



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
November 21, 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, November 21, 2017, at 9:34 a.m., there were present:

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

Others present during the meeting were Kirk W. Kincannon, Acting County Executive; Elizabeth Teare, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Ekuwa Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:34 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Joey Taguding, Department of Information Technology, who supports the technology in Board offices, whose mother, Rafina Taguding, recently died.

Supervisor Storck asked everyone to keep in thoughts the family of Ms. Burnette Scarboro, who died recently. He noted that she was a true “tour de force” in the Mount Vernon and Lee communities. Ms. Scarboro was involved in many community activities including West Potomac High School, the PTA (both on local and State levels) and the Police Ad-Hoc Commission. She made a great difference in the Mount Vernon and Lee communities.

Supervisor Hudgins asked everyone to keep in thoughts the family of Father Gerald Creedon who died recently at the age of 73. Father Creedon was a voice for affordable housing for many years in Fairfax and the region. He was an inspiration and an enormous advocate for human services.

AGENDA ITEMS2. **RESOLUTION OF RECOGNITION PRESENTED TO VIRGINIA TASK FORCE 1** (9:41 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Virginia Task Force 1 from the County for its efforts in the recent national and international disasters.

Chairman Bulova also moved approval of a:

- Certificate of Appreciation to each individual member
- Certificate of Recognition to each K-9 member

Supervisor Herrity and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAF) LOCAL 2068** (9:56 a.m.)

Chairman Bulova moved approval of the Certificate of Recognition presented to the IAF Local 2068 for its success during the 2017 Fill the Boot Campaign. Supervisor Foust seconded the motion and it carried by unanimous vote.

Vice Chairman Gross returned the gavel to Chairman Bulova.

4. **PROCLAMATION DESIGNATING NOVEMBER 2017 AS "ADOPTION AWARENESS MONTH" IN FAIRFAX COUNTY** (10:08 a.m.)

Supervisor Storck moved approval of the Proclamation designating November as "Adoption Awareness Month," in Fairfax County and urged all residents to celebrate the stories of all whose lives have been touched by adoption. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

5. **RECOGNITION OF THE COUNTY FOR RECEIVING THE BEST AFFORDABLE HOUSING PROJECT AWARD** (10:21 a.m.)

Supervisor Cook announced that, on behalf of the County, he accepted the 2017 Best Affordable Housing Project Award at the Virginia Governor's Housing Conference for the Residences at the Government Center development.

6. **RESOLUTION OF RECOGNITION PRESENTED TO CHESTERBROOK RESIDENCES (DRANESVILLE DISTRICT)** (10:28 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to Chesterbrook Residences for its tenth anniversary. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Storck being out of the room.

7. **RESOLUTION DESIGNATING THE COUNTY AS A TRAUMA-INFORMED COMMUNITY** (10:40 a.m.)

Supervisor Gross moved approval of the Proclamation designating the County as a Trauma-Informed Community. Supervisor McKay seconded the motion and it carried by unanimous vote.

8. **PRESENTATION OF VIRGINIA ASSOCIATION OF COUNTIES (VACo) LENGTH OF SERVICE CERTIFICATES** (10:51 a.m.)

Supervisor Gross noted that VACo recognizes locally-elected officials for their length of service. Traditionally, this recognition occurs during the banquet at the annual meeting. This year, VACo also issued Length of Service certificates.

Supervisor Gross presented certificates to the following Board Members:

- 10 Years:
 - Supervisor Foust
 - Supervisor Herrity

- Supervisor McKay
- 30 Years:
 - Chairman Bulova

9. **PRESENTATION OF THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) ANNUAL REPORT** (10:52 a.m.)

Stella Koch, Chairman, EQAC, presented the 2017 annual report. She noted the changes to the format and organization of this year's report and asked for feedback from Board Members on the changes. She then presented the Council's priority recommendations as outlined in the annual report:

- Updating of the Outdoor Lighting Ordinance
- Increase in the Stormwater Service District rate by one-quarter penny
- Funding for the remaining budget required for the Park Authority's natural resource mapping efforts
- Funding, authorization, and hiring of a full-time wildlife assistant position
- Funding of a follow-up public survey to provide data needed to understand the cultural-carrying capacity of deer in the County
- Acquisition of light detection and ranging (LIDAR) and Multi-spectral data

Following Ms. Koch's presentation, a brief discussion ensued regarding multi-modal transportation improvements, loss of the existing tree canopy, deer management, repurposing existing buildings, and the possibility of issuing next year's annual report on an earlier timeline.

Supervisor Gross moved that the Board accept the report and refer it to the County Executive for follow-up, especially on the priority recommendations. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

EBE:ebe

10. **10:10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (11:20 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 November 21, 2017.” Supervisor McKay seconded the motion.

Chairman Bulova announced that Janyce Hedetniemi, At-Large Chairman’s Representative, Planning Commission, has resigned and she noted that she will be appointing Ms. Mary Cortina to replace her.

Supervisor L. Smyth announced her intent to appoint Ms. Nancy Cromwell Scott as the Providence District Representative to the Fairfax-Falls Church Community Services Board.

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

The full list of Appointments is as follows:

ADVISORY SOCIAL SERVICES BOARD

Reappointment of:

- Ms. Karen Darley as the Braddock District Representative

The Board deferred the appointment of the Providence District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Engineer/Architect/Planner #2 and the Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

Reappointment of:

- Mr. Edward Robichaud as the Hunter Mill District Representative

The Board deferred the appointment of the Providence District Representative.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Reappointment of:

- Mr. Richard O. Bolger as the At-Large #5 Representative

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Mason District Representative.

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Attorney Representative.

ATHLETIC COUNCIL

Confirmation of:

- Ms. Nichole Lopes as the Town of Herndon Principal Representative

The Board deferred the appointment of the Mason District Alternate, Member-At-Large Alternate, and Diversity At-Large Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #4 and Design Professional #4 Representatives.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

Appointment of:

- Ms. Sue Kovach Shuman as the Providence District Representative

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

CHILD CARE ADVISORY COUNCIL

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

COMMISSION FOR WOMEN

Confirmation of:

- Ms. Kayla Rothstein as the Student Representative

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

COMMISSION ON AGING

Confirmation of:

- Mr. Patrick Sprouse as the Falls Church City Principal Representative

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

Reappointment of:

- Ms. Linnie Haynesworth as the At-Large #5 Citizen Representative

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large #2 Business Community, At-Large Chairman's, Braddock, and Sully District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Nancy Mercer as a Long Term Care Providers Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

The Board deferred the appointment of the Mason District Representative.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Nomination of:

- Ms. Nancy Cromwell Scott as the Providence District Representative

(NOTE: The Board is scheduled to take action on this appointment on December 5, 2017.)

HEALTH CARE ADVISORY BOARD

Reappointment of:

- Ms. Rosanne L. Rodillosso as the Dranesville District Representative

The Board deferred the appointment of the Lee District Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #1 Representative.

HISTORY COMMISSION

The Board deferred the appointment of the Historian #1 Representative.

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #8 and #9 Representatives.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Providence District #2 Representative.

INDUSTRIAL DEVELOPMENT AUTHORITY

Reappointment of:

- Mr. Jonathan D. Higgins as the At-Large #5 Representative

The Board deferred the appointment of the At-Large #3 and #4 Representatives.

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

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

LIBRARY BOARD

The Board deferred the appointment of the Springfield District Representative.

**OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED
DRIVING**

The Board deferred the appointment of the Braddock, Dranesville, Hunter Mill, Mount Vernon, and Providence District Representatives.

PLANNING COMMISSION

Appointment of:

- Ms. Mary Cortina as the At-Large #1 Chairman's Representative.

The Board deferred the appointment of the Sully District Representative.

REDEVELOPMENT AND HOUSING AUTHORITY

Appointment of:

- Ms. Sharisse Yerby as the At-Large #2 Representative

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #1, #2, and #3 Representatives.

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #1 and #4 Representatives.

SMALL BUSINESS COMMISSION

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #8 Representative.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Citizen Member #1 and Condo Owner Representatives.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the Mason District Representative.

TREE COMMISSION

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

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Commercial or Retail Ownership #2 and the Providence District #2 Representatives.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

Reappointment of:

- Ms. Maria T. Alva as the Citizen appointed by BOS #4 Representative

WETLANDS BOARD

The Board deferred the appointment of the Alternate #1 and Mount Vernon District #1 Representatives.

