



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

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

**TUESDAY  
March 15, 2016**

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**05-16**

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**DAL:dal**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, March 15, 2016, at 9:31 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon 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** (9:32 a.m.)

Supervisor Cook asked everyone to keep in thoughts the family of Mr. Richard Veatch, who passed away suddenly last week at the age of 53. He was the JV softball coach at Robinson Secondary School. Mr. Veatch lived in Springfield and spent his, beginning in college, coaching youth sports. He also coached softball, club and travel basketball, youth and high school football, and wrestling. His services are today.

**AGENDA ITEMS**2. **RESOLUTION OF RECOGNITION PRESENTED TO MS. JOHNA GAGNON** (9:34 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Ms. Johna Gagnon for her exceptional and indomitable civic service to the County. Supervisor Foust seconded the motion and it carried by unanimous vote.

3. **PROCLAMATION DESIGNATING MARCH 2016 AS "INTELLECTUAL AND DEVELOPMENTAL DISABILITIES INCLUSION MONTH" IN FAIRFAX COUNTY** (9:41 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate March 2016 as "*Developmental Disabilities Inclusion Month*" in Fairfax County, and urged all residents to recognize the tremendous value and potential of people with intellectual and development disabilities and include them in all aspects of community life. Supervisor McKay seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

4. **PROCLAMATION DESIGNATING APRIL 4-10, 2016, AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY** (9:55 a.m.)

Supervisor Storck moved approval of the Proclamation to designate April 4-10, 2016, as "*Public Health Week*" in Fairfax County, and urged all residents to engage in activities and take actions that improve the health of the community. Supervisor Gross seconded the motion and it carried by unanimous vote.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE WESTFIELD HIGH SCHOOL FOOTBALL TEAM** (10:08 a.m.)

Supervisor K. Smith moved approval of the Certificate of Recognition presented to members of the Westfield High School football team for its persistent, determined, and efficient efforts throughout the season, resulting in winning the

Virginia High School League 6A championship – its third State title – at Scott Stadium at the University of Virginia. Supervisor Herry and Supervisor Hudgins jointly seconded the motion.

Chairman Bulova recognized the presence of General Assembly members and Washington Redskins Safety Kysheen Jarrett, and warmly welcomed them to the Board Auditorium.

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

Senator Chap Peterson presented a Resolution commending members of the Westfield High School football team.

Senator Peterson introduced Delegate David Bulova, Senator David Marsden, and Delegate Jennifer Boysko.

Mr. Jarrett also presented remarks commending and congratulating the Westfield High School football team.

(NOTE: Later in the meeting, Chairman Bulova again recognized the presence of General Assembly members. See Clerk's Summary Item #8.)

6. **PROCLAMATION DESIGNATING APRIL 2016 AS "FAIR HOUSING MONTH" IN FAIRFAX COUNTY** (10:25 a.m.)

Supervisor Cook moved approval of the Proclamation to designate April 2016 as "*Fair Housing Month*" in Fairfax County, and urged all residents to join in promoting equal housing opportunities in the County and throughout the United States. Supervisor Gross and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor K. Smith being out of the room.

7. **PROCLAMATION DESIGNATING APRIL 10-16, 2016, AS "PUBLIC SAFETY TELECOMMUNICATORS WEEK" IN FAIRFAX COUNTY** (10:38 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 10-16, 2016, as "*Public Safety Telecommunicators Week*" in Fairfax County, and urged all residents to show appreciation to members of this profession who are always there, always ready 24/7, 365 days a year, to protect our health and safety. Supervisor Foust seconded the motion and it carried by unanimous vote.

8. **10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:53 a.m.)

(NOTE: Earlier in the meeting, Chairman Bulova recognized the presence of General Assembly members. See Clerk's Summary Item #5.)

Chairman Bulova recognized the presence of General Assembly members who were still present in the Board Auditorium and thanked them for their efforts regarding the proffer bill, education, and K-12 funding.

Chairman Bulova also recognized the presence of Michael Forehand, Counsel for the Northern Virginia Chamber of Commerce, and thanked him for his efforts with education and mitigating the effects of the proffer bill.

Supervisor McKay, Chairman of the Board's Legislative Committee, announced that the General Assembly adjourned on Friday, March 11, one day ahead of schedule. He noted that a copy of the Final Report of the General Assembly was distributed around the dais and will be posted on the web later this week.

Supervisor McKay presented the report on General Assembly activities, noting that:

- 3,286 bills and resolutions were introduced; 1,920 bills were reviewed by County legal and operational staff; and the Board took formal positions on 220 bills
- The General Assembly passed a new 2016-2018 biennium budget and it contains very good news for the County, particularly for Fairfax County Public Schools (FCPS)

The budget partially restores \$5.6 million in cost-of-competing adjustments for K–12 staff in Fiscal Year (FY) 2017 and \$5.8 million in FY 2018. Cost-of-competing is an additional factor in the State K–12 funding formula, recognizing a higher salary is required in high cost-of-living areas in the Commonwealth to attract highly competitive qualified staff. For Northern Virginia, the restoration of these funds was a tremendous accomplishment, both for the Governor and the General Assembly Delegation, and they deserve special thanks for helping make this happen

Among other increases for the K–12 education is the State share of the two percent teacher and support staff compensation adjustment, contingent upon FY 2016 revenues meeting projections, and the distribution of \$194 million in lottery proceeds over the biennium to school districts throughout the State. For the County, that is a projected \$21 million in anticipated funding for FCPS in FY 2017. County and FCPS budget staff are working together to provide additional details regarding the funding and more information will be provided to the Board as it becomes available

- While the usual onslaught of problematic tax bills was not seen this year, the General Assembly did consider a number of bills that diminish the County's land use authority. The most consequential of the bills, related to proffers, has already been signed into law by Governor McAuliffe. This legislation includes numerous exemptions from the new requirements that will be especially helpful to the County, but it will take the Board and staff time to

fully assess and adjust to the changes brought by the new law, including the financial impact. Legislation governing short-term rentals in residential areas, such as Airbnb, would have diminished local land use authority as introduced, but after significant negotiation and effort the legislation includes a study of the issue and a requirement that any related legislation enacted by the 2017 General Assembly be after completion of the study.

- HB883 – the telecommunications bill, eliminating the requirement for a public hearing before a local Planning Commission where telecommunication towers are permitted by-right, passed. Unfortunately, the exemption for Planning District was removed from the bill.
- Other significant measures passed by the General Assembly include a bill which reworks the State's laws on tolling, a compromise for the I-66 Inside the Beltway Project that provides funding to add a third eastbound travel lane on I-66 (from the Dulles Connector Road to the Glebe Road/Fairfax Drive exit) and legislation establishing the Virginia Growth and Opportunity Board, which will award grants for economic development

Supervisor McKay announced that the March 18, 2016, Legislative Committee meeting has been cancelled. He thanked legislative staff for their exemplary work during the session.

