



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
June 4, 2019**

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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, June 4, 2019, at 9:37 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon District

Supervisor Patrick S. Herrity, Springfield District, arrived at 11:23 a.m.

Others present during the meeting were Bryan J. Hill, County Executive; Elizabeth Teare, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Ekuia 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.)

The Board asked everyone to keep in thoughts the family and friends of:

- Mrs. Justine Herrity, mother of Supervisor Herrity, who died recently
- Mr. Robert J. Lundegard, who died recently
- Mr. Theodore (Ted) Thomas, Sr., who died recently

The Board expressed its sympathy and condolences for the victims, families, coworkers, and people of Virginia Beach following the tragedy last week.

AGENDA ITEMS2. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. RANDY SAYLES AND MR. ADRIAN STEEL** (9:59 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to Mr. Randy Sayles and Mr. Adrian Steel for their service on the Ad Hoc Police Practices Review Commission, as founding members of the Police Civilian Review Panel, and for their ongoing work regarding police matters. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

3. **RESOLUTION OF RECOGNITION PRESENTED TO THE HEROIC VETERANS OF WORLD WAR II** (10:21 a.m.)

Supervisor Cook moved approval of the Resolution of Recognition presented to honor the heroic veterans of World War II on the seventy-fifth anniversary of the D-Day Invasion on June 6, 1944. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LANGLEY HIGH SCHOOL SAXON STAGE THEATRE COMPANY** (10:34 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to the Langley High School Saxon Stage Theatre Company for its accomplishments. Supervisor K. Smith seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. SAMUEL BUROKER** (10:34 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to Mr. Samuel Buroker for winning top acting awards at Virginia conference, regional, and State competitions in 2019. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. COLE SITILIDES** (10:34 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to Mr. Cole Sitilides for winning top acting awards at Virginia conference, regional, and State competitions in 2019. Supervisor K. Smith seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

7. **PROCLAMATION DESIGNATING JUNE 2019 AS "LGBT PRIDE MONTH" IN FAIRFAX COUNTY** (10:42 a.m.)

Supervisor Foust moved approval of the Proclamation designating June 2019 as "*LGBT Pride Month*" in Fairfax County and urged all residents to respect and honor the diverse community and celebrate and build a culture of inclusiveness and acceptance. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ROSEMARIE ANNUNZIATA** (10:53 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificate of Recognition presented to Ms. Rosemarie Annunziata for her service on the Civil Service Commission. The motion was multiply seconded and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

9. **PROCLAMATION DESIGNATING JUNE 16-22, 2019, AS "FIREFIGHTER SAFETY STAND DOWN WEEK" IN FAIRFAX COUNTY** (11:05 a.m.)

Supervisor Cook moved approval of the Proclamation designating June 16-22, 2019, as "*Firefighter Safety Stand Down Week*" in Fairfax County and urged all residents and employees to reflect on the need for personal responsibility, leadership, and accountability with a strong culture of safety. Supervisor McKay and Supervisor Gross jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity not yet having arrived.

10. **RESOLUTION OF RECOGNITION PRESENTED TO THE OFFICE OF EMERGENCY MANAGEMENT (OEM) AND RESIDENT VOLUNTEERS** (11:17 a.m.)

Supervisor Cook moved approval of the Resolution of Recognition presented to the OEM and resident volunteers for their work in creating the new Community Emergency Response Guide. Supervisor Gross seconded the motion and it carried by unanimous vote.

11. **PRESENTATION OF THE A. HEATH ONTHANK AWARDS** (11:30 a.m.)

(BACs) Commissioner John Townes, Civil Service Commission, gave a brief presentation regarding the history of the A. Heath Onthank Award, the highest honor the County bestows on its employees.

Michael Coyle, Vice-Chairman, A. Heath Onthank Award Selection Committee, noted the committee members, as follows:

- Mr. Clifford L. Fields, At-Large
- Mr. Joseph W. Blackwell, Jr., Lee District
- Ms. Catherine Shaw, Hunter Mill District
- Ms. Eileen J. Garnett, Mason District
- Ms. Jane W. Gwinn, Braddock District
- Ms. Ernestine Heastie, Providence District
- Mr. Philip E. Rosenthal, Springfield District
- Mr. Clarke V. Slaymaker, II, Mount Vernon District
- Ms. Kerrie Wilson, Dranesville District

Catherine Spage, Director, Department of Human Resources, announced the A. Heath Onthank Award recipients, while Chairman Bulova and Bryan J. Hill, County Executive, presented the awards to the following:

- Hossein Malayeri, Deputy Director, Real Estate, Finance, and Development, Department of Housing and Community Development
- Sarah Foster, Probation Officer, Juvenile and Domestic Relations District Court
- Michael “Ted” Kavich, Director, Administrative Division, Fairfax County Public Library

DET:det

12. **ADMINISTRATIVE ITEMS** (11:45 a.m.)