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

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

Supervisor McKay called the Board's attention to Admin 5 - Proposed Addition of Jeff Todd Way (Route 619) to the Secondary System of State Highways (Mount Vernon District) and noted that it has taken approximately three years and three months, from roadway opening to the State completing the process for Jeff Todd Way to be accepted into the state system. He expressed his concern with the length of the process and noted the impact on traffic enforcement that the delay has caused. He also noted that the roadway is in the Lee District.

The question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

ADMIN 1 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 18123 FOR VARIOUS COUNTY AGENCIES TO ACCEPT DEPARTMENT OF HOMELAND SECURITY URBAN AREAS SECURITY INITIATIVE SUBGRANT AWARDS FROM THE GOVERNMENT OF THE DISTRICT OF COLUMBIA (DC) HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

(SAR) Approved SAR AS 18123 for various County agencies to accept Department of Homeland Security Urban Areas Security Initiative sub-grant awards from the government of the DC Homeland Security and Emergency Management Agency in the amount of \$11,494,786. These funds will be used by various County agencies to enhance security and overall preparedness by implementing the projects

summarized in Attachment 1 of the Board Agenda Item. No local cash match is required.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER A PROPOSED AMENDMENT TO THE PUBLIC FACILITIES MANUAL (PFM) AND ENGINEERING STANDARDS REVIEW COMMITTEE (ERSC) CHARTER TO UPDATE THE ESRC’S MEMBERSHIP

(A)
(BAC)

Authorized the advertisement of a public hearing to be held before the Board on **January 23, 2018, at 4:30 p.m.**, to consider a proposed amendment to update the PFM and ESRC Charter to replace the Citizens Committee on Land Use and Transportation appointment with an At-Large Citizen appointment.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE FIRST INTERIM AGREEMENT - MASTER DEVELOPMENT PLAN BETWEEN THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AND THE ALEXANDER COMPANY AND ELM STREET DEVELOPMENT (COLLECTIVELY, “DEVELOPER”) (MOUNT VERNON DISTRICT)

(A)

Authorized the advertisement of a public hearing to be held before the Board on **December 5, 2017, at 4:30 p.m.**, on the First Interim Agreement between the County and Developer for the Master Development Agreement for the Original Mount Vernon High School Redevelopment.

ADMIN 4 - DISCONTINUANCE OF A PORTION OF ROUTE 744 (HILLTOP ROAD) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (PROVIDENCE DISTRICT)

(R)

Adopted the Resolution requesting that a portion of Route 744 (Hilltop Road) be discontinued from the Secondary System of State Highways.

ADMIN 5 - PROPOSED ADDITION OF JEFF TODD WAY (ROUTE 619) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (MOUNT VERNON DISTRICT)

(R)

(NOTE: Earlier in the meeting the Board discussed this item. See page #10.)

Adopted the Resolution requesting the addition of a portion of Jeff Todd Way (Route 619) to the Secondary System of State Highways.

ADMIN 6 - AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS, (COG) ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, TO SUPPORT ENHANCED TRANSPORTATION OPTIONS

Authorized the Department of Neighborhood and Community Services to apply for and accept grant funding from the Metropolitan Washington COG, Enhanced Mobility of Seniors and Individuals with Disabilities Program, to support enhanced transportation options, in the amount of \$525,000. The required local cash match of \$116,091 is available in the Federal-State Grant fund.

ADMIN 7 - AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG), ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, IN SUPPORT OF THE PURCHASE OF WHEELCHAIR-LIFT EQUIPPED VEHICLES

Authorized the Department of Neighborhood and Community Services to apply for and accept grant funding from the Metropolitan Washington COG, Enhanced Mobility of Seniors and Individuals with Disabilities Program, in support of the purchase of five wheelchair-lift equipped vehicles, in the amount of \$312,000. The required local cash match of \$62,500 is available in Fund 60010, Department of Vehicle Services, FASTRAN Replacement Reserve.

ADMIN 8 – EXTENSION OF REVIEW PERIOD FOR A 2232 PUBLIC FACILITIES REVIEW APPLICATION (BRADDOCK DISTRICT)

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

Application

<u>Number</u>	<u>Description</u>	<u>New Date</u>
2232-B17-21	Department of Public Works and Environmental Services 6000 Fred Oaks Road Burke, VA 22039 Braddock District Submitted April 13, 2017 Extended June 6, 2017, to December 5, 2017	June 5, 2018

EBE:ebe

12. **A-1 – APPROVAL OF A STATE LITTER PREVENTION AND RECYCLING GRANT FUNDING TRANSFER TO CLEAN FAIRFAX COUNCIL, INCORPORATED** (11:26 a.m.)

On motion of Supervisor Gross, seconded jointly by Chairman Bulova and Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the transfer of \$121,638 to Clean Fairfax Council, Incorporated.

13. **A-2 – AUTHORIZATION TO EXECUTE A BUILDING CODE SERVICES AGREEMENT FOR ADMINISTERING AND ENFORCING THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE FOR THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (11:27 a.m.)

On motion of Supervisor Herrity, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute the Building Code Services Agreement with the Town of Clifton as set forth as Attachment 1 of the Board Agenda Item dated November 21, 2017.

14. **A-3 – APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF VIENNA AND THE COUNTY TO DESIGN AND CONSTRUCT THE NORTHSIDE PARK PINEY BRANCH STREAM RESTORATION PROJECT (HUNTER MILL DISTRICT)** (11:28 a.m.)

On motion of Supervisor Hudgins, seconded jointly by Supervisor Foust and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign an agreement with the Town of Vienna to provide funding for the design and construction of the Northside Park Piney Branch Stream Restoration Project.

15. **A-4 – DELEGATION OF SIGNATURE AUTHORITY AND APPROVAL OF AN UPDATED STANDARD PROJECT AGREEMENT (SPA) BETWEEN THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY WATER AUTHORITY (FCWA) FOR THE ADJUSTMENT OF WATER FACILITIES** (11:28 a.m.)

On motion of Supervisor Gross, seconded jointly by Supervisor Foust and Supervisor K. Smith, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the updated SPA, substantially in the form of Attachment 1 of the Board Agenda Item, and authorized the Director of the Department of Transportation and the Deputy Director of the Department of Public Works and Environmental Services (DPWES) to execute said agreement.

16. **A-5 – ENDORSEMENT OF ADVANCING THE RECOMMENDED ALTERNATIVE (INTERSECTION AND CORRIDOR IMPROVEMENTS) FOR BRADDOCK ROAD FROM GUINEA ROAD TO RAVENSWORTH ROAD FOR IMPLEMENTATION (BRADDOCK AND MASON DISTRICTS)** (11:29 a.m.)

Supervisor Cook moved that the Board concur in the recommendation of staff and endorse the advancement of the Braddock Road Multimodal Study recommended alternative for implementation. This alternative includes intersection improvements in multiple locations in the corridor as well as reconfiguration of the Braddock Road/I-495 interchange. Supervisor Foust seconded the motion.

Chairman Bulova submitted an item for the record.

Following discussion regarding the ongoing design process, impacts of the roadway design on surrounding properties, and traffic impacts in the area, the question was called on the motion and it carried by a vote of nine, Supervisor K. Smith being out of the room.

17. **A-6 – ADOPTION OF THE ONE FAIRFAX POLICY THAT DEFINES EXPECTATIONS AND PROCESSES FOR CONSIDERATION OF RACIAL AND SOCIAL EQUITY IN THE PLANNING, DEVELOPMENT, AND IMPLEMENTATION OF POLICIES, PRACTICES, AND INITIATIVES THROUGHOUT ALL PUBLICLY DELIVERED SERVICES IN COUNTY GOVERNMENT** (11:40 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and adopt the *One Fairfax* policy and joined with the School Board in defining expectations and processes for the consideration of racial and social equity when planning, developing, and implementing policies, practices, and initiatives. This policy informs all other policies and applies to all publicly delivered services in Fairfax County Government and Fairfax County Public Schools. Chairman Bulova and Supervisor McKay jointly seconded the motion.

Discussion ensued regarding the collaborative work done to develop the policy, developing a methodology to measure success, the fiscal impacts of implementation, working with the community around the issues of equity, and using the policy to eliminate gaps and increase opportunities for all.

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

18. **A-7 – APPROVAL OF FAIRFAX CONNECTOR DECEMBER 2017 SERVICE CHANGES** (12:10 p.m.)

