



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
May 15, 2018**

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GMA:gma

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, May 15, 2018, at 9:33 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. Storck, Mount Vernon District

Others present during the meeting were Bryan J. Hill, 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; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

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

Chairman Bulova announced that it is “National Fallen Officers Week,” and asked everyone to keep in thoughts officers in law enforcement and those officers who made the ultimate sacrifice while serving the community. Chairman Bulova announced that on Friday, May 11, a memorial service took place to recognize County Peace Officers who lost their lives while protecting the community.

AGENDA ITEMS2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE JAMES MADISON HIGH SCHOOL SOFTBALL TEAM** (9:35 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the James Madison High School Softball team for its commitment, drive, team spirit, and determination, resulting in winning the 2017 Virginia High School League 6A softball championship. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE JAMES MADISON HIGH SCHOOL GIRLS SWIM AND DIVE TEAM** (9:43 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the James Madison High School Girls Swim and Dive team for its dedication, team spirit, and commitment, resulting in winning the 2018 Virginia High School League 6A swimming and diving championship. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING MAY 15, 2018, AS “PEACE OFFICERS MEMORIAL DAY” AND MAY 13-19, 2018, AS “POLICE WEEK” IN FAIRFAX COUNTY** (9:49 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating May 15, 2018, as "*Peace Officers Memorial Day*" and May 13-19, 2018, as "*Police Week*" in Fairfax County to honor those police officers and deputy sheriffs who have made the ultimate sacrifice in service to the community. The motion was multiply seconded and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MR. MICHAEL F. LEMAY** (10 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to Mr. Michael F. LeMay for his distinguished and exemplary service to the County. Supervisor McKay seconded the motion and it carried by unanimous vote.

6. **RESOLUTION OF RECOGNITION PRESENTED TO THE FORMER COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION** (10:06 a.m.)

(BACs) Supervisor Hudgins moved approval of the Resolution of Recognition presented to the former Commission on Organ and Tissue Donation and Transplantation and thanked the Commission for its exceptional services to the County. Supervisor McKay and Supervisor Herry jointly seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING MAY 14-18, 2018, AS "CONTINUITY AWARENESS WEEK" IN FAIRFAX COUNTY** (10:18 a.m.)

Supervisor Cook moved approval of the Proclamation designating May 14-18, 2018, as "*Continuity Awareness Week*" in Fairfax County and urged all business and government organizations in the County to take steps to increase resiliency and reduce operational risks by becoming familiar with and engaging in continuity planning. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

Chairman Bulova noted that the County recently experienced three major fires within a small radius, which resulted in the displacement of many people, and commended the community for its efforts and teamwork in the aftermath of these events.

8. **PROCLAMATION DESIGNATING MAY 2018 AS "BUILDING SAFETY MONTH" IN FAIRFAX COUNTY** (10:28 a.m.)

Supervisor K. Smith moved approval of the Proclamation designating May 2018 as "*Building Safety Month*" in Fairfax County and urged all residents to recognize the importance of modern construction safety codes and the vital contributions rendered by the dedicated individuals promoting building and construction safety. Supervisor Gross seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING MAY 20-26, 2018, AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (10:39 a.m.)

Supervisor McKay moved approval of the Proclamation designating May 20-26, 2018, as "*Public Works Week*" in Fairfax County and urged all residents to acquaint themselves with the varied services and programs provided by

the Department of Public Works and Environmental Services and to recognize the commitment exhibited by staff to the community's health, safety, and welfare. The motion was multiply seconded and it carried by unanimous vote.

10. **PROCLAMATION DESIGNATING MAY 14-20, 2018, AS "SALVATION ARMY WEEK" IN FAIRFAX COUNTY** (10:49 a.m.)

Supervisor K. Smith moved approval of the Proclamation designating May 14-20, 2018, as "*Salvation Army Week*" in Fairfax County and urged all residents to recognize and support the work of The Salvation Army improving the lives of residents in the County, the nation, and the world. Supervisor Gross seconded the motion and it carried by unanimous vote.

EBE:ebe

11. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (11:02 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 May 15, 2018." Supervisor K. Smith seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Ms. Larysa M. Kautz as the Lee District Representative

The Board deferred the appointment of the Providence District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Reappointment of:

- Mr. Francis C. Steinbauer as the Non-Profit Housing Representative

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

AIRPORTS ADVISORY COMMITTEE

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

ANIMAL SERVICES ADVISORY COMMISSION

Appointment of:

- Ms. Jennifer J. Christiansen as the Sully District Representative

ARCHITECTURAL REVIEW BOARD

Appointment of:

- Mr. Jason F. Zellman as the Attorney Representative

ATHLETIC COUNCIL

Confirmation of:

- Mr. Charles Williams as the Town of Herndon Principal Representative

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #4 and Design Professional #6 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

Appointment of:

- Mr. Asim Elfaki as the At-Large #1 Representative

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

Appointment of:

- Mr. Kenneth J. Lanfear as the Hunter Mill District Representative

The Board deferred the appointment of the Mason District Representative.

CHILD CARE ADVISORY COUNCIL

Appointment of:

- Ms. Kerry O'Brien as the Springfield District Representative

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL

Appointment of:

- Mr. Gary R. Nisker as the Mason District Representative

Reappointment of:

- Mr. James Sobecke as the Braddock District Representative
- Mr. William J. McKenna as the Dranesville Representative
- Ms. Linda J. Waller as the Lee District Representative
- Mr. Jonathan Kiell as the Mount Vernon District Representative
- Mr. James R. Kirkpatrick as the Springfield District Representative
- Ms. Caitlin Hutchison as the Sully District Representative

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

CIVIL SERVICE COMMISSION

The Board deferred the appointment of the At-Large #2 and #3 Representatives.

COMMISSION FOR WOMEN

The Board deferred the appointment of the Springfield District Representative.

