



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
December 5, 2023**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, December 5, 2023, at 9:34 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Rodney Lusk, Franconia District
- Supervisor Dalia Palchik, Providence District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Daniel G. Storck, Mount Vernon District
- Supervisor James 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 and Kecia Kendall, Deputy Clerks, and Danya Alattar, Administrative Assistant, Department of Clerk Services.

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

The Board asked everyone to keep in thoughts the family and friends of:

- Travis Traynham, who died recently. He was an employee of the Fairfax County Fire Rescue Department (FRD), Relief Battalion 8, Shift B. He passed away in an activity unrelated to his FRD work. He was a valuable member of FRD since 2004 and will be greatly missed
- A young individual who died due to injuries sustained in the terrible car crash that occurred November 20 on Pioneer Lane. Two other children remain hospitalized in very serious condition

AGENDA ITEMS2. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE MCLEAN HIGH SCHOOL GIRLS SOFTBALL TEAM** (9:37 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to members of the McLean High School Girls Softball Team for their State championship. The motion was multiply seconded and it carried by unanimous vote.

3. **RESOLUTION OF RECOGNITION PRESENTED TO THE ARMY HISTORICAL FOUNDATION** (9:52 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to the Army Historical Foundation for its 40th anniversary. Vice-Chairman Gross seconded and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

4. **RESOLUTIONS OF RECOGNITION PRESENTED TO RETIRING ELECTED OFFICIALS FROM THEIR AREA FOR THEIR CONTRIBUTIONS AND SERVICE TO THE COMMUNITY** (10:05 a.m.)**JOHN FREY, CLERK OF THE COURT**

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to John Frey, Clerk of the Court, for his distinguished service to the residents of Fairfax County, the region, and State. Supervisor Herrity seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

HOUSE OF DELEGATES MEMBERS

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolutions of Recognition presented to Delegate Kenneth Plum, House of Delegates, and the following other Members, for their distinguished service to the residents of Fairfax County, the region, and State:

- Delegate Eileen Filler-Corn
- Delegate Kathleen Murphy
- Delegate Kaye Kory

The motion was multiply seconded and it carried by unanimous vote.

(NOTE: Delegate Plum was the only House of Delegate Members present to receive his resolution.)

FAIRFAX COUNTY SCHOOL BOARD MEMBERS

Chairman McKay relinquished the Chair to Acting-Chairman Smith and moved approval of the Resolutions of Recognition presented to the following Members of the School Board for their distinguished service to the residents of Fairfax County, the region, and State:

- Elaine Tholen, Chair and Dranesville District Representative
- Laura Jane Cohen, Springfield District Representative
- Tamara Derenak Kaufax, Franconia District Representative
- Karen Keys-Gamarra, Member-at-Large
- Megan McLaughlin, Braddock District Representative
- Abrar Omeish, Member-at-Large
- Stella Pekarsky, Sully District Representative
- Karen Corbett Sanders, Mount Vernon

Acting-Chairman Smith relinquished the Chair to Vice-Chairman Gross upon her return to the dais.

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

(NOTE: Not all of the retiring School Board Members were present to receive the resolutions.)

VIRGINIA STATE SENATE MEMBERS

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolutions of Recognition presented to the following for their distinguished service to the residents of Fairfax County, the region, and State:

- Senator Janet Howell
- Senator Richard ‘Dick’ Saslaw
- Senator George Barker
- Senator Chap Peterson

The motion was multiply seconded and it carried by a vote of nine, Supervisor Storck being out of the room.

Vice-Chairman Gross returned the gavel to Chairman McKay.

(NOTE: The Senators were not present to receive the resolutions.)

5. **RECOGNITION OF OUTGOING BOARD OF SUPERVISORS MEMBERS**
(10:52 a.m.)