Supervisor McKay moved adoption of 2016 General Assembly Final Legislative Report. Chairman Bulova seconded the motion, noting that after the vote she will present a Board Matter, jointly with Supervisor K. Smith, regarding the proffer bill.

Supervisor Gross asked Supervisor McKay to provide Board Members with a copy of his comments regarding the Legislative Report.

Supervisor Gross said the Board, at its last meeting, approved an application accepting a grant from the Stormwater Local Assistance Fund (SLAF grants) which, at the time, was in jeopardy. She stated that it was recently brought to her attention that \$20 million has been included in the budget and will be available for future funding.

Supervisor Cook asked unanimous consent that the Board direct staff to provide:

- Information regarding the settlement agreement for the Northern Virginia Training Center; including use of the proceeds
- A summary of the transition of residents from the training center to other locations

Following discussion, with input from Claudia Arko, Legislative Director, regarding the funding and sale of the property, without objection, it was so ordered.

Supervisor Foust asked unanimous consent that the Board direct staff to provide information regarding the full consequences of the cell tower legislation, specifically where the cell towers will be permitted on a by-right basis, what size they can be, etc.

Following discussion, with input from Chris Costa, Assistant County Attorney, regarding the cell tower legislation, without objection, it was so ordered.

Chairman Bulova reiterated the request for a copy of Supervisor McKay's comments.

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

#### **ADDITIONAL BOARD MATTER**

9. **EXAMINING THE IMPACT OF HOUSE BILL 770/SENATE BILL 549 (PROFFER BILLS)** (11:16 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and said, as the Board is well aware, last week the Governor signed legislation limiting local authority on proffers related to residential development. The Board strongly advocated to be exempt from these bills and was successful in limiting the impact on the County through exemptions related to mixed-use development and transit-station areas, among others.

Chairman Bulova stated that the legislation will still have a serious impact on the development process in the County. Therefore, jointly with Supervisor K. Smith, Chairman Bulova moved that the Board direct staff to analyze the impacts of this legislation and provide a briefing on how the new law will affect the County's development process, and to develop an implementation plan to align the County's process and procedures with the new requirements. Supervisor K. Smith seconded the motion.

Chairman Bulova noted that at the General Assembly meeting she met with counsel for the Northern Virginia Building Industry Association (NVBIA) that was advocating and lobbying for this bill to be passed. He offered to come and meet with County land use staff to provide a more detailed analysis of how the bill would affect land use specifically in the County. Chairman Bulova suggested that Board Members take advantage of the opportunity.

Supervisor L. Smyth noted that there will be differing legal opinions about the affect of the bill and suggested that NAIOP be included in the discussion.

Chairman Bulova suggested that the Chamber of Commerce be included in the discussion.

Supervisor Cook asked unanimous consent that the Board direct staff, prior to further discussions with General Assembly members, to provide a summary of the bill and its impacts that could be included in newsletters and/or disseminated to the public. Without objection, it was so ordered.

Discussion ensued regarding:

- Identifying the fiscal impacts of the loss of the proffer authority on the provision of County services and facilities
- Amendments to the County's Zoning Ordinance and Comprehensive Plan that may be necessary
- Impacts on civic associations and district land-use committees involved in the development review process
- Scheduling a discussion at a Development Process Committee meeting
- Continuing the progress on streamlining the development review process
- Identifying the impact on the cost of housing and whether the bill would result in a lowering of such cost.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

EBE:ebe

### **AGENDA ITEMS**

10. **10:10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:36 a.m.)

(APPTS)  
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard March 15, 2016,” as distributed around the dais. Chairman Bulova and Supervisor McKay jointly seconded the motion.

Supervisor Gross announced her intent to appoint Ms. Sheila Coplan Jonas as the Mason District Representative to the Fairfax-Falls Church Community Board at the April 26, 2016, meeting.

Supervisor Hudgins asked to defer the appointment of the Hunter Mill District Representative to the Commission for Women.

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

Appointments are as follows:

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Appointment of:

- Mr. Christopher S. Moeller as the Mount Vernon District Representative

The Board deferred the appointment of the Providence District Representative.

**ADVISORY SOCIAL SERVICES BOARD**

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

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

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

**AIRPORTS ADVISORY COMMITTEE**

Appointment of:

- Mr. Frank Leser as the Sully District Representative

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

**ANIMAL SERVICES ADVISORY COMMISSION**

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

**ARCHITECTURAL REVIEW BOARD**

The Board deferred the appointment of the Related Professional Group #3 Representative.



**ATHLETIC COUNCIL**

Appointment of:

- Mr. Gary Flather as the Sully District Principal Representative

The Board deferred the appointment of the Mason District Alternate and Member-At-Large Principal Representatives.

**AUDIT COMMITTEE**

Appointment of:

- Dr. Lester A. Myers as the At-Large #2 Representative

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

**BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS**

The Board deferred the appointment of the Alternate #3 and #4 Representatives.

**CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS**

The Board deferred the appointment of the At-Large #3 Representative.

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

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

**CHILD CARE ADVISORY COUNCIL**

Reappointment of:

- Ms. Janet M. Reimer as the At-Large Chairman's Representative

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

**CITIZEN CORPS COUNCIL**

The Board deferred the appointment of the At-Large Chairman's Representative.

**CIVIL SERVICE COMMISSION**

Reappointment of:

- Mr. Patrick Morrison as the At-Large #7 Representative

The Board deferred the appointment of the At-Large #5 Representative.

**COMMISSION FOR WOMEN**

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

**COMMISSION ON AGING**

The Board deferred the appointment of the Mason District Representative.

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

Appointment of:

- Mr. Ryan Kasperski as the Mount Vernon District Representative

The Board deferred the appointment of the Braddock, Lee, and Springfield District Representatives.

**COMMUNITY ACTION ADVISORY BOARD (CAAB)**

Appointment of:

- Ms. Jennifer Read Campbell as the Sully District Representative

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

**CONSUMER PROTECTION COMMISSION**

The Board deferred the appointment of the Fairfax County Resident #7 and #12 Representatives.

**CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

The Board deferred the appointment of the Mason, Springfield, and Sully District Representatives.

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT  
ADVISORY BOARD, PHASE I**

Reappointment of:

- Mr. James D. Policaro as the At-Large #1 Representative
- Mr. Peter M. Rosen as the At-Large #2 Representative
- Mr. Jeffrey L. Kovach as the At-Large #3 Representative

**ENGINEERING STANDARDS REVIEW COMMITTEE**

Confirmation of:

- Mr. Mark Liberati as the Virginia Association of Surveyors Representative
- Mr. Bryan Layman as the Association of Builders and Contractors Representative

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

The Board deferred the appointment of the Providence District Representative.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

Reappointment of:

- Dr. Tapan Banerjee as the Dranesville District Representative
- Ms. Michele Hymer Blitz as the Hunter Mill District Representative

Appointment of:

- Ms. Deborah K. Hammer as the Mount Vernon District Representative

The Board deferred the appointment of the At-Large Fairfax County, Mason, and Sully District Representatives.

