



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
April 7, 2015**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, April 7, 2015, at 9:38 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 Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Gerald W. Hyland, Mount Vernon District, arrived at 10:13 a.m.

Supervisor Catherine M. Hudgins, Hunter Mill District, was absent from the entire meeting.

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 Herrity asked everyone to keep in thoughts the family of Ms. Karen Brown, who died recently. She and her husband, Bill, appeared before the Board not long ago to be recognized for their charity, Kristi's Christmas, which raises money to give less fortunate children a true Christmas experience. Her charity is in memory of her daughter Kristi, who was tragically killed in a car accident while a student at West Springfield High School. Ms. Brown died only a few weeks after a diagnosis of an aggressive form of cancer. She was an active member of the West Springfield Rotary Club and a member of the Greater Springfield Chamber of Commerce Board of Directors. A memorial service will be held at West Springfield High School at noon on April 18, 2015, to honor her life.

Supervisor McKay also commemorated Ms. Brown and said she will be sorely missed.

Supervisor McKay thanked his colleagues and staff who expressed their concerns to him this past week. He noted that his father had emergency quadruple bypass heart surgery last week, came home from the hospital over the weekend, and is recovering well. He said this is a good reminder to everyone about the importance of preventative testing, which can save lives.

Chairman Bulova noted that Supervisor McKay had encouraged his father to be tested, which lead to the discovery of his condition.

Chairman Bulova announced that Supervisor Hudgins' husband had a serious fall and is recovering, so she will not be present for the meeting this morning, but hopefully she will be able to attend the afternoon budget public hearing.

Chairman Bulova asked everyone to keep in thoughts the family of Mr. John Czyzewski, who died recently. He was a Vienna resident and had a lifelong love of trains, traveling by rail whenever possible. Besides being a former director of the National Association of Railroad Passengers, he was the most influential of the co-founders of the Virginia Association of Railroad Passengers. During the early years in the establishment of Virginia Railway Express (VRE) she got to know him when he served as president of the advocacy group, Friends of the VRE, also referred to as FEVER. He also advocated for what has become the Silverline.

Chairman Bulova announced that Supervisor Hyland has a doctor's appointment and will be arriving later in the meeting.

AGENDA ITEMS**2. RESOLUTION OF RECOGNITION PRESENTED TO MOUNT VERNON WOODS ELEMENTARY SCHOOL (LEE DISTRICT) (9:43 a.m.)**

Supervisor McKay moved approval of the Resolution of Recognition presented to Mount Vernon Woods Elementary School for its fiftieth anniversary of distinguished education and service to the County. Supervisor Foust seconded the motion and it carried by a vote of eight, Supervisor Hyland not yet having arrived, Supervisor Hudgins being absent.

3. CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE McLEAN HIGH SCHOOL GYMNASTICS TEAM (DRANESVILLE DISTRICT) (9:56 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to members of the McLean High School Gymnastics team for its remarkable season of victories, including the Virginia High School League 6A State Championship – its first – resulting in sweeping the gymnastics trifecta in three consecutive weekends. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Smyth being out of the room, Supervisor Hyland not yet having arrived, Supervisor Hudgins being absent.

4. CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE LANGLEY HIGH SCHOOL SWIM AND DIVE (DRANESVILLE DISTRICT) (10:02 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to members of the Langley High School Swim and Dive for its determination, spirit, strength, and confidence, resulting in winning the Virginia High School League 6A State Championship. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Hyland not yet having arrived, Supervisor Hudgins being absent.

5. PROCLAMATION DESIGNATING MAY 10–16, 2015, AS “POLICE WEEK” AND MAY 15, 2015, AS “PEACE OFFICERS MEMORIAL DAY” IN FAIRFAX COUNTY (10:08 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate May 10–16, 2015, as “*Police Week*” in Fairfax County to honor those women and men for their vital public service; and May 15, 2015, as “*Peace Officers Memorial Day*” in Fairfax County to honor those police officers and sheriff’s deputies who have made the ultimate sacrifice in service to the community, including Deputy Sheriff George A. Malcolm; Police Officer Karen Bassford; Special Police Officer Hendrik “Sandy” Gideonse; Captain Tommy Bernal; Detective Vicky O. Armel; Master Police Officer

Michael E. Garbarino; and Second Lieutenant Francis “Frank” J. Stecco. Supervisor Herrity seconded the motion.

Supervisor Frey said he had a joint Board Matter with Supervisor Herrity, and stated that on July 1, 1940, the Fairfax County Police Department (FCPD) came into existence through legislation passed by the General Assembly. They rolled out in full force with Chief Carl McIntosh and his five officers to patrol all of the County.

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

- Prepare a Resolution outlining the history of the FCPD
- Invite representatives to appear before the Board on June 2, 2015, to celebrate 75 years of keeping the County citizens safe and ensuring that the County could grow into the community it is today

Vice-Chairman Gross, noting that there is already a motion on the table, stated that the Board will consider Supervisor Frey’s motion after the current motion has been voted on.

The question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Frey moved that the Board direct staff to:

- Prepare a Resolution providing information on the FCPD’s history and congratulating it on 75 years of outstanding service.
- Invite representatives from the FCPD to appear before the Board on June 2, 2015, to accept the Resolution and be recognized.

Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

Edwin Roessler, Chief of Police, announced that on May 7, 2015, at 11:30 a.m., the FCPD will have its annual Fallen Officer Memorial Service at the Massey Building’s Rose Garden, in honor of those who have given the ultimate sacrifice in service to the community. He invited Board Members to attend.

