

December 7, 2021 – 10:00 a.m.
Matters Presented by Board Members

Chairman (At-Large):

1 Proclamation Requests

Vice Chairman (Mason):

None Submitted.

Braddock:

None Submitted.

Dranesville:

2 Concurrent Processing for 7700 Leesburg Pike - RZ 2021-DR-006

3 *Joint Board Matter with Chairman McKay and Supervisor Palchik - Affordable Homeownership Pilot Program*

Hunter Mill:

4-5 *Joint Board Matter with Supervisors Lusk and Foust - Enhancing Pedestrian, Bicycle and Traffic Safety with Technology and Communications*

Lee:

6-7 *Joint Board Matter with Chairman McKay and Supervisors Walkinshaw and Alcorn - Ballots in Traffic Calming Process*

8 *Joint Board Matter with Chairman McKay and Supervisor Gross – Waiving Application Fees for Permits Associated with the Springfield-Franconia Host Lions Club Charities 2022 Flea Markets*

9-10 Request for Concurrent and Simultaneous Processing of RZ 2021-LE-007 and SE 2021-LE-005

11-12 Request to Waive up to \$5,000 in Fees Associated with the Springfield Masonic Lodge's Special Exception Application, Permits and Other County Fees

Mount Vernon:

13-39 Adoption of the Auditor of the Board's November 2021 Quarterly Report and Approval of the Audit Committee Work Plan for the Upcoming Quarter

40 Motion to Expedite Public Hearing - Christopher Land LLC (RZ/FDP-2021-MV-010)

41 *Joint Board Matter with Chairman McKay - Acceptance of Environmental Quality Advisory Council's 2021 Annual Report on the Environment*

Providence:

42 *Joint Board Matter with Chairman McKay and Supervisor Lusk - Lambda Kappa Omega's 45th Anniversary*

43 *Joint Board Matter with Supervisors Smith and Alcorn - Recognizing Oakton High School Cross-Country Team*

44-45 *Joint Board Matter with Chairman McKay and Supervisors Alcorn and Foust - Recognizing Sol Glasner*

46-47 Motion for Pan Am Shopping Center

Springfield:

None Submitted.

Sully:

48-49 *Joint Board Matter with Chairman McKay and Supervisor Foust - Joint Capital Improvement Program Committee Report Recommendations*

50-51 Concurrent Processing: SE 2021-SU-00017



JEFFREY C. MCKAY
CHAIRMAN

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Board Matter

December 7, 2021

I move to approve, without objection, the proclamation requests listed in this document:

- A certificate to celebrate the retirement of Cathy Muse, to be presented out of the Board room.
- A certificate to celebrate the retirement of Michael Liberman, to be presented out of the Board room.
- A proclamation to celebrate the retirement of Dave Rohrer, co-sponsored by the entire Board. While it is not normally our practice to bring County staff to the Board room, we want to make an exception for his 40 years of service.
- A recognition to celebrate the 58th Anniversary of the Organization of Korean American Women, to be presented outside of the Board room.
- A recognition to celebrate the 20th Anniversary of the Fairfax County Park Foundation, co-sponsored by myself and Supervisor Smith, to be presented out of the Board room.
- A recognition of the 75th Anniversary of Springfield's Crestwood, co-sponsored by myself and Supervisor Lusk, to be presented out of the Board room.
- A designation of January 17 to 23, 2022 as Community Risk Reduction Week, co-sponsored by myself and Supervisor Lusk, to be presented out of the Board room.



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JOHN W. FOUST
DRANESVILLE DISTRICT SUPERVISOR

Board Matter

Supervisor John W. Foust
December 7, 2021

Concurrent Processing for 7700 Leesburg Pike
RZ 2021-DR-006

Background: Mr. Chairman, 7700-4 Leesburg Pike Associates, LLC and 7700 Homes Associates LLC have filed an application (RZ 2021-DR-006) to rezone 6.72 acres of land from the C-2 to the PDH-16 zoning district to allow the development of 104 single-family attached units. The Planning Commission recommended approval of the application on November 10, 2021 and it is scheduled for a Board of Supervisors public hearing on January 25, 2022.

Because of the extended time-period between Planning Commission approval and the Board of Supervisors' hearing, and the time sensitive deadlines related to the applicant's contractual obligations, the applicant is requesting concurrent processing of its site plan and building permit application.

Motion: Mr. Chairman, I move that the Board of Supervisors direct staff to authorize concurrent processing of the site plan and building permit application for 7700 Leesburg Pike (Tax Map Number 39-2 ((1)) 57) while the rezoning case is being processed.

This motion should not be construed as a favorable recommendation by the Board of Supervisors and does not relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in anyway.



COMMONWEALTH OF VIRGINIA

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Joint Board Matter **Chairman Jeff McKay** **Supervisors John Foust and Dalia Palchik**

December 7, 2021

Affordable Homeownership Pilot Program

Background: Fairfax County is a great place to live and to do business, yet a sufficient supply of price-appropriate housing options, including affordable homeownership, continues to be a critical challenge to equity and economic competitiveness in the County. At our most recent meeting of the Board’s Housing Committee, we discussed how we are making significant progress in addressing this issue. From Arrowbrook in the Dranesville District to One University in the Braddock District to North Hill in the Mount Vernon District, and many other projects across the County, we are transforming the affordability landscape of our community.

At that same meeting, we also discussed the importance of expanding options for low- and moderate-income families, particularly from minority communities, to create wealth and achieve the American Dream of homeownership. We received a staff presentation on a proposed affordable homeownership pilot program that would use County-owned land resources to help address known barriers to homeownership. We also discussed how this program could support the goals of our One Fairfax policy.

Virginia Housing recently awarded the Fairfax County Redevelopment and Housing Authority a total of \$7,500,000 in Amazon Impact Reach funds. If the pilot program is adopted by the Board, half of that grant will be used to develop the new sustainable homeownership model that will maximize longer-term affordability and homeowner wealth building. The other half of those funds will be used to develop new homeownership resources and augment existing ones.

During our discussion, we provided significant guidance to staff and there was a consensus that the proposed program was worthy of moving forward.

Motion: Therefore, we move that the Board direct staff to develop an implementation plan for this affordable homeownership pilot project for consideration at the Board’s next Housing Committee meeting on February 1, 2022.



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Joint Board Matter
Hunter Mill District Supervisor Walter Alcorn
Lee District Supervisor Rodney Lusk
Dranesville District Supervisor John Foust
Dec. 7, 2021

Enhancing Pedestrian, Bicycle and Traffic Safety with Technology and Communications

BACKGROUND

Mr. Chairman, every year the number of pedestrian and bicycle related fatalities, injuries and near-misses on our roads continues at an unacceptable rate. In October we had our 11th pedestrian fatality in 2021 and this past June a 64-year-old man was killed while riding his bike. All of our offices receive complaints weekly, if not daily, regarding speeding in neighborhoods and other traffic safety concerns. This is despite the significant resources that the Police Department has invested in education and enforcement and other county efforts, including the popular Slow Down signs. Long-term initiatives like the ActiveFairfax Transportation Plan and the Safe Streets for All Plan, as well as the pedestrian and bicyclist funding directive we gave County staff in October, will certainly make a difference. However, we can and should take additional action now to make our active transportation network safer.

First, the General Assembly recently gave localities the authority to install speed cameras in school crossing zones and highway work zones. As a safety measure, such automated traffic enforcement can be a useful tool in making school zones safer. Fairfax City has recently begun operating their first speed cameras this November after passing an ordinance in March earlier this year. County staff has been investigating the details of this law and is preparing options for Board consideration.

Second, stop-arm cameras on county school buses are another possible tool for avoiding dangerous driving in places where we know the risk is high. I understand this is an item that was discussed by the Board of Supervisors and the School Board several years ago, but the time is right to give this tool another look given new authorities provided by the Commonwealth and the availability of funding from state and federal sources.

And finally, in addition to ramping up enforcement efforts we need a coordinated year-round traffic safety communications plan across county agencies and our Board offices. Our recently adopted county Strategic Plan includes “Enhance communication and outreach to the community by using all available communication methods.” A strategic approach to key traffic/pedestrian/bicycle safety messages promoted by multiple county agencies under the “One Message, Many Voices” approach will be much more effective than the patchwork of communication efforts that we now have in place. Planning discussions by county staff are already underway, and it seems feasible for initial implementation of a coordinated message in time for the end of the current school year or when Daylight Saving Time occurs in the fall.