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**

Confirmation of:

- Ms. Catherine Tompkins as an Educational Organizations Representative

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

Confirmation of:

- Captain Spencer R. Woods as the Sheriff's Office Representative

Nomination of:

- Ms. Sheila Coplan Jonas as the Mason District Representative

(The Board is scheduled to take action on this appointment on April 26, 2016.)

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

**HEALTH SYSTEMS AGENCY BOARD**

The Board deferred the appointment of the Consumer #3 Representative.

**HISTORY COMMISSION**

Reappointment of:

- Ms. Sallie Lyons as the Citizen #2 Representative
- Ms. Anne M. Barnes as the Citizen/Minority Representative

The Board deferred the appointment of the At-Large #2, Citizen #7, and #8 Representatives.

**HUMAN RIGHTS COMMISSION**

Appointment of:

- Ms. Meena Bhinge as the At-Large #10 Representative

**HUMAN SERVICES COUNCIL**

Appointment of:

- Mr. Martin Machowsky as the At-Large #2 Chairman's Representative

The Board deferred the appointment of the Braddock District #2, Mason District #2, and Springfield District #2 Representatives.

**JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL**

The Board deferred the appointment of the Braddock, Dranesville, Lee, and Providence District Representatives.

Confirmation of:

- Mr. John J. Harold as the Fairfax City Representative

**LIBRARY BOARD**

Appointment of:

- Mr. Gary G. Russell as the Mount Vernon District Representative

Reappointment of:

- Ms. Karrie K. Delaney as the Sully District Representative

Board deferred the appointment of the Springfield District Representative.

**OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

The Board deferred the appointment of the Braddock, Dranesville, Hunter Mill, Lee, Mount Vernon, and Providence District Representatives.

Confirmation of:

- Mr. Elwood Jones as the ASAP Representative
- Ms. Laura Dawson as the MADD Representative
- Hon. Claude J. Beheler as the Magistrate System Representative
- Mr. James C. Fell as the Pacific Institute for Research and Evaluation Representative

- Mr. Kurt Gregory Erickson as the Washington Regional Alcohol Program Representative

#### **POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES**

The Board deferred the appointment of the Citizen At-Large Representative.

#### **ROAD VIEWERS BOARD**

The Board deferred the appointment of the At-Large #1, #4, and #5 Representatives.

#### **SMALL BUSINESS COMMISSION**

Reappointment of:

- Ms. Tracey Wood as the At-Large #3 Representative

#### **SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL**

Reappointment of:

- Ms. Janet E. Bradshaw as the Fairfax County #1 Representative
- Ms. Darlena Ricks as the Fairfax County #3 Representative
- Mr. Ram Singh as the Fairfax County #6 Representative

The Board deferred the appointment of the Fairfax County #5, #7, #8, and #9 Representatives.

#### **TENANT LANDLORD COMMISSION**

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

#### **TRAILS AND SIDEWALKS COMMITTEE**

The Board deferred the appointment of the Braddock, Providence, and Sully District Representatives.

Confirmation of:

- Ms. Soledad Portilla as the Northern Virginia Building Industry Association Representative

**TRANSPORTATION ADVISORY COMMISSION**

Appointment of:

- Mr. Michael Shor as the Mount Vernon District Representative

**TREE COMMISSION**

The Board deferred the appointment of the Mason and Springfield District Representatives.

**TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD**

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #1 Representative.

**UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES**

The Board deferred the appointment of the Citizen appointed by BOS #2 Representative.

**WETLANDS BOARD**

The Board deferred the appointment of the At-Large #1 and Mount Vernon District #3 Representatives.

**DET:det**

11. **ADMINISTRATIVE ITEMS** (11:38 a.m.)

Chairman Bulova announced that there would be discussion on Admin 1 – Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 2016 Revised Budget Plan.

Supervisor Gross moved approval of the Administrative Items. Chairman Bulova seconded the motion.

Chairman Bulova provided a brief explanation regarding the revised funding levels recommended in Admin 1.

Discussion ensued concerning the inclusion of \$100,000 per Magisterial District for capital projects and the appropriate consideration of that sum, with input from Joseph M. Mondoro, Chief Financial Officer, who noted that:

- There will be an opportunity to discuss the Third Quarter recommendation in detail at an upcoming Board's Budget Committee meeting

- The \$1 million is a one-time use of one-time dollars

Edward L. Long Jr., County Executive, added that the remaining balance following adjustments is also one-time money.

Discussion continued regarding the one-time expenditure of Third Quarter funds. Chairman Bulova stated that those funds could also be used to build larger reserves as the Board prepares for FY 2017.

Additional discussion continued concerning types of projects, including sidewalks, trails, stormwater management, and streetlights that could be funded.

Supervisor Foust asked unanimous consent that the Board direct staff to provide a list of one-time expenditures in the FY 2017 budget that could be funded without violating the Board's policy of using one-time money for one-time expenditures. Without objection, it was so ordered.

Discussion continued regarding Board "directives" as they pertain to the Capital Reserve Fund, with input from Mr. Long, who noted that additional studies regarding future needs (i.e. sidewalks, trails, etc.) have been done since consideration by the Infrastructure Financing Committee (IFC). He added that criteria is being prepared regarding the use of the \$100,000 per Magisterial District to provide the Board with maximum flexibility.

Discussion continued concerning:

- Funding of projects to meet constituent requests
- Utilizing matching funds/sweat equity to provide additional flexibility

Supervisor McKay asked to amend the motion to vote on Admin 1 separately. This was accepted.

The question was called on the motion to approve Admin 1 and it carried by unanimous vote.

Following clarification of the main motion, as amended, the question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."



**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE (FY) 2016 REVISED BUDGET PLAN**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 5, 2016, at 4 p.m. and April 6 and 7, 2016, at 1 p.m.**, to consider adjusting the FY 2016 appropriation level. The advertisement encompasses both the County and the Schools' FY 2016 Third Quarter Reviews. Section 15.2-2507 of the Code of Virginia requires that a public hearing be held prior to Board action to amend the current appropriation level.

**ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (MOUNT VERNON DISTRICT)**

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

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Dumas Street	Mount Vernon	Dumas Street
		Fordson Road (Route 779) (Supplemental Right-of-Way Only)

**ADMIN 3 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES RESPITE CARE INITIATIVE**

Authorized DFS to apply for and accept funding, if received, from the Virginia Department for Aging and Rehabilitative Services. Funding in the amount of \$80,475, including \$36,213 in local cash match, will expand respite care services for family caregivers with the highest risk for caregiver burden and whose family members are subsequently at highest risk for institutionalization. There are no positions associated with this award.

**ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 16145 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO ACCEPT GRANT FUNDING FROM THE NATIONAL HIGHWAY SAFETY ADMINISTRATION (NHTSA) THROUGH THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) DRIVING WHILE INTOXICATED (DWI) ENFORCEMENT INITIATIVE**

- (SAR) Approved SAR AS 16145 for the FCPD to accept grant funding in the amount of \$1,908,567. Funding will support nine full-time exempt new merit police officer positions for the FCPD DWI Enforcement Team. There is no local cash match directly associated with accepting the grant funds; however, costs associated with

overtime, fuel, vehicle maintenance, and police equipment replacement are not covered by the grant and must be funded by the County. Therefore, the required County contribution is \$477,142 bringing total funding for this initiative to \$2,385,709.

**ADMIN 5 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY FOR FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS) FOR A STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT**

Authorized FRD to apply for funding in the amount of \$2,388,628 to be received over two years from DHS for a 2015 SAFER grant to create 12 full-time exempt merit Captain II positions. No local cash match is required. However, the County will need to contribute \$2,228,261 over the two-year period to cover costs not covered by the grant (e.g. training, equipment, overtime), as well as personnel costs that exceed that of an entry level position. Therefore, the total cost of this program over the two-year period is \$4,616,889.

12.

**A-1 – AUTHORIZATION OF ADDITIONAL FUNDING FOR EXPEDITED PLAN REVIEW OF LOCALLY FUNDED TRANSPORTATION PROJECTS BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (11:58 a.m.)**

Supervisor Foust moved that the Board concur in the recommendation of staff and authorize additional funding in the amount of \$90,000 to fully fund expedited plan reviews subject to the agreement by VDOT for the remainder of Fiscal Year (FY) 2016 and \$360,000 to fund the plan reviews for FY 2017. Supervisor McKay seconded the motion.

Supervisor McKay provided a brief explanation of the authorization, noting that these are VDOT plan reviews funded by the County. Tom Biesiadny, Director, Department of Transportation, advised the Board that:

- VDOT has been working with the County to expedite the review of projects
- Additional VDOT positions have been approved to help local jurisdictions with plan reviews

Supervisor McKay asked unanimous consent that the County:

- Inform VDOT of the County's support for the additional positions to help expedite plans

- Reiterate the financial investment that the County has made to expedite plans review and the fact those dollars could have been used for projects
- Prepare an item for future Board consideration including a letter to VDOT outlining:
  - The amount the County has spent on expedited plan review
  - The economic development benefits the County has realized as a result of these expenditures
  - The County's desire to have some of the new positions put in place to address this problem long-term

Without objection, it was so ordered.

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

13. **A-2 – APPROVAL OF THE COUNTY'S FISCAL YEAR (FY) 2016 – FY 2022 TRANSIT DEVELOPMENT PLAN (TDP)** (12:02 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve the County's FY 2016 – FY 2022 TDP and authorize staff to submit it to the Virginia Department of Rail and Public Transportation (VDRPT). Supervisor Gross seconded the motion.

Tom Biesiadny, Director, Department of Transportation, provided a brief explanation of the TDP.

Discussion ensued, with input from Mr. Biesiadny, regarding inclusion of the INOVA site in route recommendations.

Following additional discussion concerning projections, Supervisor Herrity asked unanimous consent that the Board direct staff to provide information concerning actual ridership by route with a comparison to projections and the cost per trip. Without objection, it was so ordered.

Discussion continued, with input from Mr. Biesiadny, who noted that this is a plan; this issue is expected to come before the Board in the spring with recommendations for specific action for the implementation of FYs' 2016 and 2017 service. Mr. Biesiadny added that since this is a plan, there is flexibility to make additions and/or deletions to the current recommendations.

Following additional discussion, with further input from Mr. Biesiadny concerning the need to do a Federal Title Six analysis for each of the recommendations, the question was called on the motion and it carried by unanimous vote.

14. **A-3 – AUTHORIZATION TO SIGN THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT (MOA) RELATIVE TO THE CONSTRUCTION OF THE NATIONAL MUSEUM OF THE UNITED STATES (US) ARMY AT FORT BELVOIR (MOUNT VERNON DISTRICT)** (12:11 p.m.)

Supervisor Storck moved that the Board concur in the recommendation of staff and authorize the County Executive to sign the First Amendment to the MOA among the Board, the Virginia Department of Historic Resources, US Army Garrison Fort Belvoir, the Alexandria Monthly Meeting - Religious Society of Friends, and the National Trust for Historic Preservation, Woodlawn National Historic Landmark, relative to the construction of the National Museum of the US Army at Fort Belvoir. Supervisor Gross seconded the motion.

Discussion ensued, concerning transportation/infrastructure related issues, with input from Marianne Gardner, Director, Planning Division, Department of Planning and Zoning (DPZ). Ms. Gardner summarized the work DPZ has been doing with the Army over the last several years. She stated that the County submitted comments to the Army in December listing concerns and work it would like to continue doing to assure that those items are addressed. While the official comment period has concluded, she noted that the Army has been very cooperative and the County will continue that relationship in its ongoing dialogue.

Discussion continued concerning the need for continuing discussion with the Army to ensure adequate access to the facility.

Supervisor Storck, noting the County's success with its historical sites and the tourism and hospitality industries, cited the proximity of Mount Vernon and the importance of transportation links to those sites. He added that he plans to create a local district hospitality and tourism advisory committee which would then work with the County tourism bureau to unite these sites.

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

15. **A-4 – APPROVAL OF A PARKING REDUCTION FOR FALLFAX SHOPPING CENTER (PROVIDENCE DISTRICT)** (12:18 p.m.)

Supervisor L. Smyth moved that the Board concur in the recommendation of staff and approve a parking reduction of 22 percent (44 fewer spaces) of the required parking for the proposed redevelopment at 2828 Fallfax Drive pursuant to the Code of the County of Fairfax, Section 11-102, Paragraph 4B, based on an analysis of the site and the shared parking study #5761-PKS-003-1. The

requested reduction is subject to the conditions outlined in the Board Agenda Item dated March 15, 2016. Supervisor Foust seconded the motion.

Supervisor L. Smyth explained the basis for the reduction and noted the need for:

- The careful review of such requests
- The need for submission of real data to accurately assess the requests

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

16. **A-5 – AUTHORIZATION TO SUBMIT MULTIMODAL PROJECT GRANT APPLICATIONS TO REQUEST FUNDING FOR I-66 EXPRESS BUS SERVICE INSIDE THE BELTWAY (BRADDOCK, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (12:21 p.m.)

Tom Biesiadny, Director, Department of Transportation, gave a brief summation of the applications noting that funding for these projects would come from surplus toll revenues from the I-66 Inside the Beltway Project.