6. **PROCLAMATION DESIGNATING APRIL 16, 2015, AS "HOLOCAUST REMEMBRANCE DAY" IN FAIRFAX COUNTY** (10:28 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate April 16, 2015, as "*Holocaust*

Remembrance Day" in Fairfax County to honor those who survived; those who liberated them; and those who were martyred; and urged all residents to rededicate themselves to not bear silent witness to injustice and always remain vigilant to the principles of individual freedom in a just society. Supervisor Gross, Supervisor Herrity, and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

7. **RESOLUTION OF RECOGNITION PRESENTED TO LIFT ME UP!**
(10:40 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to Lift Me Up! for its fortieth anniversary of distinguished service in the County. Supervisor Smyth seconded the motion.

Supervisor Foust noted that in the *Connection Newspaper's* April 1 edition, Ken Moore wrote a wonderful article regarding Lift Me Up! and interviewed individuals associated with the program. He encouraged everyone to read it to get a sense of the contribution Lift Me Up! is making to the community.

Chairman Bulova noted that Lift Me Up! is also serving wounded warriors and thanked them for their efforts in helping them to heal.

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

Laura Smith, a representative of Lift Me Up! invited everyone to attend its Founder's Day celebration on May 17, 2015, from 1–4 p.m.

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8. **ADMINISTRATIVE ITEMS** (10:49 a.m.)

Supervisor Gross moved approval of Administrative Items 1–4, noting that Admin 5 had been withdrawn. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hudgins being absent.

ADMIN 1 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2012-DR-003, TD BANK (DRANESVILLE DISTRICT)

(AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 2012-DR-003 to March 11, 2016, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO ADOPT A NEW CHAPTER 108.1 (NOISE ORDINANCE), REPEAL CHAPTER 108 (NOISE ORDINANCE), AND REPEAL CHAPTER 5 (OFFENSES), ARTICLE 6, EXCESSIVE SOUND GENERATION IN RESIDENTIAL AREAS AND DWELLINGS ORDINANCE

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 12, 2015, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, to add a new Chapter 108.1 (Noise Ordinance), and repeal Chapter 5 (Offenses), Article 6, Excessive Sound Generation in Residential Areas and Dwellings Ordinance. The provisions of this amendment would become effective at 12:01 a.m. on the day following adoption.

ADMIN 3 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION (DRANESVILLE DISTRICT)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-D14-53	Falls Church City School Board (Mount Daniel Elementary School) 2328 North Oak Street Falls Church, VA Dranesville District	October 13, 2015

ADMIN 4 – APPROVAL OF TRAFFIC CALMING MEASURES AND INSTALLATION OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (HUNTER MILL AND DRANESVILLE DISTRICTS)

- Endorsed a traffic calming plan for Carrhill Road consisting of two speed tables on Carrhill Road (Hunter Mill District)
- Approved the installation of “Watch for Children” signs on Riva Ridge Drive (Dranesville District)
- Directed staff to schedule installation of the approved measures as soon as possible

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), SECTION 7-2-13, RELATING TO ELECTION PRECINCTS AND POLLING PLACES (HUNTER MILL DISTRICT)

This item was withdrawn by staff.

9. **A-1 – AUTHORIZATION TO FILE REPLY COMMENTS IN RESPONSE TO THE FEDERAL COMMUNICATIONS COMMISSION (FCC) NOTICE OF PROPOSED RULEMAKING IN THE MATTER OF 9-1-1 GOVERNANCE AND ACCOUNTABILITY AND IMPROVING 9-1-1 RELIABILITY** (10:50 a.m.)

On motion of Supervisor Gross, seconded by Supervisor McKay, and carried by a vote of nine, Supervisor Hudgins being absent, the Board concurred in the recommendation of staff and authorized staff to file reply comments with the FCC in response to a Notice of Proposed Rulemaking relating to 911 Governance and Accountability and Improving 911 Reliability.

10. **A-2 – APPROVAL OF REVISIONS TO CHAPTERS 2, 4, 5, 6, 7, 12, AND 17 OF THE PERSONNEL REGULATIONS, PROVIDING ADMINISTRATIVE CLARIFICATIONS, IMPLEMENTING THE NEW PAY STRUCTURE, AND UPDATING PERFORMANCE MANAGEMENT REQUIREMENTS** (10:51 a.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, and carried by a vote of nine, Supervisor Hudgins being absent, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 2, 4, 5, 6, 7, 12, and 17 of the Personnel Regulations, providing administrative clarifications, implementing the new pay structure and updating performance management requirements. The Board's Personnel and Reorganization Committee reviewed these revisions at its February 3, 2015, meeting and adjustments have been made to reflect that discussion.

11. **A-3 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT), THE FEDERAL HIGHWAY ADMINISTRATION (FHWA), AND THE COUNTY FOR \$210,000 RELATED TO THE ROUTE 1 WIDENING PROJECT (MOUNT VERNON DISTRICT)** (10:54 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the County Executive to sign a MOA between the USDOT, FHWA, and the County. The agreement provides a mechanism for reimbursement to the County for staff time required for management and oversight of the project to widen US Route 1 through Fort Belvoir from four lanes to six lanes between Telegraph Road and Mount Vernon Memorial Highway, including bicycle and pedestrian accommodations, and reservation of right-of-way for a future transit system. Supervisor McKay seconded the motion.

Supervisor McKay asked unanimous consent that the Board direct the Department of Transportation (DOT) to provide a closeout update on the Jeff Todd Way project. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct DOT to provide an update on the intersection of Pole Road and Jeff Todd Way. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

12. **A-4 – ADOPTION OF A RESOLUTION TO DESIGNATE A PORTION OF THE LAUREL HILL ADAPTIVE REUSE AREA AS A “REVITALIZATION AREA” FOR THE PURPOSE OF EMPOWERING THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) TO PROVIDE FINANCING (MOUNT VERNON DISTRICT)** (10:57 a.m.)

- (R) Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt a Resolution designating the Laurel Hill Adaptive Reuse Area as a revitalization area in accordance with Section 36-55.30:2.A of the Code of Virginia. Supervisor Foust seconded the motion.

Discussion ensued concerning the impact on other revitalization areas, with input from Alan Weiss, Assistant County Attorney.

