



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
March 14, 2017**

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At a truncated 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 14, 2017, at 1:01 p.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; Elizabeth Teare, 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; Denise A. Long, Chief 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 MATTERS1. **ORDERS OF THE DAY** (1:01 p.m.)

Chairman Bulova announced that today's meeting is truncated due to the inclement weather and noted that public hearings will be held this afternoon.

2. **MOMENT OF SILENCE** (1:01 p.m.)

Supervisor Gross asked everyone to keep in thoughts the family of Jack Weyant, Director of Code Compliance, whose mother died recently.

Supervisor McKay asked everyone to keep in thoughts the family of Dominic Bonaiuto, former aide to Congressman Gerry Connolly. A few years ago Mr. Bonaiuto lost his wife to cancer and shortly before Christmas his son Sebastian, a freshman at Edison High School, was diagnosed with cancer and underwent surgery last week. He asked to keep Sebastian in thoughts as he recovers.

AGENDA ITEMS3. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (1:04 p.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 14, 2017." Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

The full list of Appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Mr. Clifford L. Fields as the At-Large Chairman's Representative

The Board deferred the appointment of the Mount Vernon District Representative.

ADVISORY PLANS EXAMINER BOARD

Confirmation of:

- Mr. Shahab Baig as the County Employee Representative

- Mr. Jack E. Rinker as the Professional Engineer/Surveyor #1 Representative
- Mr. James H. Scanlon as the Professional Engineer/Surveyor #3 Representative

ADVISORY SOCIAL SERVICES BOARD

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Appointment of:

- Mr. Sean Perryman as the Citizen Representative

The Board deferred the appointment of the Engineer/Architect/Planner #2 and the Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Hunter Mill and Providence District Representatives.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Mason District Representative.

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Attorney Representative.

ATHLETIC COUNCIL

Reappointment of:

- Ms. Lisa MicKey as the Lee District Principal Representative
- Mr. Gary Flather as the Sully District Principal Representative

Appointment of:

- Mr. Salvatore Colangelo as the Mount Vernon District Principal Representative

The Board deferred the appointment of the Dranesville District Principal and Alternate, Hunter Mill District Principal and Alternate, Mason District Alternate, Mount Vernon District Alternate, and the Sully District Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CHILD CARE ADVISORY COUNCIL

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

COMMISSION ON AGING

Appointment of:

- Mr. Steve Gurney as the Hunter Mill District Representative

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the At-Large, Lee, Providence, and Springfield District Representatives.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

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

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. John H. Thillman as the At-Large #2 Representative

- Ms. Edythe Kelleher as the At-Large #3 Representative
- Mr. Mark S. Ingrao as the At-Large #4 Representative
- Ms. Linda Sullivan as the At-Large #5 Representative
- Mr. Sean Mallon as the At-Large #6 Representative
- Mr. Steve McKnight as the At-Large #7 Representative
- Mr. James Quigley as the At-Large #8 Representative
- Mr. Anthony Chang as the At-Large #9 Representative
- Mr. Tom Weithman as the Center for Innovative Technology Representative

ENGINEERING STANDARDS REVIEW COMMITTEE

Confirmation of:

- Mr. Keith Sinclair as the Engineers/Surveyors Institute Representative
- Ms. Sandra O'Connell as the Department of Planning and Zoning Representative

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Mason District Representative.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

The Board deferred the appointment of the Providence District Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #2 and Provider #1 Representatives.

HISTORY COMMISSION

Appointment of:

- Ms. Barbara J. Peters as the Citizen #7 Representative

The Board deferred the appointment of the Historian #1 Representative.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Mount Vernon District #1 Representative.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)

Appointment of:

- Mr. Richard Grams II as the Mount Vernon District Representative

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

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

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

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

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

REDEVELOPMENT AND HOUSING AUTHORITY

Reappointment of:

- Mr. Richard J. Kennedy as the Hunter Mill District Representative

The Board deferred the appointment of the At-Large #2 and Mount Vernon District Representatives.

ROAD VIEWERS BOARD

Appointment of:

- Mr. Paul Davis, Jr. as the At-Large #2 Representative

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

SMALL BUSINESS COMMISSION

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Reappointment of:

- Ms. Sandra Deleon as the Fairfax County #2 Representative
- Mr. Gerald Padmore as the Fairfax County #4 Representative

Confirmation of:

- Ms. Carol Ann Bradley as the Reston Association #4 Representative

The Board deferred the appointment of the Fairfax County #6 and #8 Representatives.

TENANT LANDLORD COMMISSION

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

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

Reappointment of:

- Mr. Douglas M. Doolittle as the Residential Owners and HOA/Civic Association #2 Representative

The Board deferred the appointment of the Commercial or Retail Ownership #2 and the Providence District #2 Representatives.

WETLANDS BOARD

Appointment of:

- Mr. R. Dean Costello as the Lee District Representative
- Ms. Laura Sebastianelli as the Mount Vernon #2 District Representative

The Board deferred the appointment of the Alternate #1 Representative.

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4. **ADMINISTRATIVE ITEMS** (1:05 p.m.)

Chairman Bulova announced that Admin 1 would be considered separately.

Supervisor Gross moved approval of Administrative Items 2–5. 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.”

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2017 REVISED BUDGET PLAN

(NOTE: Earlier in the meeting it was noted that this item would be considered separately. See page 7.)

(NOTE: Later in the meeting action was taken regarding this item. See Clerk’ Summary Item #5.)

ADMIN 2 – EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY 2232 APPLICATIONS (PROVIDENCE AND SULLY 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-P16-44	Verizon Wireless 1650 Tysons Boulevard McLean, VA Providence District Accepted December 19, 2016	May 18, 2017
FS-P16-45	Verizon Wireless 2001 International Drive McLean, VA Providence District Accepted December 19, 2016	May 18, 2017
FS-P16-46	Verizon Wireless 2001 International Drive McLean, VA Providence District Accepted December 19, 2016	May 18, 2017
2232-Y16-42	T-Mobile 6212 Summer Pond Drive Centreville, VA Sully District Accepted December 21, 2016	May 20, 2017

ADMIN 3 – APPROVAL OF TRAFFIC CALMING MEASURES AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATIVE PROGRAM (RTAP) (LEE DISTRICT)

- Endorsed a traffic calming plan for Lenclair Street (Lee District) consisting of one speed hump
- Authorized the installation of “Watch for Children” signs on Hillary Street (Lee District)
- Directed staff of the Department of Transportation to schedule installation of the approved measures as soon as possible

ADMIN 4 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) FOR THE CONTINUATION OF FUNDING ASSOCIATED WITH THE HEAD START AND EARLY HEAD START GRANT

Authorized DFS to apply for and accept grant funding, if received, from DHHS in the amount of \$9,033,752, including \$1,043,658 local cash match, to support the continuation of Early Head Start and Head Start services to 678 children and their families. This funding will continue to support 55/50.0 fulltime exempt existing grant positions. No new grant positions are being requested with this funding.

ADMIN 5 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) FOR THE CONTINUATION OF FUNDING ASSOCIATED WITH THE EARLY HEAD START CHILD CARE PARTNERSHIP AND EXPANSION GRANT

Authorized DFS to apply for and accept grant funding, if received, from DHHS in the amount of \$970,916, including \$170,875 in local cash match to support the continuation of Early Head Start Child Care Partnership and Expansion services to 56 infants and toddlers and their families. This funding will continue to support 13/12.3 fulltime exempt existing grant positions. No new grant positions are being requested with this funding.