SUPERVISOR FOUST, DRANESVILLE DISTRICT

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Supervisor Foust for his distinguished and extraordinary service as a Member of the Fairfax County Board of Supervisors. The motion was multiply seconded. Following a video that was shared highlighting some momentous occasions of Supervisor Foust’s time on the Board, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

SUPERVISOR GROSS, MASON DISTRICT AND VICE-CHAIRMAN OF THE BOARD

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition congratulating and thanking

Supervisor Gross for her irreplaceable leadership and guidance to her colleagues and her constituents. The motion was multiply seconded. Following a video that was shared highlighting some momentous occasions of Supervisor Gross's time on the Board, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

6. **PRESENTATION BY KATE HANLEY, CHAIRMAN OF THE ELECTORAL BOARD, REGARDING ELECTION YEAR 2023** (12:11 p.m.)

Kate Hanley, Chairman of the Electoral Board, gave a presentation regarding the recent election year 2023, highlighting the following:

- 2023 was a complicated year. The voters were still confused by redistricting which was established last year in 2022
- There were 117 candidates running for 61 offices. Four years ago there were only 94 candidates
- This was the first year the Vienna and Clifton Town Offices appeared on the November ballot. It took 18 teams of two people two days to transcribe the write-in names. Then the members of the Electoral Board reviewed those that were difficult to decipher to determine the intent of the voter for the ballots to count. All this activity took an amazing number of people to get the work done
- This year there were two elections:
 - The Democratic Primary in June
 - The General Election in November
- Next year there will be three elections:
 - The Presidential Primary on March 5, 2024
 - The regular Primary in June
 - The Presidential Election in November
- Election Day – 265 precincts
- Election staffing – 3,477 total
 - 433 Pre-election
 - 2,803 Election Day

- 241 Post-election

Ms. Hanley introduced the following who were present in the Board Auditorium:

- Eric Spicer, Registrar
- Beth Methfessel, Clerk to the Electoral Board
- Elections Office staff

A brief discussion ensued, with input from Ms. Hanley, regarding hospitality rules.

KK:kk

7.

BOARD ADOPTION OF THE 2024 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY, APPROVAL OF THE COUNTY'S 118TH CONGRESS FEDERAL LEGISLATIVE STRATEGY AND PRINCIPLES (12:33 p.m.)

Supervisor Walkinshaw, Chair of the Board's Legislative Committee, highlighted the following regarding the 2024 State Legislative Program:

- The Board is adopting the State and federal legislative agendas for 2024. For State legislation, the Board is adopting the 2024 Legislative Program, and for federal legislation, the Board is adopting Recommended Strategies and Principles for the 118th Congress. All of these items were discussed at this fall's Legislative Committee meetings, most recently on November 28, 2023
- As discussed at the Legislative Committee, the Board's fundamental priorities remain the same
- The program features State support for education as a top priority and urges the State to fully meet its responsibility to adequately fund K-12 education. This year the GA's Joint Legislative Audit and Review Commission study demonstrated that the Commonwealth is underfunding education, shortchanging students by \$3.5 billion and lagging behind neighboring states like West Virginia and Kentucky in State funding for education
- The Transportation Funding priority statement encourages the GA to build upon the successful enactment of significant transportation revenues passed by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs, including new projects, State road

maintenance, and continued State assistance for local and regional transit systems

- As discussed, the most significant economic development challenge facing the Commonwealth of Virginia is the funding crisis at Washington Metropolitan Area Transit Authority
- There are three initiatives included in the program this year:
 - Seeks Budget action to restore funding for the salaries of local finance directors through the Commonwealth of Virginia's Compensation Board
 - Seeks legislation to change the deadline for local electoral boards to certify elections and submit abstracts from seven days following the election to 10 days following the election
 - Seeks legislation to clarify that counties that do not maintain their own roads are authorized to reduce speed limits to less than 25 miles per hour, but not less than 15 miles per hour, on highways within their boundaries within business or residential districts, as is currently allowed for localities that do maintain their own roads
- The Board will be adopting a federal legislative strategy for the 118th Congress. As the Board is aware, the political and fiscal landscape in Congress has been volatile over the past several years, and it is likely there will be continued uncertainty in the future
- The County continues to pursue a strategic approach to federal funding opportunities, with a focus on economic development, transportation and protecting the social safety net. Will continue to advocate for the relocation of federal facilities to the County, including the FBI headquarters. Will also be actively working to protect existing federal investments in the County, particularly our military installations, civilian federal workforce, and federal contractors, which are so vital to our local economy
- Language has been moved from existing sections and added to new language to create a new Affordable Housing position this year. This position stresses the County's support for federal funding and actions to increase the availability of affordable housing, provide emergency rental assistance, and prevent homelessness. It also highlights the County's support for extending the Moving to Work status of

designated public housing authorities, including that of the Fairfax County Redevelopment and Housing Authority

