



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
March 5, 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, March 5, 2019, at 9:32 a.m., there were present:

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

Others present during the meeting were Bryan J. Hill, 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; Ekuwa Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:33 a.m.)

The Board asked everyone to keep in thoughts the families and friends of the following community members who died recently:

- Mr. Adolph “Sonny” Schick
- Mr. Timothy Brian White
- Mr. Ray Ballard
- Mrs. Barbara Freeman

AGENDA ITEMS2. **RESOLUTION OF RECOGNITION PRESENTED TO MR. RICHARD BIERCE** (9:40 a.m.)

Supervisor Storck moved approval of the Resolution of Recognition presented to Mr. Richard Bierce for his years of service to the County. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Foust being out of the room.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE THREE WINNING TEAMS, JUDGES, AND MENTORS WHO PARTICIPATED IN THE HOUSING HACKATHON** (9:50 a.m.)

Supervisor McKay moved approval of the Certificate of Recognition presented to the three winning teams, judges, and mentors who participated in the Housing Hackathon held on January 24-25, 2019. Chairman Bulova seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE WELCOMING INCLUSION NETWORK** (10:02 a.m.)

Supervisor Cook moved approval of the Certificate of Recognition presented to the Welcoming Inclusion Network for its work to advance employment and day services for individuals with developmental and intellectual disabilities. Supervisor Herrity seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING MARCH 2019 AS “DEVELOPMENTAL DISABILITIES INCLUSION MONTH” IN FAIRFAX COUNTY** (10:14 a.m.)

Supervisor Storck moved approval of the Proclamation designating March 2019 as *“Developmental Disabilities Inclusion Month”* in Fairfax County and urged all

residents to recognize the tremendous value and potential of people with developmental disabilities and include them in all aspects of community life. Supervisor Cook seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING MARCH 2019 AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY** (10:25 a.m.)

Supervisor Gross moved approval of the Proclamation designating March 2019 as "*Women's History Month*" in Fairfax County to honor all girls and women as they continue toward the goal of equal rights. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

7. **10 A.M. – REPORT ON GENERAL ASSEMBLY (GA) ACTIVITIES** (10:37 a.m.)

Supervisor McKay, Chairman of the Board's Legislative Committee, noted that the regular session of the 2019 GA adjourned on Sunday, February 24, and referred to the updated Committee report which was distributed to the Board. A final version of that report will be posted on the Board's web page later this week.

Supervisor McKay presented the report on GA activities.

Looking at the session by the numbers underscores the volume of bills that were considered this year (by the GA and by the Board); Supervisor McKay noted the following:

- 3,128 bills and resolutions were introduced
- 1,781 bills were reviewed by County operational and legal staff
- The Board took formal positions on 146 bills

The Board originally opposed or sought to amend 36 bills; at the end of the session, only 7 bills remained in that category. Of those 7, 2 were amended the last week of the session and 2 are House/Senate versions of the same bill, so only 4 discrete proposals that the County sought to oppose or amend remain.

However, looking at these numbers only tells part of the story. First, and perhaps most importantly, the GA passed its budget amendments on Sunday, February 24, requiring a one-day extension of the legislative session. The budget amendments include some helpful items and some items of concern, but overall it is not especially positive or negative for the County. In general, State revenues have improved and significant revenues from Federal tax reform were set aside for future use as part of the tax agreement reached by the GA. It is important that the State take advantage of this opportunity going forward to continue to increase

investments in K-12 education and other essential local programs and services after years of underfunding.

Additionally, though there was not the usual onslaught of problematic tax bills this year, land use issues again featured prominently during the 2019 GA. Significantly, Senate legislation [Senate Bill (SB) 1373 (Favola)] that would mitigate the impacts of the 2016 proffer legislation was enacted by the GA and recently signed by the Governor [the House legislation, House Bill (HB) 2342 (Thomas)], is identical but went through the process more slowly and is still awaiting action by the Governor). In another positive development, short-term lodging legislation that would have substantially changed the County's recently adopted Zoning Ordinance – an ordinance that was adopted after extensive collaboration with the community – was defeated in a House Counties, Cities, and Towns subcommittee.

Other significant measures that passed the GA include the County's legislative initiatives: HB 1913 (Bulova)/SB 1663 (Barker), which pertain to local authority for the dedication and construction of sidewalks, and HB 2578 (Plum)/SB 1684 (Petersen), which pertain to public hearing requirements for the 6-Year Secondary System Construction Program (SSYP). Bills also passed that raised the age required to purchase tobacco products to 21, addressed school safety issues, and established a pilot program for localities to reduce barriers to expand solar energy through net energy metering. Supervisor McKay noted that there is still work to do on municipal net metering because the bills that passed do not allow for the use of power purchase agreements (PPAs), which will be a priority for the Board when it starts preparing for the 2020 GA.

Finally, the GA recognized the following four retiring Board Members:

- Supervisor Cook
- Supervisor Hudgins
- Supervisor L. Smyth
- Chairman Bulova

with commending resolutions, praising them for their years of service and contributions to the County and the Commonwealth.

[NOTE: The recognizing resolutions are as follows: Chairman Bulova's are House Joint Resolution (HJ) 1095 (Keam) and Senate Joint Resolution (SJ) 430 (Petersen), Supervisor Cook's is HJ 1135 (Watts), Supervisor Hudgins' is HR 370 (Plum), and Supervisor L. Smyth's are HJ 1032 (Keam) and SJ 429 (Petersen)].

Supervisor McKay recognized the Board's legislative staff and thanked them for their exceptional work during the Session.

Supervisor McKay moved that the Board adopt the 2019 GA Final Legislative Report. Chairman Bulova seconded the motion.

Discussion ensued with Supervisor L. Smyth stating that there are a number of items that need to be addressed due to the actions of the GA. Claudia Arko, Legislative Director, stated that a final report will be provided to senior staff with guidance regarding items that need to be reviewed for implementation purposes. The legislative team, along with the County Attorney's office, will go through a process to ensure those steps are taken.

Supervisor Cook noted that the Virginia Supreme Court approved the County courts' application for the Mental Health Docket, which is a great success for Diversion First and allows the program to go forward.

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

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8. **ADMINISTRATIVE ITEMS** (10:46 a.m.)

Chairman Bulova called the Board's attention to Admin 9 - Authorization to Advertise Publication of the Fiscal Year (FY) 2020 Budget and Required Tax Rates, the FY 2020 Effective Tax Rate Increase, and the Advertised Capital Improvement Program (CIP) for FYs 2020-2024 (With Future FYs to 2029) and announced that it would be considered separately.

Supervisor Gross moved approval of Administrative Items 1-8. Chairman Bulova seconded the motion.

Supervisor Herrity called the Board's attention to Admin 4 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to Establish Economic Revitalization and Redevelopment Zones, and inquired about the maps of the zones as compared to revitalization districts, the tax values of the associated zones, and an estimate of the fiscal impact on county revenue.

Discussion ensued, with input from Bryan J. Hill, County Executive, and Barbara A. Byron, Director, Office of Community Revitalization. It was noted that these items are on the agenda of the Board's next Community Revitalization and Reinvestment Committee meeting scheduled for March 12 at 1:30 p.m.