Supervisor Gross moved approval of the Administrative Items. 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."

ADMIN 1 - EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (MOUNT VERNON AND DRANESVILLE DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-V19-48	School Board of Fairfax County Washington Mill Elementary School 9100 Cherrytree Drive Alexandria, VA Mount Vernon District Accepted April 11, 2019	Extend to October 4, 2019
2232-D18-32	Sprint Herndon High School (Monopole) 700 Bennett Street Herndon, VA Dranesville District Accepted April 4, 2019	Extend to September 1, 2019

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M (COMMUNITY PARKING DISTRICTS), TO EXPAND THE BURKE CENTRE COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 25, 2019, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M (Community Parking Districts) to expand the Burke Centre CPD.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M (COMMUNITY PARKING DISTRICTS), TO EXPAND THE CARDINAL FOREST COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 25, 2019, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M (Community Parking Districts) to expand the Cardinal Forest CPD.

ADMIN 4 - AUTHORIZATION FOR THE OFFICE OF THE SHERIFF TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE WASHINGTON-BALTIMORE HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA), FISCAL YEAR (FY) 2020 ADVANCING SYSTEMS OF RECOVERY FOR ADDICTION (ASRA) GRANT PROGRAM

Authorized the:

- Office of the Sheriff to apply for and accept grant funding, if received, from the Washington/Baltimore HIDTA. Funding of \$402,336 will support the establishment of the Star 360: Wraparound Support for Reentry Program, which is an evidence-based pre-release and reentry multi-faceted program designed to provide holistic, wrap-around substance abuse treatment and recovery services to mitigate against key risk factors associated with recidivism
- Chairman of the Board, the County Executive, and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

13. **A-1 – APPROVAL OF A PARKING REDUCTION FOR DULLES STATION, BUILDING B (MAKER’S RISE) (DRANESVILLE DISTRICT)**
(11:46 a.m.)

On motion of Supervisor Foust, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction for Maker’s Rise pursuant to Paragraphs 5A and 5B of Chapter 11, Section 102 of the Zoning Ordinance based on the proximity of mass transit as demonstrated in the parking study #6848-PKS-005, subject to the conditions in Attachment I of the Board Agenda Item.

14. **A-2 – ENDORSEMENT OF A RESOLUTION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REQUESTING INSTALLATION OF CUT-THROUGH RESTRICTIONS ON THOMAS**

AVENUE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (DRANESVILLE DISTRICT)

(11:46 a.m.)

- (R) On motion of Supervisor Foust, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution, substantially in the form of Attachment I of the Board Agenda Item, requesting VDOT to install the Cut-Through Restriction as follows:

- “No Right Turn” between 7:00 a.m. – 10:00 a.m. from southbound Algonkian Parkway onto westbound Thomas Avenue

15. **A-3 – APPROVAL OF FUNDING ALLOCATIONS FOR TRANSPORTATION PRIORITIES PLAN PROJECTS, AND PROJECTS SUPPORTED BY THE TYSONS AND RESTON TRANSPORTATION FUNDING PLANS (PROVIDENCE, SULLY, DRANESVILLE, HUNTER MILL, MOUNT VERNON, AND LEE DISTRICTS)** (11:47 a.m.)

