



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
April 4, 2017**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, April 4, 2017, at 9:37 a.m., there were present:

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

Supervisor John W. Foust, Dranesville District, arrived at 11 a.m.

Others present during the meeting were Edward L. Long Jr., County Executive; Elizabeth Teare, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Denise A. Long, Chief Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTERS1. **MOMENT OF SILENCE** (9:37 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Mr. Paul Andino, who died recently. He was the former representative of the Water Authority and a history buff. Chairman Bulova shared a personal story regarding Mr. Andino's love of history. Mr. Andino's visitation is 11 a.m. – 2 p.m., April 7, and 4:30 p.m. – 7 p.m. The funeral mass is Saturday, April 8, 11:30 a.m., at Saint Mary's of Sorrow Worship Center.

2. **INTRODUCTION OF INTERN (SULLY DISTRICT)** (9:41 a.m.)

Supervisor K. Smith introduced Eddy Sandoval, a student at Westfield High School, who is interning in her office three days-per-week. On behalf of the Board, Chairman Bulova warmly welcomed him to the Board Auditorium.

AGENDA ITEM3. **ANNOUNCEMENT OF GRANT AWARDEES** (9:42 a.m.)

Kathryn Falk, Vice President, Cox Communications Virginia, announced local nonprofits in the community to which it has awarded grants totaling \$50,000 (\$10,000 per recipient) to further the academic achievement and development of young people in the areas of science, technology, mentoring, and literacy. The 2017 winners are as follows:

- Educacion Para Nuestro Futuro (Edu-Futuro)
- Fairfax Futures
- Hopecam
- Literacy Council of Northern Virginia
- Main Street Child Development Center

Supervisor L. Smyth announced that Patricia Donnelly, Executive Director of the Literacy Council of Northern Virginia, will be retiring soon. On behalf of the Board, she thanked Ms. Donnelly for her service.

ADDITIONAL BOARD MATTER4. **LATE ARRIVAL OF SUPERVISOR FOUST (DRANESVILLE DISTRICT)**
(9:47 a.m.)

Chairman Bulova announced that Supervisor Foust is not present because he is representing the Board at a GO Virginia Board organizational meeting and will be arriving later in the meeting.

AGENDA ITEMS

5. **CERTIFICATES OF RECOGNITION PRESENTED TO SHARK TANK TECHNOLOGY CHALLENGE WINNING STUDENTS (SPRINGFIELD DISTRICT)** (9:48 a.m.)

Supervisor Herrity recognized the presence of School Board Members Dalia Palchik and Karen Corbett Sanders, and Thomas Jefferson High School for Science and Technology Principal Evan Glazer, and warmly welcomed them to the Board Auditorium.

Supervisor Herrity moved approval of the Certificates of Recognition presented to the Shark Tank Technology Challenge winning students for their contributions and achievements. Supervisor Gross and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Foust not yet having arrived.

6. **PROCLAMATION DESIGNATING APRIL 2017 AS "CHILD ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (10:01 a.m.)

Supervisor Cook moved approval of the Proclamation designating April 2017 as "*Child Abuse Prevention Month*" in Fairfax County, and urged all residents to wear a ribbon or plant a pinwheel garden as a show of support for combined efforts to keep all children in the community safe. Supervisor Gross and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Foust not yet having arrived.

7. **PROCLAMATION DESIGNATING APRIL 24, 2017, AS "HOLOCAUST REMEMBRANCE DAY" IN FAIRFAX COUNTY** (10:13 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating Monday, April 24, 2017, as "*Holocaust Remembrance Day*" in Fairfax County to honor those who survived; those who liberated them; and those who were martyred, and urged all residents to rededicate themselves to not bear silent witness to injustice and always remain vigilant to the principles of individual freedom in a just society. Vice-Chairman Gross seconded the motion and it carried by a vote of nine, Supervisor Foust not yet having arrived.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

8. **PROCLAMATION DESIGNATING APRIL 2017 AS "SEXUAL ASSAULT AWARENESS MONTH" IN FAIRFAX COUNTY** (10:29 a.m.)

Supervisor Cook moved approval of the Proclamation designating April 2017 as "*Sexual Assault Awareness Month*" in Fairfax County, and urged all residents to increase their awareness about sexual violence, encourage bystander interventions, hold offenders accountable, support victims, and heal lives. Supervisor McKay seconded the motion.

Supervisor Cook, Chair of the Domestic Violence Prevention Policy Coordinating Council, announced that, as part of its initiative to launch the “*Make the Call*” campaign, victims or individuals who have seen something or have information should call the Domestic Violence and Sexual Assault Hotline at 703-360-7273.

Supervisor McKay noted that on Sunday, at Fairfax Corner, he presented a proclamation on behalf of the Board declaring “*Crime Victims Rights Week*” in Fairfax County.

Following further discussion, the question was called on the motion and it carried by a vote of nine, Supervisor Foust not yet having arrived.

9. **PROCLAMATION DESIGNATING APRIL 2017 AS "TESTICULAR CANCER AWARENESS MONTH" IN FAIRFAX COUNTY** (10:43 a.m.)

Supervisor Cook moved approval of the Proclamation designating April 2017 as “*Testicular Cancer Awareness Month*” in Fairfax County, and urged all men to learn about their risk and speak to their healthcare provider about screening for testicular cancer. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Foust not yet having arrived.

More information regarding awareness and self-examination is available at www.testicularcancerawarenessfoundation.org.

10. **PROCLAMATION DESIGNATING MAY 2017 AS "ASIAN/PACIFIC AMERICAN HERITAGE MONTH" IN FAIRFAX COUNTY** (10:52 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating May 2017 as “*Asian/Pacific American Heritage Month*” in Fairfax County, providing an opportunity for residents to recognize the history, concerns, contributions and achievements of Asian/Pacific Americans and to create a favorable climate for a harmonious and fully integrated community in the County. Supervisor Herrity and Supervisor McKay jointly seconded the motion.

Chairman Bulova announced that later in the meeting, at the appropriate time, she will present a Board Matter with a resolution regarding diversity. The question was called on the motion and it carried by a vote of nine, Supervisor Foust not yet having arrived.

Vice-Chairman Gross recognized the presence of Delegate Mark Keam and warmly welcomed him to the Board Auditorium.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(NOTE: Later in the meeting, Chairman Bulova presented a Board Matter regarding diversity. See Clerk’s Summary Item #27.)

11. **PROCLAMATION DESIGNATING APRIL 9–15, 2017, AS "LIBRARY WEEK" IN FAIRFAX COUNTY** (11:03 a.m.)

Supervisor L. Smyth moved approval of the Proclamation designating April 9-15, 2017, as "*Library Week*" in Fairfax County and urged all residents to take advantage of the wonderful resources available at a library. Supervisor Gross, Supervisor Herrity, and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

DET:det

12. **ADMINISTRATIVE ITEMS** (11:21 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Hudgins being out of the room.