Supervisor Walkinshaw thanked the legislative staff for their work.

Supervisor Walkinshaw moved that the Board adopt the 2024 Legislative Program and adopt the recommended strategies and principles for the 118th Congress. Chairman McKay and Supervisor Palchik jointly seconded the motion.

Following a brief discussion regarding public education funding, Supervisor Walkinshaw announced that:

- A work session with the GA will be held December 12, 2023, at 3:30 p.m. in Conference Rooms 9 and 10
- The 2024 General Assembly session begins Wednesday, January 10, 2024
- The First Legislative Committee meeting of 2024 will be held on Friday, January 19, 2024, at 4 pm in Conference Room 11

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

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ADDITIONAL BOARD MATTERS

8. **RESOLUTION OF RECOGNITION REQUEST FOR JOHN LOVAAS**
(12:42 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for John Lovaas, in recognition of his 26 years as the Market Manager of the Reston Farmers Market, which he also founded. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

9. **NO BOARD MATTERS FOR SUPERVISOR GROSS**
(MASON DISTRICT) (12:42 p.m.)

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

10. **ACCEPTANCE OF THE FINDINGS REPORT OF THE TASK FORCE ON THE FUTURE OF LAKE ACCOTINK** (12:43 p.m.)

Supervisor Walkinshaw stated that on May 23, 2023, the Board unanimously approved his motion to create a Task Force on the Future of Lake Accotink. Chairman McKay and Supervisor Lusk were cosponsors of the motion.

Lake Accotink Park is one of the County's most beloved resources, drawing hundreds of thousands of visitors each year to its trails, picnic areas, and waterfront activities. The 55-acre Lake Accotink, a manmade reservoir originally built by the U.S. Army, is a key feature of the park. However, it has required regular dredging to remove sediment and prevent it from returning to its natural state. Detailed analysis led County staff to recommend that Lake Accotink not be dredged because of the significant cost and challenges in processing and disposing of the sediment. Instead, staff's recommendation is to restart the Park's Master Planning process with an emphasis on developing a sustainable vision for the lake and the park.

The Task Force was created to review and develop findings on the previous dredging studies, ensure all options have been considered to preserve Lake Accotink in the most sustainable, equitable, and cost-effective manner, identify information needs and questions that should be addressed should the Board proceed with studying a managed wetland or hybrid option, and consider the impacts to the environment, surrounding communities, recreational uses of the park, and financing, including ongoing maintenance.

The Task Force was chaired by Sharon Bulova, former Board Chairman, and included 32 members from the community, environmental and nonprofit organizations, and other parts of the County, including former Braddock District Supervisor John Cook. The Task Force's work was supported by a new team of expert consultants from WSP-LimnoTech. Three subcommittees of the Task Force were created to explore topics in more detail. Those groups were the Subcommittee on the Value of Lake Accotink to Lake Accotink Park and to the County, the Subcommittee on Impacts of and Issues with the County Staff Recommendation to Not Dredge, and the Subcommittee on Options to Consider Other than Traditional Full Dredging. The subcommittees met separately to analyze, review, and discuss their topics and provided their reports, which are included in the Findings Report. The full Task Force met nine times over the past five months and the subcommittees met 21 times. The Findings Report is available on the Lake Accotink Task Force website.

Therefore, jointly with Chairman McKay and Supervisor Lusk, Supervisor Walkinshaw moved that the Board accept the Findings Report of the Task Force on the Future of Lake Accotink and request that these findings be referred to the December 12, 2023, Environmental Committee meeting for discussion. Chairman McKay and Supervisor Lusk jointly seconded the motion.

