



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
April 8, 2014**

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).

07-14

EBE:ebe/dal

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, April 8, 2014, at 9:37 a.m., there were present:

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

Others present during the meeting were Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:38 a.m.)

Supervisor Hyland asked everyone to keep in thoughts the family of Ms. Sally J. Keiffer who died recently after a long illness. She cared about her community and did whatever she could to improve it and was very involved with Westgrove Park.

AGENDA ITEMS2. **PRESENTATION OF A CHECK FROM THE UNITED WAY OF THE NATIONAL CAPITAL AREA** (9:39 a.m.)

Rosie Allen-Herring, President and CEO of the United Way, presented the County with a check in the amount of \$338,000 representing the amount that was contributed through the Fairfax-Falls Church Community Impact Fund in 2013.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) AND THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES)** (9:47 a.m.)

Supervisor Herrity moved approval of the Certificate of Recognition presented to VDOT for outstanding and noteworthy service to County residents for treatment and snow removal of roads. Supervisor Foust and Supervisor Gross jointly seconded the motion.

Supervisor Herrity moved approval of the Certificate of Recognition presented to DPWES for outstanding and noteworthy service to County residents for snow removal at approximately 220 County-owned facilities, including plowing and treating vehicular areas, and removing snow and ice from walkways. Supervisor McKay seconded the motion.

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

4. **RESOLUTION OF RECOGNITION PRESENTED TO THE SOUTH COUNTY SENIOR CENTER** (10:11 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to the South County Senior Center for its fortieth anniversary and all County senior centers for their work. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MR. MICHAEL KNAPP** (10:25 a.m.)

Supervisor Smyth moved approval of the Resolution of Recognition presented to Mr. Michael Knapp, upon his retirement, for 40 years of dedicated, noteworthy, and distinguished service to the County, the last 13 as the Director of the Urban Forest

Management Division of the Department of Public Works and Environmental Services. Supervisor Gross, Supervisor Herrity, and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

6. **PROCLAMATION DESIGNATING MAY 2014 AS "BUILDING SAFETY MONTH" IN FAIRFAX COUNTY** (10:43 a.m.)

Supervisor Frey moved approval of the Proclamation to designate May 2014 as "*Building Safety Month*" in Fairfax County. Supervisor Gross seconded the motion and it carried by unanimous vote.

Audrey Clark, Acting Deputy Director, Land Development Services, Department of Public Works and Environmental Services, presented the 2014 Building Safety Community Partnership Award to Michael Wolf, Territory Manager, Simpson Strong-Tie Company.

(NOTE: Later in the meeting, an Information Item was considered regarding International Building Safety Month. See Clerk's Summary Item #15.)

7. **PROCLAMATION DESIGNATING APRIL 27, 2014, AS "HOLOCAUST REMEMBRANCE DAY" IN FAIRFAX COUNTY** (10:54 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate April 27, 2014, as "*Holocaust Remembrance Day*" in Fairfax County. Supervisor McKay seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

8. **PROCLAMATION DESIGNATING MAY 2014 AS "LYME DISEASE AWARENESS MONTH" IN FAIRFAX COUNTY** (11:11 a.m.)

Supervisor Herrity moved approval of the Proclamation to designate May 2014 as "*Lyme Disease Awareness Month*" in Fairfax County. Supervisor Foust and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING MAY 2014 AS "BREAK THE SILENCE ON OVARIAN CANCER MONTH" IN FAIRFAX COUNTY** (11:21 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate May 2014 as "*Break the Silence on Ovarian Cancer Month*" in Fairfax County. Supervisor Foust and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

DET:det

10. **ADMINISTRATIVE ITEMS** (11:32 a.m.)

Supervisor Gross moved approval of the Administrative Items. 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."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE SUNSET MANOR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 18 (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 2014, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Sunset Manor RPPD, District 18.

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE AND SPRINGFIELD DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Herndon Crossing (Formerly Young Property)	Dranesville	Fantasia Drive (Route 6259)
		Winterwood Place (Route 6277)
Estates at Fairfax	Springfield	Meadow Estates Drive
		Knight Arch Road
		Knight Arch Court
		Katherine Hanley Court
		Lee Highway (Route 29) (Additional Right-of-Way Only)

ADMIN 3 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON DISTRICT)

- Endorsed a traffic calming plan for Wayne Road consisting of four speed humps on Wayne Road (Mason District)

- Directed staff to schedule the installation of the approved measures as soon as possible

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5, SECTION 32, INITIAL HOOKUP AND TOWING FEE

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 2014, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5, Section 32, Initial Hookup and Towing Fee.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE TO APPROVE A JOINT EXERCISE OF POWERS AGREEMENT TO AUTHORIZE PARTICIPATION IN A TRUST FUND WITH OTHER VIRGINIA JURISDICTIONS FOR THE PURPOSE OF INVESTING PUBLIC FUNDS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 29, 2014, at 4 p.m.**, to consider adoption of an ordinance to approve a joint exercise of powers agreement to authorize participation in a trust fund with other Virginia jurisdictions for the purpose of investing public funds.

11. **A-1 – APPROVAL OF HEAD START/EARLY HEAD START RESPONSE TO FEDERAL MONITORING REVIEW** (11:32 a.m.)

Supervisor noted the large number of participants during the four day across-the-County review.

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve the Head Start/Early Head Start response to the federal monitoring review. Supervisor Hyland seconded the motion.

Discussion ensued concerning Attachment I, paragraph 3, of the Board Agenda Item dated April 8, 2014, regarding the exposure of children to hazardous materials or conditions, specifically personal bags, with input from Anne Marie Twohie, Director, Office for Children, who defined personal bags.

Supervisor Hyland commented on the large number of inspectors involved to ensure the County's compliance and noted that the report is a tremendous success for staff and a testament to their good work.

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

12. **A-2 – AUTHORIZATION TO SIGN THE DULLES CORRIDOR METRORAIL PROJECT PHASE 1 OPERATIONS AND MAINTENANCE AGREEMENT FOR THE DULLES INTERNATIONAL AIRPORT ACCESS HIGHWAY (DIAAH) AND DULLES CONNECTOR ROAD (DCR) AND PHASE 1 FACILITIES** (11:38 a.m.)

On motion of Supervisor Hudgins, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Dulles Corridor Metrorail Project Phase 1 Operations and Maintenance Agreement and authorized the County Executive to sign the agreement on behalf of the County.

