



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
February 23, 2021**

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03-21

EA:ea

A regular meeting of the Board of Supervisors was called to order at 1:02 p.m. and was conducted wholly electronically using Fairfax County's videoconferencing system because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. The meeting was accessible to the public through live broadcast on Channel 16, live video stream, and live audio. Chairman McKay presided over the meeting and participated with Supervisor Penelope A. Gross, Mason District, at the Government Center and the following Supervisors participated remotely from their respective District Offices:

- Supervisor Walter L. Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Rodney L. Lusk, Lee District
- Supervisor Dalia A. Palchik, Providence District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Daniel G. Storck, Mount Vernon District
- Supervisor James R. Walkinshaw, Braddock District

Others present during the meeting were Bryan J. Hill, County Executive; Elizabeth Teare, County Attorney; Jill G. Cooper, Clerk for the Board of Supervisors; Dottie Steele, Chief Deputy Clerk for the Board of Supervisors; Ekua Brew-Ewool, Emily Armstrong, and Kecia Kendall, Deputy Clerks, Department of Clerk Services.

BOARD MATTERS

1. **ORDERS OF THE DAY** (1:03 p.m.)

Chairman McKay stated that the Board is again meeting virtually. The ability to do this is permitted by the ongoing state and local declarations of emergency due to COVID-19, the continuity in government ordinance on April 14, 2020 and the 2020 budget amendments that were approved by the Virginia General Assembly on April 22, 2020. Speakers were made aware of their continuing options to provide phone or video testimony.

He stated that because most members of the Board are participating in the meeting from his or her respective Board office, it must be verified that a quorum of Members is participating and that each Member's voice is clear, audible, and at an appropriate volume for all of the other Members. Therefore, Chairman McKay conducted a roll call and asked each Member to confirm that they could hear each other's voices.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board certify for the record that each Member's voice may be adequately heard by each other member of this Board. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Chairman McKay moved that the Board certify that the State of Emergency caused by the COVID-19 outbreak makes it unsafe for speakers, staff, applicants, and the public to attend this meeting in person, and that as such, an in-person meeting cannot be implemented safely or practically. As a result, Chairman McKay further moved that the Board conduct this meeting electronically through a dedicated video conference line, and that the public may access this meeting via simultaneous telecast on Channel 16, or video streaming, or hear a live audio feed of the meeting by dialing 703-324-5300, and the public may participate in public hearings by established phone lines, YouTube submissions, or through written testimony. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Chairman McKay further moved that the Board certify that all matters on the agenda today concern the emergency, and/or are necessary for continuity in Fairfax County government under the Ordinance adopted by the Board on April 14, 2020, and/or are statutorily required or necessary to continue operations and the discharge of this Board's lawful purposes, duties, and responsibilities. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

2. **MOMENT OF SILENCE** (1:06 p.m.)

Chairman McKay stated that:

- COVID-19 is affecting the whole community, from children to small businesses, to those who are ill with the virus. He asked to keep everyone in Fairfax, and around the world, in thoughts and prayers during this difficult time
- The Fairfax County flag continues to fly at half-staff at all County facilities in honor of the residents who have died from COVID-19 and in recognition of the many essential workers who are responding to the pandemic

The Board asked everyone to keep in thoughts the family and friends of the following people who died recently:

- Dr. Yearn Hong Choi, a Springfield representative on the Library Board of Trustees
- Timm Andrews, an Emmy award-winning photojournalist and a former videographer for Fairfax County Government Television, Channel 16
- Kathern Pittelkow, a former Airforce Secretary and owner of a home-based floral design studio

AGENDA ITEMS

3. **1 P.M. REPORT ON GENERAL ASSEMBLY (GA) ACTIVITIES** (1:10 p.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, noted that the Committee met on Friday, February 12, 2021, and Friday, February 19, 2021, and referenced the updated Committee report which had been distributed to the Board.

Supervisor Walkinshaw presented the report on GA activities, noting the following:

- The 2021 Session is rapidly heading toward its scheduled adjournment on March 1, 2021. While nearly 500 bills have already passed both chambers and await gubernatorial action, over 350 bills are still awaiting final disposition

- The Board's County initiatives continue to successfully make their way through the General Assembly as follows:
 - The initiative relating to increasing the number of members on the Fairfax County EDA is now awaiting consideration by Governor Northam
 - The initiative providing local authority to establish green banks has passed both chambers and is headed to the Governor for consideration
 - The initiative providing local authority to establish green banks was a late addition to the Legislative program. This initiative breaks new ground for Virginia localities and provides an exciting opportunity for Fairfax County to develop an innovative program that continues County leadership in the area of green energy
 - The initiative extending the length of ordinances adopted to assure continuity in government was reported out of House, counties, cities, and towns on Friday, February 19, 2021, and is now awaiting consideration by the full house
 - The initiative concerning updating and modernizing the funding formula for Commonwealth's Attorneys' offices was tabled in House Appropriations, but staff is working with the County's delegation to include language directing a study on this topic in the Budget
- The Legislative Committee received an overview of the latest report from the Commission to examine racial inequity in Virginia law, and updates on pending legislation related to elections and expungement of certain criminal records
- A key area of focus for the remainder of the session will be amendments to the 2020-2022 biennium budget. During the February 12, 2020, and Friday, February 19, 2021 Legislative Committee meetings, staff provided an analysis of how the budgets adopted by the House and Senate affect key County priorities. As the budget is now in the conference committee, staff will closely monitor the negotiations and provide updates as the budget process unfolds

Supervisor Walkinshaw moved that the Board adopt Legislative Committee Report Number Three. Chairman McKay seconded the motion and it CARRIED by a recorded vote of nine, with Supervisor Herrity voting "NAY."

4. **1 P.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS (BACs) AND ADVISORY GROUPS** (1:17 p.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 February 23, 2021.” Supervisor Palchik seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Catherine Shaw as the Hunter Mill District Representative
- Mr. Philip E. Rosenthal as the Springfield District Representative

The Board deferred the appointments of the At-Large Chairman's, Dranesville, Lee, Mason, Mount Vernon, and Providence District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

Confirmation of:

- Ms. Julie Jones as the League of Women Voters of the Fairfax Area Representative

The Board deferred the appointments of the At-Large Chairman's and Mason District Representatives.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

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

ATHLETIC COUNCIL

The Board deferred the appointment of the Mason District Alternate Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointments of the Dranesville and Mason District Representatives.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

Reappointment of:

- Mr. Michael J. Grinnell as the Alternate #2 Representative

The Board deferred the appointments of the Design Professional #1 and #3, and Alternate #1 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

The Board deferred the appointment of the At-Large #2 Representative.

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

The Board deferred the appointments of the At-Large #1 and #2 Representatives.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Mason District Representative.