Tom Biesiadny, Director, Department of Transportation, gave a brief presentation on the proposed Connector service changes and referenced the revisions to the Attachments to the Board Agenda Item that had been previously distributed.

Supervisor Foust moved that the Board concur in the recommendation of staff and approve the December 2017 service changes proposal as outlined in the Board Agenda Item. Supervisor McKay and Supervisor K. Smith jointly seconded the motion and it carried by unanimous vote.

19. **A-8 – ENDORSEMENT OF COMMENTS ON THE TRANSFORM 66 OUTSIDE THE BELTWAY PROJECT – DESIGN PUBLIC HEARINGS (BRADDOCK, HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (12:14 p.m.)

Tom Biesiadny, Director, Department of Transportation, gave a brief presentation on the item.

Discussion ensued, with input from Mr. Biesiadny, regarding design specifics and the timelines, concerns over the loss of tree canopy and stormwater impacts, and the need for continued community meetings to inform the public of the process.

Supervisor Foust moved that the Board concur in the recommendation of staff and endorse the comments on the Transform 66 Outside the Beltway Project contained in the letter to Susan Shaw, Virginia Department of Transportation (VDOT) Megaprojects Director, as contained in the Board Agenda Item. The motion was multiply seconded and it carried by unanimous vote.

20. **A-9 – APPROVAL OF A LICENSE AGREEMENT WITH THE GUM SPRINGS HISTORICAL SOCIETY FOR THE USE OF SPACE WITHIN THE GUM SPRINGS COMMUNITY CENTER (MOUNT VERNON DISTRICT)**

This item was withdrawn by staff.

21. **A-10 – APPROVAL OF A PILOT BODY WORN CAMERA PROGRAM FOR THE COUNTY POLICE DEPARTMENT** (12:26 p.m.)

Supervisor Cook moved that the Board authorize a pilot Body Worn Camera program for the County Police Department for patrol and other operational police officers at the Mason and Mount Vernon District Police Stations. Supervisor Foust and Supervisor Gross jointly seconded the motion.

Discussion ensued with input from Colonel Edwin C. Roessler Jr., Chief of Police and Brad Bartholomew, American University, Department of Justice and

Criminology, School of Public Affairs, and Major Christian Quinn, Police Department, regarding the specifics of the pilot program, engagement of the public and professionals in the development of the pilot, inclusiveness of the survey sampling, managing community expectations and fiscal impacts, and keeping the public updated on the pilot from start through evaluation.

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

22. **C-1 – PROFFER INTERPRETATION APPEAL ASSOCIATED WITH THE RESERVE AT TYSONS CORNER RELATED TO PROFFERS ACCEPTED FOR REZONING/FINAL DEVELOPMENT PLAN APPLICATIONS RZ/FDP 2003-PR-008 (PROVIDENCE DISTRICT)** (12:49 p.m.)

Supervisor L. Smyth moved to defer this Consideration Item, as contained in the Board Agenda, regarding an appeal of a proffer interpretation that determined Proffer 49 of Rezoning/Final Development Plan Application RZ/FDP 2003-PR-008 remains in effect, but is not enforceable against a property not included in the subject rezoning, until December 5, 2017. Supervisor Gross seconded the motion and it carried by unanimous vote.

23. **I-1 – CONTRACT AWARD – MARKET AND NEEDS ANALYSIS FOR THE PERFORMING AND VISUAL ARTS** (12:50 p.m.)

The Board next considered an item contained in the Board Agenda announcing that staff is awarding a contract to AMS Planning and Research Corporation for the first phase of the “Market and Needs Analysis for the Performing and Visual Arts” venues in the County. The contract will begin on the date of award and terminate upon completion of the project. Funding for this project is budgeted; expenditures under the contract are estimated to be not more than \$150,000.

24. **I-2 – CONTRACT AWARD – TELECOMMUNICATIONS CONSULTING SERVICES** (12:50 p.m.)

The Board next considered an item contained in the Board Agenda announcing that staff is awarding a contract to Columbia Telecommunications Corporation to provide telecommunications consulting services. This contract will commence on November 22, 2017, and terminate on October 31, 2022. The County shall have the option to renew the contract for five additional one-year periods.

25. **I-3 – ESTABLISHING CENTRAL BUSINESS AREAS FOR THE GENERAL SERVICES ADMINISTRATION (GSA)** (12:51 p.m.)

The Board next considered an item contained in the Board Agenda, announcing that staff has prepared a letter, substantially in the form of Attachment 3 of the Board Agenda Item, to the GSA for the Chairman’s signature that will establish Central Business Areas for the County, as described and shown in the Central

Business Areas Report, substantially in the form of Attachment 2 in the Board Agenda Item.

ADDITIONAL BOARD MATTERS

DET:det

26. **RETIREMENTS OF MR. CHARLIE FEGAN AND MR. CHET McLAREN** (12:51 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and announced that three of her appointees, two who have served the County for a number of decades, recently announced their retirements. While she is proud of their service and the work that they have done for the community, she will also miss their steady leadership and sound advice.

Mr. Charlie Fegan served as her appointee to the Library Board of Trustees since 1992. During his 25 years of service, he has been involved with new branches opening in Oakton and Burke, numerous library renovations, the founding of the Library Foundation, and reaching new heights in fundraising.

Mr. Chet McLaren served as an appointee to a number of Boards and Commissions over the past few decades, to include the Park Authority, the Environmental Quality Advisory Council (EQAC), the Trails and Sidewalks Committee, and, more recently, the Tree Commission. In addition to his work on Boards and Commissions, he was also a regular volunteer for community activities, including Braddock Nights, when she was the Braddock District Supervisor.

Ms. Jan Hedetniemi served ably on the County's Planning Commission.

Chairman Bulova asked unanimous consent that the Board direct staff to invite Mr. McLaren, Mr. Fegan, and Ms. Hedetniemi to appear before the Board, during its January meeting, to celebrate and honor their decades of service to the County. Without objection, it was so ordered.

27. **FEDERAL TAX REFORM PROPOSALS** (12:53 p.m.)

Chairman Bulova referred to her written Board Matter and stated that Congress is currently considering various Federal tax reform proposals, which include issues that could be damaging and negative for the County and its taxpayers. She asked unanimous consent that her written Board Matter, and the attached draft letter, be referred to the Board's Legislative Committee for discussion and consideration. Without objection, it was so ordered.

Discussion ensued concerning sharing the letter with the Board's Federal legislative liaison.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

28. **COUNTY'S RETIREMENT SYSTEMS** (12:55 p.m.)

Supervisor Gross said that at the October 3 Personnel Committee meeting, the Board received an extensive review of the County's retirement systems, including both historical data and future forecasts. At the conclusion of the presentation, the Board discussed possible next steps, and agreed that a workgroup should be formed to dig deeper into the data and make recommendations for possible tweaks or changes for employees that may be hired in the future. No changes for current employees in the County's three retirement systems are anticipated by the workgroup.

Supervisor Gross announced that the retirement workgroup members are:

- Mason District Supervisor Penny Gross, Personnel Committee chairman
- Braddock District Supervisor John Cook
- Seema Ajrawat, Finance Director, Housing and Community Development (HCD)
- Randy Creller, immediate past chairman of the Employees Advisory Council (EAC)
- Terry Kellogg, Benefits Specialist, Fairfax County Public Schools (FCPS)
- Lieutenant James Krause, Fairfax County Police Department
- Captain John Niemiec, President, International Association of Fire Fighters (IAFF) Local 2068
- Tammy Wondong-Ware, president, Fairfax County Chapter, Service Employees' International Union (SEIU)
- John Yeatman, retiree; elected member of the Employees' Retirement Board

The retirement workgroup will meet several times during the next three months, with an organizational meeting scheduled for Tuesday, November 28, at 8:30 a.m., prior to regular committee meetings. Subsequent meetings are scheduled for December 8, January 9, 19, and 26, and February 13 and 27. Meetings may be added, or subtracted, as needed for the workgroup to complete its task. All workgroup meetings are open, and will be in Room 232 of the Government Center.

Supervisor Gross noted that the workgroup will present a report on its findings, and possible recommendations, to the Board's Personnel Committee in late winter or early spring.

Discussion ensued concerning including an individual with compensation strategy experience. Supervisor Gross noted that a number of additional subject matter experts have been lined up as workgroup resources.