5. **ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2017 REVISED BUDGET PLAN** (1:06 p.m.)

- (A) (NOTE: Earlier in the meeting it was noted that this item would be considered separately. See Clerk’s Summary Item #4.)

Supervisor McKay moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 4, 2017, at 4 p.m., April 5 and 6, 2017, at 1 p.m.**, to consider adjusting the FY 2017 appropriation level. The advertisement encompasses both the County and the Schools' FY 2017 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. Supervisor Gross seconded the motion.

Following a brief discussion, with input from Edward L. Long Jr., County Executive, the question was called on the motion and it carried by unanimous vote.

6. **A-1 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE FRIENDS OF THE FAIRFAX COUNTY ANIMAL SHELTER AND THE BOARD OF SUPERVISORS** (1:08 p.m.)

On motion of Supervisor Cook, seconded jointly by Supervisor Gross and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the MOA between the Friends of the Fairfax County Animal Shelter and the Board and authorized the County Executive to sign it on behalf of the Board.

7. **A-2 – APPROVAL OF A REVISED LEASE AGREEMENT FOR COMMUTER PARKING AT SPRINGFIELD PLAZA (LEE DISTRICT)** (1:08 p.m.)

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

- Approved a lease agreement to continue commuter parking services at Springfield Plaza
- Authorized the Director of Department of Transportation to execute the agreement on behalf of the County

8. **A-3 – APPROVAL OF A SECOND AMENDMENT TO A PROJECT FUNDING AGREEMENT FOR COUNTY-FUNDED ROADWAY IMPROVEMENTS TO MULLIGAN ROAD (MOUNT VERNON AND LEE DISTRICTS)** (1:09 p.m.)

(R) Supervisor Storck moved that the Board concur in the recommendation of staff and:

- Approve the second amendment to the existing agreement between the County, the Virginia Department of Transportation (VDOT), and the US Department of Transportation (USDOT), Eastern Federal Lands Highway Division (EFLHD)

- Adopt the Resolution authorizing the Director of the Department of Transportation to execute the Second Amendment to the Memorandum of Agreement DTFH71-08-X-50021

Supervisor McKay seconded the motion. Following a brief discussion regarding expediting this issue, 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,”

9. **A-4 – APPROVAL OF A FIRST AMENDED PROJECT FUNDING AGREEMENT WITH THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) FOR THE INNOVATION CENTER METRORAIL STATION PROJECT (DRANESVILLE DISTRICT)** (1:11 p.m.)

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

- Approved the Amended Project Funding Agreement
- Authorized the Director of the Department of Transportation to execute the Amended Project Agreement which will govern MWAA’s expenditure of \$60 million in funds provided by the Northern Virginia Transportation Authority for construction of the Innovation Center Metrorail Station

10. **A-5 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR HUNTER MILL PLAZA (PROVIDENCE DISTRICT)** (1:12 p.m.)

On motion of Supervisor L. Smyth, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 6.9 percent (21 fewer spaces) for Hunter Mill Plaza pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102, Paragraph 4(B), based on an analysis of the parking requirements for each use on the property and the shared parking study #5609-PKS-007-1, subject to the conditions outlined in the Board Agenda Item.

11. **A-6 – BOARD ENDORSEMENT OF THE I-95 NORTHBOUND DIRECTIONAL RAMP TO NORTHBOUND FAIRFAX COUNTY PARKWAY- PUBLIC HEARING (PH) SUBMISSION (LEE AND MOUNT VERNON DISTRICTS)** (1:12 p.m.)

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

- Endorse the design plans for the I-95 Northbound Directional Ramp to Northbound Fairfax County Parkway – PH Submission, as presented at the Design Public Hearing on September 6, 2016, with the condition as outlined in the Board Agenda Item.

- Direct staff to send a letter to the Virginia Department of Transportation (VDOT) regarding the endorsement.

With a modification to the letter on Page 169 of the Board Package, to add a bullet which reads as follows:

- Fairfax County staff will continue to coordinate this project with VDOT such that pier placement does not preclude future improvements to the intersection of Fairfax County Parkway at Loisdale Road. County staff will also coordinate with VDOT to minimize impacts of this project on existing businesses.

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

12. **A-7 – APPROVAL OF FAIRFAX CONNECTOR MARCH 2017 SERVICE CHANGES** (1:14 p.m.)

On motion of Supervisor Hudgins, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the March 2017 service change proposal as outlined in the Board Agenda Item. To inform the public of the service changes and receive feedback from riders, staff posted detailed information on the Fairfax Connector website and social media accounts, disseminated information via Fairfax Alerts, installed flyers on buses, and hosted two public meetings to directly engage the public. Public comments were reviewed and rider requests were incorporated into the proposal where feasible. As a result of input received the following routes originally considered for the March 2017 service change (231, 232, 301, 305, 321, 322, and 333) will be deferred. This will provide an opportunity for staff to revise these route proposals to address public input. A public feedback summary is included as Attachment I of the Board Agenda Item.

13. **C-1 – APPROVAL OF AMENDED BYLAWS FOR THE FAIRFAX AREA COMMISSION ON AGING (FACOA)** (1:14 p.m.)

(BACs) The Board next considered an item contained in the Board Agenda regarding approval of amendments to the Bylaws for the FACOA.

Supervisor Herrity moved that the Board approve amendments to the Bylaws for the FACOA, including the revised Attachment 1 of the Board Agenda Item. Supervisor Gross seconded the motion and it carried by unanimous vote.

14. **I-1 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-V16-38 (VERIZON WIRELESS (MOUNT VERNON DISTRICT))** (1:15 p.m.)

The Board next considered an item contained in the Board Agenda announcing that the PC approved Public Facilities Application 2232-V16-38, 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 develop a telecommunications facility located at 6065 Richmond Highway, Alexandria, 22303, Tax Map 83-3 ((1)) 56C, Area IV (Mount Vernon District).

15. **I-2 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-D16-37 (VERIZON WIRELESS) (DRANESVILLE DISTRICT)** (1:15 p.m.)

The Board next considered an item contained in the Board Agenda announcing that the PC approved Public Facilities Application 2232-D16-37, noting that it met the criteria of character, location, and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia and is substantially in accord with the provisions of the adopted Comprehensive Plan. The application sought to locate telecommunications facilities on a replacement utility pole located at 1451 Chain Bridge Road, McLean, 22101, Tax Map 30-2 ((8)) 55B, Area II, (Dranesville District).

16. **I-3 – ENDORSEMENT OF UPDATED TYSONS URBAN DESIGN GUIDELINES (HUNTER MILL AND PROVIDENCE DISTRICTS)** (1:16 p.m.)

The Board next considered an item contained in the Board Agenda announcing that staff will use the updated Tysons Urban Design Guidelines in its review of development applications and will provide them to interested parties as a resource for addressing the Comprehensive Plan's design guidance and streetscape standards for Tysons.

Supervisor L. Smyth moved that the Board endorse the Updated Tysons Urban Design Guidelines dated February 24, 2017, and direct staff to continue to work with applicants to implement the guidelines. Supervisor Hudgins seconded the motion.

Following clarification that these are just guidelines, not mandates, the question was called on the motion and it carried by unanimous vote.