CHILD CARE ADVISORY COUNCIL

Reappointment of:

- Ms. Gita D'Souza Kumar as the Sully District Representative

CIVIL SERVICE COMMISSION

The Board deferred the appointment of the At-Large #9 Representative.

COMMISSION ON AGING

Reappointment of:

- Ms. Kathleen Hoyt as the Mason District Representative

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Reappointment of:

- Ms. Michelle C. Jefferson as the Braddock District Representative
- Mr. Benjamin Zuhl as the Dranesville District Representative
- Ms. Michele Menapace as the Lee District Representative
- Mr. Philip E. Rosenthal as the Springfield District Representative

Confirmation of:

- Mr. Isaac Orea Montero as the Elected-Central Target Area #1 Representative
- Mr. Willie Williams as the Elected-North Target Area #2 Representative
- Ms. Melandee Jones Canady as the AARP Representative
- Ms. Adwoa Rey as the Elected-South Target Area #1 Representative

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

CONSUMER PROTECTION COMMISSION

Reappointment of:

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

Reappointment of:

- Mr. James D. Policaro as the At-Large #1 Representative

Appointment of:

- Mr. Cory Scott as the At-Large #2 Representative
- Mr. Frederick Rothmeijer as the At-Large #3 Representative

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II

The Board deferred the appointment of the BOS At-Large #6 Representative.

ECONOMIC ADVISORY COMMISSION

Reappointment of:

- Ms. Janice D. Brangman as the At-Large Chairman's #4 Land Use Representative
- Mr. Paul A. Gilbert as the At-Large #11 Representative
- Mr. John McGranahan as the At-Large #12 Representative

Confirmation of:

- Mr. Thomas Dana Kauffman as the Northern Virginia Community College Representative

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Confirmation of:

- Mr. Bruce E. Titus as the Fairfax Bar Associations Representative
- Mr. Paul Noursi as the Citizen #3 Representative

The Board deferred the appointment of the Citizen #4 Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the Hunter Mill, Mason, and Providence District Representatives.

HEALTH CARE ADVISORY BOARD

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

HEALTH SYSTEMS AGENCY BOARD

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

HISTORY COMMISSION

The Board deferred the appointments of the Citizen #4, Historian #1, and #3 Representatives.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)

The Board deferred the appointment of the Braddock District Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Reappointment of:

- Ms. Patricia L. Smith-Solan as the Hunter Mill District Representative

The Board deferred the appointments of the At-Large Chairman's and Sully District Representatives.

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

The Board deferred the appointments of the At-Large Chairman's, Braddock, Dranesville, Mason, Mount Vernon, Providence, and Sully District Representatives.

POLICE CIVILIAN REVIEW PANEL

Appointment of:

- Mr. Todd Cranford as the Seat #1 Representative
- Mr. William Ware as the Seat #9 Representative

The Board deferred the appointments of the Seat #2, #4, and #6 Representatives.

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

Appointment of:

- Mr. Adam Rubinstein as the Residential Owners and HOA/Civic Association #1 Representative

The Board deferred the appointments of the Reston Chamber of Commerce lessees on Non-Residential Space, Residential Owners and HOA/Civic Association #2 and #3 Representatives.

ROAD VIEWERS BOARD

The Board deferred the appointments of the At-Large #3, #4, and #5 Representatives.

SMALL BUSINESS COMMISSION

Appointment of:

- Mr. Christopher Vernon as the Springfield District Representative

The Board deferred the appointment of the Providence District Representative.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Appointment of:

- Ms. Destiny Gargarita Kuk as the Fairfax County #2 Representative

TENANT LANDLORD COMMISSION

The Board deferred the appointments of the Citizen Member #3, Landlord Member #2, Tenant Member #1 and #2 Representatives.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

Appointment of:

- Ms. Linda Colbert as the Adjacent Community Member #1 Representative

Reappointment of:

- Mr. Brad Swanson as the Hunter Mill District #1 Representative
- Mr. Raymond Baxter as the Hunter Mill District #2 Representative
- Ms. Erika M. Yalowitz as the Residential Owners and HOA/Civic Association #1 Representative
- Ms. Claudia Diamond as the Residential Owners and HOA/Civic Association #3 Representative

The Board deferred the appointments of the Adjacent Community Member #2, Commercial or Retail Ownership #1, #2, #3, Dranesville District, Providence

District #1 and #2, and Residential Owners and HOA/Civic Association #2 Representatives.

WATER AUTHORITY

The Board deferred the appointment of the Dranesville District Representative.

WETLANDS BOARD

The Board deferred the appointment of the At-Large #2 Representative.

5. **1 P.M. COUNTY EXECUTIVE'S PRESENTATION OF THE PROPOSED FISCAL YEAR (FY) 2022 AND FY 2023 MULTI-YEAR BUDGET PLAN AND THE PROPOSED COUNTYWIDE STRATEGIC PLAN** (1:17 p.m.)

Bryan J. Hill, County Executive, presented the Proposed FY 2022 and FY 2023 Multi-Year Budget Plan.

Mr. Hill's presentation included information regarding the following:

- Adjustments made in response to the COVID-19 pandemic
- The County's use of stimulus funds
- Recommendation to reduce the real estate tax rate by one cent
- Investment in public schools
- Impact of state approved employee compensation increase for schools
- Flexibility provided by the General Fund "Pandemic Reserve"
- Establishment of an unappropriated \$20M Economic Recovery Reserve for the Board's use
- Recommendation to add new County positions
- Updated Strategic Plan with the following goals:
 - Unified community vision
 - Align and integrate existing issues and department specific plan
 - Provide a tool for focusing and prioritizing County initiatives over the next three to five years

- Communication on the progress regarding the achievement of measurable outcomes
- Community engagement efforts
- Timeline of the Strategic Plan
- Use of community feedback
- Increased unemployment rate
- Assumption of national and local economy recovery
- Real estate tax rates
- Projected growths and decline of revenue sources
- Personal property and sales tax changes
- Increased non-residential property vacancy rates
- Inability to fund County compensation increases
- Hazard pay bonus previously approved by the Board
- Expected increase of County debt services costs
- Next scheduled School Referendum and County Referendum
- Investment in safety and security
- The County's Body-Worn Camera Program
- Health and environment priorities and initiatives
- Recommended new staff positions
- Timeline of the proposed FY 2022 budget

Following Mr. Hill's presentation, the following Budget Town Hall Meetings were announced by district:

MEETING

DATE/TIME

LOCATION

Mount Vernon District	March 1 – 7 p.m.	Gerry Hyland South County Center
Dranesville District	March 1 – 7:30 p.m.	McLean Community Center
Sully District	March 12 – 7 p.m.	Sully Governmental Center
Lee District	April 1 – 6:30 p.m.	Franconia Governmental Center
Braddock District	March 30 – 7 p.m.	Kings Park Library Community Room
Mason District	March 15 – 7 p.m.	Mason District Governmental Center
Dranesville District	March 22 – 7 p.m.	Great Falls Library
Springfield District	March 31 – 7 p.m.	Springfield Governmental Center
Hunter Mill District	March 29 – 7 p.m.	Council Chamber at Vienna Town Hall
Providence District	March 8 – 7 p.m.	Providence Community Center

