



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**TUESDAY  
July 30, 2013**

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**16-13**

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**DET:det**

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, July 30, 2013, at 9:37 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield 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

Others present during the meeting were Edward L. Long Jr., 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; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

**BOARD MATTERS**1. **ORDERS OF THE DAY** (9:38 a.m.)

Chairman Bulova stated that this was the last meeting before the August recess and asked that the Board move quickly through an ambitious agenda. She announced that the Governor would be arriving in the middle of the day for a program called "Campaign 1000" and at that time the Board would recess so it can participate.

2. **MOMENT OF SILENCE** (9:39 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. Thomas Wilkins, a native Virginian from Lawrenceville, who died on July 20. Mr. Wilkins came to Reston in 1969 and became an active member of the community who continuously gave back to the community by:

- Serving as chair of the Reston Association
- Assisting many young students to find educational opportunities at St. Paul College
- Helping found the Martin Luther King Jr. Cultural Foundation

Supervisor Hudgins said that the community of Reston and the County has lost a dedicated and valued leader.

Chairman Bulova noted that Mr. Wilkins worked for Mr. Tom Davis when he was Chairman of the Board of Supervisors, and was a great activist and a wonderful member of the community.

Supervisor McKay asked everyone to keep in thoughts the family of West Potomac High School Principal Cliff Hardison, who died recently. Mr. Hardison had spent more than 40 years as an educator, a substantial portion of that as an assistant principal and principal at several County high schools. Supervisor McKay noted that the entire community was shocked to hear of his death and added that Mr. Hardison will be missed as a great principal in the County.

Supervisor Hyland added that Mr. Hardison was a giant in the community who left a mark on all the young people who came through West Potomac and other schools where he worked. He noted that there will be a memorial service in September.

3. **APPOINTMENT OF LIEUTENANT COLONEL EDWIN C. ROESSLER JR. AS CHIEF OF POLICE** (9:44 a.m.)

Supervisor Gross moved the appointment of Lieutenant Colonel Edwin C. Roessler, Jr., as the County's Chief of Police, Grade E13, at a starting salary of \$188,410.56, effective immediately. The motion was multiply seconded. Supervisor Gross noted that the County had conducted an extensive search and she was very pleased with his selection.

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

Supervisor Gross recognized the presence of Chief Roessler and, on behalf of the Board, congratulated him on the appointment.

**AGENDA ITEMS**

4. **PROCLAMATION DESIGNATING AUGUST 6, 2013, AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (9:47 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate Tuesday, August 6, 2013, as "*National Night Out*" in Fairfax County and encouraged all residents to participate in this worthy event. Supervisor Gross seconded the motion.

Discussion ensued concerning:

- The success of "*National Night Out*"
- Neighborhood engagement
- The County Police Department's partnership with the community
- The Court of Camelot in Mason District being the first neighborhood watch and "*National Night Out*" founded in the County as well as the site of one of the biggest County events
- Chief Roessler's first official act which focuses on community which has been the hallmark of the County's Police Department and engaged citizenry for many years
- Community resilience

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

Chief Roessler announced that there are over 120 events scheduled in the County. He added that the Department has again received national certification as a crime prevention community.

5. **PROCLAMATION DESIGNATING AUGUST 2013 AS "IMMUNIZATION AWARENESS MONTH" IN FAIRFAX COUNTY**

**AND**

**CERTIFICATE OF RECOGNITION PRESENTED TO FAIRFAX COUNTY PUBLIC SCHOOLS**

**AND**

**CERTIFICATE OF RECOGNITION PRESENTED TO PARKWAY PEDIATRICS** (9:58 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate August 2013 as "*Immunization Awareness Month*" in Fairfax County and urged all residents to promote a healthy community by keeping up-to-date on vaccinations. Supervisor Gross seconded the motion.

Following discussion concerning the importance of prevention through immunization, Supervisor McKay thanked Dr. Gloria Addo-Ayensu for the work the Health Department has been doing at Lee High School. He said the situation is very confusing as well as emotional and has caused a lot of strain within the community, however the information that has come from the Health Department has been clear and consistent and the work it is doing with that community during a difficult time is greatly appreciated.

Supervisor Hudgins moved approval of a Certificate of Recognition presented to the Fairfax County Public Schools for the commitment of student registrars to ensure all children attending school are immunized for school entry; identifying individuals in need of immunizations; and educating and informing parents in partnership with the County Health Department about immunization requirements.

Supervisor Hudgins moved approval of a Certificate of Recognition presented to Parkway Pediatrics for immunizing children with school-required vaccines and others recommended by the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices; for participation in the Virginia Vaccines for Children program; and support of the County Health Department's commitment to establishing robust data collection practices.

Supervisor Gross seconded the motions.

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

6. **PROCLAMATION DESIGNATING JULY 30, 2013, AS "CAMPAIGN FOR 1,000 DAY" IN FAIRFAX COUNTY** (10:07 a.m.)

Supervisor Herrity moved approval of the Proclamation to designate July 30, 2013, as "*Campaign for 1,000 Day*" in Fairfax County and urged all residents to open their hearts and home to a child in need of a permanent, loving family. Supervisor Gross, Supervisor Hyland, and Chairman Bulova jointly seconded the motion.

Following discussion concerning the rewards of adopting, Chairman Bulova noted that the Board would be hosting a ceremony around noon today in preparation of a kick-off of the campaign.

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

(NOTE: Later in the meeting, the Board recessed to attend the "*Virginia Adopts: Campaign for 1,000 Regional Kick-Off*" in the Forum. See Clerk's Summary Item #26.)

7. **RESOLUTION OF RECOGNITION OF THE SIXTIETH ANNIVERSARY OF THE KOREAN ARMISTICE AGREEMENT** (10:14 a.m.)

Supervisor Cook moved approval of the Resolution of Recognition recognizing the sixtieth anniversary of the Korean Armistice Agreement. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Discussion ensued regarding the tremendous value and the service that was done by all who served in that conflict and the stark contrasts between North and South Korea. Supervisor Cook introduced Colonel Warren Wiedhahm, United States Marine Corps (retired), a resident of Braddock District, the president of the Northern Virginia Chapter of the Korean War Veterans Association.

Following additional discussion concerning support provided to Korean orphanages during the conflict and the contributions of Korean American war veterans, the question was called on the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE HERNDON HIGH SCHOOL STEP TEAM** (10:31 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to members of the Herndon High School Step Team for its outstanding commitment, talent and teamwork resulting in winning the 2013 Youth Step USA National Championship. Supervisor Hudgins seconded the motion.

Following discussion concerning the step team and its origins, Supervisor Foust noted that team coach Gary Bushrod was named coach of the year.

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

9. **RESOLUTION OF RECOGNITION PRESENTED TO MR. MARK MEANA (PROVIDENCE DISTRICT)** (10:39 a.m.)

Supervisor Frey moved approval of the Resolution of Recognition presented to Mr. Mark Meana for 20 years of dedicated service to the County and its youth. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning Mr. Meana's many contributions to the community, particularly its youth, including his years of service as chairman of the Fairfax County Youth Football League, and his involvement in concussion prevention as well as the Providence Athletic Field Task Force and the Synthetic Turf Task Force.

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

10. **RESOLUTION OF RECOGNITION PRESENTED TO MR. SHANNON STEENE (MASON DISTRICT)** (10:59 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Mr. Shannon Steene for his years of service with Good Shepherd Housing and Family Services. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning the Countywide impact of Mr. Steene's advocacy, his leadership in dealing with homeless challenges as well as his extensive involvement with the entire non-profit community.

Discussion continued concerning future appointments to Boards, Authorities, and Commissions as well as the commitment and sincerity Mr. Steene has given to the human service needs of the community.

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

11. **RESOLUTION OF RECOGNITION OF THE SIXTY-FIFTH ANNIVERSARY OF THE 4-H FAIR AND CARNIVAL (HUNTER MILL DISTRICT)** (11:10 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition recognizing the sixty-fifth anniversary of the 4-H Fair and carnival. Supervisor Foust seconded the motion.

Supervisor Hudgins discussed the importance of 4-H in youth leadership and skill development and the opportunity the fair and carnival provides to showcase Frying Pan Farm Park. She invited everyone to attend the event, noting that an advertisement for the activities had been distributed.

Chairman Bulova noted that not that long ago the County was one of the largest dairy producers in Virginia and that the 4-H fair and carnival is an opportunity to embody that past as well as celebrate what 4-H continues to do today.

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

12. **RESOLUTION OF RECOGNITION OF THE FIFTY-FIFTH ANNIVERSARY OF THE RICHARD BYRD LIBRARY (LEE DISTRICT)**  
(11:19 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition of the fifty-fifth anniversary of the Richard Byrd Library and congratulates it for outstanding service to the community. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning the major impact the library has on the Springfield community, particularly the revitalization of the community, as well as providing opportunities for citizen engagement.

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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13. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:28 a.m.)

(APPTS)  
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard July 30, 2013,” as distributed around the dais to include the addition of Mark Kenneth Deal as the Mason District #2 Representative to the Human Services Council. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Appointments are as follows:

**ADVISORY SOCIAL SERVICES BOARD**

The Board deferred the appointment of the Sully District Representative.

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

The Board deferred the appointment of the Citizen and Lending Institution Representatives.

**AIRPORTS ADVISORY COMMITTEE**

Appointment of:

- Mr. Brian K. Elson as the Mount Vernon District Business Representative

The Board deferred the appointment of the Mason District Representative.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)**

Reappointment of:

- Mr. Grant Nelson as the At-Large #2 Representative
- Mr. Darren Dickens as the At-Large #3 Representative

The Board deferred the appointment of the At-Large #5 Representative.

**ANIMAL SERVICES ADVISORY COMMISSION**

The Board deferred the appointment of the Mason District Representative.

**ATHLETIC COUNCIL**

Appointment of:

- Ms. Morgan B. Danner as the Dranesville District Alternate Representative
- Mr. Gregory Beckwith as the Dranesville District Principal Representative

Reappointment of:

- Mr. Terry Adams as the Mason District Alternate Representative
- Ms. Barbara Lowrey as the Mason District Principal Representative

The Board deferred the appointment of the Braddock District Alternate Representative.



