



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 29, 2014**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, July 29, 2014, at 9:36 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor 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; Cynthia L. Tianti, Deputy County Attorney; Elizabeth Teare, Deputy 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 MATTERS1. **AUGUST RECESS** (9:36 a.m.)

Chairman Bulova announced that this is the last Board meeting before the August recess.

2. **MOMENT OF SILENCE** (9:36 a.m.)

Chairman Bulova asked everyone to keep in thoughts Mr. John Yeatman and family. Mr. Yeatman is the former director of the Real Estate Division of the Department of Tax Administration, and a current member of the Board of Equalization. His wife, Nicole Yeatman, died recently, following a long and very courageous fight with cancer. She was a longtime County employee who retired from the Department of Planning and Zoning.

Chairman Bulova also asked everyone to keep in thoughts the family of Mr. Ed Tennyson, who died recently of cancer, at the age of 92. He was a member of the Transportation Advisory Commission (TAC). He was a renowned transit engineer and was a great advocate for electric transit and all transit. He was a staple in the transportation community and will be sorely missed.

Supervisor Hudgins said that Mr. Tennyson was persistent in remaining a transportation professional to his very last days, which is a tribute to his integrity and commitment to his profession and his community. He served on many County commissions.

Chairman Bulova asked everyone to keep in thoughts Ms. Teddy Goodson, who died recently. Chairman Bulova said she did not have any other details, but noted that she was a very politically active member of the community.

AGENDA ITEMS3. **CERTIFICATES OF RECOGNITION PRESENTED TO EXCHANGE STUDENTS** (9:39 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to exchange students, from Turkey, Korea, and the United Arab Emirates to the County, who are enrolled in George Mason University's Global Learning Institute program. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FIRE AND RESCUE DEPARTMENT (FRD)** (9:47 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificate of Recognition presented to the FRD for its extraordinary and heroic efforts for more than eight hours to extricate a victim buried up to the chest in a 20-foot deep trench as it continued to collapse. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Chairman Bulova noted that she and Supervisor Herrity attended the FRD Recruitment Class graduation ceremony and it was the largest class ever, thanks in part to the SAFER grant.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

5. **PROCLAMATION DESIGNATING AUGUST 5, 2014, AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (10:02 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate August 5, 2014, as "*National Night Out*" in Fairfax County and urges all residents to participate in this worthy event. This motion was multiply seconded and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MASTER JAE CANETTI (HUNTER MILL DISTRICT)** (10:21 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Master Jae Canetti for his competitive spirit, noteworthy ability, outstanding skill, and preeminent strategy, resulting in winning the Fairfax County Spelling Bee Championship for the third consecutive year and advancing to the Scripps National Spelling Bee. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE JAMES MADISON HIGH SCHOOL GIRLS CREW (HUNTER MILL DISTRICT)** (10:28 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to members of the James Madison High School Girls Crew for noteworthy athletic ability and effective teamwork, resulting in winning competitions at the State, regional, and national level, including the Stotesbury Regatta – the oldest and largest high school regatta in the US – and the Scholastic Rowing Association of America Championship Regatta. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

8. **CERTIFICATES OF RECOGNITION PRESENTED TO ELECTION OFFICERS** (10:35 a.m.)

Supervisor Hudgins moved approval of the Certificates of Recognition presented to election officers who have served 20 or more elections. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to inform the community about the need for election officers. Without objection, it was so ordered.

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

9. **PROCLAMATION DESIGNATING AUGUST 2014 AS "IMMUNIZATION AWARENESS MONTH" IN FAIRFAX COUNTY**

AND

CERTIFICATE OF RECOGNITION PRESENTED TO ANNANDALE CHRISTIAN COMMUNITY FOR ACTION CHILD DEVELOPMENT CENTER (10:59 a.m.)

Supervisor Foust moved approval of the Proclamation to designate August 2014 as "*Immunization Awareness Month*" in Fairfax County and urges all residents to promote a healthy community by keeping up-to-date on vaccinations. Supervisor Gross seconded the motion.

Supervisor Foust moved approval of the Certificate of Recognition presented to Annandale Christian Community for Action Child Development Center for being an active partner with the Health Department and promoting the immunization of children who attend the center for diligently checking health records and when necessary, referring children to the Health Department or their health care provider; for providing educational materials and helping families finding immunization resources in the County; and for the center's ongoing commitment to encouraging its staff to remain current with adult immunizations. Supervisor Gross seconded the motion.

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

10. **RESOLUTION OF RECOGNITION PRESENTED TO MS. NORMA HECK** (11:12 a.m.)

Supervisor Cook moved approval of the Resolution of Recognition presented to Ms. Norma Heck for her noteworthy leadership in the community. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

11. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE GREENSPRING RETIREMENT COMMUNITY** (11:25 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to members of the Greenspring retirement community for its worthy endeavor and support for students in furthering their education. Supervisor Gross and Supervisor Smyth jointly seconded the motion and it carried by a vote of eight, Supervisor Cook and Supervisor Frey being out of the room.

12. **PROCLAMATION DESIGNATING AUGUST 2014 AS "COMMUNITY ACTION MONTH" IN FAIRFAX COUNTY** (11:36 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate August 2014 as "*Community Action Month*" in Fairfax County to ensure all residents of the County live in dignity. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Douglas Dane, Chairman, Community Action Advisory Board (CAAB) announced that CAAB is sponsoring a food drive in August to benefit Food for Others. Anyone interested in donating food or funds can visit the website at www.foodforothers.org.

EBE:ebe

13. **10:40 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:47 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 29, 2014," as distributed around the dais, with an addition on page 17, Board's Committee Assignments, appointing Supervisor Frey to the Phase II Dulles Rail Transportation Improvement District Commission. Supervisor Hyland seconded the motion.

Supervisor Hyland asked to amend the motion to defer the reappointment of the At-Large #1 Representative to the Wetlands Board, and this was accepted.

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

Appointments are as follows:

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Lee, Mount Vernon and Sully District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family) and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ATHLETIC COUNCIL

Reappointment of:

- Ms. Jane Dawber as the Women's Sports Alternate Representative

The Board deferred the appointment of the Braddock District Alternate and the Lee District Principal Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Lee District Representative.

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 Mount Vernon and Providence District Representatives.

CITIZEN CORPS COUNCIL

Appointment of:

- Mr. Brian P. Foley as the Mason District Representative

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

COMMISSION ON AGING

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION

The Board deferred the appointment of the At-Large and Lee District Representatives.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Confirmation of:

- Dr. Dennis Ritchie as the George Mason University Representative
- Ms. Phyllis K. Smith as the North Target #2 Representative

CONSUMER PROTECTION COMMISSION

Reappointment of:

- Mr. Dirck A. Hargraves as the Fairfax County Resident #5 Representative

The Board deferred the appointment of the Fairfax County Resident #2 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Sully District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large #1 Business Community Sully District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Dr. Eleanor M. Vincent as a Long Term Care Provider Representative

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

The Board deferred the appointment of the Hunter Mill District Representative.

Confirmations of:

- Mr. David Welliver as the Fairfax County Convention and Visitors Corporation #2 Representative
- Ms. Janet M. Sass as the Fairfax County Convention and Visitors Corporation #4 Representative
- Ms. Trish Drews as the Fairfax County Convention and Visitors Corporation #7 Representative
- Mr. Mike Chouri as the Fairfax County Convention and Visitors Corporation #10 Representative

**FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF
TRUSTEE**

Reappointment of:

- Mr. Jon A. Miskell as the At-Large #4 Representative

FAIRFAX –FALLS CHURCH COMMUNITY SERVICES BOARD

Reappointment of:

- Mr. Willard Kenneth Garnes as the At-Large #4 Representative
- Mr. Juan Pablo Segura as the Dranesville District Representative

(Nominations were announced on June 17, 2014.)

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative.

HEALTH SYSTEMS AGENCY BOARD

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

HUMAN SERVICES COUNCIL

Reappointment of:

- Mr. Robert Faherty as the Lee District #2 Representative
- Ms. Stephanie Mensh as the Mason District Representative
- Mr. Henry S. Wulf as the Providence District Representative
- Mr. Jerrold L. Foltz as the Sully District #1 Representative

The Board deferred the appointment of the Hunter Mill District #1, Lee District #1, and Mount Vernon District #2 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Appointment of:

- Ms. Jan Reitman as the Mason District Representative

The Board deferred the appointment of the Braddock District Representative.

LIBRARY BOARD

Confirmation of:

- Ms. Priscille Dando as the School Board Representative

NORTHERN VIRGINIA REGIONAL PARK AUTHORITY

Appointment of:

- Ms. Laura Grape as the Fairfax County #1 Representative

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

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

ROAD VIEWERS BOARD

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #3 and #5 Representatives.

Confirmation of:

- Ms. JoAnne Norton as the Reston Association #1 Representative

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Condo Owner and the Tenant Member #2 and #3 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the Mason District Representative.

TRANSPORTATION ADVISORY COMMISSION

The Board deferred the appointment of the At-Large and the Providence District Representatives.

TREE COMMISSION

Confirmation of:

- Ms. Sheila D. Allen as the Virginia Cooperative Extension Representative

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Alternate Representative.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

Reappointment of:

- Mr. Frank H. Grace as the Citizen appointed by BOS #1 Representative

WETLANDS BOARD

The Board deferred the appointment of the At-Large #1 Representative.

ADDITIONAL APPOINTMENT –BOARD COMMITTEE ASSIGNMENTS**INTERGOVERNMENTAL BOARDS AND COMMITTEES****PHASE II DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION**

- Supervisor Michael Frey as a Member

DET:det

14. **ADMINISTRATIVE ITEMS** (11:48 a.m.)

Supervisor Gross moved approval of the Administrative Items including two additions: Admin 16 - Authorization for the Fairfax-Falls Church Community Services Board (CSB) to Apply for and Accept Grant Funding from the Virginia Department of Behavioral Health and Developmental Services (VDBHDS) for the Young Adult Services Initiative Grant and Admin 17 – Authorization for the Department of Transportation to Apply for the 2014-2015 Virginia Federal Action Contingency Trust (FACT) Fund Grant Program. Supervisor McKay seconded the motion.

Chairman Bulova called the Board's attention to Admin 13 - Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 2015 Revised Budget Plan. She announced that there will be a Budget Committee meeting on September 2; the agenda for that meeting will include discussion of:

- The Carryover Review package
- A request from the Schools to address, in partnership with the Board, full-day Mondays

She noted that these issues will also be the subject of discussion at tomorrow's meeting of the Board's Joint Budget Development Committee. Discussion ensued concerning the meeting agenda.

Supervisor Smyth called the Board's attention to Admin 3 - Authorization to Advertise a Public Hearing to Sublease Board-Leased Property at 2667 Prosperity Avenue to the Fairfax Symphony Orchestra and Admin 4 - Authorization to Advertise a Public Hearing to Sublease Board-Leased Property at 2667 Prosperity Avenue to the Arts Council of Fairfax County. She noted that the space will not be ready until the end of August with a move-in date in September, after the public hearing.

Supervisor Smyth called the Board's attention to Admin 9 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Telecommunication

Facilities - Modifications to Permit Antennas and Related Equipment on Existing or Replacement Utility Poles or Light/Camera Standards. She noted that since this item concerns by-right changes on equipment cabinets, however, the proposed amendment contains no reference about potential conflicts with sight-lines.

Discussion ensued, with input from Andrew B. Hushour, Deputy Zoning Administrator, Department of Planning and Zoning (DPZ), concerning:

- Current Zoning Ordinance provisions and Virginia Department of Transportation (VDOT) distance sight requirements
- Placement of cabinets in residential neighborhoods

Mr. Hushour stated that DPZ will address these concerns prior to the public hearing.

Supervisor Herrity called the Board's attention to Admin 15 – Authorization for the Health Department to Apply for and Accept Grant Funding from the Centers for Disease Control and Prevention (CDC), Partnerships to Improve Community Health (PICH). Discussion ensued concerning the cost to the County for the new positions, including fringe benefit and indirect costs, with input from Sharon Arndt, Director, Community Transformation Project, Department of Neighborhood and Community Services, and Joseph M. Mondoro, Deputy Director, Department of Management and Budget, providing a breakdown of costs.

Supervisor Gross called the Board's attention to Admin 4 – Authorization to Advertise a Public Hearing to Sublease Board-Leased Property at 2667 Prosperity Avenue to the Arts Council of Fairfax County. Discussion ensued concerning the lease restrictions, specifically the placement of public art on the building or grounds, with input from Marguerite Guarino, Assistant Director, Real Estate, Facilities Management Department. Supervisor Smyth noted that the agreement with the proffered space does not include outside space; that is private property.

Supervisor Cook called the Board's attention to several grant applications that have been submitted prior to Board approval. He stated that this is an issue the Board has previously discussed and reiterated the need for the Board to have timely access to the consideration of such items.