Following comments regarding the proposed budget, discussion ensued between the Board regarding the following:

- Proposed tax decreases
- Affordable housing
- Increase in funding for health and environment
- Job security for Fairfax County employees
- Funding for the Commonwealth Attorney's Office
- The impact of the proposed increase in teacher's pay, imposed by the state, would have on the County's budget
- The impact the COVID-19 pandemic has had on the use of County funds

- The proposed budget not being reliant on additional federal stimulus funding
- Decrease in investment income
- The importance tourism has on the regional economy
- Federal stimulus funding
- Sustainability of the County's consistent increase in spending
- Technology initiatives and advances
- The Fairfax County Strategic Plan
- Physical and mental health issues caused by the COVID-19 pandemic

Supervisor Gross asked staff to provide information on the following:

- The proposed FY 2022 budget not relying on additional federal stimulus funds, which may be issued at a later time
- Whether staff has examined other options for investment, which would provide a greater return for the County
- Reexamining possible repurposing of vacant buildings
- The Public Defender request not being included as part of Commonwealth Attorney's Office request for additional funding.

Supervisor Palchik asked staff to provide information on the following:

- The impact of the Diversion First Program has had and if staff recommends support for the Public Defenders Office
- A list highlighting which office buildings have been vacant the last five years
- Whether the County and School Board are addressing early childhood, healthcare, and mental health in their individual budgets
- Technology initiatives, and whether there are needs, plans, and/or other budget implications in the near or long-term future

Supervisor Foust asked staff to provide additional information regarding the proposed funding for the Economic Reserve.

Christina Jackson, Director, Department of Management and Budget, explained that the referenced Economic Reserves are recurring baseline funds for County use,

and include funding for initiatives the County may want to implement through the Economic Opportunity Reserve.

Supervisor Alcorn asked staff whether the County's Strategic Plan had been updated recently.

Ms. Jackson stated that a revised draft of the Strategic Plan had been recently published, and includes contextual updates, but the majority of the plan remains unchanged.

Chairman McKay requested staff to distribute to the Board information regarding existing taxing authority the State gives to counties that has not been utilized in Fairfax.

Supervisor Lusk asked staff to provide information on the following:

- What the County is doing to prepare for the increases related to mental illness and domestic violence, and how that is included in the proposed budget
- Future evaluation of possible staff compensation measures, to occur later in the year
- How the County plans to utilize the proposed funding to help small and minority owned businesses
- Ways the Board plans to address allocation issues for new initiatives, including police reform

Supervisor Lusk commented on the need to improve efficiency and equity of the COVID-19 resources.

Supervisor Storck asked staff to provide information on the following:

- Past state per capita funding, including appropriated monies

Chairman McKay shared that the lack of predictability and budgetary issues, caused by the ongoing COVID-19 pandemic, has had on the County's budget, and he thanked staff for their hard work.

KK:kk

6. **1 P.M. PRESENTATION BY THE CHAIRMAN'S TASK FORCE ON EQUITY AND OPPORTUNITY** (3:06 p.m.)

Karla Bruce, Chief Equity Officer, Office of the County Executive, gave a presentation on the summary of work and preliminary recommendations along with the following representatives of each of the following task force committees:

- Cradle to Career Success - Cypriana McCray, Member, National Council of Negro Women, Reston-Dulles Chapter
- Community Safety and Justice - Dr. Vernon Walton, Pastor, First Baptist Church of Vienna
- Community Health and Wellness - Patricia Mathews, President and CEO, Northern Virginia Health Foundation
- Equitable Communities - Amanda Andere, CEO, Funders Together to End Homelessness

Chairman McKay stated that he would present a Board matter later regarding the recommendations of the task force.

Discussion ensued with Board members expressing their thoughts and views on the findings and recommendations of the task force.

(NOTE: Later in the meeting, Chairman McKay presented his Board Matter. See Clerk's Summary Item #7)

DMS:dms

BOARD MATTERS

7. NEXT STEPS FOR CHAIRMAN'S TASK FORCE ON EQUITY AND OPPORTUNITY (4:16 p.m.)

(NOTE: Earlier in the meeting, the Board received a presentation by the Chairman's Task Force on Equity and Opportunity. See Clerk's Summary Item #6.)

Chairman McKay stated that the Chairman's Task Force on Equity and Opportunity was stood up last June amongst the convergence of a public health crisis and an economic crisis, with national and racial unrest occurring, and with the realities of injustice and systemic racism at the forefront of conversation.

Chairman McKay stated that the task force is comprised of 42 members, representing the diversity of Fairfax County, with a focus on understanding the County's past and looking towards the future. Chairman McKay shared that the task force was asked to consider the following:

- The circumstances and systems that have made certain places and populations vulnerable. And specifically, how institutional and structural racism have contributed to these situations and conditions
- The voices that must be lifted to better understand and address these issues
- The actions that can be taken to reshape Fairfax County into a place where all can thrive; including, what might accelerate or facilitate progress and what stands in the way of progress

Chairman McKay stated that the Board has heard the recommendations and that it is incumbent upon the Board to review and discuss them, working to identify strategies for consideration for potential implementation.

Therefore, Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the recommendations presented to the Board today, which are attached to his written Board Matter, be sent to the County Executive for review in alignment with the Countywide Strategic Planning process. Chairman McKay further moved that, upon completion of that work, a Board discussion about the potential implementation of the recommendations be scheduled first to occur at a future Budget Committee meeting. Subsequent committee meetings may need to be scheduled following that. Supervisor Gross seconded the motion.

Following discussion between the Board regarding the motion and ensuring the entire Board receives the same information, the question was called on the motion and it carried by unanimous vote.

8. **PROCLAMATION REQUEST FOR TISHA DEEGHAN, FORMER DEPUTY COUNTY EXECUTIVE** (4:23 p.m.)

Chairman McKay asked unanimous consent that the Board direct staff to invite Tisha Deeghan, former Deputy County Executive, to be presented with a proclamation, thanking her for her years of service to the County, at an appropriate time during a future Board meeting. Without objection, it was so ordered.

9. **RESCHEDULING OF THE SEPTEMBER 21, 2021, BOARD OF SUPERVISORS' MEETING** (4:24 p.m.)

- (R) Chairman McKay stated that earlier this year, the Board discussed rescheduling its September 21, 2021, Board meeting to earlier that month to reduce the time between meetings and the summer recess.

Chairman McKay stated that after reviewing the calendar with the Clerk and Vice-Chairman Gross, he and Vice-Chairman Gross have agreed to move that meeting up one week, to September 14, 2021, and move the committee meetings currently scheduled for that day to September 21, 2021.

