason District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
24. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Robert N. Jacobi*, Case No. CL-2013-0016587 (Fx. Co. Cir. Ct.) (Dranesville District)
25. *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)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Julio Moya*, Case No. CL-2009-0017993 (Fx. Co. Cir. Ct.) (Lee District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mann Realty, Inc., and 495 Shipping, Inc.*, Case No. CL-2010-0005205 (Fx. Co. Cir. Ct.) (Mount Vernon District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property*

*Maintenance Code Official for Fairfax County, Virginia v. Robert E. Stroup*, Case No. CL-2012-0000352 (Fx. Co. Cir. Ct.) (Providence District)

29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harry Martin*, Case No. CL-2008-0008078 (Fx. Co. Cir. Ct.) (Sully District)
30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Viva Tequila, Inc., the Susan Soh Trust, Susan Soh, Trustee, and her Successor Trustees in Trust*, Case No. CL-2014-0014125 (Fx. Co. Cir. Ct.) (Lee District)
31. *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)
32. *William E. Shoup, Fairfax County Zoning Administrator v. Patricia DeLisio and John Aidonis*, In Chancery No. CH-2004-0199371; *Jean J. Aidonis v. Fairfax County Zoning Administrator, Fairfax County, F. Hayden Coddling, and Susan Epstein*, Case No. CL-2006-0001145; *John Jean Aidonis v. William E. Shoup, Fairfax County Zoning Administrator*, Case No. CL-2014-0014013 (Fx. Co. Cir. Ct.) (Hunter Mill District)
33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Matthew D. Coons*, Case No. CL-2014-0013526 (Fx. Co. Cir. Ct.) (Braddock District)
34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Silvia Flores*, Case No. CL-2014-0012186 (Fx. Co. Cir. Ct.) (Mount Vernon District)
35. *Board of Supervisors of Fairfax County, Virginia, James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Gregory L. Kinzelman*,

Case No. CL-2013-0019055 (Fx. Co. Cir. Ct.)  
(Mason District)

36. *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)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David Taehee Kim and Terry Kim*, Case No. CL-2014-0010506 (Fx. Co. Cir. Ct.) (Mason District)
38. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ramy A. Inocencio and Ivy K. Inocencio*, Case No. CL-2014-0011749 (Fx. Co. Cir. Ct.) (Mount Vernon District)
39. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2014-0011059 (Fx. Co. Cir. Ct.) (Providence District)
40. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mary Josephine Smith*, Case No. CL-2014-0013669 (Fx. Co. Cir. Ct.) (Providence District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nam Joon Kim*, Case No. CL-2014-0012187 (Fx. Co. Cir. Ct.) (Mason District)
42. *Board of Supervisors of Fairfax County and James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. David J. Laux and Tara K. Laux, a/k/a Tara K. Long*, Case No. CL-2014-0013597 (Fx. Co. Cir. Ct.) (Mason District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kwang Woo Kim and Eun Sook Kim*, Case No. CL-2014-0006957 (Fx. Co. Cir. Ct.) (Mason District)

44. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jerry A. Demoney and Vicki L. Demoney*, Case No. CL-2014-0014975 (Fx. Co. Cir. Ct.) (Springfield District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Karl A. Eickmeyer*, Case No. CL-2014-0014976 (Fx. Co. Cir. Ct.) (Braddock District)
46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Madison Gunston Plaza, LLC, and Las Colinas Restaurant, Inc.*, Case No. CL-2014-0015036 (Fx. Co. Cir. Ct.) (Mount Vernon District)
47. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Beatrice C. Garcia*, Case No. CL-2014-0015518 (Fx. Co. Cir. Ct.) (Sully District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cecilio Vasquez*, Case No. CL-2014-0015904 (Fx. Co. Cir. Ct.) (Lee District)
49. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jose S. Portillo and Francisca E. Portillo*, Case No. CL-2014-0016150 (Fx. Co. Cir. Ct.) (Providence District)
50. *Oscar Benitez v. Fairfax County Risk Management and Herbert Michael Napper*, Case No. CL-2014-0015788 (Fx. Co. Cir. Ct.)
51. *KyAnna Sheldon v. David Kroll*, Case No. GV14-008300 (Pr. Wm. Co. Gen. Dist. Ct.)
52. *Nationwide Property & Casualty Ins. Co. a/s/o Gregory Delcotto v. Fairfax County*, Case No. GV14-022548 (Fx. Co. Gen. Dist. Ct.)

53. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Priya Krishnan and Natarajan Krishnan*, Case No. GV14-022051 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
54. *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)
55. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steve McEntee, Heir to Richard L. and Virginia L. McEntee and His Successors-in-Interest*, Case Nos. GV14-022695 and GV14-022696 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
56. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marta Kowalczyk*, Case No. GV14-022693 (Fx. Co. Gen. Dist. Ct.) (Providence District)
57. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Loan Thi Thuy Nguyen a/k/a Thuy Loan T. Nguyen*, Case No. GV14-022694 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
58. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Roberto C. Lozano and Gladis A. Lozano*, Case No. GV14-015628 (Fx. Co. Gen. Dist. Ct.) (Lee District)
59. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Linda L. Tynes*, Case No. GV14-024949 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
60. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Margel S. Prince*, Case No. GV14-024948 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
61. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Syed Wahid and Lamia Afroz*, Case No. GV14-024221 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

62. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mary Ann Kenny and Jonathan Kenny*, Case No. GV14-023679 (Fx. Co. Gen. Dist. Ct.) (Providence District)
63. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Robinson Socrates Nunn and Glanetta Miller*, Case No. GV14-023870 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
64. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John M. Eliff, III*, Case No. GV14-022436 (Fx. Co. Gen. Dist. Ct.) (Mason District)
65. *Leslie B. Johnson, Fairfax County Zoning Administrator, v. Retta H. Hall*, Case Nos. GV14-026144 and GV14-026145 (Fx. Co. Gen. Dist. Ct.) (Mason District)
66. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Magin A. Jaimes*, Case No. GV14-026373 (Fx. Co. Gen. Dist. Ct.) (Mason District)
67. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard E. Coppola*, Case No. GV14-026433 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
68. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Laura Novella Green West*, Case Nos. GV14-026434 and GV14-026435 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
69. *Leslie B. Johnson, Fairfax County Zoning Administrator v. 7-Eleven, Inc.*, Case Nos. GV14-026635 and GV14-026636 (Fx. Co. Gen. Dist. Ct.) (Mason District)
70. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John C. Lozinyak*, Case No. GV14-026788 (Fx. Co. Gen. Dist. Ct.) (Mason District)

71. *Board of Supervisors of Fairfax County, Virginia, v. Developers Surety and Indemnity Company*, Case No. CL-2014-0016043 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- *The Nielsen Company (US), LLC v. County Board of Arlington, et al.*
- *Maura Harrington v. Colonel Edwin C. Roessler Jr., et al., Case Number 2014-11477*
- *Sulema Diaz-Pineda v. William M. Arnest, et al., Civil Action Number 1:14-cv-768 (Eastern District of Virginia)*

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

**DET:det**

At 3:56 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

#### **ACTIONS FROM CLOSED SESSION**

42. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:56 p.m.)

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

43. **SETTLEMENT IN SULEMA DIAZ-PINEDA VERSUS WILLIAM M. ARNEST, ET AL., CIVIL ACTION NUMBER 1:14-CV-768 (EASTERN DISTRICT OF VIRGINIA)** (3:57 p.m.)

Supervisor Hyland moved that the Board authorize the settlement of *Sulema Diaz-Pineda versus William M. Arnest, et al.*, Civil Action Number 1:14-cv-768 (Eastern District of Virginia), according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Gross seconded the motion and it carried by unanimous vote.



**ADDITIONAL BOARD MATTER**44. **COUNTY PROCEDURES – OFFICER-INVOLVED SHOOTING**  
(3:57 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and, jointly with Supervisor Foust, stated that almost daily, County police officers use their training and expertise to defuse potentially violent situations without the use of force. However, when something as serious as an officer-involved shooting does occur, County residents deserve a government that is open and transparent and they deserve to know the facts relating to the incident in a timely manner, subject only to legitimate concerns such as the proper conduct of the investigation and the safety of officers and witnesses who may have been involved.