Supervisor Foust moved that the Board concur in the recommendation of staff and approve \$55,359,000 in funding authority for transportation projects as follows:

- \$17,500,000 for I-66 Median Widening at Route 29 (construction)
- \$759,000 for Lee Highway Pedestrian Improvements (Nutley Street to Vaden Drive)
- \$7,000,000 for Route 7 Widening (I-495 to I-66; partial land acquisition)
- \$1,000,000 for Greensboro Ramp to Dulles Toll Road (preliminary engineering/feasibility study)
- \$7,000,000 for Lincoln Street Extension (preliminary engineering/design)
- \$1,500,000 for Broad Street (feasibility study/preliminary engineering)
- \$16,600,000 for State Street (land acquisition)
- \$500,000 for Reston Parkway/Baron Cameron Avenue Intersection Improvement (preliminary engineering/design)
- \$500,000 for Tysons*West Park Transit Center ramp to Dulles Toll Road (preliminary engineering/design)

- \$3,000,000 for Telegraph Road Widening at Hayfield Road (construction)

Supervisor McKay and Supervisor L. Smyth jointly seconded the motion.

Following remarks by Tom Biesiadny, Director, Department of Transportation, the question was called on the motion and it carried by unanimous vote.

16. **A-4 – APPROVAL OF THE FAIRFAX COUNTY EMERGENCY OPERATIONS PLAN** (11:50 a.m.)

On motion of Supervisor Cook, jointly seconded by Supervisor Hudgins and Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Fairfax County Emergency Operations Plan.

ADDITIONAL BOARD MATTERS

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17. **FAIRFAX COUNTY BUSINESS EMERGENCY OPERATIONS COUNCIL (BEOC)** (11:51 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and announced that the County BEOC is a consortium of businesses that are working with County government officials and the Office of Emergency Management (OEM) to enable focused and timely communications and to foster a greater understanding of what it means to be a resilient business in the County. The BEOC was created to improve coordination and collaboration between businesses with a presence in the County and local government officials when preparing for, responding to, and recovering from, disasters or other events with the potential to impact normal operations.

Participation in the BEOC is completely voluntary and open to members of the private sector, including large and small businesses, trade associations, universities, think-tanks, and non-profits. During response activities, BEOC members are linked into the County's Emergency Operations Center.

Therefore, Chairman Bulova asked unanimous consent that the Board direct staff to invite representatives from the BEOC and OEM to appear before the Board on June 25, 2019, to be recognized. Without objection, it was so ordered.

18. **NATIONAL NIGHT OUT** (11:53 a.m.)

Chairman Bulova asked unanimous consent that the Board direct:

- Staff to invite officers involved with the Fairfax County Police Department's crime prevention program to appear before the Board on July 30, 2019, to accept a proclamation recognizing National Night Out, which will be held on Tuesday, August 6, 2019, from 6 p.m. until 9 p.m. For over 30 years, National Night Out has brought neighbors out of their homes and into their neighborhoods in an effort to build stronger community-police partnerships.
- The Office of Public Affairs to work with the Police Department to help publicize the event.

Without objection, it was so ordered.

19. **RECOGNIZING THE ROTARY CLUB OF HERNDON ON ITS EIGHTIETH ANNIVERSARY (DRANESVILLE DISTRICT)** (11:54 a.m.)

Supervisor Foust expressed his congratulations to the Rotary Club of Herndon on its eightieth anniversary. Throughout its 80-year history, the Rotary Club of Herndon has done good works. As a major supporter of literacy and early childhood development in the County, the Rotarians have worked to help parents and guardians instill a love of books and reading in children. In partnership with the *Dolly Parton's Imagination Library* program, the Rotary Club provides one age-appropriate book per month to children from birth until the age of five in all Herndon zip codes. Since 2005, it has provided books to more than 90,000 pre-kindergarten children.

Through a partnership with the organization known as ShelterBox, the Club provides temporary shelter to individuals and families in need during times of natural disaster and other humanitarian crises. Other service activities include awarding scholarships to Herndon High School seniors, sponsoring essay writing contests for students in middle schools, and cleaning litter from the Washington and Old Dominion (W&OD) Trail. For 80 years, the Rotary Club of Herndon has helped to improve and enrich the community through its civic and humanitarian services.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a resolution, signed by the Chairman and the Dranesville District Supervisor, recognizing the Rotary Club of Herndon, for its 80 years of community service to be presented at the anniversary celebration to be held on Wednesday, June 12, 2019, in Herndon. Without objection, it was so ordered.

20. **NO BOARD MATTERS FOR SUPERVISOR HUDGINS (HUNTER MILL DISTRICT)** (11:57 a.m.)

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

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21. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (11:57 a.m.)

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

22. **MOTION TO EXPEDITE BENEVIS, LLC – SPECIAL EXCEPTION APPLICATION SE 2019-MA-003 (MASON DISTRICT)** (11:57 a.m.)