13. **A-3 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD), POLARIS PROJECT, US ATTORNEY’S OFFICE FOR THE EASTERN DISTRICT OF VIRGINIA (ALEXANDRIA DIVISION), VIRGINIA OFFICE OF THE ATTORNEY GENERAL, THE FEDERAL BUREAU OF INVESTIGATION (FBI), DEPARTMENT OF HOMELAND SECURITY- INVESTIGATIONS AND CRIMINAL ENFORCEMENT (ICE), AND THE ARLINGTON COUNTY POLICE DEPARTMENT (ACPD)** (11:39 a.m.)

On motion of Supervisor Hyland, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign a MOU between the FCPD, the Polaris Project, the US Attorney’s Office for the Eastern District of Virginia (Alexandria Division), the Virginia Office of the Attorney General, the FBI, ICE, and ACPD, regarding the Northern Virginia Human Trafficking Task Force.

14. **I-1 – COUNTY RECEIVES FOUR MID-ATLANTIC CHAPTER AMERICAN PUBLIC WORKS ASSOCIATION PROJECT OF THE YEAR AWARDS: NEWINGTON DVS MAINTENANCE FACILITY, WEST OX MAINTENANCE BUILDING STORAGE ADDITION, FAIRFAX COUNTY HISTORIC COURTHOUSE, AND MOVING BED BIOFILM REACTOR (MOUNT VERNON, PROVIDENCE, AND SPRINGFIELD DISTRICTS)** (11:40 a.m.)

The Board next considered an item contained in the Board Agenda dated April 8, 2014, announcing that the County received four Mid-Atlantic Chapter American Public Works Association Project of the Year awards for the following:

- Newington DVS Maintenance facility
- West Ox Maintenance Building storage addition
- Fairfax County Historic Courthouse
- Moving Bed Biofilm Reactor

15. **I-2 – INTERNATIONAL BUILDING SAFETY MONTH** (11:41 a.m.)

(Note: Earlier in the meeting, the Board designated May 2014 as “*Building Safety Month*” in the County. See Clerk’s Summary Item #6.)

The Board next considered an item contained in the Board Agenda dated April 8, 2014, announcing that the Department of Public Works and Environmental Services (DPWES) is conducting a campaign to promote public awareness of building safety in the County which is in keeping with its mission to enforce building codes and related County ordinances to ensure the construction of safe buildings in the County.

ADDITIONAL BOARD MATTERS16. **REQUEST FOR RECOGNITION** (11:42 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives from the following offices to appear before the Board and be recognized:

- The Police Department to accept a proclamation recognizing May 11–17, 2014, as “*Police Week*” and May 15, 2014, as “*Peace Officers Memorial Day*”
- The Fire and Rescue Department to accept a proclamation recognizing May 18 – 24, 2014, as “*Emergency Medical Services (EMS) Week*”
- The Animal Services Division to accept a certificate congratulating Tawny Hammond, Director, Animal Shelter, and Animal Control Officer Emma Lugo for receiving Metropolitan Washington Council of Governments (MWCOG) Animal Services Awards

In addition, she asked that proclamations be prepared for:

- Brain Injury Services, congratulating them on their twenty-fifth anniversary, to be presented on May 16 at the Anniversary Gala
- Donald N. Carr, US Army, Director of Public Affairs for Fort Belvoir, congratulating him on his retirement, to be presented on June 27

Without objection it was so ordered.

17. **HEALTHY COMMUNITY LEADERSHIP BRIEFING** (11:43 a.m.)

Chairman Bulova stated that as co-chair of the Community Transformation Leadership Team, she would like to invite the Board to a Healthy Community Design Leadership briefing on Tuesday, May 6 from 5 p.m. – 7 p.m., at the Hilton Garden Inn on Fair Ridge Drive in Fairfax. The briefing will highlight how economic health, environmental health, and public health are essential building blocks for a thriving community. The goals of this event are to energize local leaders around healthy community design and offer tangible strategies for improving health throughout the Fairfax community.

Chairman Bulova invited the Board to join other leaders in government, education, health, non-profits, business, faith communities, transportation and development at this event. The keynote speaker will be Mark Fenton, an expert on walkable communities. Mr. Fenton is a national public health, planning and transportation consultant; an adjunct associate professor at Tufts University's Friedman School of Nutrition Science and Policy; and a former host of the "America's Walking" series on PBS television.

While Mr. Fenton is in town, May 5-6, the Live Healthy Fairfax initiative invites staff and community partners to a Healthy Community Design Summit at the Kena Center on Tuesday morning from 8 a.m. until noon. The summit will feature a keynote address from Mr. Fenton and a panel discussion with participant dialogue. In addition, Live Healthy Fairfax will host a "Safe Routes to School" workshop at Mount Vernon Woods Elementary School on Monday afternoon from 1:30 p.m. to 4 p.m. Contact LiveHealthy@fairfaxcounty.gov for additional information.

Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs (OPA) to publicize the event. Without objection it was so ordered.

Vice-Chairman Gross relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that the Board direct staff to email information concerning the briefing and summit to each Board office. Without objection it was so ordered.

Acting-Chairman Hyland returned the gavel to Vice-Chairman Gross

18. **"EVOLUTION OF THE WORKPLACE": SEND US YOUR OLD PHOTOS** (11:47 a.m.)

Chairman Bulova announced that, on June 9 from 7 p.m. to 9 p.m., she will be hosting the third installment of her annual "*Evolution Series*." The program this year will take place in the Government Center Board Auditorium.

Past Evolution programs have included the "*Evolution of Fairfax - Growth and Development Throughout the Decades*" (2012) and the "*Evolution of*

Transportation" (2013). This year's program is titled the "*Evolution of the Workplace*" and is designed to be a fun and interesting look at how work, workers, and the workplace have evolved over time and what the workplace of the future will look like. All are welcome to attend.

As part of this year's event, residents and Board Members are being asked to share photos of themselves and past County workplaces throughout the years. The photos will be featured in a multimedia slideshow at the "*Evolution*" event, later on Channel 16, and on-line.

Please send scanned photos to: chairman@fairfaxcounty.gov or drop off photos at the Chairman's office in the Government Center to be scanned. Please include a short description of each photo including the names of those photographed and the date it was taken. All submissions are welcome.

Additional information on registration and how to participate in the event will be available soon at: www.fairfaxcounty.gov/chairman. If there are any specific questions or concerns please call 703-324-2321; Chairman Bulova's office will email the Board this information.