It behooves us as a county to use the most effective tools available to save lives on our roads, sidewalks, and trails.

Walter L. Alcorn, Supervisor
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MOTION

Therefore Mr. Chairman, I move that the board direct the County Executive or his designee to prepare a report on options and recommendations for placement of speed cameras in school zones and stop-arm cameras in Fairfax County to be presented to the Board of Supervisors at the Transportation committee meeting on March 1, 2022.

In addition, I move that the Board direct the County Executive and the Office of Public Affairs to develop a strategic traffic/pedestrian/bicycle safety communications plan with the Police Department, Fire and Rescue Department, Fairfax County Department of Transportation, communications staff in our Board Offices and VDOT. Coordination and implementation of the plan should occur no later than Summer 2022.

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COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX



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Rodney L. Lusk
LEE DISTRICT SUPERVISOR

Board Matter

December 7, 2021

Mr. Chairman— Traffic Calming is an important process for neighborhoods which feel their streets are not safe. My office frequently receives requests for information about the Traffic Calming process. An important part of the current process is the ballot measure, which gives every resident within the ballot area a vote on whether to approve or deny the implementation of the proposed traffic calming devices. As my fellow colleagues have likely experienced, the traffic calming process can become volatile and emotional. After a recent ballot measure for a neighborhood in my district, we received a Freedom of Information Act request for the entirety of the ballots that had been submitted. After consultation with the County Attorney's office, it was determined that there was no exemption available in Virginia law that would allow us to redact any part of the requested ballots. Currently, we are required by law to provide copies of these completed ballots to the requestee – including name, vote, address, and signature.

The Fairfax County Department of Transportation and the County Attorney's office created a disclaimer to be added to future ballots to indicate to residents that their ballot is a public document. They have also removed the signature line from the ballot to prevent signatures from being

subject to disclosure under FOIA. I agree with these changes – residents should know that their ballot and information could be requested by FOIA, and there is no need to have a signature on the ballot. However, I am concerned about the impact these changes will have. Some residents who may not want to have their ballot information publicly available may decide not to vote out of fear of releasing personal information, thus undermining the traffic calming process, as anyone who does not vote in our process essentially counts as a no vote.

With that in mind, with the support of yourself, Mr. Chairman, Supervisor Walkinshaw, Supervisor Alcorn, and I move that the County Executive assign the appropriate staff to prepare recommendations in coordination with the County Attorney's office for the Board to consider by the end of the first quarter of 2022 that would increase anonymity as much as possible for ballots in the traffic calming process. In addition to the increased anonymization of ballots, I further move that staff review statutory requirements and VDOT guidance associated with affirming community support for traffic calming measures, and present options for Board discussion on streamlining and modernizing the process including use of electronic balloting and survey tools, how a ballot area is defined, posting of signage in the community, and whether less formal mechanisms can be used to gauge community support than the current cumbersome balloting process.



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Rodney L. Lusk
LEE DISTRICT SUPERVISOR

Board Matter

December 7, 2021

Mr. Chairman— With Board approval, I am requesting a waiver of the application fees for permits associated with the flea markets held by the Springfield-Franconia Host Lions Club Charities, Inc. This is the 69th year that the Lions Club has operated, and the Board has approved this waiver request annually since 1994. The Springfield-Franconia Host Lions Club Charities, Inc. recently contacted me to express appreciation for our help in the past and to ask that we support a waiver again this year.

The flea markets are held twice a month from April through November in the VRE parking lot off Backlick Road. All net proceeds from the flea markets are returned to the community. The Springfield-Franconia Host Lions Club Charities, Inc. supports organizations such as Koinonia, ECHO, and the Juvenile Diabetes Foundation, and assists indigent citizens with acquiring prescription eyeglasses and hearing aids.

Therefore, Mr. Chairman, in partnership with yourself and Supervisor Gross, I move that the Board waive the application fees for 12-day permits associated with the Springfield-Franconia Host Lions Club Charities 2022 flea markets.



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LEE DISTRICT SUPERVISOR

Board Matter

December 7, 2021

Mr. Chairman— Sheehy Loisdale Property, LLC is the owner of approximately 7.23 acres of land located on the east side of Loisdale Road between Loisdale Estates and an existing automobile dealership. The property is zoned to the C-2 and I-3 Districts, and the Applicant proposes a rezoning to the C-8 District with a concurrent special exception to permit the operation of an automobile dealership. In addition to the rezoning and special exception applications, the Applicant has been working with the planning staff in the processing of an amendment to the Comprehensive Plan.

The Applicant has been working closely throughout this process with the planning staff and with Loisdale Estates, which is the nearest residential community to the property. The Comprehensive Plan amendment has been recommended for approval by the planning staff, the Lee District Land Use Committee, and the Planning Commission, and will be presented at today's hearing. The rezoning and special exception applications are currently being processed by the Department of Planning and Development and are scheduled for a hearing before the Fairfax County Planning Commission on January 12, 2022.

The Applicant has been pursuing the pending approvals for approximately one year and is anxious to establish its use on the Property with the commencement of construction. Therefore, a request has been submitted for concurrent processing and the scheduling of a hearing before the Board of Supervisors.

Therefore, I move that the Board of Supervisors direct staff to authorize concurrent and simultaneous processing of a site plan, architectural drawings, and any other drawings as may be necessary with RZ 2021-LE-007 and SE 2021-LE-005. In addition, I move that the Board direct staff to schedule a final hearing for RZ 2021-LE-007 and SE 2021-LE-005 before the Board.

The Applicant understands that the authorization of concurrent processing and the scheduling of a Board date in no way relieves it of the requirements to comply with all applicable standards of the Zoning Ordinance. In addition, the authorization does not dictate that the pending applications will be approved, nor does it prejudice staff's review.



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Rodney L. Lusk
LEE DISTRICT SUPERVISOR

Board Matter

December 7, 2021

Mr. Chairman – The Springfield Masonic Lodge has been part of the Greater Springfield Community for the last 63 years. As an integral and proactive community partner, the Lodge awards scholarships, organizes food and blood drives, and donates labor to create infrastructure for our neighbors with mobility challenges. More recently, the Lodge has diligently worked to undertake an array of philanthropic actions during the current pandemic, including opening up their site as a COVID testing location—testing over 15,000 individuals—in addition to organizing large donations of sanitation supplies to Fairfax County Community Health Workers.

In order to make these community services possible, the Lodge depends on revenue from building rentals, membership dues and donations. While the Lodge has maintained its services to the community, and in many cases increased them during the pandemic, the Lodge’s revenues have been significantly impacted over the past two years.

In 2019, the Lodge applied for a special exception to authorize the continuation of the on-site rentals that principally fund their philanthropic

activities. As part of that application process, staff first requested that the Lodge submit a landscaping plan, followed by a minor site plan.

The civil engineering fees associated with obtaining the necessary minor site plan are estimated at approximately \$10,000 and would be in addition to the associated county fees required for the formal submission.

While the Lodge does maintain a modest reserve fund, it largely operates at cost. The financial hurdles necessary to obtain the required special exception are currently insurmountable for the Lodge, meaning that they may need to seriously consider suspending much of their philanthropic work in the community, and possibly even closing their doors.

Given the Lodge's over 60 years of service to the Springfield community, as well as the unique circumstances that have precipitated this crisis related to the current public health emergency, I feel strongly that we have a responsibility take steps to ensure that the Springfield Masonic Lodge remains viable and continues to serve the young people and vulnerable residents in our community.

With that in mind Mr. Chairman, after consultation with Land Development Services Staff, I move that the Board waive up to \$5,000 in fees associated with the Springfield Masonic Lodge's special exception application, permits and other county fees.

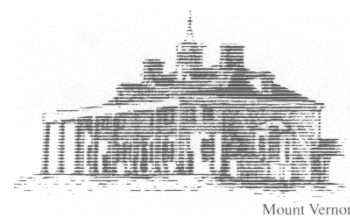
I have coordinated with the County Attorney, who confirmed that this waiver is legal and permissible under the County Code.

Thank you, Mr. Chairman.