COMMISSION ON AGING

Reappointment of:

- Ms. Sharron Dreyer as the Lee District Representative
- Ms. Kathleen Hoyt as the Mason District Representative
- Ms. Cathy Muha as the Sully District Representative

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

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Appointment of:

- Ms. Michele Menapace as the Lee District Representative

CONSUMER PROTECTION COMMISSION

The Board deferred the appointment of the Fairfax County Resident #7 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Confirmation of:

- Mr. Kofi Annan as the National Association for the Advancement of Colored People (NAACP) Representative

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

The Board deferred the appointment of the At-Large #5 and #6 Representatives.

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. Sol Glasner as the At-Large #13 Representative

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Reappointment of:

- Dr. Robert L. Norwood as the Citizen #1 Representative

- Ms. Maya Huber as the Citizen #4 Representative

Confirmation of:

- Mr. Ned Poffenberger as the Federation of Citizens Associations Representative

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

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large #2 Business Community and Providence District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Rose M. Sutton as the Advocacy Organizations #4 Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Appointment of:

- Mr. William D. Lecos as the Mason District Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Reappointment of:

- Ms. Daria Akers as the At-Large Chairman's Representative

Nomination of:

- Ms. Rachna S. Heizer as the Braddock District Representative

(NOTE: The Board is scheduled to take action on these appointments on June 19, 2018.)

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

HEALTH CARE ADVISORY BOARD

Appointment of:

- Ms. Carol Mizoguchi as the Lee District Representative
- Mr. Philippe Beauchene as the Sully District Representative

HEALTH SYSTEMS AGENCY BOARD

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

HISTORY COMMISSION

Reappointment of:

- Ms. Esther W. McCullough as the Citizen #10 Representative

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

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #8 Representative.

HUMAN SERVICES COUNCIL

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

LIBRARY BOARD

Reappointment of:

- Mr. Willard O. Jasper as the Lee District Representative

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY

The Board deferred the appointment of the Developer 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.

PARK AUTHORITY

Appointment of:

- Mr. James P. Zook as the At-Large #1 Representative

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

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

ROAD VIEWERS BOARD

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #5 Representative.

TENANT LANDLORD COMMISSION

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

TRAILS AND SIDEWALKS COMMITTEE

Appointment of:

- Mr. James Albright as the Mason District Representative

TREE COMMISSION

The Board deferred the appointment of the Providence District Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

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

WETLANDS BOARD

Appointment of:

- Mr. Douglas M. Kleine as the Mount Vernon District #1 Representative

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

DET:det

12. **ADMINISTRATIVE ITEMS** (11:03 a.m.)

Supervisor Gross moved approval of the Administrative Items, the second to which was inaudible.

Supervisor L. Smyth called the Board's attention to Admin 6 – Approval of the Installation of “\$200 Additional Fine For Speeding” Signs and “Watch for Children” Signs as Part of the Residential Traffic Administration Program (RTAP) (Providence and Springfield Districts) and noted that a letter had been received from residents of Woodley Place in support of this item.

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 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM PRIVATE SCHOOL AND CHILD CARE FACILITY STANDARDS), ARTICLE 1 (IN GENERAL) AND ARTICLE 3 (HOME CHILD CARE FACILITIES)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 19, 2018, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 30, Article 1 (In General) and Article 3 (Home Child Care Facilities).

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTY AT 1500 SHENANDOAH ROAD TO A CHILD’S PLACE, INCORPORATED (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 19, 2018, at 4 p.m.**, regarding a lease of County-owned property at 1500 Shenandoah Road to A Child's Place, Incorporated.

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (MOUNT VERNON AND DRANESVILLE DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-V18-1	Fairfax County Department of Public Works & Environmental Services Woodlawn Fire Station 8701 Lukens Lane Alexandria, VA Mount Vernon District Accepted March 22, 2018	Extend to February 21, 2019
2232-D18-2	Fairfax County Park Authority Area 1 Maintenance Shop (Pimmit Run Stream Valley Park) 1927-1929 Pimmit Drive Falls Church, VA Dranesville District Accepted April 3, 2018	Extend to March 2, 2019

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE DE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR LEAF COLLECTION SERVICE (MASON AND DRANESVILLE DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 19, 2018, at 4:30 p.m.**, regarding the de-creation of small and local sanitary districts for leaf collection service:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
Small District within Mason District (Nine homes on Colfax Avenue)	De-create	Vacuum leaf collection
Small District within Mason District (3703 Munson Road)	De-create	Vacuum leaf collection
Small District within Dranesville District (4023 North Upland Street)	De-create	Vacuum leaf collection

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE EXPANDING THE OAKTON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 19 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 19, 2018, at 4 p.m.**, regarding a proposed amendment to Appendix G of the Code of the County of Fairfax to expand the Oakton RPPD, District 19.

ADMIN 6 – APPROVAL OF THE INSTALLATION OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (PROVIDENCE AND SPRINGFIELD DISTRICTS)

(R)

- Authorized the installation of “\$200 Additional Fine for Speeding” signs on the following road:
 - Woodley Place from West Street to Timber Lane (Providence District)
- Authorized the installation of one “Watch for Children” sign on the following road:
 - Rippling Pond Drive (Springfield District)
- Directed staff to request that the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible and that staff and VDOT develop cut-through plans in conjunction with the applicable community as soon as possible.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 19, 2018, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic).

13. **A-1 – AUTHORIZATION FOR THE FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT (FRD) TO ALIGN THE INCOME THRESHOLD AT WHICH INDIVIDUALS QUALIFY FOR A FINANCIAL HARDSHIP WAIVER OF EMERGENCY MEDICAL SERVICES (EMS) TRANSPORT BILLS WITH CHARITY CARE LEVEL SET AT PREDOMINANT EMS TRANSPORT DESTINATION** (11:04 a.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized FRD to utilize the charity care level set at the Department’s predominant destination for EMS transports as the income threshold below which individuals may qualify for a financial hardship waiver of their EMS transport bills beginning in FY 2019.

14. **A-2 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE FUNDING BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR THE BENEFIT OF THE GEORGE MASON UNIVERSITY FOUNDATION (GMUF) MASON ADMINISTRATION, LLC (BRADDOCK DISTRICT)** (11:05 a.m.)