Supervisor Cook asked unanimous consent that the Board direct staff to provide information on the criteria used for selection and how the prioritized list was generated. Without objection, it was so ordered.

Discussion ensued, with input from Ms. Byron and Corinne Lockett, Assistant County Attorney, regarding the process that will be in place for making adjustments to the maps.

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 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON AND MOUNT VERNON DISTRICTS)

- Endorsed the following traffic calming measures, as contained in Attachments I and II of the Board Agenda Item:
 - One speed hump on Philip Road (Mason District)
 - One speed hump on Camden Street (Mount Vernon District)
- Directed the Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R (GENERAL PARKING RESTRICTIONS), TO ESTABLISH PARKING RESTRICTIONS ON HUNTSMAN COURT (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 9, 2019, at 3 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R (General Parking Restrictions), to establish parking restrictions on Huntsman Court.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 10-2 RELATING TO SEWER SERVICE CHARGES, BASE CHARGES, AVAILABILITY CHARGES, FIXTURE UNIT CHARGES, INTRODUCING CHARGES FOR HAULED WASTEWATER, AND CHAPTER 68.1 (INDIVIDUAL SEWAGE DISPOSAL FACILITIES), ARTICLES 9-1 AND C-2 RELATING TO LICENSE FEES FOR SEWAGE HANDLERS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 9, 2019, at 3 p.m.**, to consider proposed amendments to the Code of the

County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10-2 relating to sewer service charges, base charges, availability charges, fixture unit charges, introducing charges for hauled wastewater and Chapter 68.1 (Individual Sewage Disposal Facilities), Articles 9-1 and C-2 relating to license fees for sewage handlers.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), TO ESTABLISH ECONOMIC REVITALIZATION AND REDEVELOPMENT ZONES (DRANESVILLE, HUNTER MILL, LEE, MASON, AND MOUNT VERNON DISTRICTS)

(A) (NOTE: Earlier in the meeting, this item was discussed. See page #5.)

Authorized the advertisement of a public hearing to be held before the Board on **April 9 2019, at 2 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to establish Article 29 – Incentives to Encourage Economic Growth.

ADMIN 5 - EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-V18-25	Department of Public Works and Environmental Services Lorton Community Center 9518 Richmond Highway Lorton, VA Mount Vernon District Accepted January 7, 2019	Extend to December 8, 2019
2232-P18-20	Virginia Electric & Power d/b/a Dominion Energy Tysons Substation 8440 Tyco Road Tysons, VA Providence District Accepted January 25, 2019	Extend to December 26, 2019
2232A-Y09-18-1	T-Mobile (Monopole) Westfield High School 4700 Stonecroft Boulevard	Extend to May 10, 2019

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
	Chantilly, VA Sully District Accepted December 11, 2018	

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON AND CONVEY PART OF CAROLINA PLACE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 9, 2019, at 2:30 p.m.**, regarding a proposal to abandon and convey a portion of Carolina Place.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX I (FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE CONTROL OF INFESTATIONS OF INSECTS THAT MAY CARRY A DISEASE THAT IS DANGEROUS TO HUMANS, GYPSY MOTHS, CANKERWORMS, AND CERTAIN IDENTIFIED PESTS) TO ALLOW USE OF SERVICE DISTRICT FUNDS TO REMEDIATE DAMAGE CAUSED BY FOREST PESTS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 9 2019, at 2:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix I (Fairfax County Special Service District for the Control of Infestations of Insects that May Carry a Disease that is Dangerous to Humans, Gypsy Moths, Cankerworms and Certain Identified Pests), to allow use of service district funds to remediate damage to trees caused by forest pests including removal of damaged trees when indicated.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 19204 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA EARLY CHILDHOOD FOUNDATION (VECF), PRESCHOOL DEVELOPMENT GRANT BIRTH-FIVE PILOT INITIATIVE

- (SAR)
- Approved SAR AS 19204 for DFS to accept funding from VECF, Preschool Development Grant Birth-Five Pilot Initiative, in the amount of \$393,375 to be used to build relationships with families and early childhood programs; measure and increase access to high-quality early childhood programs; and to measure and strengthen the experiences that young children, birth to five and at-risk children, receive.
 - Authorized the Chairman, 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.

ADMIN 9 - AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2020 BUDGET AND REQUIRED TAX RATES, THE FY 2020 EFFECTIVE TAX RATE INCREASE, AND THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYS 2020-2024 (WITH FUTURE FYS TO 2029)

(NOTE: Earlier in the meeting, it was noted that this item would be considered separately. See page #5.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #9.)

9. **ADMIN 9 - AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2020 BUDGET AND REQUIRED TAX RATES, THE FY 2020 EFFECTIVE TAX RATE INCREASE, AND THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYS 2020-2024 (WITH FUTURE FYS TO 2029)** (11:04 a.m.)

(A) (NOTE: Earlier in the meeting it was noted that this item would be considered separately. See page #5.)

Supervisor McKay moved that the Board authorize the advertisement of the publication of the FY 2020 advertised Budget; the effective tax rate increase; the advertised CIP; and required tax rates as outlined in Administrative Item 9. Chairman Bulova seconded the motion.

Discussion ensued regarding:

- Funding for the market rate adjustment (MRA)
- Funding for the police body-worn camera program
- Status of early childhood programs in the County
- Increasing the capacity of staff to complete stormwater management projects
- Encouraging community participation in the budget process

Information on the Budget can be found at:
<https://www.fairfaxcounty.gov/budget>

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."

10. **A-1 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM**
(11:14 a.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed staff to take actions outlined in the Board Agenda Item concerning the County's Disease Carrying Insect Program.

11. **A-2 – APPROVAL OF A RESOLUTION ENDORSING ROUTE 50 IMPROVEMENTS FOR HIGHWAY INFRASTRUCTURE PROGRAM (HIP) FUNDING CONSIDERATION (SULLY DISTRICT)** (11:15 a.m.)

(R) On motion of Supervisor K. Smith, seconded by Supervisor Foust, 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, substantially in the form of Attachment 1 of the Board Agenda Item, endorsing Route 50 Improvements for HIP Federal funding consideration.

12. **A-3 – APPROVAL OF THE CALENDAR YEAR 2019 FOREST PEST MANAGEMENT PROGRAM** (11:16 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and direct staff to take actions outlined in the Board Agenda Item concerning the County's Calendar Year 2019 Forest Pest Management Program. Chairman Bulova seconded the motion.

Discussion ensued, with input from Randy Bartlett, Director, Department of Public Works and Environmental Services, who confirmed that there will be monitoring but no spraying recommended for the fall cankerworm program.

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

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ADDITIONAL BOARD MATTERS

13. **PRESENTATIONS** (11:17 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to process the presentation requests as contained in her Board Matter titled “Presentations March 5, 2019.”