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

13. **I-1 – CONSOLIDATED PLAN CERTIFICATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) MOVING TO WORK ANNUAL PLAN FOR FISCAL YEAR 2016** (10:59 a.m.)

The Board next considered an item contained in the Board Agenda dated April 7, 2015, announcing that the County Executive will sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Moving to Work Annual Plan for Fiscal Year 2016 to be submitted to the Department of Housing and Urban Development.

ADDITIONAL BOARD MATTERS

14. **REQUEST TO RECOGNIZE – “EMERGENCY MEDICAL SERVICES WEEK” IN FAIRFAX COUNTY** (11 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 County Fire and Rescue Department (FRD) to appear before the Board on May 12 to receive a proclamation recognizing May 17-23, 2015, as “*Emergency Medical Services Week*” in Fairfax County. Without objection, it was so ordered.

15. **AD HOC POLICE PRACTICES REVIEW COMMISSION UPDATE** (11 a.m.)

Chairman Bulova announced that at its March 3 meeting, the Board supported her motion to establish an *Ad Hoc Police Practices Review Commission* and stated that the Commission met for the first time on March 23 at the Government Center. At that meeting, each member was asked to introduce themselves, say a few words about their background, what they hoped to contribute to the Commission's work, and what results they hoped the Commission would achieve.

County staff has created a web site for the Commission at www.fairfaxcounty.gov/policecommission where meeting agendas, materials, and summaries are posted.

The Commission now numbers 38. At the first meeting, all commissioners, except two, were present. Chairman Bulova thanked her colleagues who recommended individuals/organizations to contact and a number of those suggestions have been accommodated. Additional opportunities for engagement in the process will be made available through participation in committees and a public forum that will be held the evening of May 18 in the Board Auditorium.

Commission Chairman Michael Hershman has established five committees of the full Commission. The committees and the appointed chairs are:

- Use of Force – Phil Niedzielski-Eichner
- Communications – Merni Fitzgerald
- Mental Health and CIT – Delegate Marcus Simon (who will also serve as liaison to the General Assembly)
- Police Recruitment and Vetting – Shirley Ginwright
- Independent Oversight and Investigations – Jack Johnson

Chairman Bulova said she will continue to up-date the Board on the Commission's progress; all meetings, including committee meetings, will be listed on the website and are open to the public.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

16. **DEFERRAL OF THE PUBLIC HEARING FOR THE PROPOSED PUBLIC FACILITIES MANUAL (PFM) AMENDMENT RELATED TO UNDERGROUND STORMWATER DETENTION FACILITIES** (11:03 a.m.)

Supervisor Frey announced that the public hearing for the proposed PFM amendment related to underground stormwater detention facilities in residential

and mixed use areas was authorized for advertisement on February 17 for a public hearing date of April 28, 2015; however, the Planning Commission deferred decision on the case until April 15, 2015. Therefore, the public hearing date has been scheduled for **June 2, 2015, at 4:30 p.m.**

17. **BI-COUNTY PARKWAY** (11:04 a.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor Frey announced that recently attention was brought to the proposed Bi-County Parkway which is intended to provide a new north-south connector road in Loudoun and Prince William Counties. A proposed Tri-County connector was placed on the County's Comprehensive Plan in the mid-90's that was intended to provide a facility to keep traffic out of western Fairfax communities as well as build a new north-south connector to move traffic to Dulles Airport and the employment centers in the Reston-Herndon area as well as the Route 28 corridor. Route 28 cannot handle today's traffic let alone what will come with the growth planned to the south and west over the next 20 years. One must literally go almost to Interstate 81 before finding the next major north-south corridor. Traffic from the south and west are forced to use old country roads and subdivision streets trying to make it into the Dulles area.

In 2004, the Commonwealth Transportation Board (CTB), after completing an Environmental Impact Statement (EIS) that evaluated several different alignments, chose what became the Bi-County Parkway. The Board accepted the CTB's decision although the Fairfax alignment has not been removed from the County's Comprehensive Plan.

Given recent efforts to derail the Virginia Department of Transportation's (VDOT) consideration of the Bi-County Parkway, Supervisor Frey stated that it is appropriate to direct staff to do a more thorough review of the proposed road and evaluate the potential impact on the County, both positive and negative, and recommend any action that may be necessary and appropriate. While the alignment is not in the County, the decision to build or not will have significant long-term impacts which need to be discussed to decide if it is appropriate to weigh in.

Supervisor Frey moved that the Board direct staff to:

- Prepare a thorough evaluation of the Bi-County Parkway and the impacts on the County, both of building or not building, the proposed facility
- Schedule, as soon as possible, a discussion of this matter before the Transportation Committee

Supervisor Herrity and Chairman Bulova jointly seconded the motion.

Following discussion concerning impacts of closing roads through the Manassas Battlefield, the question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

18. **SUBMISSION OF FISCAL YEAR (FY) 2016 BUDGET CONSIDERATION ITEMS AND THE REPORT OF THE DRANESVILLE DISTRICT FY 2016 BUDGET TASK FORCE** (11:09 a.m.)

Supervisor Foust announced that FY 2016 Budget Consideration Items had been distributed for consideration.

Supervisor Foust stated that this year, as he has done for the past seven years, formed the Dranesville District Budget Task Force to assist in evaluating and providing input on the County's budget. Nine residents from across the District worked diligently to examine and discuss issues surrounding the budget. Many of the members have served previously including several who have served all seven years. Task Force members have experience in private and public sector budgeting, public education, affordable housing, human services, and taxpayer concerns. Mr. Armand Weiss served as the very effective chair of the group for the second consecutive year.

Over several months, the Task Force has reviewed, evaluated, and discussed the upcoming FY 2016 County budget and the community's priorities with respect to revenue and services provided. In addition to presentations from County public schools, the Task Force heard from staff in the Department of Management and Budget and the Department of Finance. The information received helped shape its recommendations and conclusions.