29. **EXPEDITIOUS AND SIMULTANEOUS PROCESSING – SHIRLEY INVESTORS LLC (MASON DISTRICT)** (12:58 p.m.)

Supervisor Gross said that a special exception application has recently been filed by Shirley Investors LLC, for an 8.81 acre parcel of land located at 6701 Electronic Drive. The property is currently zoned I-6, and the applicant is not proposing any change to the current permitted uses or to modify any of the existing structures at this time. When this parcel was developed in the 1960s, many of the current Code restrictions did not exist, and consequently the existing site is non-conforming under current I-6 District regulations. The applicant is seeking to re-subdivide the parcel into three parcels, and currently has a contract pending with Arlington County for one of the three proposed parcels. Arlington County is planning to use its parcel as a maintenance and repair facility for buses and other County vehicles, which is a by-right use in the I-6 District. To approve the proposed re-subdivision and permit the existing uses and structures to remain, the applicant has filed a special exception to address certain non-conformities and allow the re-subdivision to be approved. These non-conformities include, but are not limited to, a waiver of open space and modifications of certain minimum yard requirements. She said that it is her understanding that Arlington County is in the process of having a site plan prepared for its proposed facility and that site plan application will be filed in approximately the next two months. In addition to the special exception approval, the re-subdivision, and the site plan, there will also be a request for a 2232 determination by the Planning Commission that the general location, or approximate location, character, and extent of the public facility proposed by Arlington County is substantially in accord with County's Comprehensive Plan.

Due to the complexity of the various approvals that need to occur to enable the sale of a portion of the property to Arlington County to establish a vehicle maintenance and repair facility for Arlington buses and other County vehicles, it is necessary for these actions to proceed essentially simultaneously and in an expeditious fashion.

Therefore, Supervisor Gross moved that the Board direct the Directors of the Departments of Planning and Zoning and Land Development Services to expeditiously and simultaneously process all materials necessary to enable the completion of review of the proposed subdivision plat, special exception application, site plan, and 2232 application for the property located at 6701 Electronic Drive. This motion should not be construed as a favorable recommendation by the Board and does not relieve the applicants from compliance

with the provisions of all applicable ordinances, regulations, or adopted standards. Chairman Bulova seconded the motion and it carried by unanimous vote.

KK:kk

30. **ECONOMIC DEVELOPMENT SUPPORT FUND (EDSF) -
RECOMMENDATION OF DETAILED SCREENING FOR FOUR
PROJECTS** (1:01 p.m.)

Supervisor Foust stated that at the Budget Committee meeting held on October 17, 2017, the Board received an update on the EDSF and staff presented the results of their Initial Screening for the following requests for funding from the EDSF:

- GO Virginia- Tech Talent Pipeline (Local Match)
- Governor's Agriculture and Forestry Industry Grants (County Match)
- Downtown Herndon Arts Center
- Annandale Economic Development Pilot Projects

The consensus of the Committee was to support conducting further analysis of all four proposals. Pursuant to the process adopted for evaluating investments from the EDSF, the next step is for staff to prepare and present a Detailed Screening of each of the proposals for the Board's consideration and action.

Staff has advised that funding in the amount of \$200,000 has been encumbered by the Board to ensure that funds will be available for one of the proposals (the Tech Talent Pipeline proposal) if it is approved by the Board. Staff has requested that funding also be encumbered for the other three proposals. While encumbering these funds would ensure funding availability if the proposals are ultimately approved, no funds will be spent unless and until the expenditure is approved by the Board.

Therefore, jointly with Chairman Bulova and Supervisor Gross, Supervisor Foust moved that the Board direct the County Executive to:

- Perform a Detailed Screening for the Fairfax share of the local match request for the GO Virginia - Tech Talent Pipeline application. (The Board encumbered \$200,000 from the EDSF for this project on September 26, 2017),
- Encumber \$500,000 from the EDSF for Fairfax County's local match of the Governor's Agriculture and Forestry Industries Development Fund grants, and perform Detailed Screening for projects seeking these grants as specific investment opportunities arise

- Encumber \$ 1,200,000 from the EDSF for investment with the Town of Herndon in the Downtown Herndon Arts Center, and direct staff to perform a Detailed Screening for this investment, and
- Encumber \$125,000 from the EDSF for implementation of redevelopment strategies in Annandale through innovative pilot projects, and direct staff to perform a Detailed Screening for this investment.

Supervisor Foust also moved that the Board direct the County Executive that no investment from the EDSF will be made unless and until the Board has approved the expenditure of those funds. Chairman Bulova seconded the motion and it carried by unanimous vote.

31. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (1:05 p.m.)

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

32. **RECOGNIZING JANUARY 2018 AS NATIONAL HUMAN TRAFFICKING AWARENESS MONTH IN THE COUNTY** (1:05 p.m.)

Supervisor Herrity said that January 2018 will mark National Human Trafficking Awareness Month. Between 2013 to 2017, over 500 victims had been identified in Northern Virginia. Awareness of what to look for and asking the right question are critical to addressing this horrific crime.

Recognizing Human Trafficking Awareness Month in Fairfax County will provide an opportunity to increase public awareness of this disturbing crime. For example, the number of calls to the National Human Trafficking Hotline rose 22 percent from 2016 to 2017. In addition, it will reiterate Fairfax County's commitment to preventing human trafficking, and its across-the-board consequences for victims, their families, and the community.

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

- Prepare a Resolution recognizing January 2018 as "Human Trafficking Awareness Month," in Fairfax County
- Invite representatives from Just Ask, the Human Trafficking Task Force, the Commission for Women, and other community groups to the first Board meeting of 2018 on January 23 to receive the resolution

Without objection, it was so ordered.

33. **HOMELESS FAMILIES IN THE COUNTY** (1:06 p.m.)

Supervisor Herrity said that in the 2017 Point-In-Time Survey of homeless population, 76 percent of the single adult homeless were unemployed. That's 376 people. And, for the adults in homeless families, it's slightly less at 43 percent, another 80 people who are unemployed.

Supervisor Herrity also noted that there has been an increase in the number of panhandlers on the streets in West Springfield, Fair Lakes, Tysons, Reston and throughout many neighborhoods in the County. On June 20, in response to a citizen's concern about panhandling, the Board directed staff to prepare a message similar to what the Arlington County Police have done - which is to urge motorists to stop giving to panhandlers. While recognizing that panhandling is not necessarily synonymous with homelessness, we must also recognize that there is a small percentage of the homeless population who may resort to begging for their next meal or month's rent.

In Albuquerque, NM, a program called "There's a Better Way" has become a national model for a *jobs-first approach* by offering the homeless dignity through work and connecting them to needed services. It also provided an option to panhandling and was successful at getting people the services they needed.

Supervisor Herrity said that he was reminded of this program when, at the last Revitalization Committee meeting, staff noted that they are seeking laborers to help maintain and improve our streetscapes in commercial revitalization districts. In addition, there is more work for the Sheriff's Community Labor Workforce than we currently have inmates to perform it. There are also opportunities in Parks, other County agencies, and even the private sector for unskilled or low skilled labor.

Supervisor Herrity said that there is the potential for this program to address a number of County issues:

- A way to proactively address the panhandling issue as it did in Albuquerque
- A way to provide panhandlers and homeless with the dignity of work, a work history and job references
- A way to connect these individuals with services by proactively engaging them as was the case in Albuquerque
- A way to utilize funding of revitalization districts, community projects, parks, etc. to help the most vulnerable residents improve their lives through work

Supervisor Herrity said that he recently met with staff and several non-profits and they believe the model is worth investigating in the County. He also recently

learned from the Acting County Executive of a similar but more comprehensive program in Boulder, Colorado – Ready to Work – that also focuses on the dignity of work as well as the consolidation of needed services, which is currently not the case for the homeless in Fairfax County. It is clear that any solution would require the participation of the non-profit community and the business community. A pilot program or phased approach could also be used to test the concept.

Therefore, Supervisor Herrity moved that the Board direct the County Executive to have the Office to Prevent and End Homelessness work with nonprofits, the business community and those County agencies that employ unskilled labor to identify if and how a program like “There’s a Better Way” or “Ready to Work” could be implemented in the County and report at an upcoming Health and Human Services Committee meeting. Following discussion, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Hudgins voting “NAY.”