Therefore, jointly with Supervisor Gross, Chairman McKay moved that the Board adopt the resolution, attached to his written Board Matter, to schedule the September 14, 2021, Board meeting. Jointly with Supervisor Gross, Chairman McKay further moved that the Public Safety, Health and Human Services, Budget Policy, and Audit Committee meetings currently scheduled for that day be moved to September 21, 2021. Supervisor Gross seconded the motion and it carried by unanimous vote.

10. **OUTSTANDING PROJECT ISSUES ASSOCIATED WITH THE I-495 NORTHERN EXTENSION (I-495 NEXT) PROJECT** (4:25 p.m.)

Chairman McKay stated that on February 22, 2021, the Virginia Department of Transportation (VDOT) provided responses to Fairfax County's comments on the I-495 NEXT Environmental Assessment and draft design plans.

Chairman McKay stated that after reviewing the responses provided by VDOT and ongoing discussions between VDOT and County staff, progress has been made on several project issues that were previously identified in the County's comments. More specifically, VDOT has worked to resolve stormwater management concerns through a proposed agreement to partner with the County to fund the stream restoration of Scotts Run and addressed comments from Neighborhood and Community Services, Fairfax County Public Schools, the Health Department, and the Department of Public Works and Environmental Services Wastewater Division.

Chairman McKay stated that since the submission of the County's comments, Maryland has also moved forward with the selection of a preferred alternative and selection of a development partner, Accelerate Maryland Partners, for Phase 1 of their managed lanes project, which includes the work associated with the American Legion Memorial Bridge and I-495 to I-270.

Chairman McKay stated that despite this progress, there remain outstanding concerns that need to be addressed. This includes the need for proposed mitigation of degraded intersections, a commitment for the continuation of pedestrian and bicycle facilities to Tysons, and a more specific commitment to fund all capital and operating costs associated with a transit route between Tysons and Montgomery County once the I-495 NEXT express lanes are opened.

Therefore, Chairman McKay moved that the Board authorize the Chairman to sign the letter attached to his written Board Matter, to be sent to Transportation Secretary Shannon Valentine, discussing the outstanding items associated with the I-495 NEXT project, and requesting a response prior to the Board's March 23, 2021, meeting. Supervisor Palchik seconded the motion.

Following discussion between the Board regarding the motion, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

11. **PROCLAMATION REQUEST DESIGNATING APRIL 11, 2021, AS "HOLOCAUST REMEMBRANCE DAY"** (4:34 p.m.)

Supervisor Gross stated that the United States Holocaust Memorial Council designates Days of Remembrance each year to recall and reflect on the horrible crimes committed during the Holocaust and to ensure that the memory and legacy of lives lost will not be forgotten. Supervisor Gross further stated that there is a responsibility to remember and recognize this dark chapter of world history, so that the tragic mistakes of the past are not repeated.

Therefore, jointly with Chairman McKay and Supervisor Palchik, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a proclamation designating April 11, 2021, as "*Holocaust Remembrance Day*" in the County, to be signed by the Chairman and Mason and Providence District Supervisors, and urge residents to rededicate themselves to not bear silent witness to injustice and to always remain vigilant to the principles of a just society, to be presented out of the Board Room. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST FOR GERRY STRIDER'S 50TH ANNIVERSARY OF SERVICE** (4:36 p.m.)

Supervisor Gross stated that Gerry Strider is a long-time member of the Bailey's Crossroads Volunteer Fire Department, serving as Chief for decades. Supervisor Gross shared that in April, Mr. Strider will celebrate his 50th anniversary of faithful service to the residents and community of Fairfax County.

Supervisor Gross stated that Mr. Strider is the epitome of a dedicated community volunteer, who always goes the extra mile to help, especially for the County's older residents.

Therefore, jointly with Chairman McKay, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a proclamation, to be signed by the Chairman and the Mason District Supervisor, thanking Gerry Strider for his 50th anniversary of service to the County, to be presented out of the Board Room. Without objection, it was so ordered.

13. **MASON DISTRICT BUDGET TOWN MEETING** (4:38 p.m.)

Supervisor Gross announced that she will be hosting the Mason District Budget Town Hall, held virtually, on March 15, 2021, at 7:00 p.m. She provided information regarding attendance and invited the community to attend the event.

14. **PROCLAMATION REQUEST DESIGNATING MAY 4, 2021, AS "LIFETIME LEARNING INSTITUTE NOVA DAY"** (4:38 p.m.)

Supervisor Walkinshaw stated that the Lifetime Learning Institute will celebrate 25 years of service to their community this year. Supervisor Walkinshaw shared that originally proposed in the fall of 1995 by Audrey Markham and Knox Singleton, the idea quickly gained the support of Dr. Richard J. Ernst, President of the Northern Virginia Community College system. The Lifetime Learning Institute was chartered by the Commonwealth of Virginia on March 27, 1996, and formally organized with 38 charter members on June 30, 1996. Supervisor Walkinshaw stated that the founding president, Knox Singleton, and succeeding presidents and members of the Board of Directors have successfully led the organization in over 25 years of growth, service, and membership. All while remaining true to their mission of providing continuing educational and cultural opportunities to individuals of all backgrounds and income levels who are 50 years of age or older.

Therefore, jointly with Chairman McKay, Supervisor Gross, and Supervisor Herrity, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to prepare a proclamation designating May 4, 2021, as “*Lifetime Learning Institute NOVA Day*” and invite representatives from the Lifetime Learning Institute to appear before the Board, as pandemic restrictions may permit, for a presentation and recognition at a future Board Meeting. Without objection, it was so ordered.

15. **COVID-19 TOWN HALL** (4:40 p.m.)

Supervisor Walkinshaw announced that he held a COVID-19 Town Hall on February 22, 2021, with Dr. Gloria Addo-Ayensu, and he thanked the community for attending.

16. **BRADDOCK DISTRICT BUDGET TOWN HALL** (4:40 p.m.)

Supervisor Walkinshaw announced that he would be holding a virtual Braddock District Budget Town Hall on March 30, 2021, at 7:00 p.m. and he invited the community to attend.

17. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (4:40 p.m.)

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

18. **NO BOARD MATTERS FOR SUPERVISOR ALCORN (HUNTER MILL DISTRICT)** (4:40 p.m.)

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

19. **NO BOARD MATTERS FOR SUPERVISOR LUSK (LEE DISTRICT)**
(4:41 p.m.)

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

20. **PROCLAMATION REQUEST DESIGNATING MARCH AS
“ALTERNATIVE DISPUTE RESOLUTION MONTH”** (4:41 p.m.)

Supervisor Storck stated that Alternative Dispute Resolution (ADR) refers to a number of processes and techniques used to manage and resolve conflict. ADR is an alternative to traditional adversarial processes and helps disputing parties reach mutually agreeable outcomes that consider the needs of all involved and minimize cost, while improving communication and morale. Alternative Dispute Resolution services have been especially helpful during the pandemic as stress and isolation have played a part in creating and intensifying conflict.