(R) On motion of Supervisor Cook, 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, substantially in the form of Attachment 1 of the Board Agenda Item, authorizing the EDA to issue up to \$33,000,000 in revenue bonds for the benefit of the GMUF Mason Administration, LLC.

15. **A-3 – APPROVAL OF FUNDING AUTHORITY, AND A STANDARD PROJECT AGREEMENT (SPA), WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), FOR THE TOWN CENTER PARKWAY EXTENSION/DULLES TOLL ROAD UNDERPASS ALTERNATIVES ANALYSIS (HUNTER MILL DISTRICT)** (11:05 a.m.)

(R) On motion of Supervisor Hudgins, seconded by Supervisor McKay, 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 approved the Resolution, substantially in the form of Attachment 1 of the Board Agenda Item, authorizing the Director of the Department of Transportation to execute a SPA with VDOT, substantially in the form of Attachment 2 of the Board Agenda Item, and \$1 million in funding authority for the implementation of the Project.

16. **A-4 – APPROVAL OF FUNDING ADJUSTMENTS TO THE TRANSPORTATION PRIORITIES PLAN AND ALLOCATION OF FUNDING FROM THE RESTON AND TYSONS TRANSPORTATION SERVICE DISTRICTS** (11:06 a.m.)

On motion of Supervisor Foust, seconded by Supervisor L. Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved \$26.1 million in funding authority for transportation projects as follows:

- \$1,600,000 in Tysons Transportation Service District (TTSD) funding for Tysons/Old Meadow Road Bike/Pedestrian Improvements
- \$3,500,000 in TTSD funding for Route 7 Widening (1-495 to I-66)

- \$500,000 in Reston Transportation Service District (RTSD) funding for the Fairfax County Parkway at Sunrise Valley Drive Interim Intersection Improvements
- \$20,500,000 in Northern Virginia Transportation Authority (NVTA) local funding for Balls Hill Road at Old Dominion Drive intersection improvements

17. **I-1 – FAIRFAX CONNECTOR MAY 2018 SERVICE ADJUSTMENTS**
(11:07 a.m.)

The Board, following input from Tom Biesiadny, Director, Department of Transportation, next considered an item contained in the Board Agenda announcing Fairfax Connector modifications to the schedules for Routes 321/322 and RIBS 3.

ADDITIONAL BOARD MATTERS

EBE:ebe

18. **PRESENTATION REQUESTS** (11:08 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to process the presentation requests contained in her Board Matter titled “May 15, 2018, Presentations.” Without objection, it was so ordered.

- Direct staff to invite representatives from the Park Authority to appear before the Board on July 10 to designate July 2018 as “*Parks and Recreation Month*” in Fairfax County. Parks and Recreation Month will also be celebrated nationwide in July.
- Direct staff to prepare a proclamation welcoming iWomen and the public safety heroes who will be in attendance at the iWomen International Conference from May 24-26. This year the County’s Fire and Rescue Department has the honor of hosting the organization’s 2018 Mind, Body, and Soul Conference. iWomen is doing significant work giving voice to the vital efforts that women provide to fire departments here and abroad; it is a privilege for the County to host it this year.

19. **PROPOSED LOCATIONS OF A MAINTENANCE FACILITY AND AN ADMINISTRATION BUILDING FOR THE TRANSFORM I-66 OUTSIDE THE BELTWAY PROJECT** (11:08 a.m.)

Chairman Bulova announced that she recently learned that I-66 Express Mobility Partners (EMP), the concessionaire working on the Transform 66 Outside the Beltway Project, is considering constructing a maintenance facility and an

administration building just south of I-66 at the interchange with Chain Bridge Road (Route 123). The maintenance facility is being proposed on the east side of Chain Bridge Road while the administration building is being proposed on the west side of Chain Bridge Road. Both are adjacent to primarily residential areas.

Chairman Bulova expressed concern that the proposed facilities have not been fully assessed to determine impacts and the public has not had an opportunity to comment on the proposed projects. These facilities were not included as part of previous public meetings/hearings or during the meetings held with individual homeowner associations and she stated that EMP should consider other locations for both facilities to avoid significant impacts to the adjacent residential areas. In the vicinity of the proposed location, there are ample vacant office spaces that could be considered for the proposed usage by EMP. The Fairfax City Council has also approved a letter opposing the location of these facilities, which is attached to her written Board Matter.

Therefore, Chairman Bulova moved that the Board approve a letter, attached to her written Board Matter, to Susan Shaw, the Virginia Department of Transportation's Mega Projects Director, expressing the Board's concern and opposition to these facilities. Supervisor L. Smyth seconded the motion.

Following discussion, Supervisor L. Smyth asked to amend the motion to revise the letter to express:

- The need for a broader discussion on the plans for the I-66/Route 123 interchange
- The Board's concerns that it shares with the City of Fairfax
- Other options for locating the maintenance facility and administration building

This was accepted.

Following discussion, regarding edits to the letter, the question was called on the motion, as amended, and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Cook asked unanimous consent that the Board direct staff to include this issue on the agenda for discussion at the next joint meeting with the City of Fairfax to be scheduled in the fall. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board discussed this item. See Clerk's Summary Item #45.)

20. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (11:20 a.m.)

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

21. **HONORING THE PETERSON COMPANY FOR CONTRIBUTIONS TO ACTIVE SHOOTER/RESCUE TRAINING (SPRINGFIELD DISTRICT)** (11:21 a.m.)

Supervisor Herrity said that from April 28 - May 3, 2018, the County's Police Department (FCPD) and the Fire and Rescue Departments (FCFRD) conducted joint active shooter/rescue task force training. Both officers and firefighters received refresher training in active shooter response, rescue task force training, and tactical emergency causality care (TECC). He said he had the opportunity to observe several of the training sessions and could readily see the value of the joint training.

Nearly 3,000 police officers and firefighters in the County participated in the massive joint-training exercise. It is part of FCPD and FCFRD's "comprehensive department-wide training with first responder partners designed to help the two agencies work seamlessly alongside each other in the event of an actual critical incident. The ultimate goal for the participants is to stop the active shooter and tend to casualties." (<https://fcpdnews.wordpress.com/2018/04/17/fairfax-county-first-responders-train-side-by-side-for-an-active-shooter-incident/>.)