34. **PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-H-045, FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 93-H-045, PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-14, AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 87-C-060-09-03 FAIRFAX COUNTY SCHOOL BOARD (HUNTER MILL DISTRICT) (1:23 p.m.)**

Supervisor Hudgins said that the Fairfax County School Board filed four concurrent rezoning applications Proffered Condition Amendment/Final Development Plan Amendment Applications PCA/FDPA 93-H-045, Proffered Condition Amendment/Final Development Plan Amendment Applications PCA 87-C-060-14, FDPA 87-C-060-09-03) on Tax Maps 16-3 ((7)) C and 16-3 ((1)) 41 to permit an additional three-story elementary school building on the northern portion of the existing McNair Elementary School site and to modify the proffers and the final development plans associated with Rezoning Applications RZ 93-H-045 and RZ 87-C-060. On July 25, 2017, the Board authorized the filing of these applications and directed staff to expedite the processing. The public hearings for the Planning Commission and the Board are scheduled for December 7, 2017, and January 23, 2018, respectively. The applicant proposes a development plan that is also consistent with the Comprehensive Plan and the Zoning Ordinance.

Therefore, Supervisor Hudgins moved that Board authorize the County Executive (or his designee) to act as an agent of the Board and execute the proffers for the PCA applications before the public hearings.

This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in anyway. Supervisor Foust and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

35. **GENERAL ASSEMBLY (GA) BILLS** (1:26 p.m.)

Supervisor McKay, referring to his written Board Matter, said that in Virginia, local governments have limited powers and receive all of their authority from the State. This is commonly referred to as the Dillon Rule. As a result, the County plays an active role in Richmond during the General Assembly (GA) session and throughout the year to ensure that the County's interests and existing authorities are protected, and to seek new authority to address the needs of the residents. The legislative staff works with County agencies to assess the impacts of bills being considered by the GA, bringing recommendations to the Board's Legislative Committee for positions each Friday afternoon throughout the session.

The GA considers thousands of bills per year, in fact, the 2017 GA considered over 2,900 bills in a "short" session, while the 2016 GA considered over 3,200 bills in a "long" session. After each GA has concluded, legislative staff provide all County agencies with a report of bills that passed. County staff, working with the County Attorney's office, then implement new legislation that requires changes to County operations or activities. However, the GA often grants new local authority that may allow the County to approach an issue in an innovative way while such bills may not have been County requests or may not have required significant attention during the session, they may provide opportunities that should be analyzed and brought to the Board for consideration.

Therefore, Supervisor McKay moved that the Board direct the County Executive to review current annual legislative implementation efforts throughout the County, and to consider necessary adjustments to ensure a formal process for all agencies to analyze newly-granted state authority and present information to the Board. Staff from Government Relations and the County Attorney's office should participate in this review, in addition to the Deputy County Executives and other relevant County staff, as determined by the County Executive. This work should be done as quickly as possible to allow implementation of this process at the conclusion of the 2018 General Assembly session next spring. Supervisor Herry and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

36. **SPRINGFIELD GATEWAY PROJECT (SPRINGFIELD DISTRICT)** (1:28 p.m.)

Supervisor McKay said that in September 2017, the Office of Community Revitalization engaged a brand marketing firm to develop a new identity system for the Springfield Community Revitalization District. With the tremendous commercial success that's been achieved in recent years, there is no better way to do so than an attractive, cohesive logo.

The Springfield Gateway identity system is intended to offer a universal brand logo for use in public and private signage, and leverage opportunities for branding and funding sources from future development projects, such as the Commuter Parking Facility that will be constructed on Old Keene Mill Road.

The Economic Development Support Fund (EDSF) provides an opportunity to fund these activities that will create the cohesive image and enhanced vitality for Central Springfield. In partnership with the Greater Springfield Chamber of Commerce and the Department of Transportation, Federal Highway Administration funding of up to \$100,000 already allocated for the commuter parking facility signage would be leveraged as a match to county funding.

Funding of this project will: support investments by County and private sector in redevelopment of Springfield CRD; strengthen branding and cohesiveness of CRD identity; stabilize existing businesses and attract new investment in commercial area; serve as a demonstration for CRD branding that is replicable to other areas in the County; and, create “lessons learned” for future community and commercial district marketing and image development.

Therefore, Supervisor McKay moved that the Board direct:

- The County Executive to prepare an Initial Project Evaluation for the use of EDSF to implement the Springfield Gateway Project, as outlined by the Office of Community Revitalization
- Staff to evaluate the cost for implementation of the project, including design, fabrication, installation and maintenance, understanding that no investment from the EDSF will be made until the Board has approved the use of those funds

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

EBE:ebe

37. **RECOGNIZING THE LAKE BRADDOCK GIRLS’ AND BOYS’ CROSS COUNTRY TEAMS AS THE 6A STATE CHAMPIONS BRADDOCK AND SPRINGFIELD DISTRICT** (1:31 p.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor Cook congratulated the Girls’ and Boys’ Cross Country Teams from Lake Braddock Secondary School for winning the 6A Cross Country State Championships on November 11.

The boys’ team won the State title with 74 points, beating Cosby, Ocean Lakes, W.T. Woodson, and Oakton. The girls’ team won its title with 86 points, defeating Oakton and West Springfield. Four Bruin runners also achieved All-State titles including Sarah Daniels, Brielle Perry, Edward Cerne, and Andrew DelVecchio.

Therefore, jointly with Supervisor Herrity, Supervisor Cook asked unanimous consent that the Board direct staff to invite the Lake Braddock Secondary School Cross Country Teams and any other State champions in the County from the fall

sports season on January 23, 2018, to be recognized for their tremendous achievements. Without objection, it was so ordered.

38. **INOVA LEADERSHIP TO MEET WITH BOARD** (1:31 p.m.)

In a joint Board Matter with Supervisor Gross, Supervisor Cook noted that INOVA is the County's premier health care provider. It is also an important partner in County programs, such as prenatal care for at risk mothers, the Health Care-Associated Pneumonia (HCAP) eligibility system, and the Beginning Steps for Parents Program, which provides supportive services for first time parents.

INOVA is also a necessary partner in emerging County priorities. County staff and INOVA need to partner on important aspects of Diversion First, so appropriate mental health screenings can occur. Other priorities include contracted operation of the Community Health Care Network (CHCN) clinics that serve low income - uninsured adults, primary and mental health services for individuals with HIV or AIDS through the Inova Juniper Program, and Elderlink services for adults with disabilities.

To enhance this necessary coordination, high level discussions between the Board and INOVA are needed to strengthen the partnership. INOVA leadership has offered to meet with the Board to make sure programs and priorities are properly aligned. To jump start this coordination, Supervisor Cook jointly with Supervisor Gross moved that the Board direct staff to invite executive level staff from INOVA to meet with the Board and senior staff this winter on a committee day to discuss how to best coordinate efforts. Supervisor Gross seconded the motion.

Following a brief discussion on the motion, the question was called on the motion and it carried by unanimous vote.

39. **INTRODUCTION OF A NEW STAFF MEMBER (MOUNT VERNON DISTRICT)** (1:34 p.m.)

Supervisor Storck introduced Camela Speer, the new Director of Communications in his office. Ms. Speer was previously the Clerk and Manager of the Northern Virginia Transportation Authority and was the Director of Marketing for the Workhouse Arts Center. On behalf of the Board, he warmly welcomed her to the Board Auditorium.

40. **WESTFIELD HIGH SCHOOL FIELD HOCKEY CHAMPIONSHIP (SULLY DISTRICT)** (1:35 p.m.)

Supervisor K. Smith congratulated and recognized the Westfield High School field hockey team for recently winning the Virginia Class 6 State Championship at the Sportsplex National Training Center in Virginia Beach. On Saturday, November 11, the Bulldogs captured the State title by defeating First Colonial of Virginia Beach 2 to 1, thus capping off an undefeated season.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite the Westfield High School field hockey team to appear before the Board to be recognized for their outstanding achievement. Without objection, it was so ordered.

AGENDA ITEMS

EBE:cbe

41. **RECESS/CLOSED SESSION** (1:36 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. *Nancy Schoenig v. Fairfax County Police Department and Fairfax County Park Authority*, Case No. CL-2017-0014553 (Fx. Co. Cir. Ct.)
 - 2. *Robin McGreer v. Julie Parker, Colonel Edwin C. Roessler Jr., John Doe #1, John Doe #2, and Fairfax County Police Department*, Case No. CL-2017-0012065 (Fx. Co. Cir. Ct.)
 - 3. *Elton Cansler v. Alan A. Hanks, Edwin C. Roessler Jr., and Fairfax County*, Case No. 1:16-cv-1589 (E.D. Va.)
 - 4. *Glen M. Sylvester v. Brian C. Geschke*, Case No. CL-2017-0006382 (Fx. Co. Cir. Ct.)