Supervisor Storck further stated that the County has historically celebrated March as ADR month, and each year chooses a leader in this field to receive recognition. This year’s recipient is Dr. Pamela Struss, who is an Adjunct Professor at the Carter School for Peace and Conflict at George Mason University. Dr. Struss teaches mediation theory, interpersonal conflict, and conflict resolution classes, and she is an active mediation practitioner who has been certified by the Supreme Court of Virginia. Additionally, Dr. Struss focuses on creating opportunities for awareness and understanding between people in communities that have experienced racial inequities and seeks strategies for building bridges between communities.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a proclamation designating March as “*Alternative Dispute Resolution Month*” in the County and invite Dr. Pamela Struss, to be presented with the proclamation out of the Board Room. Without objection, it was so ordered.

21. **MOUNT VERNON DISTRICT BUDGET TOWN HALL** (4:43 p.m.)

Supervisor Storck announced that he would be holding a virtual Mount Vernon District Budget Town Hall on March 31, 2021, and he invited the community to attend.

22. **COVID-19 VACCINE INFORMATION FOR THE RICHMOND
HIGHWAY CORRIDOR** (4:43 p.m.)

Supervisor Storck requested that future discussions include the Richmond Highway Corridor.

23. **PROVIDENCE DISTRICT BUDGET TOWN HALL** (4:44 p.m.)

Supervisor Palchik announced that she would be holding a virtual Providence District Budget Town Hall on March 9, 2021, and she invited the community to attend.

24. **CERTIFICATE OF RECOGNITION REQUEST FOR THE ROBINSON HIGH SCHOOL WRESTLING TEAM** (4:46 p.m.)

Supervisor Herrity announced that the Robinson High School Rams Wrestling team won the Virginia Class 6 championship. The team won five state titles and over 141 points, more than any other team by almost double. The title winners include Joshua Pence, Tristan Corbin, Sammy Gerard, Liam Gordon, and Cooper Rudolph. This team is known as a wrestling powerhouse under Coach Bryan Hazard and their hard work and teamwork certainly paid off this season.

Therefore, jointly with Supervisor Walkinshaw, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a certificate of recognition for the Robinson High School Wrestling State Champions team and coach, congratulating them on their great accomplishment of winning the Virginia Class 6 Wrestling Championship, to be presented at a future Board meeting, virtually or out of the Board room, as conditions dictate. Without objection, it was so ordered.

25. **PROCLAMATION REQUEST DESIGNATING APRIL AS “AUTISM AWARENESS MONTH”** (4:47 p.m.)

Supervisor Herrity stated that April is “*National Autism Awareness Month*,” which promotes acceptance for individuals on the autism spectrum. One in 54 children in the United States are on the autism spectrum, and currently more than 3.5 million Americans are on the autism spectrum, including over 125,000 Virginians. Persons with autism form an incredibly diverse community with vastly different abilities, limitations, and preferences from individual to individual. The coronavirus pandemic has significant impact on individuals on the autism spectrum, resulting in constant changes of routine and making it more difficult for them to access vital services. Approximately 80 percent of adults on the autism spectrum were unemployed or underemployed before the coronavirus pandemic, and economic fallout from the pandemic has caused them to lose jobs at a faster rate than the general population.

Supervisor Herrity further stated that young adults on the autism spectrum demonstrate the lowest employment rates among people with disabilities. Individuals on the autism spectrum have amazing strengths and skills that often go untapped when the proper supports are not in place. Existing incentives or strategies for businesses to hire persons with autism are currently under-utilized or unknown. Modifying hiring practices to accommodate persons with autism, taking advantage of Work Opportunity Tax Credits, partnering with a non-profit resource provider, and working with a job coach have all proven to be effective in supporting persons with autism and their employers. In fact, fifty-nine percent of individuals on the

autism spectrum gained employment after receiving vocational rehabilitation services.

Supervisor Herrity shared that the County is fortunate to have organizations like ServiceSource, Phillips Programs, and others that are dedicated to this mission of promoting gainful employment for those on the autism spectrum. Supervisor Herrity stated that the County is stronger and more diverse because of our autistic residents and our businesses and nonprofits who partner with them.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a proclamation designating and celebrating April as “*Autism Awareness Month*” in the County and encourage all citizens to exercise respect and compassion for relatives, friends, co-workers, and fellow Americans on the autism spectrum. Supervisor Herrity further moved that the Board direct staff to include recognition of the unique challenges faced by individuals with autism during the coronavirus pandemic and that it reaffirms the commitment of the Board to encourage businesses and employers to utilize existing incentives and strategies to assist them in hiring persons with autism. Supervisor Herrity additionally moved that the Board direct staff to present the proclamation to representatives from ServiceSource, either in-person or virtually, at the April 13, 2021, Board Meeting. Without objection, it was so ordered.

26. **PROCLAMATION REQUESTS DESIGNATING MAY AS “LYME DISEASE AWARENESS MONTH” AND “FIGHT THE BITE AWARENESS MONTH”** (4:50 p.m.)

Supervisor Herrity stated that the tick and mosquito season will be here before we know it and with the continuing pandemic many will be spending more time outdoors in the warmer months. Lyme Disease, Zika Virus, West Nile Virus, and other vector-borne diseases can have severe health impacts on our constituents. For example, several hundred cases of Lyme Disease have been reported in Virginia in the last several years and many cases go unreported, as many victims do not show obvious symptoms like the ‘Bulls-eye rash,’ or are misdiagnosed. Each year there are roughly 1,000-1,500 cases of Lyme disease reported in Virginia, but many go unreported. Supervisor Herrity stated that the Virginia Department of Health shared with his office that in 2020, many efforts to track Lyme disease were diverted to the pandemic effort so many more cases than normal likely were unreported.

Supervisor Herrity stated that Lyme is a terrible disease that can take many forms in its victim, from muscle pain to arthritis, to heart disease and Bell’s Palsy. Lyme Disease Awareness month is officially recognized in May and offers the County an opportunity to bring this issue to the public’s attention. County residents can protect themselves by performing tick checks after outdoor activities and promptly removing attached ticks.

Supervisor Herrity shared that mosquito bites also can transmit various diseases such as the Zika and West Nile Virus and County residents can be instrumental in eliminating places where mosquitoes lay their eggs by checking their properties weekly to tip and toss flowerpots, buckets, toys and other containers that might collect water.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare proclamations designating May as:

- “*Lyme Disease Awareness Month*” in the County, to be presented to Monte Skall, Director of National Capital Lyme & Tick-Borne Disease Association, at the May 18, 2021, Board Meeting and further asked that the Board direct staff share information on preventing and recognizing the symptoms of Lyme Disease with the Community
- “*Fight the Bite Awareness Month*” in the County, to be presented to the Fairfax County Health Department at the May 18, 2021, Board Meeting

Supervisor Herrity clarified that these proclamations will be presented outside of the Board Room if in-person presentations have not resumed in May. Without objection, it was so ordered.

