



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
April 10, 2012**

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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, April 10, 2012, at 9:36 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Patrick S. Herrity, Springfield District, was absent from the entire meeting.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Dianne E. Tomasek and Ekua Brew-Ewool, Administrative Assistants, Office of Clerk to the Board of Supervisors.

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

Supervisor Gross asked everyone to keep in thoughts the family of Ms. Mary Jane Sargent who died on Sunday. Ms. Sargent was a stalwart in the Mason District for many years and she was a fierce defender of constituents and her neighborhood.

Supervisor Hyland asked everyone to keep in thoughts Supervisor Herrity who is recovering from heart surgery and is reported to be doing well and hopes for a speedy recovery and return to the Board.

Supervisor Cook asked everyone to keep in thoughts the family of Dr. John Petersen, father of Senator Chap Petersen, who died recently.

Supervisor McKay asked everyone to keep in thoughts the family of Ms. Adelaide 'Adie' Arthur, who died recently. Ms. Arthur was the long-time owner and operator of the Dixie Pig BBQ Restaurant on Richmond Highway.

Chairman Bulova asked everyone to keep in thoughts the family of Mr. Charles Snelling and his wife Adrienne Snelling who died recently. Mr. Snelling was former Chairman of the Metropolitan Washington Airports Authority Board.

AGENDA ITEMS2. **PROCLAMATION DESIGNATING APRIL 22, 2012, AS "HOLOCAUST REMEMBRANCE DAY" IN FAIRFAX COUNTY** (9:40 a.m.)

Chairman Bulova acknowledged the presence of Congressman Gerald Connolly, former Chairman of the Board, and warmly welcomed him to the Board Auditorium.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate April 22, 2012, as "*Holocaust Remembrance Day*" in Fairfax County. This motion was multiply seconded, and it carried by a vote of nine, Supervisor Herrity being absent.

Vice-Chairman Gross returned gavel to Chairman Bulova.

Congressman Connolly presented a resolution, which was entered into the Congressional Record on behalf of the Board, to Mr. Michel Margosis, a Holocaust survivor.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE OAKTON HIGH SCHOOL GIRLS SWIM AND DIVE TEAM** (9:52 a.m.)

Jointly with Supervisor Hudgins and Supervisor Smyth, Supervisor Frey moved approval of the Certificate of Recognition presented to members of the Oakton High School Girls Swim and Dive Team for winning the State championship. Supervisor Hyland and Supervisor Hudgins jointly seconded the motion.

Following a brief discussion on the team's performance, the question was called on the motion, and it carried by a vote of nine, Supervisor Herrity being absent.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE CENTREVILLE HIGH SCHOOL FOOTBALL TEAM** (9:59 a.m.)

Jointly with Supervisor Herrity, Supervisor Frey moved approval of the Certificate of Recognition presented to members of the Centreville High School Football Team for advancing to the State finals. Supervisor Foust seconded the motion.

Following a brief discussion, regarding a field goal, the question was called on the motion, and it carried by a vote of nine, Supervisor Herrity being absent.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE VIENNA LITTLE LEAGUE** (10:09 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to members of the Vienna Little League for its sixtieth anniversary. Supervisor Smyth seconded the motion and it carried by a vote of eight, Chairman Bulova being out of the room, Supervisor Herrity being absent.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO REPRESENTATIVES OF FAIRFAX COUNTY PUBLIC SAFETY** (10:16 a.m.)

Supervisor Frey moved approval of the Certificates of Recognition presented to representatives of Fairfax County Public Safety who attended the 2011 World Police and Fire Games in New York City. This motion was multiply seconded.

Discussion ensued regarding the County hosting the next World Police and Fire Games to be held in 2015, and the commitment of the athletes who participated in the 2011 games.

The question was called on the motion, which carried by a vote of nine, Supervisor Herrity being absent.

7. **RESOLUTION OF RECOGNITION PRESENTED TO MAYOR ROBERT LEDERER** (10:31 a.m.)

Jointly with Chairman Bulova, Supervisor Cook, and Supervisor Herrity, Supervisor Smyth moved approval of the Resolution of Recognition presented to Mayor Robert Lederer for his years of service and partnership with the County. Supervisor Cook and Supervisor Hyland jointly seconded the motion, and it carried by a vote of nine, Supervisor Herrity being absent.

8. **PROCLAMATION DESIGNATING MAY 2012 AS "BUILDING SAFETY MONTH" IN FAIRFAX COUNTY** (10:39 a.m.)

Supervisor Frey moved approval of the Proclamation to designate May 2012 as "*Building Safety Month*" in Fairfax County. Supervisor Gross seconded the motion.

Chairman Bulova referred to Information Item 3 regarding the recognition of International Building Safety Month and noted that on May 1, 2012, at 10:30 a.m. there will be a kick off brunch, presentation, and press conference, on the theme "Energy and Green Building Technologies" at the T. C. Williams High School Auditorium.

(NOTE: Later in the meeting, the Board considered this item. See Clerk's Summary Item #19.)

The question was called on the motion, and it carried by a vote of nine, Supervisor Herrity being absent.

Michelle Brickner, Director, Land Development Services, Department of Public Works and Environmental Services, presented the Building Safety Community Partnership Award to Mr. John "Buddy" Showalter, a representative of the American Wood Council.

DET:det

9. **ADMINISTRATIVE ITEMS** (10:51 a.m.)

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

Supervisor McKay called the Board's attention to Admin 1 – Extension of Review Periods for 2232 Review Applications (Dranesville and Lee Districts). He noted that while the revised Agenda Item dated April 10, 2012, had corrected the magisterial district for Public Facility Application 2232A-L00-17-1 (2956 Twist Lane, Springfield) from the Lee District to the Mount Vernon District, it had not done so for Public Facility Application 2232-L11-21 (6770 Frontier Drive, Springfield).

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to correct the identification of the magisterial district for Public Facility Application 2232-L11-21 from the Dranesville District to the Lee District. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Herrity being absent.

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (DRANESVILLE AND LEE DISTRICTS)

(NOTE: Earlier in the meeting, additional action was taken regarding this item. See above.)

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>
2232A-L00-17-1	Kenneth S. Harris Extension of existing monopole 7956 Twist Lane, Springfield Mount Vernon District	June 23, 2012
2232-L11-21	Washington Metro Area Transit Authority Metropolitan Police Department substation and training facility 6770 Frontier Drive, Springfield Lee District	October 18, 2012
FSA-D02-28-1	Department of Public Works and Environmental Services Facilities Management Division Rectangular field lighting near McLean Governmental Center 1437 Balls Hill Road, McLean Dranesville District	October 16, 2012

ADMIN 2 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 99-H-022, THE ACADEMY OF CHRISTIAN EDUCATION, INCORPORATED (HUNTER MILL DISTRICT)

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 99-H-022 to August 3, 2013, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MOUNT VERNON DISTRICT)

- (R)
- Adopted the Resolution authorizing installation of “Watch for Children” signs on the following roads in the Mount Vernon District as part of RTAP:
 - Belle Haven Road
 - Olde Towne Road
 - Tenth Street
 - Thirteenth Street
 - Boulevard View
 - Directed staff to schedule the installation of the approved measures as soon as possible.

ADMIN 4 – AUTHORIZATION TO CONDUCT A JOINT PUBLIC HEARING FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION’S (VDOT) FISCAL YEAR (FY) 2013 – FY 2018 SECONDARY SIX-YEAR PROGRAM AND THE FY 2013 BUDGET

Authorized a joint public hearing with VDOT on May 22, 2012, at 4 p.m., to solicit comments and input on the proposed FY 2013 – FY 2018 Secondary Six-Year Program and the FY 2013 budget.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON PART OF NEWCOMBS FARM ROAD (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 1, 2012, at 4:30 p.m.** regarding a proposal to vacate and abandon part of Newcombs Farm Road (Dranesville District).

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO CONSIDER PARKING RESTRICTIONS ON OLD FRANCONIA ROAD (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 1, 2012, at 4 p.m.** to consider establishing parking restrictions on the north side of Old Franconia Road from Franconia Road to Fleet Drive.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND/OR LEAF COLLECTION SERVICE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 1, 2012, at 4 p.m.** to consider the following changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District 1A1 Within Dranesville District (Ironwood Drive)	De- Create/ Re-Create	Refuse, Recycling, and Vacuum Leaf	Approve

ADMIN 8 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, LEE, AND MASON DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Trustees of the Chesterbrook Methodist Church	Dranesville	Kirby Road (Route 695) [Additional Right-of-Way (ROW) Only]
Burgundy Woods	Lee	Burgundy Road (Route 1674) (Additional ROW Only)
Glenwood Estates	Lee	Neely Ann Court

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Hooes Road Park	Lee	Hooes Road (Route 636) (Additional ROW Only)
Schebish Property	Lee	Schebish Lane Cobbs Road (Route 919) (Additional ROW Only)
Wal-Mart Stores, Incorporated	Lee	Richmond Highway (Route 1) (Additional ROW Only)
Ravensworth Villa	Mason	Ravensworth Road (Route 2864) (Additional ROW Only)

**ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 12067 FOR THE HEALTH DEPARTMENT TO ACCEPT A
DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREA
SECURITY INITIATIVE (UASI) SUB-GRANT AWARD THROUGH THE
STATE ADMINISTRATIVE AGENCY (SAA) FOR THE NATIONAL
CAPITAL REGION**

(SAR) Approved SAR AS 12067 in the amount of \$108,150 for the Health Department to accept a DHS Fiscal Year 2011 UASI Sub-Grant Award from the SAA. These funds will be used to support public health emergency preparedness planning activities.