Chairman Bulova asked unanimous consent that the Board direct staff to include this information in the "Team Fairfax" newsletter. Without objection it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

19. **AUTHORIZATION TO INCLUDE COUNTY-OWNED RIGHT-OF-WAY IN REZONING APPLICATION RZ 2011-PR-009 (PROVIDENCE DISTRICT)** (11:50 a.m.)

Supervisor Smyth announced that Cityline Partners LLC, recently reactivated its Tysons "Scotts Run North" Planned Tysons Corner Urban District (PTC) Rezoning Application RZ 2011-PR-009. The deferral of this application in 2012 was prompted by the need to better determine the alignment of a connector road from the Dulles Airport Access Road to Scotts Crossing Road. Cityline has revised its proposed Final Development Plan (FDP) to accommodate the refined alignment of the "Jones Branch Connector." To that end, Cityline proposes to vacate and abandon approximately 20,367 square feet area of portions of Scotts Crossing Road rights-of-way with its "Scotts Run North" PTC application. She said a copy of the proposed Scotts Run North vacation exhibit is included with her written Board Matter.

This motion shall not be construed as favorable recommendation on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adoptive standards.

Supervisor Smyth moved that the Board authorize the inclusion of the approximately 20,367 square feet area of Scotts Crossing Road public right-of-way in Rezoning Application RZ 2011-PR-009. Supervisor Foust, Supervisor Herry, and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

20. **RESTON'S FIFTIETH ANNIVERSARY (HUNTER MILL DISTRICT)**
(11:51 a.m.)

Supervisor Hudgins thanked Chairman Bulova for attending Reston's Fiftieth Anniversary celebration on Saturday, which was also attended by many dignitaries including the Governor, Senator, and Congressman, as well as other elected officials. She added that it was a good opportunity to revisit the past 50 years and what the planning has done almost to the exact vision Mr. Bob Simon had. The evening concluded with a well-done documentary. She noted that the celebration will continue for the rest of the year.

Chairman Bulova added that it was a great birthday for Reston as well as for Mr. Simon whose actual birthday, his one-hundredth, is on April 10.

21. **MOTION TO EXPEDITE AND CONCURRENTLY PROCESS STARBUCKS COFFEE APPLICATION (SPRINGFIELD DISTRICT)**
(11:53 a.m.)

Supervisor Herry said that Special Exception Application SE 2014-SP-011, an application by Starbucks Coffee Company, was recently accepted for property located at 12001 Lee Jackson Highway. The applicant is proposing to re-purpose an existing drive-thru bank facility for use as a fast food restaurant with drive-thru to locate a Starbucks in a vacant bank facility on the ring road of the Fair Oaks Mall Shopping Center. The applicant is proposing no external modifications to the property, other than cosmetic changes to reflect the new use, and will provide a welcome reuse of this long-vacant facility.

To facilitate the expeditious reviews necessary to permit the applicant to get up and running in this location, Supervisor Herry moved that the Board direct the staff to:

- Provide expedited processing for Special Exception Application SE 2014-SP-011 for the fast food restaurant with drive-thru to be located at 12001 Lee Jackson Memorial Highway, Tax Map 46-3 ((8)) 16A, with the intent to schedule the Board's public hearing prior to the August recess, if at all possible.
- Direct the Director of the Department of Public Works and Environmental Services (DPWES) to concurrently process the site plan and all other necessary plans, to permit the renovation of the existing bank facility to a fast food restaurant with drive-thru.

The applicant is aware that this action should not be construed to prejudice the consideration of this application in any way.

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

22. **REVIEW OF PLAN AMENDMENT PROPOSAL - FAIR LAKES HYATT (SPRINGFIELD DISTRICT)** (11:56 a.m.)

Supervisor Herrity announced that JBG Companies, one of the most active developers of high-end, mixed-use projects in the Washington, D.C., area and the County, is requesting that the Board direct staff to immediately review a proposal for a Comprehensive Plan Amendment (CPA) to permit the revitalization of the Fair Lakes Hyatt. Recent market trends and a subsequent decline in performance have triggered the need for redevelopment of this area. JBG plans to retain the existing hotel but develop two residential structures – a 140-unit multifamily building with supporting ground-floor retail and a 180-unit senior living building and a multi-story parking structure. JBG hopes to create a synergy between the existing hotel and the new residential uses. The Hyatt is part of the Fairfax Center area which is currently under review as part of the Fairfax Forward process. Staff will be examining this particular area of the Fairfax Center Area in Phase 2 beginning early 2015. Any Plan recommendations arising out of Phase 2 will not come before the Board for a decision until mid-to-late 2016. However, there is a present need and opportunity to revitalize an aging, but important, commercial asset in a manner consistent with sound land-use policy and at the same time advance the important policy goal of providing senior housing.

Supervisor Herrity moved that the Board direct staff to:

- Immediately review the CPA proposal for the property identified as Tax Map 55-2-1, Parcels 7 A and 7B, located in sub-unit H-1 of the Fairfax Center area under the current Comprehensive Plan. The review should consider the appropriateness of the parcels' redeveloping as a mixed-use development incorporating hotel, multifamily, including senior housing, and support retail up to a maximum of 625,000 gross square feet.
- Concurrently process the Plan Amendment along with any rezonings, development plans, or site plans filed with respect to the property.

This motion should not be construed as a favorable recommendation for this proposed Plan Amendment or any subsequent rezoning or other applications. The second to this motion was inaudible.

Discussion ensued concerning "immediate" consideration. Following input from Fred Selden, Director, DPZ, regarding Fairfax Forward's anticipation of

occasional amendments similar to this, which will be integrated into the work program, Supervisor Herrity further clarified his use of “immediate” as not waiting until Phase 2.

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

23. **REALIGNING THE COUNTY POLICE DEPARTMENT (FCPD) PAY SCALE** (12:01 p.m.)

Supervisor Herrity announced that he had a Board Consideration item on realigning the Police Department’s pay scale which he was submitting jointly with Supervisor Hyland, the text of which had been distributed around the dais. Following a brief discussion, Supervisor Herrity moved a budget consideration item that the County Executive establish a three-year plan to increase pay scales for FCPD bringing them into alignment with the pay scales for the Fire and Rescue Department. Supervisor Hyland seconded the motion.