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE PICKWICK COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **May 2, 2017, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to expand the Pickwick CPD (Sully District). The proposed District expansion includes the following streets:

- Helmsly Court (Route 8015), from Newhall Court to the cul-de-sac inclusive
- Newhall Court (Route 8014), from Pickwick Road to the cul-de-sac inclusive
- Pickwick Road (Route 1021), from Wharton Lane to Leland Road
- Shelburne Court (Route 8017), from Shelburne Street to the cul-de-sac inclusive
- Shelburne Street (Route 8016), from Wharton Lane to the cul-de-sac inclusive

ADMIN 2 – APPROVAL OF TRAFFIC CALMING MEASURES AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATIVE PROGRAM (HUNTER MILL AND MOUNT VERNON DISTRICTS)

- Endorsed the traffic calming plan for Colts Brook Drive consisting of one speed hump (Hunter Mill District)
- Approved the installation of “Watch for Children” signs on Chancellor Way (Mount Vernon District)
- Directed staff to schedule the installation of the approved measures as soon as possible

ADMIN 3 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with a registration number, as inactive Plans Examiners:

- Harry C. Higman 92 (Retired)
- Jason Sereno 298 (Requested to be Inactive)
- Michael Theberge 304 (Moved out of area)
- Deleegne Tirfie 94 (Retired)
- Mable Bi-Fend Wu 301 (Requested to be Inactive)
- Myong M. Yoo 66 (Retired)

Designated the following individual, identified with his registration number, as a Plans Examiner:

- Daniel M. Brzezynski 320

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF MCWHORTER PLACE WALKWAY – MISSING SEGMENTS BETWEEN CUL-DE-SACS (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 2, 2017, at 4 p.m.**, on the acquisition of certain land rights necessary for the construction of Project 2G40-088-010, McWhorter Place, in Fund 40010, County and Regional Transportation Projects.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SUNRISE VALLEY DRIVE WALKWAY – RIVER BIRCH ROAD TO LEGACY CIRCLE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 16, 2017, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project 5G25-060-017, Pedestrian Improvements 2014, Fund C30050, Transportation Improvements.

ADMIN 6 – RESOLUTION TO ADOPT THE UPDATED NORTHERN VIRGINIA REGIONAL HAZARD MITIGATION PLAN

- (R) Adopted the Resolution approving and adopting the updated Northern Virginia Regional Hazard Mitigation Plan.

ADMIN 7 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION (MASON 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-M17-10	Department of Public Works and Environmental Services Baileys Crossroads Community Shelter and Supportive Housing 5914 Seminary Road Falls Church, VA Mason District Accepted February 28, 2017	October 29, 2017

13. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE FEDERAL BUREAU OF INVESTIGATION (FBI) REGARDING THE CHILD EXPLOITATION TASK FORCE (CETF)**
(11:22 a.m.)

On motion of Supervisor Cook, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign the MOU between the FCPD and the FBI regarding the CETF.

14. **A-2 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR 13515 DULLES TECHNOLOGY DRIVE (DRANESVILLE DISTRICT)**
(11:23 a.m.)

On motion of Supervisor Foust, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved an amended parking reduction for 13515 Dulles Technology Drive, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102, Paragraph 4B, based on an analysis of the parking requirements for each use and the shared parking study #5574PKS-012, as amended. The approval is a 7.3 percent reduction, totaling 9 fewer spaces, of the required parking during Phase 1, and a 32.5 percent reduction, totaling 55 fewer spaces, of the required parking during Phase 2, and an annulment of previously approved parking reductions for the property. The approval is subject to the conditions outlined in the Board Agenda Item.

15. **A-3 – APPROVAL OF AUTHORIZING RESOLUTION FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA)** (11:24 a.m.)

- (R) On motion of Supervisor Foust, seconded by Supervisor Gross, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution designating the County Executive (or his designee) as the County’s authorized representative for matters pertaining to the FTA, including the completion of annual certifications and assurances and the execution of FTA grants.

16. **A-4 – APPROVAL OF CONSTRUCTION, DESIGN, AND FEASIBILITY STUDY AGREEMENTS FOR THE HERNDON METRORAIL STATION ACCESS MANAGEMENT STUDY BETWEEN FAIRFAX COUNTY AND THE TOWN OF HERNDON (DRANESVILLE DISTRICT)** (11:24 a.m.)

On motion of Supervisor Foust, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of the Department of Transportation to execute the Feasibility Study, Design, and Construction Project Administration Agreements, substantially in the form of Attachments 1, 2, and 3, of the Board Agenda Item, for the implementation of five transportation multimodal improvement projects.

17. **A-5 – CREATION OF A RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (DRANESVILLE AND HUNTER MILL DISTRICTS)**
(11:25 a.m.)

- (BACs)
(APPTS)

Chairman Bulova announced that action on this item will be deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk’s Summary Item #56.)

18. **A-6 – ENDORSEMENT OF LETTERS TO THE GOVERNOR IN SUPPORT OF THE VIRGINIA RAILWAY EXPRESS (VRE)** (11:25 a.m.)

Supervisor Cook moved that the Board concur in the recommendation of staff and endorse a letter to the Governor as requested by VRE staff as part of its legislative agenda (Attachment 1 of the Board Agenda Item). He noted that it is not only critical to VRE's mission to have revenue to meet current needs but also presents an opportunity that, for a small increment of additional funding, VRE service can go from 20,000 to 50,000 trips a day, maximizing the efficiency of the rail system. Chairman Bulova seconded the motion.

Following an inquiry by Supervisor McKay, Tom Biesiadny, Director, Department of Transportation, noted that the Board has had considerable discussion concerning transit funding needs in general, as well as needs for Metro and VRE; Therefore, two letters have been drafted to address specific funding issues and more letters have been distributed.

Discussion ensued concerning the magnitude of funding problems regional Virginia transportation agencies are facing, including VRE and Metro. Following a recap of Attachment 1 (addressing VRE funding) by Chairman Bulova, who stated there would be a separate vote on Attachment 2, and a correction noted by Supervisor Gross, the question was called on the motion and it carried by unanimous vote.

Supervisor McKay moved that the Board concur in the recommendation of staff and endorse a letter to the Governor addressing the funding needs for transit service in the County and throughout the Commonwealth (Attachment 2). Supervisor Foust seconded the motion.

Supervisor Herrity asked to amend the motion to revise the letter to include language:

- Commending the Governor for requesting an independent review of the Washington Metropolitan Area Transit Authority (WMATA)
- Addressing issues such as labor policies and safety

This was accepted.

Chairman Bulova noted the Governor's appointment of former Congressman Ray LaHood to lead the independent review.

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

19. **I-1 – CONSOLIDATED PLAN CERTIFICATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) MOVING TO WORK ANNUAL PLAN FOR FISCAL YEAR (FY) 2018**
(11:39 a.m.)

The Board next considered an item contained in the Board Agenda, announcing that the County Executive will sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Moving to Work Annual Plan for FY 2018 to be submitted to HUD.

20. **I-2 – CONTRACT AWARD – METHADONE CLINIC SERVICES**
(11:40 a.m.)