**ADMIN 10 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE
DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT
FUNDING FROM THE INTELLECTUAL PROPERTY THEFT
ENFORCEMENT PROGRAM GRANT SUPPLIED BY THE
US DEPARTMENT OF JUSTICE, ADMINISTERED BY THE BUREAU
OF JUSTICE ASSISTANCE (BJA) PROGRAM**

Authorized FCPD to apply for and accept funding, if received, from the BJA Intellectual Property Theft Enforcement Program grant in the amount of \$200,000. Funding will be used for computer equipment purchases, police overtime earnings related to this project, and training. There are no positions associated with this grant. No local cash match is required.

ADMIN 11 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO THE AGREEMENT FOR THE SALE, DELIVERY, AND USE OF RECLAIMED WATER BETWEEN THE COUNTY AND COVANTA FAIRFAX, INCORPORATED

Authorized the County Executive to execute an amendment to the Reclaimed Water Agreement between the County and Covanta, as contained in the Board Agenda Item dated April 10, 2012.

10. **A-1 – DULLES CORRIDOR METRORAIL PROJECT STATION NAMES (DRANESVILLE, HUNTER MILL, AND PROVIDENCE DISTRICTS)**
(10:53 a.m.)

Chairman Bulova announced that this is the second time the Board is considering recommendations for station names, and that the recommendation will be forwarded to the Washington Metropolitan Area Transit Authority (WMATA) which will make those decisions. She noted that after the original submission was rejected because of repetitiveness. Significant public outreach had been done to the community which included a survey that generated over 16,000 responses.

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

- Approve the recommended Metrorail station names for the eight stations in the County that are part of the Dulles Corridor Metrorail Project (DCMP).
- Authorize the Chairman to forward the recommended station names to the WMATA Board of Directors.

Chairman Bulova seconded the motion.

Discussion ensued concerning the development of a policy to name stations that more clearly identifies the destination thereby making the system easier to use.

Chairman Bulova, in addressing the amount of outreach done, stated the next item on the Agenda, A2 – Confirmation of the County's Participation in Phase 2 of the Dulles Corridor Metrorail Project, entailed an extensive amount of public outreach as well. She added that at each of the meetings and forums, suggestions were taken and a survey was available.

Discussion ensued concerning the recommended name of Greensboro Park for the previously named Tysons Central station. Supervisor Smyth moved to amend the motion to change Greensboro Park to Gosnell - Westpark. Supervisor Foust seconded the motion.

Following input from Nicholas E. Perfili, Dulles Rail Transportation Planner, Transportation Planning Division, Department of Transportation, concerning the consideration process, the question was called on the motion which **FAILED** by a recorded vote of seven, Supervisor Foust and Supervisor Smyth voting “**AYE**,” Supervisor Herrity being absent.

Supervisor Foust moved to amend the motion to change the recommended name of Innovation for the previously named the Herndon - Dulles East station, to Innovation Center. Supervisor Smyth seconded the motion.

Following input from Mr. Perfili concerning the consideration process, the question was called on the motion and it carried by unanimous vote.

Supervisor Foust and Supervisor Hudgins submitted items for the record.

Supervisor Smyth moved to amend the motion to change the recommended name of the station of Greensboro Park to Greensboro. Supervisor Foust seconded the motion. The question was called on the motion and it carried by unanimous vote.

The question was called on the main motion, as amended, and it carried by a vote of nine, Supervisor Herrity being absent.

(Note: Later in the meeting, the Board considered A-2, Confirmation of the County’s Participation in Phase 2 of the Dulles Corridor Metrorail Project. See Clerk’s Summary Item #11.)

11. **A-2 – CONFIRMATION OF THE COUNTY’S PARTICIPATION IN PHASE 2 OF THE DULLES CORRIDOR METRORAIL PROJECT (DRANESVILLE, HUNTER MILL, AND PROVIDENCE DISTRICTS)**
(11:19 a.m.)

(Note: Earlier in the meeting, this item was discussed. See Clerk’s Summary Item #10.)

At Chairman Bulova’s request, Tom Biesiadny, Director, Department of Transportation (DOT), and Mark A. Canale, Dulles Rail Project Manager, DOT, made a presentation on the status of the County’s efforts on this project.

Following the presentation, Chairman Bulova noted that, during the past year, approximately one billion dollars had been cut from the cost of an earlier estimate and includes a request that Fairfax and Loudoun Counties attempt to have the cost of the garages and the Route 28 station covered by redevelopment and public-private opportunities. She also addressed County efforts regarding the Project Labor Agreement (PLA) issue. Mr. Biesiadny informed the Board that a letter has been prepared for the Metropolitan Washington Airports Authority (MWAA) which was requested at the March 20, 2012, meeting of the Board, asking that MWAA seek funding sources other than toll road revenues.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and:

- Confirm the County's participation in Phase 2 of the Dulles Corridor Metrorail Project under the terms and conditions addressed in the 2011 Memorandum of Agreement and the 2007 Funding Agreement.
- Confirm the County's intent to pursue all alternative financing sources available, including the use of the Commercial and Industrial (C&I) Real Estate Tax Fund, to finance the balance of the County's obligation in excess of the special tax district contributions.
- Approve the First Amendment to the Agreement to fund the Capital Cost of Construction of Metrorail in the Dulles Corridor to extend the 90-day review period for an additional 30 days.
- Authorize the County Executive to execute the amendment on behalf of the County.

Supervisor Foust seconded the motion.

Following comments concerning conveying the urgency of the project and the hope that Loudoun County reaches a decision as soon as possible, discussion ensued concerning the use of revenue bonds supported by the C&I Tax Fund, and language on page 108 of the Board Agenda Item dated April 10, 2012, under the title Fiscal Impact: "The use of revenue bonds supported by the C&I tax fund is recommended to fund the remaining County contribution."

Following input from Len Wales, Financing Advisor, regarding information contained in that section of the Board Agenda Item and in the staff recommendation, discussion continued regarding the recommendation and the specification of one source of funding at the exclusion of any others.

Discussion continued concerning the elimination of the phrase "including the use of the Commercial and Industrial Real Estate (C&I) Tax Fund." Mr. Wales noted that there are limited options for obtaining revenues of that magnitude and stated that additional options would need to be developed and examined. He added that a decision today on financing was not necessary and that any final recommendations on financing would come before the Board at the appropriate time.

Chairman Bulova clarified the motion to indicate that:

- In addition, the Board confirms its intent to pursue all alternative financing sources available to finance the balance of the County's obligation in excess of the Special Tax District contributions.
- Any specifics must come before the Board.

Discussion continued concerning the identification of a specific source of funding with input from Mr. Wales regarding:

- Financing of the two tax districts
- Discussions with the federal government regarding an application for the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan
- The importance of demonstrating to the investing public and the federal government that the County has the capacity to execute and fund the remaining balance of the obligation

Discussion continued regarding

- Maintaining the current C&I language
- Countywide use of the C&I
- Identifying funding sources

Chairman Bulova asked to amend her motion to include the following: "The Board confirm its intent to pursue all alternative financing sources available including but not limited to the use of C&I Real Estate." This was accepted.

Discussion continued regarding the staff report and its use for legislative intent.

Additional discussion ensued concerning:

- Rising tolls
- Costs and funding
- The transportation/economic development importance of the project
- The PLA

Supervisor Cook moved to amend the motion to make ratification contingent upon MWAA removing the ten percent PLA preference and not instituting any further preference or mandatory PLA. Supervisor Frey seconded the amendment to the motion.

Vice-Chairman Gross asked David P. Bobzien, County Attorney, for a ruling on the motion. Mr. Bobzien stated the motion was in order.

Following further discussion regarding a PLA as well as tolls, the question was called on the amendment to the motion and it **FAILED** by a recorded vote of seven, Supervisor Cook and Supervisor Frey voting “**AYE**,” Supervisor Herrity being absent.