Dan Storck

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Adoption of the Auditor of the Board's November 2021 Quarterly Report and Approval of the Audit Committee Work Plan for the Upcoming Quarter. December 7, 2021

The Board of Supervisors has received the Auditor of the Board's Quarterly Report for November 2021. The report included the following study area, recommendations, consideration item, follow-up items, and managements' concurrence.

November 2021 Quarterly Report:

Fairfax County Police Department Seized & Inventoried Property Review and Follow-Up Study:

Auditor Recommends Staff:

- Liaise with appropriate parties to identify if court case tracking functionality could be improved through system enhancement. Additionally, staff should implement reporting standards and periodic reviews to maintain complete and accurate evidence records.
- Review and cleanup missing data fields going forward to identify root causes and responsible parties for permanent remedies. Also, for data deemed not collectable liaise with the County and Commonwealth Attorneys to determine the appropriate treatment for these items.
- Utilize completed collected evidence records to assist with expediting the release and destruction of inventory still warehoused, expedite firearm testing process for inclusion in crime tracking system, and implement a periodic review process on firearm testing and storage going-forward.
- Segregate storage areas for active evidence and evidence marked for destruction. Utilize space garnered through evidence destruction and release to reduce reliance on temporary staging of active evidence.

Consideration Item:

- Consider the feasibility of police officer's field notes being maintained offsite, and the opportunities that could be garnered from maintaining these field notes onsite. In some cases, these field notes support open court cases.

Additional Audit Committee Recommendations:

- Audit Committee Members to liaise with Budget and Legislative Committees, and the Office of the County Attorney to explore financial opportunities for escheated unclaimed properties to the State of VA.
- FCPD management to liaise with the Office of the County Attorney on developing a policy for maintaining original notes taken in the field, e.g., in case files or other appropriate method within the County's custody.

❖ *Management agreed with the recommendations.*

Chairman McKay, I move that the Board of Supervisors adopt the November 23, 2021 Audit Committee recommendations, the Auditor of the Board's November 2021 Quarterly Report, Audit Committee Follow Up items and approve the attached Audit Committee Work Plan for the upcoming quarter.



**OFFICE OF FINANCIAL AND PROGRAM AUDIT
NOVEMBER 2021 QUARTERLY REPORT**

**BOARD OF SUPERVISORS
AUDITOR OF THE BOARD**

www.fairfaxcounty.gov/boardauditor

Fairfax County
Office of Financial and Program Audit



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**Fairfax County
Office of Financial and Program Audit**

REPORT ABSTRACT

Working under the guidance and direction of the Audit Committee (AC), the Auditor of the Board provides an independent means for assessing management's compliance with policies, programs and resources authorized by the Board of Supervisors (BOS). Further to this process, efforts are made to gain reasonable assurance that management complies with all appropriate statutes, ordinances and directives.

This agency plans, designs, and conducts studies, surveys, evaluations and investigations of County agencies as assigned by the BOS or the AC. For each study conducted, the agency focuses primarily on the County's Corporate Stewardship vision elements. The agency does this by developing, whenever possible, information during the studies performed which are used to maximize County revenues or reduce County expenditures.

To assist the Office of Financial and Program Audit (OFPA) with executing the responsibilities under our charge, members of the Fairfax County BOS submit study recommendations of which the findings and management responses are included in published studies. This process is utilized to provide the constituents, BOS and management reasonable assurance that fiscal and physical controls exist within the County.

Additionally, this agency conducts follow-up work on prior period studies. As part of the post study work conducted, we review the agreed upon managements' action plans. To facilitate the process, we collaborate with management prior to completion of studies. Through this collaboration, timelines for the implementation of corrective action and status updates are documented for presentation at the upcoming AC Meetings.

The results of studies may not highlight all the risks/exposures, process gaps, revenue enhancements and/or expense reductions which could exist. Items reported are those which could be assessed within the scheduled timeframe, and overall organization's data-mining results. The execution of the OFPA's studies are facilitated through various processes such as; sample selections whereby documents are selected and support documentation is requested for compliance and other testing attributes. Our audit approach includes interviewing appropriate staff and substantive transaction testing. OFPA staff employs a holistic approach to assess agencies/departments whereby the review is performed utilizing a flow from origination to closeout for the areas under review.

There are several types of studies performed by OFPA, e.g.; operational, financial, compliance, internal controls, etc. To that end, it is important to note; OFPA staff reserves the option to perform a holistic financial and analytical data-mining process on all data for the organization being reviewed where appropriate. This practice is most often employed to perform reviews for highly transactional studies.

FAIRFAX COUNTY POLICE DEPARTMENT
SEIZED & INVENTORIED PROPERTY REVIEW AND FOLLOW-UP STUDY

**Fairfax County
Office of Financial and Program Audit**

FCPD SEIZED & INVENTORIED PROPERTY REVIEW AND FOLLOW-UP STUDY

OVERVIEW AND UPDATES

The results of this study may not highlight all the risks/exposures, process gaps, revenue enhancements and/or expense reductions which could exist. Items reported are those which could be assessed within the scheduled timeframe, and overall organization's data-mining results. **Office of Financial and Program Audit (OFPA's) studies** are facilitated through several processes such as: sample selections, compliance support documentation and various testing approaches. There are several types of studies performed by OFPA, e.g.: performance, operational, financial, compliance, etc. To that end, it is important to note OFPA staff reserves the option to perform a holistic financial and analytical data-mining process on all data for the organization being reviewed where appropriate. This practice is most often employed to perform reviews for highly transactional studies.

This study was originally performed by our office in September 2017. Several recommendations were made, implementation dates were extended and have passed. The physical and fiscal controls over seized and inventoried property are under the purview of the Fairfax County Police Department (FCPD). At the time of the previous study, FCPD staff provided an estimate of **~130,000** items stored at the main property room; actual dollar value of the items could not be determined. The inventoried items included a sundry list of seized properties, including firearms, contraband, and money.

This quarter's study included a follow-up on the status of recommendations issued in the prior report and review areas not previously performed. FCPD utilizes two inventory systems to track collected evidence records, ILeads and Quetel. ILeads is the main system utilized by officers to input collected evidence. Quetel retains data records for older evidence migrated from BEAST (the legacy system). At the time of this study, the current inventory counts in record are:

- ILeads: **118,588** Collected Between **2010** to **2021**
- Quetel: **17,949** Collected Between **1961** to **2020**

OFPA performed onsite visits to the main property room, Sully District Station, and Fair Oaks District Station to test for physical existence, staging of property, record maintenance and potential security risks. Several interviews were conducted with FCPD staff to understand the nature of operations performed related to record maintenance, collections, and disposal/release of evidence.

Work Plan Review Areas:

- **Evidence Custody, Valuation, and Disposal**
- **Evidence Sales/Auctions and Revenue Recognition**
- **Vendor Contracting (Covanta) for FCPD & Other Agencies**
- **Follow-Up and New Reporting on Collected Evidence**

Additional Review Areas Covered:

- **Case Adjudication & Existing Inventory**
- **Inventory Records Maintenance**
- **Inventory Release**

OBSERVATIONS AND ACTION PLANS

The following tables detail the observations and recommendations for this study along with management's responses.

PRIOR STUDY FOLLOW-UPS

Observation

Security Camera Coverage: The security cameras are now networked whereby all property room staff have access to view on their computers.

- *OFPA verified the cameras were networked on the system during an onsite visit at the main property room.*

Service Delivery of Disposition Vendor: FCPD informed our office Covanta is now operational.

- *Our review of current inventory still revealed a backlog of 2,664 collected evidence eligible for release or destruction.*

Sales/Auctions of Seized Property: Historically, seized property not released to defendants or other entities were either sold/auctioned.

- *Currently, seized items are not sold or auctioned. These items are transferred to the State of VA or retained by the agency.*

Court Case Status Tracking: Court case status for collected evidence was not tracked by FCPD within the lLeads and Beast systems at the time of the prior study.

- *At the time of this study, cases and collected evidence were not tracked in lLeads and the new system Quetel.*
- *31 cases and evidence items were tested in the current study. Court case status was not provided for 21 out of 31 (or 68%).*

**Fairfax County
Office of Financial and Program Audit**

COURT CASE STATUS FOR COLLECTED EVIDENCE

Observation

We reviewed a sample of **31 out of 136,537** collected evidence items tracked in the *ILeads* and *Quetel* systems to identify court case status.