The Board next considered an item contained in the Board Agenda, announcing that staff is awarding a contract to the City of Alexandria for methadone/suboxone detoxification clinic services, on an as-needed basis, for patients, primarily pregnant women, referred by the Community Services Board (CSB) or other County agencies. The contract will begin on July 1, 2017, and terminate on June 30, 2020, with the option for an additional two-year period, based on satisfactory contractor performance and, if agreeable, to all parties. The total estimated amount of this contract over the entire life of the contract is approximately \$750,000.

21. **I-3 – CONTRACT AWARD – PHYSICAL EXAMINATIONS AND MEDICAL EVALUATIONS** (11:40 a.m.)

The Board next considered an item contained in the Board Agenda, announcing that staff is awarding a contract to Inova Health Care Services for the provision of physical examinations and medical evaluations for the County Government and Fairfax County Public Schools. The contract will begin on May 1, 2017, and terminate on April 30, 2022, with a total estimated amount of \$1.5 million.

22. **I-4 – CONTRACT AWARD – COMPENSATION CONSULTING SERVICES** (11:40 a.m.)

The Board next considered an item contained in the Board Agenda, announcing that staff is awarding a contract to Korn Ferry Hay Group, Incorporated, to provide compensation consulting services. The base term of the contract is two years with the option to renew for an additional three one-year periods, based on satisfactory contractor performance and, if agreeable to all parties. The estimated total value of this contract is approximately \$2.5 million.

Supervisor Gross stated that, at a recent Regional Commission meeting, there was discussion concerning addressing compensation studies regionally rather than individually and offered that suggestion to the County Executive for consideration.

DET:det

ADDITIONAL BOARD MATTERS23. **REQUESTS FOR RECOGNITION** (11:41 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that:

- A proclamation be prepared in recognition of the Earth Day/Arbor Day celebration taking place this year during Spring Fest 2017 and join residents and members of Clean Fairfax on April 29 at the Sully Historic Site to celebrate a cleaner, greener environment. This event will take place from 10 a.m. - 4 p.m.
- Representatives from the Department of Public Works and Environmental Services be invited to appear before the Board on May 16, 2017, to receive a proclamation designating May 21-27, 2017, as “*Public Works Week*” in Fairfax County.

Without objection, it was so ordered.

Jointly with Supervisor Cook, Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs to prepare a proclamation designating May 2017 as “*Parents Who Host, Lose the Most*” month in Fairfax County. This proclamation will be presented at an outside event on April 19 by Supervisor Cook; any other Member of the Board who would like to be present is welcome to attend. Without objection, it was so ordered.

24. **FAIRFAX SYMPHONY ORCHESTRA’S (FSO) ALL STARS YOUTH ORCHESTRA EVENT** (11:42 a.m.)

Chairman Bulova announced that the Fairfax County All Stars Youth Orchestra will be holding its inaugural concert. The All Stars Youth Orchestra program, sponsored by the FSO, is offered at no expense to all County students from ages 14-18. The program offers students the opportunity to learn from and work side-by-side with a symphony musician.

Chairman Bulova said that, earlier this year, the initial pilot program was launched and students were selected from the Braddock, Hunter Mill, Sully, Dranesville, and Springfield Districts. On April 29, these students will join the FSO in concert at the George Mason University Center for the Arts starting at 8 p.m. She added that there will be a reception for students that will take place prior to the concert and Members of the Board are encouraged to attend.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs to publicize and share information about this event. Without objection, it was so ordered.

25. **APPOINTMENT TO THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)** (11:44 a.m.)

(APPT) Chairman Bulova said that she recently received notice that one of her appointees to EQAC, Ms. Linda Burchfiel, will be leaving the County and is attending her last meeting on April 12. She wished Ms. Burchfiel all the best in her future endeavors. Ms. Burchfiel has been a tremendous asset to the EQAC Board and her dedication will be sorely missed.

Therefore, Chairman Bulova moved the appointment of Mr. Mark Thomas, effective April 13. His biography is included with her written Board Matter. Supervisor Foust seconded the motion and it carried by unanimous vote.

26. **THE COUNTY'S 275TH ANNIVERSARY** (11:45 a.m.)

Chairman Bulova announced that Board Member offices received information over the weekend about events planned in and around the County in commemoration of the County's 275th Anniversary. Board Member's offices and the general public can find more information at www.Fairfax275.org.

Chairman Bulova noted that the signature event celebrating the County's 275th Anniversary will be held on the grounds of the Fairfax Courthouse on June 17. Additionally, the annual Lord and Lady Fairfax celebration will take place during this event. In honor of the 275th Anniversary, the Lord Fairfax of Cameron, a descendant of one of the County's founders, will be present with his wife, Lady Fairfax. Other activities include a series of lectures and a bus tour. She included additional information with her written Board Matter.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs to publicize these events and that organizers be invited to appear before the Board to provide a brief update on what is planned and to receive a proclamation recognizing not only County history but also the June 17 event. Without objection, it was so ordered.

27. **COUNTY STATEMENT OF DIVERSITY AND INCLUSION** (11:46 a.m.)

(R) Chairman Bulova said that the County is a welcoming and accepting community where residents of all backgrounds deserve to feel respected and safe. It is important that the Board, as local leaders, speak out when constituents are concerned regarding policies or practices that may affect them. She pointed out that the County is a safe, diverse, and caring community, and if that harmony is threatened, she believes that Board Members have a duty to speak out and clearly articulate their values.

Therefore, Chairman Bulova moved that the Board adopt the Resolution included with her written Board Matter, which the School Board has collaborated on. The Board multiply seconded the motion.

Chairman Bulova noted that the School Board will be considering the Resolution and Sheriff Stacy Kincaid may be issuing a statement clarifying the Sheriff's policies. As the Board is aware, the Sheriff is an independent, constitutional, elected official and the operation of the jail is under her purview.

Supervisor Hudgins suggested that more specific language regarding local authority on federal immigration be included.

Following extensive discussion, Chairman Bulova amended her motion to include the following language in the fourth Whereas:

“Whereas, we do not ask, nor do we have the resources for, our police officers to become immigration officials, **nor for Fairfax County to assume the responsibilities of federal immigration officials;**”

This was accepted.

Following further discussion and a clarification of the change being made, the question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

Vice-Chairman Gross returned the gavel to Chairman Bulova.

28. **ADVERTISING APRIL 29, 2017, AS “DRUG TAKE-BACK DAY” IN FAIRFAX COUNTY** (12:23 p.m.)

Supervisor Herrity referred to his written Board Matter and asked unanimous consent that the Board direct the Office of Public Affairs to work with the Police Department to advertise “*Drug Take-Back Day*” on April 29 from 10 a.m. to 2 p.m. at various Police Department locations in conjunction with the US Drug Enforcement Administration (DEA). Without objection, it was so ordered.

29. **BOARD CONSIDERATION ITEM – HUNTINGTON LEVEE DEBT SERVICE** (12:24 p.m.)

Supervisor Herrity summarized a request for payment of the \$1.4 million debt service on the Huntington levee be made from the Stormwater Services Fund, not the General Fund, and asked unanimous consent that the Board direct staff to add this issue to the list of Consideration Items. Without objection, it was so ordered.