**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE**

Reappointment of:

- Mr. William Hanks as the Braddock District Representative

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

**BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS**

The Board deferred the appointment of the Alternate #2 Representative.

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

The Board deferred the appointment of the Sully District Representative.

**CHILD CARE ADVISORY COUNCIL**

The Board deferred the appointment of the Providence District Representative.

**CITIZEN CORPS COUNCIL**

The Board deferred the appointment of the Providence District Representative.

**CIVIL SERVICE COMMISSION**

The Board deferred the appointment of the At-Large #11 Representative.

**COMMISSION FOR WOMEN**

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

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION**

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

**COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP**

The Board deferred the appointment of the At-Large #1 and #2 Chairman's Representatives, and the Hunter Mill District Representative.

**CONSUMER PROTECTION COMMISSION**

Reappointment of:

- Ms. Jacqueline Rosier as the Fairfax County Resident #1 Representative
- Mr. Dennis Kirk as the Fairfax County Resident #4 Representative

**CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

Confirmation of:

- Ms. Mary Jane Cleary as the League of Women Voters Alternate Representative

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

**ENGINEERING STANDARDS REVIEW COMMITTEE**

Confirmation of:

- Ms. Lorrie Kirst as the Department of Planning and Zoning Representative

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Reappointment of:

- Mr. Richard Weisman as the Sully District Representative

The Board deferred the appointment of the Providence District Representative.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

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

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**

Confirmation of:

- Mr. Richard Chobot as the Commission on Aging Representative

- Mr. Paul Browne as the Community/Religious Leaders #10 Representative
- Ms. Rikki Epstein as the Advocacy Organization #1 Representative
- Ms. Dawn Kaye as the Long Term Care Providers #2 Representative
- Ms. Nancy Commisso as the Long Term Care Providers #9 Representative
- Ms. Joan Thomas as the Long Term Care Providers #15 Representative
- Ms. Mary Brown as the Long Term Care Providers #17 Representative
- Ms. Barbara Sullivan as the Long Term Care Providers #18 Representative
- Ms. Renuka Chander as the Long Term Care Providers #23 Representative
- Mr. Ryan DeWeese as the Medical Community #1 Representative

**FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION  
BOARD OF DIRECTORS**

Reappointment of:

- Mr. Curtis Viebranz as the Mount Vernon District Representative

Appointment of:

- Mr. Robert H. Maurer as the Providence District Representative

The Board deferred the appointment of the Braddock District Representative.

**FAIRFAX –FALLS CHURCH COMMUNITY SERVICES BOARD**

Nomination of:

- Ms. Susan Beeman as the Mason District Representative

- Mr. Paul V. Luisada as the Mount Vernon District Representative

(The Board is scheduled to take action on these appointments on September 30, 2013.)

#### **HEALTH CARE ADVISORY BOARD**

Reappointment of:

- Ms. Rose C. Chu as the Mason District Representative

#### **HEALTH SYSTEMS AGENCY BOARD**

The Board deferred the appointment of the Consumer #1, #4, and #6 Representatives and the Provider #1 and #4 Representatives.

#### **HUMAN SERVICES COUNCIL**

Reappointment of:

- Mr. Mark Kenneth Deal as the Mason District #2 Representative

The Board deferred the appointment of the Braddock District, Lee District #1, Providence District #2, and Sully District #1 Representatives.

#### **JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL**

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

#### **LIBRARY BOARD**

Reappointment of:

- Ms. Kristin Cabral as the Dranesville District Representative
- Ms. Elizabeth Clements as the Mason District Representative
- Mr. Donald Heinrichs as the Mount Vernon District Representative
- Ms. Margaret Koplitz as the Providence District Representative

The Board deferred the appointment of the Braddock District Representative.

**MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY**

The Board deferred the appointment of the Community Representative and Providence District Representative.

**NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD**

Appointment of:

- Mr. Todd Rowley as the Fairfax County #3 Representative

**OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

Reappointment of:

- Mr. Nabil S. Barbari as the Mason District Representative

The Board deferred the appointment of the At-Large Chairman's Representative, the Hunter Mill, Lee, and Sully District Representatives.

**PARK AUTHORITY**

Appointment of:

- Mr. Richard Sullivan, Jr. as the Dranesville District Representative

**REDEVELOPMENT AND HOUSING AUTHORITY**

The Board deferred the appointment of the Dranesville District Representative.

**ROAD VIEWERS BOARD**

The Board deferred the appointment of the At-Large #4 Representative.

**TENANT LANDLORD COMMISSION**

Appointment of:

- Mr. Michael Congleton as the Citizen Member #1 Representative

The Board deferred the appointment of the Citizen Member #3 Representative, the Condo Owner Representative, and the Tenant Member #3 Representative.

**TRANSPORTATION ADVISORY COMMISSION**

The Board deferred the appointment of the Dranesville District Representative.

**TREE COMMISSION**

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

**TRESPASS TOWING ADVISORY BOARD**

The Board deferred the appointment of the Citizen Alternate Representative.

**UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES**

The Board deferred the appointment of the Citizen Appointed by the BOS #2 Representative.

**WATER AUTHORITY**

Reappointment of:

- Mr. Philip W. Allin as the Sully District Representative.

14. **ADMINISTRATIVE ITEMS** (11:30 a.m.)

Supervisor Gross moved approval of the Administrative Items, with the exception of Admin 1 and Admin 8. Supervisor Hyland seconded the motion.

Chairman Bulova asked citizens who were present in the Board Auditorium for Admin 8 to stand and be recognized and noted that this item will be discussed in closed session.

Chairman Bulova called the Board's attention to Admin 1 – Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 2014 Revised Budget Plan and said that in adopting the FY 2014 budget, the Board was unable to provide compensation increases for County employees, with the exception of the longevity step increase for eligible public safety employees included in the advertised budget. This difficult decision was necessitated by the realities of the current economic situation and the need to align County resources to the most critical County requirements.

Chairman Bulova said that the Board did, however, reaffirm its appreciation for the high quality work of the County workforce and called for the development of a fair and sustainable overall pay structure and plan that awards employees for satisfactory job performances, provides adjustments for inflation, addresses longevity, and develops a plan for ensuring County salaries remain competitive in the region. Development of this new compensation plan will be enriched by significant employee dialogue and engagement. She announced that she will have a Board Matter later in the day which summarizes plans for this critical process.

(NOTE: Later in the meeting, Chairman Bulova presented her Board Matter. See Clerk's Summary Item #55.)

With the FY 2013 Carryover package, Chairman Bulova expressed the belief that the Board has the opportunity to consider the possibility of a one time employee pay incentive. The Board has just received the results of the FY 2013 year end and will need time to review the County Executive's recommendations which encourages reserving a large portion of the remaining FY 2013 balance to address one time or FY 2015 requirements.

Therefore, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent to add a Consideration Item for the FY 2013 Carryover Review in the amount of approximately \$6 million which would provide a \$500 one-time bonus (before taxes) for all regular merit County employees to be paid in October 2013. This amount would provide for the bonus as well as required fringe benefits cost. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Hyland asked to amend the request to double the amount of the compensation to \$1000 for each employee, and this was accepted.

Discussion ensued, regarding the compensation plan, an incentive plan, and the need to look at the range of how much County employees paycheck were affected as a result of increased benefit costs and the other factors that affected net pay and the effect on retirement pay and salaries.

Supervisor McKay asked unanimous consent that the Board direct staff to provide information regarding the pros and cons of doing a one-time bonus versus a more standard salary increase and what employees tax and retirement implications might be. Without objection, it was so ordered.

Discussion ensued regarding third quarter review and the process of adding items for consideration during carryover deliberations.

Supervisor Hudgins asked unanimous consent that the Board direct staff to utilize Federal sequestration funds to provide the additional funding that is needed for bridging affordability funding in the amount of \$2.8 million, to address the impacts of sequestration on the County's Housing Voucher Program. Without objection, it was so ordered.

Supervisor Hudgins called the Board's attention to Admin 4 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 17.3, to Impose a Penalty for Certain Motor Vehicles Not Properly Displaying Current Virginia License Plates and asked unanimous consent that the Board direct staff to publicize the public hearing to educate citizens that they are required to register their vehicles in the County. Without objection, it was so ordered.

Discussion ensued, with input from Kevin Greenlief, Director, Department of Tax Administration, regarding legislation for repeat offenders, the penalty amount, and how often the penalty will be imposed on offenders.

Supervisor McKay asked unanimous consent that the Board direct staff to track and provide data on repeat offenders so that changes to legislation can be suggested. Without objection, it was so ordered.

Discussion ensued regarding the use of the penalty funds to educate citizens on the County's registration requirements through the news media.

The question was called on the motion, to approve the Administrative Items, with the exception of Admin 8, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2014 REVISED BUDGET PLAN**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See pages 14–15.)

Authorized the advertisement of a public hearing to be held before the Board on **September 10, 2013, at 10:30 a.m.** to consider amending the current appropriation level in the FY 2014 Revised Budget Plan. The advertisement encompasses both the County and the Schools' FY 2013 Carryover Reviews.

**ADMIN 2 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

Authorized the FCPD to apply for and accept funding, if received, in the amount of \$107,290 from DOJ, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant. The funding will support a SWAT vehicle equipment conversion, a forward looking infrared system for the Marine Patrol Unit, LIDAR speed detection units, and rifle muzzle suppressors for K-9 Units. No local cash match is required.



**ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, HUNTER MILL, MASON, AND SULLY DISTRICTS)**

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

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Fairfax Corner (Phase 1) Government Center Parkway	Braddock	Government Center Parkway (Route 7436)
Roseglen	Braddock	Lee Highway Service Drive (Route 10332)  Rona Place  Ansary Way
The Reserve at Stone Hill	Hunter Mill	West Ox Road (Route 608) [Additional Right-of-Way (ROW) Only]
Andrus Property	Mason	Bouffant Boulevard (Route 3436)  Seminary Road (Route 716) (Additional ROW Only)
Chantilly 50-28 Associates LP (Chantilly Crossing Phase I)	Sully	Lee Road (Route 661) (Additional ROW Only)

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.3, TO IMPOSE A PENALTY FOR CERTAIN MOTOR VEHICLES NOT PROPERLY DISPLAYING CURRENT VIRGINIA LICENSE PLATES**

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See pages 15–16.)

Authorized the advertisement of a public hearing to be held before the Board on **September 10, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 17.3, to impose a penalty for certain motor vehicles not properly displaying current Virginia license plates.

**ADMIN 5 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON AND PROVIDENCE DISTRICTS)**

- (Rs)
- Adopted a Resolution authorizing installation of “\$200 Additional Fine for Speeding” signs on the following roads:
    - Beachway Drive from Potterton Drive to Nevius Street (Mason District)
    - Masonville Drive from Gallows Road to Annandale Road (Providence District)
  - Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

**ADMIN 6 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (LEE, PROVIDENCE, AND DRANESVILLE DISTRICTS)**

- Endorsed traffic calming plans for Wilton Road, Cedar Hill Road, and North West Street consisting of the following:
  - Two speed tables and one speed hump on Wilton Road (Lee District)
  - One speed hump on Cedar Hill Road (Providence District)
  - One speed hump on North West Street (Dransville District)
- Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

**ADMIN 7 – DISCONTINUANCE OF A PORTION OF VIRGINIA STREET (ROUTE 811) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (MASON DISTRICT)**

- (R)
- Adopted a Resolution requesting that a portion of Route 811 (Virginia Street) be discontinued from the Secondary System of State Highways.

**ADMIN 8 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING RESIDENTIAL STUDIOS**

(NOTE: Earlier in the meeting, action was taken regarding this item. See page 14.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #52.)

**ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 14030 FOR THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) TO ACCEPT GRANT FUNDING FROM THE COMMONWEALTH OF VIRGINIA – GOVERNOR'S OPPORTUNITY FUND FOR AMAZON WEB SERVICES, INCORPORATED (DRANESVILLE DISTRICT)**

(SAR) Approved SAR AS 14030 for the EDA to accept grant funding in the amount of \$500,000 to convey to Amazon Web Services, Incorporated, as the State portion of the grant. No local cash match is required. The County will provide transportation improvements in Herndon (Dranesville District), in the vicinity of the firm's location.

15. **A-1 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) WITH THE SHERIFF CONCERNING THE PERSONNEL ADMINISTRATION AND GRIEVANCE PROCEDURE** (12:05 p.m.)

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

- Entered into a MOA with the Sheriff, memorializing the agreement between the Board and the Sheriff regarding the placement of his employees under the County's Personnel System and Grievance Procedure
- Authorized the County Executive to sign the MOA on behalf of the Board

16. **A-2 – APPROVAL OF HEAD START/EARLY HEAD START POLICY COUNCIL BYLAWS AND SELF-ASSESSMENT REPORT** (12:06 p.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the Head Start/Early Head Start Policy Council Bylaws and self-assessment report. Supervisor McKay seconded the motion.

Supervisor Hudgins clarified that this is the approval of the bylaws and also the approval of the self-assessment and that all the items are in full compliance on the self-assessment except one.

Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a certificate of recognition to be given to Policy Council Chairman Bulova for her award by the Virginia Association of Head Start. Without objection, it was so ordered.

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

17. **A-3 – FISCAL YEAR (FY) 2013 YEAR-END PROCESSING** (12:07 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to process payment vouchers for items previously approved and appropriated in FY 2013 for the interim period from July 1 until the Board approves the FY 2013 Carryover Review, which is scheduled for action on September 10, 2013.

18. **A-4 – APPROVAL OF UPDATES TO THE BOARD’S POLICY FOR MODIFIED PROCESSING** (12:07 p.m.)

(P) On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved updates to the Board’s Policy for Modified Processing involving processing procedures for certain plans submitted to the Department of Public Works and Environmental Services, Land Development Services. Updates are being proposed at this time to allow a wider variety of uses to qualify for and take advantage of the modified plan processing status, thereby allowing developers to begin construction quicker without awaiting full design approvals.

19. **A-5 – REVISIONS TO CHAPTERS 2, 4, 7, 12, 16, AND 17 OF THE PERSONNEL REGULATIONS, PROVIDING ADMINISTRATIVE CLARIFICATIONS, ALIGNING POLICY LANGUAGE WITH CHANGES TO THE PERFORMANCE EVALUATION SYSTEM, AND RESCINDING THE PERFORMANCE EVALUATION MORATORIUM** (12:08 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 2, 4, 7, 12, 16, and 17 of the Personnel Regulations, providing administrative clarifications, aligning policy language with the STRIVE performance evaluation system, and rescinding the performance evaluation moratorium by reinstating relevant sections in Chapter 12.

20. **A-6 – APPROVAL OF A PARKING REDUCTION REQUEST FOR 8100 LEE HIGHWAY (PROVIDENCE DISTRICT)** (12:08 p.m.)

Supervisor Smyth moved that the Board approve a parking reduction request of 96 percent (24 fewer spaces) of the employee parking at 8100 Lee Highway. The applicant's request is pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Paragraph 5, and based on an analysis of the parking requirements for the site's proposed use as described in Parking Study number 5301-PKS-002-1. Supervisor Foust seconded the motion.

Supervisor Smyth explained that staff had recommended denial but she moved approval since this project is in a revitalization area which gets a 20 percent reduction, and shuttle service will be provided to/from Dunn Loring Metro station.

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

21. **A-7 – ENDORSEMENT OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) DESIGN PLANS FOR THE WALNEY ROAD BRIDGE REPLACEMENT AND WALNEY ROAD WIDENING (SULLY DISTRICT)** (12:09 p.m.)

On motion of Supervisor Frey, seconded jointly by Supervisor Foust and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and endorsed the design plans for the Walney Road Bridge replacement and Walney Road widening projects as follows:

- The Walney Road Bridge replacement project will replace and widen the 70 foot long Walney Road Bridge over Flatlick Branch in the County. Walney Road will be widened to four lanes and will include five-foot bike lanes in both directions, as well as a sidewalk on the west side and a shared-use path on the east side.
- The Walney Road Widening project will widen Walney Road from two to four lanes from terminus of the bridge replacement project to Willard Road and from three to four lanes at Dallas Street. This project will relieve congestion by eliminating bottlenecks at these locations and will provide bicycle and pedestrian facilities.

22. **A-8 – APPROVAL OF A REQUEST FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO CONDUCT A CORRIDOR IMPROVEMENT STUDY OF THE FAIRFAX COUNTY AND FRANCONIA-SPRINGFIELD PARKWAYS** (12:09 p.m.)

On a motion of Supervisor Herrity and Supervisor McKay, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to transmit a letter requesting

VDOT to conduct a Corridor Improvement Study of the Fairfax County Parkway and the Franconia-Springfield Parkway and a scope of work for the study.

23. **A-9 – APPROVAL OF COLUMBIA PIKE STREETCAR PROJECT AGREEMENT BETWEEN FAIRFAX COUNTY AND ARLINGTON COUNTY** (12:09 p.m.)

Chairman Bulova announced that this item was being deferred until later in the meeting. (NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #27.)

24. **A-10 – APPROVAL OF TYSONS INTERIM METRORAIL PUBLIC COMMUTER PARK-AND-RIDE LOT AGREEMENT** (12:10 p.m.)

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

- Approved the Tysons Interim Metrorail Public Commuter Park-and-Ride Lot Agreement, with Cityline Partners, for 1820 Dolley Madison Boulevard, McLean, Virginia
- Authorized the County Executive to sign the agreement

25. **A-11 – APPROVAL OF WIEHLE-RESTON EAST METRORAIL STATION GARAGE PARKING AND BIKE ROOM RATES, TYSONS CIRCULATOR ROUTE FARES AND FAIRFAX CONNECTOR ROUTE 432 ALIGNMENT (HUNTER MILL AND PROVIDENCE DISTRICTS)** (12:11 p.m.)

Chairman Bulova announced that this item was being deferred until later in the meeting.

Supervisor Hudgins asked citizens who were present in the Board Auditorium for this item to stand and be recognized.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #28.)

26. **BOARD RECESS** (12:12 p.m.)

(NOTE: Earlier in the meeting, the Board proclaimed July 30, 2013, as "*Campaign for 1,000 Day*" in Fairfax County. See Clerk's Summary Item #6.)

At 12:12 p.m., the Board recessed to attend the "*Virginia Adopts: Campaign for 1,000*" regional kick-off in the forum with Virginia Governor Bob McDonnell, and at 1:15 p.m. reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

27. **A-9 – APPROVAL OF COLUMBIA PIKE STREETCAR PROJECT AGREEMENT BETWEEN FAIRFAX COUNTY AND ARLINGTON COUNTY** (1:16 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item #23.)

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

- Approve the execution of an agreement between Fairfax County and Arlington County for the next phases of project work for the Columbia Pike Streetcar project.
- Authorize the County Executive to sign the agreement.

Supervisor Hyland seconded the motion.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation (DOT) regarding:

- The details of the agreement
- The total cost of the project and the County's share of the project
- Economic development impacts
- The option of creating a tax district to fund the project
- Funding sources
- The operation and maintenance facility
- Updating ridership information

Supervisor Frey asked unanimous consent that the Board direct staff to provide information regarding the grant request and the justification used by the Federal Transit Administration (FTA) in rejecting the request. Without objection, it was so ordered.

Chairman Bulova clarified the reasons for the rejection by referring to the letter received from the Associate Administrator for Planning and Environment for the United States Department of Transportation, FTA, as not having sufficient information to allow the project to enter the Small Starts Program.