Following are the presentation requests:

- A Proclamation in recognition of the Earth Day/Arbor Day celebration taking place this year during Springfest 2019; it will be held at the Sully historic site on Saturday, April 27, rain or shine, from 10 a.m. until 4 p.m.
- A Proclamation, to be sent to the Old Dominion Society of Nurses and Associates, designating March 2019 as “*Colorectal Cancer Awareness Month*” in Fairfax County

Without objection, it was so ordered.

14. **RECOGNIZING THE CONTRIBUTIONS OF MR. ADRIAN STEEL AND MR. RANDY SAYLES** (11:18 a.m.)

Chairman Bulova stated that the Ad Hoc Police Practices Review Commission ended its formal work in the fall of 2015 following the release of its final report. Since then, several commissioners have remained engaged on police matters in a number of ways. Mr. Adrian Steel and Mr. Randy Sayles are two such commissioners who are stepping away from their formal roles on the Civilian Review Panel.

Mr. Steel served on both the Use of Force and Independent Oversight and Investigations Subcommittees, serves on the informal implementation group, and was the inaugural chair of the Civilian Review Panel. He is stepping down this month at the conclusion of his term. His knowledge and leadership were instrumental in bringing the concept of civilian oversight to fruition.

Mr. Sayles also served in various capacities since the Ad Hoc Commission: on the Use of Force Subcommittee; the informal implementation group; the internal use of force committee at the County’s Police Department; and was an original member of the Civilian Review Panel. Mr. Sayles stepped down late last year and his thoughtful and deliberative approach will be missed.

Therefore, Chairman Bulova asked unanimous consent that the Board direct staff to invite Mr. Steel and Mr. Sayles to appear before the Board to be recognized. Without objection, it was so ordered.

15. **CHANGING THE TITLE OF THE OFFICE OF FINANCIAL AND PROGRAM AUDIT (OFPA)** (11:20 a.m.)

Chairman Bulova stated that the OFPA is commonly known as the "Auditor of the Board." However, this creates some confusion as to the role and objectives of the OFPA, which audits County programs on behalf of the Board through its Audit Committee but does not audit the Board.

Therefore, Chairman Bulova moved that the Board direct the Auditor to formally change the title of the office to the Auditor to the Board. A review should be conducted of any published materials that may also need to be changed, such as the mission statement. Supervisor Foust seconded the motion.

Discussion ensued, concerning the authorizing statute, with input from Elizabeth Teare, County Attorney. Chairman Bulova stated that the exact title of the office will be dependent upon the County Attorney's review of the authorizing statute.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

16. **RECOGNIZING THE ROBINSON SECONDARY SCHOOL WRESTLING TEAM** (11:22 a.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor Cook announced that the Robinson Secondary School Wrestling team won the Virginia High School League Wrestling Championships on February 16 at Robinson Secondary School.

This is the eighth wrestling State championship title in the school's history. The team secured its victory when Thomas Mutai won his match in the 220-pound weight class. All-together, the Rams scored 163.5 points in competition. The head coach, Bryan Hazard, who is also a Robinson alum, was also chosen to be inducted into the Virginia Wrestling Hall of Fame.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to invite the Robinson Wrestling team and its coach, Brian Hazard, to appear before the Board to be acknowledged for these remarkable achievements. Without objection, it was so ordered.

17. **“COMMUNITY EMERGENCY RESPONSE GUIDE”** (11:23 a.m.)

Supervisor Cook announced that, over the past few years, County residents have lived through a snowmageddon, a snowpocalypse, a derecho, and many other natural disasters, and has also witnessed, in other parts of the country and the world, disasters that were human driven, such as acts of terrorism. One of the main takeaways from these events is that no one can ever be too prepared to deal with an emergency.

Through several years of work by staff from the Office of Emergency Management (OEM), as well as a number of citizen volunteers, a new “*Community Emergency Response Guide*,” or *CERG* has been created. This guide will help persons learn how to prepare their own emergency plans along with their neighbors. Supervisor Cook said that this is the type of citizen engagement he has been supporting, even when he was president of his civic association.

To help highlight the rollout of the *CERG*, the Office of Public Affairs, along with the OEM, will hold a press briefing at 9 a.m. on March 19 in the press room behind the Board Auditorium. This briefing coincides with the statewide tornado drill which occurs at 9:45 a.m. on March 19. This is a yearly opportunity to prepare Virginians for tornado emergencies and to test public warning systems; Supervisor Cook extended an invitation to Board Members to attend this briefing.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to invite representatives from the OEM, as well as citizen volunteers, to appear before the Board, at a date to be determined, to be recognized for their hard work. Without objection, it was so ordered.

Supervisor Cook stated that the guide is available on-line and this is the first time the County is teaching communities how to join together in a community plan to address emergencies.

Supervisor Gross added that the National Association of Counties’ (NACo) winter legislative meeting included a presentation by representatives from the National Oceanic and Atmospheric Administration (NOAA), compelling tales from elected officials across the nation concerning emergency experiences, and the overall message of the need to plan, plan, plan.

18. **RECOGNITION OF McLEAN HIGH SCHOOL FOR RECEIVING THE 2019 FIRST AMENDMENT PRESS FREEDOM AWARD** (11:29 a.m.)

Supervisor Foust announced that the Journalism Education Association (JEA), with representatives from the National Scholastic Press Association (NSPA) and the Quill and Scroll International Honorary Society, recently named McLean High School as a recipient of the 2019 First Amendment Press Freedom Award. McLean is among 12 schools nationwide, and only one of two Virginia schools,

receiving this prestigious award. This is the third award for McLean High School.

The award recognizes public high schools that actively support, teach, and protect First Amendment rights and responsibilities of students and teachers, with an emphasis on student-run media where students make all final decisions on content.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite journalism students and representatives from McLean High School to appear before the Board on May 21, 2019, to be acknowledged for this superior achievement. Without objection, it was so ordered.

19. **RECOGNIZING THE McLEAN AREA BRANCH OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN (AAUW) ON ITS FIFTIETH ANNIVERSARY (DRANESVILLE DISTRICT)** (11:30 a.m.)

Supervisor Foust congratulated the McLean area branch of the AAUW on its fiftieth anniversary.

Throughout its 50 years, the branch has focused on advancing equity for women and girls through advocacy, education, philanthropy, and research. The proceeds from its annual used-book sales have gone to its fellowships and grants programs, local scholarships to women returning to college, and awards to local high school girls. Every year, the McLean area branch gives an award to the highest ranking female student in her junior year in math and in science at McLean, Langley, and Marshall high schools as well as an award to the highest-ranked female in the engineering category of the County's Science Fair.

For several years, the McLean area branch, along with three other branches, held STEMtastics, a day of hands-on workshops that introduced girls in middle school and their parents to science, technology, engineering, and mathematics (STEM) careers. This year, the McLean branch started a new STEM essay contest for middle schoolers with awards going to four winners of essays on women scientists in history.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a resolution, to be signed by the Chairman and the Dranesville District Supervisor, recognizing the McLean area branch of the AAUW for 50 years of service to the women and girls in the community. It will be presented at the anniversary celebration to be held on May 11, 2019, at the McLean Community Center. Without objection, it was so ordered.

