



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
SEPTEMBER 12, 2017**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, September 12, 2017, at 9:36 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 Jeffrey C. McKay, Lee District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon District

Supervisor Catherine M. Hudgins, Hunter Mill District, arrived at 9:51 a.m.

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; Ekua Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:37 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Mr. Gerald Halpin, who recently died. Mr. Halpin was a landmark developer of the County who is responsible for much of the urban development of Tysons Corner and was a community leader recognized for his philanthropic work. Chairman Bulova relinquished the Chair to Vice Chairman Gross and moved approval of the Resolution in honor of his passing. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Hudgins not yet having arrived. Vice Chairman Gross returned the Gavel to Chairman Bulova.

Chairman Bulova asked everyone to keep in thoughts the family of Ms. Charlene Kyle, who recently died. Ms. Kyle was a member of the Redevelopment and Housing Authority who served the County diligently.

Supervisor Herrity asked everyone to keep in thoughts the victims and survivors of Hurricanes Harvey, Irma, and the members of Virginia Task Force 1, who are assisting in public safety efforts in the affected areas.

Supervisor Herrity asked everyone to keep in thoughts the victims of the September 11 terrorist attack.

Supervisor K. Smith asked everyone to keep in thoughts the family of Ms. Mary Ann Hovis, who recently died. Ms. Hovis was the chair of the Fairfax County Democratic Committee and served on the Radford University Board of Directors.

Supervisor Gross asked everyone to keep in thoughts the family of Ms. Patsy Ticer, who recently died. Ms. Ticer served as the first female-elected mayor of the City of Alexandria and later became a Virginia State Senator. She previously was Chairman of the Council of Governments, Northern Virginia Regional Council, and President of the National Association of Regional Councils.

Supervisor McKay asked everyone to keep in thoughts the family of Ms. Bobbie Mae Johnson, who recently died. Ms. Johnson was the Executive Secretary of the Springfield Chamber of Commerce and was very involved in the community.

AGENDA ITEMS2. **PROCLAMATION DESIGNATING OCTOBER 2017 AS "FAIRFAX PETS ON WHEELS MONTH" IN FAIRFAX COUNTY** (9:49 a.m.)

Supervisor Gross moved approval of the Proclamation designating October 2017 as "*Fairfax Pets on Wheels Month*" in Fairfax County and extolled, thanked, and congratulated the program on the occasion of its thirtieth anniversary for outstanding and noteworthy service to older residents of Fairfax County. Supervisor McKay seconded the motion and it carried by a unanimous vote.

Nikki DiPalma, President of Fairfax Pets on Wheels Board, presented an American flag to the Board that was flown over the Capitol on May 30.

3. **RESOLUTION TO RECOGNIZE MS. DOROTHY KEENAN AND GRANDINVOLVE**
(9:59 a.m.)

Supervisor Herrity moved approval of the Resolution presented to Dorothy Keenan and GrandInvolve for receiving a 2017 Governor's Community Organization Award and congratulated and thanked Ms. Keenan and GrandInvolve for their noteworthy and distinguished work in the community. Supervisor McKay seconded the motion and it carried by a unanimous vote.

4. **PROCLAMATION DESIGNATING SEPTEMBER 15 - OCTOBER 15, 2017, AS "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY** (10:14 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating September 15 - October 15, 2017, as "*Hispanic Heritage Month*" in Fairfax County and urged all residents to join in recognizing the contributions of members of the Hispanic and Latino American community in the County and throughout the United States. Supervisor McKay seconded the motion and it carried by a unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

5. **PROCLAMATION DESIGNATING SEPTEMBER AS "KINSHIP CARE AWARENESS MONTH" IN FAIRFAX COUNTY** (10:23 a.m.)

Supervisor Hudgins moved approval of the Proclamation designating September 2017 as "*Kinship Care Awareness Month*" in Fairfax County and urged all residents to acknowledge the importance of kinship caregivers and the children they are raising in stable, loving, and nurturing households. Supervisor Gross seconded the motion and it carried by a unanimous vote.

6. **PROCLAMATION DESIGNATING SEPTEMBER 17-23, 2017, AS "CONSTITUTION WEEK" IN FAIRFAX COUNTY** (10:36 a.m.)

Supervisor Cook moved approval of the Proclamation designating September 17 -23, 2017, as "*Constitution Week*" in Fairfax County and urged all residents to study the historical events leading to the framing of the US Constitution and reflect on the importance of it in government. Supervisor Gross and Supervisor Herrity jointly seconded the motion and it carried by a unanimous vote.

7. **PROCLAMATION DESIGNATING SEPTEMBER 2017 AS "SICKLE CELL AWARENESS MONTH" IN FAIRFAX COUNTY** (10:50 a.m.)

Supervisor Hudgins moved approval of the Proclamation designating September 2017 as

"Sickle Cell Awareness Month" in Fairfax County and urged affected patients, their families and the general public to learn more about the disease. Supervisor Foust seconded the motion and it carried by a unanimous vote.

8. **PROCLAMATION DESIGNATING SEPTEMBER 2017 AS "EMERGENCY PREPAREDNESS MONTH" IN FAIRFAX COUNTY** (10:59 a.m.)

Supervisor Cook moved approval of the Proclamation designating September 2017 as "Emergency Preparedness Month" in Fairfax County and urged all residents to participate in County, State and national efforts to ensure that everyone is better prepared for emergencies. Supervisor Hudgins seconded the motion and it carried by a unanimous vote.

Seamus Mooney, Emergency Management Coordinator, presented plaques of appreciation to the following community and business partners:

- Office for Children, Community Education and Provider Services
- Office of Public Private Partnerships
- Citizen Corps Council
- Communities of Trust Committee
- Disabilities Services Board

9. **INTRODUCTION OF NEW STAFF MEMBERS (SULLY DISTRICT)** (11:14 a.m.)

Supervisor K. Smith introduced Mr. Daniel Lee and Mr. Alexander Templeton, two new staff members in the Sully District office.

On behalf of the Board, Chairman Bulova warmly welcomed them to the Board Auditorium.

10. **RECOGNITION OF EDWARD L. LONG, JR., COUNTY EXECUTIVE** (11:15 a.m.)

Chairman Bulova announced that it was County Executive Long's final Board meeting and thanked him for his service. Supervisor Gross also thanked Mr. Long by reciting a poem she wrote titled "The Ode to Ed Long."

A video produced by Chanel 16 was played to commemorate the County Executive's service and dedication to the County and wishing him a happy retirement.

11. **10:30 A.M. - PUBLIC HEARING ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 2017 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2018 REVISED BUDGET PLAN** (11:26 a.m.)

(FPR)

(SAR) 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

August 25 and September 1, 2017.

Chairman Bulova briefly outlined the *FY 2017 Carryover Review Package*.

Following the public hearing, which included testimony by six speakers, Joe Mondoro, Director, Department of Management and Budget, outlined the Carryover Review process.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, regarding the Virginia Railway Express (VRE) study on parking issues at Rolling Road.

A brief discussion ensued, with input from Mr. Mondoro, regarding a timeline on how to use opioid and gang funding.

Supervisor McKay moved approval of the Carryover package including Supplemental Appropriation Resolution (SAR) AS 18009 and amendment to the Fiscal Planning Resolution (FPR) AS 18900.

This approval includes the *FY 2017 Carryover Review* package as presented on July 25, as well as the adjustments included in the School Carryover package approved by the School Board on July 27, which resulted in an available non-recurring General Fund balance of \$0.85 million. When combined with the \$0.24 million held in reserve, as part of the *FY 2018 Adopted Budget Plan*, a total of \$1.09 million is to be set aside in reserve for one-time FY 2018 and FY 2019 requirements.

Chairman Bulova seconded the motion.

Supervisor Cook moved to amend the motion as follows:

- Add one-time funding, in the amount of \$50,000, to support the Performing Arts Summer Entertainment Series and to reflect this amount in SAR AS 18009 and the amendment to the FPR AS 18900. This appropriation to the County Park Authority will help in addressing rising production costs which have resulted in a reduction of concert events over the past decade. As part of the FY 2019 budget development process, the County will explore the option of using funds in Fund 40030, Cable Communications, to cover the technical costs of the series which would help in rebuilding the number of series events to previous levels
- Replace “\$0.85 million” with “\$0.80 million”
- Replace \$1.09 million” with “\$1.04 million”

Supervisor L. Smyth seconded the motion.

Discussion ensued, regarding one-time funding, with Board Members expressing their support/non-support of the motion.

The question was called on the motion to amend and it **CARRIED** by a recorded vote of eight, Supervisor Hudgins and Supervisor K. Smith voting “NAY.”

The question was called on the main motion, as amended, and it carried by a 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.”

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ADDITIONAL BOARD MATTER

12. **ORDERS OF THE DAY** (12:22 p.m.)

Chairman Bulova announced that closed session would take over two hours and that some Board Matters may need to be presented later in the day.

AGENDA ITEMS

13. **ADMINISTRATIVE ITEMS** (12:23 p.m.)