Supervisor Walkinshaw acknowledged the members of the Task Force and thanked them and staff for their hard work.

Former Chairman of the Board, Sharon Bulova, and Chair of the Task Force on the Future of Lake Accotink, addressed the Board and shared updates on the Task Force and the need for community involvement.

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

11. **ORDERS OF THE DAY** (12:57 p.m.)

Chairman McKay announced that, due to the lateness of the hour, the Board would pause Board Matters and proceed with the Items Presented by the County Executive.

(NOTE: Later in the meeting, the remaining Board Matters were presented. See Clerk's Summary Items #37 - #53.)

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AGENDA ITEMS

12. **ADMINISTRATIVE ITEMS** (12:57 p.m.)

Supervisor Gross moved approval of the Administrative Items. Chairman McKay seconded the motion.

Supervisor Herrity called the Board's attention to Admin 7 – Approval of Supplemental Appropriation Resolution (SAR) AS 24093 for the Department of Transportation to Accept Grant Funding from the U.S. Department of Transportation (USDOT) for the Community Project Funding Requests Included in the Consolidated Appropriations Act, 2022 and to Execute a Standard Project Agreement with the Virginia Department of Transportation (VDOT) (Braddock, Franconia, Mason, and Mount Vernon Districts), and noted that Bus Route 610, which added a stop at the Kate Hanley Shelter on that section of Route 29, is included in the item.

The question was called on the motion to approve the Administrative Items 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 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

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

- Clay Bomberger (349)

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PLEASANT VALLEY ROAD SHARED USE PATH (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 23, 2024, at 4 p.m.**, to consider a proposal on the acquisition of certain land rights necessary for the construction of the Pleasant Valley Road Shared Use Path, in Project ST-000036-000, County-Maintained Pedestrian Imp-2014, Fund 30050, Transportation Improvements.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONVEY BOARD-OWNED RIGHT-OF-WAY NEAR 6332 RICHMOND HIGHWAY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (FRANCONIA DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 23, 2024, at 4:30 p.m.**, to consider a proposal to convey Board-owned right-of-way located in front of 6332 Richmond Highway to VDOT.

ADMIN 4 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT RE: OUTDOOR DINING

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 10, 2024, at 7:30 p.m., and before the Board on **February 6, 2024, at 4 p.m.**, to consider the proposed amendments to the Zoning Ordinance, regarding outdoor dining.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING THE POPLAR TREE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 23, 2024, at 4:30 p.m.**, to consider a proposed amendment to Appendix M of the Code of the County of Fairfax, Virginia to establish the Poplar Tree CPD.

ADMIN 6 – APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24090 FOR THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE ACQUISITION OF RIGHT-OF-WAY FOR THE RICHMOND HIGHWAY

BUS RAPID TRANSIT (BRT) PROJECT (FRANCONIA AND MOUNT VERNON DISTRICTS)

- (SAR)
- Approved SAR 24090 for DOT to accept funding from the USDOT FTA in the amount of \$28,152,128 for the purchase or right-of-way related to the Richmond Highway BRT project. A 20 percent local cash match of \$5,630,426 is required, and will be met from Fund 40010, County and Regional Transportation Projects, from the Richmond Highway BRT Northern Virginia Transportation Authority 70 Percent project (2G40-162-000)
 - Authorized the Director of DOT to execute the grant agreement with the FTA to receive the funds

ADMIN 7 – APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24093 FOR THE DEPARTMENT OF TRANSPORTATION TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF TRANSPORTATION (USDOT) FOR THE COMMUNITY PROJECT FUNDING REQUESTS INCLUDED IN THE CONSOLIDATED APPROPRIATIONS ACT, 2022 AND TO EXECUTE A STANDARD PROJECT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (BRADDOCK, FRANCONIA, MASON, AND MOUNT VERNON DISTRICTS)