A copy of the Task Force report is attached to the written Board Matter.

Supervisor Foust asked unanimous consent that:

- A copy of the report be included in the public record for consideration as the Board deliberates the FY 2016 budget
- The County Executive forward a copy to the Superintendent of Schools, the Chairman of the School Board, and the Chairman of the School Board's Budget committee

Without objection, it was so ordered.

19. **PROCLAIMING APRIL 14 AS "EQUAL PAY DAY" IN FAIRFAX COUNTY** (11:12 a.m.)

In a joint Board Matter with Supervisor Cook, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova, Supervisor Foust stated that more than 50 years after the passage of the Equal Pay Act, women, especially minority women, continue to suffer the consequences of unequal pay.

According to the US Census Bureau, the median earnings for Virginia women working full-time in 2013 were, on average, 79 percent of the median earnings of male counterparts ranking Virginia 23rd among the states in providing pay equity for women.

According to *Graduating to a Pay Gap*, a 2012 research report by the American Association of University Women (AAUW), the gender pay gap is evident one year after college graduation, even after controlling for factors known to affect earnings, such as occupation, hours worked, and college major.

According to one estimate, college-educated women working full time earn more than a half million dollars less than their male peers do over the course of a lifetime.

Nearly two-thirds of mothers are primary or significant earners in their households and nearly 40 percent of those are the primary breadwinners, making pay equity critical to families' economic security.

A lifetime of lower pay means women have less income to save for retirement and less income counted in a Social Security or pension benefit formula.

Fair pay strengthens the security of families today and eases future retirement costs while enhancing the American economy; Tuesday, April 14, symbolizes the date in 2015 when wages paid to American women catch up to the wages paid to men in comparable positions in calendar year 2014.

Supervisor Foust moved that the Board proclaim April 14, 2015, as “*Equal Pay Day*” in Fairfax County and that a copy of the proclamation be presented to the AAUW to be read at the Sojourner Truth Lecture at George Mason University (GMU) on April 14. The Board urges County citizens to recognize the full value of women's skills and significant contributions to the labor force and further encourage businesses appropriate actions to address the wage gap between women and men. Supervisor Gross and Supervisor McKay jointly seconded the motion.

Following a brief discussion, with input from Supervisor Gross concerning a personal experience, the question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

20. **CELEBRATING 100 YEARS OF “McLEAN DAY” (DRANESVILLE DISTRICT)** (11:17 a.m.)

Supervisor Foust announced that on Saturday, May 16, from 11 a.m. to 5 p.m., the McLean Community Center (MCC) will hold its annual “*McLean Day*” event, which it has done since 1975. It is a festival where residents and neighbors come together at Lewinsville Park to celebrate the community.

This year celebrates the one-hundredth anniversary of “*McLean Day*.” The festival began as a fundraiser for the Franklin Sherman School in 1915 and was

the first festival of its kind to be held in the County. The event was sponsored by the McLean School and Civic League and the McLean Volunteer Fire Department. The sponsorship changed hands several times before MCC took over the reins in 1995.

“*McLean Day*” features performances, carnival rides, exhibitions, and delicious food for visitors of all ages. There is a wonderful line-up of live entertainment throughout the day organized by the Alden Theatre. There are booths where artisans, local businesses, civic organizations, nonprofits, and local officials showcase their wares.

McLean residents can meet and vote for candidates running for the MCC Governing Board. There is no admission for the festival and free shuttle buses run the entire day.

“*McLean Day*” has been a staple of McLean family life for 100 years and Supervisor Foust thanked the board and staff of the MCC for their efforts to make each year’s event a success.

Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to distribute information publicizing the event and invite all County residents to attend. Without objection, it was so ordered.

21. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2014-DR-052 (DRANESVILLE DISTRICT)** (11:18 a.m.)

Supervisor Foust announced his intent, later in the meeting, to defer the public hearing on Special Exception Application SE 2014-DR-052.

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk’s Summary Item #42.)

22. **“BIKE TO WORK DAY”** (11:18 a.m.)

In a joint Board Matter with Supervisor Hudgins, Supervisor Smyth announced that Friday, May 15, is “*Bike to Work Day*,” in Fairfax County and the Washington Metropolitan area. “*Bike to Work Day*” is an exciting opportunity for bicycle commuters to be joined by car commuters, who get out of their cars and onto their bikes.

Supervisor Smyth noted that bicycle commuting is an effective means to improve air quality, reduce traffic congestion and promote wellness. This last year has been a landmark year with several key milestones in the County regarding bicycling: the Countywide Bicycle Master Plan was completed and Wiehle-Reston East bicycle room has opened with over 300 members. The Department of Transportation (DOT) team has done an excellent job of incorporating new bicycle projects through the 2015 transportation bond.

There are 14 Bike-to-Work pit stops conveniently located throughout the County. The locations are in the Mosaic District, Alexandria, Vienna, Springfield, Tysons, Reston, Fairfax City, McLean, Fair Lakes, Herndon, Mount Vernon, Burke, Merrifield, and the County's Government Center.

Supervisor Smyth asked unanimous consent that the Board direct staff from the Office of Public Affairs and DOT to help publicize this event through County government outreach tools. Without objection, it was so ordered.

PMH:pmh

23. **OUT-OF-STATE PLATES** (11:20 a.m.)

Supervisor McKay said that since Fiscal Year 2010 the County has successfully billed a "No Plate" tax of \$100 on vehicles that fail to properly register and display Virginia license plates. In addition to the "No Plate" tax, these cars with out-of-state license plates are also assessed the local personal property tax.

In 2013, Delegate Mark Sickles was successful in getting HB 1990 enacted into law, which increased the "No Plate" tax by adding a \$250 penalty, and which the Board subsequently adopted. The intent behind this legislation was that the combined charge of \$350 would provide an annual inducement to get owners to comply with Virginia law and properly display Virginia plates.