27. **THINK TANK CHALLENGE 2021** (4:53 p.m.)

Supervisor Herrity stated that no demographic has been harder hit by the pandemic than the older adult community. In December, the Board approved the Older Adults COVID-19 Response Plan that included initiatives to address the wellness, social isolation, and lack of technology access affecting our older adults during the pandemic. The response plan recognizes that, while many older adults and adults with disabilities have the ability to lessen their isolation through the use of technology (Zoom, virtual classes, online learning), many do not have access or the ability to use this technology.

Supervisor Herrity stated that as part of that response plan, the Fairfax Area 50+ Technology Committee is facilitating a Think Tank Challenge to address this issue. The competition is open to all members of the community, including community groups and students in Fairfax County, the Cities of Fairfax and Falls Church. These challenges seek to address those who do not have access to, or a desire to use, technology to alleviate their isolation. Therefore, these challenges will focus on non-technological means to address isolation in this target population.

Supervisor Herrity shared that project creators are encouraged to talk to family members, caregivers, older adults and those with disabilities, and to observe the real-life problems these individuals face every day in their homes and in their communities, and then to explore the possibilities of real-life solutions. All submissions must be submitted by April 18th, 2021, at 11:59 p.m. in order to be

considered. Winners will have their solutions considered for long-term implementation and will be recognized by the Board.

Therefore, jointly with Supervisor Walkinshaw, Supervisor Herrity, as Chairman of the Older Adults Committee, asked unanimous consent that the Board direct staff to help promote the Think Tank Challenge, and further asked that each of the Board offices include the information in their newsletters and other correspondence methods. Without objection, it was so ordered.

28. **SULLY DISTRICT NEIGHBORHOOD COLLEGE REGISTRATION**
(4:57 p.m.)

Supervisor Smith stated that her office has been working collaboratively with the Department of Neighborhood and Community Services to plan the first ever Sully District Neighborhood College. It is also the first time that this type of event has been offered entirely virtually. Bringing this kind of educational opportunity to the community is especially important as the Board work towards civic engagement that is robust and equitable.

Supervisor Smith stated that the Sully District Neighborhood College is a free seven-session civic engagement program. Through lectures, group discussions and practical experiences, participants will explore how to work with neighbors, community organizations and local government to strengthen neighborhoods and build community capacity. This is an excellent leadership program for residents who serve as officers on their homeowner's or civic association's board.

Supervisor Smith shared that the registration is now open and classes will be held virtually on consecutive Thursday evenings, 7-8:30 p.m., from March 11 to April 29, 2021, via Zoom (no session on April 1). For more information and to register, visit <http://bit.ly/SullyNeighborhoodCollege> . Registration must be received by Monday, March 1, 2021. Residents can use Fairfax County's MyNeighborhood page to confirm the magisterial district in which they reside.

Therefore, Supervisor Smith asked unanimous consent that the Board direct staff to publicize this event using their normal channel of communications. Without objection, it was so ordered.

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AGENDA ITEMS

29. **ADMINISTRATIVE ITEMS** (4:59 p.m.)

Supervisor Gross moved approval of the Administrative Items. Chairman McKay seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk,

Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO SUBLEASE CLARK-ENYEDI HOUSE AT 10605 FURNACE ROAD IN CONNECTION WITH THE RESIDENT CURATOR PROGRAM (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing regarding the proposed sublease of the Clark-Enyedi House to the Resident Curator, to be held before the Board on **March 23, 2021, at 4:30 p.m.**

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO SUBLEASE ELLMORE FARMHOUSE AT 2739 WEST OX ROAD IN CONNECTION WITH THE RESIDENT CURATOR PROGRAM (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing regarding the proposed sublease of the Ellmore Farmhouse to the Resident Curator, to be held before the Board on **May 4, 2021, at 4 p.m.**

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

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

- Shaukat Faheem (343)

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND READOPT FAIRFAX COUNTY CODE SECTION 7-3-2 TO ESTABLISH AN ADDITIONAL VOTER SATELLITE OFFICE AT BURKE CENTRE LIBRARY

- (A) Authorized the advertisement of a public hearing regarding an ordinance to amend *Fairfax County Code* Section 7-3-2 to establish an additional voter satellite office for absentee voting in person at Burke Centre Library, to be held before the Board on **March 23, 2021, at 4 p.m.**

ADMIN 5 AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND READOPT FAIRFAX COUNTY CODE SECTION 7-2-13 TO RENAME THE POLLING PLACES FOR PIONEER PRECINCT IN THE LEE DISTRICT AND HIDDEN MEADOW PRECINCT IN THE SULLY DISTRICT; AND TO RELOCATE THE POLLING PLACES FOR SKYLINE PRECINCT IN THE MASON DISTRICT, BELLEVIEW PRECINCT IN THE MOUNT VERNON

**DISTRICT, OAK MARR PRECINCT IN THE PROVIDENCE DISTRICT,
AND CENTERPOINTE PRECINCT IN THE SPRINGFIELD DISTRICT**

- (A) Authorized the advertisement of a public hearing to consider an ordinance that proposes to amend and readopt *Fairfax County Code* Section 7-2-13 to rename the polling places for Pioneer Precinct and Hidden Meadow Precinct; and to relocate the polling places for Skyline Precinct, Belleview Precinct, Oak Marr Precinct, and Centerpointe Precinct, to be held before the Board on **March 23, 2021, at 4 p.m.**

**ADMIN 6 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION
(MASON DISTRICT)**

Extended the review period for the following application:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-M20-8	Fairfax Water Sleepy Hollow Road Water Pumping Station Tax Map No. 51-3 ((14)) 1A 2959 Sleepy Hollow Road Falls Church, VA Mason District	December 15, 2021

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO
CONSIDER AMENDMENTS TO CHAPTER 4, ARTICLES 14, 15, AND 16.1
OF THE FAIRFAX COUNTY CODE**

- (A) Authorized the advertisement of a public hearing to consider adopting the proposed amendments to Chapter 4, Articles 14, 15, and 16.1 of the *Fairfax County Code*, to be held before the Board on **March 23, 2021, at 3:30 p.m.**

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO
ESTABLISH PARKING RESTRICTIONS ON GUNSTON COVE ROAD
(MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to consider a proposed amendment to Appendix R of *The Code of the County of Fairfax, Virginia* to establish parking restrictions on Gunston Cove Road in the Mount Vernon District. The amendment will prohibit commercial vehicles, recreational vehicles, and trailers as defined, respectively, in *Fairfax County Code* §§ 82-5-7, 82-5B-1, and 82-1-2(a)(50) from parking on portions of Gunston Cove Road from 6:00 p.m. to 6:00 a.m., seven days per week, to be held before the Board on **March 23, 2021, at 4 p.m.**