- Items included; contraband, firearms, money, jewelry, electronics, and clothing
- Items remained in inventory between **1982 to 2019 (or 14,527 to 938 days)** *based on offense or data entry date.*

The tables below summarize the information collected by FCPD for this review. Further details available upon request.

Adjudicated Case Status & Collected Evidence (ILeads & Quetel)			
Court Case Status	Count	Date Range	Property Type
Adjudicated	3	2009 to 2017	Money, Jewelery, Bullet, DNA, Clothing, Firearms, Cellphones, Drugs
Nolle Prosequi	4	2013 to 2018	Drugs, Money, Jewelery, Cellphones
Case Still Active	2	2013 to 2016	Drugs, Money, Jewelery, Clothing, Cellphones, Speakers
Prosecution Declined	2	2011 to 2015	Money, Drugs
Total:	11		

Note: Nolle prosequi is a legal notice or entry of record that the prosecutor or plaintiff has decided to abandon the prosecution or lawsuit.

Cases W/O Adjudication & Collected Evidence (ILeads & Quetel)			
Court Case Status	Count	Date Range	Property Type
No Status - Quetel	18	1982 to 2009	Drugs, Money, DNA, Jewelery, Electronics, Firearms, Cellphones, Clothing
No Status - ILeads	6	2012 to 2016	Firearms, Drugs, Money, Bullets, Clothing, DNA
Total:	24		
Grand Total:	35		

Court Case Status Review Results:

- *Adjudicated Cases/Evidence In Inventory: 5 out of 31 (or 16%):*
 - ***Extrapolation*** $136,537 \times 16\% = \sim 21,846$
- *Evidence in Inventory Without Court Case Status: 21 out of 31 (or 68%):*
 - ***Extrapolation*** $136,537 \times 68\% = \sim 92,845$
- *Nolle Prosequi - Evidence in Inventory: 3 out of 31 (or 10%):*
 - ***Extrapolation*** $136,537 \times 10\% = \sim 13,654$
- *Active Cases - Evidence in Inventory: 2 out of 31 (or 6%):*
 - ***Extrapolation*** $136,537 \times 6\% = \sim 8,192$

Summary Note:

Based on extrapolation, **68%** of the **136,537** cases (Provided by FCPD) or **~92,845** were without adjudication status. This count excludes **32%** or **42,692** cases designated as Adjudicated, Nolle Prosequi, or Active Cases, based on the same extrapolation process.

Adjudication status could be used in assessing if and how long items can be held in inventory, released, sent for destruction, manage inventory backlog, and the reduction of held inventory. *This list if not*

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exhaustive. Without this information, warehoused inventory could continue to unduly encumber inventory storage resulting in the use of makeshift alternatives.

FCPD Officers are responsible for updating the inventory records related to evidence custody.

Recommendation

This area of improvement has been discussed with Major Thea Pirnat (the commander of the Resource Management Bureau). We recommend FCPD staff work with the appropriate parties to identify court case functionality through a system enhancement if feasible. If determined that an automated solution is not feasible, we recommend that a reporting standard be employed for persons responsible for maintaining accurate records, *including but not limited to*, requiring timely data entry of related information by FCPD Officers.

Additionally, we recommend FCPD implement periodic reviews for the evidence records at a frequency (*deemed appropriate by management*) to assess the completeness and accuracy of the evidence records. Also, evidence inventory related to misdemeanor court cases, past the one-year SOL, should be reviewed for appropriate action (***considering complexities and companion cases***). The application of these enhancements could reduce inventory maintained to free areas in the property room to reduce the number of items stored temporarily. There are costs, other than sunk costs, associated with the storage of inventory where efforts should be made to reduce. At the time of this study, these costs could not be identified for inclusion. The compilation of these costs will be performed under another study.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Outstanding Warrant & Evidence Purge Overlap 1/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)		Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)		Joanna.Culkin@fairfaxcounty.gov

MANAGEMENT RESPONSE:

Based on the statute of limitations, other legal considerations such as civil litigation, and the limitations of our existing Record Management System and court information, Management believes the onus of updating and purging property should remain with the case officer/detective and not staff with the Property and Evidence Section as the case officer/detective will have the most complete information surrounding the status of cases and the need to retain evidence.

The Department also has a policy in place to ensure that officers review their property lists on a quarterly basis to determine if evidence status can be updated, to ensure that evidence is not being held unnecessarily. In addition to this quarterly review, when an officer retires or resigns, they are

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required to do a final check of any evidence/property that they may be the case officer for, and they must either purge (release/destroy) or transfer the property to another officer who is taking over any cases that will remain active.

Action:

To further enhance efforts to purge unnecessary property and evidence, the Judicial Services Division will overlap efforts to purge warrants with associated evidence. The Warrant Desk Section conducts quarterly reviews with the Commonwealth Attorney's Office of unserved warrants to ensure they are still viable for prosecution based on the age of the warrant, the availability of officers, victims, or witnesses, and the type of offense. Effective **January 1, 2022**, the Property and Evidence Section and case officers will be notified of all warrant purge decisions to evaluate the need for continued retention of associated evidence and property.

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INVENTORY RECORDS MANAGEMENT

Observation

We identified several data fields in the *ILeads*, and *Quetel* systems whereby collected evidence information was incomplete and/or missing, such as:

- Disposition officer, property category, disposition code, disposition date, and property make/model (for ILeads)
- Disposition code, disposition/storage category, and evidence value (for Quetel)

ILeads Analysis: Total of **80,356** *evidence items* with two or more missing data fields. Some data fields will not be populated until the officer changes property status.

- A total of **389,739** *data fields* were **blank** of which **160,712** *fields removed and deemed not critical* resulting in **229,027** data fields identified as reportable. Data fields removed were Property Make/Model and Property Value.

Quetel Analysis: Total of **17,800** *evidence items* with *missing data fields*. Some data fields will not be populated until the officer changes the property status.

- A total of **64,755** *data fields* were **blank** of which **17,800** *fields removed and deemed not critical* resulting in **46,955** data fields identified as reportable. Data field removed was Property Value.

The total number of **evidence items** with three or more missing data fields, for the combined reports totaled **98,156**.

The total number of **missing data fields**, for the combined reports were **275,982**.

The ILeads report was run on **10/22/2021**. The Quetel report was run on **10/12/2021**. The tables below summarize our analyses:

ILeads Current Inventory Records Review: (Blank Data Fields)		
Data File Provided: 10/22/2021		
Item Date Range: 2010 to 2020		
Item Count: 80,356		
List	Blank Data Fields	Count
1	Recording Disposition Officer, Property Category, Recommended Disposition Code, Recommendation Disposition Date, Property (Make & Model)	2,617
2	Recording Disposition Officer, Recommended Disposition Code, Recommendation Disposition Date, Property (Make & Model)	70,410
3	Recording Disposition Officer, Recommended Disposition Code, Recommendation Disposition Date	7,329
Total Number of Collected Evidence w/Missing Data Fields in the Inventory Records:		80,356
Total Number of Collected Evidence:		99,496
Percentage of Collected Evidence w/Missing Data Fields:		81%
Note: The three lists in this table are exclusive of each other.		

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Quetel Current Inventory Records Review: <i>(Blank Data Fields)</i>		
Data Files Provided: <i>10/12/2021</i>		
Item Date Range: <i>1961 to 2020</i>		
Item Count: <i>17,800</i>		
List	Blank Data Fields	Count
1	Disposition Code, Disposition Category, Storage Category, Evidence Value	11,355
2	Disposition Code, Disposition Category, Evidence Value	6,445
Total Number of Collected Evidence w/Missing Data Fields in the Inventory Records:		17,800
Total Number of Collected Evidence:		17,949
Percentage of Collected Evidence w/Missing Data Fields:		99.17%
<i>Note: The two lists in this table are exclusive of each other.</i>		

Recommendation

Maintaining complete and accurate data (*for line items where applicable*) is an integral part of inventory management. We recommend review and cleanup efforts are employed (*going forward*) to stratify the missing data to assess the cause and responsible parties. The report should also be stratified to identify data fields deemed no longer collectable or *not needed*.