17. **I-4 – FAIRFAX COUNTY TRANSPORTATION STATUS REPORT**
(1:17 p.m.)

The Board next considered an item contained in the Board Agenda regarding the transportation status report.

A brief discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, regarding the report.

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ADDITIONAL BOARD MATTERS

18. **REQUEST FOR RECOGNITIONS** (1:20 p.m.)

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

- The Child Care Advisory Council and the Office for Children on May 2, 2017, to designate May 7–13, 2017, as “*Child Care Professionals Week*” in Fairfax County
- The Fire and Rescue Department on June 6, 2017, to accept a proclamation recognizing June 18–24, 2017, as “*Safety Stand Down Week*” in Fairfax County

Without objection, it was so ordered.

19. **UPDATE TO THE ENGINEERING STANDARDS REVIEW COMMITTEE (ESRC) BYLAWS** (1:21 p.m.)

(BACs) Chairman Bulova stated that members of the Boards and Commissions do a tremendous amount of work on behalf of the County and its residents and it has recently come to her attention that a respected member of the ESRC is unable to be re-appointed as her appointing organization, the Citizens Committee on Land Use and Transportation, is now non-operational.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the ESRC to consider updating its bylaws to replace the Citizens Committee on Land Use and Transportation appointment with an At-Large Citizen appointment. Without objection, it was so ordered.

20. **ADOPTION OF THE MARCH 2017 QUARTERLY REPORT OF THE AUDITOR OF THE BOARD** (1:22 p.m.)

Chairman Bulova announced that the Board has received the Auditor of the Board's Quarterly Report for March 2017, and she identified the following study areas contained in the Report:

- Pension Plan Review (Follow-Up) – Single Audit Act
- Consultants and Contractors Staff Review (Phase 3) – Department of Cable and Consumer Services and Department of Procurement and Material Management
- Staff Initiated Training Review
- Time and Attendance Review

Chairman Bulova moved that the Board adopt the Auditor of the Board's March 2017 Quarterly Report and approve the Audit Committee Work Plan for the upcoming quarter. Supervisor Foust seconded the motion.

Following a brief discussion, with input from Elizabeth Teare, County Attorney, and Jim Shelton, Auditor of the Board, regarding cable franchise sales and use taxes, the question was called on the motion, and it carried by unanimous vote.

21. **A UNITED RESPONSE TO HATE SPEECH BIAS INCIDENTS AND HATE CRIMES EVENT** (1:25 p.m.)

Chairman Bulova referred to a flyer regarding a united response to hate speech bias incidents and hate crimes event which will take place on Sunday, March 26, from 3 p.m. – 5:30 p.m. at Northern Virginia Community College, the Ernst Cultural Center, 8333 Little River Turnpike, Annandale, Virginia. More information can be found at <http://www.fairfaxcounty.gov/ncs/cic/>.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

22. **RECOGNIZING MASTER GARDENERS GLEN SEELY AND EDITH PROBUS FOR 40 YEARS OF SERVICE (DRANESVILLE DISTRICT** (1:25 p.m.)

Supervisor Foust said that in late 1996, the Fairfax County Master Gardeners Association (FCMGA) was incorporated as a not-for-profit organization. After receiving the support of Merrifield Garden Center, the FCMGA gradually grew in size and structure. The program became so popular that it had to limit the number of new members to maintain a manageable size. Today, FCMGA has over 250 members.

Supervisor Foust referred to his written Board Matter which outlined its many accomplishments and announced that on March 29 FCMGA will hold its annual spring membership meeting and honor master gardeners Glen Seely and Edith Probus. They live on the same street in McLean and have provided horticultural advice to gardeners in the County for 40 years.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a certificate, signed by him and the Chairman, recognizing Mr. Seely and Ms. Probus for 40 years of service as Master Gardeners to be presented at the FCMGA spring membership meeting to be held on March 29, 2017. Without objection, it was so ordered.

23. **REQUEST TO RECOGNIZE THE McLEAN HIGH SCHOOL GYMNASTICS TEAM – 2017 STATE CHAMPIONS (DRANESVILLE DISTRICT)** (1:27 p.m.)

Supervisor Foust congratulated the McLean High School Gymnastics Team for winning the Virginia Group 6A championship on February 17 in Nokesville, Virginia. The win was the second State championship in the past three years for the McLean team, the last in 2015.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite the McLean High School Gymnastics Team, coaches, and school officials, to appear before the Board on May 16, 2017, to be recognized for the outstanding achievement. Without objection, it was so ordered.

24. **REQUEST TO RECOGNIZE McLEAN HIGH SCHOOL SENIOR MELANIE PINCUS – JOURNALIST OF THE YEAR (DRANESVILLE DISTRICT)** (1:28 p.m.)

Supervisor Foust congratulated Melanie Pincus, a senior at McLean High School, for being named the Virginia Journalist of the Year by the Virginia Association of Journalism Teachers and Advisers. Ms. Pincus, who is in her second year as editor-in-chief of *The Highlander* newsmagazine, will compete for the national award this spring.

In selecting Ms. Pincus, one judge stated, “Pincus’ portfolio looks like that of a college senior, with internships, awards, and hard news.....she takes stories that might appear mundane, such as teacher salaries, and explains them in a way that her readership will find compelling.”

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. Pincus; Lindsay Benedict, her teacher adviser; and other school officials to appear before the Board on May 16, 2017, to recognize her outstanding achievement. Without objection, it was so ordered.

25. **BDC DULLES CORPORATE, LLC SPECIAL EXCEPTION REQUEST FOR EXPEDITED PROCESSING (DRANESVILLE DISTRICT)**
(1:29 p.m.)

Supervisor Foust said that BDC Dulles Corporate, LLC, has filed a special exception application to permit an increase in sign area for a 3.77 acre property located at Tax Map 15-2 ((1)) 14. The application property is currently developed with a triangular-shaped mid-rise office building containing approximately 109,329 square feet. Because of the unusual shape of the building, the Zoning Ordinance restricts the amount of signage for the building to approximately 190 feet, which is roughly the amount of existing signage on the building.

The applicant is proposing approximately 294 square feet of additional sign area to be divided between a minimum of two additional signs, within a maximum of three locations. The applicant believes the additional signage potential will assist in the marketing of the commercial office property; one committed lessee is requesting signage which is included in this request. Due to the relatively minor request in increase in sign area, the applicant has requested that this application be expedited.

Therefore, Supervisor Foust moved that the Board direct the Director of the Zoning Evaluation Division, Department of Planning and Zoning, to expeditiously process the special exception for the proposed increase in sign area to achieve a public hearing by the Board on May 16, 2017. This motion should not be construed as a favorable recommendation by the Board and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Herrity seconded the motion and it carried by unanimous vote.

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26. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)**
(1:31 p.m.)

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

27. **REZONING APPLICATION RZ 2014-MA-023 (MASON DISTRICT)**
(1:31 p.m.)

Supervisor Gross reminded the Board that there has been a long-standing effort to initiate a significant redevelopment effort on property partially belonging to the County located in the southeast quadrant of Bailey's Crossroads. To this end, the Board originally authorized a number of actions on July 1, 2014, for the 7.4 acre assemblage consisting of Tax Map parcels: 61-2 ((1)) 112A, 113, 113A, 113C, 114; 61-2 ((19)) 5A, 11A; and 61-4 ((30)) 15 and 17, which are located to the northeast of the intersection of Columbia Pike and Moncure Avenue. At that time, the County was working with a development agreement with Avalon Bay

Communities, Incorporated, which was intending to develop a large, multiple-family building on a portion of the site and the remaining area was being considered as a site for a new urban-style elementary school, hoped to relieve the severe over-crowding at the Bailey's Elementary School.