30. **REQUEST TO RECOGNIZE “TEACHER APPRECIATION WEEK” IN FAIRFAX COUNTY** (12:24 p.m.)

Supervisor Herrity referred to his written Board Matter noting that teachers are the reason the County’s school system is among the best in the nation. This year National Teacher Appreciation Week will be celebrated May 8–12, with National Appreciation Day on Tuesday, May 9.

Therefore, Supervisor Herrity asked unanimous consent that the Board:

- Declare May 8–12, 2017, as “*Teacher Appreciation Week*” in Fairfax County
- Direct the Office of Public Affairs to disseminate information on the declaration and the positive impact teachers have on the school system
- Direct staff to invite acting Superintendent Dr. Steve Lockard to appear before the Board in April to receive a resolution declaring May 8–12, 2017, as “*Teacher Appreciation Week*,” in Fairfax County

Without objection, it was so ordered.

Discussion ensued concerning scheduling.

31. **REQUEST TO RECOGNIZE “LYME DISEASE AWARENESS MONTH” IN FAIRFAX COUNTY** (12:25 p.m.)

Supervisor Herrity referred to his written Board Matter and asked unanimous consent that the Board direct staff to invite Mr. Monte Skall from the National Capital Lyme Disease Association to appear before the Board in April to receive a Resolution declaring May 2017 as “*Lyme Disease Awareness Month*” in Fairfax County. Without objection, it was so ordered.

Following discussion concerning scheduling, Chairman Bulova noted that the Board will recognize “Fight the Bite” at its May 16 meeting and suggested that the recognition could take place then.

32. **REQUEST TO RECOGNIZE MAY AS “OLDER AMERICANS’ MONTH”** (12:26 p.m.)

Supervisor Herrity referred to his written Board Matter and said that each May, the nation celebrates Older Americans’ Month. This year, the theme is “Aging Out Loud” to give aging a new voice: one that reflects what today’s older adults have to say about aging.

Therefore, Supervisor Herrity asked unanimous consent that the Board designate May as "*Older Americans and Adult Abuse Prevention Month*" in Fairfax County and direct staff to invite representatives from the Commission on Aging, the Area Agency on Aging, and the Long Term Care Coordinating Council to appear before the Board in May to receive a proclamation. Without objection, it was so ordered.

33. **CHANTILLY AUTO CARE CONCURRENT PROCESSING (SPRINGFIELD DISTRICT)** (12:27 p.m.)

Supervisor Herrity said that on November 16, 2016, an application for a Special Exception Amendment Application SEA 87-P-041 was accepted for review and comment. The applicant, Chantilly Auto Care Center, LLC, requests approval to amend a special exception, previously approved to permit a service station, car wash, and quick-service food store, to eliminate the existing service bays and convert this area to quick service food store. The subject property is located at 13001 Lee Jackson Memorial Highway. On February 15, 2017, the Springfield Land Use Committee reviewed the application and unanimously recommended approval.

The applicant has a formal public hearing scheduled before the Planning Commission on April 20, 2017. The applicant has requested authorization to process a concurrent site plan for the project in advance of that hearing and has asked for a public hearing date before the Board.

Therefore, Supervisor Herrity moved that the Board direct the:

- Director of the Department of Public Works and Environmental Services to accept for concurrent and simultaneous review a site plan, architectural drawings, and other plans as may be necessary to implement the improvements contemplated by the applicant with this special exception amendment application.
- Clerk to the Board to schedule this application for a public hearing before the Board on May 16, 2017.

The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

34. **TEEN JOB FAIR (SPRINGFIELD DISTRICT)** (12:29 p.m.)

Supervisor Herrity said that a successful teen job fair was held this past Saturday at West Springfield High School. The final job fair of the season will be held in the Mount Vernon District on April 29.

35. **AD HOC COMMUNITY FORUMS** (12:30 p.m.)

Supervisor Cook said that the Ad Hoc Police Practices Review Commission Communications Subcommittee report stated “the Board of Supervisors should publicly state set dates for community forums to revisit the recommendations of the Ad Hoc Police Practices Review Commission and the progress made toward their implementation.”

In that spirit, the first community forum, cosponsored by Supervisor Cook, Chairman Bulova, the new Police Auditor Richard Schott, the Communities of Trust which is chaired by Shirley Ginwright, and Ad Hoc Commission Vice-Chair and Citizen Review Panel Chairman Adrian Steel. The first community forum will be on May 22 in the evening at the Government Center; a second forum is being planned for Mount Vernon in the fall; and possibly a third in Reston sometime after that.

Therefore, Supervisor Cook asked unanimous consent that the Board:

- Direct the Office of Public Affairs to assist with advertisement for this event
- Invite all Board Members to attend

Without objection, it was so ordered.

A brief discussion ensued regarding the schedule of future forum meetings.

36. **REQUESTING WORK ITEM FOR POLICE AUDITOR** (12:33 p.m.)

Supervisor Cook said that last year, Police Chief Edwin Roessler released a study on the demographics relating to police use-of-force in the County. That study found that there were 539 use-of-force cases in 2015, and 40 percent of those cases involved African-Americans. This is a notable statistic given that only 8 percent of the County's residents are African-American. There are a number of potential reasons for this statistic and the numbers do not necessarily mean there is any problem, however it should be looked at.

Supervisor Cook noted that the Board created the Office of the Independent Police Auditor in September of 2016 to provide a way to look at items of this sort. The new Police Auditor, Richard Schott, begins work on April 17.

Therefore, Supervisor Cook moved that the Board direct Police Auditor Richard Schott to review the statistical disparity between the level of African-American use-of-force incidents and the African-American population in the County. Upon completion of this investigation he should report his findings and any necessary recommendations. Supervisor Storck seconded the motion.

Following a brief discussion, Supervisor Herrity noted the need to educate the public on proper response and that it be taken into account in the review. Supervisor Hudgins suggested that the National Association for the Advancement of Colored People (NAACP) be invited to participate in the educational outreach effort.

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

37. **MCNAIR ELEMENTARY CHESS STATE CHAMPIONS (HUNTER MILL DISTRICT)** (12:36 p.m.)

Supervisor Hudgins said that several County public schools competed in the four K-12 divisions of Virginia Scholastic Chess Championship recently in Virginia Beach, but the team from McNair Elementary School outmaneuvered the competition.

Of the four divisions, McNair students won the team first place titles in the K-3 and the K-5, and placed fourth in the K-8. In the Blitz Competition, McNair students placed first, second, and fourth, winning the K-5 team blitz competition.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the McNair Elementary School Chess team to appear before the Board to receive congratulations on its accomplishments. Without objection, it was so ordered.

38. **JAMES MADISON HIGH SCHOOL BOYS CROSS COUNTRY (HUNTER MILL DISTRICT)** (12:37 p.m.)

