



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

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

**TUESDAY  
December 8, 2015**

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**20-15**

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**EBE:ebe**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, December 8, 2015, 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 the Clerk to the Board of Supervisors.

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:38 a.m.)

Chairman Bulova asked everyone to keep in thoughts the community of San Bernardino, California and noted that Fire and Rescue Department Technician, Mark Velasco, lost his cousin Yvette Velasco, age 27, who was killed during the shooting, and asked to keep the family in thoughts.

**AGENDA ITEMS**2. **RECOGNITION OF COUNTY EMPLOYERS SELECTED AS “BEST WORKPLACES FOR COMMUTERS”** (9:43 a.m.)

Julie Bond, Program Director, National Center for Transit Research, University of South Florida, recognized County employers selected as “Best Workplaces for Commuters” by the Department of Transportation (DOT) and the University of South Florida National Center for Transit Research.

Ms. Bond and Chairman Bulova presented awards to the following employers that have met the national standard of excellence for offering commuter benefits to their employees:

- Horizon Industries Limited
- Prosperity Metro Plaza
- FUTREND
- U. S. Geological Survey
- Kimley-Horn
- Freddie Mac
- Synaptek Corporation
- National Student Clearinghouse
- FOX Architects LLC
- Pyramid Systems

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE CHANTILLY HIGH SCHOOL GOLF TEAM (SULLY DISTRICT)**

(9:52 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to members of the Chantilly High School Golf team for winning the Virginia 6A State championship. Supervisor Herrity, Supervisor Hudgins, and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

**ADDITIONAL BOARD MATTERS**

4. **INTRODUCTION OF NEWLY-ELECTED DISTRICT SUPERVISORS**

(10:02 a.m.)

Chairman Bulova recognized the presence of Supervisor-Elect Daniel “Dan” Storck, Mount Vernon District, and Supervisor-Elect Kathy L. Smith, Sully District. On behalf of the Board, she warmly welcomed them to the Board Auditorium.

5. **RESOLUTION OF RECOGNITION PRESENTED TO SUPERVISOR GERALD W. HYLAND, MOUNT VERNON DISTRICT** (10:03 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of a Resolution of recognition presented to Supervisor Hyland, Mount Vernon, for his distinguished and extraordinary service to the County and many years as the Mount Vernon District Supervisor. The motion was multiply seconded and it carried by unanimous vote.

Following a video presentation, discussion ensued highlighting his accomplishments.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

6. **RESOLUTION OF RECOGNITION PRESENTED TO SUPERVISOR MICHAEL FREY, SULLY DISTRICT** (10:20 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of a Resolution of recognition presented to Supervisor Frey, Sully District, for his distinguished and extraordinary service to the County and many years as the first Sully District Supervisor. The motion was multiply seconded and it carried by unanimous vote.

Following a video presentation, discussion ensued highlighting his accomplishments.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

**AGENDA ITEMS**

7. **10:30 A.M. – BOARD ADOPTION OF THE 2016 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY, APPROVAL OF THE COUNTY’S 114TH CONGRESS FEDERAL LEGISLATIVE STRATEGY, AND ADOPTION OF PRINCIPLES FOR FEDERAL LEGISLATION FOR THE 114TH CONGRESS** (10:44 a.m.)

Supervisor McKay, Chair of the Board’s Legislative Committee, announced that the Board will be adopting the County’s State and federal legislative program. For State legislation, the 2016 Legislative Program and Human Services Issue Paper, and for federal legislation, the revised Strategies for the 114<sup>th</sup> Congress and Principles for the 114<sup>th</sup> Congress. He said changes related to the topics discussed on November 24, 2015 at the Legislative Committee meeting have been included in the Board package.

After comments regarding the key priorities of the 2016 State Legislative Program and Human Services Issue Paper, Supervisor McKay noted some new priorities such as the increased State resources for early childhood services, and the State support for services that connect non-violent offenders experiencing mental health crises with treatment rather than the criminal justice system.

A work session is scheduled with the County’s delegation to the General Assembly today at 5 p.m. in the Government Center.

Supervisor McKay also highlighted key points in the County’s Federal Strategy and Principles.

Supervisor McKay moved that the Board adopt the 2016 Legislative Program, and Human Services issue paper, and adopt the 114<sup>th</sup> Congress Federal Funding Strategy and the principles for federal legislation in the 114<sup>th</sup> Congress. Chairman Bulova and Supervisor Hyland jointly seconded the motion.

Discussion ensued regarding the package and support for the State funding for K-12 education.

Chairman Bulova announced that she will be chairing a meeting in Fredericksburg on Thursday, December 10, 2015, of the Urban Crescent Mayors and Chairs and Superintendents of Schools as well as members of Chambers of Commerce, to focus on the need for increased funding for K-12 in the Commonwealth of Virginia.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Speaker Howell to be a guest at the meeting on Thursday. Without objection, it was so ordered.

Following a brief discussion regarding early childhood education funding, the question was called on the motion and it carried by unanimous vote.

Supervisor McKay thanked legislative staff for their excellent work.

8. **10:40 A.M. – PRESENTATION BY THE ORIGINAL MOUNT VERNON HIGH SCHOOL RE-UTILIZATION TASK FORCE** (10:57 a.m.)