The County successfully partnered with the County School Board to adaptively re-use an existing office building and the resulting Bailey's Upper Elementary School has been operational for over a year now, winning many accolades along the way. The County adopted a Plan Amendment for this area to establish a planned grid system to improve the existing traffic circulation in the quadrant and to relocate Seminary Road to provide a new coordinated access to Columbia Pike and provide for the potential mixed-use development of the parcel assemblage. Although Avalon Bay Communities is no longer interested in pursuing a development in this location, the County is continuing to work with the Weissburg Company to find another suitable builder for a residential development on a portion of this site and to assist in the effort to market the property to potential developers and facilitate the implementation of the transportation grid envisioned in the Comprehensive Plan.

Therefore, to ensure that these vital revitalization efforts can continue to move forward in the most expeditious manner possible, Supervisor Gross moved that the Board:

- Authorize and concur in the filing of any and all necessary zoning applications associated with Rezoning Application RZ 2014-MA-023 and the related vacation of right-of-way.
- Designate the County Executive and his designees to act as agents for the County for all matters concerning these applications.

These motions should not in any way be construed as a favorable recommendation on any application or plan by the Board and do not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of the applications and/or plans. Supervisor Foust and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

28. **MASON DISTRICT TOWN HALL** (1:34 p.m.)

Supervisor Gross announced that gang activity, police response, and community efforts to ensure that youth make good decisions will be discussed at a special Mason District Town Hall she is hosting on Wednesday, March 29, at 7 p.m., at the Mason District Government Center, 6507 Columbia Pike in Annandale. The presentation will include representatives from the Police Department, the school system, County agencies, and non-profit organizations. A question-and-answer session will follow the presentations.

Supervisor Gross moved that the Board direct the Office of Public Affairs to publicize this event across various outreach channels. Chairman Bulova seconded the motion.

Discussion ensued concerning the emergence of gang activities in the County nearly two decades ago and the work done at that time to bring the community together and to engage law enforcement in addressing the issue through prevention and intervention. Chairman Bulova suggested that the County review those recommendations and track the effectiveness of those programs to ensure that it continues to provide the necessary support for the law enforcement community, County agencies, and non-profits. Supervisor Gross noted that several participants will be addressing many of those issues at the meeting and colleagues from Prince George's and Montgomery Counties will be attending.

Supervisor Cook announced that there will be an update on gang activities at next Tuesday's Public Safety Committee meeting.

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

29. **REQUEST TO PROCLAIM "PUBLIC SAFETY TELECOMMUNICATORS WEEK" IN FAIRFAX COUNTY** (1:38 p.m.)

Supervisor Gross stated that in 1994, the US Congress proclaimed the second full week in April as Public Safety Telecommunications Week. This week serves to recognize, at the national, state, and local levels, the exceptional service provided by 9-1-1 call takers and dispatchers in their role as the first-of-the-first responders.

Therefore, Supervisor Gross moved that the Board proclaim April 9–15, 2017, as "*Public Safety Telecommunicators Week*" in Fairfax County and directed staff to prepare a proclamation to be presented at an awards ceremony at the County's Public Safety and Transportation Operations Center (PSTOC). Supervisor Herrity seconded the motion and it carried by unanimous vote.

30. **INTENT TO CANCEL A 4 P.M. PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF MEDFORD DRIVE WALKWAY – ANNANDALE HIGH SCHOOL – DAVIAN DRIVE (MASON DISTRICT)** (1:38 p.m.)

Supervisor Gross announced her intent, later in the meeting at the appropriate time, to cancel the 4 p.m. public hearing on the acquisition of certain land rights necessary for the construction of Medford Drive Walkway – Annandale High School – Davian Drive.

(NOTE: Later in the meeting, at the appropriate time, this public hearing was cancelled. See Clerk's Summary Item #56.)

31. **NO BOARD MATTERS FOR SUPERVISOR STORCK (MOUNT VERNON DISTRICT)** (1:39 p.m.)

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

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32. **FISCAL BENEFITS OF VOLUNTEER HOURS** (1:39 p.m.)

Supervisor Cook said there is no doubt about it: the County's greatest resource is its people. He said he is constantly impressed at the number of citizens who respond to requests for volunteering: be it to help clean up a stream valley, assist at a library, volunteer at the animal shelter, help feed the homeless, or any other number of activities and services, there always seems to be an abundance of citizens who step forward to help. Like any good steward, these individuals do not do these things for attention or praise, they just do it because it is the right thing to do.

While the act of volunteering is important and vital to any community, there is also a fiscal benefit to these acts of kindness and generosity. We have all heard the saying, "time is money." There are already some organizations and commissions such as Volunteer Fairfax that track these service hours and convert them into dollar amounts. It would be beneficial to be able to see on a yearly basis the monetary value of the work provided by citizens who serve on County Boards and Commissions as well as with local Friends Groups, Police Citizen Advisory Councils, CERT and other emergency training organizations, and other volunteer efforts associated with County government.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to explore quantification of these hours in a manner that would not cause undue expense or staff time and report its findings within 90 days.

Following a brief discussion, with input from Edward L. Long Jr., County Executive, without objection, it was so ordered.

33. **REQUEST TO RECOGNIZE THE W.T. WOODSON BOYS BASKETBALL TEAM (BRADDOCK DISTRICT)** (1:44 p.m.)

Supervisor Cook congratulated the W.T. Woodson Boys Basketball team for winning the 6A State Championship at Virginia Commonwealth University on Saturday. The team persevered through a close game and came out on top with a 55-50 victory over Hylton High School in overtime.

This was Woodson's first State championship appearance as well as its first championship win. This team has worked hard throughout the season and has achieved a tremendous accomplishment.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to invite members of the W.T. Woodson Basketball team to appear before the Board to be recognized for its tremendous achievement. Without objection, it was so ordered.

34. **REQUEST TO PROCLAIM APRIL AS “SEXUAL ASSAULT AWARENESS MONTH” IN FAIRFAX COUNTY** (1:44 p.m.)

Supervisor Cook said sexual assault is a dangerous problem in today's society and it remains a threat to County residents and others across the United States. Sexual assault should not be tolerated on any level and the County and Board should work to address this problem head-on. Along with community partners, the County has done significant amounts of outreach and communication on this issue and should continue to help spread awareness of this troubling problem.

Therefore, Supervisor Cook asked unanimous consent that the Board proclaim April as “*Sexual Assault Awareness Month*” in Fairfax County at the April 4, 2017, meeting. Following a brief discussion regarding the proclamation, without objection, it was so ordered.

35. **COMPREHENSIVE SIGNAGE PLAN AMENDMENT FAIRFAX COUNTY GOVERNMENT CENTER** (1:45 p.m.)

Supervisor Cook said the Department of Public Works and Environmental Services (DPWES), Building Design and Construction Division (BDCD), has filed a Comprehensive Sign Plan Amendment to amend the previously approved sign plan to allow additional signage associated with the new Public Safety Headquarters. Additional way-finding signage for pedestrians and vehicles is needed on the site to improve operations and help direct people. The applicant proposes an application that provides new directional and informational signs and this case should move forward as soon as possible.