Supervisor Hudgins said that the James Madison High School Cross Country team was a favorite this year to win the State title and they did not disappoint. After coming in a close second in last year's final, the Warhawk runners put forth a total team effort. In a race where inches determined the outcome, the Warhawk runners performed their best when it mattered the most. The result was the first Virginia 6A Boys Championship title for James Madison.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the 2016 James Madison Boys Cross Country team to appear before the Board on June 6, 2017, to be congratulated on its State title. Without objection, it was so ordered.

39. **RESTON FIRE STATION #25 TEMPORARY FACILITY (HUNTER MILL DISTRICT)** (12:37 p.m.)

Supervisor Hudgins said that Fire Station #25, located at 1820 Wiehle Avenue, Reston, is scheduled to be replaced with a much larger facility to address outdated infrastructure and critical operational space shortages. In preparation for the

construction, a proposed temporary fire station will be erected on the vacant area of 1800 Cameron Glen Drive, Reston [Tax Map 17-I-(I), Parcel 14E].

Supervisor Hudgins explained that the proposed temporary fire station will be a one-story building structure comprised of a pre-manufactured modular building for living quarters and office space, and a tent membrane or other suitable material over a steel structure for the three apparatus bays. The total building area will be approximately 7,550 square feet. To meet the critical time line for this project, the Department of Public Works and Environmental Services (DPWES) has requested expedition of the all appropriate applications and concurrent processing of all site plans.

Therefore, Supervisor Hudgins moved that the Board direct the Department of Planning and Zoning (DPZ) to expedite all applications associated with the temporary fire station and request the Director of DPWES to process the site plan and other associated plans concurrently. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from complying with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Gross seconded the motion and it carried by unanimous vote.

40. **CONGRATULATING CHANTILLY HIGH SCHOOL THEATER (SULLY DISTRICT)** (12:40 p.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor K. Smith said that the Chantilly High School Theater recently distinguished themselves by winning the Virginia High School League one-act play competition. The winning play is a dramedy called “A Moment” and it was composed by Chantilly’s director Shannon Khatcheressian. Ms. Khatcheressian has been with the theater program for 17 years. The judges enjoyed the play so much that they recommended that she publish it.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite the members and director of the Chantilly High School Theater program to appear before the Board to be recognized for its outstanding achievement. Without objection, it was so ordered.

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41. **BUDGET CONSIDERATION ITEM – INSIGHT MEMORY CARE CENTER (IMCC)** (12:40 p.m.)

Supervisor L. Smyth said that IMCC is a nonprofit adult day health and resource center providing specialized care, support, and education for individuals with Alzheimer’s disease and other memory impairments. IMCC has served Northern Virginia families since 1984 helping to improve the quality of life for afflicted residents and their caregivers.

Therefore, Supervisor L. Smyth moved that the Board add a Consideration Item to extend full funding to IMCC for another year so it can modify and adapt its business model to improve fundraising capacities. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Hudgins being out of the room.

42. **REQUEST FOR A BRIEFING ON THE I-66 PROJECT** (12:41 p.m.)

Supervisor L. Smyth noted that the Board has not yet been briefed on the changes being proposed for the I-66 Outside of the Beltway Project.

Therefore, Supervisor L. Smyth asked unanimous consent that the Board direct staff to schedule a briefing for the Board regarding the I-66 Outside of the Beltway Project with Express Mobility Partners. Without objection, it was so ordered.

43. **SOLARIZE FAIRFAX COUNTY** (12:43 p.m.)

Supervisor Gross said that Northern Virginia (NOVA) has been, and is, the Commonwealth's 'Innovation Region.' Solarize NOVA is an innovative program to help make renewable energy more accessible to residents and the business community. As such, she announced Solarize Fairfax County. The County joins the Northern Virginia Regional Commission (NVRC) and the nonprofit Local Energy Alliance Program (LEAP) to offer Solarize Fairfax County. The campaign will launch on April 18 and run through June 30.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to proceed with the promotion of the Solarize Fairfax County program, including two Solarize Fairfax County information meetings in April for those interested to hear from solar professionals, past program participants, and financing advisors. Without objection, it was so ordered.

44. **THERMAL CAMERA LOAN PROGRAM** (12:44 p.m.)

Supervisor Gross said that County residents may spend \$200 dollars or more each month in home energy costs. Each step taken to become more energy efficient reduces energy use and saves money. Drafty doors, leaky windows and electrical outlets, and inadequate insulation, are common culprits of wasted energy.

Starting on Earth Day, April 22, County residents can borrow thermal imaging cameras from any branch of the County Public Library. Reserve a camera just like a book through the library catalog (<http://www.fairfaxcounty.gov/library/>) and it will be shipped to your local library branch for pickup.

Supervisor Gross said that the County is making these camera attachments available so that residents can inspect their home or business for hot and cold spots, which often indicate energy saving opportunities.

Energy saving opportunities that can be identified with a thermal imaging camera are described on the Energy Action Fairfax webpage (www.fairfaxcounty.gov/energy/energyactionfairfax/) and shown on the postcard which she attached to her written Board Matter.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to proceed with the promotion of the Thermal Camera Loan Program. Without objection, it was so ordered.

45. **CHESAPEAKE BAY AWARENESS WEEK** (12:46 p.m.)

In a joint Board Matter with Supervisor Storck, Supervisor Gross said that the second week of June has been designated by the Bay States as Chesapeake Bay Awareness Week. The designation was championed by the Chesapeake Bay Commission to educate and engage more Bay residents in restoration efforts. The Virginia event, called “Back to the Bay,” will be held on Saturday, June 10, from 10 a.m. until 3 p.m., at Mason Neck State Park in the County.

Supervisor Gross said that “Back to the Bay” will provide a way to reach a larger and more diverse audience of engaged citizens as well as private businesses. She noted that there is information in her written Board Matter regarding the various events scheduled to take place, including kayaking and oyster shucking. It also will include a formal program and a ceremonial turning of our “Backs to the Bay” (to remind us that everything we do on land affects the health of the Bay).

The Chesapeake Bay Commission has invited the County to participate as a partner in this endeavor, by providing an education exhibit on steps homeowners can take to reduce runoff; including County officials in the formal program; possible assistance for buses to help transport attendees from the off-site parking area; and any other way to participate. Since the following week is the formal celebration of the County’s 275th anniversary, perhaps there are themes that are appropriate to both celebrations.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to explore participation opportunities for the June 10 “Back to the Bay” event, and that the Office of Public Affairs coordinate with the public information campaign by the Chesapeake Bay Commission. Without objection, it was so ordered.

46. **AUTHORIZATION OF VULCAN MATERIALS COMPANY LLC FILING OF A SPECIAL EXCEPTION APPLICATION (MASON DISTRICT)** (12:48 p.m.)

Supervisor Gross said that this motion is related to the filing of a special exception application on property that was dedicated to the Board in 1967 for public road purposes. There is an undeveloped portion of this property, which is

not used as a road that extends into the area of a special exception that is being filed by Vulcan Materials Company, LLC, for heavy industrial uses. It is the intent of Vulcan to request a vacation and/or abandonment of this portion of the road during the zoning review process.

The purpose of this motion is to authorize, to the extent that the Board has interest in the property, the filing of a special exception on the undeveloped portion of the property.