For areas where data is deemed not collectable due to officers no longer employed, no historical source data retained and/or other insurmountable instances, we recommend FCPD leadership liaise with the Office of the County Attorney and/or the Commonwealth Attorney, to make determinations as the continued storage of these items. This should include the handling of evidence that fall under the past SOL status designation. This information can be used to identify areas for enhancement.

There are costs, other than sunk costs, associated with the storage of inventory where efforts should be made to reduce. At the time of this study these costs could not be identified for inclusion. The compilation of these costs will be performed under another study.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Policy Update 7/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)	Training 10/1/2022	Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)	New RMS TBD 2024-2026	Joanna.Culkin@fairfaxcounty.gov

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MANAGEMENT RESPONSE:

Action:

The Department is currently exploring a new Record Management System which will likely incorporate the evidence/property storage database. The Property and Evidence Section will expand upon existing polices within our Report Writing Manual to provide officers clear guidance on appropriate data fields based on category of evidence with an implementation date of **July 1, 2022**, ensure updated training is completed to further this guidance with an implantation date of **October 1, 2022**, and work with the Police Information Technology Bureau on enhancements to the new Record Management System. The Property and Evidence Section will recommend all data fields have a Not Applicable drop down for situations where they should remain blank to avoid empty fields. The projected date of the new Record Management System is **two to four years away**.

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PHYSICAL INVENTORY MANAGEMENT

Observation

FCPD seized inventory is warehoused as: evidence, releasable, and destruction in the *ILeads* and *Quetel* inventory systems. During our onsite visits, we visually identified a large number of collected evidence marked for destruction or release which was purported by staff as backlogged. These backlogged items reduce the available storage space in the facility, resulting in items being temporarily staged.

- ILeads: **1,384** items marked for release and still in inventory, between **2016** and **2021**.
- ILeads: **1,199** items marked for release (w/o release dates) and still in inventory, between **2016** and **2021**.

ILeads Items Marked for Release Designated by Officer or Past 60 Day Property Owner Pickup Window Full Population: 1,384			
Release Year	Count	Percentage	Release Year Range
= 2021	146	10.5%	Jan 2021 to Sep 2021
<= 2020	39	2.8%	2016 to 2021
No Date	1,199	86.6%	N/A
Total:	1,384	100%	2018 to 2021
Items Marked for Release with No Release Date Designated by Officer Count: 1,199			
Data Entry Year	Count	Percentage	Data Entry Year Range
= 2021	956	79.7%	Jan 2021 to Oct 2021
<= 2020	243	20.3%	2013 to 2021
Total:	1,199	100%	2013 to 2021

Third-party vendors used for destruction are, Covanta Fairfax Inc and Veolia Environmental Services.

- ILeads & Quetel: **1,272** items marked for **destruction** and still in inventory, between **1995** and **2021**
- ILeads: **1,011** firearms marked for **destruction** (w/o destruction **dates**) still in inventory between **2018** and **2021**
- ILeads: **518** (out of **1,218** or **43%**) of firearms still in inventory marked for **destruction** between **2018** and **2021**
- Quetel: **54** items marked for **destruction** and still in inventory, between **1995** and **2010**

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ILeads Items Marked for Destruction Designated by Officer or Past 60 Day Property Owner Pickup Window Full Population: 1,218			
Destruction Year	Count	Percentage	Destruction Year Range
= 2021	183	15.0%	Jan 2021 to Sep 2021
<= 2020	24	2.0%	2018 to 2021
No Date	1,011	83.0%	N/A
Total:	1,218	100%	2018 to 2021

Items Marked for Destruction with No Destruction Date Designated by Officer Count: 1,011			
Data Entry Year	Count	Percentage	Data Entry Year Range
=2021	685	67.8%	Jan 2021 to Oct 2021
<= 2020	326	32.2%	2013 to 2021
Total:	1,011	100%	2013 to 2021

Quetel Items Marked For Destruction or Release Designated by Officer or Past 60 Day Property Owner Pickup Window Full Population: 17,949			
Disposition Category	Count	Percentage	Offense Year
Marked For Destruction	54	0.30%	1995 to 2010
Marked For Release	8	0.04%	2005 to 2009
No Category	17,887	99.65%	1961 to 2020
Total:	17,949	100%	1961 to 2020

Note: Disposition date data field not part of Quetel file

The delays in the release and destruction of **firearms** and other items with those disposition designations have an adverse impact on the storage space and staging of active evidence.

Purported by staff, firearms evidence marked for destruction backlog contributed to the lack of available evidence storage space. This is a result of delays in firearm testing for inclusion in the crime tracking system and the completion of the facility to store these firearms. The estimated completion date of the facility is August 2022.

Recommendation

OFPA recommends staff improve on the completeness of collected evidence records to assist with expediting the release and destruction of inventory still being warehoused. Additionally, following completion of construction of this storage facility, OFPA recommends that FCPD expedite the firearm testing process for inclusion of these firearm in the crime tracking system when appropriate. Upon the completion of the storage facility a process aligned with the testing procedures should be employed to facilitate the proper storage of these items.

We also recommend FCPD implement a periodic review process (*frequency deemed appropriate by management*) to be performed on the firearm testing and storage procedures going-forward to minimize

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future backlogs. These enhancements should assist in reducing the number of firearms pending destruction and increase available storage capacity at the property room.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Firearms 4/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)	General Release/Purge 4/1/2022	Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)		Joanna.Culkin@fairfaxcounty.gov

MANAGEMENT RESPONSE:

The destruction of expired releasable items was paused for approximately a year (March 2020-March 2021) due to the pandemic. The number of items being processed for release were also limited due to the pandemic as physical contact with the public was limited for safety reasons.

Action:

The Property and Evidence Section negotiated with the Crime Scene Section on their destruction expectations for firearms. They have rescinded their order to hold all firearms and the Property and Evidence Section will proceed with the destruction of firearms that are not deemed eligible for NIBIN analysis. As a result, the Property and Evidence Section anticipates being able to rectify the backlog of firearms marked for destruction and address the overflow storage issue it has created by **April 1, 2022**.

The Property and Evidence Section continues to work through catching up on the backlog of property and evidence marked for release and destruction. Since October 22, 2021, more than 800 expired releasable items have been destroyed. The Property and Evidence Section anticipates improved workflow once the two property and evidence vacancies are filled and the employees on extended leave return to work around **April 1, 2022**.

STAGING OF INVENTORY

Observation

We performed walkthroughs of the main property room, Sully District Station, and Fair Oaks District Station to identify areas of potential risk. While no areas were identified at the district stations, we did observe some notable areas at the main property room:

Active Evidence Stored with Items Marked for Destruction

We observed two instances of inventory stored together, evidence and destruction items. Staff purported this is due to lack of storage capacity. Per International Association for Property and Evidence, Inc. (IAPE) Professional Standards, storing firearms, drugs, and money for destruction/transfer in an area away from active evidence provides a method to better track and visually monitor items pending destruction. These standards also highlight items pending release or destruction are most vulnerable and have the greatest likelihood of being pilfered from storage. These standards have been acknowledged by nine Public Safety agencies across the country (*east and west coasts*).

The two locations we identified were (*Based on warehouse walkthroughs and interview with staff*). *During with the walkthrough, an actual count could not be obtained but appeared significant enough to report*):

- **Money Room:** Firearms marked for destruction stored in active money evidence room
- **Gun Room:** Firearms marked for destruction stored in active gun evidence room
- **Drug Room:** Drugs marked for destruction stored in active drug evidence room

Evidence Racks in Hallway

We observed storage racks staged on the first and second floors of the facility. Property room staff informed us that this **active evidence** stored in the hallways on these racks are DNA swabs. The backlog of collected evidence marked for release and destruction appear to have a direct impact on the lack of space in the facility. We observed the following:

- **1st Floor of Facility:** 15 Storage Racks With Physical Evidence Recovery Kits (PERK)
- **2nd Floor of Facility:** 11 Storage Racks With DNA Swabs and Other Evidence

Recommendation

As mentioned above, International Association for Property and Evidence, Inc. (IAPE) Professional Standards, storing firearms, drugs, and money for destruction/transfer in an area away from active evidence provides a method to better track and visually monitor the quantity of items pending destruction. We recommend that consideration is given to this practice by FCPD whereby **active evidence** is segregated from items marked for destruction, into different areas.