20. **PUBLIC HEARING DEFERRAL OF POMEROY/CLARK I, LLC – REZONING APPLICATION RZ 2016-DR-027 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA C-637-04 (DRANESVILLE DISTRICT)** (11:32 a.m.)

Supervisor Foust announced that Pomeroy/Clark I, LLC, has filed three concurrent rezoning applications (Proffered Condition Amendment Application PCA C-637-04, Rezoning Application RZ 2016-DR-027, and Final Development Plan Application FDP 2016-DR-027) to permit mixed use development consisting of 2,033,600 square feet of residential uses and a public elementary school. The Planning Commission approved the FDP and recommended approval of the PCA and RZ applications at its November 1, 2018, meeting. A formal public hearing before the Board was scheduled for today, however, the applicant has not provided signed proffers; therefore, this public hearing needs to be deferred until a later date.

Therefore, Supervisor Foust moved that the Board defer the public hearing on Proffered Condition Amendment Application PCA C-637-04 and Rezoning Application RZ 2016-DR-027 to **May 7, 2019, at 3:30 p.m.** Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the deferral was announced. See Summary Item #46.)

21. **DEFERRAL OF POMEROY COMPANIES, INCORPORATED, AND POMEROY INVESTMENTS INCORPORATED, TR, REZONING APPLICATION RZ 2017-DR-012 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA C-637-05 (DRANESVILLE DISTRICT)** (11:34 a.m.)

Pomeroy Companies, Incorporated, and Pomeroy Investments Incorporated, TR, has filed three concurrent rezoning applications: Proffered Condition Amendment Application PCA C-637-05, Rezoning Application RZ 2017-DR-012, and Final Development Plan Application FDP 2017-DR-012, to permit mixed use development consisting of 2,011,751 square feet. A public hearing was held before the Planning Commission on January 30, 2019, and the applicant is currently addressing comments raised at the hearing. The applicant, therefore, is unable to move forward with a public hearing scheduled before the Board today.

Therefore, Supervisor Foust moved that the Board:

- Defer the public hearing on Proffered Condition Amendment Application PCA C-637-05 and Rezoning Application RZ 2017-DR-012 to **May 7, 2019, at 3:30 p.m.**
- Schedule the public hearing to immediately follow the public hearing for Proffered Condition Amendment Application PCA C-637-04 and Rezoning Application RZ 2016-DR-027, which will also be heard on that day

This motion should not be construed 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, or adopted standards in anyway. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the deferral was announced. See Clerk's Summary Item #47.)

22. **UNDERGROUNDING UTILITIES** (11:36 a.m.)

In a joint Board Matter with Supervisor McKay, Supervisor Storck noted that the Board has had a number of discussions about undergrounding utilities over the past few months. As those discussions have progressed, whether because of bills in Richmond or local efforts, Dominion has principally been at the table discussing the costs associated with undergrounding. Also, as it relates to the Dominion Strategic Undergrounding project, there have been no discussions with Verizon, Cox Cable, or other utility companies, to the Board's knowledge.

To get a clearer picture of the cost and work associated with a true undergrounding of utilities, it is critical to assemble representatives and decision-makers from all of the County's utility companies to have a broader conversation about what it would take to do this work.

Therefore, Supervisor Storck moved that the Board direct the County Executive to invite decision-makers from Cox Communications, Verizon, Dominion Power, and any other utility partners who are impacted, to attend the Board's next Revitalization Committee meeting to discuss and determine costs, benefits, and the process to underground utilities in the County. Supervisor McKay seconded the motion.

Discussion ensued concerning:

- Strategic undergrounding coordination
- Legislation introduced in the last General Assembly session
- The need for better utility company communication with the community
- Facility and infrastructure maintenance
- Inclusion of "dark fiber" in discussions
- County incentives to encourage infrastructure installation

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

KK:kk

23. **ONE RESTON CRESCENT CO LLC AND TWO RESTON CRESCENT CO LLC (HUNTER MILL DISTRICT)** (11:52 a.m.)

Supervisor Hudgins said that in July 2018, the Board approved Rezoning/Final Development Plan Application RZ/FDP 2016-HM-007 to permit a mixed-use development on 36 acres adjacent to the Reston Town Center Metro Station, including Reston's first Wegmans store, which is slated to open in June 2022. The applicants in that case, One Reston Crescent Co LLC and Two Reston Crescent Co LLC (the "applicant"), have filed a Conceptual Development Plan Amendment/Final Development Plan Amendment/Proffered Condition Amendment CDPA/FDPA/PCA 2016-HM-007 (the "applications") to adjust the grid of streets to accommodate changes in certain building footprints and to permit the applicant to accelerate the construction of the internal street network to coincide with the opening of Wegmans. No material changes to the overall development program are proposed.

Given the complexity of the project and the need to commence construction on Wegmans and the internal street network later this year, the applicant has requested expedited processing of its zoning applications and the ability to concurrently process its road site plans while the zoning applications are under review.

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

- Expedite the scheduling of the Board public hearing for Conceptual Development Plan Amendment/Proffered Condition Amendment Application CDPA/PCA 2016-HM-007 to **June 4 at 3:30 p.m.**
- Accept and review site plans submitted in furtherance of the applications prior to the Board's consideration of the same

This motion should not be construed 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 or adopted standards in anyway. Chairman Bulova seconded the motion and it carried by unanimous vote.

24. **"FATHERHOOD AWARENESS MONTH," JUNE 2019** (11:54 a.m.)

Supervisor Hudgins noted that Father's Day observation is Sunday, June 16. Research has demonstrated that even from birth, children who have an involved father are more likely to be emotionally secure, confident to explore their surroundings, and, as they grow older, have better social connections. Research

further reveals that an active and nurturing style of fathering is associated with better verbal skills and intellectual functioning in children. As well, fathers who are actively engaged in the lives of their children reduce the risks of childhood poverty, child mental illness, juvenile delinquency, youth sexual activity, teenage pregnancy, substance abuse, and failure to complete high school. Moreover, fathers who are actively engaged in the lives of their children enhance the chances of success in adult careers, employment goals, and involved parenting skills for their future families.

Programs such as Healthy Families Fairfax, the Head Start Policy Council, the Department of Family Services Father Engagement and Parent Education programs in collaboration with the County Neighborhood and Community Services and other County Human Services and community-based agencies, help fathers gain parenting skills and economic self-sufficiency.

Supervisor Hudgins said that the County's private and public sectors are joining together to raise public awareness of the importance of fatherhood and the impact of a father's engagement with his children and family at the Fifth Annual Fathers Matter Picnic. This picnic will be held on Saturday, June 1 at Burke Lake Park from 11:30 a.m. until 2 p.m.

Therefore, Supervisor Hudgins asked unanimous consent that the Board:

- Proclaim June 2019 as "*Fatherhood Awareness Month*" in Fairfax County
- Direct staff to prepare a proclamation, with dual signatures, to be presented to the Department of Family Services at the May 7 Board meeting

Without objection, it was so ordered.

25. **PLANNED RESIDENTIAL COMMUNITY (PRC) ZONING AMENDMENT** (11:57 a.m.)