Supervisor Cook called the Board's attention to Admin 14 – Authorization for the Fairfax County Police Department (FCPD) to Apply for and Accept Grant Funding from the US Department of Justice (DOJ), Office of Community Policing Services (Cops), Cops Hiring Program. Discussion ensued, with input from Edward L. Long Jr., County Executive, concerning:

- Additional County funds that are required to be spent if this grant is awarded
- The County's five-year public safety staffing plan

Supervisor Cook asked unanimous consent that the Board direct staff to include on the agenda for the September 2 Committee meeting, consideration of recommendations from the Infrastructure Finance Committee, including the infrastructure sinking fund and clarification of the 20 percent of unencumbered Carryover funds and how that is calculated. Without objection, it was so ordered.

Supervisor Smyth raised a question concerning the Invasive Management Area (IMA) contribution in Carryover and inclusion of this funding in the Park Authority's regular budget as it is an on-going program and maintains Park land. Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to include this issue on the September 2 Committee meeting agenda. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Following additional discussion, Supervisor Gross asked unanimous consent that the Board direct the County Executive to provide a status report, prior to the September 2 Committee meeting, regarding the history of Board discussion; actions, including those by staff; requests; and directives related to Carryover. Without objection, it was so ordered.

Following additional discussion regarding the Carryover package, including recommendations by the County Executive and identification of monies saved through close management initiatives, the question was called on 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."

ADMIN 1 – APPROVAL OF A STREET NAME CHANGE FROM TEETS LANE TO CRIM DELL LANE (HUNTER MILL DISTRICT)

Approved a street name change from Teets Lane to Crim Dell Lane, effective 30 days following Board approval, in accordance with Section 102-1-9 of The Code of the County of Fairfax, Virginia.

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK AND MASON DISTRICTS)

(R) Approved the request that the following streets be accepted into the State System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Burke Centre Parcel A (Knollwood Community Church)	Braddock	Burke Centre Parkway (Route 643) (Additional Right-of-Way Only)
Elizabeth Crossing	Mason	Kling Drive (Route 2543)

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO SUBLEASE BOARD-LEASED PROPERTY AT 2667 PROSPERITY AVENUE TO THE FAIRFAX SYMPHONY ORCHESTRA (PROVIDENCE DISTRICT)

- (A) (NOTE: Earlier in the meeting, this item was discussed. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **September 9, 2014, at 4 p.m.** to sublease Board-leased property at 2667 Prosperity Avenue to the Fairfax Symphony.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO SUBLEASE BOARD-LEASED PROPERTY AT 2667 PROSPERITY AVENUE TO THE ARTS COUNCIL OF FAIRFAX COUNTY (PROVIDENCE DISTRICT)

- (A) (NOTE: Earlier in the meeting, this item was discussed. See page 12.)

Authorized the advertisement of a public hearing to be held before the Board on **September 9, 2014, at 4 p.m.** to sublease Board-leased property at 2667 Prosperity Avenue to the Arts Council.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), SECTIONS 7-2-4, 7-2-8, 7-2-12, AND 7-2-13, RELATING TO ELECTION PRECINCTS AND POLLING PLACES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 9, 2014, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), Sections 7-2-4, 7-2-8, 7-2-12, and 7-2-13, to:

- Divide Little Run, Holmes, and Skyline precincts to form three new precincts and establish polling places
- Adjust the boundary between Belvoir and Woodlawn precincts
- Adjust the boundary between Centre Ridge and London Towne Number Two precincts
- Rename London Towne Number One and London Towne Number Two precincts and establish a new polling place
- Relocate the polling places for Terraset and Thoreau precincts

- Readopt the descriptions of Marshall and Westhampton precincts to conform to the adjusted boundary line between the County and the City of Falls Church

ADMIN 6 – APPROVAL OF TRAFFIC CALMING MEASURES AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (LEE, PROVIDENCE, HUNTER MILL, AND DRANESVILLE DISTRICTS)

- Endorsed the following traffic calming measures:
 - Two Speed Tables on School Street (Lee District)
 - One Speed Hump on School Street (Lee District)
 - Two Speed Humps on Cherry Street (Providence District)
 - One Speed Hump on South Street (Providence District)
 - Four Speed Tables on Carpers Farm Way (Hunter Mill District)
- Endorsed the installation of two “Watch for Children” signs on River Birch Road (Dranesville District)
- Directed staff to schedule the installation of the approved measures as soon as possible

ADMIN 7 – EXTENSION OF REVIEW PERIOD FOR 2232 REVIEW APPLICATION (PROVIDENCE DISTRICT)

Authorized the extension of review period for the following Public Facility (2232) Review Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-P14-6	Verizon Wireless and Milestone Communications Proposed Telecommunications Facility (Monopole) 8102 Wolftrap Road Providence District	November 3, 2014

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 78-L-074-6, HILLTOP SAND AND GRAVEL COMPANY, INCORPORATED (LEE DISTRICT)

- (AT) Approved the request for 24 months of additional time to establish the use for Special Exception Amendment Application SEA 78-L-074-6 to March 9, 2016, (applicable to the quasi-public recreational facilities only), pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING TELECOMMUNICATION FACILITIES - MODIFICATIONS TO PERMIT ANTENNAS AND RELATED EQUIPMENT ON EXISTING OR REPLACEMENT UTILITY POLES OR LIGHT/CAMERA STANDARDS

- (A)(R) (NOTE: Earlier in the meeting, this item was discussed. See pages 11–12.)

Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 17, 2014, at 8:15 p.m., and before the Board on **October 7, 2014, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to increase the maximum allowed volume and height of an unmanned equipment cabinet that is permitted to be located by-right on an existing or replacement utility distribution and transmission pole or light/camera standard in any street right-of-way or utility easement, in support of a telecommunication facility. In addition, the amendment also clarifies the limitation placed on the number of permitted antennas for such facilities by eliminating the maximum allotment when the proposed antennas are entirely enclosed within a stealth extension of the existing or replacement pole or standard.

ADMIN 10 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PLANNED DEVELOPMENT DISTRICT RECREATIONAL FEES

- (A) (R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 11, 2014, at 8:15 p.m., and before the Board on **October 28, 2014, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding increasing the minimum expenditure per dwelling unit for recreational facilities required in the PDH, PDC, PRM and PTC Districts from \$1700 to \$1800.

ADMIN 11 – 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, from the US DOJ, Office of Justice Programs, Edward Byrne Memorial Justice Assistance grant in the amount of \$129,005. Funding will be used to purchase night vision goggles for the Helicopter Unit; computers, televisions, and DVR recorders for the Public Information Office; and portable Forward Infrared Devices for the Search and Rescue Team. No local cash match is required.

ADMIN 12 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE (DOJ), OFFICE OF COMMUNITY POLICING SERVICES, COMMUNITY POLICING EMERGING ISSUES FORUMS GRANT

Authorized the FCPD to apply for and accept funding, if received, from the US DOJ, Office of Community Policing Services, Community Policing Emerging Issues Forums grant in the amount of \$326,465. Funding will be used to seek community engagement to ensure a successful 2015 World Police and Fire Games through the use of contracted classroom facilitators, rental space at GMU, supplies, and equipment needed to conduct 16 community policing forums. No local cash match is required.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2015 REVISED BUDGET PLAN

(A) (NOTE: Earlier in the meeting, this item was discussed. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **September 9, 2014, at 10:30 a.m.** regarding increasing the FY 2015 appropriation level. The advertisement encompasses both the County and the Schools' FY 2014 Carryover Reviews.

ADMIN 14 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE (DOJ), OFFICE OF COMMUNITY POLICING SERVICES (COPS), COPS HIRING PROGRAM

(NOTE: Earlier in the meeting, this item was discussed. See pages 12–13.)

Authorized FCPD to apply for and accept funding, if awarded, from the US DOJ, COPS, in the amount of \$1 million. The funding will be used to hire, train, and support eight FTE merit police officer positions currently included in the Fiscal

Year 2016 Public Safety Staffing Plan. One-time County funding in the amount of \$1,506,551 is required over the three-year grant period for a total program cost of \$2,506,551.

ADMIN 15 – AUTHORIZATION FOR THE HEALTH DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC), PARTNERSHIPS TO IMPROVE COMMUNITY HEALTH (PICH)

(NOTE: Earlier in the meeting, this item was discussed. See page 12.)

Authorized the Health Department to apply for and accept funding, if received, from the CDC Partnerships to Improve Community Health, in the amount of \$6,987,751. Funding will support seven new grant positions and implementation of policy, systems, and environmental changes that increase physical activity and reduce chronic disease risk factors and health disparities in high risk communities. A County contribution of 15 percent in year one, 20 percent in year two, and 25 percent in year three is required and will be met with in-kind contributions.

ADMIN 16 – AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (VDBHDS) FOR THE YOUNG ADULT SERVICES INITIATIVE GRANT

(NOTE: Earlier in the meeting, this item was discussed. See page 11.)

Authorized the CSB to apply for and accept funding, if received, from the VDBHDS in the amount of \$1,225,000 for the Young Adult Services Initiative Grant. Funding will support initiatives to develop and expand services for young adults ages 16 to 25 experiencing serious behavioral health conditions, including substance use/abuse and First Episode Psychosis.

ADMIN 17 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR THE 2014-2015 VIRGINIA FEDERAL ACTION CONTINGENCY TRUST (FACT) FUND GRANT PROGRAM

(NOTE: Earlier in the meeting, this item was discussed. See page 11.)

Authorized the Department of Transportation to apply for \$900,000 in Virginia FACT Funds for the Rolling Road Ramp Widening project.

15. **A-1 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR THE ROLLING-FULLERTON PHASE 4, LOT G WAREHOUSES (MOUNT VERNON DISTRICT)** (12:10 p.m.)

On motion of Supervisor Hyland, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 40.1 percent (81 fewer spaces) for Rolling-Fullerton Phase 4, Lot G Warehouses, located at 7719 Fullerton, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102, Paragraph 4(B), based on an analysis of the parking requirements for each use on the site and a parking study of the hourly parking accumulation characteristics. The requested reduction is subject to the conditions as outlined in the Board Agenda Item dated July 29, 2014.

16. **A-2 – APPROVAL OF A PARKING REDUCTION FOR RESTON SECTION 91A BLOCK 4 (HUNTER MILL DISTRICT)** (12:10 p.m.)

Supervisor Hudgins moved to defer consideration of A-2 – Approval of a Parking Reduction for Reston Section 91A Block 4 and A-11 – Approval of Parking Modifications for Reston Town Center Urban Core – Phase I, until later in the day. This motion, the second to which was inaudible, carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item #72.)

17. **A-3 – AUTHORIZATION FOR THE CHAIRMAN TO SIGN THE RENEWAL OF THE NORTHERN VIRGINIA WORKFORCE INVESTMENT BOARD (NVWIB) AREA 11 CONSORTIUM AGREEMENT FOR JULY 1, 2014 THROUGH JUNE 30, 2016** (12:11 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the Chairman to sign the Workforce Investment Act (WIA) 11 Consortium Agreement, which is due for renewal for the July 1, 2014, through June 30, 2016, biennium, so that the NVWIB Area 11 may continue to receive WIA funds and also meet the requirements of the federal WIA of 1998. Chairman Bulova seconded the motion.

Discussion ensued concerning the annual report, with input from Juani Diaz, Director, Self-Sufficiency Division, Department of Family Services, who stated that another copy of the report will be sent to Board Members.

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

18. **A-4 – APPROVAL OF RESOLUTION AUTHORIZING EXECUTION OF A PROJECT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE WIDENING OF ROUTE 29 FROM LEGATO ROAD TO SHIRLEY GATE ROAD (BRADDOCK DISTRICT)** (12:14 p.m.)

(R) On motion of Supervisor Cook, seconded by Supervisor McKay, and 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,” the Board concurred in the recommendation of staff and adopted a Resolution authorizing the Department of Transportation to execute a Standard Project Administration Agreement with VDOT for the widening of Route 29 from Legato Road to Shirley Gate Road.

19. **A-5 – APPROVAL OF FISCAL YEAR (FY) 2014 YEAR-END PROCESSING** (12:14 p.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, 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 2014 for the interim period from July 1 until the Board approves the FY 2014 Carryover Review, which is scheduled for action on September 9, 2014.

20. **A-6 – APPROVAL OF AN AGREEMENT BETWEEN THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) AND THE COUNTY REGARDING OPERATION OF THE COUNTY-OWNED PARKING GARAGE AT THE WIEHLE-RESTON EAST METRORAIL STATION (HUNTER MILL DISTRICT)** (12:15 p.m.)

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

- Approve the Agreement with WMATA for the operation of the parking garage at Wiehle-Reston East Metrorail Station in substantial form
- Authorize the Director of the Department of Transportation to execute this agreement, and similar agreements for future County-owned Metrorail garages, on behalf of the County

Supervisor Foust and Chairman Bulova jointly seconded the motion.