Discussion continued concerning:

- The Countywide importance of the project
- The flexibility of the C&I tax to fund road improvement projects throughout the County
- Suggesting that those who are worried about rising toll rates, contact their representatives in Richmond, including the Governor
- The construction of Dulles in the 1960s and an ensuing study to find ways to link it to the new Metro system which was being designed
- Cost reduction efforts

The question was called on the motion, as amended, and it carried by a vote of nine, Supervisor Herrity being absent.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

12. **A-3 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM**
(12:18 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Foust, and carried by a vote of eight, Supervisor Hudgins being out of the room, Supervisor Herrity being absent, the Board concurred in the recommendation of staff and directed staff to take actions, as outlined in the Board Agenda Item dated April 10, 2012, concerning the County's 2012 Disease Carrying Insects Program.

13. **A-4 – APPROVAL OF A RESOLUTION TO AUTHORIZE THE SALE OF ECONOMIC DEVELOPMENT AUTHORITY (EDA) REVENUE REFUNDING BONDS FOR THE ROUTE 28 TRANSPORTATION IMPROVEMENT DISTRICT SERIES 2003 AND 2004** (12:18 p.m.)

(BONDS)

(R)

On motion of Supervisor Frey, seconded by Supervisor Foust, and carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hudgins being out of the room and Supervisor Herry being absent, the Board concurred in the recommendation of staff and adopted a Resolution which:

- Requests the EDA to issue refunding bonds for the previously approved Projects (the “Bonds”)
- Approves the form of the Preliminary Official Statement and the Notice of Sale
- Approves the form of the Continuing Disclosure Agreement
- Approves the form of the Fifth Supplemental Trust Agreement
- Authorizes the execution and delivery of the documents
- Authorizes the Chairman, Vice Chairman, the County Executive or the Chief Financial Officer to determine and approve certain details of the transaction

14. **A-5 – APPROVAL OF A STANDARD PROJECT ADMINISTRATION (SPA) AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO RECEIVE FUNDING FOR THE MCLEAN STREETScape TRANSPORTATION ENHANCEMENT PROJECT** (12:19 p.m.)

(R)

On motion of Supervisor Foust, seconded by Supervisor McKay, and carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hudgins being out of the room and Supervisor Herry being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing staff to execute, on behalf of the County, a SPA Agreement with VDOT for the McLean Streetscape Transportation Enhancement Project.

15. **A-6 – APPROVAL OF A STANDARD PROJECT ADMINISTRATIVE (SPA) AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE GEORGETOWN PIKE TRAIL PROJECT (DRANESVILLE DISTRICT)** (12:19 p.m.)

(R) On motion of Supervisor Foust, seconded by Supervisor McKay, and carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Herrity being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing staff to execute, on behalf of the County, the SPA Agreement with VDOT for the Georgetown Pike Trail Project.

16. **C-1 – APPROVAL OF NEW CHARTER AND BYLAWS FOR THE TREE COMMISSION** (12:20 p.m.)

Supervisor Gross announced that this item had been pulled by staff.

17. **I-1 – DISPOSITION OF 1447 WOODACRE DRIVE, TAX MAP NUMBER 031-2-06-0008** (12:20 p.m.)

The Board next considered an item contained in the Board Agenda dated April 10, 2012, announcing that the property located at 1447 Woodacre Drive will be maintained as open space and staff will work with the Chesterbrook Woods Citizen Association on appropriate, non-invasive, low-maintenance vegetation to plant on the property.

The staff was directed administratively to proceed as proposed.

18. **I-2 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-L11-19, FAIRFAX COUNTY PARK AUTHORITY (LEE DISTRICT)** (12:21 p.m.)

The Board next considered an item contained in the Board Agenda dated April 10, 2012, announcing the PC’s approval of Public Facilities Application 2232-L11-19. The PC noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the *Code of Virginia*. The application sought approval for this ten acre site to be developed as the Olander and Margaret Banks Neighborhood Park to be located at 7400 Old Telegraph Road in Alexandria, Tax Map 91-4 ((1)) 23, 24. Under its long range vision, the Park Master Plan, approved in May 2011, envisions the development of this site as a local-serving park that may include open recreation areas, an off-leash dog area, community gardens, playground and picnic areas, trails, and parking.

19. **I-3 – INTERNATIONAL BUILDING SAFETY MONTH** (12:21 p.m.)

(NOTE: Earlier in the meeting, the Board proclaimed May as “Building Safety Month.” See Clerk’s Summary Item #8.)

The Board next considered an item contained in the Board Agenda dated April 10, 2012, announcing that, in observance of International Building Safety Month, May 2012, the Department of Public Works and Environmental Services (DPWES) is conducting a campaign to promote public awareness of building safety in the County. This is in keeping with DPWES’ mission to enforce building codes and related County ordinances to ensure the construction of safe buildings in the County.

The staff was directed administratively to proceed as proposed.

EBE:ebe

ADDITIONAL BOARD MATTERS20. **REQUEST FOR RECOGNITIONS** (12:22 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives of organizations to appear before the Board for recognition, as follows:

- Health Department, recognizing Immunization Awareness Month and a certificate of Appreciation for a Community Organization.
- Health Department, recognizing Food Safety Education Month.
- Health Department, recognizing HIV/AIDS Awareness Day.
- Fairfax County Foster Care and Adoption Association, recognizing Foster Care and Foster Family Recognition Month.
- Police Department, recognizing Police Week.
- Police Department, recognizing Police Officers Memorial Day.
- Mr. Terrence Jones, President and CEO of the Wolf Trap Foundation, for his many years of service to his organization. Mr. Jones will be retiring at the end of this year.

Jointly with Supervisor Herrity, Chairman Bulova asked unanimous consent that the Board direct staff to invite representatives from the Commission on Aging to appear before the Board to receive a proclamation honoring older adults who live and volunteer in the County.

Chairman Bulova asked unanimous consent that a proclamation be prepared and sent recognizing the annual Earth Day-Arbor Day Celebration, which will be held at the Government Center.

Without objection, the requests were so ordered.

21. **TURF FIELD TASK FORCE** (12:23 p.m.)

(BACs)

(V)

Chairman Bulova said that she recently received letters from both the Chairman of the School Board and the Chairman of the Park Authority on the subject of turf fields. There is a strong interest from both Boards to create a joint task force between their bodies and the Board of Supervisors. This task force would explore not only the replacement of synthetic turf fields, but also the addition of new fields in the community. In addition, the task force would collaborate on issues such as location, funding, and maintenance of these fields.

Chairman Bulova said that the need for synthetic turf fields continues to grow as participation in school sports and recreational leagues increases. Turf fields are beneficial to all members of the community, and encourage a healthy lifestyle for residents of all ages. The School Board has passed a resolution asking for a joint task force.

Therefore, Chairman Bulova asked unanimous consent to affirm the Board's interest in this partnership and refer this issue to staff to determine what the Board's participation would involve and report with their findings. Without objection, it was so ordered.

Following a brief discussion regarding composition of the task force and funding for turf fields, Supervisor Smyth asked unanimous consent that the Board direct staff to consider all the agencies and organizations that need to be included in setting up the task force. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to consider using private citizens' contributions and find a way to engage private sector and corporations to work with the County to raise funds to make the fields possible. Without objection, it was so ordered.

Discussion continued regarding the need to write guidelines to be laid out regarding setting up fields to make it fair and equitable, as well as policies and prioritization of projects under current guidelines.

Chairman Bulova asked unanimous consent that the Board direct the Clerk to the Board to share the above discussion with the appropriate staff when considering the composition of the task force. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

22. **REPORT OF THE DRANESVILLE DISTRICT FISCAL YEAR (FY) 2013 BUDGET TASK FORCE** (12:33 p.m.)

Supervisor Foust referred to his written Board Matter regarding the Report of the Dranesville District Budget Task Force, and asked unanimous consent that the Board direct staff to include a copy of the report in the public record for consideration as the Board deliberates on the FY 2013 budget. Without objection, it was so ordered.

23. **RECOGNITION OF THE FIFTIETH ANNIVERSARY OF THE McLEAN PROJECT FOR THE ARTS (MPA) (DRANESVILLE DISTRICT)** (12:34 p.m.)

Supervisor Foust announced that 2012 marks the fiftieth anniversary of the MPA. Established in 1962, the group has been a dynamic presence in the McLean community reaching more than 30,000 residents annually through gallery exhibitions, art classes and diverse educational offerings.

Supervisor Foust referred to his written Board Matter outlining the MPA and its programs. He asked unanimous consent that the Board direct staff to prepare a proclamation to be signed by the Chairman and the Dranesville District Supervisor, lauding the MPA on its fiftieth anniversary. He added that he will present the proclamation at one of the numerous community events that will celebrate the anniversary throughout 2012. Without objection, it was so ordered.

24. **RECOGNIZING THE GREAT FALLS VOLUNTEER FIRE DEPARTMENT (DRANESVILLE DISTRICT)** (12:35 p.m.)

Supervisor Foust announced that on March 10, he and Chairman Bulova attended the official opening and the traditional “hose uncoupling” of the spectacular new Great Falls Fire Station, which contains the latest evolution in fire station design techniques.