5. *David Park and Susan Park v. Constance Morris*, Case No. CL-2017-0011280 (Fx. Co. Cir. Ct.)
6. *Michael A. Norton v. J.M. Boyd and R.C. Shelnett*, Case No. GV17-021964 (Fx. Co. Gen. Dist. Ct.)
7. *Robert Lee v. Captain John S. Trace*, Case No. GV17-016812 (Fx. Co. Gen. Dist. Ct.)
8. *Robert Lee v. PFC C.M. Lincoln*, Case No. GV17-015635 (Fx. Co. Gen. Dist. Ct.)
9. *Homer McAbee v. Alicia McAbee and Sergeant Frederick Chambers*, Case No. GV17-021009 (Fx. Co. Gen. Dist. Ct.)
10. *Dwain Foltz v. Office of the County Attorney*, Case No. 1:17cv939 (E.D. Va.)
11. *The Unit Owners Association of Fair Lakes Condominium v. Laleh Zohori, Shahrouz Sharifaie-Arabi, CitiFinancial Mortgage Company, Inc., Equity Trustees, LLC and Fairfax County Housing and Redevelopment Authority*, Case No. CL-2017-0013569 (Fx. Co. Cir. Ct.) (Springfield District)
12. *William N. Holland v. Board of Supervisors of Fairfax County*, Case No. CL-2017-0009115 (Fx. Co. Cir. Ct.)
13. *Linda Owens v. Jennifer Svites, Fire Chief Richard Bowers, and the County of Fairfax*, Case No. CL-2017-0015086 (Fx. Co. Cir. Ct.)
14. *Mirsada Karalic-Loncarevic, by GEICO, Subrogee v. Jeffrey Dion Cox, and Fairfax County*, Case No. GV17-011867 (Fx. Co. Gen. Dist. Ct.)
15. *Armando Iraheta-Ortiz, by Allstate Insurance Company, Subrogee v. John Doe*, Case No. GV12-010235 (Fx. Co. Gen. Dist. Ct.)
16. *Debra T. Chubb v. Fairfax County, Virginia*, Case No. CL-2017-0014194 (Fx. Co. Cir. Ct.)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yung C. Yung*, Case No. CL-2016-0017111 (Fx. Co. Cir. Ct.) (Braddock District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia, and Leslie B. Johnson*,

- Fairfax County Zoning Administrator v. John Jongki Lee and Eun Hee Lee*, Case No. CL-2017-0015187 (Fx. Co. Cir. Ct.) (Braddock District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Patricia A. Springer*, Case No. GV17-021747 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rangsinee Junloy*, Case No. GV17-015455 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cindy Reed Paska*, Case No. GV17-023049 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eugene B. Meyer*, Case No. CL-2017-0014842 (Fx. Co. Cir. Ct.) (Dranesville District)
 23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jamshid Khosravi and Farnaz Lohrasebi*, Case No. CL-2017-0014917 (Fx. Co. Cir. Ct.) (Dranesville District)
 24. *Board of Supervisors of Fairfax County and James W. Patteson, Director of the Fairfax County Department of Public Works and Environmental Services v. Nirmaladevi Jayanthan and Jayanthan Balasubram, a/k/a Balasubram Jayanthan, Jayanthan Bala, Bala Jayanthan, and Jay Bala*, Case No. CL-2015-0008179 (Fx. Co. Cir. Ct.) (Dranesville District)
 25. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Arthur B. Hough and Anita S. Hough*, Case No. GV17-021746 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hipolito Recinos and Rosa A. Recinos*, Case No. GV17-016432 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 27. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. George O. Gilpin and Carmella Gilpin*, Case No. GV17-023119 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
 28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Warren K. Montouri, Trustee*, Case

- No. GV17-071486 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert Lord*, Case No. CL-2009-0006752 (Fx. Co. Cir. Ct.) (Lee District)
 30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edualter Carhuancho and Gloria C. McGee*, Case No. GV17-021745 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Maria Lenz and Marnie Sjolander*, Case No. GV17-013703 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bobby H. Dunn, Sr., and Wanda B. Dunn*, Case No. GV17-007123 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rockley L. Miller and Susan B. Miller*, Case No. CL-2017-0010524 (Fx. Co. Cir. Ct.) (Mason District)
 34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kyin Sein*, Case No. GV17-023488 (Fx. Co. Gen. Dist. Ct.) (Mason District)
 35. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Balbir K. Bhuller*, Case No. CL-2017-0014359 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Isobel Arthur-Ackumey and Nelson Y. Acmanuel*, Case No. GV17-023489 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
 37. In Re: September 14, 2016, Decision of the Fairfax County Board of Zoning Appeals; Case No. CL-2016-0014111 (Fx. Co. Cir. Ct.) (Providence District)
 38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Otis Perry and Elcetia L. Perry*, Case No. CL-2008-0005923 (Fx. Co. Cir. Ct.) (Providence District)

39. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Rex Coker Winter*, Case No. CL-2017-0014915 (Fx. Co. Cir. Ct.) (Providence District)
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John D. Moses and Katrina M. H. Waljeski-Moses*, Case No. GV17-013663 (Fx. Co. Gen. Dist. Ct.) (Providence District)
41. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John D. Moses and Katrina M. H. Waljeski-Moses*, Case No. GV17-013664 (Fx. Co. Gen. Dist. Ct.) (Providence District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Murari Lal Dadoo, Co-Trustee of the Dadoo Family Trust, and Anjana Dadoo, Co-Trustee of the Dadoo Family Trust*, Case No. CL-2017-0012304 (Fx. Co. Cir. Ct.) (Springfield District)
43. In re: September 27, 2017, Decision of the Board of Zoning Appeals of Fairfax County, Virginia, CL 2017-0015193 (Fx. Co. Cir. Ct.) (Springfield District)
44. *Board of Supervisors of Fairfax County, Virginia and Leslie B. Johnson, Fairfax County Zoning Administrator v. Board of Zoning Appeals of Fairfax County, Virginia*, Case No. CL-2017-0015190 (Fx. Co. Cir. Ct.) (Springfield District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lee Business Center, LLC, and Focus Fairfax, Inc., d/b/a IMP Fitness*, Case No. CL-2017-0014650 (Fx. Co. Cir. Ct.) (Sully District)
46. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. K. Dian Green*, Case No. GV17-023490-00 (Fx. Co. Gen. Dist. Ct.) (Sully District)
47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nicholas A. Nikzad and Pamela L. Nikzad*, Case No. GV17-023487 (Fx. Co. Gen. Dist. Ct.) (Sully District)

48. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Nicholas A. Nikzad and Pamela L. Nikzad, Case No. GV17-023486 (Fx. Co. Gen. Dist. Ct.) (Sully District)*

And in addition:

- Legal analysis in response to inquiry under the Virginia Conflict of Interests Act
- Legal analysis regarding State Corporation Commission Case No. PUR-2017-00143

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

DET:det

At 3:39 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

42. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:40 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."

43. **FILING OF A NOTICE OF PARTICIPATION WITH THE STATE CORPORATION COMMISSION (SCC)** (3:40 p.m.)

Supervisor L. Smyth moved that the Board authorize the filing of a Notice of Participation with the SCC in the application of the Virginia Electric Power Company for approval and certification of electric facilities, Case Number PUR-2017-00143, on the terms and conditions outlined by the County Attorney in closed session. Supervisor Foust seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER44. **APPOINTMENT OF THE COUNTY EXECUTIVE** (3:41 p.m.)

Chairman Bulova stated that during the past months, the Board has been working to identify the individual who will become the next County Executive, succeeding Mr. Edward Long. She expressed her appreciation to Mr. Kirk Kincannon for serving as Interim County Executive during this period of time and noted that he has done a fantastic job.

The Board has had a number of focus groups and a survey for it to define and identify the challenges faced by the County as well as the skill sets and attributes that it is looking for in a County Executive.