Discussion ensued concerning:

- Work of the Compensation Task Force and the anticipation of a recommendation that will address public safety employees
- The impact of the request on the current process
- Phase-in of restoration of the merit plan as a number one priority
- The need to review the entire public safety compensation plan
- The need for additional information regarding:
 - Scale explanations as well as identification of any historical changes in the public safety organizations
 - Comparisons in duties at all positions of employment between the uniformed services
- Recruitment and retention challenges, especially relative to the expanding law enforcement opportunities within the federal government
- The difficulty of comparisons, including consideration of the difference between hours worked per week
- The three percent market adjustment for fire personnel

Following discussion, Supervisor Herrity revised his motion and moved a Consideration item that would begin to address, in the Fiscal Year (FY) 2015 budget, the recruitment and retention issues while the compensation plan is

evaluated, which is due in December, with the method and amount remaining open. This was accepted.

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

24. **URBAN SEARCH AND RESCUE TEAM (VATF-1) TRAINING EXERCISE** (12:17 p.m.)

Supervisor Herrity said that he and Supervisor McKay observed the County's VATF-1 exercise in Perry, Georgia. He noted that the team is an elite asset to the County.

Supervisor Herrity added that the County has three search dogs and handlers in Washington State and he asked everyone to keep the families and victims of the mudslide in their thoughts and prayers.

Supervisor McKay expressed his appreciation to David Rohrer, Deputy County Executive, and the Fire Chief for their efforts to support the fire and rescue personnel by attending the exercise. He briefly outlined realistic training exercises.

25. **150TH ANNIVERSARY OF THE LINCOLNIA UNITED METHODIST CHURCH (MASON DISTRICT)** (12:23 p.m.)

Supervisor Gross announced that the Lincolnia United Methodist Church will be celebrating its 150th Anniversary on May 11, 2014, and asked unanimous consent that the Board applaud this historic milestone and direct staff to prepare a proclamation, signed by the Chairman and the Mason District Supervisor, to be presented to church officials at its celebratory luncheon on May 11, 2014. Without objection it was so ordered.

PMH:pmh

26. **CHILD ABUSE AWARENESS MONTH** (12:23 p.m.)

Supervisor Cook announced that April is a time to acknowledge the importance of families and communities working together to prevent child abuse. In a 2012 Child Maltreatment report from the US Department of Health and Human Services, it was stated that in Fiscal Year (FY) 2012, in the 50 states, the District of Columbia, and Puerto Rico, an estimated 678,810 children were victims of child abuse; and 1,640 children died as a result of abuse or neglect. In the County alone, the Child Protection Service Hotline received 18,376 calls in FY 2013.

Supervisor Cook noted that the majority of child abuse cases stem from situations and conditions that are preventable when community programs and systems are engaged and supportive. A community that cares about early childhood

development, parental support, and maternal mental health, is more likely to foster nurturing families and healthy children.

Therefore, Supervisor Cook asked unanimous consent that the Board:

- Declare April as "*Child Abuse Awareness Month*," in Fairfax County
- Direct staff to prepare a proclamation that can be presented later this month to Stop Child Abuse Now (SCAN) and Court Appointed Special Advocates (CASA), to recognize the dedication and work of these great organizations

Without objection, it was so ordered.

27. **MOTION TO AUTHORIZE AN AMENDMENT TO THE COMPREHENSIVE PLAN - RAVENSWORTH INDUSTRIAL AREA (BRADDOCK DISTRICT)** (12:25 p.m.)

Supervisor Cook said that the Ravensworth Industrial Area is located in the southwest quadrant of the I-495/Braddock Road interchange. This industrial area is recommended as a location which "should retain an overall industrial orientation for future uses," taking advantage of its "excellent regional accessibility, particularly for trucks." The area is generally planned for industrial use at an intensity of .30 floor area ratio (FAR).

The owner of a warehouse in this area would like, through interior renovation, to add a self-storage component that is proposed to result in an intensity greater than .30 FAR. Increased intensity may be acceptable for the property if it can be demonstrated that the proposed use would not adversely affect peak hour traffic, and would be fully contained within the existing footprint of this low-rise building.

Supervisor Cook noted that the Comprehensive Plan further specifies that residential uses are not recommended in the Ravensworth industrial area. He added that since the County is now looking at the possibility of allowing single room occupancy units in industrial areas under specific circumstances and because this property owner is willing to entertain the concept of incorporating residential use within the existing building, he would like any Comprehensive Plan analysis to assess issues such as compatibility, location and public facility impact during this review.

Therefore, Supervisor Cook moved that the Board direct staff to:

- Evaluate an amendment to the Comprehensive Plan to consider the conversion of a portion of the existing warehouse located at 5285 Port Royal Road [Tax Map 70-4((10)) 503 and 503A] to a self-storage use which could result in an overall intensity up to 1.0 FAR under circumstances in which specified conditions are

met. The conditions to be considered should include preventing traffic congestion during peak hours and limiting conversion to the interior of the existing building.

- Consider in the amendment future inclusion of residential uses on this property, consistent with other County ordinances.

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

28. **RESULTS FROM FISCAL YEAR (FY) 2015 ONLINE BUDGET SURVEY (BRADDOCK DISTRICT)** (12:27 p.m.)

Supervisor Cook shared results with the Board from the online budget survey his office created and publicized over the last few weeks.

Supervisor Cook asked unanimous consent that the results from the Braddock District budget survey be submitted for the record. Without objection, it was so ordered.

29. **HANK AARON'S 715TH HOME RUN** (12:28 p.m.)

Supervisor Cook announced that tonight is the fortieth anniversary of Hank Aarons' 715th home run.

30. **REQUEST FOR RECOGNITION (LEE DISTRICT)** (12:29 p.m.)

Supervisor McKay said that on March 31, after months of wet weather and high winds, a large tree destroyed the Calamo Street home of the legally blind homeowner who is without homeowners insurance.

Supervisor McKay said that thanks to the stand-up actions of three local businesses, work to remove the tree from the house began almost immediately, saving the homeowner thousands of dollars and sealing the house against water damage.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite the following to appear before the Board on July 1 for recognition of their generous spirits and contribution to the community:

- Dan Ross of Ross Tree Service
- John Cronan of Fairfax Crane and Rigging
- Paul Davis of Paul Davis Restoration and Remodeling

Without objection, it was so ordered.

31. **REQUEST FOR RECOGNITION – LEE DISTRICT RECENTER EMPLOYEES (LEE DISTRICT)** (12:30 p.m.)