The state-of-the art station is the result of hard work and cooperation on the part of many entities, but in particular, much of the credit goes to the Great Falls Volunteer Fire Department, an organization celebrating its seventieth anniversary this year.

Supervisor Foust referred to his written Board Matter which outlined the history of the Great Falls Volunteer Fire Department.

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

- Invite members of the Great Falls Fire Department to appear before the Board on May 22 to be recognized for their determined efforts to see a new fire station constructed.

- Prepare a resolution to be signed by the Chairman and the Dranesville District Supervisor recognizing the seventieth anniversary of the Department.

Supervisor Foust noted that he would present the Resolution at the celebratory event to be held on May 5.

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

25. **RECOGNITION OF THE ONE-HUNDREDTH ANNIVERSARY OF GIRLS SCOUTS OF THE USA (GSUSA)** (12:37 p.m.)

In a joint Board Matter with Supervisor Gross, Supervisor Foust announced that this year marks the one-hundredth anniversary of the GSUSA. Founded by Juliette Gordon Low in Savannah, Georgia, on March 12, 1912, it was chartered by the United States Congress on March 16, 1950.

Supervisor Foust said that the GSUSA is the largest organization for girls in the world. Its mission is to build girls of courage, confidence, and character, who make the world a better place. Through activities in science and technology, business and economic literacy, and outdoor and environmental awareness, scouting provides girls with opportunities for fun and friendship while fostering the development of leadership skills and self-esteem. Today, there are 2.3 million girl scouts, with nearly 1 million adults working with them, primarily as volunteers.

More than 50 million American women enjoyed scouting during their childhood—and that number continues to grow as GSUSA continues to inspire, challenge, and empower girls everywhere.

The Girl Scout Council of the Nation's Capital Area serves the District of Columbia, Fairfax County and 24 other counties in Maryland, West Virginia and Virginia. The chapter has nearly 5,000 scout troops with over 90,000 girls and adult members. They participated in nearly 68,000 Girl Scout Council programs in the past year alone.

Girl Scouts have used music to celebrate life, to bridge cultural boundaries and to communicate their commitment to the principles that guide the movement. On June 9, 2012, 200,000 girls and adults from around the world are expected to gather on the National Mall for the world's largest "sing along," known as "Girls Scouts Rock the Mall."

Jointly with Supervisor Gross, Supervisor Foust asked unanimous consent that the Board direct staff to invite representatives of the Girl Scout Council of the Nation's Capital Area to appear before the Board on May 22 to be recognized for

their efforts and contributions to society and to celebrate its one-hundredth anniversary. Without objection, it was so ordered.

26. **MOTION TO CONSIDER INCREASING THE 2012 PARK BOND UP TO \$75 MILLION** (12:40 p.m.)

In a joint Board Matter with Supervisor Frey, Supervisor Foust noted that County voters approved a Park Bond in 2008. The amount of that bond was \$65 million, with \$12 million allocated to the Northern Virginia Regional Park Authority (NVRPA) and the balance of \$53 million allocated to the Fairfax County Park Authority (FCPA). Most of the funds that went to FCPA from the 2008 Park bond were needed for restoration and rehabilitation projects as opposed to new land acquisition and expansion of recreational facilities in the parks.

Supervisor Foust said that staff has proposed a 2012 Park Bond in the amount of \$50 million, with another \$12 million allocated to the NVRPA and \$38 million allocated to FCPA. As requested by the Board, FCPA is committed to supporting its operations budget to the maximum extent feasible. As a result, most of the \$38 million that FCPS (*sic*) expects to receive from the 2012 Park bond will be invested in revenue growth opportunities, leaving numerous unmet park facility and land acquisition needs.

Supervisor Foust said that FCPA has identified projects that are needed to meet its stewardship obligations and the recreational needs of County residents. Unless the amount of the Park bond is increased these needs will go unmet.

Therefore, jointly with Supervisor Frey, Supervisor Foust moved that the Board direct staff to evaluate whether the 2012 Park bond can be increased up to an amount of \$75 million and to report their findings prior to the time the Board has to take action setting the amount of the bond that will be advertised. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

27. **FORMATION OF A HERNDON AREA METRO STATION PEDESTRIAN, BICYCLE AND TRANSIT ACCESS ADVISORY GROUP (HMSAMS)** (12:42 p.m.)

In a Joint Board Matter with Supervisor Hudgins, Supervisor Foust noted that the Reston Metrorail Access Group (RMAG), a Task Force of business and civic representatives with County staff and consultants, was initiated in the spring of 2006 to create a multimodal access study within a mile of Reston's two Metrorail Stations at Wiehle Avenue and Reston Parkway.

Supervisor Foust said that similarly and more recently, the Tysons Metrorail Station Access Management Study (TMSAMS) Advisory Group, which began meeting in 2010, focused on improving multimodal access to the four Tysons

Area Metrorail Stations from communities within a three-mile radius of Tysons Corner.

He said that both studies were successful in producing community-vetted, prioritized recommendations. Currently Department of Transportation (DOT) staff is reviewing the list of TMSAMS recommendations for feasibility with respect to available right-of-way, proffer agreements or other obstacles.

Supervisor Foust said that with the approaching construction of Dulles Metrorail Phase 2, identifying necessary bus access, sidewalk and trail, and bicycle connectivity between the future Herndon area Metrorail stations and surrounding communities in the Herndon area is a high priority.

Therefore, jointly with Supervisor Foust, Supervisor Hudgins moved that:

- A Herndon Metrorail Station Access Management Study (HMSAMS) Advisory Group, similar in composition and purpose to the RMAG and TMSAMS groups be established with the representatives from both magisterial districts in proximity of the two future Herndon area Metrorail Stations (as Route 28 and the Dulles Toll Road and at Monroe Street and the Dulles Toll Road), to create a plan that identifies multimodal access challenges and possibilities to these Stations.
- The Board direct staff to report with necessary funding recommendations and the proposed structure for such an advisory group.

Supervisor Hudgins seconded the motion, and it carried by a vote of nine, Supervisor Herrity being absent.

DET:det

28. **SOUTH COUNTY LITTLE LEAGUE WAIVER OF SITE PLAN FEE (MOUNT VERNON DISTRICT)** (12:46 p.m.)

Supervisor Hyland said that South County Little League has been working diligently to improve the ball field complex located at the Lower Potomac Ballfields adjacent to the Noman Cole Water Treatment Plant and that part of these improvements include being able to add a fully functional concession stand to replace the solar powered shack currently on the site which is located on Board of Supervisors' property.

Given the status of the Little League and its desire to improve the site, and that the Office of the County Attorney has determined that Little League meets the standard for waivers, Supervisor Hyland moved that the Board waive the application fees for site plans associated with the South County Little League.

Supervisor Cook and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

29. **REQUEST TO DECLARE APRIL LITTER ENFORCEMENT MONTH**
(12:47 p.m.)

Supervisor Hyland, referring to his written Board Matter, moved that the Board:

- Declare April “*Litter Enforcement Month*” in the County and encourage all residents to participate in local clean-up events in their neighborhood.
- Request that the Police Chief and the County Sheriff strictly enforce litter laws at all times.

Supervisor Cook and Supervisor Gross jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

30. **FAIR HAVEN COMMUNITY CENTER (MOUNT VERNON DISTRICT)**
(12:48 p.m.)

Supervisor Hyland announced that for many years, the residents of Fair Haven and Montebello have enjoyed walking to the Fair Haven Community Center to cast their votes in the Huntington polling precinct (607). During the last election, the Office of Elections had to restore power to the community center because the Association has not been able to pay the power bill due to a lack of participation in the association. Additionally, he noted that the onsite streetlights do not currently meet County lighting standards, and staff in the Office of Elections, Department of Public Works and Environmental Services (DPWES), Office of the County Attorney, and his office, have examined several alternatives to remedy this problem to include moving the polling location to Mount Eagle School where there is an existing polling place.

Supervisor Hyland said that the desire in the community is to keep the polling place at its existing location. Staff proposes that the existing lights be upgraded from mercury vapor to high pressure sodium and enter into an agreement with the President of the Fair Haven Community Association for the formal use of the facility during elections.

Supervisor Hyland moved that the Board direct:

- DPWES to upgrade the existing lights as part of the dim bulb program.
- Direct the Office of Elections and the Office of the County Attorney to discuss, prepare, and enter into a formal agreement with the Fair Haven Association on the use of its facility.

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

31. **ELECTRIC VEHICLE TAX EXEMPTION** (12:49 p.m.)

Supervisor Hyland stated that Virginia Code §58.1-3506 (40) gives local governments the ability to classify and tax electric vehicles at a different rate than other personal property and that currently, the County has 87 electric vehicles registered for personal property taxes, with this number growing as the high price of gas pushes up the demand for alternative fuel and electric vehicles. He said that encouraging the purchase of electric vehicles may help the County improve air quality, as it is in an area of non-attainment for ozone and fine particulates. He added that the Department of Tax Administration estimates the revenue loss of implementing a \$0.01 tax rate for electric vehicles to be around \$100,000.