While FCPD is not required to follow these standards, consideration should be given for some of these practices as they do provide guidance for good governance and have been acknowledged by nine Public Safety agencies across the country (*east and west coasts*). Noted by this report on Property and Evidence Professional Standards, firearms, drugs and money marked pending destruction/transfer have the greatest likelihood of being pilfered from storage.

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The use of temporary staging areas for **active evidence** in racks in hallways (such as DNA) unduly exposes these items to contamination or destruction. The recommendation to reduce the backlog of items for release and destruction included in the Physical Inventory Management observation should assist in reducing the use of makeshift storage areas.

Action Plan

Point of Contact	Target Implementation Date	Email Address
Thea Pirnat (Major, FCPD)	Firearms 4/1/2022	Thea.Pirnat@fairfaxcounty.gov
Anne Rizza (Lt., FCPD)	Drugs Design: 12/31/2022 Building: 12/31/2025	Anne.Rizza@fairfaxcounty.gov
Joanna Culkin (Lt., FCPD)	Storage Racks: Ongoing	Joanna.Culkin@fairfaxcounty.gov

MANAGEMENT RESPONSE:

Action:

Firearms

This halt to the normal destruction proves for firearms, albeit only temporary, did result in an overflow of firearm storage required beyond what is normally expected. Unfortunately, this did result in overflow firearms marked for destruction being stored within the same room as currency and the same room as firearms being held as evidence. The Property and Evidence Section employees did safeguard these firearms by ensuring the ones marked for destructions were segregated within the space to uphold the best practice standards required under the Commission on Accreditation for Law Enforcement (CALEA).

Additionally, the Property and Evidence Section negotiated with the Crime Scene Section on their destruction expectations. They have rescinded their order to hold all firearms and the Property and Evidence Section will proceed with the destruction of firearms that are not deemed eligible for NIBIN analysis. As a result, the Property and Evidence Section anticipates being able to rectify the backlog of firearms marked for destruction and address the overflow storage issue it has created by **April 1, 2022**.

Action:

Drugs

The Property and Evidence Section currently has one room with the enhanced security features and temperature controls necessary to store narcotics. As such, both evidentiary narcotics and narcotics marked for destruction are stored in the same room but segregated within the room and clearly marked. The security enhancements and segregation methods within the room meet the requirements of

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CALEA. There is no immediate remedy to this with the current space limitations. However, the Department's future Judicial One building, which will include a new property and evidence storage facility, is in the pre-design phase. The Department's Facilities and Security Director and the Property and Evidence Staff have already shared this recommendation provided to Capital Facilities for design considerations. The Department is confident that the facility's design will incorporate either a dual room storage method for narcotics or an enhanced segregation design if dual rooms are cost prohibitive. The final design to be submitted for approval is anticipated by **December 31, 2022**, however, the build will not likely be completed until **fall of 2027**.

Evidence Racks in the Hallway

The PES agrees the utilization of hallways for storage is not ideal and will be remedied with the future build of the Judicial One. The PES will make an **ongoing** effort to reduce and remove the existing evidence storage in the hallways through appropriate property and evidence purge efforts to make room in alternative locations wherever possible. The purge results are expected to be more substantial in 2022 as court hearings begin to resume at paces closer to pre-pandemic standards.

FIELD REPORTS FOR CRIME SCENE EVIDENCE COLLECTIONS

For Consideration By FCPD Leadership

Prior to the use of body worn cameras, Crime Scene evidence collected was documented in notepads carried by the officers. The onus was and is on the officer to maintain the notes, which is maintained offsite in the custody of the officer. In Virginia, no statute of limitations exists for felony cases. Based on limited available FCPD case status data, our analytics revealed cases open aged past **2013**. We did data mine the full collected evidence inventory data which revealed inventory aged past **1961**. Due to the limitations related to incomplete data, which should be populated by officers, the status of a large count of the cases is not available. Also, the files used for datamining these cases does not delineate between felony or misdemeanor cases, so the actual count of only felony cases was not available for this study.

This observation is to merely open the discussion of how and where these field notes, which could be used to support open cases, should be housed.

Commentary by Leadership:

The Police Department provides officers with pocket size notebooks and notepads for writing down daily notes in the field. All pertinent information should be transferred from the officers' notebooks to the official police incident report. These notebooks are not intended to be the sole repository for the details of an incident which include an officer's actions, observations, or other information gathered via witness, victim, or suspect statements.

For serious cases, officers and detectives include copies of their notes within case files that are subsequently archived at the conclusion of all police and related court adjudications. Those case files are then retained for a length of time determined by the Library of Virginia based on case type. It's important to note that the Department receives regular court orders requiring expungement of case details. The Expungement Division notifies the affected officers/detectives of the expungement order, and they are required to locate and destroy all notes related to the expungement order. This practice of having the case officer identify and destroy their own notes is simpler than attempting to have staff locate the relevant pages of handwritten notes from different officers which will all utilize different note taking styles.

For these reasons, management believes that notebooks and notepads should remain housed with the officers.

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ADDENDUM SHEET

OFPA (November 2021 /Agency Report and/or Debriefing)

11/23/2021

The table below lists discussions from the Audit Committee.

<i>Location in Report</i>	<i>Comments</i>

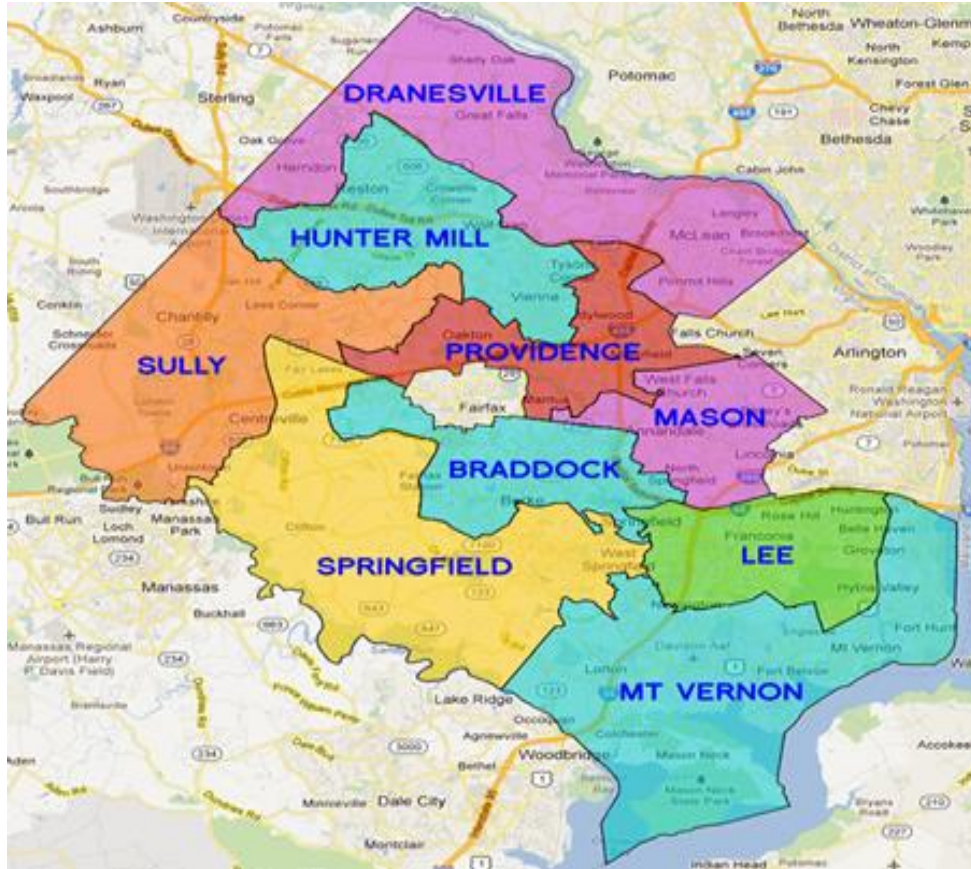
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LIST OF ACRONYMS

AC	Audit Committee
ATF	Bureau Alcohol, Tobacco, Firearms, and Explosives
BOS	Board of Supervisors
FCPD	Fairfax County Police Department
IAPE	International Association for Property and Evidence, Inc.
NIBIN	National Integrated Ballistic Information Network
OFPA	Office of Financial and Program Audit
PERK	Physical Evidence Recovery Kit
PSTOC	Public Safety and Transportation Operation Center
SOL	Statute of Limitations

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County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 2022 Proposed Work Plan Board of Supervisors – Audit Committee

Studies may extend over several quarters based on the availability of information and resources. The below mentioned study areas are not all inclusive review processes, other areas may be included if deemed appropriate. The execution of Office of Financial and Program Audit (OFPA's) studies are facilitated through various processes such as; sample selections whereby documents are selected and support documentation is requested for compliance and other testing attributes. There are several types of studies performed by OFPA, e.g.; operational, financial, compliance, internal controls, and etc. To that end, it is important to note; OFPA staff reserves the option to perform a holistic financial and analytical data-mining process on all data for the organization being reviewed where appropriate. This practice is most often employed to perform reviews for highly transactional studies.