Until John Geer was shot on August 29, 2013, the procedures adopted by the Police Chief for public disclosure regarding officer-involved shootings seemed to establish a reasonable balance between the County's duty to make timely disclosure and the concerns the Police Chief has expressed about conducting a professional investigation and the safety of officers involved in a shooting incident.

However, the investigation of the shooting of Mr. Geer has gone on for more than 16 months without closure and other events have occurred, including the Commonwealth Attorney's decision to transfer the matter to the United States Department of Justice (US DOJ), that were not considered when the Police Department's procedures for disclosure were established. Understandably, and as a consequence, many residents have expressed concern about the lack of information that has been disclosed about the shooting of Mr. Geer as well as a perceived lack of transparency by the Police Chief, the County Attorney's office and other County officials, including this Board of Supervisors.

In the Geer case, there are three separate investigations and a civil lawsuit filed on behalf of Mr. Geer's children. The County Attorney's office objected to producing documents requested in the civil suit. Recently, a judge ordered the Police Chief to produce documents in response to numerous requests made by the plaintiffs. The Board has directed the Police Chief and the County Attorney to fully comply with the letter and the spirit of the Judge's order.

Although compliance with the Judge's order in the Geer case should go a long way to meet the demands for transparency relating to the shooting of Mr. Geer, the Board does not believe it should take a court order, entered 16 months after the shooting, for information about an incident like this to be released. The Board does not want to see similar delays occur should something like this happen in the future. As Chairman Bulova recently said, "our Board is committed to making sure Fairfax County policies will not result in delays should similar situations arise in the future."

The Board is committed to reviewing and revising disclosure rules as appropriate. The Board is also aware of concerns expressed by some members of the public to the effect that the Police Chief should not be responsible for both establishing and implementing the policies for disclosures relating to police involved shootings. The Board is sensitive to these concerns.

The Board has decided to seek and consider outside, independent expertise to review current practices and to advise the Board on the establishment of appropriate changes to policies and procedures regarding the release of information in police-involved shooting incidents for the County. To initiate this process, Chairman Bulova stated that she has reached out to Attorney General Mark Herring for suggestions for a process for the County to identify professional organizations and/or resources that can work with the County to review its policies and recommend appropriate changes.

Chairman Bulova moved that the Board direct the County Executive to:

- Immediately, following consultation with the Attorney General's office on process, initiate a search for independent expertise in the field of Police Department operations and, specifically, in the area of policies and procedures with respect to information disclosures in the case of police involved shootings and other serious incidents involving the police department. Such organization should be familiar with national best practices in this area.
- Identify an available funding source that would enable the Board to retain such expertise with a goal for contracting with that organization within the February/March timeframe.
- Advise the Board with respect to any and all procurement procedures that must be followed with respect to retention of such independent expertise or resource.

Supervisor Foust seconded the motion.

Discussion ensued concerning:

- Policy direction on transparency
- Engagement of citizens in the process
- The County's in-house expertise versus outsourcing
- The role of the Commonwealth Attorney and the US DOJ
- The Board's letter in September 2014 to the US DOJ

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

### **AGENDA ITEMS**

45. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-017 (VERIZON VIRGINIA LLC) (MOUNT VERNON DISTRICT)** (4:22 p.m.)

(NOTE: On December 2, 2014, the Board deferred this public hearing until January 13, 2015.)

The application property is located at 2806 Popkins Lane, Alexandria, 22306, Tax Map 93-1 ((1)) 7pt.

Ms. Sheri L. Akin 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:

- Mr. Christopher D. Clemente, Comstock Holding Companies, Incorporated, manager of Comstock Popkins, L.C.

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

- Mr. Donald E. King, McGuire Woods LLP

Chairman Bulova disclosed that she had received a campaign contribution in excess of \$100 from the following:

- Comstock Development Services L.C., which is not a party to this application

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

Ms. Akin 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.

Ms. Akin noted that in the event the subdivision plan is not put forth immediately or within the next 30 months, a development condition was added after Planning Commission (PC) consideration that, if nothing happens, Verizon will escrow \$5,000 to the County to help with any storm drainage issues. She added that

Verizon will also put additional fencing along East Lee and Preston Avenues to deal with any trespassing that could occur.