Further discussion ensued, with input from Mr. Biesiardny, and Leonard Wolfenstein, Chief, Planning Section, DOT, regarding:

- Funding sources
- The assumed State Reimbursement Program share and the County's share
- The number of travel lanes on Columbia Pike and ownership
- Right-of-way restrictions
- Transit options available for commuters

Supervisor Smyth announced that her husband's family owns property near the project so she will abstain from the vote.

The question was called on the motion, and it **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor Herrity voting "NAY," Supervisor Smyth abstaining.

28. **A-11 – APPROVAL OF WIEHLE-RESTON EAST METRORAIL STATION GARAGE PARKING AND BIKE ROOM RATES, TYSONS CIRCULATOR ROUTE FARES AND FAIRFAX CONNECTOR ROUTE 432 ALIGNMENT (HUNTER MILL AND PROVIDENCE DISTRICTS)**  
(1:41 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action regarding this item. See Clerk's Summary Item #25.)

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, regarding the proposal for a car/van pool policy.

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve the Wiehle-Reston East Metrorail Station daily parking, reserved monthly parking, and bike room user rates, Tysons Circulator (Routes 422, 423, and 424) fares; and the alignment of Fairfax Connector Route 432 as described in the Board Agenda Item dated July 30, 2013. Supervisor Gross seconded the motion.

Discussion ensued, with input from Mr. Biesiardny, regarding:

- Wiehle rates and the average capacity assumption from other lots
- Rental rates from private developers to be used to pay the debt service on the bonds



- An option to delay Route 432 service
- Identification of funding for suggested improvements
- Availability of the State to improve infrastructure in the area
- Money received from House Bill 2313 which may be available to correct some of the identified improvements
- Cost analysis involved in the improvements

Chairman Bulova acknowledged the presence of Delegate Barbara Comstock and welcomed her to the Board Auditorium.

Supervisor Cook asked unanimous consent that the Board direct staff to notify the Board of accidents and safety issues, and monitor ridership to make adjustments as needed. Without objection, it was so ordered.

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

29. **I-1 – CONTRACT AWARD – CULTURAL LANDSCAPE CONSULTANT SERVICES** (2:13 p.m.)

The Board next considered an item contained in the Board Agenda dated July 30, 2013, informing the Board that the Purchasing Agent awarded contracts to Dovetail Cultural Resource Group, Incorporated; John Milner Associates, Incorporated; Louis Berger Group; Versar, Incorporated; and Wetland Studies and Solutions, Incorporated, for archaeological and cultural landscape consultant services on an as needed basis for the Fairfax County Park Authority and others. These contracts will commence on the date of award and terminate on January 31, 2018. The total estimated value of the contract is up to \$1 million annually.

30. **I-2 – REVISIONS TO PROCEDURAL MEMORANDUM 11-01-EXEMPT SERVICE, UPDATED JULY 2013** (2:13 p.m.)

The Board next considered an item contained in the Board Agenda dated July 30, 2013, informing the Board that revisions to Procedural Memorandum 11-01-Exempt Service will become effective on July 30, 2013.

31. **I-3 – STATUS REPORT ON THE BOARD’S THIRD FOUR-YEAR TRANSPORTATION PROGRAM** (2:13 p.m.)

The Board next considered an item contained in the Board Agenda dated July 30, 2013, regarding the status report on the Board’s third four-year Transportation Program.

32. RECESS/CLOSED SESSION (2:16 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. Application of Virginia Electric and Power Company, PUE-2013-00020 (Va. State Corp. Comm'n) (County-wide)
  2. *Eric S. Clark v. The County of Fairfax, Virginia, Richard W. Nagel, R.L. Davis, John Spata, John H. Kim, T. B. Smith, S. N. Brim, Jonathan Stern, Kenneth Pfeiffer, Randall C. Hargus, John Does 1-30*, Civil Action No.1:13-cv-616 (E.D. Va.)
  3. *Kristin L. Burns, OBO Emma S. Burns-Sullivan, OBO Liam P. Burns-Sullivan v. Kenneth W. Sullivan, Kathryn D. Leckey, FCPD, CPS, FCPS, The Morgan Center, FCSO, Domestic Relations, Farrell Pediatrics, Reston Pediatrics, INOVA, Jennie McKinnie of the Arbor Center, Fairfax County Office of the Clerk, Restons Pediatrics*, Case No. 2013-0003528 (Fx. Co. Cir. Ct.)
  4. *Steve T. Tran, Shelia M. Tran, Tricia L. Cooper, and Trustees of the Falls Church Church of Christ v. Fairfax County Board of Supervisors and CG Peace Valley, LLC*, Case No. CL-2013-0010098 (Fx. Co. Cir. Ct.) (Mason District)

5. *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)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Fred F. Khamnei, Afkhamolmollk Khamnei, and Ming, LLC d/b/a B & M Therapy*, Case No. CL-2013-0009085 (Fx. Co. Cir. Ct.) (Providence District)
7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Patrick McAlee and Barbara McAlee*, Case No. CL-2012-0010063 (Fx. Co. Cir. Ct.) (Mount Vernon District)
8. *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)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lucy W. Berkebile*, Case No. 2011-0012842 (Fx. Co. Cir. Ct.) (Dranesville District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Frank L. Stevens and Mary E. T. Stevens*, Case No. CL-2012-0005051 (Fx. Co. Cir. Ct.) (Providence District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Scott W. Pruitt*, Case No. CL-2009-0013751 (Fx. Co. Cir. Ct.) (Springfield District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Zahir Ahmed*, Case No. CL-2012-0019602 (Fx. Co. Cir. Ct.) (Mount Vernon District)

14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert R. McKim*, Case No. CL-2009-0013286 (Fx. Co. Cir. Ct.) (Springfield District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Penn Daw Properties, L.L.P.*, Case No. CL- 2010-0006498 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. The Seoane Limited Partnership*, Case No. CL-2013-0006043 (Fx. Co. Cir. Ct.) (Providence District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David Joseph Moore and Sterling E. Moore*, Case No. CL-2013-0005661 (Fx. Co. Cir. Ct.) (Mason District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Abdul B. Jahani and Masooma Jahani*, Case No. CL-2013-0006606 (Fx. Co. Cir. Ct.) (Braddock District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Talat Hassanein and Kariman Hassanein*, Case No. CL-2013-0005717 (Fx. Co. Cir. Ct.) (Lee District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Freddie L. Gaskins and Sandra M. Gaskins*, Case No. CL-2013-0002780 (Fx. Co. Cir. Ct.) (Providence District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gum N. Ohe and Hyon Chon*, Case No. CL-2013-0008885 (Fx. Co. Cir. Ct.) (Mason District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carlos E. Perdomo and Stella Perdomo*, Case No. CL-2013-0006078 (Fx. Co. Cir. Ct.) (Mount Vernon District)

23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Peter W. Baker*, CL-2012-0016435 (Fx. Co. Cir. Ct.) (Lee District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bhuller Properties, LLC*, Case No. CL-2013-0010856 (Fx. Co. Cir. Ct.) (Providence District)
25. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Margaret M. Lyons*, Case No. CL-2013-0010984 (Fx. Co. Cir. Ct.) (Hunter Mill District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Nasreen Sheikh, Mazhar Sheikh, and Saira Sheikh*, Case No. CL-2013-0011030 (Fx. Co. Cir. Ct.) (Dranesville District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Gary S. Lyman*, Case No. CL-2013-0011189 (Fx. Co. Cir. Ct.) (Providence District)
28. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. M. Rashid*, Case No. CL-2013-0011323 (Fx. Co. Cir. Ct.) (Dranesville District)
29. *Noel Arguelles v. Amanda Wallace*, Case No. GV13-012458 (Fx. Co. Gen. Dist. Ct.)
30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Bridget Ann Kelly*, Case No. GV13-013007 (Fx. Co. Gen. Dist. Ct.) (Providence District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bridget Ann Kelly*, Case No. GV13-013008 (Fx. Co. Gen. Dist. Ct.) (Providence District)
32. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jarvis Barnwell Investments, LLC*, Case No. GV13-011602 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

33. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran*, Case No. GV13-007300 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
34. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Dorothy M. Feaganes and Terry Feaganes*, Case No. GV13-011601 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Diane Trimiew*, Case No. GV13-011599 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
36. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Diane Trimiew*, Case No. GV13-011600 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jack Burton Miller*, Case No. GV13-011597 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
38. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jack Burton Miller*, Case No. GV-13-011598 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
39. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hillbrook Real Estate Holdings, LLC*, Case No. GV13-011603 (Fx. Co. Gen. Dist. Ct.) (Mason District)
40. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Candace K. Noonan*, Case No. GV12-014862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
41. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jose Bracamonte Castillo*, Case Nos. GV12-014032 and GV12-014033 (Fx. Co. Gen. Dist. Ct.) (Lee District)

42. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Rashid Aquil*, Case No. GV12-029079 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Stephan Franco and Michael Franco*, Civil Case No. GV13-009465 (Fx. Co. Gen. Dist. Ct.) (Sully District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Negash Tsigie, Hirut Hailegiorgis, and Dong Kim*, Case Nos. GV13-007294 and GV13-007295 (Fx. Co. Gen. Dist. Ct.) (Lee District)
45. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jacob Young and Eunmi Song*, Case No. GV13-012670 (Fx. Co. Gen. Dist. Ct.) (Sully District)
46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Domingo Ivan Solis Antunez*, Case No. GV13-011389 (Fx. Co. Gen. Dist. Ct.) (Mason District)
47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. An Van Le and Xuan Loc Thi Le*, Case No. GV13-011390 (Fx. Co. Gen. Dist. Ct.) (Mason District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ann R. Moore and Harley Cleveland Moore, Jr.*, Case No. GV13-011605 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
49. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Virginia Window Cleaners Company, Inc.*, Case No. GV13-011604 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
50. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ramay Family Partnership*, Case No. GV12-027526 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
51. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edgar Molina and Hilda Crespo De Molina*, Case No. GV13-013006 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

52. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ronald L. Brown*, Case No. GV13-007102 (Fx. Co. Gen. Dist. Ct.) (Sully District)
53. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gloria Cruz and Jose Santana Escobar*, Case Nos. GV13-011000 and GV13-011001 (Fx. Co. Gen. Dist. Ct.) (Mason District)
54. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Halima Mohamed-Giama*, Case No. GV13-011596 (Fx. Co. Gen. Dist. Ct.) (Mason District)
55. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hector V. Flores and Sara E. Ventura*, Case No. GV13-012763 (Fx. Co. Gen. Dist. Ct.) (Lee District)
56. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Luis A. Rios and Maria E. Rios*, Case No. GV13-015145 (Fx. Co. Gen. Dist. Ct.) (Providence District)
57. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sokhom Kith and Sara R. Kith*, Case No. GV13-015244 (Fx. Co. Gen. Dist. Ct.) (Providence District)
58. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edwin Hercules Funk, Jr.*, Case No. GV13-015379 (Fx. Co. Gen. Dist. Ct.) (Lee District)
59. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hyung Kon Kim and Eun Hee Kim*, Case No. GV13-015378 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
60. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Athar S. Booter and Vivek Kumar Chamria*, Case No. GV13-015377 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)



And in addition:

- *Ahmed v. Muongkoth*, Case Number CL 2012-0002136
- *Koontz v. St. Johns River Water Management District*
- *Northern Virginia Transportation Authority v. Statutory Defendants Pursuant to Virginia Code Sections 15.2-2650, et seq.*, Case Number CL 2013-11988
- *City of Falls Church v. Fairfax County*
- Residential Studios Zoning Ordinance Amendment

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

**DAL:dal**

At 4:41 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

#### **ACTIONS FROM CLOSED SESSION**

33. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:41 p.m.)

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

34. **AUTHORIZATION TO FILE A MOTION IN THE BOND VALIDATION LAWSUIT ENTITLED NORTHERN VIRGINIA TRANSPORTATION AUTHORITY V. STATUTORY DEFENDANTS, CASE NUMBER 2013-11988** (4:42 p.m.)

Supervisor Gross moved that the Board authorize the County Attorney to file a motion, on behalf of the Board, to intervene as a party plaintiff in the bond validation lawsuit entitled *Northern Virginia Transportation Authority v. Statutory Defendants*, Case Number 2013-11988, Fairfax County Circuit Court. Supervisor Hyland seconded the motion and it carried by unanimous vote.

35. **AUTHORIZATION TO FILE TESTIMONY IN THE BIENNIAL REVIEW RATE CASE FILED BY VIRGINIA ELECTRIC AND POWER COMPANY** (4:43 p.m.)

Supervisor Smyth moved that the Board authorize the Department of Cable and Consumer Services and the County Attorney's Office to file testimony in the biennial review rate case filed by Virginia Electric and Power Company, State Corporation Commission Case Number PUE-2013-00020, as outlined by the County Attorney in closed session. Supervisor Foust seconded the motion and it carried by unanimous vote.

36. **AUTHORIZATION TO SETTLE IN AHMED V. MUONGKHOTH, CASE NUMBER CL 2012-0002136** (4:43 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board authorize the settlement in Ahmed v. Muongkoth, Case Number CL 2012-0002136, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Foust seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

37. **ORDERS OF THE DAY** (4:44 p.m.)

Chairman Bulova announced that following public hearings the Board will return to Admin 8 and then Board Matters will be presented.

(NOTE: Later in the meeting, Admin 8 and Board Matters were presented. See Clerk's Summary Items #52-77.)

### **AGENDA ITEMS**

38. **3:30 P.M. – BOARD DECISION ON THE CONVEYANCE OF BOARD-OWNED PROPERTY TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) (PROVIDENCE DISTRICT)** (4:45 p.m.)

- (R) (NOTE: On July 9, 2013, the Board held a public hearing regarding the conveyance of Board-owned property to WMATA and deferred decision on the McLean station until July 30, 2013.)

Supervisor Smyth moved adoption of the Resolution authorizing the conveyance of Board-owned property to WMATA for the McLean Silver Line Station. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

39. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2011-PR-025 (CHESTNUT STREET, LLC) (PROVIDENCE DISTRICT)** (4:46 p.m.)

- (O) The application property is located in the southeast quadrant of the intersection of Leesburg Pike and Dale Drive, Tax Map 40-3 ((1)) 99-102; 40-3 ((5)) 23 and 24; 40-3 ((7)) 1-4 and 40-3 ((8)) A.

Ms. Ina Stagg reaffirmed the validity of the affidavit for the record.

Brent Krasner, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Ms. Stagg 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. Krasner presented the staff and Planning Commission (PC) recommendations.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2011-PR-025, from the C-8, R-1, and HC Districts to the PDH-8 and HC Districts, and approval of the associated Conceptual Development Plan, subject to the proffers dated July 19, 2013.
- Waiver to allow private streets greater than 600 feet in length, in favor of the streets depicted on the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Waivers of the transitional screening and barrier requirements between the proposed attached and detached residential units along Dale Drive in favor of the plantings shown on the CDP/FDP.
- Modification of the barrier requirement along Chestnut Street in favor of the plantings shown on the CDP/FDP.
- Modification of the Public Facilities Manual (PFM) requirements at the time of site plan approval to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8) subject to the waiver conditions dated March 28, 2012 (Waiver Number 0082-WPFM-002-1).

- Modification of the Tree Preservation Target Area requirement in favor of the plantings shown on the CDP/FDP.
- Waiver of the service drive requirement along Leesburg Pike in favor of the frontage improvements shown on the CDP/FDP.

Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey being out of the room.

(NOTE: On July 18, 2013, the PC approved Final Development Plan Application FDP 2011-PR-025.)

40. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-062-03 (THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON, VA) (DRANESVILLE DISTRICT) (4:58 p.m.)**

The application property is located at 7001 Georgetown Pike, McLean, 22101, Tax Map 21-4 ((1)) 6.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

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

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

Supervisor Foust moved:

- Approval of Special Exception Amendment Application SEA 85-D-062-03, subject to the development conditions dated June 26, 2013.
- Reaffirmation of a modification of the transitional screening requirements along all lot lines in favor of the existing landscaping.

- Reaffirmation of the waiver of the barrier requirements along all lot lines.

Supervisor Hyland and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

41. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2012-MA-018 (AGAPE HEALTH MANAGEMENT, INCORPORATED) (MASON DISTRICT)** (5:03 p.m.)

(NOTE: On June 4, 2013, the Board deferred this public hearing until July 30, 2013.)

The application property is located at 6349 and 6353 Lincolnia Road, Alexandria, 22312, Tax Map 72-1 ((1)) 50A and 50B.

Mr. Peter J. Rigby, Jr. reaffirmed the validity of the affidavit for the record.

Joe Gorney, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

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

Discussion ensued, with input from Mr. Rigby, regarding the proposed development conditions and documenting the historic nature of the property.

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

Supervisor Gross moved:

- Approval of Special Exception Application SE 2012-MA-018, subject to the development conditions dated July 10, 2013.
- Modification of the transitional screening and barrier requirements along the northeast, southeast, and southwest project boundaries, in lieu of the alternative shown on the proposed plat and as conditioned.

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

42. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-V-010 (INOVA HEALTH CARE SERVICES) (MOUNT VERNON DISTRICT)**

**AND**

**4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-SU-032-04 (INOVA HEALTH CARE SERVICES) (SULLY DISTRICT)**

**AND**

**4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2008-PR-009-02 (INOVA HEALTH CARE SERVICES) (PROVIDENCE DISTRICT)** (5:12 p.m.)

Chairman Bulova relinquished the Chair to Acting-Chairman Smyth who moved that the Board defer the public hearings on:

- Proffered Condition Amendment Application PCA 94-V-010 (Inova Health Care Services) (Mount Vernon District)
- Proffered Condition Amendment Application PCA 2000-SU-032-04 (Inova Health Care Services) (Sully District)
- Proffered Condition Amendment Application PCA 2008-PR-009-02 (Inova Health Care Services) (Providence District)

until **September 10, 2013, at 3:30 p.m.** Supervisor Foust seconded the motion.

Following a brief discussion, with input from David P. Bobzien, County Attorney regarding the Rules of Order, the question was called on the motion and it **CARRIED** by a recorded vote of three, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, and Chairman Bulova abstaining. Supervisor Hyland and Chairman Bulova explained why they were abstaining from the vote.

Acting-Chairman Smyth returned the gavel to Chairman Bulova.

43. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT S11-III-DS1, LOCATED NORTH OF SAYWARD BOULEVARD AND WEST OF CARTA WAY (DRANESVILLE DISTRICT)** (5:16 p.m.)

Clara Q. Johnson, Planner III, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff report.

Gregory A. Riegle, agent for the applicant, made a statement.

Following the public hearing, Ms. Johnson presented the staff and Planning Commission recommendations.

Supervisor Foust moved approval of Plan Amendment S11-III-DS1, to add an option for multi-family residential use and support retail up to 2.4 floor area ratio (FAR), as recommended by the Planning Commission. Supervisor Smyth and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

44. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLES 2, 3, AND 7, REGARDING TECHNICAL AMENDMENTS**  
(5:23 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 July 12 and July 19, 2013.

Robert L. Mears, Executive Director, Fairfax County Retirement Systems, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2, 3, and 7, regarding technical amendments. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

45. **ORDERS OF THE DAY** (5:25 p.m.)

Chairman Bulova announced that the next public hearing had several speakers signed up to present testimony so the Board would proceed with the other public hearings and then return to it.

46. **4:30 P.M. – PH ON THE PROPOSED INTERIM DEVELOPMENT AGREEMENT BETWEEN THE BOARD AND LAKE ANNE DEVELOPMENT PARTNERS LLC (LADP) FOR THE REDEVELOPMENT OF THE CRESCENT APARTMENT SITE (HUNTER MILL DISTRICT)** (No time)

(NOTE: Later in the meeting, this public hearing was held. See Clerk’s Summary Item #50.)