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

Supervisor L. Smyth called the Board’s attention to Admin 7 - Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Chain Bridge Road Walkway S – Horse Shoe Drive to Niblick Drive (Providence District) and noted that negotiations were underway with the property owners and action on this item could be subject to change.

Chairman Bulova called the Board’s attention to Admin 3 - Authorization to Release the “Fairfax County, Virginia, Analysis of Impediments to Fair Housing Choice 2016-2020” for Public Comment. Discussion ensued concerning:

- Preparation of the report by an outside consultant and its familiarity with the County’s population and allowable procedures
- The process and future action to be taken by the Board, with input from Ryan Wolf, Assistant County Attorney
- The need for further dialogue within the community on fair housing issues
- Educating lenders and the general population on impediments to fair housing

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 REALLOCATE PROFFERED FUNDS FROM PATRIOT PARK TO PATRIOT PARK NORTH (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 5, 2017, at 4 p.m.**, to reallocate proffered contributions to Patriot Park North.

ADMIN 2 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Authorized the Police Department to apply for and accept funding, if received, from the US Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant, in the amount of \$126,799. Funding will be used to purchase 46 Forward Infrared Scout TK Compact Thermal Night Vision Monocular Devices for patrol operations and one FARO Focus 3D Laser Scanner Mapping System to digitally record evidence at crime scenes. No new positions will be created with this grant and no Local Cash Match is required.

ADMIN 3 - AUTHORIZATION TO RELEASE THE “FAIRFAX COUNTY, VIRGINIA, ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE 2016-2020” FOR PUBLIC COMMENT

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

Authorized that the Board act to authorize public dissemination of the proposed “Fairfax County, Virginia, Analysis of Impediments to Fair Housing Choice 2016-2020” (“AI”) for public comment for a period of 30 days.

ADMIN 4 - AUTHORIZATION FOR THE CERTIFICATION OF CONSISTENCY WITH THE CONSOLIDATED PLAN AS REQUIRED BY THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN ORDER TO APPLY FOR CONTINUUM OF CARE PROGRAM FUNDING

Authorized the Board to certify that all projects included in the HUD Continuum of Care Program application are consistent with the Consolidated Plan. Upon Board approval, the County Executive will sign the “Certification of Consistency with the Consolidated Plan” form which is required by HUD when submitting the

Continuum of Care Program application.

ADMIN 5 - EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATIONS (PROVIDENCE, MOUNT VERNON, AND HUNTER MILL 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>
2232-P16-41	Fairfax County Park Authority, Ruckstuhl Park 7345 Idylwood Road Falls Church, VA, Providence District Accepted July 20, 2017	March 18, 2018
2232-V17-27	T-Mobile 7764 Armistead Road Lorton, VA Mount Vernon District Accepted June 15, 2017	November 12, 2017
FS-H17-18	T-Mobile 12018 Sunrise Valley Drive Reston, VA Hunter Mill District Accepted June 23, 2017	November 20, 2017

ADMIN 6 - STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, MOUNT VERNON, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Lorton Station South Section 1	Mount Vernon	Gunston Hill Lane Groom Cottage Drive
McDonald Estates	Springfield	Dachshund Drive
Penns Crossing	Braddock	Banting Drive
The Estates at Meadowbrook Run	Providence	Pilgrim Green Way
Timber Ridge at Discovery	Sully	North South Collector Road

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Square (North South Collector Road		(Air and Space Museum Parkway)

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF CHAIN BRIDGE ROAD WALKWAY S (SOUTH) – HORSE SHOE DRIVE TO NIBLICK DRIVE (PROVIDENCE DISTRICT)

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

Authorized the advertisement of a public hearing to be held before the Board on **October 24, 2017, at 5 p.m.** regarding the acquisition of certain land rights necessary for the construction of Project 2G40-088-014, Chain Bridge Road Walkway S (South) – Horse Shoe Drive to Niblick Drive, Fund 40010, County and Regional Transportation Projects.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF SEMINARY ROAD (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 24, 2017, at 5 p.m.**, to consider the vacation and abandonment of the right-of-way of a portion of Seminary Road.

ADMIN 9 - APPROVAL OF TRAFFIC CALMING MEASURES AND "WATCH FOR CHILDREN" SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (DRANESVILLE, LEE, AND MOUNT VERNON DISTRICTS)

- Endorsed the following traffic calming plans for:
 - Three speed humps on Griffith Road (Dranesville District)
 - One speed table, one multi-way stop, and one raised median island on Jarrett Valley Drive (Dranesville District)
- Approved “Watch for Children” signs on the following roads:
 - Villa Park Road (Lee District)
 - Lafayette Drive (Mount Vernon District)
 - Shenandoah Road (Mount Vernon District)

- Directed the Department of Transportation to schedule the installation of the approved traffic calming measures and “Watch for Children” signs as soon as possible.

14. **A-1 – APPROVAL OF A LICENSE AGREEMENT WITH THE GUM SPRINGS HISTORICAL SOCIETY FOR THE USE OF SPACE WITHIN GUM SPRINGS COMMUNITY CENTER (MOUNT VERNON DISTRICT)** (12:35 p.m.)

Supervisor Storck announced that this item was being deferred until September 26.

15. **A-2 – PRESENTATION OF THE DELINQUENT TAX LIST FOR TAX YEAR 2016 (FISCAL YEAR 2017)** (12:36 p.m.)

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

- To continue to pursue the collection of delinquent taxes, found in Attachment A of the Board Agenda Item, and continue collection of non-tax delinquencies
- That the Board remove certain small uncollectable overdue accounts, listed in Attachments D and E of the Board Agenda Item, pursuant to Virginia Code § 58.1-3921

16. **A-3 –APPROVAL OF A PARKING REDUCTION FOR JLB TRINITY CENTRE (SULLY DISTRICT)** (12:36 p.m.)

Supervisor K. Smith moved that the Board concur in the recommendation of staff and approve a parking reduction for the property pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Paragraph 5B of Section 11-102, due to express bus service from the site to the Vienna/Fairfax-GMU Metro Station, subject to the conditions outlined in the Board Agenda Item. Supervisor Foust seconded the motion.

Following a brief discussion concerning parking issues at Metro Stations, the question was called on the motion and it carried by unanimous vote.

17. **A-4 –APPROVAL OF PROJECT AGREEMENTS BETWEEN THE DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) AND FAIRFAX COUNTY TO PROVIDE FEDERAL HIGHWAY ADMINISTRATION (FHWA) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) PROGRAM FUNDS FOR OPERATION OF FIVE CONNECTOR STORES** (12:37 p.m.)

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

- Approved the Project Agreements with DRPT as contained in Attachments 1 and 2 of the Board Agenda Item
- Authorized the Director of the Department of Transportation to execute the finalized Agreements substantially in the form of Attachments 1 and 2 on behalf of the County

18. **A-5 - APPROVAL OF A GRANT AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND FAIRFAX COUNTY FOR THE COLVIN RUN PHASE I AT LAKE FAIRFAX PARK STREAM RESTORATION PROJECT (HUNTER MILL DISTRICT)** (12:38 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign the agreement with DEQ to provide Stormwater Local Assistance Funds grant funds to the County for the design and construction of the Colvin Run Phase I at Lake Fairfax Park stream restoration project.

19. **A-6 - APPROVAL OF A GRANT AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND FAIRFAX COUNTY FOR THE FLATLICK BRANCH PHASE II STREAM RESTORATION PROJECT (SULLY DISTRICT)** (12:38 p.m.)

On motion of Supervisor K. Smith, jointly seconded by Supervisor Foust and Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign the agreement with DEQ to provide Stormwater Local Assistance Funds Grant funds to the County for the design and construction of the Flatlick Branch Phase II stream restoration project.

20. **A-7 - ENDORSEMENT OF COMMENTS ON PROPOSED MODIFICATIONS TO THE COMMONWEALTH OF VIRGINIA'S SMART SCALE TRANSPORTATION FUNDING PRIORITIZATION PROCESS)** (12:39 p.m.)

On motion of Supervisor Foust, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff that the Board endorse a letter to the Commonwealth Transportation Board (CTB) regarding proposed modifications to the Smart Scale Transportation Funding Prioritization Process as contained in Attachment 1 of the Board Agenda Item.

The letter includes comments on the proposed modifications to the Smart Scale Process pertaining to the project size, application limits; project readiness; other funding; evaluation measures; process schedule; application submission eligibility; project screening process; relationship of project elements; and project eligibility.

21. **A-8 – ADOPTION OF A RESOLUTION ESTABLISHING PROCEDURES FOR USE OF THE CONSTRUCTION MANAGEMENT AND DESIGN BUILD METHODS OF CONSTRUCTION CONTRACTING** (12:39 p.m.)

(R) On motion of Supervisor Foust, seconded by Supervisor Gross, and 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,” the Board concurred in the recommendation of staff and adopted the Resolution and updated procedures related to the construction management and design build methods of construction procurement.

22. **A-9 – APPROVAL OF FAIRFAX CONNECTOR SEPTEMBER 2017 SERVICE CHANGES** (12:40 p.m.)