The six week long training took place in a vacant office building located at 4350 Fair Lakes Court, Fairfax, owned by the Peterson Company. Supervisor Herrity noted that without the graciousness of the Peterson Company and the property management staff, this important training would not have been possible. He also recognized the work and dedication of the police and fire training staff that organized and coordinated this massive joint training effort.

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

- Prepare a proclamation, with dual signatures, recognizing the Peterson Company for its contribution to the County and its role in this important training
- Invite the Peterson Company to appear before the Board on June 19 to receive the proclamation

Without objection, it was so ordered.

22. **WEST SPRINGFIELD ROTARY CLUB'S "SERVICE ABOVE SELF" AWARD FOR SENIOR TROOPER (ST) ALLISON HOYE (SPRINGFIELD DISTRICT)** (11:22 a.m.)

Supervisor Herrity said that the West Springfield Rotary Club recently honored an outstanding member of the Virginia State Police for epitomizing the Rotary Club motto: "Service Above Self."

ST Allison Hoye, a member of the Virginia State Police for the last thirteen years and assigned to Area 48, was recognized for her tireless promotion of highway safety throughout the County. Supervisor Herrity referenced his written Board Matter that outlined ST Hoyes's many accomplishments.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution, jointly signed by the Chairman and the Springfield District Supervisor, to be presented at a future time and place to honor ST Allison Hoye and join the West Springfield Rotary Club in recognizing her for her exemplary service to the County. Without objection, it was so ordered.

23. **WEST SPRINGFIELD ROTARY CLUB'S "SERVICE ABOVE SELF" AWARD FOR DEPUTY PRIVATE FIRST CLASS (PFC) MORGAN WALKER (SPRINGFIELD DISTRICT)** (11:23 a.m.)

Supervisor Herrity said that the West Springfield Rotary Club is honoring an outstanding member of the Fairfax County Sheriff's Office on May 23, 2018, for epitomizing the Rotary Club motto: "Service Above Self."

Deputy PFC Morgan Walker works in the Sheriff's Office Civil Enforcement branch in Reston and Herndon where he serves and executes hundreds of civil documents a week. Supervisor Herrity referenced his written Board Matter that outlines Deputy PFC Walker's many accomplishments.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution, jointly signed by the Chairman and the Springfield District Supervisor, to honor Deputy PFC Morgan Walker and join West Springfield Rotary Club in recognizing him for his exemplary service to the County, to be presented at the May 23 West Springfield Rotary Club meeting. Without objection, it was so ordered.

24. **RESTON COMMUNITY CENTER (RCC) WAIVER REQUEST (HUNTER MILL DISTRICT)** (11:24)

Supervisor Hudgins said that the RCC is renovating the Terry L. Smith Aquatics facility. The project is currently in the design phase and the documents are scheduled to be submitted to Land Development Services (LDS) for building permit review in June 2018.

The scope of work includes the interior renovation of 17,414 square feet (SF) on the first floor, including 5,995 SF of pool area and 4,540 SF of deck area and replacing the existing pool with two separate new pools while maintaining the

existing spa area. The project includes replacement of plumbing, mechanical and electrical systems, equipment within the aquatics facility, upgrades to the building interior finishes, and replacement of the roof over the aquatics facility. There are no proposed new additions to the building.

RCC has requested a waiver for all County fees associated with the renovation of the facility.

Therefore, Supervisor Hudgins moved that the Board direct LDS to exempt the RCC from fees applicable for the renovation of the Terry L. Smith Aquatics facility. This motion should not be construed as a favorable recommendation by the Board. Supervisor McKay seconded the motion and it carried by unanimous vote.

25. **“FATHERHOOD AWARENESS MONTH” IN FAIRFAX COUNTY**
(11:26 a.m.)

Supervisor Hudgins said that Father’s Day observation is Sunday, June 17. Fathers play an integral part in the successful lives of children. Research has demonstrated that the psychological and emotional development, health, and well-being of children are significantly rooted in the continued presence, commitment, and nurturing of fathers and father-figures. Fathers who are actively engaged in the lives of their children reduce the risks of childhood poverty, child mental illness, juvenile delinquency, youth sexual activity, teenage pregnancy, substance abuse, and failure to complete high school. Moreover, fathers who are actively engaged in the lives of their children enhance the chances of success in social skills, academic performance, adult careers and employment goals, and involved parenting skills for their future families.

Through programs, such as, Healthy Families Fairfax, the Head Start Policy Council and the County’s Department of Family Services Father Engagement and Parent Education programs in collaboration with the County’s Neighborhood and Community Services and other County human services and community-based agencies, help fathers gain parenting skills and economic self-sufficiency. The County’s private and public sectors are joining together to raise public awareness of the importance of fatherhood and the impact of a father's engagement with his children and family. It is important to celebrate those supportive roles that fathers have for their children.

Therefore, Supervisor Hudgins asked unanimous consent that the Board proclaim June 2018, “*Fatherhood Awareness Month*” in Fairfax County and direct staff to prepare a proclamation to be presented to the Department of Family Services at the June 5 Board meeting. Without objection, it was so ordered.

26. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (11:28 a.m.)

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

DET:det**27. AFTERNOON ABSENCE OF SUPERVISOR GROSS (MASON DISTRICT)
(11:28 a.m.)**

Supervisor Gross announced that she will be missing a portion of this afternoon's meeting to address the National Association of Counties (NACo), but will return later in the afternoon.

28. RECOGNIZING TRURO HOMES ASSOCIATION ON ITS FIFTIETH ANNIVERSARY (BRADDOCK DISTRICT) (11:29 a.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Cook stated that the County is home to hundreds of fine neighborhoods, some small and some large, some new and some old. One of its most active associations, the Truro Homes Association, is celebrating its fiftieth anniversary this year.