Therefore, Supervisor Cook moved that the Board:

- Direct staff to initiate the review of a Comprehensive Sign Plan to allow additional sign area related to the new Public Safety Headquarters on the County Government Center campus located on Tax Map Parcels 56-1 ((15)) Lots 6 through 8 and Lot 14.
- Authorize the following individuals to act as agents, on behalf of the Board, for all actions associated with the Comprehensive Sign Plan Amendment:
 - Eileen Gasteiger, BDCD, DPWES
 - James Patteson, Director of DPWES, or his designee

This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Herrity seconded the motion and it carried by unanimous vote.

36. **REQUEST TO PROCLAIM MAY AS “BUILDING SAFETY MONTH” IN FAIRFAX COUNTY** (1:47 p.m.)

Supervisor K. Smith said all residents should recognize the importance of modern construction safety codes and the vital contributions rendered by the dedicated individuals promoting building and construction safety. The County, working together with other jurisdictions, enforces the Uniform Statewide Building Code (USBC) that ensures those safety codes are followed.

Therefore, Supervisor K. Smith asked unanimous consent that the Board proclaim May as “*Building Safety Month*” in Fairfax County and direct staff to prepare a resolution to be presented to the Building Safety Month Planning Committee members, along with Mr. Brian Foley, Mr. John Walser, and Ms. Elizabeth Perry, at the May 2 Board meeting.

Following a brief discussion regarding the schedule, without objection, it was so ordered.

37. **FAIRFAX TOWNE CENTER – REQUEST TO EXPEDITE (SPRINGFIELD DISTRICT)** (1:48 p.m.)

Supervisor Herrity said, as the Board may recall, Fairfax Towne Center, identified as Fairfax County Tax Map Reference 46-3 ((1)) 24D, was recently the subject of a Comprehensive Plan amendment to allow additional office, residential, hotel, and/or commercial development up to a 0.8 floor area ratio (FAR). The owner of Fairfax Towne Center, BRE DDR Fairfax Town Center LLC, is currently processing a site plan for a previously approved residential building in the rear of Fairfax Towne Center. In addition to this residential building, the owner seeks to modernize, enhance, and improve the center's existing central plaza and construct a modest addition to an existing building comprised of approximately 15,000 square feet of first floor retail use and approximately 45 residential units above. Redevelopment of the obsolete central plaza and adjacent blank storefront is a unique opportunity to bring life and activity to the center. To ensure efficiencies in the construction process and minimize disruption to the center and surrounding community, the applicant seeks to proceed to public hearing for a proffered condition amendment and final development plan amendment as soon as possible.

Therefore, Supervisor Herrity moved that the Board direct:

- Planning staff to expeditiously review and schedule a public hearing for the proffered condition amendment/final development

plan amendment (PCA/FDPA) to be filed by BRE DDR Fairfax Town Center LLC.

- The Department of Public Works and Environmental Services to concurrently process any site plans filed with respect to the subject property.

This motion should not be construed as a favorable recommendation for these applications or any subsequent applications. Chairman Bulova seconded the motion and it carried by unanimous vote.

38. **CONTINUING CARE COMMUNITY ZONING ORDINANCE AMENDMENT** (1:50 p.m.)

Supervisor Herrity said, as the Board may recall, the Fairfax 50+ Community Action Plan was approved in September 2014. Staff from the Area Agency on Aging presented the first annual Progress Report to the Board in June 2016. The 50+ Plan addresses the needs associated with the projected significant increase in the older adult population in the County.

The Board adopted the 2016 Zoning Ordinance Amendment Work Program with a new Priority One item entitled "Older Adult Housing." This item was intended to be a broad spectrum directive to address all aspects associated with the care of older adults. Supervisor Herrity stated that his immediate focus is on one element of this broader issue; to create a specific use in the Zoning Ordinance to facilitate the creation of a continuing care community use and/or district for older adults. Under existing provisions, independent living, assisted living, and nursing facilities are separate uses. The existing Zoning Ordinance fails to reflect the broad range of integrated services that are necessary for this population. As individuals age, many of the services necessary for vibrant living, such as access to food, recreation, and medical care, need to be consolidated and located within close proximity to each other. Residents' ability to live needs to be facilitated with as much or as little support as they need—and to move as seamlessly as possible from one level of care to another.

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

- Develop and bring forward a Zoning Ordinance amendment to create a new use or district for a continuing care community that incorporates all appropriate elements of such communities.
- Identify and work with industry representatives on this effort, and that the proposal be brought to the Development Process Committee for discussion prior to authorization of public hearings.

This amendment would be a subset of the current Older Adult Housing initiative, but would not remove that broader topic from the 2016 Zoning Ordinance Amendment Work Program. Supervisor K. Smith seconded the motion.

Discussion ensued, with input from Rob Stalzer, Deputy County Executive, regarding proceeding with specific Zoning Ordinance amendments while reviewing the Zoning Ordinance in its entirety.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked to amend the motion to refer this issue to the Development Process Committee for discussion and then work with staff if changes to the Zoning Ordinance are recommended. This was accepted.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

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

39. **INCORPORATION OF INNOVATIVE TECHNOLOGY INTO TRANSPORTATION SERVICES** (2 p.m.)

Supervisor Herrity referred to his written Board Matter regarding innovative technology and incorporating it into the Transportation Network Companies (TNC). A variety of transportation models and pilots have launched locally and across the country focusing on serving the needs of seniors and individuals with disabilities. These models and pilots often not only decrease the cost of services but improve the quality of services and their availability.

Therefore Supervisor Herrity moved that the Board direct:

- Staff to bring together a workgroup, a stakeholder collaboration comprised of the Department of Transportation, Health and Human Services agencies, the County Attorney's office, and community-based organizations to:
 - Explore the feasibility of incorporating TNC's, smartphone app's, or other innovative technology to the network of transportation services provided by the County ensuring that all that are explored are the most viable and sustainable
 - Perform a cost-benefit analysis of incorporating TNC's to the specific transportation options currently available to County residents; including MetroAccess, Fastran, and the Human Services Transportation-Taxi Voucher Program

- Explore the cost-benefit of consolidating the administration of some of the existing programs
- The County Executive to provide a status report to the Board in September 2017

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

40. **NO BOARD MATTERS FOR SUPERVISOR HUDGINS (HUNTER MILL DISTRICT)** (2:03 p.m.)

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

41. **SHORT-TERM RESIDENTIAL LODGING** (2:03 p.m.)

Supervisor McKay, in a joint Board Matter with Supervisor K. Smith, stated that interest in Statewide legislation addressing the issue of short-term residential lodging began in the 2016 General Assembly (GA) session, with bills put forth by representatives of hosting platforms like Airbnb. Unfortunately, the 2016 legislation would have preempted State and local taxation and land use ordinances. As a result of concerns raised by local governments, among others, the 2016 GA decided to study the issue: the Virginia Housing Commission convened a workgroup which met throughout 2016 but, ultimately, no legislation emerged.