Karen Corbett Sanders, Chairman of the Original Mount Vernon High School Re-Utilization Task Force, recognized members who were present in the Board Auditorium.

Ms. Corbett Sanders presented the Task Force report and its recommendations.

Discussion ensued, with input from Ms. Corbett Sanders, regarding:

- Identifying potential uses for the building and property that would benefit the community and contribute to the economic and revitalization efforts in the area
- The County obligation to maintain the building in a safe manner while it is awaiting re-use
- Identifying costs including the on-going maintenance of the building, up keep of the grounds, and building code and ADA requirements
- Exploring financing options, including land sale, public-private partnerships, special tax districts, and tax districts
- Similarities and dissimilarities with existing Special Tax Districts, including Reston and McLean
- Involvement of the community in determining the future use of the property

Discussion ensued, with input from Rob Stalzer, Deputy County Executive, regarding:

- Building structural assessments and costs to maintain and then upgrade the building
- Short-term and long-term concept plans
- Transportation access to and from the property, to include on-site parking and transit opportunities
- Opportunities that the property offers to realize elements of the County's economic success strategy

Supervisor Hyland moved that the Board accept the report and direct staff to report within three to four months with an interim report, and a more comprehensive report in six months, with a review of what it will take to bring the

building up to code and an estimate of the cost of redoing the building that will be consistent with the recommendations received. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

**DAL:dal**

9. **ADMINISTRATIVE ITEMS** (11:49 a.m.)

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

Supervisor Gross called the Board's attention to Admin 7 – Authorization to Advertise a Public Hearing on Proposed Amendments to The Code of the County of Fairfax, Chapter 3 (County Employees), To Amend Articles 2, 3, and 7, With Proposed Housekeeping Revisions to the County's Three Retirement Ordinances and noted that this item was brought before the Board's Personnel Committee for review.

Supervisor Herrity called the Board's attention to Admin 8 - Authorization to Advertise a Public Hearing to Approve a Real Estate Exchange Agreement (REEA) Between the Board and AvalonBay Communities, Incorporated ("AvalonBay") and to Approve the Purchase of Property from 5827 Columbia Pike Associates, LLC, an Affiliate of Landmark Atlantic, Incorporated ("Landmark") (Mason District) and raised a question regarding the progress on relocating the shelter and whether it will be resolved prior to the public hearing, with input from Robert A. Stalzer, Deputy County Executive.

Discussion continued, with input from Mr. Stalzer, regarding the land-use application process.

Supervisor Cook raised a question regarding the perspective date of the land swap, if approved by the Board. Discussion ensued, with input from Alan Weiss, Assistant County Attorney, and Mr. Stalzer.

Discussion continued, with input from Mr. Stalzer, regarding:

- Actions that will be necessary, including agreements with property owners, the filing of land-use applications, and relocation of the Bailey's Crossroads Community Shelter
- Availability of privately-owned office space in the area and whether it is appropriate for the uses envisioned
- Examination of alternative ownership models
- Importance of the project as an economic development initiative

Chairman Bulova called the Board's attention to Admin 6 – Supplemental Appropriation Resolution AS 16141 for the Economic Development Authority to Accept Grant Funding from the Commonwealth of Virginia – Commonwealth Development Opportunity Fund for Carfax, Incorporated and noted that it provides some in-kind transportation improvements that provide a match to the Governor's Economic Development Opportunity Fund.

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

**ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATIONS (SPRINGFIELD, MOUNT VERNON, HUNTER MILL, AND LEE DISTRICTS)**

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-V15-21	Verizon Wireless 8630 Richmond Highway Alexandria, VA Mount Vernon District	January 22, 2016
FS-H15-6	Verizon Wireless 2401 Centreville Road Herndon, VA Hunter Mill District	January 25, 2016
2232-S15-5	Verizon Wireless 12601 Braddock Road Centreville, VA Springfield District	March 31, 2016
2232-L15-11	Department of Public Works and Environmental Services 6209 Rose Hill Drive Alexandria, VA Lee District	May 13, 2016

**ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE HUNTINGTON LEVEE (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 12, 2016, at 5 p.m.**, on the acquisition of certain land rights necessary for the construction of Project SD-000037-001, Huntington Levee, Fund 400C40100, Stormwater Services Fund.

**ADMIN 3 – STREET INTO THE SECONDARY SYSTEM (PROVIDENCE DISTRICT)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Estates at Fair Oaks	Providence	Amber Hills Court

**ADMIN 4 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), ADMINISTRATION FOR CHILDREN AND FAMILIES, OFFICE OF HEAD START: EARLY HEAD START/HEAD START GRANT**

Authorized DFS to apply for and accept funding, if received, from DHHS, Administration for Children and Families, Office of Head Start. Funding in the amount of \$8,870,828, including \$1,019,786 in local Cash Match, will support the continuation of Early Head Start and Head Start services to 678 children and their families. This funding will continue to support 55/54.5 full-time exempt existing grant positions.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON PART OF SANGER STREET (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 12, 2016, at 4 p.m.**, regarding a proposal to abandon part of Sanger Street (Mount Vernon District).