This wonderful community consists of over 400 homes in the Truro area of Annandale, just south of Little River Turnpike, east of Guinea Road and west of Wakefield Chapel Road. The Association became incorporated on May 15, 1968, and since that time has gone through a number of changes but still remains a truly inclusive and friendly neighborhood. Most recently, the community came together to help shape the new stream restoration project which has greatly enhanced the beauty and environmental resources for the neighboring parkland. This is just one of the many ways that the citizens of Truro have come together to volunteer their time and talents to make the community a better place to live.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to prepare a proclamation, recognizing the Truro Homes Association for this milestone, to be presented at its June 2 community celebration. Without objection, it was so ordered.

29. ECONOMIC DEVELOPMENT SUPPORT FUND (EDSF) NOMINATION FOR THE RICHMOND HIGHWAY CORRIDOR MARKETING AND BRANDING PLAN (11:30 a.m.)

In a joint Board Matter with Supervisor McKay, Supervisor Storck announced that on March 20, 2018, the Board approved the Embark Comprehensive Plan amendment that re-envisioned the Richmond Highway corridor, providing opportunities for economic success that builds communities and improves quality of life. With this approved concept, on April 30, jointly with Supervisor McKay, Supervisor Storck said that the County launched a strategic economic development team to bring together key organizations to drive economic development to the Richmond Highway corridor. This meeting included leadership from the County's Economic Development Authority (EDA), the South Fairfax Development Corporation (SFDC), the Mount Vernon-Lee Chamber, the Office of Community

Revitalization, the Office of Public Private Partnerships (OP3), the Department of Planning and Zoning, the Department of Transportation (FCDOT), and the County Executive's Office.

Over the next several months, the team will work together toward a common goal:

- The successful implementation of Embark by maximizing the team's varied expertise to:
 - Expand existing business and housing
 - Drive new quality business and housing investment to the Richmond Highway corridor
 - Enhance and preserve the traditional communities that surround the corridor

Supervisor Storck noted that a fundamental next step is creating a Richmond Highway Corridor marketing and branding plan that attracts businesses and jobs to the area, showcases the many assets of the region, and maximizes the expertise among the strategic economic development team.

Therefore, jointly with Supervisor McKay, Supervisor Storck moved that the Board direct the County Executive to prepare an initial project evaluation for the use of the EDSF for the creation of a Richmond Highway Corridor Marketing and Branding Strategy as envisioned by the strategic economic development team. No funds from the EDSF will be used until the Board has approved the fund. Supervisor McKay seconded the motion and it carried by unanimous vote.

30. **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVRTA)**
(11:32 a.m.)

Supervisor McKay thanked the NVRTA for hosting a meeting on May 9 at the Mount Vernon Government Center regarding its allocation for future projects. The meeting was well attended and provided support for the County's Route 1 Corridor transportation improvement projects.

31. **TRUSTEES OF PENDER UNITED METHODIST CHURCH (SULLY DISTRICT)** (11:34 a.m.)

Supervisor K. Smith stated that the applicant, Trustees of Pender United Methodist Church, submitted application Proffered Condition Amendment Application PCA 91-Y-006 and Special Exception Application SE 2018-SU-001 (the "Application") for a Methodist church located at 12401 Alder Woods Drive, approximately 700 feet west of the intersection of Lee Jackson Memorial Highway and Route 50. The application is filed on approximately 4.48 acres and identified as Tax Map Parcel 45-4 ((1)) 8. The property is zoned to the R-3 District and

located within the Highway Corridor (HC) and Water Supply (WS) Protection Overlay Districts. The purpose of the application is to amend the proffers to permit a minor expansion of the church from a 0.21 to 0.25 floor area ratio (FAR) and convert the current special permit approval to a special exception to retain the existing 540 sanctuary seats and increase the child care center/nursery school's on-site enrollment from 75 to 99 children.

The application was scheduled to be held before the Planning Commission on May 24, 2018, and was deferred until June 28, 2018, to obtain affidavit approval and to further address staff concerns with the proposed proffers. The applicant has resolved the affidavit issue and is diligently working to adequately address the other minor issues. Due to deadlines associated with the child care center/nursery school's fall enrollment, the applicant has asked for a date certain for a hearing before the Board.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct the Clerk to the Board to schedule Proffered Condition Amendment Application PCA 91-Y-006 and Special Exception Application SE 2018-SU-001 for a public hearing before the Board on July 10, 2018.

The applicant is aware that this motion should not be considered as a favorable recommendation by the Board 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 these pending applications.

Without objection, it was so ordered.

32. **CENTREVILLE FIRES (SULLY DISTRICT)** (11:37 a.m.)

In a joint Board Matter with Chairman Bulova, Supervisor K. Smith announced that on Wednesday, May 2, two fires broke out in Centreville within one hour of each other and roughly two miles apart. When units arrived at the Forest Glen Senior apartments, they encountered a fire on the third floor balcony extending to the fourth floor and attic area and a second alarm was immediately requested. Roughly 30 minutes later, a fire broke out in a townhome in the Sully Station II community that involved two rows of town homes that were heavily engulfed in flames.

The apartment fire resulted in the apartment building being condemned and approximately 125 residents displaced. The townhouse fire resulted in thirteen units impacted and approximately 36 residents displaced; four units are completely gone. Roughly 80 firefighters fought the flames at each location. Incredibly, there was no loss of human life and only one minor firefighter injury.

Days like these show the professionalism and training of the County's firefighters and police officers as they confronted perfect storm conditions. Not only did they have to battle two fires, but the ninety degree temperature day and the heavy wind

conditions also contributed to the difficulty in extinguishing these blazes. A situation like this also shows the importance of the reciprocal agreements that the County has with adjacent jurisdictions as fire departments from Loudoun County and Prince William County also responded.

After the fires were extinguished, the next wave of County departments stepped up to assist the displaced residents: The Office of Emergency Management, coordinating with the Departments of Family Services, Housing and Community Development, Neighborhood and Community Services, Health Department, Community Services Board, the Office of Public Affairs, and many others, worked to get the displaced residents needed medication and started the process of assisting in finding new housing; the Park Authority opened the Cub Run Recreation Center as an emergency shelter and meeting location for the displaced residents while keeping its doors open to the general public. The American Red Cross was also there from the beginning providing aid and assistance.