Supervisor Gross said that the applicant, Benevis, LLC, submitted Special Exception Application SE 2019-MA-003 (the "application") for the expansion of a dental office, located at 6531 Arlington Boulevard identified as Tax Map 50-4 ((1)) 20. The site is filed on approximately 1.47 acres zoned C-5 and R-3 Districts and located within the Highway Corridor Overlay District. The purpose of the application is to slightly increase the percentage of office use permitted in the C-5 District to allow a 1,300 square foot expansion of the existing dental office. This application has a public hearing scheduled before the Planning Commission on July 17, 2019, and the applicant has asked for a date certain for a hearing before the Board.

Therefore, Supervisor Gross moved that the Board direct the Clerk to the Board to schedule this application for a public hearing before the Board on July 30, 2019. The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, 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.

23. **JOINT ENVIRONMENTAL TASK FORCE (JET)** (11:59 a.m.)

Supervisor Gross noted that the JET, a collaboration of the Board and the School Board to help identify and focus on shared issues related to climate, energy, and the environment, was established in April. She said that as Chairman Bulova stated at that time, "Environmental issues intersect with many aspects of community life and require a 'One Fairfax' lens in order to address comprehensively." Designated members of the two boards have been meeting to draft a mission statement and develop a process for selecting community membership on the JET. The overall membership is anticipated to include business, industry, higher education representatives, students, as well as community members.

While the mission statement continues to be refined, the JET is seeking nominations or recommendations from both boards for interested residents who are willing to serve on it. The deadline for nominations, which should include resumes and contact information, is June 30, 2019. Recommendations and

resumes may be sent to mason@fairfaxcounty.gov or mtvernon@fairfaxcounty.gov. The executive committee will review submissions and make initial selections during the summer, and the full JET is anticipated to begin meeting in early September 2019. A proposed schedule of meetings and membership will be circulated and published later this summer.

Supervisor Gross noted that, for reference, copies of Chairman Bulova's original Board Matter from October 2018, and County Executive Hill's March 2019 response are attached to her written Board Matter.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to publicize this request for nominations. Without objection, it was so ordered.

24. **MOTION TO EXPEDITE SPECIAL EXCEPTION APPLICATION SE 2018-SU-027 - STONEBRIDGE INVESTMENTS, LLC. (SULLY DISTRICT)** (12:04 p.m.)

Supervisor K. Smith said that Stonebridge Investments, LLC, is the applicant of Special Exception Application SE 2018-SU-027. The purpose of this application is to allow the development of a new limited brewery in an R-C district. The 40.62-acre subject property is zoned R-C district and the WS overlay district and is located on Tax Map 53-3 ((7)) 32Z, 33Z part; 64-1 ((7)) 31Z part, 34Z, 35Z part, 38Z part, 39Z, 40Z, 41Z, and 42Z.

The applicant has a public hearing scheduled before the Planning Commission on July 17, 2019, and has requested a date certain for a hearing before the Board.

Therefore, Supervisor K. Smith moved that the Board direct the Clerk to the Board to schedule this application for a public hearing before the Board on July 30, 2019. This motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor McKay seconded the motion and it carried by unanimous vote.

25. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (12:07 p.m.)

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

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26. **SMART PHONE DONATION BOXES FOR DOMESTIC VIOLENCE SHELTERS (DVS)** (12:07 p.m.)

In a joint Board Matter with Supervisor Cook and Supervisor McKay, Supervisor Storck announced that the Artemis House Region I DVS opened earlier this year in southern Fairfax County. Supervisor Storck and his staff toured the facility; it is a truly remarkable facility with apartments that are inviting and welcoming. The addition of 30 beds to temporarily house domestic violence victims will empower individuals and their families to take control of their lives, providing a safe-haven and stability at a time they are most in need of support and security. Prior to this facility, victims typically had to leave their communities, schools, and support networks to travel across the County to receive services. He personally thanked his three musketeers (as they call themselves) who worked tirelessly on this project; Lisa Sales, Mattie Palmore, and Karen Stone. Their focus, vision, and hard work helped bring these new services to fruition. He also thanked Mr. Tom Fleetwood and Mr. Joe Meyer whose staff members were instrumental in the site allocation, renovation process, and day-to-day operations.