Unfortunately, upon subsequent challenge it was determined that the wording of the enabling legislation required that the \$250 penalty be treated as a one-time penalty rather than an annual charge; and, upon advice of the County Attorney's Office, the Department of Tax Administration, has been administering the \$250 as a one-time penalty. It should be noted that the existing ordinance already honors statutory exceptions such as for vehicles owned or leased by military personnel or full-time college students.

In the effort to pursue the original intent of the legislation, Supervisor McKay moved that the Board refer this to the Legislative Subcommittee and direct staff to draft corrective language for a proposed State code amendment to ensure that this penalty is levied each year for as long as a resident vehicle with out-of-state plates is not in compliance with Virginia registration requirements. Chairman Bulova seconded the motion.

Following discussion regarding out-of-state plates, with input from the Chief of Police, the question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

24. **HUNTLEY MEADOWS PARK (LEE DISTRICT)** (11:25 a.m.)

Supervisor McKay said that in 1972, President Richard Nixon created the Legacy of Parks Program; three years later, the County received 1,262 acres of land

through that program and the County dedicated the land as Huntley Meadows Park. In 1978, beavers built dams on Barnyard Run in the park and created the most significant non-tidal wetland still remaining in the County.

Supervisor McKay noted that:

- In 1980-81, the first boardwalk was built at the wetlands
- Volunteers to monitor duck nesting boxes were established in 1982
- In 1983, otters appeared, and a visitor center opened
- 1985 saw the establishment of the Friends of Huntley Meadows Park
- Historic Huntley, a Mason family property, was purchased in 1989, and Friends of Historic Huntley was established
- The Department of the Interior denied permission for a highway through the park in 1990, a significant victory for local environmental activists who rallied against this potential road
- The first Wetlands Awareness Day was held in 1991, and it has grown into a major annual event
- In 2011 the park's ADA wetland boardwalk was refurbished with boards made from one million recycled plastic milk jugs
- In 2013, the visitor center was named after Norma Hoffman in recognition of her more than 30 years of advocacy

Change came in the 1990s. Many species of birds stopped nesting in the park because of siltation and changing water levels. That led to the extensive restoration of the wetlands, a project that was completed one year ago. The project has won awards for its innovative design, tree and soil conservation efforts, and the long-term goals of ecological restoration and local biodiversity.

Today, Huntley Meadows and its wetlands are a vital community amenity, an important environmental feature, and provide education and entertainment to thousands of annual visitors, including 10,000 students and scouts. Several Virginia rare plant and animal communities live in the park's varied habitat that includes the largest example of a coastal plain depression swamp in Virginia. The park's dual mission of environmental education and resource protection make it key to the County's conservation efforts.

On Saturday, June 13, from 5:45–8:30 p.m., the Friends of Huntley Meadows Park will host an anniversary celebration with refreshments, archival photo

displays, family activities and crafts, and the opportunity to meet staff, volunteers, and board members. There will be a ribbon cutting and an evening frog call walk to look for frogs, beavers, muskrat, and bats.

Supervisor McKay asked unanimous consent that the Board direct staff to invite the Friends of Huntley Meadows Park, Huntley Meadows Park staff, and volunteers to appear before the Board for recognition at the June 23 Board meeting. Without objection, it was so ordered.

25. **PINEY RUN ELM STREET INVESTMENTS LC (LEE DISTRICT)**
(11:28 a.m.)

Supervisor McKay said that Piney Run Elm Street Investments LC is processing a series of applications that propose modifications to a previously approved age-restricted community. The applicant's plan includes the addition of land area, a diversification of dwelling unit types and an overall reduction in the proposed number of dwelling units.

The applicant has recently been able to place an adjacent property under contract so that it will be consolidated into the applications. This consolidation has been encouraged by the community and planning staff. As a result of the consolidation, the applicant has been delayed in obtaining a public hearing before the Planning Commission (PC) and a hearing may not be scheduled until June 10 or June 11.

The difficulty in scheduling is exacerbated by the fact that the PC does not have public hearings the week prior to Celebrate Fairfax, and does not have hearings the week of Memorial Day. As the applicant wishes to conclude these applications, which have been pending for over a year, prior to the August recess, the applicant has requested the scheduling of a Board date.

Therefore, Supervisor McKay moved that the Board direct the Director of the Department of Planning and Zoning to schedule a hearing to be held before the Board as soon as possible, and no later than June 23, 2015. Approval of this motion shall in no way prejudice or affect any ongoing review and should not be construed as support by the Board for the special exception amendments or rezoning. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

26. **HOMESTRETCH TWENTY-FIFTH ANNIVERSARY** (11:30 a.m.)

In a joint Board Matter with Supervisor Hudgins and Chairman Bulova, Supervisor McKay said that each year the County invests in the continuous success of its children and families through General Fund resources, programs, and dedicated staff. In addition, the County also works with non-profit partners, who also dedicate themselves to helping children and families succeed. This year,

Homestretch, one of the County's non-profit partners, celebrates 25 years of moving people from homelessness, poverty, and despair to stable self-sufficiency.

In just the past year Homestretch has been recognized with the Northern Virginia Nonprofit Leadership Award from Leadership Fairfax, the Fair Housing Award from the Fairfax County Human Rights Commission, the Carroll Shreve Meritorious Service Award from the Falls Church Chamber of Commerce and the Helping Hand Award from the *Washington Post*.

A study of Homestretch graduates conducted by George Mason University students in 2012 showed that 100 percent of respondents to be safely housed and employed two years after leaving the program. Another study by George Washington University in 2013 went back five years, and it showed that 98 percent of graduates remained safely housed and employed. The average rise in income for a family in Homestretch is 150 percent.

Therefore, on behalf of Supervisor Hudgins, and jointly with Chairman Bulova, Supervisor McKay asked unanimous consent that the Board direct staff to invite Homestretch to appear before the Board on Tuesday, July 28, to be recognized for its accomplishments and for 25 years of service to the children and families in the County. Without objection, it was so ordered.