Discussion ensued concerning:

- The open house celebrating the opening of the Wiehle Avenue garage which exemplifies County public-private partnerships
- The success of the Silver Line's first weekday ridership
- The success of the expandable bike room which also contains a bike repair station

Chairman Bulova noted that Supervisor Gross was unable to attend Saturday's opening and instead represented the County at the Council of Governments (COG) retreat.

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

21. **A-7 – APPROVAL ON THE CONVEYANCE OF BOARD-OWNED PROPERTY AND THE PROPOSED COMPREHENSIVE AGREEMENT BETWEEN THE BOARD AND THE ALEXANDER COMPANY, INCORPORATED, FOR THE DEVELOPMENT OF THE PROPERTY UNDER THE PROVISIONS OF THE PUBLIC-PRIVATE EDUCATION AND INFRASTRUCTURE ACT OF 2002, AS AMENDED, KNOWN AS THE LAUREL HILL ADAPTIVE REUSE AREA (MOUNT VERNON DISTRICT)** (12:19 p.m.)

Following an inquiry by Supervisor Hyland, Alan Weiss, Assistant County Attorney, stated that the action the Board took when it held its public hearing was to keep the record until 3:30 p.m.

Supervisor Hyland moved to defer this item until 3:30 p.m. this afternoon. This motion, the second to which was inaudible, carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item #69.)

22. **A-8 – APPROVAL OF THE DEPARTMENT OF TRANSPORTATION'S (DOT) SERVICE EQUITY ANALYSIS FOR FAIRFAX CONNECTOR SILVER LINE PHASE 1 SERVICE CHANGES** (12:20 p.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve DOT's Service Equity Analysis for the proposed Fairfax Connector Silver Line Phase 1 Service Changes. All Silver Line Phase 1 Service Changes have passed the analysis. Supervisor Hudgins seconded the motion.

Discussion ensued concerning the cost of the analysis, with input from Tom Biesiadny, Director, Department of Transportation, regarding the costs associated

with compliance with Title VI; he also noted that there were no changes to routes as a result.

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

23. **A-9 – MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) AND THE COUNTY TO PROVIDE TECHNICAL ASSISTANCE IN THE DEVELOPMENT, TESTING, FUNDING, AND IMPLEMENTATION OF THE WASHINGTON METROPOLITAN TRANSIT AUTHORITY'S (WMATA) NEW ELECTRONIC PAYMENTS PROGRAM (NEPP) SYSTEM** (12:21 p.m.)

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

- Approved a MOA between NVTC and the County to provide technical assistance for the County in the regional NEPP Project
- Authorized the Director of the Department of Transportation to execute, in substantial form, the final agreement on behalf of the County

24. **A-10 – DECISION ON THE PROPOSED INTERIM DEVELOPMENT AGREEMENT BETWEEN THE BOARD AND WESLEY HAMEL LEWINVILLE, LLC FOR THE REDEVELOPMENT OF THE LEWINVILLE SENIOR CENTER AND DAYCARE PROPERTY, AND APPROVAL OF A REIMBURSEMENT RESOLUTION (DRANESVILLE DISTRICT)** (12:22 p.m.)

- (R) On motion of Supervisor Foust, seconded by Supervisor Hyland, and 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,” the Board concurred in the recommendation of staff and:

- Approved the Interim Agreement with Wesley Hamel Lewinsville LLC for the redevelopment of the Board-owned Lewinsville Senior Center and Daycare property (Attachment 1 of the Board Agenda Item dated July 29, 2014)
- Adopted the Reimbursement Resolution (Attachment 2 of the Board Agenda Item dated July 29, 2014)

25. **A-11 – APPROVAL OF PARKING MODIFICATIONS FOR RESTON TOWN CENTER URBAN CORE – PHASE I (HUNTER MILL DISTRICT)**
(12:23 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item #16.)

Supervisor Hudgins moved to defer consideration of this item until later in the meeting. This motion, the second to which was inaudible, carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item #73.)

ADDITIONAL BOARD MATTERS

26. **REQUESTS FOR RECOGNITION** (12:24 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives from Volunteer Fairfax to appear before the Board at its October 7 meeting to receive a proclamation declaring October 25, 2014, as "*VolunteerFest Day*" in Fairfax County. Without objection, it was so ordered.

Chairman Bulova also asked unanimous consent that the Board direct staff to prepare proclamations for presentation to:

- The Shidogakin Martial Arts Dojo in celebration of its thirtieth anniversary to be presented on August 30 at 9 a.m. at the Ernest Cultural Center of Northern Virginia Community College in Annandale
- The American Cancer Fund for Children and Kids Cancer Connection recognizing September 2014 as "*Childhood Cancer Awareness Month*" to be presented to children undergoing cancer treatment at local hospitals

Without objection, it was so ordered.

27. **CYCLE FEST 2014** (12:25 p.m.)

Chairman Bulova, jointly with Vice-Chairman Gross, announced that in September the Jewish Community Center of Northern Virginia (JCCNV) will help celebrate the end of summer with its Fifth Annual Northern Virginia Cycle Fest which will benefit the Wounded Warriors Project and the Washington Area Bicycling Association. It will provide an opportunity to be fit, ride with friends, and have fun in the remaining warm weather.

Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs and public information officers for the Department of Public Works and Environmental Services and the Park Authority to publicize the upcoming charity event and that the following information be made available to Board offices for use in its August newsletters:

The Jewish Community Center of Northern Virginia will host its Fifth Annual Northern Virginia Cycle Fest on Sunday, September 14. Rides will depart at 7:30 a.m. from the JCCNV. There will be four different options of ride distances to accommodate multiple levels of bicycling experience. More information is available online at www.jccnv.org

Without objection, it was so ordered.

28. **SUPPORT FOR THE DISCOVERY ROOM AT THE JEAN R. PACKARD OCCOQUAN CENTER (MOUNT VERNON DISTRICT)** (12:26 p.m.)

Chairman Bulova announced that the Northern Virginia (NoVa) Park Authority is planning to build a beautiful new multi-purpose center at Occoquan Regional Park. It will be named for Jean Packard in honor of her outstanding contributions to the community. The Packard Occoquan Center will overlook the river Ms. Packard worked throughout her career to protect and will include a Discovery Room featuring educational material on the rich history and unique environment of the Occoquan.

The NoVa Park Authority will be 'virtually' breaking ground on this project in September and have requested support from the County to create the Discovery Room. This project will be a great asset for the community and a well-deserved recognition for Ms. Packard.

Chairman Bulova moved that the Board:

- Provide support through its Capital Improvement Program
- Direct the County Executive to include this project in the 2016 Park Bond package for the Board's consideration

Supervisor Hyland seconded the motion.

Following discussion concerning an increase to the Park Authority bond referendum, with input from Edward L. Long Jr., County Executive, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

29. **EDITORIAL CORRECTION TO SPECIAL EXCEPTION APPLICATION SE 2013-MV-023 (HOPKINS HOUSE, A CENTER FOR CHILDREN AND THEIR FAMILIES) (MOUNT VERNON DISTRICT)** (12:28 p.m.)

With regard to Special Exception Application SE-2013-MV-023, Hopkins House Child Care Facility, Supervisor Hyland moved that the Board permit the applicant to amend its affidavit to reflect that one of the shareholders for an agent, Gorove/Slade Associates, Incorporated, should be listed as “Erwin N. Andres” and not “Erwin N. Andrew,” thereby waiving the affidavit submission procedures adopted by the Board, and that upon this editorial correction to the affidavit the public hearing scheduled for this afternoon at 3:30 p.m. shall be permitted to proceed. Chairman Bulova seconded the motion.

Discussion ensued concerning the affidavit verification process with input from Cynthia L. Tianti, Deputy County Attorney, who noted that the individual was correctly listed on another application scheduled for public hearing this afternoon.

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

(NOTE: Later in the meeting, the public hearing regarding Special Exception Application SE 2013-MV-023 was held. See Clerk’s Summary Item #75.)

30. **NATIONAL ASSOCIATION OF COUNTIES (NACo) RECOGNITION OF SUPERVISOR GROSS AND MR. HARRISON MOODY** (12:32 p.m.)

Supervisor Hyland announced that:

- Supervisor Gross has been continued as a Vice-Chairman of the NACo Steering Committee on the Environment, Energy, and Land Use
- Harrison Moody has been selected as the Chair of the Agriculture Steering Committee

Supervisor Hyland noted that, in his memory, this was a first for two Virginians to be in NACo leadership positions.

DAL:dal

31. **INTRODUCTION OF INTERN (LEE DISTRICT)** (12:32 p.m.)

Supervisor McKay introduced Emmanuel Feleke, a rising senior at Lee High School, who just completed a summer internship in his office last week. He volunteered to come back today to enjoy the festivities. Supervisor McKay thanked him for a doing a great job. On behalf of the Board, he warmly welcomed Mr. Feleke to the Board Auditorium.

32. **REQUEST TO WAIVE PERMIT AND INSPECTION FEES FOR THE 2015 WORLD POLICE AND FIRE GAMES** (12:33 p.m.)

Supervisor McKay said, as the Board is aware, the World Police and Fire Games, the largest sporting event of its kind, will be held in the County next summer. This event is huge, and size and scope of the games continues to grow, with both the attendance and number of participating countries steadily increasing. It is projected to draw 15,000 to 30,000 competitors and visitors to the County and its environs during this 10-day event.

These games would put the County on the map, were it not already on numerous maps for the excellent schools, economic stability, amenities, and the numerous other elements that ensure enviable quality of life. Many participants and visitors will experience that quality of life, and in doing so provide an economic windfall as they remain in the area or arrive early to vacation here.

To create the venues required to host such an event, Fairfax 2015, Incorporated, is a dedicated group of volunteers tasked with organizing the events at a variety of locations both inside and outside of the County. Key to these preparations is obtaining the necessary building and trade permits for construction of the games' facilities. Fairfax 2015, Incorporated, has agreed to assume the costs of these permits.

Supervisor McKay said that after consulting with the County Attorney regarding waiving the fees associated with building, electrical, and other similar permits for the World Police and Fire Games, he was advised that Fairfax 2015, Incorporated, is a 501(c)(3) corporation and such permit fees may be waived.

Therefore, Supervisor McKay moved that the Board direct the County Executive to advise all County agencies that Fairfax 2015, Incorporated, not be charged permit and inspection fees for the World Police and Fire Games. Chairman Bulova seconded the motion and it carried by unanimous vote.

33. **REQUEST TO EXTEND THE STREET NAME JEFF TODD WAY TO THE SEGMENT OF ROUTE 619 FROM POLE ROAD TO TELEGRAPH ROAD CURRENTLY KNOWN AS MULLIGAN ROAD (LEE DISTRICT)** (12:35 p.m.)

In a joint Board Matter with Supervisor Hyland, Supervisor McKay said that in 2012, the Board approved renaming a section of Route 619 between Richmond Highway and Pole Road, formerly known as Old Mill Road and later Mulligan Road, as Jeff Todd Way in commemoration of an extraordinary individual whose untimely death in August 2011 was a real blow to the Mount Vernon and Lee communities.

Mr. Todd was a towering presence in the County, especially in South County. A successful entrepreneur who owned and operated several Roy Rogers family

restaurants in Mount Vernon and Lee, he was a civic leader as well as a business one.

Supervisor McKay noted that Mr. Todd chaired the Mount Vernon Lee Chamber of Commerce, served on the boards of numerous nonprofit organizations such as Good Shepherd Housing and UCM, and provided free meals to civic volunteers. Mr. Todd also gave his time and talents to Mount Vernon High School athletics, sponsored the annual Roy Rogers Bowl, participated in the Mount Vernon Men of Vision and Purpose Program that supports at-risk students, collected money and toys for local charities, held fundraisers for local schools, and actively encouraged other businesses to give back to the community.

Supervisor McKay expressed the opinion that it is fitting that this critically important connecting road be named for an individual who, himself, created connections.

Supervisor McKay said he has discussed this matter with the office of the Director of the Department of Public Works and Environmental Services.

Therefore, Supervisor McKay moved that the Board direct staff to extend the street name Jeff Todd Way to the segment of Route 619 from Pole Road to Telegraph Road currently known as Mulligan Road, so the entire Route 619 from Route 1 to Telegraph Road would be known as Jeff Todd Way. Supervisor Hyland seconded the motion and it carried by unanimous vote.

34. **ENCLOSING TRASH CONTAINERS (LEE AND MOUNT VERNON DISTRICTS)** (12:36 p.m.)

In a joint Board Matter with Supervisor Gross and Supervisor Hyland, Supervisor McKay said that since the 1970's, the County has implemented ordinances and best management practices to protect its waterways. Currently, new zoning applications and site plan submissions are required to enclose trash containers to keep the waterways free of litter. However, legacy sites do not have these requirements. Of particular concern is the area along the length of Richmond Highway where older sites have trash containers adjacent to storm drains and other areas that have direct links to County creeks, streams, rivers, and lakes.