That process has been completed. Supervisor Gross will be moving the appointment of Mr. Bryan J. Hill who is currently serving as the County Administrator for James City County. While it is a smaller jurisdiction, many of the issues are the same. She added that the Board is excited to welcome Mr. Hill to Team Fairfax.

Supervisor Gross moved the appointment of Mr. Bryan J. Hill as the next County Executive, effective January 2, 2018, at an annual salary of \$250,000, and with contract provisions similar to those contained in the recently-retired County Executive's contract. Selecting a County Executive is the most important hire the Board undertakes. Mr. Hill brings impressive leadership, management, communications, and budget experience to the County, and the Board looks forward to working with him. Supervisor McKay, Supervisor Hudgins, Supervisor Herrity, and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

Chairman Bulova recognized Mr. Hill in the Board Auditorium and warmly welcomed him.

AGENDA ITEMS45. **3 P.M. – PH TO RECEIVE COMMENT FROM CITIZENS ON THE PROPOSED LEGISLATIVE PROGRAM TO BE PRESENTED TO THE 2018 VIRGINIA GENERAL ASSEMBLY** (3:46 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 November 3 and November 10, 2017.

Supervisor McKay, Chair of the Board's Legislative Committee, presented a brief synopsis of the proposed legislative program, noting the following:

- Language highlighted in yellow in the draft fact sheets, which have been distributed around the dais, has been added since the last Legislative Committee meeting on October 31 in response to direction the Board provided to staff at that meeting
- As in previous years, the County's program features State support for education as a top priority and urges it to fully meet its responsibility to adequately fund K-12
- The elevation of the County's existing Washington Metropolitan Area Transportation Authority (WMATA) position to its own priority statement which encourages the General Assembly (GA) to support dedicated funding and governance reforms for Washington Metrorail
- The transportation priority statement encourages the GA to continue to build upon its success in enacting House Bill (HB) 2313, particularly in allocating revenues in a manner that is fair to Northern Virginia in light of the Smart Scale process for prioritizing projects
- The County's Human Services Issue Paper asks the State to begin restoring funding for a number of human services programs and includes three priorities:
 - Increased State resources for the Children's Services Act (CSA)
 - Increased Medicaid waiver rates and slots for those with Developmental Disabilities
 - State support for diversion programs for non-violent offender experiencing mental health crises
- An item, under consideration as an initiative, requiring that a "reasonable effort" be made to serve the non-petitioning parent(s) when a minor is involuntarily committed for mental health reasons, instead of requiring completed service of process on both parents

Following the public hearing, Supervisor McKay stated, that in an effort to look more broadly at poverty in the County, statistics have been added to the draft fact sheet on human services. Board Members should present any feedback on the budget and human services fact sheets to staff before the next Legislative Committee meeting on November 28.

Supervisor McKay noted that Board adoption of its Legislative Program will be at the Board's meeting on December 5. On December 12, the Board will host its annual legislative work session with the County's delegation to the GA.

46. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-S-077-04 (ARDEN COURTS OF CENTREVILLE, VA, LLC (SULLY DISTRICT))**

AND

3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-Y-020 (ARDEN COURTS OF OF CENTREVILLE, VA, LLC (SULLY DISTRICT)) (3:53 p.m.)

Supervisor K. Smith stated that the applicant had withdrawn the applications on Proffered Condition Amendment Applications PCA 82-S-077-04 and PCA 94-Y-020. Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning, confirmed that no motion was necessary.

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-SU-015 (OLD LEE ROAD LLC) (SULLY DISTRICT) (3:55p.m.)**

- (O) The application property is located on the North Side of Old Lee Road approximately 1,000 feet west of its intersection with Willard Road. Tax Map 43-2 ((1)) 2.

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

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

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

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

Supervisor K. Smith moved:

- That the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2016-SU-015, be amended from the I-3, AN, and WS Districts to the I-5, AN, and WS Districts, subject to the proffers dated September 14, 2017

- Approval of a modification of the transitional screening in favor of that depicted in the Generalized Development Plan (GDP)

Supervisor Herrity 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.

48. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-SP-018 (CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS) (SPRINGFIELD DISTRICT)** (4:02 p.m.)

Supervisor Herrity, noting that there was a disclosure issue regarding this application, moved to defer the public hearing on Special Exception Application SE 2017-SP-018 to **December 5, 2017, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-SU-020 (MILESTONE LIMITED PARTNERSHIP III; CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS) (SULLY DISTRICT)** (4:03 p.m.)

The application property is located at 6309T Bull Run Post Office Road. Tax Map 52-2 ((1)) 11E1.

Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record.

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

- Mr. Frank W. Stearns, Donahue and Stearns
- Milestone Tower Limited Partnership III

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

- Milestone Tower Limited Partnership III

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

- Mr. Frank W. Stearns, Donahue and Stearns

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

Mr. Stearns 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. Hansen presented the staff and Planning Commission recommendations.

Following a query by Supervisor K. Smith, Mr. Stearns confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated November 9, 2017.

Supervisor K. Smith moved approval of Special Exception Application SE 2017-SU-020, subject to the development conditions dated November 9, 2017. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

50. **3:30 P.M. – PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING MINOR MODIFICATIONS TO APPROVED ZONINGS AND RELATED CHANGES** (4:10 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 November 3 and November 10, 2017.

Kevin J. Guinaw, Special Projects Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Tracy Strunk, Director, ZED, DPZ.

Following the public hearing, which included testimony by three speakers, Supervisor K. Smith moved:

- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding “Articles 8, 9, 16, 18, and 20 – Minor Modifications to Approved Zoning and Other Related Changes” as set forth in the staff report dated September 26, 2017, with the additional text revisions as recommended by the Planning Commission (PC) dated November 7, 2017, and set forth in the Board Agenda Item, with an effective date of 12:01 a.m. on November 22, 2017
- Approval of the Procedures for Minor Variations as recommended by the PC dated November 7, 2017, and set forth in the Board Agenda Item

- That the Board direct staff to report back to the PC and the Board on the results of the amendment 18 months following adoption

Supervisor McKay seconded the motion.

Following a query by Supervisor L. Smyth, with input from Ms. Strunk, discussion ensued concerning potential lost opportunities due to regulations and process timelines, the continued need for flexibility and modernization of Ordinances and the development review process.

Supervisor Hudgins submitted an item for the record.

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.”

Barbara A. Byron, Director, Office of Community Revitalization, thanked the Board for its support and noted that it is the first test case in a new way of addressing ordinance amendments and will serve as a model for future amendments.

51. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-LE-004 (ALGANESH WELDGARGIS/BEILUL HOME DAY CARE) (LEE DISTRICT)** (4:45 p.m.)

The application property is located at 5824 Apsley House Court. Tax Map 81-4 ((35)) 47.

Ms. Francina Segbefia and Ms. Alganesh Weldgargis 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. Segbefia 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.

Following the testimony of Mr. Bruce Easmunt (Speaker 1) Supervisor McKay responded to the speaker’s requests and concerns. Discussion continued, with input from Elizabeth Teare, County Attorney, concerning legislative actions by the Board and rights and responsibilities of Home Owners Associations (HOAs).

Supervisor McKay stated that there is a schedule in the staff report dated January 18, 2017, and asked the applicant to confirm that it represents her view of

what the staggered arrival and departure times would be. Ms. Segbefia confirmed that it is anticipated that there would be staggered drop-offs and pickups.

Following the public hearing, which included testimony by one speaker, Ms. Gresham presented the staff and Planning Commission recommendations.

Supervisor McKay presented additional remarks concerning the application and the HOA's concerns, noting that many of the suggested remedies are within the purview of the HOA.

Following a query by Supervisor McKay, Ms. Weldgargis confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 27, 2017.

Supervisor McKay moved approval of Special Exception Application SE 2017-LE-004, subject to the development conditions dated September 27, 2017. Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Storck being out of the room.

52. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-BR-013 (HASNA ALI, F/K/A HASNA ALI ABDULLA AND HASNA ALI) (BRADDOCK DISTRICT) (5:04 p.m.)**

The application property is located at 10586 John Ayres Drive. Tax Map 77-1 ((12)) 29.

Ms. Hasnaa Ali reaffirmed the validity of the affidavit for the record.

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

Ms. Ali 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.

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

Following a query by Supervisor Cook, Ms. Ali confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 26, 2017.

Supervisor Cook moved approval of Special Exception Application SE 2017-BR-013, subject to the development conditions dated October 26, 2017. Supervisor McKay seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Storck and Chairman Bulova being out of the room.