Supervisor Storck stated that as may be expected, there is still more work to do as there are still many victims in need of outreach and support. He noted that recently he became aware of a significant need for unlocked smart phones at DVSs. Victims often leave home with only the clothes on their backs, and even if they have brought their phone, it is often controlled by their abuser. A used phone can provide additional security and comfort to these individuals by:

- Ensuring the ability to dial 911
- Providing untraceable contact with families and workplaces
- Avoiding further alienation and loneliness as they struggle to heal and rebuild their lives

A goal of 110 smart phones has been set for the 90 beds in the County with an additional buffer of 20 phones. This need is strictly for smart phones with the ability to access the internet and provide safety capabilities. In this case, older flip phones will not work. The donated smart phones will go directly to Shelter House, which will ensure that the phones are wiped clean of personal data and ready for personal use. With an engaged and caring community, that target can be reached in a matter of weeks.

Therefore, jointly with Supervisor Cook and Supervisor McKay, Supervisor Storck asked unanimous consent that the Board:

- Approve and support an initiative to put smart phone donation boxes in each District office and advertise this initiative regularly in Board Members' newsletters and through social media
- Direct the Office of Public Affairs to help advertise this need and the guidelines for donation

Without objection, it was so ordered.

27. **MOUNT VERNON COUNCIL OF CITIZEN'S ASSOCIATIONS'
(MVCCA) FIFTIETH ANNIVERSARY (MOUNT VERNON DISTRICT)**
(12:10 p.m.)

The MVCCA is celebrating its fiftieth anniversary this year; it is a non-partisan and non-profit organization of associations in the Mount Vernon magisterial district of the County. The MVCCA operates independently of the District Supervisor, routinely taking positions on issues and making recommendations to the County. Over the past 50 years, the MVCCA has provided local neighborhoods with opportunities to coordinate and cooperate with the County to improve communities for all constituents.

Members of the MVCCA spend countless hours dedicated to the future of their communities, working to propose the best solutions for their neighbors. This grassroots organization has helped shape the neighborhoods that make up the Mount Vernon District and continues to create a unique community that attracts residents and visitors alike. The engagement opportunities MVCCA provides for residents gives them a sense of ownership and pride in their community fostering a lifelong relationship with their neighborhood and encouraging continued support for the Mount Vernon District and the County.

The MVCCA has helped foster the civic activism that the Mount Vernon District is well known for, with educated residents and strong community leaders that understand and engage with local government. It is this leadership within the MVCCA that has driven many positive changes in the District over the past 50 years and it will continue to be a positive force in the community. The MVCCA has exemplified stewardship and all are thankful for the time and effort MVCCA members have dedicated to serving the Mount Vernon District.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to prepare a proclamation, to be signed by the Chairman and the Mount Vernon District Supervisor, commending and congratulating the MVCCA on 50 years of service to the Mount Vernon District to be presented to its Executive Committee by July 15, 2019. Without objection, it was so ordered.

28. **CONSENT TO THE FILING OF A COMPREHENSIVE SIGN PLAN
AMENDMENT APPLICATION FOR LIBERTY IN LORTON
(MOUNT VERNON DISTRICT)** (12:12 p.m.)

Supervisor Storck requested the Board's consent to the filing of a Comprehensive Sign Plan amendment application on Board-owned property within Liberty, formerly the Laurel Hill Adaptive Reuse project, specifically Tax Map 107-1((9)) H1. A Comprehensive Sign Plan, for Liberty as a whole, was approved by the Planning Commission on February 23, 2017.

The portion of the project for which this Comprehensive Sign Plan amendment application is requested is approved for commercial uses and is being developed by Liberty Heights LC, a development entity affiliated with Elm Street Development under an executed ground lease. This amendment application proposes additional signage within the commercial portion of Liberty

Therefore, Supervisor Storck moved that the Board, as owner in fee simple of Tax Map 107-1((9)) H1, consent to the filing of a Comprehensive Sign Plan amendment application by Liberty Heights LC. Supervisor McKay seconded the motion and it carried by unanimous vote.

29. **INTERN INTRODUCTION (MOUNT VERNON DISTRICT)** (12:13 p.m.)

Supervisor Storck introduced Mr. Alexander Morin who is interning in the Mount Vernon District Office and warmly welcomed him to the Board Auditorium.

30. **SPRINGFIELD GLOBAL LIONS CLUB (MASON DISTRICT)** (12:14 p.m.)