- (R)
(SAR)
- Approved SAR AS 24093 for DOT to accept grant funding in the amount of \$1 million from the USDOT to support the community project funding requests included in the Consolidated Appropriations Act, 2022
 - Adopted the Resolution authorizing the Director of DOT to execute a Standard Project Administration Agreement with VDot, for the funding and implementation of the project

ADMIN 8 – APPROVAL OF A RESOLUTION ENDORSING PROJECTS FOR SUBMISSION TO THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) FOR THE FISCAL YEAR (FY) 2025 – 2026 I-66 INSIDE THE BELTWAY COMMUTER CHOICE PROGRAM (BRADDOCK, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

- (R)
- Adopted a Resolution endorsing five Fairfax County transportation projects for submission to NVTC's I-66 Inside the Beltway Commuter Choice Program funding for FY 2025 – 2026
 - Authorized the Director of the Department of Transportation or his designee to sign and submit the applications

ADMIN 9 – APPROVAL OF RESOLUTION ENDORSING PROJECTS SUBMITTED FOR FISCAL YEAR 2030 REGIONAL SURFACE TRANSPORTATION PROGRAM AND CONGESTION MITIGATION AND AIR QUALITY FEDERAL FUNDING THROUGH THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

- (R)
- Authorized the Department of Transportation to apply for funding in the amount of \$80.7 million for seven proposed projects
 - Adopted the project endorsement resolution

13. **A-1 – RESOLUTION TO APPLY FOR A WAIVER TO ADMINISTER PIONEER AND GARFIELD PRECINCTS IN THE FRANCONIA DISTRICT, AND THE PENDERBROOK AND BURKE NO. 2 PRECINCTS IN THE SPRINGFIELD DISTRICT, AS SPLIT PRECINCTS PURSUANT TO VIRGINIA CODE SECTION 24.2-307 (FRANCONIA AND SPRINGFIELD DISTRICTS)** (12:58 p.m.)

- (R)
- On motion of Supervisor Lusk, seconded by Supervisor Herrity, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution, confirming the decision to apply to the State Board for a waiver to administer the Pioneer, Garfield, Penderbrook, and Burke Number 2 precincts as split precincts for all elections in 2024, and authorizing Office of Elections staff to submit an application on behalf of the Board.

14. **A-2 – SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS AND PUBLIC IMPROVEMENT REFUNDING BONDS** (12:59 p.m.)

- (R)
(BONDS)
- On motion of Supervisor Gross, seconded by Chairman McKay, and carried by a unanimous vote, the Board concurred in the recommendation of staff and:
- Approved the sale of General Obligation Public Improvement Bonds that will generate \$350 million to fund construction of capital facilities and infrastructure as previously approved by the Board
 - Approved the sale of Public Improvement Refunding Bonds, as outlined in the Board Agenda Item
 - Adopted the Resolution authorizing the issuance of the General Obligation Public Improvement Bonds and Public Improvement Refunding Bonds. This resolution:
 - Authorizes the execution and delivery of a Continuing Disclosure Agreement and other documents necessary for sale

- Delegates to the County Executive or Chief Financial Officer authority to award the bonds, on specified criteria, through either a competitive or negotiated sale. Bond Counsel has advised that this form of authorization is acceptable and provides flexibility for changing market conditions
- Approves the form of the notice of sale and the Official Statement for the Public Improvement Bonds, and authorizes the Chairman, Vice Chairman, County Executive or Chief Financial Officer to sign the Official Statement for the Public Improvement Bonds and Public Improvement Refunding Bonds

15. **A-3 – APPROVAL OF THE DIRECTOR OF THE DEPARTMENT OF CABLE AND CONSUMER SERVICES (DCCS) RECOMMENDATION ON THE NUMBER OF TAXICAB CERTIFICATES TO BE AUTHORIZED IN 2023** (12:59 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Director of DCCS recommendation that no additional taxicab certificates be made available to be issued in 2023.