Discussion ensued, with input from Ms. Akin, regarding:

- Whether personnel are on-site
- Trespassing on the property over the years
- The proximity of two schools to an unmanned site and the issue of liability
- Fencing of the property

Following the public hearing, which included testimony by three speakers, Supervisor Hyland addressed several concerns raised by the speakers including:

- In-fill development and the impact on adjoining properties
- Review by the Virginia Department of Transportation (VDOT) of water ponding in the cul-de-sac
- County Stormwater Management review of current and potential stormwater issues

Ms. Akin presented rebuttal.

Ms. Bishop presented the staff and PC recommendations.

Following a query by Supervisor Hyland, Ms. Akin confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated December 22, 2014.

Supervisor Hyland moved:

- Approval of Special Exception Application SE 2014-MV-017, subject to the development conditions dated December 22, 2014.
- Modification of the transitional screening to permit the landscaping as shown on the Special Exception plat.
- Waiver of the barrier requirement along the southern property line.
- To direct the Director of the Department of Public Works and Environmental Services (DPWES) to permit a deviation from the

tree preservation target, pursuant to the Public Facilities Manual (PFM).

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

Supervisor Hyland submitted an item for the record.

46. **3 P.M. – PH ON PROPOSED PLAN AMENDMENT 2014-I-B2, LOCATED ALONG THE EAST SIDE OF MONCURE AVENUE AND COLUMBIA PIKE FROM MONCURE AVENUE TO A POINT ABOUT 500 FEET WEST OF THE INTERCHANGE WITH LEESBURG PIKE (MASON DISTRICT)** (4:50 p.m.)

(NOTE: On December 2, 2014, the Board deferred this public hearing until January 13, 2015.)

Chairman Bulova noted that no affidavit was required.

Brent M. Krasner, Planner III, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Mr. Krasner, concerning development options related to:

- Retention of the 2.25 floor area ratio (FAR)
- Public use in addition to an elementary school
- Types of institutional uses that could be permitted

Following the public hearing, which included testimony by eight speakers, Mr. Krasner presented the staff and Planning Commission (PC) recommendations.

Supervisor Gross addressed several questions raised by Ms. Wells (Speaker Four) including:

- The condition of the Willston school site
- Construction of an East County Government Center
- Relocation of Human Services offices and the subsequent purchase and conversion of the old offices to a school to relieve Baileys Elementary School overcrowding
- Board notification of the School Board's interest in school sites, including the Willston site, for possible return to its system

- Multiple visionary meetings of the Seven Corners Task Force

Following additional remarks concerning the Southeast Quadrant revitalization and opportunities to redevelop a series of parcels that are in decline to serve current and new residents, Supervisor Gross referred to a handout which had been distributed to the Board. She noted that the amendment will add a new development option for Sub-Unit B-2 of the Baileys Crossroads Community Business Center (CBC) to allow a mix of uses including multi-family and single-family attached residential and a public elementary school. The existing site-specific recommendations for this sub-unit would also be revised to recommend office and retail uses for the privately-owned parcels and public facility uses for the Board-owned land.

Supervisor Gross noted that after the PC public hearing, additional comments were received concerning the staff recommendation to delete the existing option for retail, office, and residential uses at a 2.25 FAR, currently in text. So that additional development opportunities are not precluded for the subject parcels, she stated that she agrees the existing 2.25 FAR option should be retained as doing so will preserve existing development potential and allow for other public uses to be considered.

Supervisor Gross moved approval of Plan Amendment 2014-I-B2, as recommended by the PC and staff, to create the new redevelopment option, with the revisions indicated on the handout distributed earlier in the meeting, to preserve portions of the existing Plan text for the 2.25 FAR option. Chairman Bulova seconded the motion.

Discussion clarified that the option provides for school use but does not preclude other uses.

Discussion ensued concerning further development applications, with input from Kris Abrahamson, Branch Chief, ZED, DPZ, regarding the need for a final development plan (FDP), which would require a public hearing.

Discussion continued concerning a rezoning application which had just been filed, with input from Mr. Krasner, regarding onset of the process; and Supervisor Gross detailed the various hearings and reviews that would be involved in the public process.

Following an inquiry from Supervisor Herrity regarding the School Board's endorsement of the proposal, with input from Mr. Krasner, discussion continued concerning the complete visioning and re-planning of the Willston/Seven Corners area, including conversations with the school system about future uses of the Willston site.