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION AS 21263 FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF THE TREASURY FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM

- (SAR) Approved AS 21263 for the Department of Neighborhood and Community Services to accept funding from the U.S. Department of the Treasury for the Emergency Rental Assistance program, in the amount of \$34,463,869. Funding will allow the County to continue providing financial assistance, including back and forward rent and utility payments, and other housing expenses. There are no positions associated with this funding and no Local Cash Match is required.
30. **A-1 – APPROVAL OF PROJECT AGREEMENTS BETWEEN THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) AND FAIRFAX COUNTY FOR FISCAL YEAR (FY) 2021 TRANSIT CAPITAL PROJECT ASSISTANCE GRANT FUNDS** (5:00 p.m.)
- On motion by Supervisor Alcorn, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of the Department of Transportation to sign six Project Agreements (Attachments 1 through 6 of the Board Agenda Item) between DRPT and Fairfax County, in substantial form as those attached to the Board Agenda Item, for FY 2021 transit capital assistance.
31. **A-2 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO ISSUE A HOUSING BLUEPRINT LOAN TO THE AUTUMN WILLOW PROJECT IN THE AMOUNT OF \$4,450,000 TO ASSIST IN THE FINANCING OF THE DEVELOPMENT OF THE LODGE AT AUTUMN WILLOW (SPRINGFIELD DISTRICT)** (5:01 p.m.)
- On motion by Supervisor Herrity, multiply seconded, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the FCRHA to make the proposed loan in the amount of \$4,450,000 to The Lodge at Autumn Willow project.
32. **A-3 – BOARD ACTION TO INITIATE THE 2021 REDISTRICTING AND REAPPORTIONMENT OF THE BOARD OF SUPERVISORS ELECTION DISTRICTS** (5:01 p.m.)
- (R) On motion by Supervisor Gross, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Adopted the resolution (Attachment 1 of the Board Agenda Item) stating the general goals, criteria, and policies that will be followed in the 2021 redistricting of the Board of Supervisors election districts
- Established a redistricting advisory committee
- Approved the composition of the Redistricting Advisory Committee as shown in Attachment 2 of the Board Agenda Item

Supervisor Foust, referencing the Board Agenda Item, asked for clarification on a statement regarding district representation.

Erin Ward, Deputy County Attorney, explained that Board members continue serving their terms in office, but represent the district as then constituted in the newly adopted redistricting ordinance.

Supervisor Storck asked how representation will take place if the process results in a tenth magisterial district.

Ms. Ward stated that the Virginia Code states that a special election would be held to elect a tenth supervisor. The timing of the election would depend upon when the reapportionment ordinance is adopted. Pending adoption of the ordinance, it is unclear, under the statute, who would represent the tenth district if there is an interim when that district is unrepresented as the election would not yet have occurred.

Supervisor Storck asked unanimous consent that the Board direct staff to provide information on what other jurisdictions have done in similar circumstances. Without objection, it was so ordered.

Supervisor Foust asked if district designees would go through the normal Boards, Authorities, and Commissions BAC process.

Ms. Ward stated that the BAC process was followed in the past. Chairman McKay stated that the current BAC procedures would be used and the appointments would be made at the March 23, 2021, Board meeting.

Supervisor Gross asked if organizations would be encouraged to submit a list of possible representatives, of a particular group, for the Board to ratify. Chairman McKay noted that some groups are not represented by just one entity and to make sure there are no duplications and that each category of interest is represented, all recommendations should be forwarded to his office.

Supervisor Palchik asked if the Board would be willing to open one of the positions to represent young adults. Chairman McKay stated that young adults would have representation.

33. **A-4 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION AND THE COUNTY OF FAIRFAX REGARDING COORDINATION OF TECHNICAL ANALYSIS AND FUNDING FOR PHASE IV-1 OF THE ENVISION ROUTE 7 BUS RAPID TRANSIT PROJECT (DRANESVILLE, HUNTER MILL, MASON, AND PROVIDENCE DISTRICTS)** (5:16 p.m.)

On motion by Supervisor Alcorn, multiply seconded, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the MOA in substantial form of Attachment 1 in the Board Agenda Item and authorized the Director of the Department of Transportation to execute a Memorandum of Agreement (MOA) with the Northern Virginia Transportation Commission (NVTC). The agreement documents the parties' understanding regarding funding for Phase IV-1 of the Envision Route 7 Bus Rapid Transit Project.

34. **A-5 – PROPOSED ADDITION OF JEFF TODD WAY (ROUTE 619) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (MOUNT VERNON DISTRICT)** (5:17 p.m.)

- (R) On motion by Supervisor Storck, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the revised resolution (Attachment I of the Board Agenda Item) requesting that a portion of Jeff Todd Way (Route 619) be added to the Secondary System of State Highways (Secondary System).

35. **C-1 – AMENDMENTS TO THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) BYLAWS** (5:19 p.m.)

- (BAC) Supervisor Gross moved approval of the Bylaws for the CSB with the following proposed amendments:

- Adding a provision for CSB Board members to participate electronically in CSB Board and Committee meetings (Article VIII, Meetings)
- Removing references to Early Intervention Services as these services are now provided by Department of Family Services (Preamble, Article II: Purpose, Article III: Powers and Duties)
- Revising Standing Committees to establish the Service Delivery Oversight Committee and disestablish the Behavioral Health

Oversight Committee and the Developmental Disabilities Committee;(Article VII: Executive Committee, Standing Committees and Ad Hoc committees)

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

36. **C-2 – LIMITED AMENDMENT TO THE BYLAWS FOR THE POLICE CIVILIAN REVIEW PANEL** (5:20 p.m.)

(BAC) Supervisor Lusk moved approval of a limited amendment to the Bylaws for the Police Civilian Review Panel. Chairman McKay seconded the motion and carried by unanimous vote.

Supervisor Gross asked unanimous consent that the Board direct staff to provide feedback within one year to determine if the amendment to the Bylaws has corrected the problems with filing the Chair position. This amendment will allow a Chair to serve more than one, one-year term, as long as such terms are not successive and helps bring the practice of the Panel, insofar as selection of a Chair is concerned, more in line with the standard bylaws used by other County boards, authorities, and commissions. Without objection, it was so ordered.

EBE:ebe

37. **3:30 P.M. PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2020-SP-017 (THE MICHAELS DEVELOPMENT COMPANY I, L.P.) TO PERMIT AN INDEPENDENT LIVING FACILITY, LOCATED ON APPROXIMATELY 20.53 ACRES OF LAND ZONED R-1 AND WS (SPRINGFIELD DISTRICT)** (5:22 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 5 and 12, 2021.