Supervisor Foust moved that the Board concur in the recommendation of staff and authorize the Director of the Department of Transportation to submit Fairfax Connector express bus service grant applications to the Northern Virginia Transportation Commission for funding, as further described in Attachment I of the Board Agenda Item dated March 15, 2016. The applications are for the Stringfellow Road Park-and-Ride Lot to Pentagon and Mark Center and the Fairfax County Government Center Park-and-Ride Lot to the State Department/Foggy Bottom in the District of Columbia. Supervisor L. Smyth seconded the motion.

Following discussion, with input from Mr. Biesiadny, concerning competitive funding after approval of the first year's operating costs, the question was called on the motion and it carried by unanimous vote.

17. **A-6 – ENDORSEMENT OF COMMENTS ON THE TRANSFORM I-66 INSIDE THE BELTWAY PROJECT-DESIGN PUBLIC HEARINGS (DRANESVILLE AND PROVIDENCE DISTRICTS)** (12:25 p.m.)

Tom Biesiadny, Director, Department of Transportation (DOT), provided a brief summation, noting that this a companion action to A-5 – Authorization to Submit Multimodal Project Grant Applications to Request Funding for I-66 Express Bus Service Inside the Beltway. He noted that while comments on the traffic report are still valid, the Virginia Department of Transportation (VDOT) will be doing a significant update to that report. Once that report is complete, staff will prepare an analysis to be presented to the Board.

Discussion ensued, with input from Mr. Biesiadny, who noted that there will be separate public hearings on the I-66 Inside the Beltway Widening Project upon completion of preliminary engineering and environmental work.

Discussion continued, with input from Leonard Wolfenstein, Chief, Planning Section, DOT, concerning signage on Shreve and Haycock Roads.

Supervisor Foust moved that the Board concur in the recommendation of staff and endorse the comments on the Transform I-66 Inside the Beltway Project which are contained in the letter to Amanda Baxter, VDOT Special Projects Development Manager. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

18. **A-7 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) WITH THE SHERIFF CONCERNING PERSONNEL ADMINISTRATION AND GRIEVANCE PROCEDURE** (12:29 p.m.)

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

- Approved entering into the MOA with the Sheriff, memorializing the agreement between the Board and the Sheriff regarding the placement of employees under the County's Personnel System and Grievance Procedure
- Authorized the County Executive to sign the MOA on behalf of the Board

19. **I-1 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-S15-9, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND MILESTONE TOWER, LP III** (12:30 p.m.)

The Board next considered an item contained in the Board Agenda dated March 15, 2016, announcing the PC's approval of Public Facilities Application 2232-S15-9, noting that the application met the criteria of character, location, and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia and is substantially in accord with the provisions of the adopted Comprehensive Plan. The application sought to construct a 130-foot tall monopole telecommunications facility at 9211 Old Keane Mill Road, Burke, Virginia.

20. **I-2 – CONTRACT AWARD – OPERATION, MANAGEMENT, AND STAFFING OF THE PRIMARY HEALTH CARE CENTERS** (12:30 p.m.)

The Board next considered an item contained in the Board Agenda dated March 15, 2016, announcing that the Purchasing Agent is awarding a contract to INOVA to best meet the needs of residents in the County. The contract is a five year contract with a total estimated amount of \$36,000,000.

21. **I-3 – FAIRFAX COUNTY TRANSPORTATION STATUS REPORT**  
(12:31 p.m.)

The Board next considered an item contained in the Board Agenda dated March 15, 2016, regarding the County's Transportation Status Report. Discussion ensued concerning the usefulness of the report and Chairman Bulova announced that it would be posted on the County's website.

**DAL:dal**

**ADDITIONAL BOARD MATTERS**

22. **GEOGRAPHIC NAME UPDATE FOR TYSONS** (12:33 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and said that over the past few years the Board has supported community efforts to rebrand Tysons. At the April 28, 2015, meeting, the Board directed staff to, in all forms of official communication, use "Tysons" exclusively and whenever feasible and practical, to change previous instances to reflect the new "Tysons" designation.

As the next step in this process of transitioning the name, the United States Geological Survey (USGS) Board on Geographic Names, now requires that the County sign the Geographic Name Proposal form (a copy of which she attached to her written Board Matter).

Therefore, Chairman Bulova asked unanimous consent that the Board direct staff to submit the completed form to the USGS. Without objection, it was so ordered.

23. **REQUEST FOR RECOGNITIONS** (12:35 p.m.)

Chairman Bulova asked unanimous consent that the Board direct staff to:

- Invite representatives from the community and the Office of Human Rights and Equity Programs to appear before the Board on April 26 to accept a proclamation recognizing "*Asian/Pacific American Heritage Month*" in Fairfax County.
- Invite representatives from the Unified Prevention Coalition of Fairfax County to appear before the Board on April 26 to accept a proclamation recognizing the tenth year of the *Parents Who Host, Lose the Most* campaign. Further, that staff from Cable and Consumer Services coordinate with the coalition to hang its banner in the Government Center during the month of May.
- Invite representatives from the Office of Elections and the Electoral Board who have served more than 20 elections to appear before the Board in May to accept certificates recognizing their sustained efforts in the service of County residents.

- Invite representatives from the Washington Area Bicyclist Association to appear before the Board in May to receive an award.
- Prepare and send a proclamation to the Corporation for National and Community Service recognizing April 5 as “*Mayor and County Recognition Day for National Service*” in Fairfax County.
- Prepare a proclamation welcoming the Virginia Society of Association Executives to the County during its annual meeting to be held here in May. The Chairman will present this proclamation at the opening reception on May 1. The group was founded in 1949 and this year marks the first time in its 67 year history that its annual meeting will be held in the County.
- Prepare a proclamation for the Mount Vernon Yacht Club in recognition of its sixtieth anniversary to be presented at the Mount Vernon Yacht Club Commissioning Day on May 1, 2016.
- Prepare a proclamation for the Korean Coalition for Political Participation (KCPP), Korean American Association of Virginia (KASOVA), and the Korean American Association of the Washington Metropolitan Area in recognition of the passage of FOB 1223. The proclamation and an electronic copy should be sent to KASOVA for its celebratory lunch on April 8.

Without objection, it was so ordered.

24. **REQUEST TO SEND A LETTER REGARDING THE APPLICATION OF UNITED AIRLINES PROVIDING AIR SERVICE BETWEEN THE UNITED STATES (US) AND CUBA** (12:38 p.m.)

Chairman Bulova said that United Airlines has applied for direct service between Washington Dulles International Airport and Havana, Cuba's Jose Marti International Airport.

As the Board is aware, the County, the region, the Commonwealth, and the Federal government have made significant investments in transportation projects to further spur the growth and accessibility of Dulles, including the Metrorail Silver Line extension that will provide a one-seat ride between Dulles and downtown Washington, DC and improvements to Route 28, which is a major gateway to Dulles. United's Washington Dulles-Havana service would naturally provide an important link between capital cities and serve a promising and growing export and diplomatic market. The addition of this new international destination also advances the County's economic success efforts, which include enhancing Dulles Airport's flight portfolio.