Supervisor Gross noted that the Willston site building cannot be renovated.

Following additional discussion concerning covenants associated with the Willston site, Supervisor Herrity asked unanimous consent that the Board direct staff to review the status of the original covenants and report with its findings. Without objection, it was so ordered.

Following additional discussion concerning potential options, the need for creativity, particularly in denser and more urbanizing areas, and flexibility in revitalization districts, the question was called on the motion and it carried by unanimous vote.

47. **3 P.M. – PH TO AMEND THE DEED OF LEASE WITH MCLEAN YOUTH ATHLETICS (MYA) OF BOARD-OWNED PROPERTY AT 1311 SPRING HILL ROAD (HOLLADAY FIELD) (DRANESVILLE DISTRICT)** (5:52 p.m.)

(NOTE: On November 18, 2014, the Board deferred this public hearing until January 13, 2015.)

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 31 and November 7, 2015.

Michael Lambert, Property Manager, Department of Facilities Management, presented the staff report.

Following the public hearing, Supervisor Foust moved that the Board authorize the County Executive to amend the Deed of Lease with MYA for Board-owned property at 1311 Spring Hill Road. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

48. **3 P.M. – PH ON REZONING APPLICATION RZ 2014-PR-012 (SEKAS HOMES, LTD) (PROVIDENCE DISTRICT)** (5:56 p.m.)

(O) The application property is located on the South East intersection of Courthouse Road and Sutton Road, 2719, 2721, 2723 Sutton Road, and 9637, 9633 Courthouse Road, Tax Map 48-1 ((1)) 65, 67, 68, and 48-1 ((5)) 1 and 4.

Mr. Joshua C. Marshall 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.

Mr. Marshall 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.

Mr. Marshall read three additional items into the record:

- The applicant agrees to construct a standard crosswalk at the Lemon Tree intersection with Courthouse Road upon the County acquiring approval from the Virginia Department of Transportation (VDOT) for said crosswalk
- The applicant would like to increase the payment for the stormwater fee from \$5,000 to \$10,000 for maintenance of the stormwater facility
- The applicant agrees to provide “No Parking or Heavy Equipment” signs in the vicinity of the infiltration trench

Supervisor Smyth stated these were minor changes that came up late in the process and thanked the applicant for including these in the record as they normally would have been included in the proffers.

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

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-PR-012, subject to the proffers dated December 9, 2014.
- Waiver of the sidewalk requirement along Courthouse Road in favor of the walkway depicted on the GDP.
- Waiver of the sidewalk requirement along Sutton Road in favor of the walkway depicted on the GDP.
- Waiver of the requirement to construct curb and gutter along the Sutton Road frontage in favor of the proffer commitments to escrow funds.
- Approval of Waiver Number 025756-WPFM-001-01 subject to development conditions contained in Attachment A to the November 24, 2014, recommendation from the Department of Public Works and Environmental Services (DPWES)
- Approval of all commitments that were made on the record this afternoon

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



49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-DR-043 (MARK DENNIS MCFADDEN TRUSTEE / LYNNE MARIAN MCFADDEN, TRUSTEE) (DRANESVILLE DISTRICT)** (6:04 p.m.)

The application property is located at 1470 Ingleside Avenue, McLean, 22102. Tax Map 30-2 ((7)) (1) 8.

Mr. Andrew A. Painter reaffirmed the validity of the affidavit for the record.

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

Mr. Painter 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, Supervisor Foust submitted items for the record.

Mr. Van Atta presented the staff and Planning Commission recommendations.

Following a query by Supervisor Foust, Mr. Painter confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated December 17, 2014.

Supervisor Foust moved:

- Approval of Special Exception Application SE 2014-DR-043, subject to the development conditions dated December 17, 2014.
- Modification of the transitional screening requirements along the western property line in favor of the existing landscaping, as shown on the SE Plat.
- Modification of the barrier requirements to the north and west in favor of the existing barriers, as shown on the SE Plat.
- Modification of the front yard requirements in a CRD to permit setbacks of 25.8 feet and 25.3 feet along Ingleside Avenue and Meadowbrook Avenue, respectively.
- Reduction of the parking requirements in a CRD to permit three parking spaces instead of four.