**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 16141 FOR THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) TO ACCEPT GRANT FUNDING FROM THE COMMONWEALTH OF VIRGINIA – COMMONWEALTH DEVELOPMENT OPPORTUNITY FUND (COF) FOR CARFAX, INCORPORATED**

(SAR) (NOTE: Earlier in the meeting this item was discussed. See page 7.)

Approved SAR AS 16141 for the EDA to accept grant funding in the amount of \$150,000 to convey to CARFAX, Incorporated, as the State portion of the grant. No local cash match is required. The County will provide transportation improvements in the Sully District. The transportation improvements identified for the COF match are already planned and funded within the Department of Transportation, and will not require any additional County funding.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), TO AMEND ARTICLES 2, 3, AND 7, WITH PROPOSED HOUSEKEEPING REVISIONS TO THE COUNTY’S THREE RETIREMENT ORDINANCES**

(A) (NOTE: Earlier in the meeting this item was discussed. See page 6.)

Authorized the advertisement of a public hearing to be held before the Board on **January 12, 2016, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to amend Articles 2, 3, and 7, regarding proposed housekeeping revisions to the County’s three retirement ordinances.

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO APPROVE A REAL ESTATE EXCHANGE AGREEMENT (REEA) BETWEEN THE BOARD AND AVALONBAY COMMUNITIES, INCORPORATED (“AVALONBAY”) AND TO APPROVE THE PURCHASE OF PROPERTY FROM 5827 COLUMBIA PIKE ASSOCIATES, LLC, AN AFFILIATE OF LANDMARK ATLANTIC, INCORPORATED (“LANDMARK”) (MASON DISTRICT)**

(A) (NOTE: Earlier in the meeting this item was discussed. See page 6.)

Authorized the advertisement of a public hearing to be held before the Board on **January 12, 2016, at 3 p.m.**, to consider disposition of the County Land in connection with a REEA with AvalonBay providing for an exchange of real property and joint infrastructure development in conjunction with the development of the subject property, and to consider the purchase of the Landmark Land primarily for public roads and open space.

10. **A-1 – SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS AND PUBLIC IMPROVEMENT REFUNDING BONDS** (12:08 p.m.)

(BONDS)

(R)

On motion of Supervisor McKay, seconded by Chairman Bulova, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and:

- Approved the sale of General Obligation Public Improvement Bonds that will generate \$249.7 million to fund construction of capital facilities and infrastructure as previously approved by the Board.
- Adopted the Resolution authorizing the issuance of the General Obligation Public Improvement Bonds and Public Improvement Refunding Bonds, which also authorizes the execution and delivery of a Continuing Disclosure Agreement and other documents necessary for sale. This resolution delegates to the County Executive or Chief Financial Officer authority to award the bonds, on specified criteria, through either a competitive or negotiated sale. Bond Counsel has advised that this form of authorization is acceptable and provides flexibility for changing market conditions. It also approves the form of the notice of sale and the Official Statement for the Public Improvement Bonds, and authorizes the Chairman, Vice Chairman, County Executive, or Chief Financial Officer to sign the Official Statement for the Public Improvement Bonds.

11. **A-2 – APPROVAL OF BOND UNDERWRITER POOL** (12:08 p.m.)

On motion of Supervisor Herrity, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the ten firms recommended by the Selection Advisory Committee, to serve as potential underwriters for future negotiated bond sales.

12. **A-3 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR THE DUNN LORING-MERRIFIELD METRO CENTER (PROVIDENCE DISTRICT)** (12:09 p.m.)

Supervisor Smyth moved that the Board concur in the recommendation of staff and:

- Approve a parking reduction of 14.5 percent for the residential uses of the Dunn Loring-Merrifield Metro Center pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102, Paragraph 5, and subject to the conditions as outlined in the Board Agenda Item dated December 8, 2015. This approval is based on an analysis of the parking requirements for each use on the site and a parking study, #378-PKS-002-1.

- Annul the 5.0 percent parking reduction for the site's non-residential uses approved in 2009.

Supervisor Foust seconded the motion. Following a brief discussion regarding the motion, the question was called and it carried by a vote of nine, Supervisor Hyland being out of the room.

13. **A-4 – APPROVAL OF THE HERNDON METRORAIL STATION ACCESS MANAGEMENT STUDY (HMSAMS) AND RESTON METRORAIL ACCESS GROUP PHASE 2 (RMAG2) PEDESTRIAN AND BICYCLE TRANSPORTATION PROJECTS (DRANESVILLE AND HUNTER MILL DISTRICTS)** (12:11 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve the list of HMSAMS and RMAG2 pedestrian and bicycle transportation projects, to be funded out of the County's Fiscal Year (FY) 2015 – FY 2020 TPP, as approved by the Board on January 28, 2014. Supervisor Foust seconded the motion.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, who noted an amendment to the item, the addition of \$100,000 for HMSAMS Project #10, which is a northside access to the Innovation Center Station for study. This was accepted.

The question was called on the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

14. **A-5 – APPROVAL OF FAIRFAX CONNECTOR DECEMBER 2015 SERVICE CHANGES** (12:13 p.m.)