Supervisor Hyland asked unanimous consent that the Board direct staff to add an electric vehicle tax exemption on the list of Consideration Items as part of the Fiscal Year 2013 Budget deliberations. Without objection, it was so ordered.

Supervisor Smyth noted, for future use, that one of the items being discussed by the Metropolitan Washington Air Quality Commission is that the metropolitan area may become an attainment area and referenced new maintenance and long-term issues that would result.

32. **CONCURRENT FILING OF COUNTY OWNED PROPERTY AND RIGHT-OF-WAY WITH ARBOR ROW (PROVIDENCE DISTRICT)** (12:51 p.m.)

Supervisor Smyth said that the applicant, Cityline Partners LLC, and Co-Applicant, Home Properties Tysons LLC, propose to redevelop seven office buildings along Westpark Drive. As part of this application, the applicants propose to narrow a portion of Westbranch Drive to be consistent with the County's new Transportation Design Standards and Urban Design Guidelines for Tysons. The applicants propose to vacate approximately 3,400 square feet of the Westbranch Drive right-of-way to achieve a more urban cross section. Consent to the inclusion of the right-of-way in the application is required from the Board.

Therefore, Supervisor Smyth moved that the Board:

- Indicate its concurrence of the inclusion of the approximately 3,400 square feet of Westbranch Drive right-of-way in Rezoning/Conceptual Development Plan/Final Development Plan Application RZ/CDP/FDP 201 1-PR-023 and Proffered Condition Amendment Application PCA 88-D-005-7.

- Authorize County Executive, Anthony H. Griffin, or his successor, to act as agent of the Board in connection with this application.

She noted that this motion shall not be construed as a favorable recommendation by the Board, on the proposed application, and does not relieve the applicants from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

33. **REQUEST FOR A CONSIDERATION ITEM** (12:52 p.m.)

Supervisor Smyth, referencing information that had previously been provided to the Board concerning the menu of options for libraries in the budget, asked unanimous consent that the Board direct staff to include on the Consideration Item list options for restoring library hours. Without objection, it was so ordered.

PMH:pmh

34. **FAIRFAX PETS ON WHEELS** (12:54 p.m.)

Supervisor Frey said that Fairfax Pets on Wheels will be celebrating its twenty-fifth anniversary this year. Fairfax Pets on Wheels is a nonprofit organization that allows owners of dogs, cats and rabbits to visit residents of nursing homes and assisted living facilities. The sensory benefit for the seniors that interact with animals is enormous which makes this program extremely valuable and beneficial. There are currently 300 volunteers that visit 14 participating nursing homes and assisted living facilities.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite members of the Fairfax Pets on Wheels to appear before the Board for recognition of their 25 years of volunteer service to the organization and to the communities. Without objection, it was so ordered.

35. **CONSIDERATION ITEM REGARDING TRANSPORTATION FUNDS TO SUPPORT THE SEVEN CORNERS SPECIAL STUDY (MASON DISTRICT)** (12:55 p.m.)

Supervisor Gross said that she has been discussing a new planning effort for the Seven Corners Community Business Center (CBC) with staff. In the past couple of years, the Board has adopted new plans for the Lake Anne, Springfield, Annandale, and Bailey's Crossroads revitalization districts while the Seven Corners revitalization district has not been re-assessed in some time.

Supervisor Gross said that last week, the Department of Planning and Zoning and the Office of Community Revitalization jointly hosted a mini technical assistance panel from the Urban Land Institute to assess opportunities for redevelopment as

well as functional and market improvements for the Seven Corners area. The results will be published on May 17, 2012, and should aid in understanding the existing conditions of the CBC and future opportunities. The next step will be to hold a community visioning workshop that is now scheduled for May. After that, the feedback will be assessed to determine the best course of action in terms of follow-on work or studies.

Supervisor Gross said that while she expects the majority of this project to be conducted by County staff, there are some specialized transportation aspects that would require consultant assistance. Of particular concern is the interchange where Route 50, Route 7, Wilson Boulevard, and Sleepy Hollow Road intersect. If part of this project includes a review of how this interchange might be modified and how that would affect the flow of traffic, it will be necessary to engage a transportation consultant to simulate traffic.

Because of its complexity, Supervisor Gross asked unanimous consent that \$180,000 for this specialized transportation analysis be added as a Consideration Item in the Fiscal Year (FY) 2013 budget. Without objection, it was so ordered.

36. **EMPLOYEE HEALTH AND FITNESS MONTH (EHFM)** (12:58 p.m.)

Supervisor Gross said that May 2012 is EHF, which is a national health observance founded by the National Association for Health and Fitness. The goal of EHF is to promote the benefits of a healthy lifestyle to employers and their employees through worksite health promotion activities and environments.

Supervisor Gross said that the Fairfax County Live Well Workforce Wellness program will celebrate employee health and fitness during the month of May. On May 10, 8 a.m. until 2 p.m., at the Government Center, the Live Well Program will host a keynote presentation, wellness workshops, and a health fair consisting of County agency resources, health plan contractors and wellness partners.

Therefore, Supervisor Gross asked unanimous consent that the Board direct:

- Staff to prepare a proclamation designating May 2012 as “*Employee Health and Fitness Month*” in Fairfax County to the Live Well Advisory Council.
- That the proclamation be presented before employees on Thursday, May 10 in the Board Auditorium at 9:30 a.m. as part of Employee Health and Fitness Day.

Without objection, it was so ordered.

37. **RESOLUTION RECOGNIZING ANTHONY H. GRIFFIN, COUNTY EXECUTIVE** (12:59 p.m.)

Supervisor Gross said that on March 12, the members of the Health Care Advisory Board requested that the resolution recognizing County Executive Anthony H. Griffin be shared with the Members of the Board and entered into the record.

38. **BRADDOCK DISTRICT CITIZEN GOVERNANCE CONFERENCE** (1:01 p.m.)

Supervisor Cook asked unanimous consent that the Board direct staff to publicize the upcoming Braddock District Citizen Governance Conference scheduled for Saturday, May 5, at the Junior Achievement Finance Park at Frost Middle School, 9:30 a.m. – 3:30 p.m.

Supervisor Cook noted that it will include a presentation on the Braddock District's demographic characteristics, a review of the current comprehensive land use and transportation plans for Braddock, and a panel discussion made up of leaders of citizen committees in other districts, so that participants have the background needed to help design their own committees. The afternoon will be focused on five breakout sessions that will each cover a specific policy area: Land Use and Environmental Management, Transportation, Aging in Braddock, Education, and the Fairfax County Budget.

Without objection, it was so ordered.

39. **LEE DISTRICT ADVISORY GROUP 2013 BUDGET REPORT** (1:02 p.m.)

Supervisor McKay said that for the fourth consecutive year, his citizen budget advisory committee has studied the proposed County budget. Almost all the members of the original group have chosen to continue, giving the budget advisory committee the advantage of continuity and knowledge. He noted that the group emphasized its respect for the work of County staff and commended the County Executive and his staff for their hard work.

Supervisor McKay said that their goal was two-fold: to provide recommendations specific to the Fiscal Year (FY) 2013 budget and to provide recommendations for 2013 and beyond.

Supervisor McKay commended the Lee District Budget Advisory Group for its hard work.

Therefore, Supervisor McKay asked unanimous consent that the Board forward this report to the County Executive for review. Without objection, it was so ordered.

40. **SPRINGFIELD DAYS (BRADDOCK AND SPRINGFIELD DISTRICTS)**
(1:05 p.m.)

In a joint Board Matter with Supervisor Cook, Supervisor Herrity, and Chairman Bulova, Supervisor McKay announced that this year will be the twenty-fourth annual Springfield Days celebration held from Thursday, May 31 through Sunday, June 3.

Supervisor McKay noted that Springfield Mall will host the FamilyFest during all four days and will feature children's entertainment, games, rides, and music.

Saturday, June 2, will feature the Springfield 15K/5K race, followed by the Party in the Park at the South Run REC center. There will be a PetFest, Family FitnessFest, OutdoorFest, entertainment stage, pool party, and an outdoor movie – Happy Feet 2. On Sunday, June 3, the Cardboard Boat Regatta sets sail at Lake Accotink Park.

Supervisor McKay said that this celebration has many partners that make this event possible including the Greater Springfield Chamber of Commerce, Safford Chrysler Jeep Dodge, Springfield Toyota, Olde Towne Pet Resort, the Fairfax County Park Authority - Lake Accotink Park and South Run RECenter, the Springfield Art Guild, Colonial Animal Hospital, Leith Graphics, Springfield Mall, the Springfield Civic Association, the Fairfax County Police Department, and other generous sponsors.