This was truly an incredible response to a horrific situation and everyone involved performed admirably working tirelessly through many long hours to aid the citizens of the County.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite representatives from the groups mentioned above, and any other group staff feels would be appropriate for recognition, to appear before the Board to be acknowledged for their incredible service. Without objection, it was so ordered.

Discussion ensued concerning the proper disposal of smoking materials. Supervisor L. Smyth asked unanimous consent that the Board direct staff to provide further information on proper disposal for dissemination to County residents, to be included in district newsletters. Without objection, it was so ordered.

Discussion continued concerning assistance provided by the County to those affected by the fires and that information on proper disposal be provided in multiple languages.

AGENDA ITEMS

33. **RECESS/CLOSED SESSION** (11:49 a.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. *Dwain Foltz v. Fairfax County*, Case No. 1:17-cv-939 (E.D. Va.)
 2. *Lakeview Loan Servicing LLC v. Laura Schlader, Fairfax County Redevelopment and Housing Authority, and Unit Owners Association of Legato Corner Condominiums*, Case No. CL-2017-0009611 (Fx. Co. Cir. Ct.) (Springfield District)
 3. *Erica M. Allen Winslow v. Ramona Simmons*, Case No. GV18-005771 (Fx. Co. Gen. Dist. Ct., Small Claims Division)
 4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James A. Martin, Jr.*, Case No. CL-2018-0001121 (Fx. Co. Cir. Ct.) (Braddock District)
 5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Morningwood Lane, LLC*, Case No. CL-2018-0004233 (Fx. Co. Cir. Ct.) (Dranesville District)
 6. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Lucy W. Berkebile*, Case No. CL-2018-0000961 (Fx. Co. Cir. Ct.) (Dranesville District)
 7. *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)

8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eaton Drive, LLC*, Case No. CL-2017-0005818 (Fx. Co. Cir. Ct.) (Dranesville District)
9. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran*, Case No. CL-2017-0011715 (Fx. Co. Cir. Ct.) (Hunter Mill District)
10. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Crystal Payne*, Case No. GV17-024296 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bruce A. Blackerby*, Case No. GV18-005577 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Hugh J. Milligan*, Case No. CL-2017-0017046 (Fx. Co. Cir. Ct.) (Lee District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Alvaro A. Cestti and Gladys A. Caballero*, Case No. CL-2018-0006123 (Fx. Co. Cir. Ct.) (Lee District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Martina Simpkins and Anthony Simpkins*, Case No. CL-2018-0002496 (Fx. Co. Cir. Ct.) (Lee District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Carlos Aranibar Chinchilla, Rossemary Jeanneth Arnez Villarroel, and A&A Investment, LLC*, Case No. CL-2016-0006961 (Fx. Co. Cir. Ct.) (Lee District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Farhad Gulban*, Case No. GV18-007690 (Fx. Co. General Dist. Ct.) (Lee District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Brian K. Mason, Kenneth Norman*

- Mason, and Bernice S. Mason*, Case No. GV18-007695
(Fx. Co. Gen. Dist. Ct.) (Lee District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Woolfrey*, Case Nos. GV18-006008 and GV18-006009 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 19. *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)
 20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duane S. Whitney, Edward N. Whitney, Arthur M. Whitney, Pamela V. Whitney, Rhonda L. Whitney, Candace Alexander, and Jeanette Alexander*, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)
 21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Aster Dawit*, Case No. GV18-005636 (Fx. Co. Gen. Dist. Ct.) (Providence District)
 22. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. MK Realty Investment, LLC*, Case No. CL-2017-0004156 (Fx. Co. Cir. Ct.) (Sully District)
 23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yuan Yao, Yuan Yao, Trustee of the Yuan Yao and Dachun Bao Revocable Living Trust, and Dachun Bao, Trustee of the Yuan Yao and Dachun Bao Revocable Living Trust*, Case No. CL-2016-0016196 (Fx. Co. Cir. Ct.) (Sully District)
 24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Issa M. Bannourah and Parastou Bannourah*, Case No. CL-2018-0002959 (Fx. Co. Cir. Ct.) (Sully District)
 25. *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)

26. *Board of Supervisors of Fairfax County v. Mattress Warehouse, Inc.*, Case No. GV18-008683 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

- Potential disposition of interest in County-owned real property in the Providence District as permitted by Virginia Code Section 2.2-3711(A)(3)
- Legal analysis regarding: (i) *City of Alexandria v. Purdue Pharma, L.P.*, Alexandria, Virginia, Circuit Court Case Number CL-18-1627, and (ii) Community Services Board compliance matter, all as permitted by Virginia Code Sections 2.2-3711(A)(7) and (8)

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

EBE:ebe/DET:det

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

Chairman Bulova announced that Supervisor Gross did not participate in Closed Session.

ACTIONS FROM CLOSED SESSION

34. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:40 p.m.)

Supervisor McKay 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 a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Gross being out of the room.

35. **APPOINTMENT OF MR. G. MICHAEL LANE AS DIRECTOR OF THE OFFICE OF STRATEGY MANAGEMENT FOR HEALTH AND HUMAN SERVICES** (3:40 p.m.)

Supervisor K. Smith moved the appointment of Mr. G. Michael Lane to the position of Director, Office of Strategy Management for Health and Human Services, Grade E-11, with a starting salary of \$165,000 effective July 9, 2018. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

Chairman Bulova recognized Mr. Lane and warmly welcomed him to the Board Auditorium.

36. **APPOINTMENT OF MR. DARYL WASHINGTON AS EXECUTIVE DIRECTOR OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD** (3:41 p.m.)

(BACs) Supervisor Herrity moved the appointment of Mr. Daryl Washington to the position of Executive Director of the Fairfax-Falls Church Community Services Board, Grade E-13, with a starting salary of \$182,000 effective immediately. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

Chairman Bulova recognized Mr. Washington and warmly welcomed him to the Board Auditorium.