Therefore, Chairman Bulova moved that the Board approve sending a letter to US Transportation Secretary Anthony Foxx expressing strong support of United Airlines' application to provide air service between the US and Cuba. Vice-Chairman Gross seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

25. **REQUEST TO UPDATE CRITERIA FOR ENVIRONMENTAL EXCELLENCE AWARDS** (12:40 p.m.)

Chairman Bulova said it was recently brought to her attention that the criteria established by the Board for the Environmental Quality Advisory Council's (EQAC) Environmental Excellence Awards do not allow for recognition of individuals who make significant contributions to the quality of the environment in the County unless they are a resident or employee of the County. While many County residents make tremendous contributions to preserving and improving the environment, it would be appropriate for EQAC to be able consider the contributions of all individuals for recognition so long as the County is the beneficiary of their efforts or contributions.

Attached to her written Board Matter is a copy of the February 28, 2000, Board action establishing the Environmental Excellence Awards, along with a copy of the 2015 Nomination Form which show the current criteria.

Therefore, Chairman Bulova moved that the Board direct staff to amend the Eligibility Criteria to replace 'Fairfax County residents' with 'individuals' so that worthy individuals can receive recognition for their work benefiting the County, regardless of where they reside. Supervisor Foust and Supervisor McKay jointly seconded the motion.

Following a discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

26. **BUDGET QUESTIONS** (12:45 p.m.)

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide:

- The cost associated with a 15 percent salary supplement for Fairfax District Court employees

Supervisor Hudgins said Fiscal Year (FY) 2008 marked the first year of the Neighborhood Enhancement Partnership Program. Throughout the County, communities came together to improve their community and initiate long-term community enhancement projects. The last year of funding was FY 2015.

Therefore Supervisor Hudgins also asked unanimous consent that the Board direct staff to provide:

- A list of Neighborhood Enhancement Partnership Program grant projects by year, district, and grant amount used
- A list of Home Improvement Loan Project loans by year, district, and loan amount

Without objection, it was so ordered.

27. **RESIGNATION OF MS. ELEANOR FUSARO, FAIRFAX COMMISSION ON AGING** (12:46 p.m.)

Supervisor Hudgins announced the resignation of Eleanor Fusaro, a member of the Fairfax Commission on Aging. She is moving to Illinois and will be missed.

**DET:det**

28. **REQUEST FOR EXPEDITED PROCESSING OF SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-PR-040-03 - PENTAGON FEDERAL CREDIT UNION (PROVIDENCE DISTRICT)** (12:46 p.m.)

Supervisor L. Smyth announced that the Pentagon Federal Credit Union recently purchased a new office building, located at 7940 Jones Branch Drive, which will serve as its new headquarters. Awaiting the imminent relocation from Alexandria, the Pentagon Federal Credit Union has requested expedited processing of its pending Special Exception Amendment Application SEA 94-PR-040-03 to accommodate its corporate building mounted signage.

Supervisor L. Smyth moved that the Board direct the Director of the Zoning Evaluation Division, Department of Planning and Zoning, to expedite the review and scheduling of Special Exception Amendment Application SEA 94-PR-040-03. This motion should not be construed as a favorable recommendation by the Board or the Planning Commission on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and adopted standards. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

29. **DECLARING APRIL "CHILD ABUSE AWARENESS MONTH" IN FAIRFAX COUNTY** (12:47 p.m.)

Supervisor Cook announced that April is a time to acknowledge the importance of families and communities working together to prevent child abuse. Every year more than three million reports of child abuse are made in the United States involving more than six million children.

In the County there were more than 2,500 validated Child Protective Services (CPS) reports in Fiscal Year (FY) 2015 – a 13 percent increase over FY 2014 – and the number of children served by prevention programs in FY 2015 grew to over 2,200. Another 1,100 children were served through the Protection and Preservation Program – a 27 percent increase from FY 2014. The CPS Hotline received nearly 19,000 calls in FY 2015 from individuals either seeking information or to report an incident of child abuse or neglect. That is an eight percent increase over FY 2014.

Children's lives can be positively changed and even saved by active and aware community members making that critically important decision to ask more questions and offer help. Often times, many situations and conditions are preventable once community programs and systems are engaged. The County has always been and continues to be a community that is absolutely dedicated to the safety of children and helps to provide the appropriate supports to parents to keep families healthy.

Therefore, Supervisor Cook asked unanimous consent that the Board:

- Declare April as “*Child Abuse Awareness Month*” in Fairfax County
- Direct staff to invite representatives from Stop Child Abuse Now (SCAN), Court Appointed Special Advocates (CASA), and SafeSpot Children's Advocacy Center of Fairfax County to appear before the Board, at a date to be determined, to be recognized for their dedication and service to this cause

Without objection, it was so ordered.

**PMH:pmh**

30. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (12:49 p.m.)

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

31. **GIRL SCOUT COOKIES** (12:49 p.m.)

Supervisor Gross noted that Girl Scout cookies are on sale at this time.

32. **INTERNATIONAL CARTOGRAPHIC CONFERENCE 2017** (12:50 p.m.)

Supervisor Gross said that the International Cartographic Conference will be held in Washington, DC the week of July 2-7, 2017, and the County has a unique opportunity to showcase its use of Geographic Information Systems (GIS) and mapping capabilities. The week-long conference is expected to bring 2000 participants from all over the world, who can choose to attend a variety of local

tours of leading US civil entities involved in mapping. These include the US Geological Survey, the National Oceanic and Atmospheric Administration, Environment Systems Research Institute, and the Library of Congress.

The event organizers approached staff regarding the possibility of including the County in this distinguished group and hosting a session here at the government center for a group of conferees. Staff from the Department of Planning and Zoning and the Department of Information Technology would co-host and staff from other departments would be invited to participate in presentations and static displays as part of the event.

Therefore, Supervisor Gross moved that the Board direct the County Executive and staff to continue coordination efforts with the event organizers in preparation for hosting a local tour of the County's use of GIS and mapping for conference attendees on July 6, 2017. Chairman Bulova seconded the motion and it carried by unanimous vote.

33. **SLEEPY HOLLOW CITIZENS ASSOCIATION SEVENTY-FIFTH ANNIVERSARY (MASON DISTRICT)** (12:50 p.m.)

Supervisor Gross said that this year marks the seventy-fifth anniversary of the Sleepy Hollow Citizens Association. Since its founding in 1941, the association has hosted various annual events or informed residents of important local school/county issues. They have built, and continue to build, strong connections among neighbors, both life-long residents and newcomers alike.

Therefore, Supervisor Gross asked unanimous consent that the Board:

- Applaud the Sleepy Hollow Citizens Association for its dedication and commitment to community building
- Direct staff to prepare a Certificate of Recognition recognizing the "Sleepy Hollow Citizens Association" in celebration of its seventy-fifth anniversary, to be signed by Chairman Bulova and Supervisor Gross, and presented at its anniversary celebration, to be held on April 9, 2016

Without objection, it was so ordered.