Supervisor Storck moved that the Board concur in the recommendation of staff and approve the September 2017 service change proposal as outlined in the Board Agenda Item. Chairman Bulova seconded the motion.

A brief discussion ensued concerning needs of both the Silverbrook area and the Saint James sports complex. Following a query by Supervisor Foust concerning the process, with input from Tom Biesiadny, Director, Department of Transportation, the question was called on the motion and it carried by unanimous vote.

23. **I-1 - CONTRACT AWARD – INTERIOR DESIGN ARCHITECTURE/ENGINEERING SERVICES** (12:45 p.m.)

The Board next considered an item contained in the Board Agenda, announcing that staff is awarding contracts to the following firms to provide Interior Design, Architectural, and Engineering Services on an as needed basis:

- DBI Architects, Inc.
- Leo A. Daly
- Fox Architects, LLC
- ROKK Architecture, PLLC
- Samaha Associates, P.C.
- Cox Graae and Spack Architects
- Moseley Architects
- Peck Peck and Associates, Inc.

24. **I-2 – COUNTY HOLIDAY SCHEDULE – CALENDAR YEAR 2018** (12:45 p.m.)

The Board next considered an item contained in the Board Agenda, announcing the County’s Holiday Schedule for Calendar Year 2018.

Supervisor Gross, noting that December 24, 2018, is a Monday, asked unanimous consent that the Board provide a full day of leave rather than a half day. Following input from Catherine A. Chianese, Assistant County Executive and Clerk to the Board, without objection, it was so ordered.

Supervisor Gross duly noted that there is a budgetary impact as a result of this action.

ADDITIONAL BOARD MATTERS

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25. **PRESENTATION REQUESTS** (12:48 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board approve the presentation requests listed in the document titled "*September 12, 2017, Presentation Requests:*"

- Representatives from Dysautonomia International be invited to appear before the Board on September 26 to accept a proclamation designating October 2017 as "*Dysautonomia Awareness Month*" in Fairfax County
- Representatives from George Mason University's Mason Mappers be invited to appear before the Board on October 24 to accept a certificate of recognition for its hard work and countless hours of work on the History Commission's 275th Anniversary Roadside Markers Map
- The Bahá'í Community of the County be invited to appear before the Board on October 24 to receive a proclamation in celebration of the Two-Hundredth Anniversary of the Birth of Bahá'u'lláh, Founder of the Bahá'í Faith
- The Department of Transportation be invited to appear before the Board on September 26 to share the County's most recent designation as a Bronze Bicycle Friendly Community
- The Department of Transportation also be invited to appear before the Board on December 5 to present the Best Workplaces for Commuters Awards
- A proclamation be prepared to congratulate Ono Brewing Company on its Grand Opening in Chantilly. Chairman Bulova noted that she will present this proclamation at the grand opening celebration on September 20

- Representatives from the Fire and Rescue Department be invited to appear before the Board on September 26 to accept a proclamation designating October 8-14, as “*Fire Prevention Week*,” in Fairfax County
- A proclamation be prepared and sent to the Women Impacting Public Policy (WIPP)’s Small Business Saturday Coalition by November 16 declaring Saturday, November 25 as “*Small Business Saturday*,” in Fairfax County

Without objection, it was so ordered.

Jointly with Supervisors Storek and McKay, Chairman Bulova asked unanimous consent that that the Board direct staff to invite the Fort Hunt Little League Majors All-Star to appear before the Board on September 26 to accept a certificate of recognition for its successful, record-breaking season.

On Tuesday, July 26, the team beat the Atlee Little League team 5-4 and won the 2017 Virginia State Championship. This is the first time ever, in a 60-year history, that a Fort Hunt baseball team has won the Majors Virginia State Championship. The Director of Public Affairs, Tony Castrilli, is the coach. Without objection, it was so ordered.

26. **DESIGN AND ENVIRONMENTAL ACHIEVEMENT AWARDS 2017**
(12:48 p.m.)

Chairman Bulova announced that the County’s *Environmental Excellence Awards*, *Exceptional Design Awards*, and *Friends of Trees Awards* will be presented at a special evening ceremony at the Government Center on Tuesday, October 17, from 7 p.m - 9 p.m. The Awards Ceremony will be televised, livestreamed, and archived by the County’s Channel 16 and a reception will follow in the Forum.

In the past, Chairman Bulova noted that these awards were presented during morning presentations at Board meetings. A special evening event is planned to draw more attention to the awards, better honor recipients, and be more convenient for family members, friends, and coworkers to attend. Karen Cleveland, CEO of Leadership Fairfax, has graciously agreed to serve as emcee.

The date of this ceremony is scheduled on a Board committee meeting day. All Board Members are invited to remain for this event to help celebrate the community’s accomplishments in environmentalism, sustainability, and creative building and site designs. She added that Board Members will all have the opportunity to say a few words and take official photos with the award winners.

27. **DISSOLVING THE COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION (COTD)** (12:50 p.m.)

(BACs) Chairman Bulova referenced a memorandum to the Board from Robert Neuman,

Chairman of the Commission on Organ and Tissue Donation and Transplantation (COTD), dated July 14, 2017. Mr. Neuman recommends, on behalf of the COTD, that the COTD be dissolved as, in its opinion, significant progress has been made in promoting awareness of organ and tissue transplantation and increasing the number of the County organ and tissue donors.

Therefore, Chairman Bulova moved that the COTD be dissolved. Supervisor Gross seconded the motion and it carried by unanimous vote.

28. **RECOGNIZING MCLEAN LITTLE LEAGUE 8-10 AND 9-11 GIRLS' SOFTBALL ALL-STARS FOR WINNING THE SOFTBALL STATE CHAMPIONSHIP (DRANESVILLE DISTRICT)** (12:54 p.m.)

Supervisor Foust expressed his congratulations to the members of the McLean Little League 8-10 and 9-11 Girls' Softball All-Stars teams for winning the Virginia State Little League All Star Tournament held this past July. The teams represented McLean Little League, Virginia Little League District IV, and the County with great skill, spirit, and championship.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite the McLean Little League 8-10 and 9-11 Softball All-Stars Teams, their coaches, managers, and volunteers to appear before the Board on September 26 to be recognized for their outstanding achievement. Without objection, it was so ordered.

29. **PROCLAIMING OCTOBER 2017 AS CYBER SECURITY MONTH** (12:55 p.m.)

Supervisor Foust said that security of cyberspace in personal and professional lives is a significant concern, even if threats are not always immediately visible. Care and attention must be taken to safeguard financial, telecommunication, healthcare, emergency response, and other essential infrastructures that are increasingly dependent on information technology systems.

A record-setting number of data breaches was reported in 2016 with some 1,093 breaches. So far this year, there have been a large number of disclosed breaches, including the recently-announced 143 million exposed customer records at Equifax, as well as 80 million exposed records at Blue Cross Blue Shield/Anthem.

This problem not only affects commercial entities that everyone trusts in interacting with websites and companies' on-line services – it also affects all levels of government as the evolution to the digital society evolves rapidly. Cyberattacks will continue to increase as hackers continue exploiting weaknesses and finding ways to breach even the most sophisticated state-of-the-art defenses.

All County agencies, regardless of size, should be on notice that there is a very real threat from security breaches and need to take the proper precautions to protect County infrastructure and citizen data.

Therefore, Supervisor Foust asked unanimous consent that the Board:

- Proclaim October 2017 as "*Cyber Security Month*," in Fairfax County
- Direct staff to invite appropriate individuals to appear before the Board on October 24 to be presented with a proclamation
- Direct the Office of Public Affairs to promote related resources and events, such as the Department of Information Technology's Twelfth Annual Security Awareness Day event for County employees, to be held on Friday, October 27

Supervisor Foust noted that this year's theme is *State of Cyber, Living in Today's Smart World*. This event will provide staff opportunities to hear from industry experts on many things that can be done in securing access to personal data as well as the data they have access to at work.

Without objection, it was so ordered.

30. **THANK YOU TO THE LAND DEVELOPMENT SERVICES (LDS) TEAM FOR THEIR EXEMPLARY PROJECT MANAGEMENT EXPERTISE AND RESPONSE TO THE RIVER TOWERS BUILDING EVENT (MOUNT VERNON DISTRICT)** (12:58 p.m.)

Supervisor Storck referred to his written Board Matter regarding a significant event at River Towers. Columns that were supporting the stem of the building had partially collapsed, resulting in a sudden shift in portions of the building. Residents of the building described the event as similar to the shaking felt during an earthquake. The Building Official immediately ordered the evacuation of 32 of the units while the damage was assessed and repaired, leaving the affected tenants displaced for an unknown amount of time. The River Towers Association, led by a board of volunteers, was understandably overwhelmed with the gravity and significance of the situation as they tackled the task of suddenly managing a multi-million-dollar repair project, while addressing the needs of residents who had temporarily lost their homes.

The Project Management Program, which began as a pilot in June of 2016 as part of the Fairfax First initiative, has been a successful strategy to achieve Goal Three of the Board's Economic Success Strategic Plan: To Improve the Speed, Consistency, and Predictability of the Development Review Process.