- Approval of a waiver of the trail construction requirements along Ingleside Avenue and Meadowbrook Avenue in favor of the dedication of seven feet of right-of-way along Ingleside Avenue.

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

50. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-LE-027 (AZEBA IDRIS) (LEE DISTRICT)** (6:12 p.m.)

The application property is located at 6132 Summer Park Lane, Alexandria, 22315, Tax Map 91-3 ((11)) (11) 59.

Ms. Azeba Idris reaffirmed the validity of the affidavit for the record.

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

Ms. Idris 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. Van Atta presented the staff and Planning Commission recommendations.

Following a query by Supervisor McKay, Ms. Idris confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 9, 2015.

Supervisor McKay moved approval of Special Exception Application SE 2014-LE-027, subject to the development conditions dated January 9, 2015. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

51. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SP-047 (SUBHADRA PARAJULI) (SPRINGFIELD DISTRICT)** (6:18 p.m.)

The application property is located at 13133 Quail Creek Lane, Fairfax, 22033, Tax Map 55-1 ((16)) (5) 46.

Ms. Subhadra Parajuli reaffirmed the validity of the affidavit for the record.

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

Ms. Parajuli 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. Bishop presented the staff and Planning Commission recommendations.

Following a query by Supervisor Herrity, Ms. Parajuli confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated December 23, 2014.

Supervisor Herrity moved approval of Special Exception Application SE 2014-SP-047, subject to the development conditions dated December 23, 2014. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

52. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF IMPROVEMENTS AT THE INTERSECTION OF OLD DOMINION DRIVE / BELLVIEW ROAD PHASE II (DRANESVILLE DISTRICT)** (6:23 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 December 26, 2014, and January 2, 2015.

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

Following the public hearing, Supervisor Foust moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 2G40-028-014 (RSPI01-01500), Old Dominion Drive/Bellview Road Phase II Intersection Improvements, Fund 400-C40011, County and Regional Transportation Projects. Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Foust, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey, Supervisor Gross, and Supervisor Herrity being out of the room.

53. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE WEST FALLS CHURCH RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 2 (DRANESVILLE DISTRICT)** (6:27 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 December 26, 2014, and January 2, 2015.

Charisse Padilla, RPPD/CPD Program Manager, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Foust moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the West Falls Church RPPD, District 2. Supervisor McKay 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.

54. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE DUNN LORING RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 3 (PROVIDENCE DISTRICT)** (6:32 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 December 26, 2014, and January 2, 2015.

Charisse Padilla, RPP/CPD Program Manager, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Dunn Loring RPPD, District 3. Supervisor Herrity 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.

55. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO CONSIDER PARKING RESTRICTIONS ON DALY DRIVE (SULLY DISTRICT)** (6:33 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 December 26, 2014, and January 2, 2015.

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

Following the public hearing, which included testimony by four speakers, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational vehicles and all trailers as defined in Fairfax County Code Sections 82-5-7(b) and 82-5B-1 from parking on Daly Drive from Brookfield Corporate Drive to Willard Road from 9 p.m. to 6 a.m., seven days per week, excluding areas designated as

“No Parking” by the Virginia Department of Transportation (VDOT). Supervisor Hudgins 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.”

56. **4 P.M. – PH TO CONVEY BOARD-OWNED PROPERTY LOCATED NEAR THE INTERSECTION OF FLOYD AVENUE AND BATH STREET (LEE DISTRICT)** (6:43 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 December 26, 2014, and January 2, 2015.

Michael Lambert, Property Manager, Facilities Management Department (FMD), presented the staff report.

Discussion ensued concerning whether the County has a readily available inventory of such walkways to determine whether they might be in disrepair or disuse, with input from Mr. Lambert, who noted that this walkway is included on the Department of Public Works and Environmental Services (DPWES) inventory, and is also mapped in the Geographical Information Systems (GIS). Supervisor Gross asked unanimous consent that the Board direct staff to provide an inventory of such walkways for each Magisterial District. Without objection, it was so ordered.

Following the public hearing, Supervisor McKay submitted an item for the record.

Supervisor McKay noted:

- Concerns about closing pedestrian access to schools, particularly in neighborhoods where students can walk to school and parks
- The need for a conversation with County schools to discuss safety versus access

Supervisor McKay moved adoption of the Resolution authorizing the conveyance of Board-owned property near the intersection of Floyd Avenue and Bath Street. Supervisor Hyland seconded the motion.