The 2017 GA considered two bills on this topic which were consolidated into one bill: Senate bill (SB) 1578 (Norment). Airbnb proponents elected not to pursue legislation, although they did attempt several times to amend SB 1578, but those efforts were unsuccessful. As it passed the GA, SB 1578 grants permissive authority to localities to create registries of operators of short-term rentals (defined as rentals for less than 30 days) and to charge a fee for the cost of registry administration (the bill does exempt certain property management professionals from being required to register, including licensed realtors, registered time-share properties, bed and breakfasts, hotels, and camp grounds, among others). It also allows a locality to include a penalty of up to \$500 for an operator's failure to register and to prohibit short-term rentals of a property by an operator who repeatedly fails to register or who repeatedly violates other State and local laws related to short-term rentals. Additionally, SB 1578 expressly preserves existing local zoning authority to regulate short-term rentals and protects existing property associations' agreements or covenants.

Throughout the last year, the issue of short-term rentals has received increased attention in localities across the State. The County's position has been that efforts to encourage the new "sharing economy," including short-term rentals in residential areas, must balance the interests of entrepreneurs with those of the community, safeguarding local revenue sources and land use authority. Many County residents, including several who made the trip to Richmond to testify at

both the Housing Commission's workgroup meetings and at the GA during the session, have raised concerns about the effect short-term rentals have had on their neighborhoods. Their concerns include noise, parking violations, frequent events, and changing groups of visitors. The passage of SB 1578, which preserves the ability to address these issues at the local level, was the result of significant efforts by localities, residents, and other interested stakeholders. It presents an opportunity to modernize ordinances and policies to balance the interests of entrepreneurs with those of the broader community. Governor McAuliffe has until March 27 to act on this legislation.

Therefore, Supervisor McKay, jointly with Supervisor K. Smith, moved that the Board direct staff from the Departments of Planning and Zoning, Tax Administration, Code Compliance, and the County Attorney's office, in consultation with other interested County agencies as needed, to form a workgroup to initiate an analysis of short-term rentals and recommend to the Board possible changes to the County Code and policies at a future Development Process Committee meeting. This work should be done as quickly as possible to allow implementation of any proposed new regulations in a timely manner. Chairman Bulova seconded the motion.

Supervisor Gross asked to amend the motion to include in the workgroup residents who have up-close and personal experience on the issue. This was accepted.

Supervisor Herrity asked to amend the motion to include representatives from the hospitality industry/business community. This was accepted.

Discussion ensued regarding the types of housing appropriate for short term rentals and fair housing issues in the analysis.

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

42. **REQUEST TO PROCLAIM APRIL 2-8, 2017, AS "CRIME VICTIMS' RIGHTS WEEK" IN FAIRFAX COUNTY** (2:14 p.m.)

Supervisor McKay announced that Americans are the victims of more than 20 million crimes each year and crime can touch the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status.

Many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, deaf and hard of hearing victims, lesbian, gay, bi-sexual, transgender, and queer/questioning (LGBTQ) victims, tribal victims, elder victims, victims with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others.

Victims of repeat victimization who fail to receive supportive services are at greater risk for long-term consequences of crime. The victim services community has worked for decades to create an environment for victims that is safe, supportive, and effective. Intervening early with services that support and empower victims provides a pathway to recovery from crime and abuse; honoring the rights of victims, including the right to be heard and to be treated with fairness, dignity, and respect, and working to meet their needs rebuilds their trust in the criminal justice and social service systems. Serving victims and rebuilding their trust restores hope to victims and survivors, as well as their communities.

National Crime Victims' Rights Week, April 2-8, 2017, is an opportune time to commit to ensuring that all victims of crime – even those who are challenging to reach or serve – are offered culturally and linguistically accessible and appropriate services in the aftermath of crime; the County's Police Department's Victim Services Section is hereby dedicated to building partnerships with trusted sources of support, including other victim service providers, community leaders, religious groups, schools, and other agencies to better reach and serve all victims of crime, no matter their community.

Therefore, Supervisor McKay moved that the Board:

- Proclaim April 2–8, 2017, as “*Crime Victims' Rights Week*” in Fairfax County and affirm its commitment to creating a victim service and criminal justice response that assists all victims of crime and to express its sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving the County's response to all victims of crime so that they may find relevant assistance, support, justice, and peace.
- Direct staff to prepare a certificate for presentation outside of the Board Auditorium.

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

43. **REQUEST TO WAIVE FEES FOR ALEXANDRIA ASIAN AMERICAN LIONS CLUB (LEE DISTRICT)** (2:17 p.m.)

In a joint Board Matter with Supervisor Gross, Supervisor McKay announced his request to waive the application fees for permits associated with the flea markets held by the Alexandria Asian American Lions Club, noting that the Board has approved waiver requests for the Lions annually since 1994. The Club will operate a flea market on April 29, May 13, June 16 and 24, July 15 and 29, August 12 and 26, Sept 16 and 30, October 14 and 28, and November 11, 2017, at the Virginia Railway Express (VRE) parking lot off Backlick Road. The Alexandria Asian American Lions Club flea market will not conflict with the Springfield Franconia Host Lions Club's regular twice-a-month schedule.

All net proceeds from these flea markets are returned to the community. The Alexandria Asian American Lions Club supports organizations such as Ecumenical Community Helping Others (ECHO), the American with Disabilities Act (ADA), and the Juvenile Diabetes Foundation and assists indigent citizens with eyeglass prescriptions and hearing aids.

Therefore, jointly with Supervisor Gross, Supervisor McKay moved that the Board waive the application fees for permits associated with the Alexandria Asian American Lions Club's 2017 flea markets. Supervisor Gross seconded the motion and it carried by unanimous vote.

44. **RECESS/CLOSED SESSION** (2:18 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. *Board of Supervisors of Fairfax County, Virginia, and Inova Health Care Services v. Chevron USA Inc., and Reston Association*, Case No. CL-2016-0015384 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 2. *Craig J. Blakeley v. Jeffrey L. Blackford, Director, Department of Code Compliance of Fairfax County, Virginia, and Board of Supervisors of Fairfax County, Virginia*, Record No. 160996 (Va. Sup. Ct.) (Mason District)
 - 3. *Harrison Neal v. Fairfax County Police Department and Colonel Edwin C. Roessler, Jr.*, Case No. CL-2015-0005902 (Fx. Co. Cir. Ct.)

4. *Bristow Village Homeowners Association v. Fairfax County*, Record No. 161122.OAP (Fx. Co. Bd. of Building Code App.) (Braddock District)
5. *Wilbur Morrison v. The Cincinnati Casualty Co, and Fairfax County, Virginia*, Case No. CL-2016-0011776 (Fx. Co. Cir. Ct.)
6. *Jason Portillo-Soriano v. The Cincinnati Casualty Company and County of Fairfax*, Case No. CL-2016-0011777 (Fx. Co. Cir. Ct.)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yung C. Yung*, Case No. CL-2016-0017111 (Fx. Co. Cir. Ct.) (Braddock District)
8. *David J. Laux and Tara K. Laux, a/k/a Tara K. Long v. James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services, and Brian J. Foley, Fairfax County Building Official*, Record No. 0182-17-4 (Va. Ct. App.) (Mason District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Unknown Heirs of Albert E. Mays and Prabakaran Ponnuthurai*, Case No. CL-2015-0001081 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Noble Wall*, Case No. CL-2017-0002476 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Falls Church Hospitality, Inc.*, Case No. CL-2015-0002063 (Fx. Co. Cir. Ct.) (Providence District)
12. In Re: September 14, 2016, Decision of the Fairfax County Board of Zoning Appeals; Case No. CL-2016-0014111 (Fx. Co. Cir. Ct.) (Providence District)
13. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yongchao*