Supervisor Storck expressed his appreciation to Bill Hicks, Helman Castro, Brian Foley, Kirsten Munz, Ellie Coddling, and the LDS team for their immediate and exemplary response to this event. The LDS team provided very professional services and hands-on support both before, during and after the event.

EBE:ebe

31. **RECESS/CLOSED SESSION AND INTENT TO DEFER PUBLIC HEARING (DRANESVILLE, SPRINGFIELD, PROVIDENCE, AND LEE DISTRICTS)** (1:01 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 v. Coxcom, LLC, d/b/a Cox Communications*, Case No. CL-2017-03786 (Fx. Co. Cir. Ct.)
 2. Office of the Fire Marshal, Cost Recovery Claim FMO E163520434
 3. *Glen M. Sylvester v. Brian C. Geschke*, Case No. CL-2017-0006382 (Fx. Co. Cir. Ct.)
 4. *William N. Holland v. Board of Supervisors of Fairfax County*, Case No. CL-2017-0009115 (Fx. Co. Cir. Ct.)
 5. *Fairfax County Redevelopment and Housing Authority v. Sheila Renee Allen*, Case No. CL-2016-0009828 (Fx. Co. Cir. Ct.) (Lee District)
 6. *Lakeview Loan Servicing LLC v. Laura Schlader, Fairfax County Redevelopment and Housing Authority, and Unit Owners Association of Legato Corner Condominiums*, Case No. CL-2017-0009611 (Fx. Co. Cir. Ct.) (Springfield District)

7. *Segun Olobayo v. Jack Blair*, Case No. GV17-008954 (Fx. Co. Gen. Dist. Ct.)
8. *Cynthia Geoghagan v. Victor Nardone*, Case No. GV17-005911 (Fx. Co. Gen. Dist. Ct.)
9. *Glennon William Betts, by GEICO, subrogee v. Anthony Lovon Newman and Fairfax County*, Case No. GV17-009964 (Fx. Co. Gen. Dist. Ct.)
10. *Shirley A. Stewart v. B.A. Pitts (Fairfax Sheriff's Office), in his personal capacity; Doug Comfort (Fairfax Police), in his personal capacity; and Jason S. Manyx (U.S. Homeland Security), in his personal capacity*, Case No. 17-1862 (U.S. Ct of App. for the Fourth Cir.)
11. *Rachel Watson v. Fairfax County, Virginia*, Case No. 1:17cv694 (E.D.Va.)
12. *Dwain Foltz v. Office of the County Attorney*, Case No. 1:17cv939 (E.D. Va.)
13. *Linda Owens v. Jennifer Svites, Fire Chief Richard Bowers, and the County of Fairfax*, Case No. GV17-010441 (Fx. Co. Gen. Dist. Ct.)
14. *Mirsada Karalic-Loncarevic, by GEICO, Subrogee v. Jeffrey Dion Cox*, Case No. GV17-011867 (Fx. Co. Gen. Dist. Ct.)
15. *Robert Lee v. Captain John S. Trace*, Case No. GV17-016812 (Fx. Co. Gen. Dist. Ct.)
16. *Robert Lee v. PFC C.M. Lincoln*, Case No.: GV17-015635 (Fx. Co. Gen. Dist. Ct.)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ranginee Junloy*, Case No. GV17-015455 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Carolyn Umstott Fisher, Trustee of the Carolyn W. Umstott Revocable Trust, and Nancy Susan Umstott, Trustee of the Carolyn W. Umstott Revocable Trust*, Case No. CL-2017-0004336 (Fx. Co. Cir. Ct.) (Dranesville District)
19. In re: March 1, 2017, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Case No. CL-2017-0004596 (Fx. Co. Cir. Ct.) (Dranesville District)
20. *The Board of Supervisors of Fairfax County, Virginia, ex rel. Fairfax County Human Rights Commission v. Laura Nichols and Charles Nichols*, Case No. CL-2017-0011462 (Fx. Co. Cir. Ct.) (Dranesville District)

21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eugene B. Meyer*, Case Nos. GV17-013659 and GV17-013660 (Fx. Co. Gen. Dis. Ct.) (Dranesville District)
22. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. James Scott Ballenger and Catherine E. McCall*, Case Nos. GV17-013661 and GV17-013662 (Fx. Co. Gen. Dis. Ct.) (Dranesville District)
23. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mohammed M. Hamzezadeh*, Case No. CL-2017-0006244 (Fx. Co. Cir. Ct.) (Hunter Mill District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Westwood Buildings, LP and N.G. Group LLC*, Case No. CL 2016-0013760 (Fx. Co. Cir. Ct.) (Hunter Mill District)
25. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Smithrose Investments, LLC*, Case No. CL-2017-0010461 (Fx. Co. Cir. Ct.) (Hunter Mill District)
26. *I.G.S. Limited Liability Company v. Board of Supervisors of Fairfax County, Virginia, Fairfax County, Virginia, CESC Commerce Executive Park L.L.C., and The Commerce Executive Park Association of Co-Owners*, Case No. CL-2017-0000197 (Fx. Co. Cir. Ct.) (Hunter Mill District)
27. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Richard P. Deeds, Jr., and Nicole Prete Deeds*, Case No. CL-2017-0008488 (Fx. Co. Cir. Ct.) (Hunter Mill District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Alees S. Coates*, Case No. CL-2017-0011608 (Fx. Co. Cir. Ct.) (Hunter Mill District)
29. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Olga Selvaggi, Individually and as heir of Phillip S. Selvaggi and the Phillip S. Selvaggi Living Trust, and Nina Selvaggi, Individually and as heir of Phillip S. Selvaggi and the Phillip S. Selvaggi Living Trust*, Case Nos. GV17-006686 and GV17-006893 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
30. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ching-Yi Lin and Mei-Ying Chen*, Case No. GV17-012885 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Trang X. Garrett*, Case No. GV17-015504 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
32. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran*, Case No. CL-2017-0011715 (Fx. Co. Cir. Ct.) (Hunter Mill District)

33. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Thomas V. Lefler*, Case No. CL-2015-0015223 (Fx. Co. Cir. Ct.) (Lee District)
34. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Sherman E. Phillip*, Case No. CL-2017-0007996 (Fx. Co. Cir. Ct.) (Lee District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert Lord*, Case No. CL-2009-0006752 (Fx. Co. Cir. Ct.) (Lee District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Maria Lenz and Marniee Sjolander*, Case No. GV17-013703 (Fx. Co. Gen. Dist. Ct.) (Lee District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Michael J. Hayes*, Case No. GV17-013665 (Fx. Co. Gen. Dist. Ct.) (Lee District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Antoniel F. DeLeon and Estela C. Barrios*, Case No. CL-2017-0009016 (Fx. Co. Cir. Ct.) (Mason District)
39. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rockley L. Miller and Susan B. Miller*, Case No. CL-2017-0010524 (Fx. Co. Cir. Ct.) (Mason District)
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rupri Sain*, Case No. CL-2017-0006376 (Fx. Co. Cir. Ct.) (Mason District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Roy Melvin Perry*, Case No. CL-2012-0011472 (Fx. Co. Cir. Ct.) (Mason District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Pablo Garcia and Norka Garcia*, Case No. GV17-011996 (Fx. Co. Gen. Dist. Ct.) (Mason District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Daniel Minchew*, Case No. CL-2017-0004962 (Fx. Co. Cir. Ct.) (Mount Vernon District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Patrick McAlee and Barbara McAlee*, Case No. CL-2012-0010063 (Fx. Co. Cir. Ct.) (Mount Vernon District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Otis Perry and Elcetia L. Perry*, Case No. CL-2008-0005923 (Fx. Co. Cir. Ct.) (Providence District)

47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Dino Mitchell*, Case No. CL-2007-0008571 (Fx. Co. Cir. Ct.) (Providence District)
48. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Darrell Davis Poe*, Case No. CL-2017-0011009 (Fx. Co. Cir. Ct.) (Springfield District; Town of Clifton)
49. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lloyd G. Strickland*, Case No. CL-2016-0008753 (Fx. Co. Cir. Ct.) (Springfield District)
50. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Chom Sun Cholihan and Sidney Harris*, Case No. CL-2017-0009711 (Fx. Co. Cir. Ct.) (Sully District)
51. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Loretta Deaner*, Case No. CL-2017-0009709 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- Appeal from the Alcoholic Beverage Control Board's issuance of farm winery license to Bates on Yates as permitted by Virginia Code § 2.2 3711(A) (7)(8)
- Potential amendment to a Lease Agreement for Wiehle Garage Reston Station as permitted by Virginia Code § 2.2 3711(A) (3)(8)
- Potential sale of land for a future electrical power station in Tysons as permitted by Virginia Code § 2.2 3711(A) (3)(8)
- Potential terms of agreements relating to prospective economic development opportunities as permitted by Virginia Code § 2.2 3711(A) (5)(6)(8)(39)
- Legal analysis regarding State and Local Government Conflict of Interest Act as permitted by Virginia Code § 2.2 3711(A) (8)
- Legal requirements for appointment to the Civil Service Commission as permitted by Virginia Code § 2.2 3711(A) (1)(8)

Supervisor Foust seconded the motion.