Supervisor Hudgins said that the proposed PRC amendment has been on the Zoning Ordinance Amendment Work Program since 2007 when it was updated the population factors and realized that the 13 persons-per-acre maximum established in 1969 would need to be adjusted in the future. The Comprehensive Plan for Reston was updated in 2014 and 2015, based on recommendations from the Reston Master Plan Special Study Task Force and after extensive community engagement. The Reston Plan, which had broad community support, strategically focused almost all potential future growth within the Town Center and the other two Metro station areas. New Plan language was also added to protect Reston's existing residential neighborhoods, its two golf courses, and to establish a more stringent policy should future redevelopment of the Village Centers be considered. It was noted that the 13 persons-per-acre maximum density allowed

in the entire Reston PRC District would need to be monitored and revisited in the future to fully implement the plan for Reston.

There are those in the community who do not support this change to the PRC density because they do not support redevelopment of the village centers and are concerned about future growth in Reston. There is also concern that this PRC amendment will somehow support residential development on one or both of the two golf courses in Reston.

While there has been a lot of misinformation spread about this proposed amendment, Supervisor Hudgins commended staff for its efforts to address the many questions raised by the community.

Supervisor Hudgins said that she hoped to have found a way to provide the necessary zoning tool to implement the adopted Reston Plan. The Planning Commission voted on February 13 to recommend that the Board deny the PRC amendment even though it recognized that the County is close to reaching the maximum density and something needs to be done. Its solution is that the Board should reexamine the plan for the village centers and then reconsider the PRC amendment. She noted that this will take time and she will be working with staff and community representatives to outline a process and timeframe for this to happen.

Therefore, Supervisor Hudgins moved that the Board indefinitely defer consideration of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article 6, regarding density provisions for the Reston PRC District Regulations. Chairman Bulova seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the indefinite deferral was announced. See Summary Item #57.)

26. **AFFORDABLE HOUSING RESOURCES PANEL (AHRP)** (12:03 p.m.)

In a joint Board Matter with Supervisor Hudgins and Supervisor Storck, Supervisor McKay said that in June 2018, the Board approved Phase 1 of the first-ever housing strategic plan, called the Communitywide Housing Strategic Plan. This first phase led to the creation of 25 short-term strategies that are being implemented over the next two years. Phase 2 of the Plan includes longer-term strategies for developing new tools, policies, and resources to support the production, preservation, and access to housing that is affordable to all who live and work here.

To accomplish Phase 2 of Supervisor Hudgins' motion, Supervisor McKay said that the Board created an AHRP of housing experts to:

- Provide recommendations on the number of additional affordable housing units the County should work toward developing and preserving over the next 15 years
- Identify funding sources and mechanisms by which these units should be developed

Supervisor McKay announced that the AHRP concluded its work on February 26 and that staff from the Department of Housing and Community Development (HCD) is offering individual briefings to Board Members to discuss the recommendations in more detail. He noted that Board discussion of the recommendations will inform Fiscal Year (FY) 2021 Budget Guidance that he will draft and review with Board Members in April as the Board finalizes its decisions on the budget, consistent with the Phase 2 motion.

Supervisor McKay said that it will be critically important that the community is fully informed of the Board's efforts surrounding Phase 1 and 2 of the Communitywide Housing Strategic Plan.

Additionally, Supervisor McKay announced another significant affordable housing milestone: On February 21, the Embark Housing Advisory Group concluded its work. The group was created to ensure that affordable housing in the Richmond Highway Corridor as part of the Embark Comprehensive Plan amendment is being preserved. The group's recommendations will be transmitted to the Strategic Economic Development Team, created by Supervisor Storck and Supervisor McKay, before being distributed to the Board. This effort is extremely important because its recommendations will also be incorporated into the Communitywide Housing Strategic Plan.

Therefore, Supervisor McKay moved that:

- Proclamations be prepared and signed jointly by the Chairman, Supervisor Storck, Supervisor Hudgins, and himself for presentation to members of both groups at a future Board meeting
- Recommendations from the AHRP be distributed to the Board and placed on an upcoming Budget Committee meeting agenda for discussion

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

27. **NATIONAL CRIME VICTIMS' RIGHTS WEEK** (12:06 p.m.)

Supervisor McKay announced that National Crime Victims' Rights Week is April 7–13. This is a time dedicated to ensuring that all victims of crime, even

those who are challenging to reach or serve, are offered accessible and appropriate services they deserve in the aftermath of crime.

Supervisor McKay said that Americans are the victims of millions of crimes each year; crime does not discriminate and has the potential to impact the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status. He referred to his written Board and outlined the need to access and/or receive services.

Therefore, Supervisor McKay asked unanimous consent that the Board:

- Proclaim April 7-13, 2019, as “*Crime Victims’ Rights Week*” in Fairfax County. This should be a time to affirm the County’s commitment to creating a victim service and criminal justice response that assist all victims of crime; and to express sincere gratitude and appreciation for those community members, victim service providers, and criminal justice professionals who are committed to improving the County’s response to all victims of crime so that they may find relevant assistance, support, justice, and peace
- Direct staff to prepare a proclamation to be jointly signed by the Chairman and the Lee District Supervisor for presentation outside of the Board Auditorium at an event for National Crime Prevention Week on Sunday, April 7, 2019

Without objection, it was so ordered.

28. **AMAZON HQ2 HEADQUARTERS** (12:09 p.m.)

In a joint Board Matter with Supervisor Storck, Supervisor McKay noted that Crystal City was awarded one-half of Amazon’s HQ2 late last year.

Although the physical structure will not be located within County boundaries, this announcement and new headquarters location will still have impacts on the County.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to:

- Ensure representatives from the County are attending regional HQ2 forums and keeping the Board apprised of those discussions
- Evaluate when it would be appropriate for the County to host its own forum to discuss the impacts of Amazon HQ2 to the County

Without objection, it was so ordered.

29. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (12:11 p.m.)

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

EBE:ebe

30. **RECOGNIZING CLIFTON LIONS CLUB'S FIFTIETH ANNIVERSARY (SPRINGFIELD DISTRICT)** (12:12 p.m.)

Supervisor Herrity referred to his written Board Matter and noted that the Clifton Host Lions Club, a member club of Lions Clubs International, will be celebrating 50 years of service to the Clifton-Centreville area on March 23, 2019. It was first organized in 1969 with 26 members and has since grown. He said 100 percent of the funds raised go to charity. Some of the programs it supports are "Life with Cancer" and the Northern Virginia Therapeutic Riding Program.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution recognizing the Clifton Host Lions Club for its 50 years of service to the Town of Clifton and the County, signed by Chairman Bulova and the Springfield District Supervisor, to be presented at the Clifton Lions Club fiftieth anniversary Charter night on March 23, 2019. Without objection, it was so ordered.

31. **CELEBRATING VAISAKHI DAY AND THE SIKH FOUNDATION OF VIRGINIA'S FIFTIETH ANNIVERSARY (SPRINGFIELD DISTRICT)** (12:13 p.m.)

Supervisor Herrity, referencing his written Board Matter, said that the Sikh Foundation of Virginia established Virginia's first gurdwara in Fairfax Station in 1989. Not only is it the oldest gurdwara in Virginia, it is also the only gurdwara in the County. For the last 50 years Sikh families have contributed to the vibrancy of the community.