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

- Prepare a proclamation declaring May 31, June 1 - 3 “Springfield Days” in Fairfax County.
- Invite the Springfield Days Steering Committee to appear before the Board on May 22 to be recognized and receive the proclamation.

Without objection, it was so ordered.

41. **GIRL POWER DAY** (1:06 p.m.)

Supervisor Hudgins said that for 13 years, Girl Power, an organization sponsored by the Fairfax-Falls Church Community Services Board, Fairfax County Public Schools, along with private sector and non-profit support has served over 175 girls at more than 17 sites across the County.

Therefore, Supervisor Hudgins asked unanimous consent that the Board:

- Proclaim June 4 “*Girl Power Day*,” in Fairfax County

- Direct staff to prepare a proclamation for reading by the Hunter Mill District Supervisor on behalf of the Board at the annual Girl Power conference “Girl Power! Voices of Leaders,” on June 4, 2012, at the County Government Center.

Without objection, it was so ordered.

42. **MAAME BINEY - SIXTH GRADER FROM TERRASET ELEMENTARY SCHOOL (HUNTER MILL DISTRICT)** (1:06 p.m.)

Supervisor Hudgins said that Maame Biney, a sixth grader from Terraset Elementary School is one speedy girl. Last month, Maame was named the overall winner for the Midget ladies group at the 2012 US Speedskating Short Track Age Group National Championships held in Green Bay, Wisconsin. At the National Championships, Maame won all of her races, won five gold medals and broke a record in the 500 meter race.

Supervisor Hudgins noted that Maame hones her skills with the Dominion Speedskating Club which trains at Reston’s SkateQuest.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Maame Biney to appear before the Board and be recognized for her significant accomplishments. Without objection, it was so ordered.

43. **ROBYN COCHRAN – PRINCIPAL OF THE YEAR (HUNTER MILL DISTRICT)** (1:07 p.m.)

Supervisor Hudgins said that Robyn Cochran, the principal at Dogwood Elementary School in Reston, has been named Fairfax County Public School 2012 Principal of the Year and is the recipient of the *Washington Post* Distinguished Educational Leadership Award.

Supervisor Hudgins noted that Ms. Cochran has been principal at Dogwood Elementary since 2005. She is instrumental in initiating positive changes at the school and consistently encourages collaboration with community partners.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Ms. Cochran to appear before the Board and be recognized for this distinguished award. Without objection, it was so ordered.

44. **THE ARC OF NORTHERN VIRGINIA’S FIFTIETH ANNIVERSARY** (1:07 p.m.)

Supervisor Hudgins referred to her written Board Matter regarding the Arc of Northern Virginia and asked unanimous consent that the Board direct staff to invite representatives of the Arc of Northern Virginia to appear before the Board

to be recognized and honored for 50 years of advocacy, innovative, and enlightened services in the County and Northern Virginia. Without objection, it was so ordered.

45. **VIRGINIA ASSOCIATION OF COUNTIES (VACo) SPRING BOARD MEETING** (1:08 p.m.)

Supervisor Hudgins announced that the 2012 (VACo) Spring Board meeting will be held at the Hyatt Regency Reston, May 19 and 20, 2012. The agenda for the meeting includes the following two special events for the afternoon of May 19:

- Tour of the Walker Nature House in Reston with a special viewing of three short films provided by the Washington West Film Festival
- Tour and dinner at the Workhouse Arts Center in Lorton

Supervisor Hudgins extended an invitation to Board Members to attend one or both of these events and she asked Board Members to RSVP. The full agenda for the Spring Board meeting will be forthcoming from VACo headquarters in Richmond.

46. **RECOGNITION OF MR. BOB SIMON'S NINETY-EIGHTH BIRTHDAY (HUNTER MILL DISTRICT)** (1:09 p.m.)

Supervisor Hudgins announced that Mr. Bob Simon recently celebrated his ninety-eighth birthday. On behalf of the Board, she wished him a happy birthday.

47. **RECESS/CLOSED SESSION** (1:10 p.m.)

Supervisor Smyth 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. *New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility v. The Fairfax County Board of Supervisors*, Case No. 10-2381 (U.S. Ct. of App. for the Fourth Cir.) (Mount Vernon District)
2. *Xuli Zhang v. Police S. Regan and Police PEC [sic] M. Green*, Case No. 11-2013 (U.S. Ct. of App. for the Fourth Cir.)
3. *Kaveh Sari v. Thomas W. Bacigalupi, Louis A. Robinson, and Ayah Wali*, Record No. 11-1852 (Va. Sup. Ct.)
4. *James Darden v. Colonel David M. Rohrer, Officer Christian J. Chamberlain, Officer Mohammed S. Oluwa, and Fairfax County*, Case No. 1:11cv828 (E.D. Va.)
5. *Elena Norfolk v. Detective Douglas Middlebrooks*, Case No. CL-2010-0013912 (Fx. Co. Cir. Ct.)
6. *Emmanuel Kwame Boateng v. Fairfax County Police Department*, Case No. 1:12-cv-55-TSE-TRJ (E.D. Va.)
7. *Khadija Ahmed v. Phimmery Mounghkoth*, Case No. CL 2012-02136 (Fx. Co. Cir. Ct.) (Providence District)
8. *Calvin C. Hall, Jr. v. Fairfax County Police Department and Officer John Doe*, Case No. CL-2012-020604 (Fx. Co. Cir. Ct.)
9. *Kathryn T. Hollis, et al. v. Schaefer Pyrotechnics, Inc., et al.*, Case No. CL-2011-01605 (Fx. Co. Cir. Ct.)
10. *Joseph F. and Juliana Campagna, Fairfax Christian School, Inc., Hunter Mill East, LLC, Hunter Mill West, LLC, Robert L. and Rosemary S. Thoburn, and Thoburn Limited Partnership v. Fairfax County Board of Supervisors*, Case No. CL-2010-0005862 (Fx. Co. Cir. Ct.) (Hunter Mill District)

11. *Renni Zhao and Suli Wang v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2011-0003980 (Fx. Co. Cir. Ct.) (Providence District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Khanh Quach and Dao Tran*, Case No. CL-2010-0014970 (Fx. Co. Cir. Ct.) (Mason District)
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sheldon P. Ellison and Wauleah A. Ellison*, Case No. CL-2010-0017783 (Fx. Co. Cir. Ct.) (Mason District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rama Sanyasi Rao Prayaga and Niraja Dorbala Prayaga*, Case No. CL-2010-0002573 (Fx. Co. Cir. Ct.) (Dranesville District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr., and Judith M. Shifflett*, Case No. CL-2009-0014727 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ruth S. Wong*, Case No. CL-2010-0005963 (Fx. Co. Cir. Ct.) (Mason District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert George Chatman and Patricia A. Chatman*, Case No. CL-2011-0017307 (Fx. Co. Cir. Ct.) (Mason District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Julio E. Argueta and Mauda Aguirre*, Case No. CL-2012-0001025 (Fx. Co. Cir. Ct.) (Mason District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Demetrios Demetriou and Androula Demetriou*, Case No. CL-2011-0015709 (Fx. Co. Cir. Ct.) (Mount Vernon District)

20. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gary Lee Hoskinson*, Case No. CL-2012-0002648 (Fx. Co. Cir. Ct.) (Dranesville District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rudy A. Urrutia, Sandra C. Urrutia, Adolfo Urrutia, and Jose Urrutia*, Case No. CL-2011-0013511 (Fx. Co. Cir. Ct.) (Lee District)
22. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gail K. Etherton and Debora S. Etherton*, Case No. CL-2011-0013547 (Fx. Co. Cir. Ct.) (Springfield District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Canh Van Nguyen and Khanh T. Huynh Nguyen*, Case No. CL-2011-0012719 (Fx. Co. Cir. Ct.) (Mason District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Shahrokh Tayebi and Shahram Tayebi*, Case No. CL-2011-0016944 (Fx. Co. Cir. Ct.) (Dranesville District)
25. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Steven G. Rocca*, Case No. CL-2011-0014327 (Fx. Co. Cir. Ct.) (Lee District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Hollin Hall, L.L.C.*, Case No. CL-2012-0003174 (Fx. Co. Cir. Ct.) (Mount Vernon District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tyron Barth and Elizabeth Ann Pennell*, Case No. CL-2011-0018335 (Fx. Co. Cir. Ct.) (Mount Vernon District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr.*, Case No.