Every year during trash clean up events, volunteers remove hundreds of tons of trash from the waterways. However, their good work is often undercut by the presence of trash containers in the vicinity of storm drains that feed into the waterways. Not only does this litter affect the quality of life of the area's residents, but as it washes down the storm drains of Richmond Highway. This litter makes its way to Quander Brook, Cameron Run, the Potomac River, and ultimately the Chesapeake Bay.

After consulting with the County Attorney's office, it was confirmed that the County has the authority to regulate the location of trash containers. Under

Virginia Code Section 15.2-928, “[a]ny locality may . . . regulate the times and placement of waste and waste containers set out for collection, such regulation to require notice as to allow removal by the owner of the waste or waste containers prior to imposition of a civil penalty.”

Supervisor McKay expressed the opinion that it is incumbent to adopt such an ordinance to protect not only the County’s delicate ecosystems and resources but also the larger region and the Chesapeake Bay. Not only will this be a major step to protect the environment, but such an ordinance will also have a positive impact on the bottom line, reducing the costs associated with park and waterway maintenance.

Therefore, jointly with Supervisor Hyland, Supervisor McKay moved that the Board direct staff report with best practices recommendations and proposed ordinance language for trash container placement that establishes a minimum distance between the location of a trash container and a storm drain or waterway. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Following discussion regarding a timeframe, Supervisor McKay amended his motion to direct staff to report with the information prior to the end of the year, and this was accepted.

Supervisor Herrity asked to amend the motion to direct staff to provide outreach efforts to industry as well, and this was accepted.

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

35. **FEDERATION OF CITIZENS ASSOCIATIONS RESOLUTION – JOINT BOARD/FAIRFAX COUNTY PUBLIC SCHOOLS INFRASTRUCTURE FINANCING COMMITTEE** (12:41 p.m.)

Supervisor McKay said that the joint Board of Supervisors/Fairfax County Public Schools Infrastructure Financing Committee (originally called the Capital Facilities and Debt Management Working Group) was established in April 2013 as a working group to collaborate and review both the County and School’s capital needs.

One of the challenges of this committee has been to understand the different methodologies, criteria, and rating systems used by the County and Schools to determine the conditions of facilities and assess renovation priorities.

Recently, Board Members received a resolution passed by the Fairfax County Federation of Citizens Associations. That resolution commends both boards for their cooperation in addressing County and Schools facility needs and asks both boards to continue to work together. The resolution makes several specific recommendations.

Therefore, Supervisor McKay moved that the Board direct staff to provide the resolution to the County Executive and the Fairfax County Public Schools Superintendent for review and feedback. Chairman Bulova seconded the motion and it carried by unanimous vote.

36. **MARCH OVER THE VETERANS BRIDGE – THE BRIDGEWALK (LEE DISTRICT)** (12:42 p.m.)

Supervisor McKay said that on Tuesday, August 26, 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, food from local restaurants, and—quite possibly—a few notables will feel the urge to say a few words.

This year's BridgeWalk will be the thirteenth annual and 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 said that local elementary schools—Garfield, Crestwood, and Lynbrook—have always been enthusiastic participants of this event and he looks forward to their participation again this year.

The BridgeWalk is a community building event that began 13 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.

Supervisor McKay invited his colleagues to join him on August 26 and experience how they celebrate community in Lee District.

Supervisor McKay asked unanimous consent that the Board direct the Office of Public Affairs to advertise this event. Without objection, it was so ordered.

37. **REQUEST FOR RECOGNITION OF MS. CAROLE KIHM – 2014 OUTSTANDING MIDDLE SCHOOL PRINCIPAL OF VIRGINIA (DRANESVILLE DISTRICT)** (12:44 p.m.)

Supervisor Foust announced that Carole Kihm has been named the 2014 Outstanding Middle School Principal of Virginia by the Virginia Association of Secondary School Principals. Ms. Kihm has served as principal of Longfellow

Middle School in McLean since May 2008. Previously Ms. Kihm won the Fairfax County Public Schools First-Year Principal of the Year award in 2009.

Ms. Kihm is praised as being a collaborative and innovative leader who spends most of her time in classroom observations, providing immediate feedback to teachers. She is encouraging of students' involvement in after-school programs. Over half of the students at Longfellow participate in one of 38 clubs, including the Homework Club, designed to help students improve their grades. During her tenure, the school created a rain garden with cistern and vegetable garden to promote environmental education and stewardship.

One of her most significant achievements was improving the performance of students on the Virginia Standards of Learning math tests. As a result of changes she implemented, the pass rate for economically disadvantaged students rose from 73 to 92 percent; from 63 to 91 percent for students with disabilities; and 62 to 91 for African-American students the following year. As is characteristic of Ms. Kihm, she credits the rise in test scores to a "total team effort."

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. Kihm, along with her family and school officials, to appear before the Board on September 23, 2014, to be recognized for her significant achievements. Without objection, it was so ordered.

A brief discussion ensued, with input from Tony Castrilli, Director, Office of Public Affairs, regarding the number of presentations scheduled for September 23.

38. **REQUEST FOR RECOGNITION OF MR. DOUG DOWNER AND HERNDON DULLES CHAMBER OF COMMERCE FRIDAY NIGHT LIVE COMMITTEE (DRANESVILLE DISTRICT)** (12:45 p.m.)

Supervisor Foust said that since 1994, there have been free outdoor concerts on the Herndon Town Green every Friday evening during the summer months. The man behind the concerts is Mr. Doug Downer who initiated the concert series 20 years ago. Mr. Downer and the Herndon Dulles Chamber of Commerce Friday Night Live Committee organize and run the concert program, which provides a safe and relaxing family friendly venue for residents and visitors to the Herndon area.

Tip money from beverage sales is donated to the Herndon High School Drug and Alcohol-Free Celebration Committee for the All Night Grad party. Proceeds from "glow necklaces" are presented to the Parent-Teacher organizations of four elementary schools in Herndon. Other organizations that have benefited from contributions include: Herndon Optimist Club, Veterans Memorial Fund, Boy Scouts of America, Herndon High School Girls Softball, and the Town of Herndon.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Mr. Downer, Founder and Chair of the Herndon Dulles Chamber of Commerce Friday Night Live Committee, and his team of hard-working volunteers, to appear before the Board on October 28, 2014, to be recognized for their excellent work on behalf of the community. Without objection, it was so ordered.

39. **REQUEST FOR RECOGNITION OF POLICE OFFICER FIRST CLASS SCOTT DAVIS – SCHOOL RESOURCE OFFICER AT McLEAN HIGH SCHOOL (DRANESVILLE DISTRICT)** (12:46 p.m.)

Supervisor Foust announced that Police Officer First Class Scott Davis, who serves as the School Resource Officer at McLean High School, has been named the 2014 Fairfax County Public Schools (FCPS) Distinguished School Resource Officer.

Officer Davis is an active member of the school community and has developed and implemented safety programs in the school. He routinely attends after-school events. Nominators say he is routinely viewed by students as a role model, mentor, and friend. Students and parents feel comfortable bringing to him any matters of concern, even at 2 a.m.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Officer Davis to appear before the Board on September 23 to be recognized for his outstanding service to students of the County. Without objection, it was so ordered.

40. **REQUEST FOR RECOGNITION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE HERNDON WOMEN'S CLUB (DRANESVILLE DISTRICT)** (12:47 p.m.)

Supervisor Foust said that for 75 years, the Herndon Women's Club has been giving back to the community. The Club was formed originally in 1939 as the Junior Woman's Club of Herndon, sponsored by the Herndon Fortnightly Club. At that time, federated state rules limited membership to single women 25 and under. Today, the club has no limit on age or marital status.

The Herndon Women's Club has served as an instrumental part of the Herndon community. During World War II, club members rolled bandages to raise money and sent wedding gowns to war brides in England.

Since 1947, the club has presented an Outstanding Girl Athlete award to a Herndon High School student; and since 1963, has given a scholarship to a Herndon High School senior. The club annually sends a Herndon high school sophomore to the Hugh O'Brian Youth Leadership (HOBY) State conference.

The club also sends a special needs child to Camp Easter Seal and has been a major contributor to LINK, providing food for the hungry in the Herndon and Sterling area. This year, the GFWC Signature Project is Domestic Violence Prevention.

Supervisor Foust asked unanimous consent that the Board direct staff to invite Club President Pat Stark and members of Herndon Women's Club to appear before the Board on September 23, 2014, to be recognized for their contributions to the Herndon community for the past 75 years of service. Without objection, it was so ordered.

PMH:pmh

41. **ADDRESS CHANGES REQUESTED - THE MERIDIAN GROUP (PROVIDENCE DISTRICT)** (12:49 p.m.)

Supervisor Smyth said that the Meridian Group recently purchased three office buildings on the former SAIC Tysons campus located at Tax Maps 29-3((15)) 4E1, 4F1 and 4G. The Meridian Group has requested that the Board help change the addresses of the buildings to better reflect the new mix of tenants now occupying two of the three buildings.

Therefore, Supervisor Smyth moved that the Board direct the Department of Public Works and Environmental Services (DPWES) to make the following address changes for properties identified as Tax Map 29-3 ((15)) 4E1, 4F1 and 4G:

- Parcel 4F1 - Change the address from 1707 SAIC Drive to 1710 SAIC Drive
- Parcel 4E1 - Change the address from 1710 SAIC Drive to 1700 Greensboro Station Place
- Parcel 4G - Change the address from 1709 SAIC Drive to 1705 Greensboro Station Place

This motion recognizes that the final building numbers of the new Greensboro Station Place buildings could change based on the standard numbering convention that DPWES staff utilizes. Supervisor Herrity seconded the motion and it carried by a vote of nine.

42. **PARKING SIGNS AT OAK MARR RECREATION CENTER (PROVIDENCE DISTRICT)** (12:50 p.m.)

Supervisor Smyth said it came to her attention, with the renovations to the Oak Marr Recreation Center, that there are concerns with the new parking signage in front of the building. She noted that new parking signage is about LEED certification and it sets up nine parking spaces as hybrid/alternative fuel. There

are 11 handicap parking spaces and some of those spaces are further from the door than some of the hybrid/alternative fuel spaces.

Supervisor Smyth asked unanimous consent that the Board direct the County Executive to revisit the action the Board previously took in a similar situation in December 2011 and determine if the same options can be applied to this situation. Without objection, it was so ordered.

43. **NATIONAL PAYROLL WEEK - JULY 29, 2014** (12:53 p.m.)

Supervisor Gross said that most employees take for granted that they will be paid on time, correctly, each and every pay day, but it is payroll professionals who attend to all of the details and tax compliance requirements to ensure that it happens. In the County, expert professional employees handle the myriad of requirements for more than 11,000 County employees.

Supervisor Gross announced that National Payroll Week appropriately falls during the same week in which the nation observes Labor Day and she asked unanimous consent that the Board:

- Proclaim the week of September 1, 2014, as “*Payroll Week*” in Fairfax County
- Direct staff to prepare an appropriate proclamation to be presented at a later date

Without objection, it was so ordered.

(NOTE: Later in the meeting, there was an additional item regarding National Payroll Week. See Clerk’s Summary Item #46.)

44. **CODE COMPLIANCE CONFERENCE FOR COMMUNITY AND NEIGHBORHOOD LEADERS** (12:55 p.m.)

In a joint Board Matter with Supervisor McKay, Supervisor Gross said that in 2007, the Board established Code Enforcement Strike Teams to help address a proliferation of illegal boarding houses in the County. During the following three years, Strike Team members investigated and resolved more than 700 of these very difficult cases, while also conducting more than 70 community outreach and education events. The collaborative effort by cross-agency personnel was so successful that, in 2010, code enforcement functions were consolidated into a new agency, the Department of Code Compliance (DCC). Deputy County Executive Robert Stalzer was instrumental in helping DCC improve services by enhancing customer service and intake processes, cross-training technical staff to promote code efficiencies, improve collaboration with sister agencies, and promote code compliance in the community by outreach and education.

Supervisor Gross noted that DCC continues to refine its mission and processes to best meet the needs and trends in the community. It also continues to conduct numerous ad hoc community and outreach sessions each year, sessions that many have been able to participate in. She added that a Code Compliance Conference could help educate community leaders about how DCC and the County can work with them to recognize and address many differing neighborhood trends and challenges.

Therefore, Supervisor Gross moved that the Board direct the County Executive to work with the staff of DCC and other relevant agencies to plan and conduct a Code Compliance Conference, as soon as feasible, to educate and collaborate with numerous and diverse community and neighborhood leaders. If successful, and as resources allow, staff should also look at conducting similar sessions on a regular basis in the future. Supervisor McKay and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

45. **COUNTY CONVENTION AND VISITORS CORPORATION'S
"FOUNDING FATHERS CAMPAIGN"** (12:58 p.m.)