On Sunday, April 14, 2019, Sikhs around the world and in the County will celebrate the anniversary of their faith during Vaisakhi, the Punjabi New Year.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution, to be signed by Chairman Bulova and the Springfield District Supervisor, recognizing April 14, 2019, as "*Vaisakhi Day*" in Fairfax County and recognizing the Sikh Foundation of Virginia for 50 years of service to the community. The resolution will be presented at the Sikh Foundation of Virginia's Vaisakhi Day celebration. Without objection, it was so ordered.

32. **WEST SPRINGFIELD ROTARY CLUB'S "SERVICE ABOVE SELF" AWARD FOR TROOPER SERGEANT GINA FOX** (12:14 p.m.)

Supervisor Herrity, referencing his written Board Matter, said that Trooper Sergeant Gina Fox, a six-year veteran of the Virginia State Police, on November 14, 2018, responded to a call with a 90 mile-an-hour car chase and eventually faced off against the suspect at gun point. She is being recognized by the West Springfield Rotary Club with a "Service Above Self" award.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution recognizing Sergeant Fox for her exemplary service to the County; jointly signed by the Chairman and the Springfield District Supervisor, it will be presented at a West Springfield Rotary Club meeting. Without objection, it was so ordered.

33. **RECOGNIZING "WOMEN'S VETERANS WEEK" IN FAIRFAX COUNTY** (12:15 p.m.)

Supervisor Herrity said that, in honor of Virginia Women's Veterans Week and Women's History Month, he would like to recognize the service and sacrifice of the County's female veterans.

Supervisor Herrity, referencing his written Board Matter, said that Virginia Women's Veterans Week occurs to reflect on Women's History Month, which serves as an annual declared observance of the contributions of women to events in history and society. He noted that there are over 77,000 military veterans in the County, ranging from WWII to today's diverse set of overseas conflicts. Many of these veterans are women who have made vital contributions to the military and served in dangerous combat zones. The women who are honored during this important week are very close; they live in the communities, are coworkers, and friends. Most importantly, female veterans are part of the small percentage of Americans who have taken the oath to protect and defend the constitution and they deserve thanks and recognition.

Therefore, Supervisor Herrity asked unanimous consent that the Board:

- Declare March 18 – March 24, as "*Women's Veterans Week*" in Fairfax County
- Direct the Office of Public Affairs to publicize this week
- Direct staff to invite representatives from the National Society Daughters of the American Revolution (NSDAR) to appear before the Board on March 19, to receive a resolution declaring this week "*Women's Veterans Week*" in Fairfax County.

Without objection, it was so ordered.

34. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(12:17 p.m.)

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

35. **CHANTILLY HIGH SCHOOL - 2019 FIRST AMENDMENT PRESS FREEDOM AWARD (SULLY DISTRICT)** (12:17 p.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor K. Smith said that the Journalism Education Association (JEA), with representatives from the National Scholastic Press Association (NSPA) and the Quill and Scroll International Honorary Society, recently named Chantilly High School as a recipient of the 2019 First Amendment Press Freedom Award. Chantilly is one of 12 schools nationwide to receive this this prestigious award. Furthermore, this is the fifth consecutive year that Chantilly received this recognition.

The award recognizes public high schools that actively support, teach, and protect First Amendment rights and responsibilities of students and teachers with an emphasis on student-run media where students make all final decisions of content.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite the journalism students and representatives from Chantilly High School to appear before the Board to be acknowledged for this superior achievement. Without objection, it was so ordered.

36. **SPECIAL EXCEPTION APPLICATION SE 2018-SU-016 - LB FRANKLIN FARM, LLC (SULLY DISTRICT)** (12:18 p.m.)

Supervisor K. Smith announced that LB Franklin Farm, LLC, has filed Special Exception Application SE 2018-SU-016 on Tax Map 35-1 ((4)) (22) 1 to seek approval of a restaurant with a drive-through in the Franklin Farms Village Center. The applicant proposes to retrofit and reuse an existing, but currently vacant, one-story approximately 3,000 square foot building. No additional building square footage is proposed. The Planning Commission (PC) public hearing was scheduled for February 20, 2019, but was cancelled and rescheduled for March 14, 2019, due to inclement weather. The Board's public hearing was scheduled for today but now needs to be rescheduled to allow the PC hearing to proceed.

Therefore, Supervisor K. Smith moved that Board direct staff to schedule its public hearing for Special Exception Application SE 2018-SU-016 on **March 19, 2019, at 3 p.m.** This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in anyway. Chairman Bulova seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the deferral was announced. See Summary Item #43.)

37. **REZONING APPLICATION RZ 2018-SU-023 AND SPECIAL EXCEPTION APPLICATION SEA 94-Y-023 - POHANKA VIRGINIA PROPERTIES, LLC (SULLY DISTRICT)** (12:20 p.m.)

Supervisor K. Smith announced that Pohanka Virginia Properties, LLC, has filed Rezoning Application RZ 2018-SU-023 and Special Exception Amendment Application SEA 94-Y-023. The rezoning application is filed on approximately 7.29 acres and is identified as Tax Map 34-4 ((1)) 51 and 53. The special exception amendment application is filed on approximately 13.96 acres and is identified as Tax Map 34-4 ((1)) 49, 50, 50A, 51, and 53. The purpose of the applications is to consolidate two previous rezoning applications under one application and set of proffers and allow for the continued operation and expansion of three vehicle sale, rental, and ancillary service establishments. The applicant seeks approximately 29,000 square feet of additional building floor area and other site layout modifications. The Planning Commission (PC) public hearing was scheduled for February 20, 2019, but was cancelled and rescheduled for March 14, 2019, due to inclement weather. The Board's public hearing scheduled for today now needs to be rescheduled to allow the PC hearing to proceed.

Therefore, Supervisor K. Smith moved that Board direct staff to schedule a public hearing to be held before the Board on Rezoning Application RZ 2018-SU-023 and Special Exception Amendment Application SEA 94-Y-023 for **March 19, 2019, at 3 p.m.** This motion should not be construed 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, or adopted standards in anyway. Supervisor Herrity seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the deferral was announced. See Summary Item # 55.)

38. **MOTION TO EXPEDITE AND CONCURRENTLY PROCESS PUBLIC FACILITY REVIEW APPLICATION 2232-P-18-26 AND SPECIAL EXCEPTION APPLICATION SE 2019-SU-002 - FAIRFAX COUNTY WATER AUTHORITY (SULLY DISTRICT)** (12:22 p.m.)

Supervisor K. Smith said that Fairfax County Water Authority ("Fairfax Water") has filed applications for a 2232 Public Facility Review and Special Exception (SE) (the "applications") to allow the construction of a maintenance facility to be located at 14925 Willard Road, Chantilly, and identified on Tax Map 33-4-((1))-15 (the "property"). Fairfax Water acquired the property in January of 2017 to provide a replacement for the existing maintenance facility (the "Chantilly

Maintenance Facility") located in the Sullyfield Business Park. The Chantilly Maintenance Facility was constructed in the 1970s and is no longer adequate to meet the current or future needs of Fairfax Water due to the expanded water service area and aging water system, as described below.