47. **4:30 P.M. – PH ON A PROPOSAL TO ABANDON A PART OF COLSHIRE DRIVE, DISCONTINUE COLSHIRE DRIVE, AND CONVEY THE ABANDONED RIGHT-OF-WAY TO JOHNSON 1 COLSHIRE 7600 LLC ET AL (PROVIDENCE DISTRICT)** (5:25 p.m.)

(O) (Rs) 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 July 12 and July 19, 2013.

Donald Stephens, Transportation Planner, Department of Transportation, presented the staff report, noting that the Order of Abandonment and the Resolution have been revised.

Mark Gottesman, agent for the applicant, made a statement.

Following the public hearing, Supervisor Smyth moved adoption of the:

- Revised Order for abandonment of a part of Colshire Drive
- Resolution for conveyance of the abandoned right-of-way to Johnson 1 Colshire 7600 LLC and Taylor Colshire Meadow LLC
- Revised Resolution requesting that Colshire Drive be discontinued from the Secondary System

Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

48. **4:30 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON SOUTHLAND AVENUE (MASON DISTRICT)** (5:30 p.m.)

(Os) 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 July 12 and July 19, 2013.

Donald Stephens, Transportation Planner, Department of Transportation, presented the staff report.

Supervisor Gross raised a question concerning the cul-de-sac trailway on the map and whether it would remain as a throughway for people to walk, with input from Mr. Stephens, who noted that it will remain as public access.

Jeff Nein, Planner, Cooley, LLP, made a statement that he was representing the applicant.



Following the public hearing, Supervisor Gross raised a question regarding whether the street name would remain the same, with input from Mr. Stephens, who noted that the name would remain even if it is private.

Supervisor Gross moved adoption of the Ordinance and Order vacating and abandoning Southland Avenue. Supervisor McKay seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

49. **4:30 P.M. – PH REGARDING THE PROPOSED REAL ESTATE EXCHANGE AGREEMENT BETWEEN THE BOARD AND ROCKS ENGINEERING COMPANY AND NUGGET JOINT VENTURE, LC (COLLECTIVELY, "RECO") (DRANESVILLE DISTRICT)** (5:35 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 12 and July 19, 2013.

Carey Needham, Director, Building Design and Construction Division, Capital Facilities, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Foust moved that the Board:

- Adopt a Resolution approving entering into the proposed Real Estate Exchange Agreement dated July 30, 2013
- Authorize the County Executive or his designee to execute the Real Estate Exchange Agreement and all other documents necessary or convenient to carry out the transactions contemplated therein and to take all such actions as shall be appropriate to implement the terms of the Real Estate Exchange Agreement

Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

50. **4:30 P.M. – PH ON THE PROPOSED INTERIM DEVELOPMENT AGREEMENT BETWEEN THE BOARD AND LAKE ANNE DEVELOPMENT PARTNERS LLC (LADP) FOR THE REDEVELOPMENT OF THE CRESCENT APARTMENT SITE (HUNTER MILL DISTRICT)** (5:41 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 July 12 and July 19, 2013.

Barbara Byron, Director, Office of Community Revitalization, presented the staff report.

Following the testimony of Susan Burwell (Speaker 10), Chair, Lake Anne Merchants and Professional Association, Chairman Bulova asked Ms. Burwell about the name of her business.

Following the public hearing, which included testimony by 17 speakers, Chairman Bulova asked everyone in support of the project, who was present in the Board Auditorium, to stand and be recognized.

Supervisor Hudgins submitted an item for the record.

Chairman Bulova announced that the Board will not take action on this item today because of legal requirements.

Following remarks, Supervisor Hudgins moved to defer decision on the Interim Development Agreement with LADP until September 10, 2013. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Foust being out of the room.

51. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:58 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 July 12 and July 19, 2013.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by the following individuals:

- Mr. Kevin Pittman, regarding recruiting and retaining a quality County workforce. Three other individuals (Mr. David Broder, Ms. Paula Woodrum, and Mr. John Niemic) had signed up to present testimony on this issue, but conceded their time to Mr. Pittman.

Chairman Bulova noted that earlier in the meeting, additional action was taken to consider compensation adjustments for County employees as part of Admin 1. (See Clerk's Summary Item #14.)

Chairman Bulova also noted that later in the meeting she will be presenting a Board Matter concerning the workforce dialogue process. (See Clerk's Summary Item #55.)

- Mr. Vincent Bailey, regarding high dollar assessment on split level homes in the County and windfall tax income in 2013

Supervisor Hyland asked Mr. Bailey regarding whether he had filed an administrative tax appeal and asked him to meet with his office.

EBE:ebe

52. **ADMIN 8 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING RESIDENTIAL STUDIOS** (7:15 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action regarding this item. See Clerk's Summary Item #14.)

In an effort to ensure that all interested parties have ample opportunity to comment on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding residential studios, especially given that the proposed amendment would allow this use with special exception approval in most residential, commercial and industrial zoning districts or in all planned development districts as part of a rezoning or with special exception and/or development plan amendment, Supervisor Frey moved that the Board direct staff to:

- Authorize the advertisement of a public hearing to be held before the Board on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding residential studios, as such amendment (with both options) is presented in the Board package, and that the provisions set forth in Paragraph F of Section 9-315 be expanded to address the "attachment" of a residential studio to a single family dwelling, in addition to the "conversion" of a single family dwelling to a residential studio
- Advertise an option to limit the size of the development to any floor area ratio (FAR) up to and including the maximum FAR currently permitted in the applicable zoning districts, subject to the 75 unit maximum development size
- Recommend that the Planning Commission (PC) be directed to conduct additional outreach in the form of a work session/s or other public engagement opportunities, to evaluate the proposed amendment with particular emphasis on maximizing the

compatibility of this use with each zoning district in which it is proposed to be located

- Consider whether additional conditions are advisable to ensure that the use will be harmonious with neighboring development in terms of character, size, height, intensity and use, and, if deemed appropriated based on the input from those outreach sessions and its own evaluation, recommend potential modifications to the proposed amendment
- Schedule a public hearing to be held before the Board regarding the proposed amendment on **November 19, 2013, at 4 p.m.** The Board would be supportive of a longer timeline, if needed, to allow sufficient community engagement and PC consideration of potential modifications it may deem appropriate to recommend to the Board, with the goal, however, of a Board decision before the end of this year, if at all practicable.

Chairman Bulova seconded the motion.

Discussion ensued, regarding:

- The proposed amendments
- The Board's goals to prevent and end homelessness and what is being done to accomplish it
- Time needed for results and citizen input

Supervisor Foust asked unanimous consent that the Board direct staff as expeditiously as possible to:

- Report with information comparing neighboring jurisdictions that are already providing studio units
- Determine if the plans that neighboring jurisdictions use could be used in the County

Without objection, it was so ordered.

Additional discussion continued regarding outreach to citizens and places of worship in the County that are interested in providing affordable housing as part of their mission.

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

Chairman Bulova thanked staff for their hard work.

**ADDITIONAL BOARD MATTERS**53. **REQUESTS FOR RECOGNITION** (7:42 p.m.)

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

- The Office for Women and Domestic and Sexual Violence Services to accept a proclamation recognizing Domestic Violence Awareness Month.
- The Fire and Rescue Department to accept a proclamation recognizing Fire Prevention Week.
- The Department of Family Services and other representatives to accept a proclamation on October 8, 2013, recognizing Adoption Awareness Month.

Without objection, it was so ordered.

54. **NATIONAL PURPLE HEART DAY** (7:43 p.m.)

Chairman Bulova said that on August 7, 1782, General George Washington established the Badge of Military Merit intended to recognize meritorious service, particularly among the enlisted soldiers.

The Badge of Military Merit was the first award made available to a common soldier and it is the oldest military medal in the country's armed forces. It disappeared shortly after the Revolutionary War. Then, in 1932, General Douglas MacArthur renamed and re-issued the medal called the "Purple Heart" in honor of Washington's service and military achievements. During World War II, the medal was changed into recognition of combat injuries and deaths.

Chairman Bulova asked unanimous consent, on behalf the Board, to send letters to those County employees who have been identified as Purple Heart recipients. It is a privilege and honor to be able to recognize these employees for their military service and significant sacrifice on behalf of all Americans. Without objection, it was so ordered.

55. **PLANS FOR WORKFORCE DIALOGUE** (7:44 p.m.)

Chairman Bulova referred to her written Board Matter and said that she introduced a Board Matter at the June 18th meeting that referenced Fiscal Year (FY) 14/15 Budget Guidance adopted by the Board when it marked-up and adopted the FY 2014 Advertised Budget.

This Guidance began by expressing appreciation to County employees for their professionalism and dedication, especially in the face of pay freezes, reductions in personnel, and tough economic times.

The Guidance calls for the Board to work with the County's workforce and employee groups to develop and refine an overall pay structure that:

- Provides compensation adjustments based on inflation and economic factors
- Is affordable and sustainable
- Awards employees for satisfactory job performance
- Addresses longevity factors for long-tenured employees
- Develops a cohesive plan for conducting market studies
- Ensures that County job classes maintain equity and competitiveness within the region

The process for a Workforce Dialogue is being developed to move this charge forward. The Workforce Dialogue process will begin in September and conclude in time for the resulting proposal(s) to be addressed in the County Executive's FY15/16 Budget. This process was discussed at the Board's Personnel Committee meeting on July 16. On July 22 she met with leadership of employee groups to discuss this process and receive feedback. This update includes suggestions/feedback from that meeting.

Outline of dialogue process is still being developed but is envisioned to include:

- Informational sessions to be held in workplaces throughout the County. These sessions will help "set the stage" for follow up focus group discussions; 10-12 informational sessions will be scheduled at a variety of sites/times to maximize employee participation. It is important that department and agency heads are permissive about allowing and encouraging employees to participate.
- An informational program/video will be recorded and made available to employees and agencies for viewing as needed.
- Following the informational sessions, 8-10 Focus Group type sessions (again offered at multiple times/locations) will provide an opportunity for discussion and idea exchanges among employees.