EBE:ebe

ADDITIONAL BOARD MATTER

37. **ABSENCE OF SUPERVISOR GROSS (MASON DISTRICT)** (3:42 p.m.)

Chairman Bulova announced that Supervisor Gross is a panel member speaking at a National Association of Counties (NACo) meeting and will return later in the afternoon.

(NOTE: Later in the meeting, Supervisor Gross returned. See Clerk's Summary Item #43.)

AGENDA ITEMS

38. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-HM-019 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT)**

(AND)

3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-C-090-02 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT)

(AND)

3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-H-001 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT)

(AND)

3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-HM-016 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT) (3:42 p.m.)

(NOTE: These public hearings were deferred on May 1, 2018, until May 15, 2018, at 3:30 p.m.)

The application property for Rezoning Application RZ 2017-HM-019 is located north of Sunset Hills Road and west of Business Center Drive. Tax Map 18-3 ((8)) 10A-1.

The application property for Proffered Condition Amendment Applications PCA 91-H-001 and PCA 79-C-090-02 is located north of Sunset Hills Road and west of Business Center Drive. Tax Map 18-3 ((8)) 10A-1(pt).

The application property for Special Exception Application SE 2017-HM-016 is located at 1741 Business Center Drive, Reston, 20190. Tax Map 18-3 ((8)) 10A-1.

Ms. Amanda Williams reaffirmed the validity of the affidavit for the record.

Angelica Gonzalez, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the applications and site location.

Ms. Williams 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. Gonzalez presented the staff and Planning Commission recommendations.

Following a query by Supervisor Hudgins, Ms. Williams confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 3, 2018.

Supervisor Hudgins moved:

- The Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2017-HM-019, be

amended from the I-4 District to the I-4 District, subject to the proffers dated May 11, 2018.

- Approval of Proffered Condition Amendment Applications PCA 79-C-090-02 and PCA 91-H-001.
- Approval of Special Exception Application SE 2017-HM-016, subject to the development conditions dated April 3, 2018.
- Approval of a modification of Section 11-203 of the ZO for the loading space requirements to that shown on the Generalized Development Plan/Special Exception application (GDP/SE) plat.

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

39. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-SP-029 (CRISTOPHER LAND, LLC) (SPRINGFIELD DISTRICT)** (3:53 p.m.)

(O) (NOTE: This public hearing was deferred on May 1, 2018, meeting until May 15, 2018, at 3:30 p.m.)

The application property is located on the north side of Fairfax County Parkway approximately 350 feet east of its intersection with Seabrook Lane. Tax Map 97-2 ((1)) 6.

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

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

- Mr. Craig Havenner

On behalf of Supervisor Gross, Chairman Bulova disclosed that she had received a campaign contribution in excess of \$100 from:

- Mr. Clark Massie

Tracy Strunk, Director, 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.

Chairman Bulova read the following statement into the record: The Board is considering a rezoning application known as Christopher Land, LLC, Rezoning Application RZ 2017-SP-029. The application is subject to the restrictions contained in Virginia Code Section 15.2-2303.4, enacted by the Virginia General Assembly in 2016. This law significantly restricts the ability of a locality to discuss possible proffers because that discussion could violate the statute and subject the County to liability.

In an abundance of caution, the Board will discuss and consider only what the applicant has already proposed and the impact of any potential development. Nothing in the Board's discussion should be construed as a request, suggestion, or requirement for any proffer.

The Board will listen to the applicant's suggestions about how to mitigate impacts of its proposed development and will discuss those mitigation measures to the extent possible. But due to the new legislation and the uncertainty over its application, the Board's discussion of certain issues may be more constrained than has been the case historically. In the past, the County has had open, collaborative discussions about proffers with developers and the community. This new statute does not encourage such an open dialogue.

Chairman Bulova reiterated, for the record, that testimony from the public represents the views of the individual speakers only and not that of the locality.

Following the public hearing, Ms. Strunk presented the staff and Planning Commission (PC) recommendations.

Supervisor Herrity asked Mr. Regan the following questions:

- During the course of today's proceedings on Christopher Land, LLC; RZ 2017-SP-029, has the locality or anyone acting on behalf of the locality suggested, requested, or required a proffer? Mr. Regan replied no.
- More generally, has anyone acting on behalf of the locality, at any time, suggested, requested, or required any proffer with regard to this application? Mr. Regan replied no.
- Do all of the proffers conform to the requirements of Virginia Code Section 15.2-2303.4? Mr. Regan replied yes.

Following the query, Supervisor Herrity moved to defer decision on Rezoning Application RZ 2017-SP-029 to **June 5, 2018, at 3:30 p.m.**, with the record remaining open for written testimony. Chairman Bulova seconded the motion.

Discussion ensued concerning fencing and the need for specificity on the final development plan as to location and height and for clear guidance for future homeowners.

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

(NOTE: On May 23, 2018, the PC approved Final Development Plan Application FDP 2017-SP-029, subject to the development conditions dated April 25, 2018.)

40. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING ARTICLES 8, 10, 18, AND APPENDIX 2 – MINIMUM REQUIRED REAR YARD COVERAGE LIMITATIONS FOR SINGLE-FAMILY DETACHED DWELLINGS** (4:17 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 April 27 and May 4, 2018.

Supervisor K. Smith noted that on March 20, 2018, the Board authorized advertisement of a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to revise the restrictions on lot coverage in the minimum required rear yards of single-family detached dwellings. As a part of its authorization, the Board directed staff to craft proposed text creating an additional administrative exemption for P-District lots that were slightly greater in size than 5,000 square-feet.

At the Planning Commission's (PC) April 18, 2018, public hearing on this proposed amendment, Commissioners expressed concerns regarding any exemption of P-District lots from the rear yard coverage limitations. Staff originally advertised a range of by-right percentages for all P-District lots over 5,000 square feet but it was requested that staff also propose a range of options to consider regarding P-District lots no larger than 5,000 square feet. Staff subsequently provided four different options regarding coverage on P-District lots, including the original advertisement of exempting P-District lots under 5,000 square feet in size from the coverage limitations; applying the same 50 percent coverage limitation to all P-District lots, regardless of size; providing a sliding scale option that allowed for different percentages from 50 to 100 percent coverage for lot sizes that fall within different size ranges; and finally, 75 percent coverage for P-District lots under 5,000 square feet in size.