The proposed Willard Maintenance Facility will serve the distribution system maintenance needs of the western portion of Fairfax Water's service area which includes customers located in the Sully District and portions of the Hunter Mill, Dranesville, Springfield, and Braddock Districts including Centreville, Chantilly, Herndon, the City of Fairfax, George Mason University, and Reston.

The applications propose a development for a new replacement maintenance facility on the property to provide a prompt response to increasing needs for water main break repairs and routine maintenance in the western portion of the County and avoid any service disruptions by developing the proposed facility on a new site. The property consists of approximately 10.79 acres with a gross floor area of approximately 79,000 square feet which results in a 0.18 floor area ratio (FAR). The application is scheduled for a hearing before the Planning Commission on September 18, 2019.

Due to the need to expeditiously complete these improvements, the applicant has requested expedited review of the 2232/SE applications and authorization to process concurrent site plans/permits.

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

- Director of the Department of Planning and Zoning and the Director of the Department of Land Development Services to expedite the scheduling of the public hearings and to concurrently process the review of 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 this 2232/SE application
- Clerk to the Board to schedule a public hearing to be held before the Board regarding the SE application for **October 15, 2019, at 3:30 p.m.**

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.

39. **MOTION TO EXPEDITE AND CONCURRENT PROCESSING FOR JDA CUSTOM HOMES (SULLY DISTRICT)** (12:25 p.m.)

Supervisor K. Smith said that JDA Customs Homes, Incorporated, (the “applicant”), has submitted Rezoning/Final Development Plan Application RZ/FDP 2019-SU-003. The applicant proposes to rezone approximately 6.3 acres from the R-1 District to the PDH-2 District. Surrounding communities are zoned to the PDH-2 District. The application is scheduled for a hearing before the Planning Commission 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. In addition, the applicant has asked to concurrently process a site plan with the pending rezoning application.

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

- Director of the Department of Planning and Zoning to schedule a hearing on Rezoning/Final Development Plan Application RZ/FDP 2019-SU-003 before the Board on **July 30, 2019, at 3:30 p.m.**
- Director of the Department of Land Development Services to accept for concurrent and simultaneous processing any site plans, subdivision plans, architectural drawings, or other plans as may be necessary, in conjunction with Rezoning/Final Development Plan Application RZ/FDP 2019-SU-003

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

AGENDA ITEMS

40. **RECESS/CLOSED SESSION** (12:28 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. *Mateusz Fijalkowski v. M. Wheeler, S. Adcock, S. Blakely, R. Bronte-Tinkew, C. Clark, J. Grande, R. Jakowicz, L. Labarca, L. McNaught, W. Mulhern, M. Zesk, Sean Brooks, and American Pool, Inc.*, Case No. 1:18-cv-492 (E.D. Va.)
 - 2. *Joseph A. Glean v. Board of Supervisors, Michael J. McGrath, and Christopher J. Pietsch*, Case No. 2019-01067 (Fx. Co. Cir. Ct.)
 - 3. *Bruce & Tanya and Associates, Inc. v. Board of Supervisors of Fairfax County, Virginia, Fairfax County, Virginia, Jack Weyant, Director of the Department of Code Compliance, Virginia Department of Transportation, and Stephen Brich, Commissioner of Highways for the Commonwealth of Virginia*, Case Nos. 19-1151L and 19-1153 (Fourth Cir.) (Braddock, Lee, Mount Vernon, and Springfield Districts)
 - 4. *Patricia Tomasello and Martin McMahon v. Jamie Greenzweig, Hasina Lewis, and Michael T. Reilly*, Case No. 1:19-cv-00384. (U.S. Dist. Ct. for the District of Columbia)
 - 5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Yun Su Sheue and Hao Kang Chen*, Case No. CL-2009-0014559 (Fx. Co. Cir. Ct.) (Braddock District)

6. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. David M. Frutchey*, Case No. GV19-001154 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. PNT Enterprises LLC*, Case No. CL-2018-0013736 (Fx. Co. Cir. Ct.) (Lee District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James L. Price*, Case No. CL-2018-0017871 (Fx. Co. Cir. Ct.) (Lee District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kai Vutipawat and Lynn Vutipawat*, Case No. CL-2018-0017118 (Fx. Co. Cir. Ct.) (Lee District)
10. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jonathan Clark and Carolyn Clark*, Case No. CL-2017-0016073 (Fx. Co. Cir. Ct.) (Mason District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kashif H. Waheed and Anahita Ada*, Case No. CL-2018-0015884 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Dale G. Hancock and Mary C. Hancock*, Case No. CL-2018-0010669 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Tina Tafoya*, Case No. CL-2019-0001753 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Patricia Joyce Saltess*, Case No. CL-2019-0001906 (Fx. Co. Cir. Ct.) (Mount Vernon District)

15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Miguel Romero and Nora A. Romero-Romero*, Case No. GV18-015244 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Haiyun Ratliff*, Case No. GV19-003966 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Amy Junhong Long*, Case No. CL-2013-0005065 (Fx. Co. Cir. Ct.) (Providence District)

And in addition:

- As permitted by Virginia Code Sections 2.2-3711 (A)(7) and (8), legal analysis regarding Board of Supervisors and Zoning Administrator v. Board of Zoning Appeals, Fairfax County Circuit Court Case No. CL-2017-0015190

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

DET:det

At 4:01 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Foust, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

41. **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.

Chairman Bulova announced that Supervisor Foust, due to a death in his family, was not in closed session nor would he be attending the afternoon's public hearings.

The question was called on the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins,

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

42. **AUTHORIZATION OF SETTLEMENT OF BOARD OF SUPERVISORS V. BOARD OF ZONING APPEALS CASE NUMBER CL2017-15190**
(4:02 p.m.)

Supervisor Herrity moved that the Board authorize a settlement of *Board of Supervisors v Board of Zoning Appeals*, Case Number CL2017-15190 according to the terms and conditions outlined by the County Attorney in closed session. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Foust being out of the room.

AGENDA ITEMS

43. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2018-SU-016 (LB FRANKLIN FARM LLC) (SULLY DISTRICT)**
(4:03 p.m.)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item #36.)

Chairman Bulova announced the public hearing and stated that earlier today, SE 2018-SU-016, was deferred to **March 19, 2019, at 3 p.m.**

44. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT/ CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA 2013-MV-001/CDPA 2013-MV-001 - (WESLEY HUNTINGTON LANDLORD, LLC) (MOUNT VERNON DISTRICT)** (4:03 p.m.)

Supervisor Storck moved to defer the public hearing on Proffered Condition Amendment/Conceptual Development Plan Amendment Application PCA 2013-MV-001/CDPA 2013-MV-001 to **March 19, 2019, at 3 p.m.** Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Foust being out of the room.

45. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-C-048 (PRINCE TOWNE, LLC) (HUNTER MILL DISTRICT)** (4:04 p.m.)