On motion of Supervisor McKay, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Fairfax Connector's December 2015 service changes that address needed service reliability improvements on Fairfax Connector service in the Burke, Mount Vernon, Reston, Richmond Highway, and Springfield areas.

15. **A-6 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR FISCAL YEAR (FY) 2022 REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) AND CONGESTION MITIGATION AND AIR QUALITY PROGRAM (CMAQ) FUNDS** (12:13 p.m.)

On motion of Supervisor McKay, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized DOT to apply for FY 2022 RSTP and CMAQ funds to be used to advance the projects listed below and described in Attachment I of the Board Agenda Item:

- Countywide Transit Stores
- Richmond Highway Bus Rapid Transit Project
- Tysons Roadway Improvements
- Reston Roadway Improvements
- Richmond Highway Widening (Mount Vernon Highway to Napper Road)
- Seven Corners Interchange Improvements
- Fairfax County Parkway Improvements

16. **A-7 – ENDORSEMENT OF THE CHIEF ADMINISTRATIVE OFFICERS (CAO) TASK FORCE’S RECOMMENDATION REGARDING THE PRELIMINARY FISCAL YEAR (FY) 2017 VIRGINIA RAILWAY EXPRESS (VRE) CAPITAL AND OPERATING BUDGET** (12:14 p.m.)

Supervisor Cook moved that the Board concur in the recommendation of staff and endorse the CAO Task Force’s primary recommendation on the FY 2017 VRE budget. The recommendation is to concur with the VRE Operations Board’s recommendation to help balance the FY 2017 budget with a jurisdictional subsidy increase of five percent, as part of their six-year financial plan. Supervisor Foust seconded the motion.

Discussion ensued, with input from Michael Lake, Senior Transportation Planner, Department of Transportation, regarding the FY 2016 fiscal impact.

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

17. **A-8 – ENDORSEMENT OF COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE FEDERAL BUREAU OF INVESTIGATION (FBI) HEADQUARTERS CONSOLIDATION** (12:16 p.m.)

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

- Endorsed the cover letter, for signature by the Chairman, and comments prepared by staff as contained in Attachment 1 of the Board Agenda Item
- Authorized transmittal of these materials to the General Services Administration

- Authorized staff to furnish additional technical comments before the January 6, 2016, deadline.

18. **I-1 – PRESENTATION OF THE FISCAL YEAR (FY) 2015 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)** (12:17 p.m.)

The Board next considered an item contained in the Board Agenda dated December 8, 2015, regarding the CAFR.

19. **I-2 – RECOGNITION OF COMPREHENSIVE ANNUAL FINANCIAL REPORTS (CAFRs) AND THE ANNUAL BUDGET BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA); PERFORMANCE MEASUREMENT PROGRAM BY THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA); AND INVESTMENT POLICY BY THE ASSOCIATION OF PUBLIC TREASURERS** (12:17 p.m.)

The Board next considered an item contained in the Board Agenda dated December 8, 2015, announcing that the GFOA has again recognized the superior quality of financial information the County makes available to the public. The County's CAFR, the Integrated Sewer System's CAFR, the CAFRs of all three County retirement systems, and the County's Annual Budget were all recognized with GFOA's highest forms of recognition.

EBE:ebe

**ADDITIONAL BOARD MATTERS**

20. **COAL TAR SEALANT** (12:18 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and said she received a call from a resident who was concerned about the smell of a substance being applied to a nearby private road. The resident wanted to know what the substance was and whether it was safe for residents and the environment.

Preliminary research by the Department of Public Works and Environmental Services revealed that the substance was coal tar sealant. Research also found that Montgomery County and Prince George's County, Maryland, and the District of Columbia have banned the use of coal tar sealant, citing watershed concerns, and the United States Environmental Protection Agency has also cited human health concerns and recommends the use of alternate sealant compounds.

Therefore, Chairman Bulova moved that the Board direct staff to review the available information about coal tar sealant, review authority available to the County to address or regulate the use of this product and report on strategies to protect residents and the environment, including bringing the issue to the attention of Members of the General Assembly. Vice-Chairman Gross seconded the motion.

Vice-Chairman Gross relinquished the Chair to Acting-Chairman Hyland and asked to amend the motion to include in the staff review what the alternate sealant compounds are and their availability. This was accepted.

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

Supervisor Herrity asked to amend the motion to include the cost and fiscal implications to the review. This was accepted.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

21. **REQUEST TO SEND A LETTER TO THE CONGRESSIONAL DELEGATION TO SUPPORT IMPROVED INTEROPERABILITY WITH FIRE AND RESCUE DEPARTMENT (FRD) SERVICES (MOUNT VERNON DISTRICT)** (12:21 p.m.)

Supervisor Hyland said that last week Fire Chief Bowers informed the Board about a change in dispatching procedures for the FRD when requesting support from Fort Belvoir's Fire and Emergency Services. Referring to the email, a copy of which he attached to his written Board Matter, he noted that the County and Fort Belvoir have conferred regularly to achieve parity in emergency call-taking and dispatching processes without unnecessarily burdening FRD's budget. (This has not happened to date.)