Miscellaneous G/L Accounts: Revenue & Expenditure Analysis Study - This study was originally performed in October 2018 whereby several recommendations were made related to the recording of expenditures in various miscellaneous G/L accounts. We identified ~\$4M in several miscellaneous accounts which housed expenditures because no proper G/L account existed. Inaccurate recognition of revenues and expenditures can have an adverse impact on the accuracy of the trial balance used to create financial statements, such as balance sheets, income statements, statement of cash flows, and other financial reports. For this study we will perform a follow-up review to include additional areas not previously covered (e.g., revenues). A cursory review of G/L accounts in FOCUS revealed three revenue and three expenditure miscellaneous accounts. Based on FY21 Actuals, the total miscellaneous revenues and expenditures recorded in FOCUS totaled ~\$2.3M and ~\$5.5M, respectively.

Review Areas Include (**but not limited to**):

- Recognition of Revenues and Expenditures to the Appropriate G/L Accounts
- Assessment of Financial Effect of Mislabeled Transactions (*Revenues/Expenditures*) as Miscellaneous
- Assessment of Systemic Use of Recordings to Miscellaneous vs More Appropriate Accounts
- Follow-Up and New Reporting Areas

External Systems Integration to FOCUS Review – This study was originally performed in June 2018 whereby we identified 32% of external systems utilized by agencies/departments were not integrated to the County's SAP system, FOCUS. These external systems required manual uploads of financial data to FOCUS. This process exposes the system of financial reporting to increased data processing errors, extended time to complete financial reporting and additional quality checks for financial accuracy. Additionally, no central tracking list of all external systems existed. A central tracker has now been implemented by the Department of Information Technology (DIT). At the time of this study, there are a total of 39 agencies utilizing 747 systems of which 241 were developed by external vendors, 323 developed internally, and 184 with undisclosed developer names. Of the 747 systems, 25 are reported as interfaced to FOCUS, 576 not interfaced, and 146 interface status not known. This tracker lists information such as: user agency, system name, software version, agency contact, FOCUS interface status, and other related areas.

Review Areas Include (**but not limited to**):

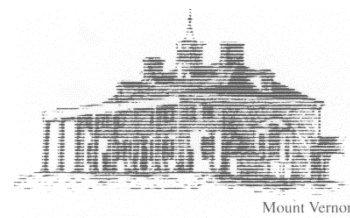
- Status of Systems Not Interfaced to FOCUS
- New Systems Procured and Plans to Interface
- Reconciliation of External Systems to FOCUS Year-End Reporting
- Follow-Up and New Reporting Areas

~End~



Dan Storck

Mount Vernon District Supervisor
Fairfax County Board of Supervisors
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Mount Vernon, VA 22306



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Motion to Expedite Public Hearing Christopher Land LLC (RZ/FDP-2021-MV-010) December 7, 2021

The applicant, Christopher Land LLC, has a pending Re-Zoning Application currently under review with the Zoning Evaluation Division in the Department of Planning & Development. The subject property of the application is located on 6.35 acres at 8409 and 8411 Lorton Road (Tax Map Parcel #1073010001 and #1073010002A), at the south side of Lorton Road, west of Windemere Hill Drive.

The applicant proposes to re-zone the parcels from R-1 to PDH-8 to allow the construction of up to 30 townhome-style single family attached dwellings. County staff assigned to this case has made my office aware that the applicant is collaborating very well with them in working to craft proffer language to address the outstanding issues with the property. In addition, the applicant has been closely collaborating with the existing Lorton Valley Homeowner's Association in proffer negotiations and have been in discussion of possibly joining their HOA.

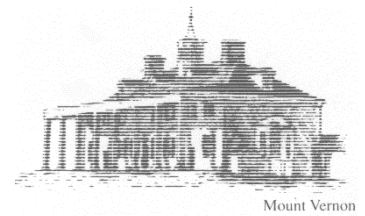
The Planning Commission public hearing for this application is currently scheduled for January 12, 2022. Given the positive strides on the review of this application, and the fact that the applicant has a contract obligation, the applicant has requested to set a date for the Board of Supervisors public hearing at the end of January. County staff have indicated they would be supportive of this request.

Therefore, Mr. Chairman, I move that the Board of Supervisors direct staff to expedite the public hearings for RZ/FDP 2021-MV-010, located at Tax Map Parcel #1073010001 and #1073010002A to a date certain of January 25, 2022.

This motion should not be construed as a favorable recommendation by the Board on the pending applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards.



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Acceptance of Environmental Quality Advisory Council's 2021 Annual Report on the Environment

Supervisor Dan Storck, Joint with Chairman Jeffrey C. McKay

December 7, 2021

This Board Matter builds on previous actions by the Board of Supervisors (Board) related to the Environmental Quality Advisory Council's (EQAC) Annual Report on the Environment (ARE) and EQAC's findings and recommendations across many environmental focus areas.

EQAC is composed of fourteen members appointed by the Board of Supervisors. One member is appointed from each of the nine county magisterial districts and four members are appointed at-large. These thirteen members are each appointed for a term of three years. In addition, one member is a student appointed for a term of one year. EQAC reports its findings on Fairfax County's environmental quality, and proposes recommendations to the Board of Supervisors and the County Executive. The Council provides a means of communication between the public sector and community on matters of county environmental quality.

On December 6, 2021, the EQAC transmitted its 2021 Annual Report on the Environment to the Board. The Council's 2021 ARE includes thirty-one recommendations in areas of: Land Use, Transportation, Water, Waste Management, Parks and Ecological Resources, Climate and Energy, Air Quality, Wildlife Management and Technology to Understand the County. As noted in the 2021 ARE, the chapters in the EQAC report are arranged to reflect the order of topics listed in the Board of Supervisors' Environmental Vision, with the exception of the Air Quality, Wildlife Management and Technology chapters. The Board would like to recognize EQAC's continued dedication and service as this year marks the council's 50th anniversary.

Therefore, we ask, that the Board direct the County Executive to charge the Office of Environmental and Energy Coordination, with support from relevant county agencies, to prepare a response to the Environmental Quality Advisory Council's 2021 Annual Report on the Environment and report back to the Board of Supervisor's Environmental Committee in May.



DALIA A. PALCHIK
PROVIDENCE SUPERVISOR

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December 7, 2021

**Joint Board Matter with Chairman McKay and Supervisor Lusk
Lambda Kappa Omega's 45th Anniversary**

Members of the Board,

Alpha Kappa Alpha Sorority, Inc. is the oldest Greek-letter organization established by college educated African-American women. Founded on the campus of Howard University on January 15, 1908, they have over 300,000 members in various chapters located around the world.

The Fairfax County Chapter, Lambda Kappa Omega, was chartered December 18, 1976. Since then, they have worked with numerous organizations in the county to provide services to underserved populations. In collaboration with the Education and Charitable Foundation, founded by several of their chapter members, they have adopted families, volunteered at shelters and transitional houses, held Stop Hunger Now events, donated snack packs, menstrual products, hygiene kits, and school supplies to children and schools in the community. Since 2013 alone, they have donated over \$200,000 in funds to high school seniors and medical school students. In May 2022, they will donate approximately \$30,000 in scholarships.

Therefore, we move, without objection, that the Office of Public Affairs prepare a proclamation to be presented outside the board room to recognize Lambda Kappa Omega's 45th anniversary and their ongoing efforts and contributions to the Fairfax County community.