Therefore, Supervisor Gross moved that the Board authorize the filing of a special exception application on the undeveloped portion of the road called Carolina Place, south of Edsall Road, as shown in the special exception application filed by Vulcan Materials Company, LLC. Approval of this motion shall in no way prejudice the substantive review of the pending special exception. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

47. **HOME REPAIR SCAMS** (12:49 p.m.)

Supervisor Gross said that now that spring is here home repair scammers are preparing to target the community. These con-artists cruise older neighborhoods, searching for seniors whom they hope to defraud of hefty sums of money for shoddy, and sometimes non-existent, repair work.

In the past, the County has engaged in education campaigns warning residents of these scammers. Unfortunately additional work needs to be done to reach “aging-in-place” homeowners and those with diminished mental capacity.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs and appropriate County agencies to coordinate outreach efforts in this years’ education campaign to effectively reach vulnerable communities and protect them from becoming victims of home repair scams. Without objection, it was so ordered.

48. **THE SECOND “IDES OF BARK” – A HOWLING SUCCESS (MOUNT VERNON DISTRICT)** (12:51 p.m.)

Supervisor Storck said that on March 26 more than 300 dogs and 1,000 of their human companions attended the Second Ides of Bark event at Grist Mill Park in the Mount Vernon District. The “Ides of Bark” is a dog festival that his predecessor started with hopes that his successor would one day continue the tradition. As someone who appreciates the joy that a dog can bring, and understanding the importance of community gatherings, the return of the “Ides of Bark” was celebrated.

This year participants received many treats from local canine businesses, watched demonstrations by the County Police Canine Unit, learned pet care and pet CPR

from pet technicians, and even had the opportunity to participate in a canine obstacle course. This amazing event could not have happened without the incredible support of the Park Authority, Police Department, Department of Tax Administration, and Channel 16, local dog park groups and wonderful vendors.

Channel 16 Around Fairfax will air “Ides of Bark” daily at:

- 1 a.m.
- 7:30 a.m.
- 12 noon
- 7:30 p.m.

Supervisor Storck expressed his appreciation to everyone and encouraged other Board Members to host similar dog festivals in their district.

49. **DVA TELEGRAPH 7710 LLC (LEE DISTRICT)** (12:53 p.m.)

Supervisor McKay said that DVA Telegraph 7710 LLC has a pending special exception application to permit a Dunkin’ Donuts fast food restaurant with drive-through on a property located at 7710 Telegraph Road in the Lee District. The proposal is for an adaptive reuse of a vacant one-story brick commercial structure formally occupied by a financial institution with drive-through. Due to the August recess, this matter would normally not be scheduled for a Board meeting until September. The applicant has requested that the Board hearing be scheduled for July 25, 2017, rather than in September.

Therefore, Supervisor McKay moved that the Board direct staff to expedite the public hearing for Special Exception Application SE 2017-LE-006 located at Tax Map Parcel 100-2 ((1)) 1A and schedule a public hearing to be held before the Board on **July 25, 2017, at 3:30 p.m.** This motion should not be construed as a favorable recommendation by the Board on the pending application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

50. **SPRINGFIELD TRANSIT STATION AREA (TSA) (LEE DISTRICT)** (12:54 p.m.)

Supervisor McKay said that after reviewing the existing boundaries of the Springfield TSA and its surrounding land units, it is evident that a special study is necessary to review a possible expansion.

This matter concerns subunits A, B, and C of S-9 in the Beulah Community Planning Sector, excluding subunit A11c, which is located across the Fairfax County Parkway and is not contiguous to the area. From a practical perspective, these subunits have been planned, developed and approved for densities and uses appropriate for designation as a TSA because they are located within one-half mile of the Joe Alexander Transportation Center and Franconia-Springfield Metro Station. Therefore, this motion is intended to formally recognize the existing conditions by incorporating the subunits into the Franconia-Springfield TSA. No proposed use, density changes or substantive changes are proposed with this study.

For context, these subunits are largely comprised of high-rise office developments, including an INOVA emergency room, that are known as MetroPark and Lewin Park, which are developed or approved for office and commercial densities. This development is consistent with the long-standing current Plan recommendations. In fact, the current Plan guidance calls for a floor area ratio (FAR) up to 1.5 on subunit C, which is a density consistent with other TSAs in the County and within the Franconia-Springfield TSA. Further that 1.5 FAR was predicated on specific Plan text linking the site to the Franconia-Springfield Metro Station. Lastly, he noted that despite being less than one-half mile to Metro, and closer than many other parcels which are already part of the TSA, these parcels have not been formally designated as part of the Franconia-Springfield TSA.

Therefore, Supervisor McKay requested a special study to incorporate these subunits into the Franconia-Springfield TSA. No other changes to the plan text are proposed, including use or density. Approval of this motion shall in no way prejudice or affect any ongoing review and should not be construed as support by the Board for the Plan amendment or rezoning in any way. Supervisor Storck and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

51. **REQUEST TO RECOGNIZE THE HERNDON CHILDREN'S CENTER FOR MORE THAN 25 YEARS OF SERVICE (DRANESVILLE DISTRICT)** (12:56 p.m.)

Supervisor Foust said that for over 25 years, the Herndon Children's Center has provided a safe, nurturing, and high-quality early education for more than 1000 children, aged three-months to five-years. Some of the teachers have taught at the facility for more than 15 years.

Therefore, Supervisor Foust asked unanimous consent that Board Members join him in directing staff to prepare a resolution, signed by the Chairman and himself, to be presented to the Herndon Children's Center at a celebration to be held on June 11, 2017, thanking the Center for its service to children of the County. Without objection, it was so ordered.

52. **REQUEST TO RECOGNIZE McLEAN HIGH SCHOOL NEWSMAGAZINE STAFF: 2017 GOLD CROWN WINNER FROM THE COLUMBIA SCHOLASTIC PRESS ASSOCIATION (CSPA) (DRANESVILLE DISTRICT)** (12:57 p.m.)

Supervisor Foust congratulated the staff of McLean High School's newsmagazine, "The Highlander," for winning a Gold Crown at the CSPA journalism convention at Columbia University in New York City last month. The win was the second consecutive Gold Crown Award for the newsmagazine. The Highlander is the only high school newspaper-newsmagazine in Virginia to win a Gold Crown in 2017.

Therefore, Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to invite the staff of "The Highlander" and school officials to appear before the Board on June 20 to be recognized for their outstanding achievement. Without objection, it was so ordered.

53. **REQUEST TO RECOGNIZE EILEEN CURTIS, PRESIDENT AND CEO DULLES REGIONAL CHAMBER OF COMMERCE (DRANESVILLE DISTRICT)** (12:58 p.m.)

In a joint Board Matter with Supervisor Hudgins and Supervisor K. Smith, Supervisor Foust said that Eileen Curtis, President and CEO of the Dulles Regional Chamber of Commerce, has announced that she will be retiring in July.

Supervisor Foust referred to his written Board Matter outlining the many accomplishments of Ms. Curtis.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. Curtis to appear before the Board on June 6, 2017, to be recognized for her outstanding service and many accomplishments. Without objection, it was so ordered.