It is important that the public know the change in dispatching procedures will not hinder the County or Fort Belvoir's ability to respond during an emergency or alter its mutual aid agreements. What appears to be the best long-term solution is for Fort Belvoir to receive funding from the Federal government to adopt information technology infrastructure, similar to the County's, in its computer aided dispatch (CAD) system so there will be a uniform CAD-CAD communications among first responders.

Since, this matter was not brought up or discussed prior to the public hearing on the Board's Legislative Agenda, Supervisor Hyland asked that the Board send a request to the Congressional delegation so that it may work to fund an integrated CAD system in a future appropriations request or find funding in a current one, if feasible. The FRD will always find a way to respond and help save lives and it is incumbent upon the Board to give them all the tools to make this happen.

Therefore, Supervisor Hyland moved that the Board direct the Office of Government Relations and the FRD to draft a letter, for the Chairman's signature on behalf of the Board, informing the Congressional delegation of the issue and recommendations on how to resolve it. Chairman Bulova seconded the motion.

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

22. **REQUEST TO AUTHORIZE A NEWINGTON ROAD TRAFFIC STUDY**  
(12:24 p.m.)

Jointly with Supervisor McKay, Supervisor Hyland said that the Newington community is nestled between Telegraph Road and Cinder Bed Road and has constantly struggled with cut-through traffic leaving from, or going to, the industrial areas to the west as those trucks attempt to get better access to major roadways. The through truck restriction on Newington Road and four-way stop has helped to reduce industrial truck cut-through traffic. However, the road network where Newington Road intersects with Cinder Bed Road, Loisdale Road, and the Fairfax County Parkway is a jumbled mess. Newington Road's intersection with Cinder Bed Road is problematic for traffic heading south as it is a "Y" type intersection controlled by one stop sign. A one-lane railroad bridge connects Newington Road to Loisdale Road, which is becoming more heavily used by traffic attempting to get to the Springfield Town Center, I-95, and the Parkway. To the south, Cinder Bed Road goes under an old railroad spur and connects near the Parkway at Backlick Road. The entire area needs a review by the Department of Transportation (DOT).

Supervisor Hyland said that during the summer, the Newington Community asked him to initiate a Comprehensive Plan Amendment to remove plan text that recommended improving and possibly widening Newington Road. The community is afraid that any road improvements would invite more traffic. The Planning Commission indefinitely deferred a decision on the matter and recommends that a traffic study be done in the area before any Comprehensive Plan Amendment is decided. DOT is being asked to look at the area and return to the Board with its recommendations.

Therefore, Supervisor Hyland moved that the Board direct the DOT to initiate a traffic study in the vicinity of Newington Road, Cinder Bed Road, and Loisdale Road. Supervisor McKay seconded the motion.

Supervisor McKay noted that staff review should take into consideration the existing plans to correct some of the problems listed above.

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

23. **THANKS FOR THE MEMORIES** (12:27 p.m.)

Supervisor Hyland thanked Board Members for all the memories and invited them, the County Executive, County Attorney, and all the wonderful staff of the County to join him at a reception in the Mount Vernon Government Center tomorrow afternoon from 3 p.m. - 6 p.m. so that he may thank everyone for all the work done to help him represent residents of the Mount Vernon District.

DAL:dal

24. **PRAYER VIGIL (SULLY DISTRICT)** (12:34 p.m.)

Supervisor Frey announced that a prayer vigil will be held at 6:30 p.m. today by the Ahmadiyya Muslim community at the Mubarak Mosque in the Sully District. He asked unanimous consent that the Board direct the Office of Public Affairs to help publicize the event. Without objection, it was so ordered.

25. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (12:36 p.m.)

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

PMH:pmh

26. **JAMES MADISON HIGH SCHOOL VOLLEYBALL TEAM (HUNTER MILL DISTRICT)** (12:36 p.m.)

Supervisor Hudgins announced that the James Madison High School volleyball team has done it again with a recent dramatic run for the State championship. On November 20, the team brought the Virginia High School League 6A State championship back to Madison.

Supervisor Hudgins said that this season featured a back-and-forth with conference rival Langley. The two teams met five times this season with the Warhawks prevailing over Langley for the Conference 6 title, and the Saxons taking the 6A North regional championship. The two teams met for the final battle for the State championship that featured a dramatic five sets, with the Warhawks the eventual winner.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite representatives of the James Madison High School Volleyball team and the coaches to appear before the Board to receive its congratulations on another winning season. Without objection, it was so ordered.

27. **FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (12:36 p.m.)

Supervisor Hudgins announced that she received the resignation of the Honorable Katherine K. Hanley from the CSB. She announced her intent to appoint Ms. Bettina M. Lawton and entered her resume into the record.

28. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (12:38 p.m.)

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



29. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (12:38 p.m.)

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

30. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)** (12:38 p.m.)

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

31. **SPRINGFIELD-FRANCONIA HOST LIONS CLUB CHARITIES, INCORPORATED (LEE DISTRICT)** (12:38 p.m.)

In joint Board Matter with Supervisor Gross, Supervisor McKay announced that they are requesting a waiver of the application fees for permits associated with the flea markets held by the Springfield-Franconia Host Lions Club Charities, Incorporated. The Board has approved this waiver request annually since 1994.