Supervisor McKay announced that on February 22, RECenter employees Breesa Capel and Tara White, and Assistant Park Manager David Wyttenbach and his dog Sirius Black, donned honey badger hats and took a polar plunge at Tim's River Shore in Dumfries, Virginia—with the air temperature hovering around the freezing point. The result of their plunge—Team Honey Badger raised \$4,000 for the Virginia Special Olympics.

Supervisor McKay noted that for every active Special Olympics athlete, there are six more who could benefit from the regular physical activity, social interaction and life skills training offered by the program. Team Honey Badger's support helped Special Olympics create more opportunities for athletes to experience the benefits of participating in Special Olympics — all at no cost to themselves or their families.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite the following to appear before the Board for recognition on June 17:

- Ms. Breesa Capel
- Mr. David Wyttenbach
- Ms. Tara White
- Honey Badger dog Sirius Black

Without objection, it was so ordered.

32. **MOUNT VERNON-LEE CHAMBER OF COMMERCE CELEBRATES ITS DIAMOND JUBILEE (LEE AND MOUNT VERNON DISTRICTS)** (12:31 p.m.)

In a joint Board Matter with Supervisor Hyland, Supervisor McKay said that on April 23, the Mount Vernon-Lee Chamber of Commerce will celebrate its Diamond Jubilee – 60 years of serving the business and residential communities along the Route One corridor. Since 1954, the Mount Vernon-Lee Chamber has been the go-to business organization for both the Lee and Mount Vernon Districts in the County. Today, more than 425 businesses belong to this organization.

The Mount Vernon-Lee Chamber has been a major player in several initiatives that have strengthened the vitality of the corridor. The Chamber supported the BRAC moves to Fort Belvoir and worked to facilitate the selection of Fort Belvoir as home of the national Museum of the US Army.

The Mount Vernon-Lee Chamber provides scholarships for students pursuing further education in a business field and encourages local businesses and “shop local” initiatives.

The Chamber sponsors a full program of activities for its members, from business lunches and after-hours mixers to breakfast seminars. Business awards, the Potomac Classic Golf Tournament, scholarships for local high school students, and recognition for public safety officers are all part of the Chamber’s annual program.

The Mount Vernon-Lee Chamber of Commerce has consistently been recognized as one of the largest Chambers in the metropolitan area.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Holly Dougherty, executive director and members of the Chamber’s board of directors to appear before the Board for recognition on June 17.

Following input from Tony Castrilli, Director, Office of Public Affairs, without objection, the request was so ordered.

33. **LEE DISTRICT BUDGET ADVISORY GROUP** (12:32 p.m.)

Supervisor McKay said that for the sixth consecutive year, his citizen budget advisory GROUP has studied the proposed County budget. Almost all the members of the original group have chosen to continue, giving the budget advisory committee the advantage of continuity and knowledge.

The Group’s goal was two-fold: to provide recommendations specific to the Fiscal Year (FY) 2015 budget and to provide recommendations for 2015 and beyond. The nine members of the group chaired by Suzette Kern constitute an impressive array of talent with expertise in government finance, consulting, law, human services, IT, the private sector, and the County school system.

Supervisor McKay said that the group’s report is lengthy; the full report will be posted on Lee District website, at www.fairfaxcounty.gov/lee/.

Supervisor McKay commended the Lee District Budget Advisory Group for its hard work, and its recognition that the County needs a budget that can withstand economic storms.

Supervisor McKay asked unanimous consent that the Board direct the staff to forward the report to the following for review:

- County Executive
- Superintendent of Schools

- School Board Members

Without objection, it was so ordered.

34. **NUGGET JOINT VENTURE, LC - REZONING APPLICATION RZ 2009-HM-017 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA C-696-10 (DRANESVILLE DISTRICT)** (12:35 p.m.)

Supervisor Foust said that Nugget Joint Venture, LC has filed Rezoning Application RZ 2009-HM-017 and Proffered Condition Amendment Application PCA C-696-10 to permit a mixed-use transit-oriented development located within a quarter mile of the future Innovation Center Metrorail Station. The proposal includes three acres of County-owned land [Tax Map 15-4((5)) 5B], previously dedicated for transit facility use, and 11.65 acres of private property [Tax Map 15-2 ((1)) 13 pt. and 15-4 ((5)) 5A pt.]

Supervisor Foust said that the applicant proposes to integrate County-owned Metrorail facilities, which include a kiss-and-ride, four bus bays, and an approximately 2,110 space parking garage, as part of its development. The Planning Commission public hearing is scheduled for May 15, 2014. However, due to the nature of this case as it relates to future time sensitive deadlines associated with the Metrorail station, this case should move forward as soon as possible.

Therefore, Supervisor Foust moved that the Board direct staff to expedite the scheduling of the Board's public hearing for Rezoning Application RZ 2009-HM-017 and the concurrent Proffered Condition Amendment Application PCA C-696-10. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in anyway. Supervisor Hyland and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

35. **REPORT OF THE DRANESVILLE DISTRICT FISCAL YEAR (FY) 2015 BUDGET TASK FORCE (DRANESVILLE DISTRICT)** (12:37 p.m.)

Supervisor Foust noted that he formed the Dranesville District Budget Task Force to assist him in evaluating and providing input on the County's budget. Ten residents from across the Dranesville District worked diligently to examine and discuss issues surrounding the budget. Many of the members have served previously including several who have served all six years. Task Force members have experience in private and public sector budgeting, public education, affordable housing, human services, and taxpayers concerns. Armand Weiss served as the chairman of the group.

Over several months, the Task Force has reviewed, evaluated and discussed the upcoming FY 2015 County budget and the community's priorities with respect to revenues and services provided. In addition to presentations from the Public Schools, the Task Force heard from staff in the Departments of Management and Budget and Finance. The information received helped shape the Task Force's recommendations and conclusions.

Supervisor Foust said that a copy of the Dranesville District Budget Task Force report is included with his written Board Matter.

Therefore, Supervisor Foust asked unanimous consent that:

- A copy of the report be included in the public record for consideration as the Board deliberates on the FY 2015 budget
- The Board direct the County Executive to forward a copy to the Superintendent of Schools, Chairman of the School Board, and Chairman of the School Board's Budget Committee

Without objection, it was so ordered.

36. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)**
(12:39 p.m.)