Supervisor Foust inquired about staff consideration of other options, with input from Mr. Lambert and Marguerite Guarino, Assistant Director, FMD, concerning coordination with all parties. Discussion continued concerning options and notification of Supervisors of pending requests.

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

- Requests in an overall perspective
- County policy to encourage more pedestrian opportunities for young people and adults.

Without objection, it was so ordered.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

57. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-LE-030 (SUSANA MARIA TRUPO – ISLAND CREEK DAY CARE (LEE DISTRICT)) (6:54 p.m.)**

The application property is located at 7753 Effingham Square, Alexandria, 22315, Tax Map 90-4 ((11)) (1) 138.

Ms. Susana Maria Trupo reaffirmed the validity of the affidavit for the record.

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

Ms. Trupo 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. Van Atta presented the staff and Planning Commission recommendations.

Following a query by Supervisor McKay, Ms. Trupo confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 9, 2015.

Supervisor McKay moved approval of Special Exception Application SE 2014-LE-030, subject to the development conditions dated January 9, 2015. Supervisor Foust seconded the motion and it carried by unanimous vote.

58. **4:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF WESTMORELAND STREET AT OLD CHESTERBROOK ROAD PHASE II IMPROVEMENTS (DRANESVILLE DISTRICT)** (6:59 p.m.)

Chairman Bulova announced that this item was being withdrawn. Following consultation with David P. Bobzien, County Attorney, Supervisor Foust:

- Informed the Board that all land rights to the project had been acquired
- Moved to dismiss the hearing

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

59. **4:30 P.M. – PH TO LEASE BOARD-OWNED PROPERTY AT 12000 GOVERNMENT CENTER PARKWAY TO FAIRFAX 2015, INCORPORATED (BRADDOCK DISTRICT)** (7 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 December 26, 2014, and January 2, 2015.

Marguerite Guarino, Assistant Director, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Cook moved that the Board authorize execution of a lease with Fairfax 2015, Incorporated, for use of space at 12000 Government Center Parkway. Supervisor Frey and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

60. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SU-048 (HAKIMA ELAMIRI D/B/A SARAH DAYCARE LLC (SULLY DISTRICT)** (7:03 p.m.)

The application property is located at 5705 Belcher Farm Drive, Centreville, 20120, Tax Map 54-1 ((17))(2) 20.

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

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

Supervisor Frey moved approval of Special Exception Application SE 2014-SU-048, subject to the development conditions dated November 25, 2014. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Following input from Mr. O'Donnell, and an inquiry from Supervisor Frey, Ms. Trupo confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated November 25, 2014.

61. **BOARD ADJOURNMENT** (7:09 p.m.)

The Board adjourned.



# Index

<b>AGENDA ITEM</b>	<b>Page</b>
<b>Presentations: Certificates/Awards</b> .....	<b>3-5</b>
<b>Board Organization and Appointments of Board Members to Various Regional and Internal Boards and Committees</b> .....	<b>5-12</b>
<b>Items Presented by the County Executive</b>	
<b>Administrative Items</b> .....	<b>12-15</b>
<b>Action Items</b> .....	<b>15-16</b>
<b>Information Items</b> .....	<b>17</b>
<b>Board Matters</b>	
<b>Chairman Bulova</b> .....	<b>17-23, 41-43</b>
<b>Supervisor Cook</b> .....	<b>3, 25-26</b>
<b>Supervisor Foust</b> .....	<b>2-3, 26, 41-43</b>
<b>Supervisor Frey</b> .....	<b>3, 23, 27-28</b>
<b>Supervisor Gross</b> .....	<b>n/a</b>
<b>Supervisor Herrity</b> .....	<b>2, 20-21</b>
<b>Supervisor Hudgins</b> .....	<b>28-31</b>
<b>Supervisor Hyland</b> .....	<b>3, 26, 31</b>
<b>Supervisor McKay</b> .....	<b>2, 21-25</b>
<b>Supervisor Smyth</b> .....	<b>26-27</b>
<b>Actions from Closed Session</b> .....	<b>40</b>
<b>Public Hearings</b> .....	<b>43-56</b>