This property is located at 13090 Autumn Willow Drive and 13208 Lee Highway, Fairfax, 22030. Tax Map 55-3 ((1)) 26A and 26B.

Brian Winterhalter, Agent, Cooley LLP, reaffirmed the validity of the affidavit for the record.

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

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

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

Following a query by Supervisor Herrity, Mr. Winterhalter confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 11, 2021.

Supervisor Herrity moved approval of:

- Approval of Special Exception Application SE 2020-SP-017, subject to the proposed development conditions dated February 11, 2021
- Modification of Sect. 13-304 of the Zoning Ordinance to modify the 25-foot transitional screening and waiver of the barrier requirement along Stringfellow Road in favor of the 50-foot natural buffer
- Modification of Sect. 11-203 of the Zoning Ordinance to provide one loading space in lieu of the required two spaces
- Modification of Sect. 9-306(5) to permit the use to be located on land fronting on and with access to Autumn Willow Drive in lieu of a collector street or major thoroughfare

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

38. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2020-CW-2CP, HOUSING ELEMENT AND WORKFORCE DWELLING UNIT (WDU) POLICY, AND PROPOSED REVISIONS TO THE WDU ADMINISTRATIVE POLICY GUIDELINES** (5:37 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 5 and 12, 2021.

Abdi Hamud, Affordable and Workforce Housing Program Administrator (AHD), Housing and Community Development (HCD), presented the staff report.

Discussion ensued, with input from Mr. Hamud, Graham Owen, Planner III, Policy & Plan Development Branch, PD, Department of Planning and Development (DPD), Tom Fleetwood, Director, HCD, Kelly Atkinson, Planner IV, Zoning Evaluation Division, DPD, and Barbara Byron, Director, DPD, regarding the following:

- The financial impact has on the proposed changes pertaining to multi-family developers
- Timeline for the proposed changes
- Rent control issues based on Area Median Income (AMI)
- Affordability and exceptions for the WDU program
- Costs associated with the proposed changes
- Challenges between the industry and the task force recommendations
- Availability of data from the industry and whether staff have been able to review the information
- Recommendation for expedited application public hearing dates to minimize costs
- Efforts to monitor the process and policy in case reevaluation is needed
- Annual review process for the WDU policy

Supervisor Palchik asked to amend the motion to direct staff to provide the Board with annual reports on the review process. This was accepted.

Following the public hearing, which included testimony from five speakers, Mr. Hamud presented the staff and Planning Commission (PC) recommendations.

Supervisor Foust moved approval of the changes to the Housing and Land Use Elements of the Policy Plan, the Plan's Glossary, and the Area Plans volumes of the Comprehensive Plan related to rental Workforce Dwelling Units (WDUs), to include changes based on the WDU Policy Task Force's recommendations, as well as to reflect current conditions and ensure consistency between the Comprehensive Plan and other countywide policy documents, such as the *Communitywide Housing Strategic Plan*. The changes to the WDU Administrative Policy Guidelines will work in tandem with the revisions to the Comprehensive Plan.

Chairman McKay seconded the motion and it carried by a recorded vote of nine, with Supervisor Herrity voting "NAY."

39.

4 P.M. – PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE COUNTY'S SOLID WASTE MANAGEMENT ORDINANCE,

CHAPTER 109.1, TO PROHIBIT THE USE OF PLASTIC BAGS FOR YARD WASTE (7:00 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 February 5 and 12, 2021.

Eric Forbes, Director, Solid Waste Management Program (SWMP), Department of Public Works and Environmental Services (DPWES), gave the staff presentation.

Discussion ensued, with input from Mr. Forbes, regarding the following:

- The enforcement mechanism
- Outreach efforts made by staff
- Costs associated with the changes
- Timeline for transition away from the use of plastic bags for yard waste

Following the public hearing, which included testimony by 10 speakers, Supervisor Storck moved adoption of the proposed amendments to the *Code of Fairfax County's Solid Waste Management Ordinance*, Chapter 109.1 in the County Code, to prohibit the use of plastic bags for the set-out and collection of yard waste as set forth in Attachment 1 of the Board Agenda Item. Supervisor Alcorn and Chairman McKay jointly seconded the motion.

Discussion ensued by the Board regarding the need for more communication on the acceptable alternate containers allowed to be used.

Supervisor Herrity moved to amend the motion to allow the use of biodegradable bags, in addition, added to state that waste shall be set out in paper and waste bags or reusable containers, or other storage devices not to weigh more than 50 pounds. He further moved to include an exception to the statement that "yard waste shall not be placed in plastic bags, unless biodegradable." Supervisor Herrity's motion died for lack of a second.

Following a brief discussion with the Board regarding the amendment, the question was called on the main motion, and it carried by a recorded vote of nine, with Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," with Supervisor Herrity voting "NAY."

40. **4 P.M. – PUBLIC COMMENT ON ISSUES OF CONCERN** (8:13 p.m.)

A Certificate of Publication was filed from the editor of the Washington Times showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 5 and 12, 2021.

Public comment was held and included testimony from the following individuals:

- Casey Rosales, Cares Act Hazard Pay
- Diane Alejandro, Fairfax Trust Policy
- Nicole Miller, Tax evaders, out-of-state plates for sale

41. **RECESS/CLOSED SESSION** (8:28 p.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 1. *Kimberly LaFave, et al. v. County of Fairfax et al.*, Case No. CL-2021-0001569 (Fx. Co. Cir. Ct.)
 2. *JBG Tysons Hotel LLC v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2020-0020862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 3. *Mathieu Ghirardo v. Jarryd Blackford*, Case No. GV20-011457 (Fx. Co. Gen. Dist. Ct.)

4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harry F. Kendall, III, and Laura P. Kendall*, Case No. CL-2008-0003244 (Fx. Co. Cir. Ct.) (Braddock District)
5. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Natalie S. Wozniak*, Case No. CL-2019-0009693 (Fx. Co. Cir. Ct.) (Hunter Mill District)
6. *Leslie B. Johnson, Zoning Administrator v. Yen Anh Bui and Thi A Doan*, Case No. CL- 2020-0013871 (Fx. Co. Cir. Ct.) (Mason District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Blanca Gutierrez and Elias A. Gutierrez*, Case No. CL-2021-0001603 (Fx. Co. Cir. Ct.) (Mason District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jonathan Q. Morgan and Naoko Morgan*, Case No. CL-2021-0001602 (Fx. Co. Cir. Ct.) (Mason District) requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).

And in addition:

1. As permitted by Virginia Code Sections 2.2-3711(A)(7) and (8), legal analysis regarding monetary claim of Lamonta Gladney arising from a June 5, 2020, Police Department incident in the Mount Vernon District.

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

At 9:03 p.m., the Board reconvened their electronic meeting with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

42. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (9:03 p.m.)

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

Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

43. **BOARD ADJOURNMENT** (9:04 p.m.)

The Board adjourned.