Wang and Equity Trust Company, Custodian FBO Shujun Ding IRA, Case No. CL-2016-0001188 (Fx. Co. Cir. Ct.) (Sully District)

14. *Board of Supervisors of Fairfax County v. Skerl Home Furnishing Inc.*, Case No. GV17-003343 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
15. *Board of Supervisors of Fairfax County v. Colour Bar Studio, LLC*, Case No. GV17-003314 (Fx. Co. Gen. Dist. Ct.) (Providence District)
16. *Board of Supervisors of Fairfax County v. Cantius, Inc.*, Case No. GV16-023470 (Fx. Co. Gen. Dist. Ct.) (Dranesville, Lee, Mount Vernon, Springfield, and Sully Districts)
17. *Board of Supervisors of Fairfax County v. Novastar Prep, Inc.*, Case No. CL-2017-0001904 (Fx. Co. Cir. Ct.) (Dranesville, Hunter Mill, and Providence Districts)

And in addition:

- Bates on Yates Farm Winery ABC License Application
- Legal Analysis Regarding Virginia General Opinion No. 07-086 Dated October 15, 2007
- Consideration of the Potential Acquisition of Real Property in the Braddock District

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

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At 3:42 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

45. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:42 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 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."

46. **RIGHT OF FIRST REFUSAL TO ACQUIRE PROPERTY** (3:43 p.m.)

Supervisor Cook moved that the Board decline to exercise its right of first refusal to acquire the property located at 4716 Wakefield Chapel Road, Annandale, Tax Map 70-1 ((16)) parcel 285. Supervisor Gross seconded the motion and it carried by unanimous vote.

47. **APPEAL THE DECISION TO ISSUE A VIRGINIA DEPARTMENT OF ALCOHOL AND BEVERAGE CONTROL (ABC) LICENSE** (3:43 p.m.)

Supervisor Herrity moved that the Board authorize and direct the County Attorney to appeal the initial administrative decision to issue a Virginia Department of ABC license to Bates on Yates. This appeal will be submitted to the ABC Board based on the grounds discussed with the County Attorney in closed session. Supervisor Foust seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

48. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-114-04 (ARDEN COURTS - FAIR OAKS OF FAIRFAX VA, LLC) (SPRINGFIELD DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-P-129-04 (ARDEN COURTS - FAIR OAKS OF FAIRFAX VA, LLC) (SPRINGFIELD DISTRICT) (3:44 p.m.)

(O) (NOTE: On November 1, 2016, the Board deferred the public hearing regarding these items until January 24, 2017, at which time it was deferred until March 14, 2017.)

The application property is located at 12469 Lee Jackson Memorial Highway, Fairfax, 22033, Tax Map 45-4 ((1)) 6 B.

Mr. Mark M. Viani 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. Viani 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, which included testimony by one speaker, Mr. Viani presented rebuttal.

Ms. Bishop presented the staff and Planning Commission recommendations.

Following a query by Supervisor Herrity, Mr. Viani confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 22, 2016.

Supervisor Herrity moved:

- Approval of Proffered Condition Amendment Application PCA 84-P-114-04, subject to the proffers dated September 22, 2016.
- Approval of Special Exception Amendment Application SEA 84-P-129-04, subject to the development conditions dated September 22, 2016.
- Modification of the transitional screening and a waiver of the barrier requirements of Section 13-303 and 304 of the Zoning Ordinance (ZO) in favor of the landscaping shown on the Generalized Development Plan/Special Exception Amendment (GDP/SEA) Plat.
- Modification of an increase in fence height above seven feet pursuant to Section 10-104 (3)(H) of the ZO to permit an eight-foot high fence as shown on the GDP/SEA Plat.

Supervisor Foust seconded the motion.

Discussion ensued regarding issues raised by the speaker concerning parking on Route 50 and roadway paving and maintenance issues.

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.”

49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2016-HM-020 [METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (VDRPT) ON BEHALF OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA), AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA (THE BOARD)] (HUNTER MILL DISTRICT)** (4 p.m.)

The application property is located at 2000 and 2001 Edmund Halley Drive Reston, 20191, Tax Map 17-3 ((8)) 2A (pt.) and 17-3 ((8)) (3A) 2A (pt.).

Mr. Noah B. Klein reaffirmed the validity of the affidavit for the record.

Supervisor Hudgins disclosed that she is the Board of Supervisors' appointee to the WMATA Board.

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

Mr. Klein 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, Ms. Tsai presented the staff and Planning Commission (PC) recommendations.

Following a query by Supervisor Hudgins, Mr. Klein confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 9, 2017 [*sic*].

Supervisor Hudgins moved:

- Approval of Special Exception Application SE 2016-HM-020, subject to the development conditions dated February 9, 2017.
- Modification of Section 5-408 of the Zoning Ordinance for the 15 percent open space requirement to permit 5 percent.

Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

(NOTE: On February 23, 2017, the PC approved Public Facilities Application 2232-H16-40, as amended. The PC found that the electrically-powered regional rail transit facilities proposed under the application satisfies the criteria of location, character, and extent, as specified in Section 15-2.2232 of the Code of Virginia, as amended, and is substantially in accord with the Comprehensive Plan.)

50. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2016-SU-015 (ARDAVAN BADI AND FOROUZANDEH FARNOUSH A/K/A FOROUZ FARNOUSH D/B/A BULLION AND DIAMOND COMPANY, LLC) (SULLY DISTRICT)** (4:08 p.m.)

At the request of the applicant, Supervisor K. Smith moved to defer the public hearing on Special Exception Application SE 2016-SU-015 to **July 11, 2017, at 3:30 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

51. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-BR-019 (CHRISTOPHER LAND, LLC) (BRADDOCK DISTRICT)** (4:09 p.m.)

Due to an affidavit issue, Supervisor Cook moved to defer the public hearing on Rezoning Application RZ 2016-BR-019 to **April 4, 2017, at 2:30 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

52. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO CONSIDER EXPANDING THE GRAHAM RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 34 (PROVIDENCE DISTRICT)** (4:10 p.m.)

- (O) (NOTE: On February 28, 2017, the Board deferred this public hearing until March 14, 2017.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2017.

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

Following the public hearing, Supervisor L. Smyth stated that items had been submitted for the record.

Supervisor L. Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Graham RPPD, District 34. The District expansion includes:

- Elmwood Drive (Route 1780): from Stuart Drive to Johnson Road, south side only
- Lawrence Drive (Route 1781): from Elmwood Drive to Fenwick Road

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.”

53. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-H-013 (MACS RETAIL, LLC) (HUNTER MILL DISTRICT)**
(4:12 p.m.)

(NOTE: On February 28, 2017, the Board deferred this public hearing until March 14, 2017.)

The application property is located at 2601 Quincy Adams Road, Herndon, 20171, Tax Map 25-4((01)) 0002-C.

Mr. Bhoopendra Prakash reaffirmed the validity of the affidavit for the record.

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

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

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

Following a query by Supervisor Hudgins, Mr. Prakash confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 4, 2017.