Supervisor Hudgins moved to defer the public hearing on Proffered Condition Amendment Application PCA 84-C-048 to March 19, 2019. Chairman Bulova seconded the motion.

Following input from Elizabeth Teare, County Attorney, Supervisor Hudgins restated the motion to defer the public hearing to **March 19, 2019, at 3 p.m.**

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

46. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-DR-027 (POMEROY/CLARK I, LLC) (DRANESVILLE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-637-04 (POMEROY/CLARK I, LLC) (DRANESVILLE DISTRICT)
(4:05 p.m.)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item #20.)

Chairman Bulova announced the public hearing and stated that earlier today, RZ 2016-DR-027 and PCA C-637-04 were deferred to **May 7, 2019, at 3:30 p.m.**

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-DR-012 (POMEROY COMPANIES, INCORPORATED/POMEROY INVESTMENTS, INCORPORATED, TR) (DRANESVILLE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-637-05 (POMEROY INVESTMENTS, INCORPORATED, TR) (DRANESVILLE DISTRICT) (4:06 p.m.)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item #21.)

Chairman Bulova announced the public hearing and stated that earlier today, RZ 2017-DR-012 and PCA C-637-05, were deferred to **May 7, 2019, at 3:30 p.m.**

48. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2018-LE-009 (BILA MAWARDI HAMDAL/BILA'S CHILD CARE) (LEE DISTRICT)**
(4:06 p.m.)

The application property is located at 6508 Wynema Court, Alexandria, 22315. Tax Map 99-2 ((10)) (2) 94.

Ms. Bila Mawardi Hamdael reaffirmed the validity of the affidavit for the record.

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

Ms. Hamdael 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, Supervisor McKay submitted items for the record.

Mr. Creed presented the staff and Planning Commission recommendations.

Following a query by Supervisor McKay, Ms. Hamdael confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated December 3, 2018.

Following remarks, concerning support/non-support of the application and the importance of adhering to the prescribed development conditions, Supervisor McKay moved approval of Special Exception Application SE 2018-LE-009, subject to the development conditions dated December 3, 2018. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Foust being out of the room.

49. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE SPRINGDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 33 (MASON DISTRICT)** (4:13 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 15 and February 22, 2019.

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

Following the public hearing, which included testimony by one speaker, Ms. Padilla presented the staff recommendation.

Supervisor Gross presented a brief synopsis of the application, noting the scope of limitations allowed by ordinance as well as the extensive involvement of the community in bringing this request to fruition.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Springdale RPPD, District 33, as contained in Attachment I of the Board Agenda Item. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay,

Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Foust being out of the room.

50. **4 P.M. – PH TO CONVEY A PORTION OF COUNTY-OWNED PROPERTY TO THE CITY OF MANASSAS PARK, VIRGINIA**
(4:21 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 15 and February 22, 2019.

Mike Lambert, Assistant Director, Facilities Management Department, presented the staff report concerning the property, which is owned, as tenants-in-common, by the counties of Fairfax, Loudoun, Fauquier, and Prince William, and the City of Alexandria. The property, identified as the Birmingham Green complex, is located at 8599 Centreville Road in the City of Manassas, Virginia.

Following the public hearing, Mr. Lambert presented the staff recommendation.

Supervisor Gross moved approval of the conveyance of a portion of County-owned property to the City of Manassas Park. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Foust being out of the room.

51. **4 P.M. – PH TO CONVEY BOARD-OWNED PROPERTY TO DOMINION ENERGY** (4:25 p.m.)

(R) (NOTE: On December 4, 2018, the Board deferred the public hearing until January 22, 2019, at which time it was deferred until March 5, 2019.)

Supervisor Hudgins moved to:

- Indefinitely defer the public hearing on the conveyance of Board-owned property to Dominion Energy for an electric substation
- Re-advertise the public hearing when a new public hearing date is scheduled

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

ADDITIONAL BOARD MATTERS52. **OFFICE SPACE** (4:27 p.m.)

Supervisor Storck called the Board's attention to a recent article concerning 5.5 million square feet of office space in Arlington to be utilized by Amazon.

Discussion ensued concerning comparable space in the County.

53. **"IDES OF BARK" (MOUNT VERNON DISTRICT)** (4:28 p.m.)

Supervisor Storck stated that the Mount Vernon District "*Ides of Bark*" will take place on March 24. He noted that, in addition to entertainment, there are various displays and vendors. Discussion ensued concerning permitting a local vendor clause for County farmers' markets in an effort to promote in-County cottage industries.

54. **TEEN JOB FAIRS** (4:30 p.m.)

Supervisor Herrity noted that, in conjunction with Supervisor Cook and Supervisor L. Smyth, the first Teen Job Fair will be held on Saturday, March 9, from 12 noon until 2 p.m., at Woodson High School. Central Fairfax Chamber of Commerce is a co-sponsor. There are a total of five fairs this year.

AGENDA ITEMS55. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2018-SU-023 (POHANKA VIRGINIA PROPERTIES, LLC) (SULLY DISTRICT)****AND****PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-Y-023 (POHANKA VIRGINIA PROPERTIES, LLC) (SULLY DISTRICT)** (4:31 p.m.)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item #37.)

Chairman Bulova announced the public hearing and stated that earlier today RZ 2018-SU-023 and SEA 94-Y-023 were deferred to **March 19, 2019, at 3 p.m.**

56. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2018-MA-008 (TRUSTEES OF LINCOLNIA UNITED METHODIST CHURCH AND FLOR. D. BREA D/B/A LUCA'S RAINBOW BILINGUAL DAYCARE CENTER) (MASON DISTRICT)** (4:31 p.m.)

The application property is located at 6335 Little River Turnpike, Alexandria, 22312. Tax Map 72-3 ((1)) 60.

Ms. Flor D. Brea reaffirmed the validity of the affidavit for the record.

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

Ms. Brea 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 one speaker, Mr. Fountain presented the staff and Planning Commission recommendations.

Following a query by Supervisor Gross, Ms. Brea confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 12, 2019.

Following remarks concerning the application, Supervisor Gross moved:

- Approval of Special Exception Application SE 2018-MA-008, subject to the development conditions dated February 12, 2019
- Waiver of Paragraph 1 of Section 13-202 of the Zoning Ordinance (ZO) for the interior parking lot landscaping requirement in favor of the existing conditions
- Modification of Section 13-302 of the ZO for the transitional screening and barrier requirements along the eastern, southern, and western boundaries, in favor of the existing conditions as shown on the SE plat

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

57. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), ARTICLE 6, REGARDING DENSITY PROVISIONS FOR THE RESTON PLANNED RESIDENTIAL COMMUNITY (PRC) DISTRICT** (4:40 p.m.)

(NOTE: Earlier in the meeting, this public hearing was indefinitely deferred. See Clerk's Summary Item #25.)

Chairman Bulova announced the public hearing and stated that earlier today this public hearing was indefinitely deferred. She also noted that Supervisor Hudgins

had announced that she would work with staff and the community on a process for re-engaging and moving forward.

58. **BOARD ADJOURNMENT** (4:41 p.m.)

The Board adjourned.