Supervisor Herrity said in 2013, residents of Philadelphia, New York City, and the District of Columbia were surprised when posters of the Founding Fathers greeted them at bus stops, train stations, and parks. These posters, with a QR code in place of the Founders' mouths, were scanned by curious onlookers who were treated to a video version of the mouth that talked about the County. The Founding Fathers Campaign, the brain child of the County Convention and Visitors Corporation, Visit Fairfax, went viral and received more than 16 million media impressions earning them nearly 1,000 new Facebook followers and over 17,000 consumer actions. A rough estimate indicates that this single campaign brought over \$5 million in new visitor spending to the County, representing a 110 to 1 return on investment. Needless to say, the Founding Fathers Campaign was an immense success,

As a further testament to the success, Visit Fairfax received 16 national awards for this campaign including two Gold National American Advertising Federation ADDY Awards, one Platinum award and the Best of Show at the 2013 Hospitality Sales and Marketing Association International Adrian awards. Other accolades include three HSMAI Gold Adrian awards and one Silver Adrian, two Gold District AAF ADDY awards, five local Washington, DC area AAF ADDY awards and a 2014 Virginia Association of Convention and Visitors Bureaus Virgo award.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite representatives from Visit Fairfax to appear before the Board to receive a resolution congratulating it for the immensely successful "Founding Fathers Campaign." Without objection, it was so ordered.

46. **PAYROLL PROFESSIONALS DAY** (1 p.m.)

(NOTE: Earlier in the meeting, there was an item regarding National Payroll Week. See Clerk's Summary Item #43.)

Supervisor Herrity said that this year, the County will host the annual conference of the Virginia chapter of the American Payroll Association. The conference will be October 9-10 and will feature hundreds of payroll professionals from across the Commonwealth.

Although not frequently recognized, payroll professionals are one of the most critical groups in any business, government, and non-profit. Human capital is the backbone of every organization and payroll professionals ensure that human capital is taken care of. Being a payroll professional can be a thankless job, much like public servants; people often don't think to call the payroll department until there is a problem. It is great to see the County hosting this conference and recognizing the contributions of payroll professionals.

Therefore, Supervisor Herrity asked unanimous consent that the Board declare October 9, 2014, as "Payroll Professionals Day" in Fairfax County and that a resolution be presented to the Virginia chapter of the American Payroll Association. Without objection, it was so ordered.

47. **SICKLE CELL AWARENESS MONTH** (1:01 p.m.)

Supervisor Hudgins said that Sickle Cell Disease is the most common inherited blood disorder in the United States. Sickle cell is particularly common among people whose ancestors came from sub-Saharan Africa; Spanish-speaking regions in the Western Hemisphere, Saudi Arabia; India; and Mediterranean countries such as Turkey, Greece, and Italy.

September is National Sickle Cell Awareness Month. Because it is "back to school" month for most children, the Sickle Cell Disease Association of America wants the public to reflect on the children and the adults whose lives, education, and careers have been affected by this disease. The observance originated in 1975.

The effort to have Sickle Cell Month officially recognized at all levels succeeded in 1983 when the House of Representatives unanimously passed the resolution, introduced by the Congressional Black Caucus, asking President Reagan to designate September as "*National Sickle Cell Anemia Awareness Month*." The President signed the resolution in August of 1983.

Therefore, Supervisor Hudgins asked unanimous consent that the Board:

- Proclaim September as "*Sickle Cell Awareness Month*" in Fairfax County

- Direct the Office of Public Affairs to help publicize this event
- Direct staff to invite Dr. Gloria Addo-Ayensu, Director, Health Department, to appear before the Board at its September 9 meeting to be presented with the proclamation

Without objection, it was so ordered.

48. **REQUEST TO RECOGNIZE THE HONORABLE JEAN PACKARD**
(1:03 p.m.)

In a joint Board Matter with the Board, Supervisor Hudgins said that this month, the Honorable Jean Packard is retiring after many years of service to the County and the Northern Virginia region.

Supervisor Hudgins referred to her written Board Matter outlining Ms. Packard's many accomplishments and asked unanimous consent that the Board:

- Recognize Ms. Packard, for many years of service and environmental leadership to the County and the Northern Virginia region.
- Direct staff to invite Ms. Packard to attend a Board meeting to receive its thanks. If this is not possible, staff will investigate an alternative presentation.

Without objection, it was so ordered.

49. **CAR FREE DAY** (1:04 p.m.)

In a joint Board Matter with Supervisor Smyth, Supervisor Hudgins said that September 22 has been designated as Car Free Day in the Washington Metropolitan area. The Car Free Day is sponsored by the Metropolitan Washington Council of Government's Transportation Planning Board (TPB). Organized in 1,500 cities in 40 countries throughout the world to encourage people to use more environmentally friendly transportation modes, the Car Free Day correlates with International Mobility Week, occurring September 16-22, which celebrates sustainable mobility.

Supervisor Hudgins said that everyone is invited to pledge to go *car free* at www.carfreemetrod.com and to register to win great prizes. She noted that the TPB asks that individuals pledge whether they are currently using transportation alternatives.

Therefore, 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.

50. **HIGHWAY TRUST FUND** (1:06 p.m.)

In a joint Board Matter with Supervisor McKay, Supervisor Hudgins noted the importance of a Highway Trust Fund and that it is urgent that the Board send a letter to its Congressional Delegation urging the importance of finding a solution and saving the trust fund.

Therefore, Supervisor Hudgins moved that the Board approve sending the letter contained in her written Board Matter to the County's Congressional delegation and request that it support legislation to address the federal Highway Trust Fund shortfall, and work towards a long-term surface transportation reauthorization that address transportation needs. Supervisor Gross and Supervisor McKay jointly seconded the motion.

Supervisor Gross noted that the second page of the proposed letter was missing and Supervisor Hudgins said that she would bring the item back for consideration when copies of the letter had been re-distributed to Board Members.

Supervisor Hyland asked to amend the motion to direct staff to forward the letter to the National Association of Counties (NACo), and this was accepted.

(NOTE: Later in the Board took action regarding the Highway Trust Fund. See Clerk's Summary Item #52.)

51. **PLAN AMENDMENT - 10819 LEESBURG PIKE (HUNTER MILL DISTRICT)** (1:08 p.m.)

Supervisor Hudgins said that Singh Development, a developer of independent living, assisted living, and memory care projects, is requesting that the Board authorize a Plan amendment to consider approximately 24.63 acres located at 10819 Leesburg Pike for a mix of senior living facilities, including potentially independent living, assisted living, and other facilities. It will be designed to serve the aging population of the County, in a manner consistent with sound land use policy that may advance the important policy goal of providing much needed senior housing in proximity to the communities where these seniors have lived, worked and/or have strong social connections, such as church or family.

Therefore, Supervisor Hudgins moved that the Board:

- Authorize a Plan Amendment for the property identified as Tax Map 12-3 ((1)), Parcel 4, consisting of approximately 24.63 acres, which parcels are located in the Upper Potomac Planning District under the current Comprehensive Plan and designed for residential use at .5-1 dwelling units. The Plan amendment should consider

the appropriateness of the parcel developing as a senior housing facility at an overall intensity up to .30 floor area ratio (FAR) to include up to 150 independent living facilities and up to 100 assisted living/memory care units, exclusive of any affordable dwelling units.

- Direct the Department of Planning and Zoning concurrently process this Plan amendment with any zoning applications, filed with respect to the property.

This motion should not be construed as a favorable recommendation on this proposed Plan amendment or any subsequent rezoning or other applications with respect to the property. Chairman Bulova seconded the motion.

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

52. **ACTION REGARDING THE HIGHWAY TRUST FUND ISSUE**
(1:12 p.m.)

(NOTE: Earlier in the meeting there was discussion regarding the Highway Trust Fund. See Clerk's Summary Item #50.)

Chairman Bulova announced that the Board had been provided with the entire letter and she restated Supervisor Hudgins motion, as amended:

- That the Board approve sending the letter contained in her written Board Matter to the County's Congressional delegation and request that it support legislation to address the federal Highway Trust Fund shortfall, and work towards a long-term surface transportation reauthorization that address transportation needs
- That the Board direct staff to send a copy of the letter to the National Association of Counties (NACo)

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

53. **RECOGNITION OF MS. VIVIAN WATTS** (1:12 p.m.)

Supervisor Hudgins recognized Vivian Watts, former Virginia Secretary of Transportation and Public Safety, for her efforts in finding transportation funding sources for Phase I and II of the Silver Line rail.

54. **COLONNADE AT UNION MILL TAX MAP 55-3((I)) 47A, 47B, 47C, 47F, AND 66-1-((I))16D, 16E, 16G PROFFERED CONDITION AMENDMENT APPLICATION** (1:14 p.m.)

Supervisor Frey stated that on July 11, 1988, the Board approved Proffered Condition Amendment/Conceptual Development Plan Amendment Application PCA/CDPA 81-S-090-2 with concurrent special exception applications to permit construction of a retail center located at the intersection of Union Mill Road and Braddock Road, known as the Colonnade at Union Mill. The property is zoned C-6, WS. Proffer 16 associated with that approval prohibited certain uses including a veterinary hospital, which is otherwise a permissible use in the C-6 District. The shopping center owner would like the flexibility to include veterinary uses in the center and has met with the Sully land use committees who have no objection. Given that there is no construction proposed, the review of this application should be uncomplicated. Consequently, the applicant has asked that the application be expedited so that the Board's public hearing can occur prior to the end of the calendar year. Supervisor Frey stated that he has reviewed the request with the Department of Planning and Zoning (DPZ) and was told that the timetable is feasible.

Therefore, Supervisor Frey moved that the Board authorize DPZ to schedule a public hearing to be held before the Board for this application to occur prior to the end of the year. The applicant understands that this motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/ or adopted standards. Supervisor Herrity seconded the motion and it carried by unanimous vote.

55. **POSSIBLE PLAN AMENDMENT 34-3-((13)) 1,2,3,4 (SULLY DISTRICT)** (1:16 p.m.)

Supervisor Frey announced that on June, 2, 2003, the Board approved Proffered Condition Amendment Application PCA 95-Y-016-4 and Special Exception Amendment Application SEA 95-Y-016-4, to permit construction of a furniture store on Tax Map Parcel 34-3-((13)) 3. Since that time, there has been a decline in the national and local furniture market, and construction of the anticipated store is not economically viable. The owner of Parcel 3 has received considerable interest from a variety of other retail uses; however the current Comprehensive Plan recommendation for Parcel 3 permits only hotel, recreational and, under certain circumstances, a furniture store. In talking with staff, it appears that any alternate retail uses would require a Comprehensive Plan Amendment. This site is located within the Dulles Suburban Center, which is currently being reviewed as part of Fairfax Forward, however, the timetable for that review is approximately three years. Given the limited size and scope of this amendment, Supervisor Frey stated his belief that it can be reviewed independently and has discussed this request with staff and they concur.

Therefore, Supervisor Frey moved that the Board authorize staff from the Department of Planning and Zoning (DPZ) to evaluate a Comprehensive Plan amendment to consider alternative retail uses on Tax Map 34-3-((13))3, which may run concurrently with a proffered condition amendment and/or special exception amendment for Parcel 3. The applicant understands that this motion should not be construed as a favorable recommendation on the Comprehensive Plan amendment or on any subsequent proffered condition amendment applications for the subject property, nor does it relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/ or adopted standards, in any way. Supervisor Gross seconded the motion and it carried by unanimous vote.

56. **COMPANION ANIMALS** (1:18 p.m.)

Supervisor Frey stated that over the years his office has received calls from people who just acquired a pet and found out it was not allowed to be kept as a companion animal in the County. In many cases these animals were recently acquired at the local pet supply store. Looking at the definition of "commonly accepted pets" in the Code of the County of Fairfax it is easy to see that it has not been updated in quite some time. There are also inconsistencies in what the County has been allowing citizens to seek approval of through the special permit process and the Code definitions of wild animals, creating further confusion.

Supervisor Frey asked unanimous consent that the Board:

- Refer this issue to Animal Shelter and Health Department staff to review and update
- Direct staff to include the Animal Services Advisory Committee in this review

Supervisor Frey noted that animal welfare and the humane treatment of the animals will be an important part of this, as well as a desire not to encourage the keeping of wild or exotic animals as domestic pets. However there are numerous animals that are accepted everywhere as wonderful companions that the County does not currently allow. It is long overdue for modernizing.

Without objection, it was so ordered.

57. **NEIGHBORHOOD SPEEDING INITIATIVE** (1:22 p.m.)

Supervisor Cook announced that the neighborhood speeding initiative originally funded by the Board in 2013 will be kicking off next month. He added that Board Members will be receiving a "Save the Date" for the official launch in the next few days. The initiative is comprised of a vigorous awareness campaign that will remind drivers to slow down in neighborhoods. The campaign will feature the

slogan, "Slow Down: You live here, we live here," and will include many community education events throughout the fall.