27. **MS4 PERMIT** (11:32 a.m.)

Supervisor Gross said that after eight years, the County received its renewed Municipal Separate Storm Sewer System (MS4) permit. The notice was received on April 1. The renewed permit was delayed as regulators sought to address increasing expectations for stormwater management while, at the same time, setting achievable compliance targets. The permit will drive a considerable ramp-up of activities, at a fast pace, for many new or expanded requirements, in addition to on-going implementation of many current activities.

This is a very heavy lift when compared to the previous permit that was issued in 2002 prior to the Bay TMDL and prior to the national focus on urban stormwater.

The Status of the MS4 permit has been a regular agenda item at the Board's Environmental Committee. During that time, the Board also adopted a five-year funding strategy that positions the County to meet the mandates of this permit. The stormwater regulatory world and the science are still rapidly evolving, and there may be some unanticipated challenges, but the County is well-positioned for success by the programs and policies adopted by the Board.

The County is well-served by staff who provided technical expertise and advice to the Board about this lengthy and complicated process and permit. Supervisor Gross expressed her appreciation to Mr. Randy Bartlett, Ms. Kate Bennett, and Mr. Craig Carinci for their careful review and steadfast commitment to ensuring that the County remains a leader on environmental issues.

28. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (11:34 a.m.)

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

29. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (11:35 a.m.)

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

30. **MOUNT VERNON COUNCIL RESOLUTIONS (MOUNT VERNON DISTRICT)** (11:35 a.m.)

Supervisor Hyland said that the Mount Vernon Council of Citizens' Associations passed three resolutions related to the Advertised Fiscal Year 2016 Budget Plan. In the resolutions, the Council supports a minimum tax rate of \$ 1.09, supports the School Board's request, reaffirms its support for a meals tax, an increase in Business, Professional, Operating and Licensing (BPOL) taxes, increasing the transfer to the Southeast Fairfax Development Corporation (SFDC), supports the imposition of transportation impact fees in addition to several other revenue diversification and expenditure recommendations. He included with his written Board Matter the Council's budget resolutions along with another one supporting the County's goal to end veteran homelessness.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to refer the resolutions to Board Members for their review. Without objection, it was so ordered.

31. **REQUEST FOR REVIEW OF THE NATIONAL ASSOCIATION OF COUNTIES (NACo) LIVE HEALTHY PROGRAM** (11:36 p.m.)

Supervisor Hyland said NACo's Live Healthy Program offers residents of the County discounts on prescriptions, dental treatments, and health care costs including vision procedures, hearing aids and screenings, prepaid lab work, diabetes supplies and more. It is free with the County's membership in NACo. Staff has evaluated this program in the past as part of a procurement process. It has been a while since the County has looked at the NACo program in light of changes to the healthcare laws and healthcare benefits offered to County employees. Given these changes, there may be some benefit to an analysis of the NACo program.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the County Executive to review and compare the NACo Live Healthy Program to the current discount card program. Without objection, it was so ordered.

32. **SENIOR HEALTH AND SAFETY FAIR AT THE RESTON COMMUNITY CENTER (RCC) HUNTER WOODS (HUNTER MILL DISTRICT)**
(11:37 a.m.)

On behalf of Supervisor Hudgins, Supervisor McKay announced that the Senior Health and Safety Fair will be held on Friday, April 24, from 1–4 p.m. at the RCC Hunter Woods. The event will feature speakers who will address important safety topics. Local senior service providers will have exhibits, hold blood pressure screenings, pass along resource materials, and more.

33. **RECESS/CLOSED SESSION** (11:38 a.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. *Angela Pledger v. Fairfax County*, Case No. 14-1590 (U.S. Ct. of App. for the Fourth Cir.)
 2. *Gerard Morrison, et al., v. County of Fairfax, Virginia*, Case No. 14-2308 (U.S. Ct. of App. for the Fourth Cir.)
 3. *Antjuan Proctor v. Fairfax County, Virginia*, Case No. 1:13-CV-1427 CMH/JFA (E.D. Va.)
 4. *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.)

5. *Dora E. Caudle v. Christopher D. Colandene, David P. Bobzien, the Fairfax County Retirement Administration Agency, and Does 1 through 20*, Case No. 5:14cv00031 (W.D. Va.)
6. *Victoria Monroe v. Earit Powell, Tonny Kim, John Doe Police Officers Nos. 1-4, and Fairfax County*, Civil Action No.1:14-cv-1703 (E.D. Va.)
7. *David T. Clenney v. Officer V.R. Swartz*, Case No. 1:14CV1702 (E.D. Va.)
8. *Ross A. Fiorani v. Fairfax County Police, Officer Feigleson, Navy Federal Credit Union, Robert Berger, Karen Compher, John Steiner, Kim Lilly, SIA, and Thema Scott*, Civil Action No. 1:15-cv-291(E.D. Va.)
9. *Oscar Benitez v. Fairfax County Risk Management and Herbert Michael Napper*, Case No. CL-2014-0015788 (Fx. Co. Cir. Ct.)
10. *Kaveh Sari v. Jack Weyant, Bijan Sistani, and Cynthia McNeal*, Case No. CL-2015-0002378 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Wilson Haywood Phillips v. Wayne Brissey, Jane and John Doe, Fairfax County Park Authority*, Case No. CL-2014-0013890 (Fx. Co. Cir. Ct.)
12. *Ramatu Bangura v. Fairfax County, Fairfax County School Board, and John Doe*, Case No. CL-2014-0009790 (Fx. Co. Cir. Ct.)
13. *Harold Elam v. Fairfax County Police Officer C.J. Chamberlain*, Case No. 2014-0004203 (Fx. Co. Cir. Ct.)
14. *Surety Trustees, LLC, Substitute Trustee v. Fairfax County Redevelopment and Housing Authority, the Board of Supervisors of Fairfax County, Eyad El Ramly, and Hamida El Rawashda*, Case No. CL-2015-0002989 (Fx. Co. Cir. Ct.) (Sully District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Enrique Lopez*, Case No. CL-2006-0004984 (Fx. Co. Cir. Ct.) (Mount Vernon District)