54. **RECESS/CLOSED SESSION** (1 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly-held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).

- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
1. *Fairfax County Board of Supervisors v. CoxCom, LLC, d/b/a Cox Communications*, Case No. CL-2017-0003786 (Fx. Co. Cir. Ct.)
 2. IRS Issuance of Determination Letters Requalifying County's Retirement Systems As Tax-Exempt
 3. *Justin C. Cuffee v. Fairfax County Fire and Rescue*, Case No. 1:16-cv-584 (E.D. Va.)
 4. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Fairfax Court Limited Partnership and Sangria Café, Inc.*, Case No. CL-2014-0011240 (Fx. Co. Cir. Ct.) (Braddock District)
 5. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Sumati Krishnan*, Case No. CL-2017-0000908 (Fx. Co. Cir. Ct.) (Dranesville District)
 6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Larissa Omelchenko Taran*, Case No. GV16-023308 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
 7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran*, Case No. GV16-023311 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
 8. *Jonathan Clark and Carolyn Clark v. Fairfax County Board of Supervisors and Leslie B. Johnson, Zoning Administrator, and Jonathan Clark and Carolyn Clark v. Virginia Department of Housing and Community Development, State Building Code Technical Review Board and Elizabeth Perry, Property Maintenance Code Official for Fairfax*

County, Virginia, Record No. 161151 (Va. Sup. Ct.)
(Mason District)

9. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. A. Brian Bartlett*, Case No. CL-2015-0011709 (Fx. Co. Cir. Ct.) (Providence District)
10. *Gary S. Pisner v. Fairfax County Board of Zoning Appeals*, Record No. 151793 (Va. Sup. Ct.) (Springfield District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lloyd G. Strickland*, Case No. CL-2016-0008753 (Fx. Co. Cir. Ct.) (Springfield District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yongchao Wang and Equity Trust Company, Custodian FBO Shujun Ding IRA*, Case No. CL-2016-0001188 (Fx. Co. Cir. Ct.) (Sully District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James G. Miller, Trustee of the James G. Miller Living Trust, and Atlantic Construction Fabrics, Inc.*, Case No. CL-2009-0002430 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- *Board of Supervisors of Fairfax County, Virginia v. Bruce and Tanya and Associates, Inc., Fairfax County Circuit Court Case No. CL-2016-16846*

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

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At 2:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION55. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:10 p.m.)

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

AGENDA ITEMS56. **2 P.M. – PH ON THE PROPOSED CREATION OF A RESTON TRANSPORTATION SERVICE DISTRICT (DRANESVILLE AND HUNTER MILL DISTRICTS)****AND****A-5 – CREATION OF A RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD (DRANESVILLE AND HUNTER MILL DISTRICTS)**
(2:11 p.m.)

(O)

(BACs)

(NOTE: Earlier in the meeting, the Board deferred action on A-5 until after the public hearing. See Clerk's Summary Item #17.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 10, March 17, and March 24, 2017.

Tom Biesiadny, Director, Department of Transportation, presented the staff report, noting that a revised Action Item A-5 was distributed.

Discussion ensued, with input from Mr. Biesiadny, concerning the history of the discussions on the Transit Station Area; the geographic boundaries of the District; the funding plan for roadway improvements, intersection improvements, and the grid of streets; responsibilities of the Advisory Board; and, collaboration with the Reston Network Analysis Advisory Group in developing the funding plan with community input.

Following the public hearing, which included testimony by two speakers, discussion ensued, with input from Mr. Biesiadny, concerning boundaries of the District and the funding plan.

Supervisor Hudgins stated that she had items for the record.

Following comments, Supervisor Hudgins moved adoption of the Ordinance creating the Reston Transportation Service District. Chairman Bulova and Supervisor Foust jointly seconded the motion.

Following discussion, the question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting “**AYE**,” Supervisor Herrity and Supervisor L. Smyth abstaining.

Supervisor Hudgins moved that the Board concur in the recommendation of staff and create a Reston Transportation Service District Advisory Board, with one additional resident member from the Reston Town Center Association. The Advisory Board will consist of 13 members, as follows:

- One member from the Dranesville District
- Two members from the Hunter Mill District
- Three members to represent residential owners and homeowner/civic associations
- One member to represent apartment or rental owner associations
- Three members to represent commercial or retail ownership interests
- One member from the Reston Chamber of Commerce to represent lessees of non-residential space
- One member from the Reston Association
- One Resident member from the Reston Town Center Association

Chairman Bulova seconded the motion. Discussion ensued, with input from Mr. Biesiadny, regarding the additional member.

Supervisor Foust asked unanimous consent that the Board direct staff to include input from both the Dranesville and Hunter Mill Supervisors in the selection and deliberations of the group. Without objection, it was so ordered.

Following comments, Supervisor Hudgins asked unanimous consent that the Board direct staff to improve communication with residents throughout the process. Without objection, it was so ordered.

The question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Herrity and Supervisor L. Smyth abstaining.

57. **2:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-058 (MORNING STAR DAY CARE) (MOUNT VERNON DISTRICT)**
(2:37 p.m.)

Supervisor Storck said that on March 21, 2017, the applicant for Special Exception Application SE 2014-MV-058 (Morning Star Day Care) sent a request to the Department of Planning and Zoning to withdraw the application. Since the application had already been advertised for a public hearing, it could not be administratively removed from the agenda.

Therefore, Supervisor Storck moved that the Board formerly acknowledge withdrawal of Special Exception Application SE 2014-MV-058. Supervisor Cook seconded the motion and it carried by unanimous vote.

58. **2:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-P-032-07 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) (PROVIDENCE DISTRICT)**
(2:38 p.m.)

The application property is located at 2921 Sayre Road, Vienna, 22031, Tax Map 48-1 ((01)) 90A, 101B, 103, 48-2 ((01)) 1, 2, and 48-3 ((04)) 28.

Mr. Bruce Burke reaffirmed the validity of the affidavit for the record.

Supervisor Hudgins disclosed that she is the Board of Supervisors' appointee to the WMATA Board.

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

Mr. Burke 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 Ms. Kimberly Price, discussion ensued regarding impacts on the surrounding area.

Ms. Gresham presented the staff and Planning Commission recommendations.

Following a query by Supervisor L. Smyth, Mr. Burke confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 15, 2017.

Supervisor L. Smyth moved approval of Special Exception Amendment Application SEA 82-P-032-07, subject to the development conditions dated

March 15, 2017. Supervisor Foust seconded the motion and it carried by unanimous vote.

59. **2:30 P.M. – PH ON REZONING APPLICATION RZ 2016-BR-019 (CHRISTOPHER LAND, LLC) AND APPROVAL OF THE CONCEPTUAL PLAN (CDP) (BRADDOCK DISTRICT)** (2:45 p.m.)

(NOTE: On March 14, 2017, the Board deferred this public hearing until April 4, 2017.)

The application property is located in the southwest quadrant of the intersection of Coffey Woods Road and Burke Lake Road, Tax Map 78-3 ((1)) 1.