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

37. **REQUEST FOR A BALLOON TEST TO MEASURE THE VISUAL IMPACTS ASSOCIATED WITH THE ENVIROSOLUTIONS, INCORPORATED APPLICATION (MOUNT VERNON DISTRICT)**
(12:39 p.m.)

Supervisor Hyland said that Furnace Associates, LLC has filed zoning applications to extend construction demolition debris landfilling and permit the construction and operation of wind turbines, solar panels and geothermal power generating facilities on their land. The application proposes to cap the height of the landfill to 395 feet and build a 70 foot tall berm two miles around the application property. The application also proposes wind turbines up to 180 feet tall atop their property. These industrial uses have the potential to be the tallest structures in the County, perhaps taller than anything yet approved in Tysons. He expressed the opinion that the Board should have a clear understanding of the visual impacts of the applicant's proposal to make an informed decision on the proffer condition amendment and special exception amendment applications. He said that several vantage points should be documented to include Richmond Highway, Fort Belvoir, the Lorton Valley community, Interstate 95, Spring Hill, the Town of Occoquan among others to be determined by staff in the Department of Planning and Zoning (DPZ) and his office.

Therefore, Supervisor Hyland moved that the Board:

- Direct DPZ to request that the applicant perform a balloon test to determine the visual impacts of their application from the several vantage points listed above for the berm, completed height of the landfill and the wind turbines
- Should the applicant be unwilling to perform a balloon test, direct DPZ to conduct a balloon test and provide the results prior to the public hearing on this application

Chairman Bulova seconded the motion. Discussion ensued, with input from Fred Selden, Director, DPZ, regarding:

- Balloon tests
- The number of vantage points to be documented
- Wind turbine issues

Chairman Bulova clarified the motion that the Board direct staff to request that the applicant perform a balloon test and work with Supervisor Hyland's office, the Chairman's office, and staff to determine how it can be accomplished in a way that provides the best visual feedback to the community. If it is found that a balloon test is not feasible determine what other techniques may be used.

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

38. **INTENT TO TO DEFER PUBLIC HEARING ON REZONING APPLICATION RZ 2013-LE-013 (EASTWOOD PROPERTIES, INCORPORATED) (LEE DISTRICT)** (12:56 p.m.)

Supervisor McKay announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 2013-LE-013 to April 29, 2014.

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

39. **RECESS/CLOSED SESSION** (12:57 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. *Verizon Online, LLC v. Fairfax County Board of Supervisors*, Case No. 2012-0019167 (Fx. Co. Cir. Ct.)
 - 2. *Angela Pledger v. Fairfax County*, Case No. 3:13-CV-740 JAG (E.D. Va.)
 - 3. *Lawrence M. Frye v. Child Protective Services and Department of Family Services*, Case No. CL-2014-0002828 (Fx. Co. Cir. Ct.)
 - 4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Loan Phuong*, Case No. CL-2013-0003688 (Fx. Co. Cir. Ct.) and *Loan Phuong v. Leslie B. Johnson, Fairfax County Zoning Administrator*, Record No. 131813 (Va. Sup. Ct.) (Braddock District)
 - 5. In Re: *July 31, 2013, Decision of the Fairfax County Board of Zoning Appeals Denying Application of New Cingular Wireless, PCS, LLC, and Parklawn Recreation Association, Inc., for an Amendment to Special Permit No. 76-M-088* (Fx. Co. Cir. Ct.) (Mason District)
 - 6. *Moira Callaghan, Robert Sawicki, Carrie Sawicki, David Okerson, Barbara Okerson, Judith Strother, and Kris Capps v. Fairfax County Board of Supervisors, Fairfax County Park Authority, and Reston Dogs, Inc.*, Case No. CL-2014-0003016 (Fx. Co. Cir. Ct.) (Hunter Mill District)

7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Roy Melvin Perry*, Case No. CL-2012-0011472 (Fx. Co. Cir. Ct.) (Mason District)
8. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donald M. Douglas and Louise L. Douglas*, Case No. CL-2013-0003838 (Fx. Co. Cir. Ct.) (Springfield District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. James G. Miller, Trustee of the James G. Miller Living Trust, et al.*, Case No. CL-2009-0002430 (Fx. Co. Cir. Ct.) (Sully District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Fred R. Torrez, Eulogia Torrez, Rodrigo Rojas Jaimes, and Judith S. Mendoza*, Case No. CL-2014-0000125 (Fx. Co. Cir. Ct.) (Providence District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Muawia Abu El Hawa*, Case No. CL-2013-0014648 (Fx. Co. Cir. Ct.) (Providence District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. George LeVan Dieffenbach and Delorese C. Dieffenbach*, Case No. CL-2014-0003299 (Fx. Co. Cir. Ct.) (Hunter Mill District)
14. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Full Gospel First Church of Washington*, Case No. CL-2014-0003467 (Fx. Co. Cir. Ct.) (Mason District)

15. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Preeti Kumari*, Case No. CL-2014-0003578 (Fx. Co. Cir. Ct.) (Dranesville District)
16. *Dora Navarro v. Amanda Wallace*, Case No. GV14-001200 (Fx. Co. Gen. Dist. Ct.)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Orien V. Swartzwelder and Juanita D. Swartzwelder*, Case No. GV14-002194 (Fx. Co. Gen. Dist. Ct.) (Mason District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert L. Sheldon and Doris A. Sheldon*, Case No. GV14-003515 (Fx. Co. Gen. Dist. Ct.) (Lee District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Peter W. Arey and Loretta K. Arey*, Case No. GV14-003511 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cecilio Vasquez*, Case No. GV14-003512 (Fx. Co. Gen. Dist. Ct.) (Lee District)
21. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Hamazash Sardarbegians*, Case No. GV14-003514 (Fx. Co. Gen. Dist. Ct.) (Mason District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Douglas A. Salter*, Case No. GV14-003872 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
23. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Douglas A. Salter*, Case No. GV14-003871 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
24. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Yang S.*

- Gillis*, Case No. GV13-025047 (Fx. Co. Gen. Dist. Ct.) (Lee District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard C. Arnold*, Case No. GV14-004901 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 26. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Richard C. Arnold*, Case No. GV13-021277 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 27. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Faizah, Ltd.*, Case No. GV14-004902 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 28. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Frederick L. Yontz and Kay L. Yontz*, Case No. GV14-004905 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
 29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Todd H. Geraci*, Case No. GV14-004904 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 30. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Todd H. Geraci*, Case No. GV14-004903 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rafaela Leon*, Case No. GV14-005098 (Fx. Co. Gen. Dist. Ct.) (Providence District)
 32. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. White's General Partnership*, Case Nos. GV14-005838 and GV14-005839 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

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

EBE:ebe

At 3:13 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

40. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:13 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."