- Employees who wish to participate in the Focus Group discussions must have participated in at least one informational session, or viewed the informational program/video.
- A Countywide Employee Survey will be offered to all employees.
- Results of the survey will be shared with the workforce.

Following the Focus Group sessions and completion of the survey, Leadership from Employee Groups will be asked to participate, with senior staff, in development of options for a new compensation plan to replace Pay for Performance.

Results of the Workforce Dialogue process will be used for the County Executive and Board's consideration as part of the FY 15 budget process.

The following is a proposed syllabus for items to be covered in the Informational Sessions, Informational Program, and Focus Group Discussions:

- Budget 101, where it comes from and where it goes.
- How compensation and benefits fit into the budget picture.
- Taxing authorities the County (in a Dillon Rule State) has and does not have.
- The overall economic picture – recession, sequestration, federal cutbacks, increased pressure for local government to fill in for state and federal reductions.
- A review of recent changes in the areas of compensation and benefits on the national and state levels.
- A brief review of compensation systems with pros and cons.

Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs to post the information on the County's website and NewsLink for employees. Without objection, it was so ordered.

56. **HISTORY COMMISSION PUBLICATIONS** (7:45 p.m.)

Chairman Bulova said that she recently met with members of the History Commission regarding historical publications being stored in the County warehouse. The Park Authority, with support from the History Commission, assumed responsibility for these publications when the Heritage Resources Branch disbanded. Prior to the closing of the maps and publications sales office

at the Government Center, these publications were available for sale to the public and merchants, including the stores at Park Authority sites.

Today, the inventory of historical publications numbers over 7,000 books. At this time, the Park Authority and other venues do not have the storage space necessary to house cartons of these publications.

The Publications Committee members of the History Commission would like to coordinate with the warehouse access to these publications, to dispose of them in an orderly fashion and get them in public circulation. They have recommended the following ideas for consideration:

Suggested Steps:

- Make books available to Members of the Board of Supervisors, the History Commission and relevant County agencies including the Park Authority, Planning Commission, and Library.
- Provide the Virginia Room, Park Authority sites, and Map Sales first refusal on publications to sell, offering them 100 percent of the proceeds to clear stock.
- Invite local universities, colleges, and State libraries to take publications for their collections.
- Invite not-for-profits in the County and adjacent jurisdictions to select books to sell, with 100 percent of the proceeds going to the individual sites.
- The History Commission is willing to sponsor a book sale for the public.
- Find reseller(s) to make bulk purchases.

Actions Requested:

- That the Board request that the warehouse manager allow members of the History Commission Publications Committee access to cartons of books for retrieval of individual books, to aid in their plan for dispersal. The members would be personally responsible for maintaining the integrity of the inventory.
- The Board approves the History Commission plan for getting the publications into public circulation.



- The Board asks the warehouse to assist the Publications Committee in formulating a plan for dispersal of books to non-County agencies.

Therefore, Chairman Bulova moved that the Board authorize consideration of these action items by County staff to facilitate getting the books out of the warehouse and into the hands of history lovers in the County. Vice-Chairman Gross seconded the motion.

Discussion ensued regarding the inventory and the kind of books available in the inventory.

Supervisor Hyland asked to amend the motion to include disposal of books that are excess inventory from the Library. This was accepted.

Edward L. Long Jr., County Executive, suggested that the Board permit him to work with the warehouse to provide an inventory of the books available and provide a plan to dispose of them.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

57. **RECOGNIZING KEVIN FAY, DRANESVILLE DISTRICT REPRESENTATIVE TO THE PARK AUTHORITY** (7:54 p.m.)

(BACs) Supervisor Foust announced that Kevin Fay, Dranesville District Representative, has resigned from the Park Authority Board. His resignation was effective July 22, 2013.

Supervisor Foust referred to his written Board Matter which outlined Mr. Fay's numerous accomplishments.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Mr. Fay to appear before the Board at its September 10, 2013, meeting to be recognized for his many years of service. Without objection, it was so ordered.

58. **URANIUM MINING** (7:55 p.m.)

Supervisor Foust said that Virginia has had a moratorium on uranium mining since 1982. Since 2007, advocates have lobbied the General Assembly to lift the ban. There have been legislative efforts to lift the ban which have not been successful.

In January 2012, the County's Environmental Quality Advisory Commission (EQAC) adopted a resolution that noted the risks of uranium mining on the water

supply. The resolution also noted that, while the only uranium deposits that appear to be potentially economically viable for mining at this time are in Pittsylvania County, there are other uranium occurrences in Virginia, and in the past uranium mining leases were established in Fauquier County, within the Occoquan watershed. EQAC also expressed its opinion that any future substantive failure of a uranium mining site would require economic support from all of Virginia for remediation.

In December 2011, Fairfax Water issued a report titled "Assessment of Potential Water Supply Impacts from Uranium Mining in Virginia." Fairfax Water explained that the report was issued as its "first step" in understanding the processes involved in uranium mining and milling practices and their potential risks should a uranium mine be developed in the Occoquan or Potomac watersheds. The report identified some very serious concerns about the potential adverse impact of uranium mining in those watersheds.

Supervisor Foust said that in a few months the Virginia Legislature will be returning to Richmond for the 2014 session and soon this Board will begin work on its 2014 Legislative Package. Given the serious concerns that have been raised by EQAC and Water Authority, it is appropriate that the Board continues to monitor legislative activity relating to the uranium mining moratorium.

Therefore, Supervisor Foust moved to refer consideration of this matter to the Legislative Committee to monitor any legislative developments with respect to lifting the ban on uranium mining in Virginia and to keep the Board informed of any such developments. Supervisor Gross seconded the motion.

A brief discussion ensued, regarding monitoring the issue and to refer it to the Environment Committee if necessary.

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

59. **TAX RELIEF FOR SENIORS AND DISABLED CITIZENS**  
**(DRANESVILLE DISTRICT)** (7:56 p.m.)

Supervisor Foust said that the demographics in the County are changing rapidly. The growth rate in the County for residents over the age of 70 is 58 percent compared to a rate of 18 percent for those under 50. He expressed concern about the elderly as well as the disabled in the community who may be just beyond the reach of the tax relief safety net. The current program provides relief for citizens who meet age, income and net asset levels; however, taxes are relieved only on the value of the house and up to one acre of land on which the house is situated. It should be noted that State law actually allows a maximum acreage exclusion of up to 25 acres.

Supervisor Foust noted that there are places in the County where a five-acre home site is not uncommon. In a number of these cases, the value of the excess acreage

over the current one-acre limit can be high enough to disqualify an elderly or disabled person from tax relief.

Ownership of a five-acre home site does not necessarily mean the resident is well-off financially. The elderly or disabled owner may have an income that is commensurate with others already receiving tax relief, but whose lots are only one acre. The additional acreage does not automatically equate to higher incomes or greater cash liquidity with which to pay taxes.

In such cases, Supervisor Foust expressed concern that these citizens may be faced with the onerous decision of selling their home to pay their taxes. He expressed his belief that the safety net should be strengthened to help prevent such decisions befalling the elderly or disabled citizens, many of whom have lived in the County for decades and who have contributed to its well-being. It is unfortunate if people have to leave the County because of financial reasons.

While staff has previously looked at expanding the amount of acreage that could be excluded for real estate tax relief purposes, it has been quite some time since it did so, and it is quite likely that the impact of such expansion may have changed since the economic downturn. In addition, in its review, staff did not examine the impact of reinstating the tax deferral program for elderly and disabled residents, which the County had at one time.

Therefore, Supervisor Foust moved that the Board direct staff to study the options of expanding the amount of acreage excluded for real estate tax relief programs up to a maximum of five acres and/or reinstating a tax deferral program and to provide the Board with an estimate of the fiscal impact of each option. Supervisor Herrity seconded the motion.

Discussion ensued, regarding eligibility for tax relief for seniors.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide information on how many people in the County have lots that are five acres or more and show where they are located and eligibility for tax relief for seniors. Without objection, it was so ordered.

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

**DET:det**

60. **NO BOARD MATTERS FOR SUPERVISOR SMYTH** (8:01 p.m.)

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

61. HUMAN SERVICES COUNCIL TWENTY-FIFTH ANNIVERSARY (8:01 p.m.)

(BACs) Supervisor Hudgins stated that the Human Services Council has served 25 years and, as an expression of the Board's gratitude, asked unanimous consent that the Board direct staff to invite all current and former Council members and staff to be recognized at the October 8 Board meeting. Without objection, it was so ordered.

62. "CAR FREE DAYS" (8:02 p.m.)

Supervisor Hudgins stated that this is a joint Board Matter with Supervisor Smyth and announced that September 20–22 has been designated "Car Free Days" in the Washington metropolitan area.

Supervisor Hudgins asked unanimous consent that the Board direct staff from the Department of Transportation and the Office of Public Affairs to help publicize this event through County government outreach tools. Without objection, it was so ordered.

PMH:pmh

63. RECOGNIZING OCTOBER AS BREAST CANCER AWARENESS MONTH IN FAIRFAX COUNTY (8:03 p.m.)

In a joint Board Matter with Supervisor Hudgins and Chairman Bulova, Supervisor Herrity said that over the past 29 years, National Breast Cancer Awareness Month has been the hallmark occasion to promote breast cancer awareness. The goal of National Breast Cancer Awareness Month is to educate and empower women to take charge of their health by taking regular preventative measures such as mammograms and doctors' visits, adhering to prescribed treatments, and knowing the facts about prevention and recurrence. Breast Cancer Awareness Month is even more important given the improved prognosis if detected early.

While breast cancer is unfortunately still far too prevalent in society, the outstanding and commendable work done by the National Breast Cancer Awareness Month organization over the years has undoubtedly saved the lives of countless mothers, daughters, sisters and even fathers, brothers, and sons.

Therefore, Supervisor Herrity asked unanimous consent that the Board:

- Declare October as "*Breast Cancer Awareness Month*," in Fairfax County.
- Direct staff to invite representatives from the Office for Women, the Commission for Women, the Health Department, various

"Relay for Life" events, and other relevant organizations, to accept a resolution at a September Board meeting.