Supervisor Foust announced his intent, later in the meeting at the appropriate time, to cancel the public hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Sunrise Valley Drive Walkway Sidewalk.

Supervisor Herrity announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Agricultural District Application AR 2009- SP- 002.

Supervisor L. Smyth announced her intent, later in the meeting at the appropriate, time to defer the public hearing on Special Exception Amendment Application SEA 99-P-046-02.

Supervisor McKay announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Application SE 2017-LE-006.

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

(NOTE: Later in the meeting at the appropriate time, these public hearings were formally deferred. See Clerk's Summary Items #39, 41, 44, 51.)

EBE:ebe

At 4 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

32. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:01 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. Chairman Bulova 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."

33. **AUTHORIZATION TO APPEAL THE ALCOHOLIC BEVERAGE CONTROL BOARD'S FINAL DECISION AND ORDER TO GRANT BATES ON YATES AN ABC LICENSE** (4:01 p.m.)

Supervisor Herrity moved that the Board authorize and direct the County Attorney to appeal the final decision and order to grant an ABC License to Bates on Yates. The petition for appeal will be filed with the Fairfax County Circuit Court based on the grounds discussed with the County Attorney in closed session. Supervisor Gross and Supervisor L. Smyth jointly seconded the motion and it carried by unanimous vote.

34. **APPROVAL OF SETTLEMENT OF THE COUNTY'S COST RECOVERY CLAIM** (4:02 p.m.)

Supervisor K. Smith moved that the Board approve settlement of the County's Cost Recovery Claim (FMO E163520434) submitted by the Fairfax County Fire and Rescue Department against Samuel Coraluzzo Company Incorporated in accordance with the terms outlined by the County Attorney in closed session. Supervisor Gross seconded the motion and it carried by unanimous vote.

35. **AUTHORIZATION OF SETTLEMENT OF FAIRFAX COUNTY BOARD OF SUPERVISORS V. COXCOM, LLC d/b/a COX COMMUNICATONS NORTHERN VIRGINIA** (4:02 p.m.)

Supervisor Gross moved that the Board authorize settlement of *Fairfax County Board of Supervisors v. CoxCom, LLC d/b/a Cox Communications Northern Virginia*, Case No. 2017-3786, according to the terms and conditions outlined by the County Attorney in closed session. Chairman Bulova seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

36. **APPOINTMENT OF KAREN DIVINEY AS DIRECTOR, ANIMAL SHELTERING** (4:03 p.m.)

Supervisor Gross moved the appointment of Ms. Karen Diviney to the position of Director, Animal Sheltering - Grade E-6 with a starting salary of \$130,000.00 effective September 16, 2017. Chairman Bulova seconded the motion and it carried by unanimous vote.

Chairman Bulova congratulated her and on behalf of the Board, acknowledged her to the Board Auditorium.

AGENDA ITEMS

37. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-056-04 (SPA FOREST, INC) (MASON DISTRICT)** (4:04 p.m.)

- (O) The application property is located at the terminus of General Green Way, Alexandria, 22312 approximately 1,200 feet east of its intersection with General Washington Drive. Tax Map 81-1 ((1)) 8B.

Mr. David Gill reaffirmed the validity of the affidavit for the record.

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

Mr. Gill 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. Haley presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Proffered Condition Amendment Application PCA 86-L-056-04 and the associated Generalized Development Plan Special Permit Plat, subject to the proffers dated May 19, 2017. 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."

38. **3:30 P.M. – PH ON CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATION CDPA 82-P-069-09 (FIVE OAKS PROPERTIES, LLC) (SPRINGFIELD DISTRICT) (4:16 p.m.)**

This property is located on the east side of Fair Lakes Court, approximately 600 feet north of Fair Lakes Parkway. Tax Map 45-4 ((1)) 25D.

Mr. Carlos M. Montenegro reaffirmed the validity of the affidavit for the record.

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

Mr. Montenegro 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. Atkinson presented the staff and Planning Commission recommendations.

Supervisor Herrity moved approval of:

- Conceptual Development Plan Amendment Application CDPA 82-P-069-09
- A waiver of Paragraph 5, Section 6-206 of the Zoning Ordinance to permit the gross floor area of all other secondary uses to exceed 25 percent of the gross floor area of all principal uses

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

39. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX E, STATEWIDE AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 2009-SP-002 (CRAWFORD LOCAL AGRICULTURAL AND FORESTAL DISTRICT) (SPRINGFIELD DISTRICT)** (4:22 p.m.)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item #31.)

Supervisor Herrity moved to defer the public hearing on Agricultural Renewal Application AR 2009-SP-002 until **September 26, 2017, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

40. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2002-MA-003-02 (TRUSTEES OF SLEEPY HOLLOW UNITED METHODIST CHURCH/EYMY TELLERIA D/B/A WECARE DAYCARE, LLC) (MASON DISTRICT)** (4:23 p.m.)

The application property is located at 3435 Sleepy Hollow Road, Falls Church, 22044. Tax Map 60-2 ((33)) 1A and 1B.

Mr. Marlon A. Telleria and Mr. Bill Rideout reaffirmed the validity of the affidavit for the record.

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

Mr. Telleria 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. Lynskey presented the staff and Planning Commission recommendations.

Following a query by Supervisor Gross, Mr. Telleria and Mr. Rideout confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 27, 2017.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 2002-MA-003-02, subject to the development conditions dated July 27, 2017

- Reaffirmation of a modification of the transitional screening requirements along all property lines, in favor of the existing vegetation as shown on the SEA Plat and as conditioned
- Reaffirmation of a waiver of the barrier requirements along the northeastern, northwestern, and southeastern property boundaries and a modification of the barrier requirement along the southwestern property boundary, in favor of that shown on the SEA Plat

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

41. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 99-P-046-02 (FLINT HILL SCHOOL) (PROVIDENCE DISTRICT)**
(4:30 p.m.)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item #31.)

Supervisor L. Smyth moved to defer the public hearing on Special Exception Amendment Application SEA 99-P-046-02 until **October 24, 2017, at 4:30 p.m.** Supervisor K. Smith seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

42. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2014-PR-032 (VA ELECTRIC AND POWER COMPANY, D/B/A DOMINION ENERGY VIRGINIA) (PROVIDENCE DISTRICT)** (4:31 p.m.)

The application property is located at 7701 and 7707 Shreve Road, Falls Church, 22043. Tax Map 49-2 ((12)) 1A and 49-2 ((1)) 151.

Mr. Gregory Riegle reaffirmed the validity of the affidavit for the record.

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

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

Discussion ensued, with input from Mr. Riegle regarding the replacement of the pole and the issue of visual impact.

Following the public hearing, which included testimony by two speakers, Ms. Posusney presented the staff and Planning Commission recommendations.

Supervisor L. Smyth stated that she has submitted items for the record.

Following a query by Supervisor L. Smyth, Mr. Riegler confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 12, 2017.

Supervisor L. Smyth moved:

- Approval of Special Exception Amendment Application SEA 2014-PR-032, subject to the development conditions dated September 12, 2017.
- Waiver of the major paved trail shown on the Countywide Trails Plan in favor of the five foot wide sidewalk that is proposed along the entire Shreve Road frontage
- Waiver of the actual striping for the proposed bike lane along Shreve Road shown on the Countywide Bicycle Master Plan
- Reaffirmation of all previously approved waivers and modifications, as listed below:
 - Modification of transitional screening requirements along all boundaries of the site in favor of that shown on the special exception (SE) plat
 - Directed the Director of the Department of Public Works and Environmental Services (DPWES) to approve a modification of 10-year tree canopy requirements in favor of that shown on the SE plat
 - Directed the Director of DPWES to approve a waiver of the tree preservation target requirements in favor of that shown on the SE plat.

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

43. **4 P.M. – PH TO CONSIDER AN EDITORIAL AMENDMENT TO THE WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT, DISTRICT (RPPD) 7 (SPRINGFIELD DISTRICT) (4:58 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 August 25 and September 1, 2017.

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

Following the public hearing, Supervisor Herrity stated that an item for the record had been submitted to the Clerk to the Board.

Supervisor Herrity moved adoption of the proposed editorial amendment to Appendix G, of the Code of the County of Fairfax, to include Louis Edmund Court in its entirety in the West Springfield RPPD, District 7. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck and Chairman Bulova voting "AYE," Supervisor McKay being out of the room.

44. **4 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SUNRISE VALLEY DRIVE WALKWAY RIVER BIRCH ROAD TO LEGACY CIRCLE (DRANESVILLE DISTRICT)** (5:01 p.m.)

Supervisor Foust moved that this item be withdrawn because the construction of the Sunrise Valley Drive Walkway River Birch Road to Legacy Circle had been acquired. Supervisor Gross seconded the motion and it carried by unanimous vote.

45. **4 P.M. – PH TO EXPAND THE LONDON TOWNE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (5:02 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 August 25 and September 1, 2017.

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

Following the public hearing, which included testimony by four speakers, Ms. Padilla presented the staff recommendation.