The Springfield-Franconia Host Lions Club Charities, Incorporated recently contacted him to express appreciation for help in the past and to ask that the Board support a waiver again this year.

Supervisor McKay noted that the flea markets are held twice a month on Saturdays from April through November at the VRE parking lot off Backlick Road. All net proceeds from the flea markets are returned to the community. The Springfield-Franconia Host Lions Club Charities, Incorporated supports organizations such as Koinonia, ECHO, the Juvenile Diabetes Foundation and assists indigent citizens with eye glass prescriptions and hearing aids.

Therefore, Supervisor McKay moved that the Board waive the application fees for 21 day permits associated with the Springfield-Franconia Host Lions Club Charities 2016 flea markets. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

32. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (12:39 p.m.)

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

33. **RECESS/CLOSED SESSION** (12:40 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. *Ross A. Fiorani v. Fairfax County Police, Navy Federal Credit Union, Robert Berger, Karen Compher, SIA, and Thema Scott*, Case No. 15-1717 (U.S. Ct. of App. for the Fourth Cir.)
  - 2. *David J. Laux and Tara K. Laux a/k/a Tara K. Long v. Board of Supervisors of Fairfax County, James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services, and the Commonwealth of Virginia*, Civil Action No. 15cv1334 (E.D. Va.) (Mason District)
  - 3. *Lenir Richardson v. Officer O.J. Faulk, Officer D.N. Custer, Officer Rizza, Commonwealth of Attorney [sic], Sergeant Mario Torres*, Case No. 1:15cv1489 (E. D. Va.)
  - 4. *James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services, and Brian J. Foley, Fairfax County Building Official v. David J. Laux and Tara K. Laux, a/k/a Tara K. Long*, Case No. CL-2015-0007970 (Fx. Co. Cir. Ct.) (Mason District)
  - 5. *Board of Supervisors of Fairfax County and James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. David J. Laux and Tara K. Laux, a/k/a Tara K. Long*, Case No. CL-2014-0013597 (Fx. Co. Cir. Ct.) (Mason District)
  - 6. *Elizabeth Perry, Property Maintenance Code*

*Official for Fairfax County, Virginia v. Jorge Alberto Broide*, Case No. CL-2010-0017885 (Fx. Co. Cir. Ct.) (Providence District)

7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2012-0013536 (Fx. Co. Cir. Ct.) (Providence District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2014-0011059 (Fx. Co. Cir. Ct.) (Providence District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rama Sanyasi Rao Prayaga and Niraja Dorbala Prayaga*, Case No. CL-2010-0002573 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rama Sanyasi Rao Prayaga and Niraja Dorbala Prayaga*, Case No. CL-2012-0019078 (Fx. Co. Cir. Ct.) (Dranesville District)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Helen M. Parker-Smith*, Case No. CL-2014-0001775 (Fx. Co. Cir. Ct.) (Providence District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lucia O. Palacio*, Case No. CL-2014-0001444 (Fx. Co. Cir. Ct.) (Providence District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Reston Zoo, LLC*, Case No. CL-2012-0019076 (Fx. Co. Cir. Ct.) (Hunter Mill District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Falls Church Hospitality, Inc.*,

Case No. CL-2015-0002063 (Fx. Co. Cir. Ct.)  
(Providence District)

15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ngoc Mai Truong Nguyen and Tony Nguyen*, Case No. CL-2015-0016150 (Fx. Co. Cir. Ct.) (Dranesville District)
16. *Anthony Crescenzo v. Gene Woo, Mai N. Woo, EVG-RR Ventures, LLC, Cardinal Bank, F. Kevin Reynolds, Trustee, Dennis Griffith, Trustee, and the Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2015-0005837 (Fx. Co. Cir. Ct.) (Mason District)
17. *In Re: April 15, 2015, Decision Of The Fairfax County Board of Zoning Appeals In BZA Appeal No. A 2012-HM-020*, Case No. CL-2015-0006478 (Fx. Co. Cir. Ct.) (Hunter Mill District)
18. *Paul T. Michael v. Fairfax County Board of Supervisors, Leslie B. Johnson, Fairfax County Zoning Administrator, Kim D. Nguyen, and Vu Tue Nguyen*, Case No. CL-2015-0008999 (Fx. Co. Cir. Ct.) (Mason District)
19. *Board of Supervisors of Fairfax County and James W. Patteson, Director of the Fairfax County Department of Public Works and Environmental Services v. Nirmaladevi Jayanthan and Jayanthan Balasubram, a/k/a Balasubram Jayanthan, Jayanthan Bala, Bala Jayanthan, and Jay Bala*, Case No. CL-2015-0008179 (Fx. Co. Cir. Ct.) (Dranesville District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Joseph K. Kim and Joon Kwon Park*, Case No. CL-2015-014971 (Fx. Co. Cir. Ct.) (Mason District)
21. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Idania Maria Barahona and Gixeis J. Barahona*, Case No. GV15-019804 (Fx. Co. Gen. Dist. Ct.) (Lee District)