AGENDA ITEMS

41. **3 P.M. – PH ON THE FISCAL YEAR (FY) 2015 EFFECTIVE TAX RATE INCREASE** (3:15 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 21 and March 28, 2014.

Susan W. Datta, Chief Financial Officer, Department of Management and Budget, presented the staff report.

Following the public hearing, which included testimony by five speakers, Supervisor Gross moved to close the public hearing and keep the record open to receive testimony until April 22, 2014, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings. Supervisor Hyland seconded the motion and it carried by unanimous vote.

42. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO REVISE THE SEWER SERVICE CHARGES AND THE BASE CHARGES AND TO MAINTAIN THE AVAILABILITY CHARGES** (3:32 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 March 21 and March 28, 2014.

Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Gross moved to close the public hearing and defer decision on the proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal) to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing. The record will remain open to receive testimony and action will be taken as part of the Budget Mark-up process on April 22, 2014. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

43. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41.1 (ANIMAL CONTROL AND CARE), TO INCREASE ADOPTION AND BOARDING FEES FOR DOGS AND CATS** (3:35 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 March 21 and March 28, 2014.

Tawny Hammond, Director, Animal Shelter, presented the staff report.

Following the public hearing, Supervisor Gross moved to close the public hearing and defer decision on the proposed amendments to the Code of the County of Fairfax, Chapter 41.1 (Animal Control and Care), until April 22, 2014, as part of the Budget Markup process. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

44. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2013-LE-013 (EASTWOOD PROPERTIES, INCORPORATED) (LEE DISTRICT)** (3:37 p.m.)

Supervisor McKay moved to defer the public hearing on Rezoning Application RZ 2013-LE-013 until **April 29, 2014, at 3:30 p.m.** Supervisor Gross and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2013-MV-015 (ALBERT GAGLIARDI) (MOUNT VERNON DISTRICT)** (3:38 p.m.)

The application property is located at 10820 Anita Drive, Lorton, 22079, Tax Map 117-2 ((2)) 59.

Mr. Roy Shannon reaffirmed the validity of the affidavit for the record.

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

Mr. Shannon had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Discussion ensued, with input from Mr. Rogers; Melissa Smarr, Code Specialist, Land Development Services, Land Disturbance and Post-Occupancy Branch, Department of Public Works and Environmental Services; and Mary Ann Welton, Planning Division, Department of Planning and Zoning, regarding:

- Concern for proper notice and the outreach provided
- Delineation of the floodplain on the property
- Application of the Chesapeake Bay Preservation Ordinance
- Alternatives, if the special exception is not approved
- Timeline needed to correct the problem, including oversight and monitoring
- Environmental damage that has occurred on the property

Discussion continued, with input from Ms. Smarr, regarding the process so far in allowing the homeowner to correct the problem, how long it has taken to correct the problem, and how the project will be monitored.

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

Supervisor Hyland moved approval of Special Exception Application SE 2013-MV-015, subject to the development conditions dated March 25, 2014. Chairman Bulova seconded the motion.

Following a brief discussion on the application, Supervisor Smyth announced that she will abstain from the vote.

Supervisor McKay asked unanimous consent that the Board direct staff to brief the Environmental Committee on ideas and strategies to help prevent some of these problems from happening. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to develop a strategy to inform and communicate with homeowners on the rules along the water ways that control and prohibit the impact on the environment before it happens.

Supervisor Gross asked to amend the request to direct staff to provide a five year history of where and what the issues were of previous violations. Without objection, the request as amended was so ordered.

Discussion ensued, with input from Ms. Smarr, and Mr. Shannon, attorney for the applicant, regarding whether there has been a financial penalty assessed on the violation, what is happening with the case in court, and its status.

Discussion continued, with input from Mr. Rogers, regarding the special exceptions conditions, which include regular maintenance and the need to leave the area undisturbed for the owner and subsequent property owners.

Discussion ensued, with input from Mr. Rogers, Mr. Shannon, and David P. Bobzien, County Attorney, regarding:

- Requirements in the development conditions about disclosures to future owners
- Disclosures listed on the title report on record
- Provision of disclosures notification should there be a change of ownership of the property
- Record of proffers

Supervisor Hyland withdrew his motion.

Supervisor Cook moved to table the motion until later in the meeting. Chairman Bulova seconded the motion, and it carried by unanimous vote.

(NOTE: Later in the meeting, the Board took action regarding this item. See Clerk's Summary Item #48 and #50.)

46. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-D-108 (WILLIAM WEISS) (DRANESVILLE DISTRICT)** (4:21 p.m.)

(O) (NOTE: On January 14, 2014, the Board deferred this public hearing until February 11, 2014. On February 11, 2014, the Board deferred this public hearing until March 25, 2014. On March 25, 2014, the Board deferred this public hearing until April 8, 2014.)

The application property is located at 9416 Atwood Road, Vienna, 22182, Tax Map 19-3 ((17)) 23.

Mr. Greg Budnik reaffirmed the validity of the affidavit for the record.

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

Mr. Budnik had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Discussion ensued, with input from Ms. Duca, regarding tree save and the reason for the tree preservation on the lot.

Supervisor Foust submitted items for the record.

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

Supervisor Foust moved approval of Proffered Condition Amendment Application PCA 86-D-108, subject to the proffers dated April 7, 2014. Supervisor Hyland and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Frey being out of the room.

47. **4 P.M. – PH TO CONVEY BOARD-OWNED PROPERTY TO THE PARK AUTHORITY (DRANESVILLE DISTRICT)** (4:35 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 March 21 and March 28, 2014.

Michael Lambert, Project Manager, Real Estate Development and Planning, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Foust moved adoption of the Resolution authorizing the conveyance of Board-owned property identified as Tax Map Number 15-4 ((5)) 3B to the Park Authority. Chairman Bulova and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

48. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2013-MV-015 (ALBERT GAGLIARDI) (MOUNT VERNON DISTRICT)** (4:39 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action regarding this public hearing. See Clerk's Summary Item #45.)

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the application and the proffered condition requirements.

Chairman Bulova stated that changes need to be made to the process and requirements. Therefore, she relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to add this issue to the agenda of a future Development Process Committee meeting for consideration. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #50.)