16. **A-4 – APPROVAL OF FAIRFAX COUNTY’S FISCAL YEAR (FY) 2023 – FY 2033 TRANSIT STRATEGIC PLAN (TSP)** (1 p.m.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and:

- Approve Fairfax County’s FY 2023 – FY 2033 TSP in substantial form
- Authorize submittal to the Virginia Department of Rail and Public Transportation

The motion was multiply seconded. Following a brief discussion regarding transit and thanking staff, the question was called on the motion and it carried by unanimous vote.

17. **A-5 – ENDORSEMENT OF PROJECTS FOR SUBMISSION TO THE NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD LONG-RANGE TRANSPORTATION PLAN, VISUALIZE 2050** (1:02 p.m.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and authorize the submission of transportation projects located in Fairfax County, as

provided in Attachment 1 of the Board Agenda Item, to the region's long-range transportation plan (Visualize 2050) and the Fiscal Year (FY) 2025 – FY 2028 Transportation Improvement Plan. The motion was multiply seconded.

Following a brief discussion regarding the motion and projects that have been removed, the question was called on the motion and it carried by unanimous vote.

18. **A-6 – APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) 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)** (1:04 p.m.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and:

- Approve the MOA with the NVTC regarding the Envision Route 7 Bus Rapid Transit Project. The MOA also includes the Cities of Alexandria and Falls Church, as well as Arlington County, and documents the parties' understanding regarding funding for final planning and National Environmental Policy Act Analysis of the Envision Route 7 Bus Rapid Transit Project
- Authorize the Director of the Department of Transportation to execute the MOA

The motion was multiply seconded. Supervisor Foust asked unanimous consent that the Board direct staff to work with the NVTC to report to the Board with a memo providing information on the long-range plan and estimated project completion date. Without objection, it was so ordered.

A brief discussion ensued, with input from Gregg Steverson, Acting Director, Fairfax County Department of Transportation, regarding the request for information.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked to amend the request to include in the report the date the project began. This was accepted.

Vice-Chairman Gross returned the gavel to Chairman McKay.

Supervisor Palchik asked to amend the request to also include the funding that has been provided, and the roles of the jurisdictions. This was accepted.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY”.

19. **A-7 – AUTHORIZATION FOR THE COUNTY EXECUTIVE OR DESIGNEE TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH VIRGINIA ELECTRIC AND POWER COMPANY (DOMINION) FOR THE CREDITING OF ELECTRICITY GENERATED BY THE I-95 LANDFILL SOLAR PROJECT TO CERTAIN FAIRFAX COUNTY METERED ACCOUNTS** (1:08 p.m.)

Supervisor Storck moved that the Board concur in the recommendation of staff and authorize the County Executive or his designee to negotiate and execute an agreement between Fairfax County, Virginia and Virginia Electric and Power Company for the purpose of directing Dominion to credit certain County electrical bills based on the generation of energy output from the solar-powered generation facility at the I-95 Landfill Complex. Chairman McKay seconded the motion.

Discussion ensued, with input from John Morrill, Acting Director, Office of Environmental and Energy Coordination, and Joanna Faust, Assistant County Attorney, regarding how the Board will get updates on the accounts.

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

20. **A-8 – APPROVAL OF FUNDING ALLOCATIONS FOR PEDESTRIAN AND BICYCLE IMPROVEMENT PROJECTS AND MAINTENANCE** (1:13 p.m.)

Supervisor Alcorn moved the Board concur in the amended recommendation of staff and approve \$23,403,177 in funding for active transportation capital and maintenance projects to improve the County’s pedestrian and bicycle infrastructure, with the proposed amendment as circulated by Supervisor Storck, dated December 5, 2023. The proposed breakdown of the funding is as follows:

- \$18,990,000 for priority active transportation projects
- \$500,000 for an active transportation interim improvements pilot program
- \$95,000 for a “Stop for Pedestrian” sign conversion program
- \$975,000 for consultant support with project prioritization and scoping, the ActiveFairfax Transportation Plan update, and road diet studies
- \$1,020,000 for the Department of Public Works and Environmental Services to conduct trail and sidewalk maintenance (Attachment 2 of the Board Agenda Item)

- \$1,000,000 for the Fairfax County Park Authority to conduct trail maintenance (Attachment 3 of the Board Agenda Item)
- \$50,384 for speed display signs and traffic data collectors for the Fairfax County Police Department
- \$772,793 in contingency for project increases and/or future local cash matches for grant applications

Chairman McKay seconded the motion.