22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Andrea Viski and Brian Lucas*, Case No. GV15-023665 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Herber Joya and Yessina Giron*, Case No. GV15-023669 (Fx. Co. Gen. Dist. Ct.) (Mason District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Alexis O. Rodriguez and Maria Claribe Argueta de Rodriguez*, Case No. GV15-023666 (Fx. Co. Gen. Dist. Ct.) (Mason District)
25. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jubilo Incorporated*, Case Nos. GV15-015625, and GV15-026466 (Fx. Co. Gen. Dist. Ct.) (Sully District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Flor Barreda*, Case Nos. GV15-007102 and GV15-026640 (Fx. Co. Gen. Dist. Ct.) (Mason District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jennifer L. Audibert and Joseph G. Henry*, Case Nos. GV15-019074 and GV15-019075 (Fx. Co. Gen. Dis. Ct.) (Dranesville District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edwin Rocha and Hilda Rocha and Jorge Alfredo Veron*, Case No. GV15-026063 (Fx. Co. Gen. Dist. Ct.) (Lee District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gregory I. Witherow and Ellen R. Witherow*, Case No. GV15-026107 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gulam J. Irfani, a/k/a Ghulam J. Irfani, and Syed Shah Salahuddin*, Case No. GV15-026108 (Fx. Co. Gen. Dist. Ct.) (Lee District)
31. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Gulam J. Irfani, a/k/a Ghulam J. Irfani, and Syed Shah Salahuddin*, Case

- No. GV15-026109 (Fx. Co. Gen. Dist. Ct.) (Lee District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. The Southland Corporation*, Case Nos. GV15-026243, GV15-026244 and GV15-026245 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
  33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Philip John Sokolowski*, Case No. GV15-026453 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
  34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sean P. Malone and Susan M. Malone*, Case No. GV15-036370 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
  35. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Roberto E. Portillo, Maria E. Portillo, Carlos R. Portillo, and Alfredo R. Portillo*, Case No. GV15-026452 (Fx. Co. Gen. Dist. Ct.) (Mason District)
  36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard De Costa*, Case No. GV15-026822 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ernesto Perez and Shirley R. Sejas*, Case No. GV15-026820 (Fx. Co. Gen. Dist. Ct.) (Providence District)
  38. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Ching*, Case No. GV15-026821 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

- Virginia Code Section 37.2-808

Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

DET:det/ebe/pmh

At 3:19 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

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

34. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:19 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 Herryty, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

#### **ADDITIONAL BOARD MATTERS**

35. **REQUEST FOR THE PLANNING COMMISSION (PC) TO CONDUCT A PUBLIC INPUT SESSION ON THE PROPOSED PDC AND PRM ZONING ORDINANCE AMENDMENT** (3:20 p.m.)

Chairman Bulova said that since 2010 the Board has adopted a number of Comprehensive Plan changes to encourage revitalization in the County's older commercial areas and to support transit-oriented development around existing and future Metro stations. These Comprehensive Plan changes are designed to encourage a more mixed-use environment with varying levels of additional density/intensity. To implement these plan changes, it was recognized that amendments to the Zoning Ordinance would be required to accommodate the higher intensity envisioned for these selective areas which include transit station areas, commercial revitalization districts, commercial revitalization areas, and community business centers. The proposed amendment has been on the Priority 1 Zoning Ordinance Amendment Work Program for the last several years and staff has been working on this amendment for some time.

Staff distributed a draft of the proposed Zoning Ordinance amendment in August 2015 to various industry and citizen groups for comments. A number of concerns were raised by the public and the tentative public hearing schedule was delayed to address and clarify the issues raised. A revised draft was distributed and posted to the Zoning Ordinance Amendment Web Page in late October and staff continues to receive comments. However, given the nature of some of the concerns raised, especially with regard to the proposed increase in floor area ratio (FAR) in certain selective areas, there should be additional opportunity for the public to provide input on the proposed amendment before the proposal comes to the Board for authorization of public hearings.

Therefore, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board direct the PC to schedule a public workshop or input session, to be held in the Board Auditorium, sometime in January or February 2016. Subsequent to this meeting, the PC can work with staff on any recommended changes to the proposed amendment and then forward the proposed amendment to the Board for authorization to schedule public hearings. Chairman Bulova noted that this proposed amendment is time sensitive as there are several development proposals, particularly in the Reston Transit Station Area which cannot be considered at the intensities recommended in the recently adopted plan for Reston without the proposed amendment. Vice-Chairman Gross seconded the motion.

Supervisor Smyth asked unanimous consent that the Board direct staff to report with information regarding the existing zonings in transit station areas and revitalization districts. Without objection, it was so ordered.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

36. **MEMORIES AND MEMENTOS FROM SUPERVISOR HYLAND (MOUNT VERNON DISTRICT)** (3:26 p.m.)

Supervisor Hyland shared some memories and mementos from Mount Vernon District.

DET:det

**AGENDA ITEMS**

37. **3 P.M. – PH ON PROPOSED PLAN AMENDMENT 2015-IV-T1, NEWINGTON ROAD, LOCATED EAST OF CINDER BED ROAD AND WEST OF TELEGRAPH ROAD (MOUNT VERNON DISTRICT)** (3:28 p.m.)