- Direct the Office of Public Affairs to publicize the resolution and remind citizens of the benefits of early detection.

Without objection, it was so ordered.

64. **THE BATTLE OF OX HILL DAY** (8:03 p.m.)

In a joint Board Matter with Supervisor Frey, Supervisor Herrity said that September 1, 2013, will mark the anniversary of the Battle of Ox Hill, also known as the Battle of Chantilly. As an ongoing commemoration of the Civil War Sesquicentennial in the County, the occasion will be marked by a series of outreach events which seek to bring the history of the battle and the park into the surrounding neighborhoods. While the Battle of Ox Hill was a relatively small engagement, it was the precipice for the Maryland Campaign which culminated in the Battle of Antietam. By bringing this history into the surrounding communities, residents will be more likely to visit the park, and become actively involved in preserving the culture and history it represents.

Therefore, Supervisor Herrity asked unanimous consent that the Board:

- Declare September 1, 2013, as "*The Battle of Ox Hill Day*," in Fairfax County
- Direct the Office of Public Affairs to work with the Park Authority and Visit Fairfax to promote the associated events.

Without objection, it was so ordered.

65. **GOVERNOR'S TASK FORCE ON LOCAL MANDATES** (8:04 p.m.)

Supervisor Herrity announced that the Governor's Task Force on Local Mandates will be meeting on July 31 at the Government Center in rooms 9 and 10 at noon.

66. **PAYROLL WEEK** (8:04 p.m.)

Supervisor Gross asked unanimous consent that the Board proclaim the week of September 2, 2013, as "*Payroll Week*," in Fairfax County. The proclamation will be presented by the Board at a later date, to be determined. Without objection, it was so ordered.

67. **NATIONAL ASSOCIATION OF COUNTIES (NACo) CONFERENCE**  
(8:05 p.m.)

Supervisor Gross announced that she and Supervisor Hyland had attended the NACo annual conference and she noted that the County received several awards. She added that the formal presentations will be made by NACo in September.

68. **COLLECTION OF DELINQUENT LOCAL TAX OBLIGATIONS**  
(8:06 p.m.)

Supervisor McKay said that earlier this month, Congressman Jim Moran introduced H.R. 2716 that would allow local governments to partner with the federal government in collecting delinquent local tax obligations by reducing federal tax refunds for delinquent individuals. Specifically, the bill would extend to local governments the Federal Offset Program, established to allow state governments to submit unpaid income taxes to the Treasury Department, which then offsets the owed taxes with reductions in the federal income tax refunds of delinquent individuals.

Supervisor McKay said that the County has long participated in the Commonwealth's Set-Off debt program, allowing the County to seize State income tax refunds of residents who owe County delinquent taxes. The State of Virginia has a Set-Off debt agreement with the federal Internal Revenue Service (IRS), but this only pertains to delinquencies owed to the State. This bill would allow localities to also make claims against Federal Income Tax refunds made to delinquent taxpayers.

Congressman Moran has introduced similar legislation in the past, but the IRS opposed those efforts out of concern about dealing with thousands of separate local governments. This revised legislation seeks to satisfy those concerns by sending the funding to the state, allowing the state to work with Virginia localities to process the claims.

Supervisor McKay said that while the County has an exceptionally strong tax collection rate, allowing participation in the Federal Offset Program would be one more tool in the collection arsenal, and could be particularly helpful in collecting delinquencies from citizens no longer residing in Virginia. In fact, the County supported State legislation, HB 1830/SB 1292, which passed the 2009 General Assembly, to create the framework needed at the State level to allow localities to take advantage of this federal offset program upon passage of federal legislation.

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

- Send a letter, under the Chairman's signature, to the County's Congressional delegation in support of H.R. 2716.

- Include language to that effect in the County's federal legislative package, and work with the Virginia Association of Counties (VACo) in support of this legislation.

Without objection, it was so ordered.

69. **UNLICENSED CONTRACTORS** (8:08 p.m.)

Supervisor McKay said that during its 2012 session, the Virginia General Assembly passed HB 1277, giving localities the authority to establish a civil penalty of up to \$2,500 for individuals or businesses that falsely represent that they have a valid local contractor's license. Therefore, an individual or business would be in violation of the law at the time the false representation is made, even if the prospective customer never enters into a contract. This differs from current County Code that only allows prosecution of unlicensed contractors when a written or verbal contract is in place. Such a violation is a Class 1 misdemeanor, punishable by up to 12 months in jail and/or a fine of up to \$2,500.

Supervisor McKay noted that a recent memorandum from the County Executive indicates that the County has not yet incorporated HB 1277 into County Code, citing both the need for additional resources and possible enforcement challenges.

The operation of unlicensed contractors in the County has long been an issue of concern to the Board. The County has raised public awareness of this issue, including providing information and resources on the County website. Staff has also had success in obtaining convictions in some of the more egregious cases and in retrieving some of the money paid to such contractors by unsuspecting County residents. HB 1277 may provide an additional tool for the County, potentially allowing it to prevent this type of fraud before contracts are signed and money changes hands.

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

- Explore ways in which the new authority provided by HB 1277 could be incorporated into the County code to help curb the activity of unlicensed contractors.
- Report with options for implementing this legislation along with recommendations for obtaining the necessary funding and resources to protect residents from unlicensed contractors.

Without objection, it was so ordered.

70. **BRIDGEWALK (LEE DISTRICT)** (8:10 p.m.)

Supervisor McKay said that on Tuesday, August 27 at 7:30 p.m., members of the Springfield community will march over Veterans Bridge in the heart of the Springfield revitalization district and hold a community celebration at the American Legion end of the bridge. The celebration will feature music and food from local restaurants.

Supervisor McKay noted that this year's BridgeWalk –the twelfth—will continue the tradition of renewing the Army/Community Covenant signing that began in 2009. The covenant is an affirmation of support by state and local communities to active, guard, and reserve service members and their families.

Supervisor McKay added that local elementary schools—Garfield, Crestwood, and Lynbrook—have always been enthusiastic participants of this event.

The BridgeWalk is a community building event that began 12 years ago to mark the installation of new lighting on Veteran's Bridge in central Springfield. Veterans Bridge (also known as the Amherst Avenue Bridge) crosses over Old Keene Mill Road and links both sides of Springfield's commercial revitalization area. The bridge is a gateway to central Springfield. With its acorn lights, wide sidewalks, pedestrian stairway, and attractive façade, it dovetails nicely with the community's vision for a revitalized Springfield and is an attractive gateway to the central business district.

Therefore, Supervisor McKay invited Board Members to join him on August 27 to celebrate community in Lee District and he asked unanimous consent that the Board direct the Office of Public Affairs to advertise this event. Without objection, it was so ordered.

71. **LEE DISTRICT RESOURCE FAIR** (8:11 p.m.)

Supervisor McKay invited Board Members and the public to the Lee District Resource Fair from 9 a.m. until noon on September 21 at the Franconia Governmental Center.

All are invited to attend and get advice and assistance from staff representing agencies that provide services to neighborhoods.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to advertise this event. Without objection, it was so ordered.

72. **GROVETON (LEE DISTRICT)** (8:12 p.m.)

Supervisor McKay noted that Lee District has a long and rich history and he invited Board Members to spend part of the August recess learning about the Groveton area of the County. *The Mount Vernon Gazette* recently reviewed



*Groveton*, written by longtime Groveton resident Charlotte Brown. Her book incorporates stories and pictures from local residents and business owners and provides a lively look at the area.

Supervisor McKay said that it is instructive to look at the past. He added that not so long ago, this was a vibrant farming community. Many of the families who are mentioned in the book are still here today. That pull can be traced back to the very early years of the country when George Washington purchased land in the Groveton area.

Supervisor McKay noted that *Groveton* also has a wealth of information about Historic Huntley, Fort Belvoir (then called Camp Humphries), the Groveton fire and police departments, along with a number of local businesses. And of course it includes that Route One icon—the famous Dixie Pig barbecue restaurant. He noted that Charlotte Brown has signed each book and added a personal note.

73. **LIBERTY’S PROMISE** (8:14 p.m.)

Supervisor Hyland said that Liberty’s Promise supports young immigrants in need while encouraging them to be active and conscientious American citizens.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the County Executive and appropriate staff to review the materials and invite the County School System Superintendent to meet with Liberty’s Promise Executive Director with an aim to leverage its programs to help the County’s immigrant youth population. Without objection, it was so ordered.

74. **REQUEST TO RECOGNIZE THE MOUNT VERNON BOYS’ SOCCER TEAM ON WINNING THE 2013 AAA STATE CHAMPIONSHIP (MOUNT VERNON DISTRICT)** (8:16 p.m.)

Supervisor Hyland said that the Mount Vernon Boys Soccer team won their first State AAA Championship under the leadership of Coach Tony Garza. Mount Vernon High School and the Mount Vernon community are very proud of their accomplishments.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Director of Public Affairs to invite the Mount Vernon Boys’ Soccer Team to appear before the Board to be recognized at an appropriate time in the Fall. Without objection, it was so ordered.

75. **MOUNT VERNON DISTRICT OFFICE PHONE SERVICE** (8:16 p.m.)

Supervisor Hyland announced that his office experienced phone difficulties but noted that the problem had been corrected.

76. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)**  
(8:17 p.m.)

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

77. **SUICIDE PREVENTION WEEK** (8:17 p.m.)

Supervisor Cook noted that suicide is the most preventable cause of death, and the vast majority of suicidal individuals display warning signs. Organizations such as CrisisLink are dedicated to reducing the frequency of suicide attempts and deaths, and the pain for survivors affected by suicides of loved ones through educational programs, research projects, intervention services, and bereavement services.

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

- Proclaim September 8-14, 2013, as “*Suicide Prevention Week*,” in Fairfax County.
- Direct staff to invite a representative from CrisisLink to the September 10 Board meeting to speak about the organization and be recognized for the vital service it provides in the community.

Without objection, it was so ordered.

78. **BOARD ADJOURNMENT** (8:18 p.m.)

The Board adjourned.

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