Supervisor Cook noted that this effort began on June 19, 2012, with a Board Matter sponsored by himself, Supervisor Hyland, and Supervisor McKay. Following extensive review and analysis by staff, a draft plan was presented to the Board on July 27, 2012. The Board approved the first phase of the plan last year through funding at Carryover.

The robust campaign is a collaborative endeavor between Supervisor Cook's office, the Board, the Office of Public Affairs, and the Police Department.

58. **SUICIDE PREVENTION WEEK** (1:23 p.m.)

Supervisor Cook announced that in the US, one person dies by suicide every 18 minutes, and it is estimated that five million people in the US have lost a loved one to suicide in the past 25 years. Suicide is the tenth leading cause of all deaths in the US, and mental health problems will strike one in five adults each year regardless of age, gender, race, ethnicity, religion or economic status. Suicide is the third leading cause of death among youth between the ages of 15 and 25, and the second leading cause of death for college students, with tragic consequences not only for themselves but others as well.

Supervisor Cook said that 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 the suicides of loved ones through educational programs, research projects, intervention services, and bereavement services.

The Fairfax-Falls Church Community Services Board (CSB) has partnered with CrisisLink to make it possible for people of all ages, and really anyone in the community, to text concerns to CrisisLink for prompt response, counsel and referral. All you have to do is text NEED HELP to 703-940-0888. In the County alone last year there were over 150 suicides. CrisisLink handled 2,699 calls including follow-up calls to those at high risk. Of those calls, 311 were suicide-related and required de-escalation by a volunteer crisis counselor.

As unnecessary deaths from suicide continue to increase, particularly in times of economic crisis, the urgency to reach out to those in need is heightened. Therefore, to raise awareness, Supervisor Cook asked unanimous consent that the Board:

- Proclaim September 8–14, 2014, as "*Suicide Prevention Week*" in Fairfax County.
- Direct staff to invite a representative from the CSB and CrisisLink to appear before the Board at its September 9 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.

59. **CONSIDERATION ITEM FOR CARRYOVER - REQUEST FOR LAKE ACCOTINK PARK SITE ANALYSIS AND AREA USE RECOMMENDATION STUDY** (1:26 p.m.)

In a joint Board Matter with Supervisor Herrity and Supervisor McKay, Supervisor Cook said that Lake Accotink Park, an unpolished gem in the County, is comprised of a 55 acre lake and 493 acres of surrounding park land. Recently, the Park Authority has begun to reimagine its potential and is about to embark on an approximately 18 month re-master planning effort. This new master plan seeks to turn this underutilized park into one of the County's crown jewels.

Supervisor Cook noted that before that effort begins, however, the Park Authority has recommended that a preliminary Site Analysis and Area Use Recommendation Study be conducted to inform and establish parameters for the planning process. He said that included with his Board Matter is an outline and budget for the proposed study, which is expected to take six months for completion. While the Park Authority is currently working with the Northern Virginia Regional Commission to identify potential grant funding opportunities, there is no indication that such talks will be successful. He is asking the Board to take action today because it will not meet again before the NVRC and the Park Authority are able to determine if an additional avenue for funding this study exists.

Therefore, Supervisor Cook moved that funding in the amount of \$179,000 for the preliminary review, as outlined in his written Board Matter, be included as a Consideration Item for Carryover. Supervisor Herrity, Supervisor Hyland, and Supervisor McKay seconded the motion.

Following discussion regarding whether Park Authority funding is available, the question was called on the motion and it carried by unanimous vote.

60. **ORDERS OF THE DAY** (1:32 p.m.)

Supervisor Foust asked unanimous consent that the Board hold the 4:30 p.m. public hearing regarding the amended and restated real estate exchange agreement between the Board and Rocks Engineering Company and Nugget Joint Venture, LC (Collectively, "Reco") prior to the 4:30 p.m. public hearing Proffered Condition Amendment Application PCA C-696-10 and Rezoning Application RZ 2009-HM-017. Without objection, it was so ordered.

61. **BOOKMARKS FROM THE CHAIRMAN** (1:32 p.m.)

Chairman Bulova distributed bookmark souvenirs to Board Members from her recent trip to Key West, where she attended a retirement celebration for her sister who was a nurse at the Adult Detention Center.

62. **RECESS/CLOSED SESSION** (1:34 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. Authorization to File Amicus Brief in the Virginia Supreme Court in Support of Arlington County Board, an Appellee in *The Neilsen Company (US), LLC v. County Board of Arlington County, Virginia, and Ingrid H. Morroy*, Record No. 140422 (Va. Sup. Ct.)
 2. Application of Columbia Gas of Virginia, Inc., PUE-2014-00020 (Va. State Corp. Comm'n) (Dranesville, Hunter Mill, and Sully Districts)
 3. *Gerard Morrison, Christopher Thompson, Elton Polen, Jr., Calvin Alexander, Michael Allen, Rocco Alvaro, Thomas Arnold, William Atwell, Robert Banasik, Timothy Barb, Todd Barb, Mathew Barnhart, Mervin Barrera, Oscar Beasley, William Best, Jr., Bill Betz, Daniel Borden, Jr., Edward Bowman, Fred Brandell, Donald Brasfield, Christopher Brown, Jon Bruley, Clyde Buchanan, Carlton Burkhammer, Robert Burlingame, Matthew Burns, Leo Burt, Leroy Butler, Jr., Keith Cerzullo, John Chesek, Jr., Michael Ciarrocchi, Steven Clark,*

Bradford Cochrane, Jr., Thomas Connolly, David Conrad, Arthur Cox, Dustin Cramer, Tracy Crawford, Keith Cross, Charles Cunningham, Eric Cunningham, Danny Daniels, II, Michael Davis, Troy Dean, Yolanda Demark, Samuel Devera, Keith Dubetsky, Brian Edmonston, Kevin Edwards, Derek Edwards, Felecia Edwards, Sean Evans, Mark Feaster, Michael Fischer, Colin Flanigan, Thomas Flint, Michael Fontana, Ramiro Galvez, Michael Garcia, Kenneth Geffen, Jared Goff, George Gonzalez, Todd Gorham, Samuel Gray, Raymond Griffin, Wesley Grigg, David Gruendel, Mark Guditus, David Hall, James Harrison, III, Sheryl Hemingway, Charles Henderson, Kit Hessel, John Higginbotham, James Hobgood, Kimberly Hood, Trenton Houghton, Gregory Hunter, James Iacone, James Istvan, Michael Istvan, Anthony Jackson, James Johnson, Reginald Johnson, Thomas Johnson, Walter Johnson, Joseph Kaleda, Glenn Kaplan, Patrick Kelly, Rebecca Kelly, William Kingdon, Joseph Kiser, Robert Kitchen, Joseph Knerr, Robert Konczal, Tony Kostecka, Ronald Kuley, Richard Lancing, David Lange, James Lee, John Leete, Jeffrey Lewis, Robert Lison, Matthew Lopez, William Lynch, Barry Maham, Michael Marks, Charles Martin, James Masiello, Glenn Mason, Corey Matthews, Thomas Mayhew, Steven McFarland, Roger McGehee, Richard McKinney, Jr., Kerwin McNamara, Francis Mensah, Mark Menton, Joseph Merritt, Jr., Stephen Miller, Robert Mohler, Jeffrey Mongold, Donald Montague, Brian Moravitz, John Morris, Richard Moxley, John Niemiec, Bryan Nix, Jr., Steven Norris, Stephen O'Brien, Milton Painter, Joseph Palau, III, Dennis Passmore, Gary Pemberton, John Peters, Dallas Phillips, Ralph Pisani, Charles Pullen, E. Martin Ranck, III, Barry Rathbone, John Richter, Natalie Robb, Ronnie Rodriguez, Matthew Ryan, William Schellhammer, III, Mark Schroeder, David Schwarzmam, Michael Sease, II, David Sellers, Daniel Shaw, Richard Smith, Scott Smith, Michael Snapp, James Sticklen, Rex Strickland, Cheri Stroup, Ronald Sydnor, Kendall Thompson, Lorenzo Thrower, Christopher Tilles, David Tobin, Jeffrey Tolle, Glenn Tschann, William Vannoy, Donald Vaught, Jack Walmer, Jr., John Walser, Thomas Wealand, Oscar Wells, Wayne Wentzel, Michael Whetsell, Paul White, Kenneth Wildman, Jerome Williams, Marcus Williams, Elton

Wright v. County of Fairfax, Virginia, Civil Action No. 1:14-cv-5 (E.D. Va.)

4. *Sebastian Cerda v. Fairfax County Department of Family Services*, Record No. 2030-13-4 (Va. Ct. App.); *Kathleen Mary Fabian-Cerda v. Fairfax County Department of Family Services*, Record No. 2055-13-4 (Va. Ct. App.)
5. *Angela Pledger v. Fairfax County*, Case No. 14-1590 (U.S. Ct. of App. for the Fourth Cir.)
6. *Harold Elam v. Fairfax County Police Officer C.J. Chamberlain*, Case No. 2014-0004203 (Fx. Co. Cir. Ct.)
7. *Light Global Mission Church and Seyku Chang v. Lawyer's Title Realty Services, Inc.; Reliance Trust Company; Ridgestone Bank; B.C. Ziegler and Co.; Cede & Co.; The Depository Trust Co.; The Unknown Owners of the \$9,070,000 Light Global Mission Church First Mortgage Bonds Dated December 1, 2007; Su Chang Kim, Trustee; Corbett Construction, Inc.; Pender, L.L.C.; and the County of Fairfax*, Case No. 13-11337-BFK and Adv. Proc. No. 14-01112-BFK (E.D. Va. Bankr.) (Sully District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duc Dang*, Case No. CL-2012-0011237 (Fx. Co. Cir. Ct.) (Providence District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jaime R. Rueda*, Case No. CL-2009-0008709 (Fx. Co. Cir. Ct.) (Mason District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Joanne Kreiser*, Case No. CL-2012-0008224 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Board of Supervisors of Fairfax County, Virginia v. D and J Real Estate, LLC and L & M Body Shop, Inc.*, Case No. CL-2011-0016596 (Fx. Co. Cir. Ct.) (Lee District)
12. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donald M. Douglas and Louise L. Douglas*, Case

No. CL-2013-0003838 (Fx. Co. Cir. Ct.) (Springfield District)

13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Eduardo Mendez Alvarez*, Case No. CL-2012-0006511 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Julio Moya*, Case No. CL-2009-0017993 (Fx. Co. Cir. Ct.) (Lee District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Victoria Almanza, a/k/a Victoria A. De Rojas*, Case No. CL-2014-0004116 (Fx. Co. Cir. Ct.) (Providence District)
16. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Brian N. Walsh*, Case No. CL-2014-0001509 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Board of Supervisors of Fairfax County, Virginia v. Rixen Liao and Xiaoying Wang*, Case No. CL-2014-0006337 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. 44 Alexandria Associates, L.L.C.*, Case No. CL-2013-0013888 (Fx. Co. Cir. Ct.) (Mount Vernon District)
19. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Joyce P. Borden*, Case No. CL-2014-0008508 (Fx. Co. Cir. Ct.) (Mount Vernon District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Keun Hoon Lee and Yong Ja Lee*, Case No. GV14-009919 (Fx. Co. Gen. Dist. Ct.) (Lee District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel C. Robinson*, Case Nos. GV14-011327 and GV14-011328 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judi D. Raphael*, Case No. GV14-010218 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Luz A. Uzmanor and Nelson Naitive, a/k/a Nelson Nativi*, Case No. GV14-011326 (Fx. Co. Gen. Dist. Ct.) (Lee District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jose O. Flores, Blanca H. Flores, Doris E. Villatoro, and Jose A. Villatoro*, Case No. GV14-007985 (Fx. Co. Gen. Dist. Ct.) (Lee District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert A. Meskunas, Trustee, and Margaret A. Meskunas, Trustee, Meskunas Family Trust Dated September 16, 2002*, Case Nos. GV14-011324 and GV14-011325 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
26. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Brian A. Robertson*, Case Nos. GV14-011446 and GV14-011447 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Vicente Escobar and Martha E. Escobar*, Case No. GV14-011794 (Fx. Co. Gen. Dist. Ct.) (Lee District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Pascal Sung-Won Hong and Agnes Song-Kyung Hong*, Case No. GV14-007987 (Fx. Co. Gen. Dist. Ct.) (Sully District)
29. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Edwin Hercules Funk, Jr.*, Case Nos. GV13-003199, GV13-003355, GV14-008401, and GV14-008402 (Fx. Co. Gen. Dist. Ct.) (Lee District)
30. *Joanne E. Leonard-Anderson v. Mason District Police, Officer Depty [sic] White, and Chief Gun Lee*, Case No. GV14011819-00 (Fx. Co. Gen. Dist. Ct.)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Onofre Augusto D. Alvarez, II*,

and Anita Sanchez-Alvarez, Civil Case No. GV14-012493 (Fx. Co. Gen. Dist. Ct.) (Lee District)

32. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Juan Onofre Augusto D. Alvarez, II, and Anita Sanchez-Alvarez, Civil Case No. GV14-012492 (Fx. Co. Gen. Dist. Ct.) (Lee District)*
33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard E. During and Eugenia F. During, Case No. GV14-014521 (Fx. Co. Gen. Dist. Ct.) (Braddock District)*
34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Araya Neway and Yodit Seifu, Case No. GV14-013319 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
35. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Araya Neway and Yodit Seifu, Case No. GV14-013318 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
36. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yong H. Kim and Yang Ja Kim, Case No. GV14-013440 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
37. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Kelvin J. Lee, Case No. GV14-013441 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jose Antonio Salmeron and Emilio Salmeron, Case No. GV14-013437 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)*
39. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yung Chi Yung, Case No. GV14-013438 (Fx. Co. Gen. Dist. Ct.) (Springfield District)*
40. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yung Chi Yung, Case No. GV14-013439 (Fx. Co. Gen. Dist. Ct.) (Springfield District)*

41. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Charles R. Gentry*, Case No. GV14-013553 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Carson F. Scheirer*, Case No. GV14-013552 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
43. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Patrick V. Ferree*, Case No. GV14-014523 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
44. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John E. Johnston and Meegan P. Johnston*, Case No. GV14-014525 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John E. Johnston and Meegan P. Johnston*, Case No. GV14-014524 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Michael L. Lewis and Sonja B. Lewis*, Case No. GV14-014522 (Fx. Co. Gen. Dist. Ct.) (Lee District)
47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Chau Ly*, Case No. GV14-014520 (Fx. Co. Gen. Dist. Ct.) (Providence District)

And in addition:

- Virginia Code Sections 2.2-3100 through -3131
- The Municipalities Continuing Disclosure Cooperative Initiative
- In Re: November 6, 2013, Decision of the Fairfax County Board of Zoning Appeals; Board of Supervisors, Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. NRG EV Services, LLC, d/b/a eVgo, and Westview Associates, LLC

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

EBE:ebe/DAL:dal

At 3:54 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

63. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:54 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Chairman Bulova and Supervisor Foust 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."

64. **AUTHORIZATION TO TAKE NECESSARY STEPS IN CONNECTION WITH THE BOND INFORMATION PROGRAM** (3:55 p.m.)

Supervisor Gross moved that the Board authorize the County Attorney and the County Executive to take all necessary steps in connection with the bond information program, as outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

65. **AUTHORIZATION TO FILE AN AMICUS BRIEF** (3:55 p.m.)

Supervisor Gross moved that the Board authorize the filing of an amicus brief in the Supreme Court of Virginia in support of the Arlington County Board of Supervisors in the matter of *The Neilsen Company (US), LLC v. County Board of Arlington County, Virginia*, et al., Record Number 140422, as outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

66. **APPOINTMENT OF TISHA DEEGHAN AS THE EXECUTIVE DIRECTOR OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (3:56 p.m.)

Supervisor Gross moved the appointment of Ms. Tisha Deeghan as Executive Director of the CSB, E-13, with an annual salary of \$160,000, effective September 15, 2014. Supervisor Hyland seconded the motion.

Chairman Bulova congratulated Ms. Deegan, who will be moving here from Michigan.

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

67. **AUTHORIZATION TO FILE A NOTICE OF PARTICIPATION WITH THE STATE CORPORATION COMMISSION (SCC) CONCERNING THE APPLICATION FILED BY COLUMBIA GAS OF VIRGINIA, INCORPORATED** (3:57 p.m.)

Supervisor Frey moved that the Board authorize the Department of Cable Communications and Consumer Protection and the County Attorney to file a Notice of Participation as a Respondent concerning the application filed by Columbia Gas of Virginia, Incorporated, in SCC Case Number PUE-2014-00020, in which it seeks to increase its rates and charges and to revise the terms and conditions applicable to its gas service, as outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

68. **AUTHORIZATION OF SETTLEMENT – BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA AND LESLIE B. JOHNSON, FAIRFAX COUNTY ZONING ADMINISTRATOR V. NRG EV SERVICES, LLC, D/B/A eVgo AND WESTVIEW ASSOCIATES, LLC** (3:58 p.m.)

Supervisor Frey moved that the Board authorize settlement of *Board of Supervisors of Fairfax County, Virginia and Leslie B. Johnson, Fairfax County Zoning Administrator v. NRG EV Services, LLC, d/b/a eVgo and Westview Associates, LLC*, Case No. CL-2013-0018289, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

DET:det

AGENDA ITEMS

69. **A-7 – APPROVAL ON THE CONVEYANCE OF BOARD-OWNED PROPERTY AND THE PROPOSED COMPREHENSIVE AGREEMENT BETWEEN THE BOARD AND THE ALEXANDER COMPANY, INCORPORATED, FOR THE DEVELOPMENT OF THE PROPERTY UNDER THE PROVISIONS OF THE PUBLIC-PRIVATE EDUCATION AND INFRASTRUCTURE ACT OF 2002, AS AMENDED, KNOWN AS THE LAUREL HILL ADAPTIVE REUSE AREA (MOUNT VERNON DISTRICT)** (3:59 p.m.)

(NOTE: Earlier in the meeting the Board deferred action on this item. See Clerk's Summary Item #21.)

Supervisor Hyland moved that the:

- Board approve the Comprehensive Agreement between the Board and The Alexander Company, Incorporated, for the development of the Laurel Hill Adaptive Reuse Area in Lorton, Virginia, in

substantially the form presented to the Board (Comprehensive Agreement), and that the County Executive or his designee is authorized and directed to execute and deliver the Comprehensive Agreement in the name and on behalf of the Board.

- County Executive and other members, officers and employees of the Board are hereby authorized and directed to do all acts and things required of them by the provisions of the Comprehensive Agreement for the full, punctual, and complete performance of all the terms, covenants, provisions and agreements of the Comprehensive Agreement and also to do all acts and things required of them by, and record such instruments and take such other actions as will promote the goals of the Comprehensive Agreement.

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

EBE:ebe

70. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-008 (LOURDES C. ALVAREZ, MAMILULY DAYCARE LLC) (MOUNT VERNON DISTRICT)** (4:01 p.m.)

The application property is located at 8018 Diving Cliff Lane, Springfield, 22153, Tax Map 98-1 ((4)) 10.

Ms. Lourdes C. Alvarez reaffirmed the validity of the affidavit for the record.

William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Discussion ensued with input from Mr. O'Donnell and Elizabeth Teare, Deputy County Attorney, regarding development condition #13 and how it conforms to applicable ordinances of the existing second kitchen and what will happen if the building is not used as a daycare center.

Ms. Alvarez 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, Mr. O'Donnell presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of Special Exception Application SE 2014 MV-008, subject to the development conditions dated July 9, 2014. Supervisor Herry seconded the motion and it carried by unanimous vote.

71. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-C-088-09 (BLOCK 4 LLC AND RESTON TOWN CENTER PROPERTY LLC) (HUNTER MILL DISTRICT)**

AND

PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC 85-C-088-03 (BLOCK 4 LLC AND RESTON TOWN CENTER PROPERTY LLC) (HUNTER MILL DISTRICT)

AND

PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA 85-C-088-07 (BLOCK 4 LLC AND RESTON TOWN CENTER PROPERTY LLC) (HUNTER MILL DISTRICT) (4:09 p.m.)

(O) The applications property is located in the southwest quadrant of the intersection of Reston Parkway and New Dominion Parkway, Tax Map 17 1 ((16)) 1, 4 and 5A.

The applicant also requests a waiver #7067-WPFM-004-1 to permit the location of underground stormwater management facilities in a residential area.

Mr. Brian Winterhalter reaffirmed the validity of the affidavit for the record.

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

Mr. Winterhalter 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. Winterhalter, regarding the change to the bus shelter proffers on the property.

Supervisor Hudgins submitted items for the record.

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

Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA 85-C-088-09, Development Plan Amendment Application DPA 85-C-088-07, and Planned Residential

Community Application PRC 85-C-088-03, subject to the proffers dated July 28, 2014, and the PRC conditions dated May 28, 2014.

- Modification of Section 11-203 of the Zoning Ordinance for the loading space requirements to that shown on the DPA/PRC Plan.
- Modification of Section 13-303 of the Zoning Ordinance for the transitional screening and barrier requirements to that shown on the DPA/PRC Plan.
- Approval of Waiver #7067-WPFM-004-1 to permit underground stormwater detention facilities within a residential development in accordance with Section 6-0303.8 of the Public Facilities Manual, subject to the conditions dated March 26, 2014.

Chairman Bulova 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.”

72.

A-2 - APPROVAL OF A PARKING REDUCTION FOR RESTON SECTION 91A BLOCK 4 (HUNTER MILL DISTRICT) (4:29 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item #16.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve a parking reduction of 22 percent (up to 192 fewer parking spaces) in required parking for the residential uses proposed for Reston Section 91A Block 4, subject to the conditions set forth in the Board Agenda Item dated July 29, 2014, with a change to Condition #3 to read as follows:

- "With the exception of the 8,514 gross square feet of non-residential uses on the site to be parked in accordance with the recorded Shared Parking Agreement for Reston Town Center Phase I, as may be amended or modified from time to time, all other non-residential uses on the site shall be parked to code."

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

73. **A-11 - APPROVAL OF PARKING MODIFICATIONS FOR RESTON TOWN CENTER URBAN CORE - PHASE I (HUNTER MILL DISTRICT)**
(4:30 p.m.)

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

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

- Recommend that the Director of the Department of Public Works and Environmental Services approve a reduction in the minimum number of parking spaces that must be maintained based on the proposed changes to the mix and square footage of uses consistent with the maximum reduction of 28 percent allowed under the approved Amended and Restated Parking Agreement dated July 26, 2011, and Tables 1 and 3 of the Parking Generation Study dated June 5, 2014.
- Approve the temporary use of non-contiguous, off-site parking spaces to serve the Phase 1 uses during the Construction Period of the new residential building on Block 4 and the office building on Block 5 and that such temporary offsite parking shall be provided in accordance with the conditions set forth in the Board Agenda Item dated July 29, 2014.

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

74. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MA-003 (KENNETH H. FISHER) (MASON DISTRICT)** (4:32 p.m.)

The application property is located at 3918 Larchwood Road, Falls Church, 22041, Tax Map 61-3 ((13)) 224.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Discussion ensued with input from Mr. Krasner and Kris Abrahamson, Branch Chief, ZED, DPZ, regarding the conversion of the existing garage space into a living space, and an accessible ramp to the front door.

Ms. Strobel 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 14 speakers, Mr. Krasner presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2014-MA-003, subject to the development conditions dated July 25, 2014.
- Waiver of the transitional and barrier requirement along the northern, western and eastern property boundaries in favor of the existing wood fence shown on the SE Plat.
- Waiver of the trail requirements along Columbia Pike in favor of the existing sidewalk along the service drive

Supervisor Cook, Supervisor Hyland, and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

75.

3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2013-MV-023 (HOPKINS HOUSE, A CENTER FOR CHILDREN AND THEIR FAMILIES) (MOUNT VERNON DISTRICT) (5:44 p.m.)

(NOTE: Earlier in the meeting, an editorial correction was made regarding this public hearing. See Clerk's Summary Item #29.)

The application property is located at 8543 Forest Place, Alexandria, 22309, Tax Map 101-3 ((9)) (1) C1, 5, and 501.

Mr. Harry P. Hart reaffirmed the validity of the affidavit for the record.

Following a brief discussion regarding the correction of the name and the date of the affidavit, Mike Van Atta, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

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

Following the public hearing, which included testimony by one speaker, Mr. Van Atta presented the staff and Planning Commission recommendations.

Following confirmation of the affidavit by the applicant for the record, Supervisor Hyland moved:

- Approval of Special Exception Application SE 2013-MV-023, subject to the development conditions dated June 11, 2014.
- Modification of Part 8 of Section 11-102 of the Zoning Ordinance to that shown on the SE Plat, in lieu of the 10-foot parking setback requirement.
- Modification of Part 2 of Section 13-203 of the Zoning Ordinance to that shown on the SE Plat, in lieu of the peripheral parking lot landscaping requirements.

Supervisor McKay seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Frey, and Supervisor Hudgins being out of the room.

76. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SP-011 (STARBUCKS COFFEE COMPANY) (SPRINGFIELD DISTRICT)**
(5:52 p.m.)

The application property is located at 12001 Lee Jackson Memorial Highway, Fairfax, 22030, Tax Map 46-3 ((8)) 16A.

Mr. William F. Carbaugh reaffirmed the validity of the affidavit for the record.

Kris Abrahamson, Branch Chief, Zoning Evaluation Department (ZED), Department of Planning and Zoning (DPZ), introduced Casey Gresham, a new Staff Coordinator. On behalf of the Board, Chairman Bulova warmly welcomed her to the Board Auditorium.