Supervisor Smith noted the following corrections to Attachment 3 of the Board Agenda Item, Park Authority Maintenance Projects:

- Rocky Run Stream Valley (SV) is only in the Springfield District, not the Springfield and Sully Districts, as listed
- Rocky Run SV in Greenbriar is in Springfield District, not the Sully District, as listed

Supervisor Palchik also noted that, in Attachment 3 of the Board Agenda Item, Nottoway is listed in the Hunter Mill District but it should be the Providence District.

Discussion ensued, with input from Michael J. Guarino, Chief, Capital Projects Section, Department of Transportation (DOT) and Negin Askarzadeh, Transportation Planner, DOT, regarding the maintenance projects process and needs assessment.

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

21. **A-9 – RESOLUTION SPECIFYING THE BOARD OF SUPERVISORS GOOD FAITH COMMITMENT TO APPROPRIATE FUNDING NECESSARY FOR THE COUNTY TO MEET ITS OBLIGATIONS UNDER THE TENTATIVE AGREEMENT WITH SOUTHERN STATES POLICE BENEVOLENT ASSOCIATION AS SET FORTH IN DEPARTMENT OF MANAGEMENT AND BUDGET’S FISCAL IMPACT STUDY** (1:17 p.m.)

- (R) Supervisor Gross moved that the Board concur in the recommendation of staff and adopt the Resolution indicating a good faith commitment to appropriate funding in Fiscal Year 2025 for the County to meet its obligations under the tentative agreement reached between Fairfax County and the Fairfax Chapter of the Southern States Police Benevolent Association. Chairman McKay and Supervisor Palchik jointly seconded the motion.

Discussion ensued regarding the agreement and support/non-support of the motion.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

22. **A-10 – RESOLUTION SPECIFYING THE BOARD OF SUPERVISORS GOOD FAITH COMMITMENT TO APPROPRIATE FUNDING NECESSARY FOR THE COUNTY TO MEET ITS OBLIGATIONS UNDER THE TENTATIVE AGREEMENT WITH INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 2068 AS SET FORTH IN DEPARTMENT OF MANAGEMENT AND BUDGET’S FISCAL IMPACT STUDY** (1:28 p.m.)

(R) Supervisor Gross moved that the Board concur in the recommendation of staff and adopt the Resolution indicating a good faith commitment to appropriate funding in Fiscal Year 2025 for the County to meet its obligations under the tentative agreement reached between Fairfax County and the Fairfax County Professional Fire Fighters and Paramedics, International Association of Fire Fighters (IAFF Local 2068). Chairman McKay seconded the motion.

Discussion ensued, regarding the challenges and changes in rules and the implementation process impacts.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

23. **I-1 – PRESENTATION OF THE FISCAL YEAR (FY) 2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND POPULAR ANNUAL FINANCIAL REPORT (PAFR)** (1:31 p.m.)

The Board next considered an item contained in the Board Agenda, presenting the FY 2023 ACFR and PAFR.

24. **RECESS/CLOSED SESSION** (1:32 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 Section 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 Section 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 Section 2.2-3711(A) (7) and (8).