CL-2012-0003389 (Fx. Co. Cir. Ct.) (Mount Vernon District)

29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Imran Mushtaq and Mary Frances Barry*, Case No. CL-2012-0003708 (Fx. Co. Cir. Ct.) (Mason District)
30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Joseph Powers*, Case No. CL-2012-0003924 (Fx. Co. Cir. Ct.) (Lee District)
31. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Lawrence E. Cox*, Case No. CL-2012-0004059 (Fx. Co. Cir. Ct.) (Providence District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Honglian Chi and Zheyu Li*, Case No. CL-2012-0004056 (Fx. Co. Cir. Ct.) (Braddock District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Osman Yagan, a/k/a Osman Yazgan, and Beatriz Yagan, a/k/a Beatriz Yazgan*, Case No. CL-2012-0004051 (Fx. Co. Cir. Ct.) (Dranesville District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Muhammad Yahya Butt and Saddiqa Yahya Butt*, Case No. CL-2012-0004054 (Fx. Co. Cir. Ct.) (Braddock District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. William E. Simms and Dolores J. Simms*, Case No. CL-2012-0004057 (Fx. Co. Cir. Ct.) (Mount Vernon District)
36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bernadette Boka and James L. Leslie*, Case No. CL-2012-004058 (Fx. Co. Cir. Ct.) (Mason District)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Kenneth N. Good*, Case

- No. CL-2012-0004127 (Fx. Co. Cir. Ct.) (Sully District)
38. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sun Ja Yoon and Richard L. Gill, Sr.*, Case No. CL-2012-0004128 (Fx. Co. Cir. Ct.) (Sully District)
 39. *Eileen M. McLane, Fairfax County Zoning Administrator v. Esther Schwartz, Morris Goldberg, Rose Goldberg, Alvin Peck, Stella Peck, Melvin Zweig, Kathryn Zweig, M. A. M. Enterprises, and the Heirs of Alvin Peck*, Case No. CL-2012-0004129 (Fx. Co. Cir. Ct.) (Providence District)
 40. *Eileen M. McLane, Fairfax County Zoning Administrator v. Abbas Atash-Sobh and Alireza Bijan Atash-Sobh*, Case No. CL-2012-0004227 (Fx. Co. Cir. Ct.) (Dranesville District)
 41. *Eileen M. McLane, Fairfax County Zoning Administrator v. Trang P. Mai*, Case No. CL-2012-0004357 (Fx. Co. Cir. Ct.) (Mason District)
 42. *Eileen M. McLane, Fairfax County Zoning Administrator v. Cynthia Elaine Porter*, Case No. CL-2011-0004358 (Fx. Co. Cir. Ct.) (Sully District)
 43. *Eileen M. McLane, Fairfax County Zoning Administrator v. Farid A. Mohamadi and Nahima Mohamadi*, Case No. CL-2012-0004439 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 44. *Eileen M. McLane, Fairfax County Zoning Administrator v. Thomas A. Love and Lora L. Love*, Case No. CL-2012-0004440 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 45. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rafael Vallecillo*, Case No. CL-2012-0004437 (Fx. Co. Cir. Ct.) (Providence District)
 46. *Eileen M. McLane, Fairfax County Zoning Administrator v. Phyllis D. Grandon and Ruth E.*

Perrin, Case No. CL-2012-0004441 (Fx. Co. Cir. Ct.) (Mason District)

47. *Eileen M. McLane, Fairfax County Zoning Administrator v. Zahir Ahmed*, Case No. GV1200744900 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- *City of Falls Church, et al. v. Board of Supervisors, et al.*; Case Number 2012-03411
- *Bruce Shuttleworth v. Brian Moran, et al.*, Civil Action No. 3:12-cv-00257
- Tysons Transportation Improvements Funding
- Lorton Arts Foundation Lease
- Affordable Dwelling Unit Covenants

Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

DAL:dal

At 4:21 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Herrity, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

48. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:21 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 Smyth seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Herrity being absent.

49. **AUTHORIZATION OF RELEASE OF COVENANTS FOR GATES OF FAIR LAKES AND FOX MILL STATION** (4:22 p.m.)

Supervisor Hudgins said the Board determined, after consultation with legal counsel, that it is in the best interest of the County to take such action, therefore, she moved that the Board authorize the County Executive to sign releases of the affordable dwelling unit covenants for the units in the Gates of Fair Lakes and the Fox Mill Station developments that are encumbered by such covenants upon payment in full of the agreed upon consideration. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

50. **AUTHORIZATION FOR TAX AUTHORITY CONSULTING SERVICES TO PETITION THE FAIRFAX COUNTY CIRCUIT COURT FOR THE CONVEYANCE OF THE LOFRIDGE PARCEL TO THE COUNTY** (4:23 p.m.)

Supervisor McKay moved that the Board authorize Tax Authority Consulting Services to petition the Fairfax County Circuit Court for the conveyance of the real property located at 5718 A Cannon Lane, Alexandria, Virginia (Tax Map Number 82-2((1)) parcel 3C), also known as the Loftridge Parcel, to Fairfax County, as outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

51. **APPOINTMENT OF EDWARD L. LONG, JR. AS THE NEW COUNTY EXECUTIVE** (4:23 p.m.)

Supervisor Gross moved the appointment of Edward L. Long, Jr. as the County Executive, effective April 25, 2012, at an annual salary of \$257,282 and with contract provisions similar to those contained in the current County Executive's contract. Mr. Long enjoyed an outstanding 34-year career with the County until his retirement in May 2011 as Deputy County Executive and Chief Financial Officer. Supervisor Foust, Supervisor Hyland, and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being absent.

AGENDA ITEMS

52. **2:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2011-PR-008 (WELLS FARGO BANK) (PROVIDENCE DISTRICT)** (4:26 p.m.)

The application property is located at 1751 and 1753 Pinnacle Drive, McLean, 22102, Tax Map 29-4 ((1)) 2.

Ms. Bonnie Freda reaffirmed the validity of the affidavit for the record.

Following a brief discussion regarding financial disclosures, Kellie-Mae Goddard-Sobers, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Freda 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, Ms. Goddard-Sobers presented the staff and Planning Commission recommendations.

Supervisor Smyth moved approval of Special Exception Application SE 2011-PR-008, subject to the development conditions dated February 22, 2012. Supervisor Foust seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Herrity being absent.

53. **3 P.M. – BOARD DECISION ONLY ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC A-502-02 (FAIRWAYS I RESIDENTIAL, LLC AND FAIRWAYS II RESIDENTIAL, LLC) (HUNTER MILL DISTRICT) (4:32 p.m.)**

(NOTE: On March 20, 2012, the Board held a public hearing regarding this item and deferred decision until April 10, 2012.)

The application property is located at 11555 and 11627 North Shore Drive, southwest corner of North Shore Drive and Fairways Drive and east of the intersection of North Shore Drive and Wainwright Drive, Tax Map 17-2 ((18)) 1 and 17-2 ((19)) 2A.

Supervisor Hudgins said that the decision is based on development conditions dated April 6, 2012, and called the Board's attention to condition number nine, and noted the refined affordable workforce housing condition.

Supervisor Hudgins moved:

- Approval of Planned Residential Community Application PRC A-502-02, subject to the development conditions dated April 6, 2012.
- Modification of the loading space requirement to allow a total of nine loading spaces instead of ten.
- Waiver of the PFM to allow use of an underground stormwater management vault in a residential development, subject to the Department of Public Works and Environmental Services waiver of conditions dated April 21, 2011.

- Approval of a Public Facilities Manual (PFM) waiver to allow pervious pavements for parking spaces, walkways, and pedestrian plazas within a single-family attached residential development.
- Waiver of Section 11-302.2 of the Zoning Ordinance to allow a private residential street greater than 600 feet in length as shown on the PRC plan.

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Herrity being absent.

54. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL) TO REVISE THE SEWER SERVICE CHARGES, CONNECTION CHARGES, AVAILABILITY CHARGES, BASE CHARGES, AND THE METER READING DATE ON WHICH THE NEW SERVICE CHARGES WILL TAKE EFFECT** (4:35 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 March 9 and March 16, 2012.

Following the public hearing, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved to close the public hearing and keep the record open to receive testimony until April 24, 2012, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing. Supervisor Foust seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Hudgins being out of the room, Supervisor Herrity being absent.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

55. **3:30 P.M. – PH ON THE FISCAL YEAR 2013 EFFECTIVE TAX RATE INCREASE** (4:36 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 March 23 and March 30, 2012.

Following the public hearing, which included testimony by one speaker, Supervisor Foust moved to close the public hearing and keep the record open to receive testimony until April 24, 2012, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing. Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins being out of the room, Supervisor Herrity being absent.

56. **3:30 P.M. – PH ON PROPOSED PLAN AMENDMENT ST10-IV-MV1 (LEE AND MOUNT VERNON DISTRICTS)** (4:43 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 March 23 and March 30, 2012.

Kimberly M. Rybold, Planner II, Policy and Plan Development Brand, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by four speakers, Supervisor McKay submitted items for the record. Ms. Rybold presented the staff and Planning Commission (PC) recommendations.