Supervisor Hyland moved to indefinitely defer the public hearing on proposed Plan Amendment 2015-IV-T1. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

38. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE HUNTER MILL AT MYSTIC MEADOW ROUNDABOUT (PROVIDENCE DISTRICT)** (3:29 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 November 20 and November 27, 2015.

Richard A. Finnell, Project Coordinator, Land Acquisition Division, Capital Facilities, presented the staff report. Discussion ensued, concerning the acquisition of additional property rights, with input from Mr. Finnell.



Following the public hearing, Supervisor Smyth moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of the Hunter Mill at Mystic Meadow Roundabout. Chairman Bulova 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 out of the room.

39. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), SECTIONS 7-2-5 AND 7-2-13, RELATING TO ELECTION PRECINCTS AND POLLING PLACES** (3:33 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 20 and November 27, 2015.

Judy Flaig, Election Manager, Office of Elections, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), Sections 7-2-5 and 7-2-13, relating to election precincts and polling places. Supervisor Foust seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hudgins and Supervisor Hyland being out of the room.

40. **3:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (3:37 p.m.)

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

Public comment was held and included testimony by the following individuals:

- Colonel James Tyson Currie (Retired), regarding Sully Plantation's World War II Re-enactment
- Dr. Robert Russell, regarding traffic calming on Old Courthouse Road

- Mr. Greg Scott, regarding the Virginia Department of Transportation's (VDOT) plans for I-66 inside and outside the Beltway

Discussion ensued concerning reverse commuter tolling as well as changes affecting hybrid vehicles and high occupancy vehicle (HOV) lanes as a result of a regional air quality compact.

Public Comment continued from the following:

- The Honorable Robert Dix, former Hunter Mill District Board Member, acknowledging the service of Supervisor Frey and Supervisor Hyland
- Ms. Melanie Meren, regarding Fairfax County Public School (FCPS) funding

Discussion ensued concerning reduced State funding, increased County funding, and the need to advocate for more State funding. Supervisor Herrity, noting that the County funded over 99 percent of the FCPS budget request last year, asked unanimous consent that the Board direct staff to provide additional information regarding #SaveFCPS. Without objection, it was so ordered.

Discussion continued concerning:

- State return on local income tax
- Efforts by the Virginia Association of Counties (VACo) to increase education funding
- The need for individuals, parents, and organizations to address issues with their State legislators

Testimony continued from the following:

- Ms. Rachel Stott, regarding FCPS funding
- Mr. Jelani Murray, regarding the annual school budget

Discussion ensued regarding impacts on sports and other extracurricular program funding.

Final testimony was provided by:

- Ms. Margaret Kerfoot, regarding the proposed FCPS budget

Discussion ensued concerning the Arlington County tax base and funding authority.

Chairman Bulova noted that there is no disagreement in the fact that more funding is needed for education in the County and thanked the speakers for coming out.

41. **4 P.M. – PRESENTATION BY THE NATIONAL ASSOCIATION OF COUNTIES (NACo) RECOGNIZING SUPERVISOR HYLAND FOR HIS YEARS OF SERVICE TO NACo** (4:27 p.m.)

Chairman Bulova recognized the presence of Dean A. Lynch, Deputy Executive Director, Virginia Association of Counties (VACo), and welcomed him to the Board Auditorium.

Matthew Chase, Executive Director, NACo, recognized Supervisor Hyland for his years of distinguished service and highlighted his many contributions at the national, State, and local level.

42. **4 P.M. – PRESENTATIONS BY THE GENERAL ASSEMBLY COMMENDING SUPERVISOR MICHAEL FREY AND SUPERVISOR GERRY HYLAND** (4:33 p.m.)

Chairman Bulova introduced the following members of the General Assembly:

- Delegate Scott A. Surovell (Senator-elect)
- Senator David Marsden
- Delegate Kathleen J. Murphy
- Senator Janet Howell
- Delegate Ken Plum
- Delegate David Albo
- Delegate-elect Paul E. Krizek

Following remarks regarding Supervisor Hyland's many contributions to the Mount Vernon community, Senator-elect Surovell presented Supervisor Hyland with a joint House-Senate Resolution (HJ872) expressing the General Assembly's respect and admiration for his tireless work on behalf of the people of the County and the Commonwealth.

Senator Marsden, a former County employee, made brief remarks concerning Supervisor Frey's many contributions then introduced Delegate Albo who addressed both Supervisors' legacies. Senator Marsden read Senate

Resolution 127 expressing the Senate's respect and admiration for Supervisor Frey's tireless work on behalf of the people of the County and the Commonwealth. Supervisor Albo presented the Companion House Resolution 320.

43. **PRESENTATION FROM THE OFFICE OF CONGRESSMAN GERRY CONNOLLY** (4:44 p.m.)

Chairman Bulova introduced Mr. Alex Robbins, a representative from the office of Congressman Connolly, who read a "Congressional Record" tribute to Supervisor Hyland.

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

Chairman Bulova announced that after the Board adjourned there is a reception with members of the General Assembly, and others who would like to attend, followed by a work session with members of the County delegation. The County's legislative agenda will be presented with the opportunity for a general discussion of the 2016 General Assembly session.

45. **BOARD ADJOURNMENT** (4:54 p.m.)

The Board adjourned.

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