Supervisor Hudgins moved:

- Approval of Special Exception Amendment Application SEA 95-H-013, subject to the development conditions dated January 4, 2017.
- Reaffirmation of the previously-approved modification of Section 13-303 of the Zoning Ordinance (ZO) for a transitional screen, as shown on the SE Plat.
- Waiver of Section 13-304 of the ZO for the barrier requirement.
- Waiver of the minimum lot width requirement of Section 9-601 of the ZO.

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

54. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT S13-II-TY1, TYSONS URBAN CENTER IMPLEMENTATION UPDATE (PROVIDENCE AND HUNTER MILL DISTRICTS)** (4:17 p.m.)

Bernard S. Suchicital, Senior Land Use Planner, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff report.

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

Chairman Bulova noted that items had been submitted for the record.

Supervisor L. Smyth provided additional background and moved approval of Plan Amendment S13-II-TY1, as recommended by the PC and as further modified by her handout dated March 14, 2017, which describes a Milestone Development Level of 55 million square feet of office use consistent with the vision for Tysons and corrects the lane dimensions on Figure 6 to indicate two 10-foot travel lanes and a 36-foot curb to curb distance. Supervisor Hudgins seconded the motion.

Discussion ensued concerning:

- The provision of recreation opportunities, including athletic fields, that reflect the needs of a diverse population as well as consideration of alternative facility locations
- Acknowledgement that the Tysons Plan is a dynamic document that will need to be updated and modified based on changing and evolving conditions and opportunities
- The importance of frequent tracking, monitoring, and reconciliation of the Plan over time
- The on-going efforts to mitigate the impact of development on surrounding neighborhoods
- Action on follow-on motions at a later date

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

55. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), ARTICLE 6, PLANNED TYSONS CORNER URBAN (PTC) DISTRICT REGULATIONS, REGARDING THE MAXIMUM FLOOR AREA FOR HIGH TRIP GENERATING USES** (4:51 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 24 and March 3, 2017.

Tracy Strunk, Deputy Director, Tysons Coordinator, Fairfax County Office of Community Revitalization, presented the staff report.

Following the public hearing, Ms. Strunk presented the staff and Planning Commission (PC) recommendations.

Supervisor L. Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article 6, the Planned Tysons Corner Urban (PTC) District Regulations, regarding the maximum floor area ratio for high trip generating uses, as advertised and set forth in the staff report dated December 6, 2016, with the additional change to Section 9-629, as set forth in staff's memorandum to the PC dated February 2, 2017, and with an effective date of 12:01 a.m. on March 15, 2017. Supervisor Hudgins 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."

56. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF MEDFORD DRIVE WALKWAY - ANNANDALE HIGH SCHOOL (HS) - DAVIAN DRIVE (MASON DISTRICT)** (4:57 p.m.)

Supervisor Gross announced that all necessary land rights had been acquired, therefore she moved to cancel the public hearing on the acquisition of certain land rights necessary for the construction of the Medford Drive Walkway – Annandale HS – Davian Drive. Chairman Bulova seconded the motion and it carried by unanimous vote.

57. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE REHABILITATION OF THE DIFFICULT RUN FORCE MAIN (HUNTER MILL AND DRANESVILLE DISTRICTS)** (4:58 p.m.)

Supervisor Hudgins moved to defer the public hearing on the Acquisition of Certain Land Rights Necessary for the Rehabilitation of the Difficult Run Force Main until **July 25, 2017, at 4 p.m.** The second to the motion was inaudible and it carried by unanimous vote.

58. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO CONSIDER EXPANDING THE McLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE DISTRICT)** (4:59 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 24 and March 3, 2017.

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

Following the public hearing, Supervisor Foust moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the McLean RPPD, District 21. The proposed District expansion includes the following:

- Great Falls Street (Route 694):

From Sea Cliff Road to Baldwin Drive, north side only

- Sea Cliff Road (Route 2062):

~~From Margie Drive to the High School driveway~~

~~From Warner Avenue to Margie Drive~~

From the High School driveway to Great Falls Street

Supervisor L. Smyth 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.”

59. **4:30 P.M. – PH FOR THE CONTRACTION OF SMALL AND LOCAL SANITARY DISTRICT FOR VACUUM LEAF COLLECTION SERVICE (HUNTER MILL DISTRICT)** (5:01 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 February 24 and March 3, 2017.

Jeffrey S. Hatterick, Public Works Environmental Services Specialist, Solid Waste Management, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Mr. Hatterick presented the staff report.

Supervisor Hudgins moved adoption of the Resolution to contract the small district, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
Small District within Hunter Mill District (Equus Court Area)	Contract	Vacuum leaf collection

Supervisor McKay 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.”

60. **4:30 P.M. – PH ON PROPOSED PLAN AMENDMENT 2016-CW-3CP, EDITORIAL TEXT AND MAP REVISIONS FOR TRANSIT STATION AND OTHER MIXED USE AREAS PLAN AMENDMENT** (5:03 p.m.)

Marianne Gardner, Director, Planning Division (PD), Department of Planning and Zoning (DPZ) introduced Kristen Hushour, Senior Planner, PD, DPZ, who presented the staff report.

Following the public hearing, Ms. Hushour presented the staff and Planning Commission (PC) recommendations.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of Plan Amendment 2016-CW-3CP, as recommended by the PC for the draft text and map revisions for transit station and other mixed use areas as noted the staff report dated February 1, 2017. Supervisor Hudgins and Supervisor L. Smyth jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

61. **4:30 P.M. – PH ON THE APPLICATION OF SPRINGFIELD YELLOW CAB REGARDING A TRANSFER OF CONTROL** (5:11 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 24 and March 3, 2017.

Susan Hafeli, Senior Utility Analyst, Department of Cable and Consumer Services presented the staff report.

Following the public hearing, Ms. Hafeli presented the staff recommendations.

Supervisor McKay moved that the Board accept the Consumer Protection Commission’s recommendation to transfer control of Springfield Yellow Cab. Supervisor Gross seconded the motion and it carried by unanimous vote.

62. **4:30 P.M. – PH ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2018** (5:14 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 24 and March 3, 2017.

Chairman Bulova stated that the Board will vote on this matter on May 2, 2017.

Laura O. Lazo, Associate Director, Real Estate Finance and Grants Management Division, Department of Housing and Community Development, presented the staff report.

Following the public hearing, discussion ensued concerning the public comment period with input from Ms. Lazo.

Supervisor Hudgins moved that the Board accept the County Executive's recommendation and forward comments received on the Proposed Consolidated Plan One-Year Action Plan for FY 2018 to the Consolidated Community Funding Advisory Committee for consideration before making its final recommendations to the Board for action on May 2, 2017. Supervisor McKay seconded the motion and it carried by unanimous vote.

63. **BOARD ADJOURNMENT** (5:20 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	2-7
Items Presented by the County Executive	
Administrative Items	7-10
Action Items.....	10-12
Consideration Items.....	12
Information Items	13-14
Board Matters	
Chairman Bulova	14-15
Supervisor Cook.....	20-22
Supervisor Foust	15-17
Supervisor Gross.....	17-19, 27-28
Supervisor Herrity	22-25
Supervisor Hudgins	n/a
Supervisor McKay	25-28
Supervisor K. Smith	22, 25-26
Supervisor L. Smyth	n/a
Supervisor Storck.....	n/a
Actions from Closed Session	30-31
Public Hearings	31-40