Supervisor McKay announced that he is requesting a waiver of the application fees for permits associated with the flea markets held by the Springfield Global Lions Club, a newly chartered club, officially chartered in January of this year, that would like to raise funds to help serve the community. It will operate in the Virginia Railway Express (VRE) station parking lot on Hechinger Drive in Springfield on the following Sundays which are not already managed by other local Lions' Clubs: July 21, August 4, and 18, September 8 and 22, October 6 and 20, and November 3, 2019.

All flea market proceeds will go back to the community. The Springfield Global Lions Club will support the Lions International Foundation as well as the Lions' five global causes. It will also support local Lions' Club initiatives and local organizations such as Ecumenical Community Helping Others (ECHO), the Juvenile Diabetes Association, the ADA, Koinonia, food banks, and indigent individuals with eyeglasses and hearing needs.

Therefore, Supervisor McKay moved that the Board waive the application fees for permits associated with the Springfield Global Lions Club flea markets. Supervisor Herrity seconded the motion.

Following discussion, with Supervisor Gross noting that the VRE Station was in the Mason District, the question was called on the motion and it carried by unanimous vote.

31. **MOTION TO EXPEDITE FEDERAL REALTY INVESTMENT TRUST, SPECIAL EXECPTION APPLICATION SE 2019-SP-010 (SPRINGFIELD DISTRICT)** (12:16 p.m.)

Supervisor Herrity announced Special Exception Application SE 2019-SP-010 is a request to modify an existing non-conforming sign at the Old Keene Mill Shopping Center. Approval of the special exception will allow improvements to the aesthetic look of the sign; the applicant is proposing to mitigate to the greatest extent possible the existing non-conformities. To date, no significant issues have been raised by staff and the applicant has received a recommendation of approval from the Springfield District Land Use Committee. Because of the desire to make the signage improvements during the ongoing construction of the plaza, the applicant has requested expedited processing.

Given the absence of any significant community or staff concerns, Supervisor Herrity moved that the Board authorize expedited processing of Special Exception Application SE 2019-SP-010. The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

32. **RECESS/CLOSED SESSION** (12:17 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. *Jennie Klenner v. Fairfax County Government*, Case No. CL-2019-0005281 (Fx. Co. Cir. Ct.)
2. *Matthew Mwendwa Soroko v. Fairfax County Court, Commonwealth of Virginia, United States of America, and the Fairfax County Police Department*, Case No. CL-2018-0008391 (Fx. Co. Cir. Ct.)
3. *Chiao-Yung A. Sher v. Christopher A. Leonard and the Fairfax County Department of Neighborhood and Community Services*, Case No. GV19-007794 (Fx. Co. Gen. Dist. Ct.)
4. *Linda Owens v. Jennifer Svites and the County of Fairfax, Virginia*, Case No. CL-2018-0011036 (Fx. Co. Cir. Ct.)
5. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia. Martha Fitzgerald Jensen*, Case No. GV19-011553 (Dranesville District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Alvaro A. Cestti and Gladys A. Caballero*, Case No. CL-2019-0006141 (Fx. Co. Cir. Ct.) (Lee District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Thach Le and Be-Thanh Le*, Case No. CL-2019-0001008 (Fx. Co. Cir. Ct.) (Mason District)
8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia. Robert John Rindo*, Case No. CL-2018-0014894 (Fx. Co. Cir. Ct.) (Mason District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert John Rindo*, Case No. CL-2012-0017557 (Fx. Co. Cir. Ct.) (Mason District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mellinium Center, LLC*,

Case No. CL-2018-0010208 (Fx. Co. Cir. Ct.) (Mason District)

11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George M. Yaworsky and Zenia M. Yaworsky*, Case No. CL-2018-0014854 (Fx. Co. Cir. Ct.) (Mason District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ly Chau*, Case No. CL-2011-0002187 (Fx. Co. Cir. Ct.) (Providence District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Delfin Farfan and Mary I. Farfan*, Case No. CL-2011-0002183 (Fx. Co. Cir. Ct.) (Providence District)
14. *Board of Supervisors of Fairfax County v. Keri Shull Team, LLC*, Case No. CL-2019-0006213 (Fx. Co. Cir. Ct.) (Braddock, Dranesville, Hunter Mill, Lee, Mason, Mount Vernon, Providence, Springfield, and Sully Districts)
15. *Board of Supervisors of Fairfax County v. Debbie Dogrul Associates, LLC*, Case No. CL-2016-0017436 (Fx. Co. Cir. Ct.) (Braddock, Lee, Mason, Providence, and Springfield Districts)