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December 7, 2021

**Joint Board Matter with Supervisor Smith and Supervisor Alcorn
Recognizing Oakton High School Cross-Country Team**

Members of the Board,

On November 13th, at the Virginia High School League's Class 6 state meet on the Great Meadow course in The Plains, the Oakton High School boy's cross-country team won the Class 6 state cross-country championship. This year, the boys' team competed without their individual front-runners of last season's dominating state championship boys' team, but they pushed through and remained strong enough to defend their title and repeat their 6A County State Championship!

Oakton won with 83 points, five ahead of the runner-up, Yorktown Patriots. This state crown was the sixth in school history for the boys' team, giving the school their very first consecutive state crowns. Congratulations to the Oakton boys' cross-country team and Go Cougars!

Therefore, we move that the Office of Public Affairs invite the Oakton boys' cross-country team virtually at a future Board meeting and prepare a proclamation to recognize their dedication, hard work, and first consecutive win.



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**Joint Board Matter with Chairman McKay,
Supervisor Alcorn and Supervisor Foust
Recognizing Sol Glasner**

Members of the Board,

At the end of December, Sol Glasner will retire as CEO and President of the Tysons Partnership. Sol's significant Tysons Partnership leadership roles include serving as the Chair of the Tysons Partnership and eventually being appointed in 2017 as its CEO and President.

In these leadership roles, Sol has demonstrated outstanding dedication and commitment in transforming Tysons from a suburban edge city into a global class urban center. His passion and devotion to this important work is absolute – Sol is constantly recognized as one of Tysons' greatest cheerleaders.

Through the years, Sol has received numerous accolades for his leadership and advocacy for transportation, walkability, and placemaking.

Most recently, under his leadership, the Tysons Partnership developed and unveiled a new Tysons Brand and the publication of a comprehensive market study detailing the current state of Tysons and identifying future trends for the region. These two major initiatives are critical components to recruiting new businesses and residents to Tysons.

Sol's constant commitment to the growth and wellbeing of the Tysons and Fairfax County community is representative of the many relationships he has made with its residents, business owners, and workforce.

Therefore, we move to recognize Sol Glasner for his years of hard work and thank him for his service to the Tysons Community. We also move that the Office of Public Affairs prepare a proclamation for presentation outside of the Board room.



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December 7, 2021

Board Matter

Motion for Pan Am Shopping Center

Mr. Chairman,

This motion was created in consultation with staff in the Department of Planning and Development, and is to direct the staff to evaluate a potential change to the Comprehensive Plan guidance that governs the Pan Am Shopping Center. The Pam Am Center, built in 1979, is strategically located at the intersection of Lee Highway and Nutley Street, approximately one mile from the Vienna Metro Station, and adjacent to the Thompson Family Cemetery.

As a Board, we have recognized the challenges facing the retail industry and the need to work in partnership with retail owners to help ensure that our retail centers remain viable and continue to contribute positively to the communities they service. In this case, the property owner of the Center, Federal Reality, is interested in working with the community on a concept for redevelopment to achieve these objectives. This motion is intended to allow the planning process to be a platform for the property owner to work with staff and community stakeholders to consider how evolving the center to a more mixed-use environment could enhance the retail experience, ensure the long-term viability of the commercial center, and advance County objectives that include but are not limited to placemaking, economic development, multimodal transportation, and the provision of housing that is affordable to a variety of income levels.

It is my expectation that any potential planning will evaluate how to balance redevelopment with available transportation capacity, look for opportunities to

enhance bike and pedestrian linkages, and create meaningful open spaces and compatible transitions and buffering to the adjacent neighborhoods. Recognizing the presence of existing stable neighborhoods near the center, the appropriate scale of the design, bulk, and mass of any redevelopment should be studied. It is my further expectation that the resultant planning process will have robust community engagement. The center's owners have committed to the same.

Motion:

I therefore move that the Board direct staff to evaluate an amendment to the Comprehensive Plan for the Pan Am shopping center, Tax Map Parcel 48-4((1))12F. The amendment should consider additional development with a broader mix of uses on the site that would facilitate an improved retail environment; compatibility with any of the existing commercial areas to be retained, as well as with the adjacent development; and ways to support diverse housing, bicycle and pedestrian connections, and expanded open space amenities. Per the current Comprehensive Plan, they should respect the adjacent Thompson Cemetery and floodplain, and integrate it into the design. The process will include robust community engagement, to begin with the property owners communicating with surrounding communities, and then to involve them throughout the process.

The Plan Amendment will be reviewed concurrently with an application to rezone the property once such an application is submitted. This motion should not be construed as a favorable recommendation on these applications by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

This action in no way prejudices the substantive review of the applications.

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Sully District

Joint Board Matter
Chairman McKay
Supervisor Foust

Joint Capital Improvement Program Committee Report Recommendations **December 7, 2021**

Mr. Chairman:

At the November 9, 2021, Board meeting, I provided all Board members with a copy of the County Board/School Board Joint Capital Improvement Program Committee Report. On November 23, 2021, staff provided a summary of the specific recommendations contained in the Report to the entire Board of Supervisors and School Board for consideration and discussion. As stated at the Joint meeting, this group of County Board, School Board and Planning Commission members worked well together developing recommendations and exploring ideas for colocation, reuse of space, reducing facility renovation cycles and addressing the capital needs both now and in the future.

The recommendations would result in significant increased investment in both the County and Schools capital programs

- 1) **Increase General Obligation Bond Sale limits from \$300 million to \$400 million annually.** County bond sale limits have not increased since 2007, and since 2019 for the schools. The current annual bond sale limit results in a 37-year renovation cycle for school facilities, which can lead to equipment failures, energy inefficiencies, cost increases and safety concerns. The County bond sale also faces financing and cost challenges primarily due to the increased bond sale requirements for Metro. The committee recommends a gradual increase to reach the \$400 million per year sale.
- 2) **Dedicate the equivalent value of one penny on the Real Estate tax to the capital program.** Recommended as part of the FY2023 budget, this would support both Paydown and future debt service. Assuming a penny value of \$29 million, \$14.5 million each would be provided for County/Schools Paydown projects in FY2023.

- 3) **Increase the percentage allocated to the Capital Sinking Fund at year-end and include Schools in the allocation.** The current allocation to the sinking fund is 20% and it would increase to 30% of balances not needed for critical year-end items as part of Carryover Review. Schools would receive 25% of this allocation. This would allow County and Schools to support more critical infrastructure replacement projects and address backlogs.

The Board of Supervisors and the School Board should discuss the CIP on a continuous basis and not just once a year and I support this suggestion. Both Boards are supportive of this increased capital investment and believe it will contribute to the overall success of Fairfax County.

Therefore, I move that the Board:

- Endorse the recommendations contained in the Report
- Direct staff to move the Report recommendations forward with the understanding that the Board of Supervisors will vote on all the individual elements at the appropriate time, including approving any budget adjustments as part of the County's normal budget processes.

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Sully District

Board Matter

Concurrent Processing SE-2021-SU-00017

December 7, 2021

Mr. Chairman,

RP Industrial Owner, L.L.C. (the "Applicant") is proposing to construct four data centers and an electric substation on property identified among the Fairfax County Tax Map records as 24-2 ((1)) 12, 12A, 15 and 16 (the "Subject Property"). The Applicant is currently processing a special exception application, identified as SE-2021-SU-00017, to allow for an increase in building height. Additional height is needed to accommodate rooftop equipment associated with the proposed use.

Given increased data usage and storage needs, there is a high demand for data centers in Fairfax County. A Planning Commission public hearing for the special exception application is scheduled on May 4, 2022, and the Applicant is asking for concurrent processing of a site plan and the scheduling of a Board hearing in order to more quickly implement in this critical use.

Therefore, I move that the Board of Supervisors direct the Director of Land Development Services ("LDS") to accept for concurrent and simultaneous processing any site plans, architectural drawings, or other plans as may be necessary in conjunction with SE 2021-SU-00017. In addition, I move that the Board of Supervisors direct the Director of Planning and Development to schedule SE 2021-SU-00017 for a hearing before the Board.

The Applicant understands that the authorization of concurrent processing and the scheduling of a Board date in no way relieves it of the requirement to comply with applicable standards of the Zoning Ordinance. In addition, the authorization does not dictate that the pending application will be approved nor does it prejudice staff's review.