Supervisor K. Smith noted that on May 3, 2018, the PC recommended approval of the amendment with the request that staff re-advertise the previously discussed options for P-District lots. This re-advertisement will require deferral of the Board's hearing.

Therefore, Supervisor K. Smith moved to defer the public hearing for the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding minimum yard coverage limitations for single-family detached dwellings to **June 5, 2018, at 4 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

41. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2013-III-DS1 (DULLES SUBURBAN CENTER STUDY), LOCATED IN WESTERN FAIRFAX COUNTY, ADJACENT TO THE EASTERN AND SOUTHERN BOUNDARIES OF THE WASHINGTON DULLES INTERNATIONAL AIRPORT AND EAST OF LOUDOUN COUNTY (SULLY AND DRANESVILLE DISTRICTS)** (4:20 p.m.)

Clara Johnson, Branch Chief, Policy and Plan Development Branch, Department of Planning and Zoning (DPZ), presented the staff report.

Following the testimony of Mr. Michael Cooper (Speaker #4), discussion ensued regarding the potential impact of land-use changes on the growth of the Airport and noise impacts on current and future homeowners.

Chairman Bulova acknowledged the presence of former Sully District Supervisor Michael R. Frey, Chairman of the Task Force, who spoke on the item. She warmly welcomed him to the Board Auditorium.

Supervisor K. Smith submitted an item for the record.

Following the public hearing, which included testimony by eight speakers, Ms. Johnson presented the staff and Planning Commission (PC) recommendations.

Supervisor K. Smith stated that through the approval of the 2013 Comprehensive Plan Work Program, the Board authorized Plan Amendment 2013-III-DS1 for consideration of a Comprehensive Plan amendment for the Dulles Suburban Center.

The Dulles Suburban Center Advisory Group worked with the community and with staff to revise Plan guidance for this area, and Supervisor K. Smith stated that she is supportive of the PC recommendation for this amendment. She expressed her belief that additional evaluation of the planned land uses in Land Unit J is warranted.

Therefore, Supervisor K. Smith moved adoption of the PC alternative for Plan Amendment 2013-III-DS1, as shown in the Board Agenda Item. Supervisor McKay seconded the motion.

Following discussion, with input from Ms. Johnson, the question was called on the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

Supervisor K. Smith moved that the Board direct staff to evaluate a Comprehensive Plan amendment for Land Unit J of the Dulles Suburban Center. The Plan amendment should consider the addition of new land uses generally within the current overall baseline intensity of .50 Floor Area Ratio (FAR). As staff evaluates potential new land uses in Land Unit J, such review should include potential new areas for residential development, including the flexibility to allow such development (subject to appropriate noise mitigation measures) in areas not currently envisioned by the Plan, as a result of noise contours identified on a 1992 map. Supervisor Cook seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

Supervisor K. Smith moved that the Board direct staff to evaluate a Comprehensive Plan amendment to extend the boundary of the Dulles Suburban Center to create a new land unit that includes the Sully Station shopping center. Once that amendment occurs, the Site Specific Plan amendment (SSPA) nomination received for the Sully Station shopping center (PC17-SU-001) should proceed through the usual SSPA process to consider new uses in that land unit. Supervisor Cook seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

42. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF TMSAMS – SCOTTS RUN WALKWAY (PROVIDENCE DISTRICT)** (5:38 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 27 and May 4, 2018.

Clyde Monahan, Senior Right-of-Way Agent, Land Acquisition Division (LAD), Department of Public Works and Environmental Services (DPWES), presented the staff report.

Following the public hearing, which included testimony by one speaker, discussion ensued, with input from Julie Cline, Director, LAD, DPWES, and Mr. Monahan, regarding the ongoing discussion and plans for fencing and buffering.

Supervisor L. Smyth moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of TMSAMS – Scotts Run Walkway. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins,

Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Gross being out of the room.

43. **4:30 P.M. – PH ON PROPOSED PLAN AMENDMENT 2018-IV-MV1, LOCATED ON THE EAST SIDE OF LUKENS LANE, SOUTH OF RICHMOND HIGHWAY (MOUNT VERNON DISTRICT)** (5:46 p.m.)

Jonathan Buono, Planner, Public Facilities Planning Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Mr. Buono presented the staff and Planning Commission (PC) recommendations.

Supervisor Gross arrived at 5:50 p.m.

Supervisor Storck moved adoption of Plan Amendment 2018-IV-MV1, as recommended by the PC. Supervisor McKay seconded the motion and it carried by unanimous vote.

44. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:52 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of April 27 and May 4, 2018.

Public comment was held and included the following individuals:

- Mr. Nils Bjork, concerning the environment
- Mr. Vijay Malgari, concerning Zoning Ordinance Section 10-102-11 – accessory uses/service uses and home occupations
- Mr. Kaiser Farooque, concerning Amazon HQ2 bid transparency
- Ms. Erica M. Allen Winslow, concerning Department of Family Services oversight
- Ms. Mary Anthony, concerning the Sleepy Hollow walkway

Following the testimony of Ms. Anthony, Supervisor Gross announced that there will be a new design plan for the walkway which will be available for public comment.

- Mr. Kofi Annan, concerning the school resource officer memorandum of understanding

- Mr. Lou Delionardo, concerning an intergovernmental service agreement
- Mr. Dan Lagana, concerning immigration

ADDITIONAL BOARD MATTER

45. **PROPOSED LOCATIONS OF A MAINTENANCE FACILITY AND AN ADMINISTRATION BUILDING FOR THE TRANSFORM I-66 OUTSIDE THE BELTWAY PROJECT** (6:25 p.m.)

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

Chairman Bulova noted that the edits to the letter for the I-66 have been completed and it is ready for her signature.

46. **BOARD ADJOURNMENT** (6:25 p.m.)

The Board adjourned.