16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Joyce P. Borden*, Case No. CL-2014-0008508 (Fx. Co. Cir. Ct.) (Mount Vernon District)
18. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Brian N. Walsh*, Case No. CL-2014-0001509 (Fx. Co. Cir. Ct.) (Mount Vernon District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sergio Andrade*, Case No. CL-2008-0016277 (Fx. Co. Cir. Ct.) (Sully District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hillbrook Real Estate Holdings, LLC*, Case No. CL-2010-0013770 (Fx. Co. Cir. Ct.) (Mason District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nicolas D. Parada and Louisa A. Parada*, Case No. CL-2012-0008793 (Fx. Co. Cir. Ct.) (Lee District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert E. Willkie*, Case No. CL-2014-0014330 (Fx. Co. Cir. Ct.) (Providence District)
23. *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)
24. *Starr Construction, LLC v. Fairfax County* (Fx. Co. Bd. of Bldg. Code App.) (Dranesville District)

25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Falls Church Hospitality, Inc.*, Case No. CL-2015-0002063 (Fx. Co. Cir. Ct.) (Providence District)
26. *KyAnna Sheldon v. David Kroll*, Case No. GV14-008300 (Pr. Wm. Co. Gen. Dist. Ct.)
27. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Vernon Kirby and Maria Kirby*, Case No. GV14-023115 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
28. *Sunhae Ok, individually and as parent and next friend of J.O. and J.Y.O. v. Stephen Thomas and Fairfax County*, Case No. GV15-001423 (Fx. Co. Gen. Dist. Ct.)
29. *The Imperial Empress, Miss Joyce Little v. Fairfax County and David Bobzien*, Case No. GV15000723-00 (Fx. Co. Gen. Dist. Ct.)
30. *Melissa Rioja v. Fairfax County Park Authority and Howard Abasto*, Case No. GV14-014434 (Fx. Co. Gen. Dist. Ct.)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ephrem Gurara*, Case No. GV15-000716 (Fx. Co. Gen. Dist. Ct.) (Mason District)
32. *Ingrid Vasquez Sunun v. Officer I. Letorrie*, Case No. GV15-000424 (Fx. Co. Gen. Dist. Ct.)
33. *Phillip Francis Wiafe v. OFC G.S Roberts # 315348*, Case No. GV15-003339 (Fx. Co. Gen. Dist. Ct.)
34. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. 8222 Frye Road, LLC*, Case No. GV14-022610 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tysons Springhill Limited Partnership, and Nancy Griswold d/b/a Jazzercise McLean Tyson's Corner Fitness Center*, Case No.

- GV15-002036 (Fx. Co. Gen. Dist. Ct.)
(Providence District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Zhong Qi and Ping Yun*, Case No. GV15-003404 (Fx. Co. Gen. Dist. Ct.)
(Dranesville District)
37. *Lauren Brown v. Dihn Tuong Tran*, Case No. GV15-002233 (Fx. Co. Gen. Dist. Ct.)
38. *Francis Philip Wiafe v. Bruce Patrick*, Case No. GV15-003296, (Fx. Co. Gen. Dist. Ct.)
39. *State Farm Fire & Casualty Company as subrogee of Santos Ramirez v. Daniel V. Holton, Jr.*, Case No. GV15-004265 (Fx. Co. Gen. Distr. Ct.)
40. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jorge N. Arroyo*, Case No. GV15-004526 (Fx. Co. Gen. Dist. Ct.) (Lee District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jean Marie Maria*, Case No. GV-15-004528 (Fx. Co. Gen. Dist. Ct.) (Mason District)
42. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jean Marie Maria*, Case No. GV15-004527 (Fx. Co. Gen. Dist. Ct.) (Mason District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Adilio Folgar Lopez and Delmi Ortiz Lopez*, Case No. GV15-004523 (Fx. Co. Gen. Dist. Ct.) (Mason District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Malte M. Nikcevich and Andrea Acker*, Case No. GV15-004524 (Fx. Co. Gen. Dist. Ct.) (Mason District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ivan Ramos and Yuvis R.*

Alvarado, Case No. GV15-004525 (Fx. Co. Gen. Dist. Ct.) (Mason District)

Supervisor Foust and Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

EBE:ebe

At 2:37 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hudgins, and with Chairman Bulova presiding.

ACTION FROM CLOSED SESSION

34. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:37 p.m.)

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

ADDITIONAL BOARD MATTER

35. **ABSENCE OF SUPERVISOR HUDGINS (HUNTER MILL DISTRICT)** (2:37 p.m.)

Chairman Bulova announced that Supervisor Hudgins is absent from today's meeting and is with her husband who is recovering from a fall.

AGENDA ITEMS

36. **2:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-LE-062 (BILA HAMDAEL CRANE/BILA'S CHILD CARE) (LEE DISTRICT)** (2:38 p.m.)

The application property is located at 7739 Sullivan Circle, Alexandria, 22315, Tax Map 99-2 ((10)) (4) 325 A.

Ms. Bila Crane reaffirmed the validity of the affidavit for the record.

Mike Van Atta, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Ms. Crane 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 comments, Supervisor McKay submitted items for the record.

Following a query by Supervisor McKay, Ms. Crane confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 3, 2015.

Supervisor McKay moved approval of Special Exception Application SE 2014-LE-062, subject to the development conditions dated February 3, 2015. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being absent.

37. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX E, STATEWIDE AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 92-V-001-02 (BELMONT BAY FARMS, LTD) (MOUNT VERNON DISTRICT)** (2:44 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 20 and March 27, 2015.