Supervisor K. Smith moved adoption of the proposed amendment to Appendix M, of the Code of the County of Fairfax, to expand the London Towne CPD. Supervisor L. Smyth and Supervisor Herrity jointly 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. **4 P.M. – PH TO CONSIDER PARKING RESTRICTIONS ON COMMERCIAL DRIVE (MASON DISTRICT)** (5:12 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 August 25 and September 1, 2017.

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

Following the public hearing, Supervisor Gross moved adoption of the proposed amendment to Appendix R of the Code of the County of Fairfax, to approve parking restrictions on Commercial Drive in the Mason District. Chairman Bulova 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."

47. **4:30 P.M. – PH TO CONSIDER PARKING RESTRICTIONS ON GOVERNMENT CENTER PARKWAY (BRADDOCK DISTRICT)**
(5:16 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 August 25 and September 1, 2017.

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

Following the public hearing, Supervisor Cook moved adoption of the amendment to Appendix R of the Code of the County of Fairfax, to establish parking restrictions on Government Center Parkway in the Braddock District. Supervisor Herrity 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."

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48. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-DR-003 (SUNTRUST BANK) (DRANESVILLE DISTRICT)** (5:18 p.m.)

The application property is located at 778 Walker Road, Great Falls, 22066, Tax Map 13-1 ((9)) 6B.

Mr. Robert Brant reaffirmed the validity of the affidavit for the record.

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

Mr. Brant 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, Ms. Posusney presented the staff and Planning Commission recommendations.

Supervisor Foust submitted an item for the record.

Following a query by Supervisor Foust, Mr. Brant confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 19, 2017.

Supervisor Foust moved:

- Approval of Special Exception Application SE 2017-DR-003, subject to the development conditions dated July 19, 2017
- Modification of the transitional screening requirement of Section 13-303 of the Zoning Ordinance (ZO) along the southern property line, in favor of the proposed landscaping, as shown on the SE Plat
- Waiver of the barrier requirement of Section 13-304 of the ZO along the southern property line
- Waiver of the loading space requirement of Section 11-203 of the ZO

Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

49. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2016-HM-005 (1831 MICHAEL FARADAY LLC) (HUNTER MILL DISTRICT) (5:25 p.m.)**

The application property is located on the east side of Michael Faraday Drive approximately 570 feet South of Sunset Hills Road, Tax Map 18-3 ((6)) 6.

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

Joe Gorney, 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, Mr. Gorney presented the staff and Planning Commission recommendations.

Supervisor Hudgins submitted an item for the record.

Supervisor Hudgins moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2016-HM-005, from the I-4 District to the PRM District, subject to the proffers dated June 26, 2017

- Approval of the waivers and modifications as follows:
 - Modification of Paragraph 1 of Section 2-414 of the ZO to reduce the minimum residential building setback requirement from the Dulles International Airport Access Highway and the Dulles Toll Road right-of-way from 200 feet to 130 feet

 - Waiver of Paragraph 2 of Section 6-407 of the ZO requiring minimum 200-square foot privacy yards on single-family attached dwelling unit lots

 - Modification of Section 11-203 of the ZO for loading space requirements, in favor of the proposed quantities shown on the CDP/FDP

 - Waiver of Section 13-202 and Public Facilities Manual (PFM) Section 12-0514 for required interior parking landscaping of the structured parking deck

 - Modification of Section 13-303 of the ZO for the transitional screening requirements, in favor of the proposed landscaping shown on the CDP/FDP

 - Waiver of Section 13-304 of the ZO for the barrier requirement

 - Deviation to the Tree Preservation Target in favor of the proposed landscaping as shown on the CDP/FDP, per PFM Section 12-0508.3

 - Modification of PFM Section 12-0510.4e(5) to allow a minimum planting width of 6 feet, in favor of the proposed planting areas and methods

 - Modification of PFM Section 7-0100 (Plate TS-5A), to reduce the minimum pavement width of the proposed townhouse street from 24 feet to 20 feet, in favor of the proposed private street

Chairman Bulova 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 Storck and Chairman Bulova voting "AYE," Supervisor L. Smyth being out of the room.

Supervisor Hudgins moved:

- Approval of parking reduction request 12650-PKS-001, pursuant to Paragraph 5A of Section 11-102 of the ZO, based on the proximity of a mass transit station, subject to the conditions dated March 16, 2017, and contained in Appendix 16 of the staff report
- A minimum of 20 parking spaces shall be clearly designated or accounted for as parking for guests of the residential uses and onsite staff car share vendors and residential vanpools, access to these spaces need not be controlled

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

50. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-V-003 (SUMNER CROSSING HOMEOWNERS ASSOCIATION, INCORPORATED) (MOUNT VERNON DISTRICT)**
(5:38 p.m.)

(O) The application property is located on Old Pohick Way at the intersection of Telegraph Road, Tax Map 108-1 ((13)) A.

Ms. Kathleen Turner reaffirmed the validity of the affidavit for the record.

Jay Rodenbeck, Planner, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Discussion ensued, with input from Joe Gorney, Planner, ZED, DPZ, regarding:

- Parking Issues
- The impact of recent changes in Virginia Law
- The need to review and streamline the process in simplifying review of such cases

Ms. Turner had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by two speakers, Mr. Rodenbeck presented the staff and Planning Commission recommendations.

Supervisor Storck moved approval of Proffered Condition Amendment Application PCA 91-V-003 and the Generalized Development Plan, subject to the proffers dated June 20, 2017. 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."

51. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017 LE 006 (DVA TELEGRAPH - 7710, LLC) (LEE DISTRICT)** (6:16 p.m.)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item #31.)

Supervisor McKay moved to defer the public hearing on Special Exception Application SE 2017-LE-006 until **September 26, 2017, at 4 p.m.** Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

ADDITIONAL BOARD MATTERS

52. **PROCLAIMING THE COUNTY A TRAUMA INFORMED COMMUNITY** (6:16 p.m.)

Supervisor Gross noted that, last summer, she attended a National Association of Counties (NACo) presentation of a documentary on the Adverse Childhood Effects (ACEs) Study. As a result, the Board directed staff to ensure a wide showing of the documentary in the County and develop strategies to become a trauma informed community. The County Trauma Informed Network was created to build education and awareness, expand opportunities for training and use of evidenced based trauma informed practices, and to incorporate such practices within programs, services, activities, and community building efforts.

Supervisor Gross said that she learned from the ACEs study that many children and families in the community have been exposed to violence and other traumatic incidents and conditions. The impact of trauma on County youth is exemplified by the fact that 84 percent of Juvenile Probation clients have experienced at least one traumatic event, and County youth who have experienced violence are up to four times as likely to have attempted suicide as those who have not.

Chronic, unrelenting stress in early childhood caused by socioeconomic hardship or trauma such as abuse, neglect, parental substance abuse, and violence can be toxic to a child's developing brain. Frequent exposure to trauma increases the risk for physical health problems (hypertension, heart disease), alcoholism, depression, suicide attempts, and many other negative conditions.

The County health and human services system is working to identify children and youth who have been exposed to trauma and connect them with effective treatment, and is encouraging the adoption of trauma-informed practices across the child, youth and family serving system. It is also more effective and less costly to positively influence the development of a young child's brain than to attempt to correct poor learning, health, and behaviors later in life.

Therefore, to raise awareness, Supervisor Gross asked unanimous consent that the Board:

- Proclaim Fairfax County as a “Trauma-Informed Community”
- Adopt trauma-informed community building, practices, and service delivery models
- Direct representatives from the County’s Health Minds Fairfax and the Trauma Informed Network to accept the proclamation and that the Office of Public Affairs assist in broadly disseminating the work underway within the County to address trauma, resiliency, and the effects of adverse childhood experiences.

Without objection, it was so ordered.

53. **ALTERNATIVE ACCOUNTABILITY PROGRAM (AAP) CAPSTONE OF THE YEAR AWARD** (6:18 p.m.)

In a joint Board Matter with Supervisor Herrity and Supervisor Storck, Supervisor Gross announced that they attended the presentation of the 2016 Capstone of the Year Award to the County for its AAP, a community restorative justice program that serves as an early diversion option for youth involved in the juvenile justice system. The Capstone Award is presented annually by the Center for Juvenile Justice Reform at Georgetown University’s McCourt School of Public Policy. Appropriately, the ceremony on September 1 was held in the courtroom of the historic County Courthouse, which first opened in April 1800.

A multi-jurisdictional team from the County courts, public safety, schools, and the Commonwealth of Virginia, developed a strong, multi-system collaboration designed to increase successful program completion and decrease recidivism among youth, as well as using a data-driven approach to reduce racial and ethnic disparities at the point of system referral. The County AAP program competed against 244 others nationwide to be selected for the Capstone Award.

In view of this significant achievement, which recognizes intense collaborative efforts between governmental agencies and the community to help at-risk youth succeed, and also is a wonderful example of what might be accomplished under the One Fairfax approach, Supervisor Gross asked unanimous consent that the Board direct staff to invite Mr. Robert Bermingham and members of the AAP team to

appear before the Board at its October 24 Board meeting so that the Board can learn more about this outstanding collaborative achievement. Without objection, it was so ordered.