34. **REQUEST TO PROCLAIM "POLICE WEEK AND PEACE OFFICERS MEMORIAL DAY" IN FAIRFAX COUNTY** (12:53 p.m.)

Supervisor McKay said that the Congress and the President of the US have designated May 15-21, 2016, as Police Week and May 15, 2016, as Peace Officers Memorial Day. The Fairfax County Police Department (FCPD) and the Sheriff's Department serve County residents every day, safeguarding life and

property, protecting against violence and disorder, and defending the innocent against deception and the weak against oppression.

The officers of the FCPD and Sheriff's Department are loyal, faithful, devoted, and selfless in their service to the diverse community and have established an enduring reputation of preserving the security and rights of all residents in the County.

Supervisor McKay moved that the Board:

- Proclaim May 15–21, 2016, as “*Police Week*,” to honor these women and men for their vital service
- Direct staff to invite these members to appear before the Board to be recognized for their dedication to the community at the Board's April 5 meeting
- Proclaim May 15, 2016, 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

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

35. **2016 PERSONAL PROPERTY AND VEHICLE TAX DECALS – TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (12:55 p.m.)

Supervisor Herrity said that last year HB1966 allowed towns and counties to enter into a cooperative agreement to collect vehicle decal fees on behalf of a town in its jurisdiction. The legislation was passed and became effective on July 1, 2015. Currently the Town of Herndon is planning to take advantage of this legislation and currently is working on a Memorandum of Understanding (MOU) with the County to collect fees on behalf of the town. The Town of Clifton would also like to work out such an agreement with the County.

Therefore, Supervisor Herrity moved that the Board direct the Department of Taxation work with the Town of Clifton with the goal of developing an MOU in time for the 2016 Personal Property and Vehicle Decal tax bills. Supervisor Foust and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

36. **NEW STAFF MEMBER (SPRINGFIELD DISTRICT)** (12:56 p.m.)

Supervisor Herrity introduced Erika Dyer, a new staff member in his office, and the Board warmly welcomed her to the Board Auditorium.

37. **WESTFIELD HIGH SCHOOL BASKETBALL TEAM – VIRGINIA 6A STATE CHAMPIONS (SULLY DISTRICT)** (12:57 p.m.)

Supervisor K. Smith said that she would like to congratulate and recognize the Westfield High School Basketball Team for recently winning the Virginia 6A State Championship at the Siegel Center on the campus of Virginia Commonwealth University. The Bulldogs captured the State title in an exciting 74-56 victory over Oscar Smith of Chesapeake. This is the first time a County school has won the boys' basketball State championship since Robert E. Lee won in 1981.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite members of the Westfield High School Basketball Team to appear before the Board to be acknowledged for superior achievement. Without objection, it was so ordered.

38. **NO BOARD MATTERS FOR SUPERVISOR STORCK (MOUNT VERNON DISTRICT)** (12:58 p.m.)

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

39. **RECESS/CLOSED SESSION** (12:59 p.m.)

Supervisor Gross 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. Application of Dominion Virginia Power, PUE-2015-00133 (Va. State Corp. Comm'n) (Lee District)

2. *1<sup>st</sup> Lady Janitorial Services, LLC v. County of Fairfax, Virginia*, Case No. CL-2016-0000505 (Fx. Co. Cir. Ct.)
3. *Kingstowne M&N LP v. Fairfax County*, Case No. CL-2015-0017985 (Fx. Co. Cir. Ct.) (Lee District)
4. *United States of America v. Muna Osman Jama, Hinda Osman Dhirane, Fardowsa Jama Mohamed, Farhia Hassan, Barira Hassan Abdullahi*, Case No. 1:14cr230(AJT) (E.D. Va.) (Hunter Mill District)
5. *In Re: Decision of September 17, 2014, of the Board of Zoning Appeals of Fairfax County, Virginia; Medhi Rofougaran and Tournament Drive, LLC v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2016-0001763 (Fx. Co. Cir. Ct.) (Mason District)
6. *Starr Construction, LLC v. Fairfax County* (Fx. Co. Bd. of Bldg. Code App.) (Dranesville District)
7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mohammed J. Abdlazez*, Case No. CL-2008-0006965 (Fx. Co. Cir. Ct.) (Mason District)
8. *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)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edgar Gramajo and Miryam Gramajo*, Case No. GV15-017789 (Fx. Co. Gen. Dist. Ct.) (Lee District)

And in addition:

- *United States v. County of Fairfax*, Civil Action Number 78-762-A, Eastern District of Virginia
- Virginia Code Section 2.2-3103
- Virginia Code Section 3.2-6540

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

EBE:ebe

At 3:28 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

### **ACTIONS FROM CLOSED SESSION**

40. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:28 p.m.)

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

41. **AUTHORIZATION TO FILE A NOTICE OF PARTICIPATION** (3:28 p.m.)

Supervisor Storck moved that the Board authorize the filing of a Notice of Participation and staff to participate before the Virginia State Corporation Commission in the *Application of Dominion Virginia Power #PUE-2015-00133* as outlined by the County in closed session. Supervisor McKay seconded the motion and it carried by unanimous vote.

### **AGENDA ITEMS**

42. **3 P.M. – DECISION ONLY ON SPECIAL EXCEPTION APPLICATION SE 2015-SP-022 (EILEEN MEADE DBA MEADE FAMILY DAYCARE) (SPRINGFIELD DISTRICT)** (3:29 p.m.)

(NOTE: On March 1, 2016, the Board held a public hearing regarding this item and deferred decision until March 15, 2016.)

The application property is located at 9697 South Run Oaks Drive, Fairfax Station, 22039. Tax Map 97-1 ((6)) 166.

Supervisor Herrity submitted items for the record.

Following comments regarding the application, Supervisor Herrity queried Ms. Meade who confirmed, for the record, that she is in agreement with the proposed development conditions dated March 11, 2016.



Supervisor Herrity moved approval of Special Exception Application SE 2015-SP-022, subject to the revised development conditions dated March 11, 2016. Supervisor Cook seconded the motion and it carried by unanimous vote.

43. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2014-HM-024 (GEORGE FAMILY PROPERTY DEVELOPMENT, LLC) AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN (HUNTER MILL DISTRICT) (3:33 p.m.)**

(O) (NOTE: On February 2, 2016 the Board deferred this public hearing until March 15, 2016.)

The application property is located west of the terminus of Crim Dell Lane and north of the terminus of Higdon Drive, Tax Map 28-4 ((1)) 19, 19A, 21, 21B, 25, 25A, and 25C.

Mr. Scott Adams reaffirmed the validity of the affidavit for the record.