KK:kk

53. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 2 (PROPERTY UNDER COUNTY CONTROL)** (5:09 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 November 3 and November 10, 2017.

Charles Bond, Director of Logistics and Property Division, Fairfax County Police Department, presented the staff report.

Following the public hearing, Supervisor Cook moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 2 (Property Under County Control). Supervisor Gross and Supervisor McKay jointly seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, and Chairman Bulova voting “AYE,” Supervisor Hudgins and Supervisor Storck being out of the room.

54. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G [RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD)], EXPANDING THE LAKE BRADDOCK RPPD, DISTRICT 5 (BRADDOCK DISTRICT)** (5:12 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 November 3 and November 10, 2017.

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

Following the public hearing, Supervisor Cook moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G (RPPD), expanding the Lake Braddock RPPD, District 5, in accordance with current RPPD restrictions. Supervisor McKay seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, , and Chairman Bulova voting “AYE,” Supervisor Hudgins and Supervisor Storck being out of the room.

55. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-SU-035-03 (DD SOUTH RETAIL LC) (SULLY DISTRICT)**

AND

4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-SU-015 (DD SOUTH RETAIL LC) (SULLY DISTRICT) (5:14 p.m.)

(O) The application property is located at 3456 Historic Sully Way. Tax Map 34-2 ((1)) 1D.

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

Supervisor Herrity disclosed that he received campaign contributions in excess of \$100 from:

- Mr. Jon M. Peterson
- Mr. Milton V. Peterson

Supervisor K. Smith disclosed that she received a campaign contribution in excess of \$100 from:

- Mr. Francis A. McDermott

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

Mr. McDermott 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. Atkinson presented the staff and Planning Commission recommendations.

Following a query by Supervisor K. Smith, Mr. McDermott confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 26, 2017.

Supervisor K. Smith moved:

- Approval of Proffered Condition Amendment Application PCA 2003-SU-035-03 and its associated Conceptual Development Plan Amendment (CDPA), subject to the proffers dated November 3, 2017.

- Approval of Special Exception Application SE 2017-SU-015, subject to the development conditions dated October 26, 2017.
- Approval of the waivers and/or modifications shown on the attachment dated November 9, 2017, as follows:
 - Reaffirmation of a waiver of the loading space requirement for the financial institution with drive through, pursuant to Paragraph 6 of Section 11-203 of the Zoning Ordinance (ZO)
 - Modification of the transitional screening and a waiver of the barrier requirement between the child care center and the proposed financial institution with drive through, retail/commercial or fast food restaurant with drive through pursuant to Paragraph 1 of Section 13-305 of the ZO
 - Waiver of the on- road bicycle lane requirement along Air and Space Museum Parkway, pursuant to Paragraph 2 of Section 17-201 of the ZO

Supervisor L. Smyth seconded the motion and it carried by a vote of eight, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Cook and Supervisor Hudgins being out of the room.

56. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-S-061-05 (COPT PARKSTONE LLC) (SULLY DISTRICT)** (5:25 p.m.)

(O) The application property is located in the southwest quadrant of the intersection of Conference Center Drive and Parkstone Drive. Tax Map 43-4 ((6)) 27 (pt.) and 37A.

Mr. Scott E. Adams reaffirmed the validity of the affidavit for the record.

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

- The Friends of Thomas David Ross within the past year. Thomas David Ross in his private capacity as a professional engineer is listed as an agent for the engineering firm associated with this application. The County Attorney has reviewed the situation and made the

determination that the affidavit does not need to be amended by making this disclosure for the record.

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

Mr. Adams 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. Williams presented the staff and Planning Commission recommendations.

Supervisor K. Smith moved:

- Approval of Proffered Condition Amendment Application PCA 85-S-061-05, subject to the proffers dated September 28, 2017
- Approval of the waivers and modifications contained in the handout distributed this evening and dated October 17, 2017, which will be made a part of the record, as follows:
 - Approval of a modification of Section 13-202 of the Zoning Ordinance (ZO) requiring interior parking lot landscaping in favor of planting along the ground plane in lieu of planting on top of the proposed garage
 - Reaffirmation of the modification of the required number of loading spaces pursuant to Section 11-200 of the ZO
 - Reaffirmation of the modification of the transitional screening requirements along the southern property line pursuant to Section 13-304 of the ZO
 - Reaffirmation of the waiver of barrier requirements along the southern property line pursuant to Section 13-304 of the ZO
 - Reaffirmation of a waiver of Section 17-201.4 for construction of the Braddock Road widening

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.

57. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-MA-014 (WASHINGTON GAS LIGHT COMPANY) (MASON DISTRICT)**
(5:32 p.m.)

The application property is located at 6801 Industrial Road. Tax Map 80-2 ((1)) 31 (pt.).

Mr. Benjamin J. Pelletier reaffirmed the validity of the affidavit for the record.

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

- Washington Gas Light Company Political Action Committee (PAC) which is not a party to this application. Washington Gas Light Company PAC has its own governance structure separate from Washington Gas Light Company, the applicant in this application, however, Washington Gas Light Company executives do contribute to this PAC.

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

- Washington Gas Light Company Political Action Committee (PAC) which is not a party to this application. Washington Gas Light Company PAC has its own governance structure separate from Washington Gas Light Company, the applicant in this application, however, Washington Gas Light Company executives do contribute to this PAC.

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

Mr. Pelletier 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. Hansen presented the staff and Planning Commission recommendations.

Following a query by Supervisor Gross, Mr. Pelletier confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 10, 2017.

Supervisor Gross moved approval of Special Exception Application SE 2017-MA-014, including a modification of the maximum fence height pursuant to Section 10-104 of the Zoning Ordinance, subject to the development conditions dated

October 10, 2017. Supervisor McKay seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor K. Smith being out of the room.

58. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 95-Y-071 (SUNOCO RETAIL LLC) (SPRINGFIELD DISTRICT)**
(5:38 p.m.)

The application property is located at 4647 West Ox Road. Tax Map 56-1 ((13)) 1.

Mr. Bhoopendra Prakash 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.

Mr. Prakash 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.

Following a query by Supervisor Herrity, Mr. Prakash confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 4, 2017.

Supervisor Herrity moved approval of Special Exception Amendment Application SEA 95-Y-071, subject to the development conditions dated October 4, 2017. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

59. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 86-D-056-03 (SUNOCO RETAIL LLC) (DRANESVILLE DISTRICT)**
(5:42 p.m.)

The application property is located at 11516 Leesburg Pike. Tax Map 6-4 ((1)) 79.

Mr. Bhoopendra Prakash 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.

Mr. Prakash 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.

Following a query by Supervisor Foust, Mr. Prakash confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 4, 2017.

Supervisor Foust moved:

- Approval of Special Exception Amendment Application SEA 86-D-056-03, subject to the development conditions dated October 4, 2017.
- Reaffirmation of the previously-approved waivers and modifications as listed in the handout dated and distributed November 21, 2017, as follows:
 - Modification of the transitional screening requirement along the western lot line to that shown on the special exception amendment plat
 - Waiver of the waiver of the barrier requirement along the western lot line

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

60. **4:30 P.M. – PH TO SUBLEASE PROPERTY AT 9520 FURNACE ROAD (STEMPSON HOUSE) IN CONNECTION WITH THE RESIDENT CURATOR PROGRAM (MOUNT VERNON DISTRICT) (5:47 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 November 3 and November 10, 2017.

The application property is located at 9520 Furnace Road.

Michael Lambert, Assistant Director, Facilities Management Department, gave a PowerPoint slide presentation depicting the application and site location. Chairman Bulova called the Board's attention to pictures of the Stempson House at the end of the presentation, located on the Lorton campus.

Following the public hearing, Supervisor Storck made brief remarks concerning the program, the historical significance of the property, the designated resident curator, and the Park Authority's willingness to enter into the program.

Supervisor Storck moved that the Board authorize staff to sublease Park Authority-owned property at 9520 Furnace Road (Stempson House) in connection with the Resident Curator Program. Supervisor Herrity seconded the motion.

Chairman Bulova noted that this is the first time that the Board is doing this and thanked Mr. McCullough, the resident curator, for pioneering the program by being the County's first tenant, and for stepping forward and doing the renovations that will restore this property.

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

61. **BOARD ADJOURNMENT** (5:54 p.m.)

The Board adjourned.

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