54. **SOLARIZE COUNTY RESULTS** (6:20 p.m.)

Supervisor Gross said that on April 4, she presented a Board Matter promoting Solarize the County. This community campaign to reduce the cost and complexity of installing solar panels ran from April 18 to June 30 and it was a great success.

Supervisor Gross noted that 1,205 homeowners and businesses signed up to receive free solar site assessments. As of August 31, 47 contracts valued at over \$1.1 million were signed for a total of 398 kilowatts. These solar panels are estimated to produce over half a million kilowatt hours of electricity each year and avoid over 200 metric tons of carbon dioxide emissions. In everyday terms, this is equivalent to the carbon sequestered from nearly 200 acres of US forests.

Supervisor Gross recognized and congratulated staff and the other members of the Solarize County team, including non-profit partners the Northern Virginia Regional Commission and the Local Energy Alliance Program, for its work on this campaign. She expressed her congratulations to County residents and businesses who made this initiative such a success.

55. **VIRGINIA COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (PACE)** (6:21 p.m.)

Supervisor Gross said that under legislation enacted in 2015, an innovative financing option known as PACE was made available to help facilitate energy efficiency and renewable energy in existing and new commercial buildings in Virginia. However, it is up to local governments to establish a PACE financing program for their localities. At this time, commercial PACE or C-PACE programs have been launched in the District of Columbia, 12 Maryland jurisdictions, and Arlington County in Virginia.

The Virginia Energy Efficiency Council and the Great Falls Group of the Virginia Sierra Club are hosting a free C-PACE information session for businesses and government officials in the County on Wednesday, November 29 at noon at the Government Center. More information regarding this event is shown on the flyer included with the written Board Matter.

Therefore, Supervisor Gross moved that the Board direct the County Executive to proceed with the promotion of the C-PACE information session and ensure that appropriate staff from the County Executive's Office, the Office of the County Attorney and the Department of Tax Administration attend this event to better assess applicability to the County. Chairman Bulova seconded the motion and it carried by unanimous vote.

KK:kk

56. **2017 VOLUNTEERFEST EVENT** (6:23 p.m.)

Supervisor L. Smyth summarized her written Board Matter and announced that VolunteerFest, which is held annually in conjunction with National Make a Difference Day, will be held on October 28.

Supervisor L. Smyth invited Board Members and residents to participate and volunteer for projects at the Volunteer Fairfax website or by calling her office.

Therefore, Supervisor L. Smyth asked unanimous consent that the Board direct:

- The Office of Public Affairs to publicize this event
- That the Proclamation be prepared for the Chairman's signature to be presented at the October 24 Board meeting

Without objection, it was so ordered.

57. **CONCURRENT AND SIMULTANEOUS PROCESSING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 96-L-034-05 (GREENSPRING VILLAGE, INCORPORATED) (LEE DISTRICT)** (6:24 p.m.)

Supervisor McKay said that Greenspring Village, Incorporated recently submitted Special Exception Amendment Application SEA 96-L-034-05. The applicant is the owner and operator of a continuing care retirement community that offers independent living, assisted living and skilled nursing care to allow residents to age in place. The Greenspring Village community includes a centrally-located Town Center which is comprised of a number of supportive services such as a medical care center, a fitness center, a pharmacy, a dining room and administrative offices. The pending special exception amendment proposes improvements to the Town Center to better serve existing and future residents.

The primary improvement is the replacement of an existing pool and fitness center with a wellness center that includes an aquatic center, an expanded gym and fitness center, and an indoor recreation court. The applicant also proposes to construct a new one-level parking deck over an existing parking lot to ensure that employees and visitors park on-site. No additional dwelling units are proposed.

Supervisor McKay noted that Greenspring Village is anxious to proceed with the construction of the proposed improvements to benefit its residents and has requested concurrent processing. Given the scope of the application, this appears to be a reasonable request.

Therefore, Supervisor McKay moved that the Board direct the Director of Land Development Services to accept for concurrent and simultaneous processing a site

plan, architectural drawings, and any other plans or drawings as may be necessary in conjunction with Special Exception Amendment Application SEA 96-L-034-05. This motion should not be construed as a favorable recommendation by the Board on the pending 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.

58. **SUPPORT THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION'S NVTC RESOLUTION AND CONFIRM WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) REFORM**
(6:26 p.m.)

In a joint Board Matter with Supervisor Cook and Chairman Bulova, Supervisor McKay said that NVTC passed a resolution last week recommending a series of reforms to improve the operation and structure of the WMATA.

As NVTC's Chairman, Supervisor McKay expressed his belief that the approved resolution presents former Transportation Secretary Ray LaHood, who is overseeing the reform, with a series of recommendations that will improve WMATA's governance, finances, and operations.

Following a lengthy discussion, Supervisor McKay moved that the Board support NVTC's resolution and confirm its stance on WMATA reform. Chairman Bulova and Supervisor Cook jointly seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Foust abstaining.

DET:det

59. **ECONOMIC REVITALIZATION ZONES** (7 p.m.)

Supervisor Herrity announced that earlier this year House Bill (HB) 1970 unanimously passed the General Assembly and was signed into law. This bill provides for the creation of economic revitalization zones in counties. While these zones have existed for some time in cities, until now, counties were not permitted to take advantage of this economic development tool.

While there are several specific requirements that must be met in order to form a revitalization zone, there are areas of opportunity throughout the County, including its current revitalization areas, for the creation of these zones. Per the text of the bill, the County would be given regulatory and zoning flexibility in these zones as well as the ability to use a special permit process and exempt parcels from ordinances. The County would also be allowed to waive application and permit fees, reduce gross receipt taxes, and waive tax liens on the parcels. Through this new law, there is a potential new tool to revitalize areas of the County that have historically struggled. A copy of the legislation is attached to his written Board Matter.

Supervisor Herrity stated that a Zoning Ordinance amendment could be drafted that

would give the Board flexibility within the zones and the opportunity to later identify and adopt revitalization areas. There are pros and cons and issues of fairness when establishing economic revitalization areas and these merit staff review followed by Board discussion. It is also important that the Economic Development Authority (EDA) be part of those discussions.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct the County Executive to review the legislation, assess the need - pros and cons of utilizing this economic development tool - and prepare a discussion for the Board at an upcoming Economic Advisory Commission (EAC) meeting. Supervisor Foust seconded the motion.

Discussion ensued concerning:

- The need for increased flexibility and the ability to speed up the development review process
- Land use and revitalization implications

Supervisor McKay asked to amend the motion to direct staff to respond directly to the Board, rather than the EAC, with its review, and this was accepted.

Discussion continued regarding:

- Assessing a time schedule for the Board's consideration of the review
- The impact of implementing sections C and D of the legislation
- An assessment of the pros and cons of jurisdictions that have created local economic revitalization zones
- The need for clarification of the exemptions specified in the legislation

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

60. **ASSESSING AND IMPROVING CUSTOMER SERVICE** (7:11 p.m.)

In a joint Board Matter with Supervisor Cook, Supervisor Herrity stated that great companies, non-profits, and governments have made customer service a priority and hallmark of their operations for years. Today one cannot purchase something from Amazon, visit a doctor in the INOVA system, or buy groceries or hardware at a local store without being asked how the customer service or product was. While

customer surveys and follow ups have been around for years, technology has

changed as to how data is accumulated and used.

Typically, customer service measures involve at least four steps: setting expectations; training; measuring; and providing feedback. Gathering information from customers on performance is critical in assessing whether the objective of providing customer service excellence is being met. Feedback from this data gathering to both employees and managers is critical so that good customer service can be recognized and rewarded as well as identify areas where service can be improved.

The County puts its residents at the top of its organization chart because they are its customers and providing quality services to them is at the core of what the County does. Based on informal discussions with staff and managers, there are a number of different tools used in some agencies and departments to set, assess, and improve the quality of service to the County's customers. Surrounding jurisdictions use everything from comment cards to annual surveys of all residents.

Therefore, in the County's ongoing effort to improve service to its customers, Supervisor Herrity moved that the Board direct the County Executive to:

- Have agencies identify if and how they currently set customer service expectations, provide training, measure performance, and provide feedback to employees and managers
- Work with agencies to assess opportunities to improve customer service processes and report to the Board at an Economic Advisory Commission Implementation Committee meeting

Given the transition of the County Executive, Supervisor Herrity asked that the assessment of current processes proceed this calendar year with a discussion of opportunities for improvement before the end of the fiscal year. Supervisor Cook and Supervisor Foust jointly seconded the motion.

Discussion ensued concerning management of the process, with input from Edward L. Long Jr., County Executive, concerning the creation of a matrix to begin the project.

Supervisor McKay asked to amend the motion to direct the County Executive to report directly to the Board so that it could then determine which committee(s) would review the assessment, and this was accepted.