49. **BOARD RECESS** (4:41 p.m.)

Chairman Bulova announced that the Board would recess until 6 p.m., at which time the School Board will give a presentation, followed by the public hearing on the Fiscal Year 2015 Advertised Budget.

At 4:42 p.m. the Board recessed and at 6:02 p.m., reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

DAL/EBE:dal

50. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2013-MV-015 (ALBERT GAGLIARDI) (MOUNT VERNON DISTRICT)** (6:02 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action regarding this public hearing. See Clerk's Summary Items #45 and #48.)

Following a query to Catherine A. Chianese, Assistant County Executive and Clerk to the Board, Supervisor Hyland moved to defer decision on Special Exception Application SE 2013-MV-015 until **April 29, 2014, at 3:30 p.m.** Supervisor McKay seconded the motion and it carried by unanimous vote.

51. **6 P.M. – PH ON THE COUNTY EXECUTIVE'S PROPOSED FISCAL YEAR (FY) 2015 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM FOR FYs 2015 – 2019 (CIP) (WITH FUTURE FYs TO 2024), AND THE CURRENT APPROPRIATION IN THE FY 2014 REVISED BUDGET PLAN** (6:04 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearings were duly advertised in that newspaper in the issues of March 21 and March 28, 2014.

Chairman Bulova announced that tonight is the first of three nights of public hearings on the FY 2015 Budget as proposed by the County Executive. She announced that the public hearing would begin with a presentation by the School Board and called upon Ilyrong Moon, Chairman, Fairfax County School Board.

Mr. Moon introduced the following members of the School Board who were present in the Board Auditorium:

- Tammy Derenak Kaufax, Vice Chairman and Lee District Representative
- Pat Hynes, Hunter Mill District Representative
- Janie Strauss, Dranesville District Representative
- Sandy Evans, Mason District Representative
- Ryan McElveen, At-Large Member
- Kathy Smith, Sully District Representative
- Ted Velkoff, At-Large Member
- Patty Reed, Provide District Representative
- Dan Storck, Mount Vernon District Representative

Mr. Moon noted that Megan McLaughlin, Braddock District Representative, and Elizabeth Schultz, Springfield District Representative, had other events to attend and would be arriving later in the meeting.

Mr. Moon also introduced former members of the School Board as follows:

- Stuart Gibson, Chairman and Hunter Mill District Representative
- Martina Hone, At-Large Member

Mr. Moon proceeded to deliver the School System's annual presentation.

Ms. Kaufax gave a short presentation regarding the changing demographics and how the numbers translate into the real world experiences that are occurring each day in the schools.

Following the continuation of Mr. Moon's presentation, Chairman Bulova warmly welcomed Dr. Karen Garza, Superintendent of Schools.

Supervisor Hyland raised a question regarding the School Board position on whether it should ask the Board of Supervisors to support a meals tax to help fund education. Discussion ensued, with input from Mr. Moon, who noted that the School Board has not taken a formal position on the issue, but have had preliminary discussions.

Supervisor Hudgins raised a question regarding how the Board of Supervisors and the School Board could come in concert with each other as they try to address the challenges raised in Mr. Moon's presentation and discussion ensued, with input from Mr. Moon and Dr. Garza.

Supervisor Cook stated that the Board of Supervisors and the School Board need to have a dialogue about the County's long term economic and funding issues.

Supervisor Cook raised a question regarding the School Board's recommendation for the school transfer for FY 2016. Following discussion, with input from Dr. Garza, Supervisor Cook asked the School Board to provide its recommendation prior to the Board's adoption of the budget on April 29, 2014.

Supervisor McKay thanked the School Board and Dr. Garza for their dialogue.

Mr. Moon announced that the School Board will be meeting with Anne Holton, Secretary of Education for the Commonwealth, tomorrow morning, and invited Board Members to attend.

Supervisor Herrity also thanked the School Board and Dr. Garza for their dialogue.

Supervisor Hudgins also stated that the two Boards need to have a dialogue concerning strategic planning.

Chairman Bulova provided instructions regarding the rules of order for the meeting.

(8:08 p.m.)

Following the testimony of Mr. Ameen Al-Dalli (Speaker 16), Chairman Bulova noted that the Board has gone on record in support of the Start Later For Excellence In Education Proposal (SLEEP) and have offered to work with the School Board to help work out the challenges associated with the scheduling of athletic programs and other programs.

(9:16 p.m.)

Following the testimony of Joy Bryan, Chair of the Criminal Justice Advisory Board (Speaker 31), Supervisor Hyland raised questions regarding the budget figure for each of the items raised by the speaker, and whether the court has weighed in on her testimony and are they supportive of the request, with input from the speaker, Ms. Bryan.

(9:24 p.m.)

Following the testimony of Ms. Janet Laubgross (Speaker 33), Chairman Bulova reiterated that the Board has taken a position in favor of the SLEEP initiative and stand ready to work with the School Board to try to make it happen.

(9:31 p.m.)

Following the testimony of Rob Jackson, President, Fairfax County Federation of Citizens Associations (Speaker 35), Chairman Bulova asked Mr. Jackson to provide a copy of his testimony for the record. Discussion ensued, with input from Mr. Jackson who stated that he would email it tomorrow.

Chairman Bulova thanked School Board Members Sandy Evans, Pat Hynes, and Ted Velkoff, and Kimberly Adams, President of the Fairfax Education Association, who stayed for the entire Budget hearing.

The Board heard testimony from 41 speakers.

52. **BOARD RECESS** (9:57 p.m.)

Chairman Bulova announced that the Board would recess until 3 p.m. on April 9, 2014, at which time the budget public hearings will continue regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2015 Advertised Budget Plan
- Capital Improvement Program for FY 2015–2019 (with future FYs to 2024)
- Current appropriation level in the FY 2014 Revised Budget Plan

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-3
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	
Items Presented by the County Executive	
Administrative Items	4-5
Action Items	5-6
Information Items	6-7
Board Matters	
Chairman Bulova	7-9
Supervisor Cook	13-15
Supervisor Foust	18-19
Supervisor Frey	n/a
Supervisor Gross	13
Supervisor Herrity	10-13
Supervisor Hudgins	10
Supervisor Hyland	2, 16-17, 19-20
Supervisor McKay	15-18
Supervisor Smyth	9-10
Actions from Closed Session	25
Public Hearings	25-33