The application property is located at 10622 Belmont Boulevard Lorton, 22079, Tax Map 117-2 ((1)) 2Z, 4Z, and 15Z.

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

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

Supervisor Hyland moved approval of Agricultural Renewal Application AR 92-V-001-02, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix E, renewing the Belmont Bay Farms Statewide Agricultural and Forestal District, subject to the Ordinance provisions dated February 4, 2015. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hudgins being absent.

38. **2:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-PR-001 (7799 LEESBURG PIKE, LLLP) (PROVIDENCE DISTRICT)**

AND

PH ON REZONING APPLICATION RZ 2014-PR-025 (7799 LEESBURG PIKE, LLLP) (PROVIDENCE DISTRICT) (2:49 p.m.)

The Special Exception Application SE 2014-PR-001 property is located at 7799 Leesburg Pike Falls Church, 22043, Tax Map 39-2 ((1)) 45D pt.

The Rezoning Application RZ 2014-PR-025 property is located on the south side of Leesburg Pike, approximately 500 Feet east of its intersection with the Capital Beltway, Tax Map 39-2 ((1)) 45 D pt.

Mr. Evan Pritchard reaffirmed the validity of the affidavit for the record.

Bob Katai, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

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

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

Following a query by Supervisor Smyth, Mr. Pritchard confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 27, 2015.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-PR-025, from the C-2 and HC Districts to the C-4 and HC Districts.
- Approval of Special Exception Application SE 2014-PR-001, subject to the development conditions dated March 27, 2015.
- Waiver to permit loading spaces for the hotel to be located at the front of the building, as shown on the SE Plat.
- Modification to allow trees located above any proposed percolation trench or bio-retention areas to count toward county tree cover requirements, as depicted on the SE Plat.

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

39. **2:30 P.M. – PH ON REZONING APPLICATION RZ 2014-BR-019
(CHRISTOPHER AT KENILWORTH LLC) (BRADDOCK DISTRICT)**
(2:56 p.m.)

(O) The application property is located on the south side of Braddock Road, approximately 150 feet west of the intersection with Dequincey Drive, Tax Map 69-1 ((1)) 29.

Mr. Clark Massie reaffirmed the validity of the affidavit for the record.

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

- Mr. W. Craig Havenner, Christopher Management LLC

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

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

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

Supervisor Cook moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-BR-019, from the R-1 District to the PDH-3 District, subject to the proffers dated March 27, 2015.
- That the Board direct the Director of the Department of Public Works and Environmental Services to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.

Supervisor Foust seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity,

Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey and Supervisor Hyland being out of the room, Supervisor Hudgins being absent.

(NOTE: On March 26, 2015, the PC approved Final Development Plan Application 2014-BR-019.)

40. **3 P.M. – PH ON THE FISCAL YEAR (FY) 2016 EFFECTIVE TAX RATE INCREASE** (3:07 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 5 and March 6, 2015.

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

The public hearing was held and included testimony by four speakers. The record will remain open to receive testimony until April 21, 2015, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

41. **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** (3:20 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 6 and March 13, 2015.

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

Following the public hearing, Chairman Bulova announced that the record will be kept open to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing. Action will be taken as part of the Budget Mark-up process on April 21, 2015.

42. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-DR-052 (TRINITY LAND LLC) (DRANESVILLE DISTRICT)** (3:30 p.m.)

Supervisor Foust moved to defer the public hearing on Special Exception Application SE 2014-DR-052 until **May 12, 2015, at 3:30 p.m.** Supervisor Gross

seconded the motion and it carried by a vote of seven, Supervisor McKay and Supervisor Smyth being out of the room, Supervisor Hudgins being absent.

43. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 77-D-025 (FAIRFAX COUNTY PARK AUTHORITY PCA) (DRANESVILLE DISTRICT) (3:31 p.m.)**

- (O) The application property is located on Sugarland Run Stream Valley Park, north of Wiehle Avenue, east of Cliveden Court, Tax Map 11-1 ((8)) (4) A.

Gayle Hooper, Landscape Architect, Park Authority, reaffirmed the validity of the affidavit for the record.

Mike Van Atta, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Ms. Hooper 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.

Supervisor Foust moved approval of Proffered Condition Amendment Application PCA 77-D-025, subject to the proffers dated January 13, 2015. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hudgins being absent.

DAL:dal/EBE:ebe

44. **4 P.M. – PH ON THE COUNTY EXECUTIVE’S PROPOSED FISCAL YEAR (FY) 2016 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM FOR FYs 2016 – 2020 (CIP) (WITH FUTURE FYs TO 2025), AND THE CURRENT APPROPRIATION IN THE FY 2015 REVISED BUDGET PLAN (4:01 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 20 and March 27, 2015.

Chairman Bulova announced that tonight is the first of three nights of public hearings on the FY 2016 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 Tamara Derenak Kaufax, Chairman, Fairfax County School Board.

Ms. Kaufax introduced the following members of the School Board who were present in the Board Auditorium:

- Ted Velkoff, Vice-Chairman and At-Large Member
- Ilyrong Moon, At-Large Member
- Janie Strauss, Dranesville District Representative
- Pat Hynes, Hunter Mill District Representative
- Patty Reed, Providence District Representative
- Kathy Smith, Sully District Representative

Ms. Kaufax delivered the School System's annual presentation.

Chairman Bulova thanked the School Board for its presentation and provided instructions regarding the rules of order for the meeting.

The Board heard testimony from 43 speakers.

45. **BOARD RECESS** (7:58 p.m.)

Chairman Bulova announced that the Board would recess until 1 p.m. on April 8, 2015, at which time the budget public hearings will continue regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2016 Advertised Budget Plan
- Capital Improvement Program for FY 2016–2020 (with future FYs to 2025)
- Current appropriation level in the FY 2015 Revised Budget Plan

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