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

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

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

Ms. Bishop presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-HM-024, be amended from the R-1 and RC Districts to the PDH-2 District, and approval of the Conceptual Development Plan, subject to the proffers dated February 24, 2016. Supervisor Cook seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

(NOTE: On December 10, 2015, the PC approved Final Development Plan Application FDP 2014-HM-024, subject to the development conditions dated November 24, 2015.)

44. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-SP-023 (CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS; LITTLE LEAGUE INCORPORATED FAIRFAX) (SPRINGFIELD DISTRICT)**  
(3:42 p.m.)

(NOTE: On February 16, 2016, the Board deferred this public hearing until March 15, 2016.)

Supervisor Herrity moved to defer the public hearing on Special Exception Application SE 2015-SP-023 until **July 12, 2016, at 3:30 p.m.** Supervisor Cook seconded the motion and it carried by unanimous vote.

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 97-V-033-02 (MOUNT VERNON COUNTRY CLUB, INCORPORATED) (MOUNT VERNON DISTRICT)** (3:43 p.m.)

The application property is located at 5111 Old Mill Road, Alexandria, 22309, Tax Map 110-1 ((1)) 3, 4, 13, and 13A.

Ms. Inda Stagg reaffirmed the validity of the affidavit for the record.

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

Ms. Stagg 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.

Discussion ensued with input from Ms. Stagg regarding:

- The type of ponds and whether they are natural or manmade
- Whether any part of the ponds are considered wetlands
- The resulting decrease in impervious surface

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

Supervisor Storck submitted a resolution from the Mount Vernon Council of Citizens' Association for the record.

Following a query by Supervisor Storck, Ms. Stagg confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 11, 2016.

Supervisor Storck moved:

- Approval of Special Exception Amendment Application SEA 97-V-033-02, subject to the development conditions dated March 11, 2016
- Modification of the frontage improvements requirements in Section 17-201, of the Zoning Ordinance requiring a paved trail along Old Mill Road, in favor of the continued execution of the applicant's Fundraising Agreement with the Board referenced in the development conditions
- Modification of the transitional screening and barrier requirements in Section 13-302 of the Zoning Ordinance in favor of the existing vegetation and barriers shown on the SEA Plat

Supervisor Gross and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

46. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL APPLICATION AA 2012-SU-001 (JOHN AND KIM HICKOX) (SULLY DISTRICT) (3:57 p.m.)**

Supervisor K. Smith moved to defer the public hearing on Agricultural Renewal Application AA 2012-SU-001, until **May 17, 2016, at 3:30 p.m.** Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

47. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 98-S-001-02 (EDITH E. BIERLY) (SPRINGFIELD DISTRICT) (3:58 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 February 26 and March 4, 2016.

The application property is located at 8833 Lake Hill Drive, Lorton, 22079, Tax Map 106-1 ((1)) 14Z and 16Z; 106-1 ((3)) 9Z, 10Z and 18Z.

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

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

Supervisor Herrity moved approval of Agricultural Renewal Application AR 98-S-001-02, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Bierly Local Agricultural and Forestal District, subject to the Ordinance provisions dated February 17, 2016. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Hudgins being out of the room.

48. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2011-PR-023/CDPA 2011-PR-023 (CITYLINE PARTNERS LLC) (PROVIDENCE DISTRICT)** (4:02 p.m.)

(NOTE: On February 16, 2016, the Board deferred this public hearing until March 1, 2016. On March 1, 2016, the Board deferred this public hearing until March 15, 2016.)

Supervisor L. Smyth moved to defer the public hearing on Proffered Condition Amendment Application PCA 2011-PR-023, until **April 5, 2016, at 2:30 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

49. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT, DISTRICT 20 (DRANESVILLE DISTRICT)** (4:03 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 February 26 and March 4, 2016.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Foust moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Langley RPPD, District 20. The proposed District expansion includes the following streets: Dogue Hill Lane from Georgetown Pike to the northern property boundary of 1011 Dogue Hill Lane, east side only; and along the entire road frontage of 1000 and 1001 Dogue Hill Lane. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Hudgins being out of the room.

50. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION) SECTION 62-3-1, THAT WOULD ALLOW 16 AND 17 YEAR OLD STUDENTS TO PARTICIPATE IN THE TRAINING REQUIRED TO BE CERTIFIED UNDER NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 1001, LEVEL ONE, FIREFIGHTER STANDARDS, AS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF FIRE PROGRAMS (VDFP)**  
(4:09 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 February 26 and March 4, 2016.

Chief Richard R. Bowers, Fire and Rescue Department (FRD), presented the staff report.

Discussion ensued, with input from Chief Bowers and Michelle Flynn, Program Manager, Health and Medical Sciences, Fairfax County Public Schools (FCPS), regarding:

- Providing a possible pathway for high school students to the profession of firefighting careers
- Falls Church Academy students enrolled in the Emergency Medical Technician (EMT) training course
- Training hours and transportation available to the training academy
- Expansion of the Fire EMS training to West Potomac High School

Following the public hearing, Supervisor Cook moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection, Section 62-3-1, to allow 16 and 17 year olds, with parental or guardian approval, to participate in training required to be certified under the NFPA 1001, level one, firefighter standards, as administered by the VDFP. Supervisor Gross seconded the motion.

Following discussion regarding the benefits of the program, the question was called on the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor K. Smith being out of the room.

51. **4 P.M. – PH ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2017** (4:18 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 February 26 and March 4, 2016.

David P. Jones, Senior Program Manager, Real Estate Finance/Grants Management, Housing and Community Development, presented the staff report.

Discussion ensued with input from Mr. Jones, regarding the carryover funds from prior years and restrictions or time table for use of the funds carried over.

The public hearing was held and included testimony by one speaker.

Following the testimony of Doris Ray (Speaker #1), Supervisor Cook asked unanimous consent that the Board direct staff to provide a response to the points raised by the speaker. Without objection, it was so ordered.

Chairman Bulova announced that the record will remain open to allow citizens to provide written testimony throughout the budget process until April 26, 2016, for final Board action.

**ADDITIONAL BOARD MATTER**

52. **WASHINGTON DC METRO TO SHUT DOWN FOR SYSTEM-WIDE SAFETY INSPECTION** (4:28 p.m.)

Supervisor K. Smith announced that she has learned that Metro will shut down at midnight for 24 hours for a system-wide safety inspection. A brief discussion ensued regarding the shut down and the need to find out more information.

53. **RECESS/CLOSED SESSION** (4:29 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of personnel matters pursuant to Virginia Code Section (§) 2.2-3711(A) (1). Supervisor Foust seconded the motion and it carried by unanimous vote.

**PMH:pmh**

At 9:02 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Storck, and with Chairman Bulova presiding.

**ACTIONS FROM CLOSED SESSION**54. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (9:02 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 Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Chairman Bulova voting "AYE," Supervisor Storck being out of the room.

55. **BOARD ADJOURNMENT** (9:03 p.m.)

The Board adjourned.

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