Ms. Gresham gave a Powerpoint slide presentation depicting the application and site location.

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

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

Supervisor Herrity moved:

- Approval of Special Exception Application SE 2014-SP-011, subject to the development conditions dated July 10, 2014.

- Waiver of the site plan requirement, as there is less than 250 square feet of site disturbance proposed with the application
- Reaffirmation of a modification of the transitional screening in favor of the existing vegetation onsite.

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

77. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA-C-052-8 (CESC SKYLINE LLC) (MASON DISTRICT)** (5:58 p.m.)

- (O) The application property is located at 5275 Leesburg Pike, Falls Church, 22041, Tax Map 62-3 ((1)) 38B.

Ms. Sara Mariska reaffirmed the validity of the affidavit for the record.

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

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

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

Supervisor Gross moved:

- Approval of Proffered Condition Amendment Application PCA C-052-8, subject to the proffers dated July 17, 2014.
- Modification of eight foot asphalt trail along Leesburg Pike.
- Modification of the streetscape standard in favor of the planting shown on the PCA/FDPA Plan.
- Reaffirmation of a waiver of the service drive along Leesburg Pike.
- Reaffirmation of a waiver of the traditional screening and barrier requirements in favor of planting shown on the PCA/FDPA Plan and as conditioned.

- Reaffirmation of an increase in Floor Area Ratio (FAR) to a recognized existing 1.57 FAR.

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

78. **4 P.M. – PH ON PLAN AMENDMENT PA 2013-I-B1, GENERALLY LOCATED SOUTH OF LEESBURG PIKE, EAST OF CHARLES STREET, AND WEST OF WASHINGTON DRIVE (MASON DISTRICT)**
(6:06 p.m.)

Supervisor Gross moved to defer the public hearing on Plan Amendment PA 2013-I-B1 until September 23, 2014. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

79. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE WEST POTOMAC RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 36 (MOUNT VERNON DISTRICT)** (6:07 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 11 and July 18, 2014.

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

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the West Potomac RPPD, District 36. The proposed District expansion includes Dawn Drive from the western boundary of 2707 Dawn Drive east to the cul-de-sac inclusive. Supervisor Herrity 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.”

80. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE GREEN TRAILS COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)**
(6:11 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 11 and July 18, 2014.

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

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Green Trails CPD, in accordance with current CPD restrictions. The proposed District expansion encompasses Roamer Lane from Rock Canyon Drive to Roamer Court and Roamer Court from Roamer Lane east and west to the cul-de-sacs inclusive. Supervisor Herrity 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."

81. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), REGARDING A CIVIL PENALTY FOR UNLICENSED CONTRACTORS**
(6:13 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 11 and July 18, 2014.

Melissa Smarr, Code Specialist, Land Development Services, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), regarding a civil penalty for unlicensed contractors. 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."

82. **4:30 P.M. – PH ON THE APPROVAL OF FINANCING FOR THE PURCHASE OF A NEW AMBULANCE BY THE BAILEY'S CROSSROADS VOLUNTEER FIRE DEPARTMENT, INCORPORATED (VFD) (MASON DISTRICT)**
(6:18 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 11 and July 18, 2014.

Jeffrey Katz, Volunteer Liaison, Fire and Rescue Department, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of a Resolution approving financing in an amount of up to \$220,000 for the purchase of a 2015

Horton Ambulance by the Bailey's Crossroads VFD. Supervisor Herrity and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

83. **4:30 P.M. – PH ON THE APPROVAL OF FINANCING FOR THE PURCHASE OF A NEW AMBULANCE BY THE GREATER SPRINGFIELD VOLUNTEER FIRE DEPARTMENT, INCORPORATED (VFD) (LEE DISTRICT)** (6:20 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 11 and July 18, 2014.

Jeffrey Katz, Volunteer Liaison, Fire and Rescue Department, presented the staff report.

Following the public hearing, Supervisor McKay moved adoption of a Resolution approving financing in an amount of up to \$251,496 for the purchase of a 2015 Horton Model 623-T Ambulance on an International 4300 chassis by the Greater Springfield VFD. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

84. **ORDERS OF THE DAY** (6:21 p.m.)

Chairman Bulova announced that the public hearings will be held out of order, and the Board would proceed with the public hearing regarding the Amended and Restate Real Estate Exchange Agreement Between the Board and Rocks Engineering Company and Nugget Joint Venture LC (Dranesville District).

85. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-696-10 (DULLES ROCKHILL PARTNERS LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)**

AND

PH ON REZONING APPLICATION RZ 2009-HM-017 (NUGGET JOINT VENTURE, LC) (DRANESVILLE DISTRICT)

(NOTE: Later in the meeting the Board took action regarding this item. See Clerk's Summary Item #87.)

86. **4:30 P.M. – PH REGARDING THE AMENDED AND RESTATED REAL ESTATE EXCHANGE AGREEMENT BETWEEN THE BOARD AND ROCKS ENGINEERING COMPANY AND NUGGET JOINT VENTURE, LC (COLLECTIVELY, “RECO”) (DRANESVILLE DISTRICT)** (6:22 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 11 and July 18, 2014.

Heather Diez, Project Coordinator, Building Design and Construction Division, Department of Public Works and Environmental Services, presented the staff report.

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

- Approve the Amended and Restated Real Estate Exchange Agreement between the Board and Rocks Engineering Company and Nugget Joint Venture LLC relating to the Innovation Center Station Garage in Herndon, Virginia in substantially the form presented to the Board (Agreement) and that the County Executive or his designee is authorized and directed to execute and deliver the Agreement, in the name and on behalf of the Board.
- Authorized and directed the County Executive and other members, officers, and employees of the Board to do all acts and things required of them by the provisions of the Agreement for the full, punctual, and complete performance of all the terms, covenants and provisions of the Agreement and also to do all acts and things required of them by, and record such instruments and take such other actions as will promote the goals of, the Agreement.

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

87. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-696-10 (DULLES ROCKHILL PARTNERS LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)**

AND

PH ON REZONING APPLICATION RZ 2009-HM-017 (NUGGET JOINT VENTURE, LC) (DRANESVILLE DISTRICT) (6:29 p.m.)

(Os) (NOTE: On June 17, 2104, the Board deferred this public hearing until July 29, 2014.)

The Proffered Condition Amendment Application PCA C-696-10 property is located in the northwest quadrant of the intersection of Sayward Boulevard and Dulles Station Boulevard, Tax Map 15-4 ((5)) 5A.

The Rezoning Application RZ 2009-HM-017 property is located on the south side of Dulles Airport Access Road and west side of Dulles Station Boulevard, Tax Map 15-2 ((1)) 13pt. and 15-4 ((5)) 5Apt. and 5B.

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

Supervisor Foust disclosed a campaign contribution in excess of \$100 which he had received from the following:

- Mr. Donald E. King, McGuire Woods, LLP

William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Mr. Houston 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. O'Donnell presented the staff and Planning Commission (PC) recommendations.

Supervisor Foust moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2009-HM-017, from the PDC and PRM Districts to the PRM District, subject to the proffers dated July 25, 2014.
- Approval of Conceptual Development Plan Application CDP 2009-HM-017, subject to the development conditions dated April 30, 2014.
- Approval of Proffered Condition Amendment Application PCA C-696-10.
- Modification of the loading requirement in favor of the loading spaces depicted on the CDP/FDP.
- Direct the Director of the Department of Public Works and Environmental Services to permit a deviation from the tree

preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.

- Modification of the Use Limitations on Corner Lots in Section 2-505 of the Zoning Ordinance to permit the proposed building, landscaping and sign locations within the Zoning Ordinance sight triangles formed by the streets along the corner lot as shown on the CDP/FDP and as proffered.
- Waiver of the Board of Supervisor's policy to permit the location of the underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #6848-WPFM 005-1 conditions dated April 10, 2014.
- Modification of the peripheral lot landscaping and screening requirements in favor of that shown on the CDP/FDP as proffered and conditioned.
- Modification of the private street limitations of Section 11-302 of the Fairfax County Zoning Ordinance.
- Modification of PFM Standard 12-0702.1B2 to permit the reduction of the minimum planting width requirement from eight feet as shown on the CDP/FDP and described in the proffers.

Supervisor Smyth 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."

(NOTE: On May 15, 2014, the PC approved Final Development Plan Application FDP 2009-HM-017, subject to the development conditions dated April 30, 2014.)

88. **ORDERS OF THE DAY** (6:50 p.m.)

Chairman Bulova announced that the public hearings will be held out of order.

89. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 22 (COURT AND SHERIFF'S FEES), TO ADD A NEW SECTION 4-22-6, IMPOSING AN ELECTRONIC SUMMONS SYSTEM FEE** (6:48 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 11 and July 18, 2014.

Lieutenant Bob Blakely, Patrol Bureau Division, Police Department, presented the staff report.

Following the public hearing, Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 22 (Court and Sheriff's Fees), adding a new Section 4-22-6, imposing an electronic summons system fee. The proposed amendments become effective on August 1, 2014. Supervisor Gross 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."

90. **5 P.M. - DECISION ONLY ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-MV-034 (FURNACE ASSOCIATES, INCORPORATED) (MOUNT VERNON DISTRICT)**

AND

DECISION ONLY ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-L/V-061-02 (FURNACE ASSOCIATES, INCORPORATED) (MOUNT VERNON DISTRICT)

(NOTE: Later in the meeting, the Board took action regarding this item. See Clerk's Summary Item #92.)

91. **5 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:51 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 11 and July 18, 2014.

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:

- Ms. Sandra Leo, regarding wrongful death of an animal

Following testimony of Ms. Leo, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board refer the testimony to staff for consideration. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

- Ms. Catherine Trauernicht, regarding illegal immigrant resettlement in Virginia

Discussion ensued regarding an information request made by Supervisor Gross on available resources in the County and the plans about accommodations regarding this issue. She referenced a Memorandum to the Board, from Deputy County Executive Pat Harrison, dated July 28, 2014.

92. **5 P.M. – DECISION ONLY ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-MV-034 (FURNACE ASSOCIATES, INCORPORATED) (MOUNT VERNON DISTRICT)**

AND

DECISION ONLY ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-L/V-061-02 (FURNACE ASSOCIATES, INCORPORATED) (MOUNT VERNON DISTRICT) (7 p.m.)

(NOTE: On May 13, 2014, the Board held a public hearing regarding these items and deferred decision until June 17, 2014. On June 17, 2014, the Board deferred decision until July 29, 2014.)

The Proffered Condition Amendment Application PCA 2000-MV-034 property is located on the west side of Furnace Road, approximately 2,693 feet south of Lorton Road and 2,693 feet north of I-95 underpass, Tax Map 113-1 ((1)) 12 and 13.

On July 25, 2014, the applicant withdrew Proffered Condition Amendment Application PCA 2000-MV-034.

The Special Exception Amendment Application SEA 80-L/V-061-02 property is located at 10001, 10201, 10209, 10215, 10219, and 10229 Furnace Road, Lorton, 22079, Tax Map 113-1 ((1)) 5pt., 7, 8; 113-3 ((1)) 1, 2, and 4.

Chairman Bulova provided background information on the application.

Barbara Berlin, Director, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ) and Mary Ann Tsai, Staff Coordinator, ZED, DPZ, highlighted the revisions made to the proposed development conditions document that had just been distributed to the Board.

A lengthy discussion ensued with input from Ms. Tsai, James Patteson, Director, Department of Public Works and Environmental Services (DPWES), and Elizabeth Teare, Deputy County Attorney, William Mayland, Staff Coordinator, DPZ regarding:

- Conformance with the June 17, 2014, Framework for Potential Compromise
- The restriction on commercial truck traffic to and from the site
- The actual height of the berm and underlying retaining wall
- Ongoing monitoring and maintenance of the berm
- Maintenance and future replacement of the retaining wall
- Structural stability of the landfill
- Stormwater that flows behind the berm
- Department of Environmental Quality permit requirements
- Adequacy of the Trust Fund to address long-term maintenance and liability of the berm
- Assumptions and cost estimate of the Trust fund calculation
- Setback requirements from the 100-year floodplain of Giles Run

Supervisor Hyland read a statement into the record and moved denial of Special Exception Amendment Application SEA 80-L/V-061-02. Supervisor Smyth seconded the motion.

Following discussion of the application, Supervisor Smyth moved to call the question on the motion. Supervisor Herrity seconded the motion and it **FAILED** by a recorded vote of six, Supervisor Frey, Supervisor Herrity, Supervisor Hyland, Supervisor Smyth voting “**AYE.**”

Discussion continued, with Board Members expressing their views and support/non-support of the motion. The question was called on the motion and it **CARRIED** by a recorded vote of six, Supervisor Cook, Supervisor Gross, Supervisor Hudgins, and Chairman Bulova voting “**NAY.**”

93. **BOARD ADJOURNMENT** (8:43 p.m.)

The Board adjourned.

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