And in addition:

1. As permitted by Virginia Code Sections 2.2-3711(A)(7) and (8), legal analysis regarding:
 - a. *Barnes v. Hernandez*, Fairfax County Circuit Court Case Number CL-2018-9279;
 - b. *Ratcliff v. Board of Supervisors*, Fairfax County Circuit Court Case Number CL-2018-1836; and
 - c. 2019 General Assembly amendments to Virginia Code Section 15.2-2304.

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

At 2:18 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

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ACTIONS FROM CLOSED SESSION

33. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:18 p.m.)

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

34. **AUTHORIZATION OF SETTLEMENT OF *BARNES V. HERNANDEZ*, CASE NUMBER CL-2018-9279** (2:19 p.m.)

Supervisor Gross moved that the Board authorize the settlement of the lawsuit filed by Lisa Therese Barnes against Armando Cruz Hernandez, Fairfax County Circuit Court Case Number CL-2018-9279, 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.

AGENDA ITEMS

35. **2 P.M. – DECISION ONLY ON PROPOSED PLAN AMENDMENT 2018-II-F2 (ONE UNIVERSITY), LOCATED IN THE NORTHWEST QUADRANT OF THE INTERSECTION OF UNIVERSITY DRIVE AND ROUTE 123 (BRADDOCK DISTRICT)** (2:20 p.m.)

(NOTE: On May 21, 2019, the Board held a public hearing regarding this item and deferred decision until June 4, 2019.)

Following comments, Supervisor Cook moved approval of Plan Amendment 2018-II-F2, as recommended by the Planning Commission, which adds a plan option for up to 240 affordable and up to 340 student-oriented multifamily units, and a limited amount of community space, subject to conditions found on pages 19 and 20 of the Staff Report dated April 3, 2019. Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Thomas Fleetwood, Director, Department of Housing and Community Development (HCD), regarding:

- Compatibility with neighboring residential uses and the character of the Route 123 corridor
- Adequacy of vegetative buffers and preservation of existing trees
- The high volume of pedestrian crossings at Route 123
- Congestion at the intersection of Route 123 and University Drive
- Expanding opportunities for affordable housing in the central part of the county
- Providing student housing adjacent to George Mason University to reduce commute for students
- Outreach efforts and relocation plans for residents of Robinson Square during construction
- Opportunities for residents currently residing at Robinson Square to return to One University once it is completed
- Commitment to address concerns at the rezoning/development plan phase

The question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor L. Smyth voting “NAY.”

ADDITIONAL BOARD MATTER

36. **MOTION TO EXPEDITE REZONING/FINAL DEVELOPMENT PLAN APPLICATIONS RZ/FDP 2018-BR-025 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA C-058 ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC (BRADDOCK DISTRICT) (2:55 p.m.)**

Supervisor Cook said that One University Development Partners, LLC, has filed Rezoning/Final Development Plan Application RZ/FDP 2018-BR-025, together with Proffered Condition Amendment Application PCA C-058, on approximately 10.84 acres of land identified as Tax Map 47-3 ((1)) Lots 11A and B and 57-4 ((1)) Lot 2B, identified as the One University site, for which the Board just approved a Comprehensive Plan Amendment. The applicant proposes to develop the property with 240 affordable multifamily units and up to 340 units of student housing, as well as accommodation for the existing County Redevelopment and Housing Authority office use on the site. The application is scheduled for Planning Commission consideration on July 10, 2019.

The applicant hopes to receive a decision on the rezoning application prior to the Board's August recess. To meet this objective, the applicant has asked for consideration of expedited processing with the scheduling of a public hearing before the Board.

Therefore, Supervisor Cook moved that the Board direct the Clerk to the Board to schedule this application for a public hearing to be held before the Board on July 30, 2019. This motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Thomas Fleetwood, Director, Department of Housing and Community Development (HCD), regarding the timeframe and the application process for Federal tax credits.

Discussion continued with Board Members expressing their support/non-support of the motion.

The question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Foust voting "NAY."

37. **BOARD ADJOURNMENT** (3:03 p.m.)

The Board adjourned.