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

61. **PARENT RESOURCES TOWN HALL MEETING: RAISING TEENS IN THE TWENTY-FIRST CENTURY (BRADDOCK DISTRICT)** (7:21 p.m.):

Supervisor Cook announced that he is hosting a Parent Resources Town Hall meeting entitled "Raising Teens in the Twenty-First Century." The pressures on the youth are real and includes education, social media, substance use, stress, and anxiety and well as other issues. To help parents get some thoughts on this topic, the meeting will be held at the Junior Achievement Finance Park, next to Frost Middle School (October 14 from 9 a.m. - 12:30 p.m.). There will be a report on the 2015-2016 Youth Survey; a keynote address on the "Warning Signs of Teens in Trouble/Keep them on the Good Side of the Road;" and breakout sessions on Stress and Anxiety, Positive Family Time, Substance Use, and Learning Disabilities. These sessions will be led by County officials, school employees, psychology experts, and non-profit organizations. A copy of the flyer is attached to his written Board Matter.

Supervisor Cook asked unanimous consent that the Board direct the Office of Public Affairs to provide the necessary support in publicizing this event. Without objection, it was so ordered.

62. **PROCLAMATION DECLARING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH** (7:22 p.m.)

Supervisor Cook asked unanimous consent that the Board direct staff to invite representatives from the Office for Women and Domestic and Sexual Violence to appear before the Board on September 26 to receive a proclamation declaring October 2017 as Domestic Violence Awareness Month, to raise public awareness of domestic violence and the resources available to those impacted by domestic violence. Without objection, it was so ordered.

63. **COURSE CORRECTIONS: MID-ATLANTIC SUMMIT ON BEHAVIORAL HEALTH AND CRIMINAL JUSTICE FINDINGS** (7:22 p.m.)

Supervisor Cook announced that on March 22 and 23, 2017, experts and leaders on behavioral health and criminal justice from Maryland, Virginia, and the District of Columbia gathered for an Equitas' Course Corrections sponsored Mid-Atlantic Summit on Behavioral Health and Criminal Justice. County Sheriff Stacey Kinkaid was a key-note speaker and the County was well represented.

The purpose of the meeting was to: (1) acknowledge the urgent need for an alternative to incarceration and criminal justice system involvement for people living with mental illness and/or those who may be experiencing a behavioral health crisis; (2) build a consensus regarding what course corrections are most urgently required, especially with regard to supporting community reintegration; and (3) provide recommendations for overcoming barriers to reducing incarceration, improving behavioral health outcomes, and maintaining public safety.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to review the recommendations, which are attached to his written Board Matter, and report to the Board as there are possible implications for recommendations to its legislative program as well as potential County initiatives for the coming year.

Supervisor Cook noted that there were many topics covered in the recommendations, including criminal justice reform which is a critical issue with the County's Diversion First program being a leader in that area.

Without objection, it was so ordered.

64. **MOTION TO EXPEDITE AND WAIVE FEES FOR COLLEGE TOWN ASSOCIATED LP (UNIVERSITY MALL) (BRADDOCK DISTRICT)**
(7:24 p.m.)

Supervisor Cook announced that College Town Associated LP is the applicant on the property known as University Mall, located at the corner of Ox Road and Braddock Road. The site is governed by two rezoning cases and a special exception. A single plat was provided for all three cases and the two rezoning applications have a single proffer set. The cases were collectively approved by the Board on April 26, 2011.

The proffers accepted with the applications committed to reserve and to dedicate on demand, right-of-way for future improvements to the Ox Road and Braddock Road intersection. The proffers further committed that leases for two buildings impacted by those improvements would not be renewed.

At this time, one of those buildings (Building H) has been vacated, but the future intersection improvements have not yet been scheduled, and therefore, right-of-way dedication is not imminent and has not been requested.

Building H is still functional and the applicant would like to continue to use the building until such time as dedication is requested by the County or the Virginia Department of Transportation (VDOT). The applicant has proposed a text-only proffer condition amendment to allow the property to be re-leased with appropriate protections so that the land will be available (and dedicated as previously committed) at such time as it is needed. Staff is currently working with the applicant to finalize application materials.

Because the application is governed by two separate rezoning applications, two amendment applications are required. The applicant has requested that the Board grant a waiver of the filing fee associated with one of the two applications and that the Board direct staff to expeditiously process the rezoning applications.

Supervisor Cook stated that the relatively unique circumstance of two zoning cases with a single proffer statement, along with the benefits to the County provided by the ability to re-lease a currently vacant building that is not, at this time, needed for

right-of-way, adequately demonstrates that there is good cause for the Board to grant the request for a waiver of the filing fee.

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

- Waive the filing fee for the zoning case identified as temporary identification number Proffered Condition Amendment Application PCA 2017-0299 (associated with Rezoning Application RZ C-083). The filing fee for the concurrent case identified as Proffered Condition Amendment Application PCA 2017-0300 (associated with Rezoning Application RZ 2009-BR-015) shall not be waived.
- Expeditiously process the two concurrent applications.

This motion should not be construed as a favorable recommendation on these applications by the Board and does 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. Supervisor Herrity seconded the motion and it carried by unanimous vote.

65. **MOTION TO EXPEDITE CONCURRENT PROCESSING (SULLY DISTRICT)** (7:29 p.m.)

Supervisor K. Smith said that on June 8 an application for a proffered condition amendment (PCA) and special exception (SE) was accepted for review and comment by the County. The applicant, DD South Retail, LC, requests approval to amend an approved PCA and approval of a SE to permit the development of a fast-food restaurant with drive-thru, retail/commercial, or financial institution with drive-thru on the subject property. The subject property is located at 3456 Historic Sully Way, Tax Map Number 34-2 ((1)) 1D.

The applicant has a public hearing scheduled before the Planning Commission on November 9, 2017. The applicant has requested authorization to process concurrent site and building plans/permits for the project in advance of that hearing and has asked for a date certain for a hearing before the Board.

Therefore, Supervisor K. Smith moved that the Board direct the:

- Director of the Department of Land Development Services to accept for concurrent and simultaneous review a site plan, architectural drawings, building permits, and/or other plans and permits as may be necessary to implement the improvements contemplated by the applicant with the PCA and SE applications
- Clerk to the Board to schedule this application for a public hearing before the Board on November 21, 2017

The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor Foust seconded the motion and it carried by unanimous vote.

66. **OCTOBER 21 – CENTREVILLE DAY (SULLY DISTRICT)** (7:31 p.m.)

Supervisor K. Smith said that Centreville Day will take place on Saturday, October 21. The Friends of Historic Centreville sponsors the event. The festivities include a parade, live entertainment, crafters, local businesses, community groups, food vendors, children's activities, and tours of the Centreville Historic District.

The Friends of Historic Centreville is a non-profit organization and the proceeds from the event will go towards helping Historic Centreville Park and other charitable causes. Therefore, in the interests of maximizing the benefits from this event, Supervisor K. Smith moved that the Board direct staff to:

- Waive the fees for the trash disposal
- Work with American Disposal Services who will provide trash removal for the event

Without objection, it was so ordered.

67. **CHANTILLY, FRANCE STUDENT EXCHANGE VISITATION (SULLY DISTRICT)** (7:32 p.m.)

Supervisor K. Smith announced that former Sully District Supervisor Michael Frey started a partnership with Chantilly, France, for a student exchange program. Students will be coming from Chantilly to the County in October and she asked unanimous consent that, if their visit coincides with the Board's October 24 meeting, that the Board direct staff to invite them to appear before the Board to be recognized. Without objection, it was so ordered.

Chairman Bulova noted that Chantilly is a sister city to the County.

68. **FAIRFAX COUNTY BREWFEST (SULLY DISTRICT)** (7:32 p.m.)

Supervisor K. Smith announced that the Fairfax County Brewfest, which will be held at Mustang Sally Brewing Company, is a fundraiser for veterans: K-9 for Warrior and VAVETS. This is the second annual County Brewfest celebrating the County's brewers and featuring fall foods, brewery tours, and live musical entertainment. The Brewfest will be held at Mustang Sally Brewing, 14140 Park Long Court in Chantilly on September 16 from 12 p.m. until 6 p.m. She extended an invitation to join the Dulles Regional Chamber of Commerce and the Mustang Sally Brewing Company for this event.

69. **RECOGNITION FOR SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL MEMBERS: GRAVES AND SINGH (HUNTER MILL DISTRICT)**
(7:33 p.m.)

Supervisor Hudgins referred to her written Board Matter and asked unanimous consent that the Board direct the Office of Public Affairs to prepare two separate resolutions, with dual signatures, to thank Ms. Ellen Graves and Dr. Ram Singh for their contributions in serving the Southgate Community Center for presentation at the Fall Festival on September 30, 2017. Without objection, it was so ordered.

70. **FAREWELL RECEPTION FOR COUNTY EXECUTIVE EDWARD L. LONG, JR.** (7:34 p.m.)

Chairman Bulova announced that this is County Executive Long's last Board meeting. There will be a farewell reception at the Government Center, rooms 9-11, beginning at 1 p.m. (Friday, September 15). The program will begin at 2:30 p.m.; the event is scheduled to end at 4 p.m.

71. **BOARD ADJOURNMENT** (7:35 p.m.)

At 7:35 p.m. the Board adjourned.

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