Mr. John Regan reaffirmed the validity of the affidavit for the record.

Supervisor Cook disclosed that he received a campaign contribution in excess of \$100 from:

- Mr. Craig Havenner, Christopher Land, LLC

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

Mr. Regan 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 testimony of Mr. Jay Smith (Speaker 1), discussion ensued with input from Ms. Bishop and Ajmal Hamid, Transportation Planner II, Department of Transportation, regarding vehicular turn-around access, deceleration lanes, and availability of on-street parking for the proposed development.

Following the public hearing, which included testimony by one speaker, Ms. Bishop presented the staff and Planning Commission (PC) recommendations.

Following a query by Supervisor Cook, Mr. Regan confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 9, 2017.

Supervisor Cook moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2016-BR-019, from the R-1 District to the PDH-4 District, and approval of the associated CDP, subject to the proffers dated March 9, 2017.

- Approval of a deviation from the Tree Preservation Target pursuant to Section 12-0508.3A of the Public Facilities Manual (PFM) in favor of the treatment as depicted on the Final Development Plan (FDP) and as proffered.
- Waiver of the requirement for construction of the bicycle lane, pursuant to Section 17-201 of the ZO.
- Modification of Section 8-0201 of the PFM to permit an escrow in lieu of construction of a portion of the trail along Burke Lake Road, as depicted on the FDP.

Supervisor Herrity seconded the motion. Following a brief discussion, with input from Ms. Bishop, concerning the trail, the question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

(NOTE: On March 2, 2017, the PC approved FDP 2016-BR-019, subject to the development conditions dated February 15, 2017.)

60. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO REVISE THE SEWER SERVICE CHARGES, BASE CHARGES, AVAILABILITY CHARGES, FIXTURE UNIT CHARGE, AND EQUIVALENT UNIT FLOW** (3:12 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 March 3 and March 10, 2017.

Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Chairman Bulova announced that the record will remain open to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings or to provide written comment. Action will be taken as part of the Budget Mark-up process on April 25, 2017.

Supervisor Gross noted the proposed rate increases will help maintain compliance with discharge requirements imposed by the State and the Chesapeake Bay Program.

61. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2016-DR-018 (ANUPAMA PRASAI, AKA ANUPAMA PRASAI KOIRALA) (DRANESVILLE DISTRICT)** (3:16 p.m.)

The application property is located at 2526 Banshire Drive, Herndon, 20171, Tax Map 16-3 ((10)) 69.

Ms. Anupaman Prasai reaffirmed the validity of the affidavit for the record.

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

Ms. Prasai 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.

Following a query by Supervisor Foust, Ms. Prasai confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 17, 2017.

Supervisor Foust moved approval of Special Exception Application SE 2016-DR-018, subject to the development conditions dated March 17, 2017. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

62. **BOARD RECESS** (3:21 p.m.)

At 3:21 p.m. the Board recessed, and at 4:01 p.m. reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

63. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS** (4:01 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 March 17 and March 24, 2017.

Mavis Stanfield, Deputy Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor K. Smith moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding commercial vehicles in residential districts, as advertised, and as set forth in the staff report dated January 24, 2017, with two grammatical corrections to the commercial vehicle definition. The first change is the addition of a comma after the words “horse trailers” in line number 12, and the second change is the addition of a comma after the word “repair” in line number 15. The amendment will become effective at 12:01 a.m. on the day following adoption. Supervisor Gross seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

64. **4 PM – PH ON PROPOSED PLAN AMENDMENT 2016-II-TY1, TYSONS URBAN CENTER – WORKFORCE HOUSING AND HIGH-RISE CONDOMINIUMS (PROVIDENCE AND HUNTER MILL DISTRICTS)**
(4:10 p.m.)

Bernard S. Suchicital, Planner III, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, (DPZ), presented the staff report.

Discussion ensued, with input from Fred Selden, Director, DPZ, concerning the amendment and the percentage of workforce dwelling units requirement.

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

Supervisor L. Smyth moved approval of Plan Amendment PA 2016-II-TY1, as recommended by the Planning Commission, and shown on pages 4-7 of the staff report, dated February 9, 2017, with a change to Table 1B, as shown in the handout dated March 2, 2017, which correctly shows the percentage of workforce housing units. Supervisor Foust and Supervisor Hudgins jointly seconded the motion.

Following a brief discussion regarding affordable housing requirements, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Herrity abstaining.

65. **4 P.M. – PH ON THE COUNTY EXECUTIVE’S PROPOSED FISCAL YEAR (FY) 2018 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYs 2018–2022 (WITH FUTURE FYs TO 2027) AND THE CURRENT APPROPRIATION IN THE FY 2017 REVISED BUDGET PLAN** (4:21 p.m.)

Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearings were duly advertised in that newspaper in the issues of March 17 and March 24, 2017.

Chairman Bulova announced that the public hearing would begin with a presentation by the School Board and called upon Sandy Evans, Chairman, Fairfax County School Board.

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

- Janie Strauss, Vice-Chairman and Dranesville District Representative
- Megan McLaughlin, Braddock District Representative
- Pat Hynes, Hunter Mill District Representative
- Karen Corbett Sanders, Mount Vernon District Representative
- Dalia Palchik, Providence District Representative

Ms. Evans also recognized Interim Superintendent Dr. Steve Lockard, as well as several members of the leadership team including principals and teachers, noting that additional School Board Members were on their way.

Ms. Evans began the School's annual presentation with a brief video.

Following the School Board presentation, Supervisory L. Smyth raised a question regarding what percentage of Fairfax County students are of the State's total. Discussion ensued, with input from Ms. Evans who stated that the County's 188,000 school population is 14 percent of the State's total.

Chairman Bulova announced that this is the first of three days of public hearings on the FY 2018 Budget as proposed by the County Executive and provided instructions regarding the rules of order for the public hearing.

(6:26 p.m.)

Following the testimony of Ms. Helen Jaeger (Speaker 24), Supervisor Foust asked unanimous consent that the Board direct the Fairfax-Falls Church Community Services Board (CSB) to determine:

- How it will serve clients participating in the Community Readiness and Support Program (CRSP) upon its elimination
- The replacement cost for providing other services
- The true savings of the program's elimination
- Whether prior studies and cost proposals are available for Board review

Without objection, it was so ordered.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to provide additional information concerning:

- Why the program has been eliminated in the CSB budget
- What provisions are being suggested to replace the services that were previously provided

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(7:03 p.m.)

Following the testimony of Mr. David Miller (Speaker 34), Supervisor Herrity asked unanimous consent that the Board direct staff to provide information on the limit of the Board's ability to audit or review the expenditures of the schools system. Without objection, it was so ordered.

The Board heard testimony from 39 speakers.

66. **RECESS** (7:28 p.m.)

Chairman Bulova announced that the Board would recess until 1 p.m. on April 5, 2017, at which time the budget public hearings will continue regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2018 Advertised Budget Plan
- Capital Improvement Program for FY 2018–2022 (with future FYs to 2027)
- Current appropriation level in the FY 2017 Revised Budget Plan

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