Following lengthy remarks regarding the proposed plan amendment, Supervisor McKay moved adoption of the PC recommendations for Plan Amendment ST10-IV-MV1, as found in Attachment One of the Board Agenda Item dated April 10, 2012. This amendment would add options for residential mixed-use redevelopment to Land Unit H, which would be split into two Sub-units, H-1 and H-2. The options would support redevelopment of Land Unit H with up to 735 residential units and a minimum of 40,000 square feet of retail use. Intensities of up to 1.4 FAR for Sub-unit H-1 and up to 1.15 FAR for Sub-unit H-2 are recommended. Tax Map parcel 83-3((11))6 would be added to Sub-unit H-1 within the Penn Daw CBC. Pedestrian-orientation is emphasized with guidance related to streetscape and urban design, and building heights, buffering, and tapering to address impacts on adjacent neighborhoods. Conditions related to the provision and timing of transportation improvements are included. Additionally, a recommendation encouraging the coordination of site design with Land Unit H would be added to Sub-unit F-2. Supervisor Hyland seconded the motion.

Following a brief discussion regarding the proposed plan amendment, the question was called on the motion and it carried by a vote of nine, Supervisor Herrity being absent.

57. **BOARD RECESS** (5:20 p.m.)

Chairman Bulova announced that the Board would recess until 6 p.m., at which time the public hearing on the Fiscal Year 2013 Advertised Budget will be held, following a presentation by the School Board.

At 5:20 p.m. the Board recessed briefly and at 6:02 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor Herrity, and with Chairman Bulova presiding.

58. **6 P.M. – PH ON THE COUNTY EXECUTIVE’S PROPOSED FISCAL YEAR (FY) 2013 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYs 2013-2017 (WITH FUTURE FYs TO 2022) AND THE CURRENT APPROPRIATION IN THE FY 2012 REVISED BUDGET PLAN** (6:02 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearings were duly advertised in that newspaper in the issues of March 23 and March 30, 2012.

Chairman Bulova announced that tonight is the first of three nights of public hearings on the FY 2013 Budget as proposed by the County Executive. She announced that the public hearing would begin with a presentation by the School Board and called upon Janie Strauss, Chairman, Fairfax County School Board.

Ms. Strauss introduced the following members of the School Board who were present in the Board Auditorium:

- Ilryong Moon, Vice Chairman, and At-Large Representative
- Ryan McElveen, At-Large Representative
- Kathy Smith, Sully District Representative
- Ted Velkoff, At- Large Representative

Ms. Strauss delivered the School System’s annual presentation and also showed a short video of students and teachers who shared how the Fairfax County Public Schools experience is preparing the students for the world after graduation.

Supervisor Hudgins called the Board’s attention to page three of Ms. Strauss’ remarks and raised a question regarding restoration of academic programs that were forced by cuts. Discussion ensued, with input from Ms. Strauss, who stated that they would like to restore the Additional Time Program for students who are achieving below grade level.

Supervisor Hudgins asked the School Board to provide a list of all the programs that were eliminated during that time and the cost associated with each.

Discussion ensued, with input from Ms. Strauss and Dr. Jack D. Dale, Superintendent of Schools, regarding the:

- Virginia Retirement System (VRS) for school employees
- Step increases and market scale adjustment
- School accreditation and program restoration

- State funding and the financial impact

Chairman Bulova recognized the presence of the following members of the School Board and warmly welcomed them to the Board Auditorium:

- Megan McLaughlin, Braddock District Representative
- Sandy Evans, Mason District Representative
- Pat Hynes, Hunter Mill District Representative

Supervisor Hyland asked the School Board to provide information regarding the:

- One percent of the schools that are not accredited and what the School Board intends to do to help them become accredited.
- Additional Time Program – the change that was made in the program, the application of resources, and what difference it made in addressing the needs of the children.

Discussion continued, with input from Ms. Strauss and Dr. Dale, regarding:

- Step increases and market scale adjustments
- The Summer Program

Supervisor Smyth asked the School Board to provide information regarding the financial impact if the VRS is phased in.

Supervisor Cook raised a question regarding the proposed raise percentage for school employees, with input from Dr. Dale and Ms. Strauss.

Supervisor Cook asked the School Board, when it provides information on the State spending adjustments, to outline the allocated funding.

Chairman Bulova expressed her appreciation for the first ever joint retreat, between the Board of Supervisors and the School Board, which was recently held to discuss what can be done to improve delivery of respective services cost effectively between the two Boards.

Ms. Strauss stated that the School Board looks forward to continued collaboration.

59. **BOARD RECESS** (6:47 p.m.)

At 6:47 p.m., the Board recessed briefly for dinner, and at 7:07 p.m., reconvened in the Board Auditorium.

60. **CONTINUATION OF PH ON THE COUNTY EXECUTIVE'S PROPOSED FISCAL YEAR (FY) 2013 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYs 2013-2017 (WITH FUTURE FYs TO 2022) AND THE CURRENT APPROPRIATION IN THE FY 2012 REVISED BUDGET PLAN**
(7:07 p.m.)

Chairman Bulova provided instructions regarding the rules of order for the meeting.

Following the testimony of Steve Davis (Speaker 4), Chairman Bulova introduced the following students and, on behalf of the Board, warmly welcomed them to the Board Auditorium:

- Elizabeth Mekonnen, Hayfield High School
- Michelle Barrett, Madison High School
- Tara Razougen, Madison High School

Chairman Bulova noted that the students are part of the Leadership Program under the tutelage of Susan Datta, Director of Management and Budget. Their project is to write a paper about the experience they are having with the public hearing on the budget.

(7:39 p.m.)

Following the testimony of Michael Hairston (Speaker 6), Chairman Bulova recognized the presence of members of Boy Scout Troop 1523 and Merit Badge Counselor Dr. David Legler, and, on behalf of the Board, she warmly welcomed them to the Board Auditorium. She noted that Troop 1523 meets at Parkwood Baptist Church, Annandale, Virginia.

(7:54 p.m.)

Following the testimony of Leslie Jenuleson (Speaker 10), Member of the Police Department Citizen's Advisory Group, Supervisor Hyland asked unanimous consent that the Board direct staff to provide information regarding the amount of funding for the Cadet Program that is proposed to be eliminated. Without objection, it was so ordered.

(7:57 p.m.)

Following the testimony of Bob Holzman (Speaker 11), Member of the Police Department Citizen's Advisory Group, Supervisor Hyland asked unanimous consent that the Board direct staff to provide information regarding the amount of

funding for the Marine Patrol Unit that is proposed to be reduced. Without objection, it was so ordered.

With regard to the Cadet Program, Supervisor Foust asked unanimous consent that the Board direct staff to provide information regarding the revenue created by the fingerprinting program that the program operates. Without objection, it was so ordered.

(8:19 p.m.)

Following the testimony of Joseph Woloszyn (Speaker 16), Supervisor Hyland raised a question regarding the number of police officer who currently has rifles, and a brief discussion ensued with input from Mr. Woloszyn.

(8:37 p.m.)

Following the testimony of Ken Quincy (Speaker 20), with regard to the programs mentioned in the testimony of William Bouie (Speaker 19), Chairman of the Park Authority Board, Supervisor Hyland asked unanimous consent that the Board direct staff to provide information regarding whether the programs were eliminated from the budget submission that went from the Park Authority to the County Executive. Without objection, it was so ordered.

(9:06 p.m.)

Following the testimony of Elizabeth D'Alelio (Speaker 27), with regard to information mentioned in the testimony of Michelle Menapace (Speaker 25), regarding the ACE Program, Supervisor Hudgins asked unanimous consent that the Board request clarification from the School Board as to the delivery of programs once the ACE Program has been reshaped. Without objection, it was so ordered.

(9:13 p.m.)

Following the testimony of Rick Rehberg (Speaker 28), Supervisor Gross asked unanimous consent that the Board direct staff to provide information on the various sliding scale that are used for programs within the County and recommendations for adjustments if needed. Without objection, it was so ordered.

(9:38 p.m.)

Following the testimony of Sharon Trilling (Speaker 33), Supervisor Gross asked unanimous consent that the Board direct staff to review inequities between the salaries and wages for Head Start teachers in the school system and the Head Start teachers in the independent Head Start Centers, and explain how they happened and make recommendations on how to correct those inequities. Without objection, it was so ordered.

(10:10 p.m.)

Following the testimony of David Voorhees (Speaker 40), Supervisor Hudgins expressed her frustration, for the record, regarding receiving accurate statistics from the School Board regarding some of the issues raised by her and several Members of the Board, and a brief discussion ensued.

Supervisor McKay asked that when the Board proposes budget guidance, a part of it should be very supportive of the:

- Auditor idea of the School Board with some specifics about why the Board believes that.
- concept of the School Board having its own independent staff to help vet issues.

The Board heard testimony from 40 speakers.

61. **BOARD RECESS** (10:26 p.m.)

Chairman Bulova announced that the Board would recess until 3 p.m. on April 11, 2012, at which time the budget public hearings will continue regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2013 Advertised Budget Plan.
- Capital Improvement Program for FY 2013–2017 (with future FYs to 2022).
- Current appropriation level in the FY 2012 Revised Budget Plan

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