1. *Association of Energy Conservation Professionals, Virginia Interfaith Power and Light, Appalachian Voices, and Faith Alliance for Climate Solutions v. Virginia State Air Pollution Control Board, Virginia Department of Environmental Quality, and Michael Robland, Director of Virginia Department of Environmental Quality*, Case No. CL-2023-0012061 (Fx. Co. Cir. Ct.)
2. *Application of Virginia Electric and Power Company*, Case No. PUR-2023-00049 (Va. State Corp. Comm'n) (Springfield District)
3. *Marcus Burke, by Government Employees Insurance Company, subrogee v. Harold Wolf*, Case No. GV23-010863 (Fx. Co. Gen. Dist. Ct.)
4. *Claudette Gama-Salazar v. Katharine M. Follot Layton*, Case No. GV23-020296 (Fx. Co. Gen. Dist. Ct.)
5. *Brookfield Washington, L.L.C. v. The County of Fairfax, Virginia, The Board of Supervisors of Fairfax County, Virginia, and The Department of Land Development Services of Fairfax County, Virginia*, Case No. CL-2022-0008210 (Fx. Co. Cir. Ct.) (Hunter Mill District)
6. *Jay Riat, Building Official for Fairfax County, Virginia v. Oanh Kim Tran and Cong Thanh Ngo*, Case No. GV22-006400 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
7. *Jay Riat, Building Official for Fairfax County, Virginia v. Jennet Mofor*, Case No. GV23-009477 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
8. *Jay Riat, Building Official for Fairfax County, Virginia v. Mizanur Rahman and Maria Rabeya Rahman*, Case No. CL-2022-0003620 (Fx. Co. Cir. Ct.) (Franconia District)

9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yuk Yee Cheng*, Case No. CL-2023-0015525 (Fx. Co. Cir. Ct.) (Franconia District)
10. *Jay Riat, Building Official for Fairfax County, Virginia v. Griselda G. Fernandez*, Case No. GV23-021197 (Fx. Co. Gen. Dist. Ct.) (Mason District)
11. *Jay Riat, Building Official for Fairfax County, Virginia v. Virginia Sanchez*, Case No. GV23-003016 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
12. *Jay Riat, Building Official for Fairfax County, Virginia v. Isela Flores*, Case No. GV23-003015 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. Victorine N. Tohnain*, Case No. GV23-005200 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), legal analysis regarding the following: *LaFave, et al. v. Fairfax County, et al.*, Case No. 1:23-cv-1605 (U.S. District Court for the Eastern District of Virginia); *Shiao v. Chain Bridge Woods, Inc.*, Fairfax County Circuit Court Case No. 2023-CL-15160; and insulin pricing multi-district litigation
- As permitted by Virginia Code Section 2.2-3711(A)(1), annual evaluations of the County Executive and the County Attorney

Chairman McKay seconded the motion. Following a query to Elizabeth Teare, County Attorney, regarding the amount of time needed for closed session, a brief discussion ensued regarding Board Matters, and Chairman McKay noted that the remaining Board Matters would be presented following the afternoon public hearings.

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

(NOTE: Later in the meeting, the remaining Board Matters were presented. See Clerk's Summary Items #37 - #53.)

At 3:54 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION**25. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION (3:54 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 by virtue of Virginia Code Section 2.2-3711 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 and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herry, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

26. AUTHORIZATION FOR THE COUNTY ATTORNEY TO INTERVIEW IN THE COURT CASE JAMES SHIAO ET AL V. CHAIN BRIDGE WOODS, INC., ET AL CASE NUMBER 2023-CL-15160 (3:55 p.m.)

Supervisor Foust moved that the Board authorize the County Attorney to intervene in the court case *James Shiao et al v. Chain Bridge Woods, Inc., et al*, Case Number 2023-CL-15160; a case pending in the Fairfax County Circuit Court and take whatever steps necessary to protect the Fairfax County’s interests as outlined by the County Attorney in closed session. Supervisor Lusk seconded the motion and it carried by unanimous vote.

27. ANNUAL EVALUATIONS OF THE COUNTY EXECUTIVE AND THE COUNTY ATTORNEY (3:56 p.m.)

Supervisor Gross stated that the Board has completed its annual evaluations of the County Executive and the County Attorney and will make salary adjustments subject to the terms discussed in closed session and will be effective on January 1, 2024. Chairman McKay seconded the motion and it carried by unanimous vote.

KK:kk

ADDITIONAL BOARD MATTERS**28. ORDERS OF THE DAY (3:57 p.m.)**

Chairman McKay announced that at the end of public comment, the Board will complete the Board Matters that were suspended earlier in the day.

29. OPTIONS FOR INDIVIDUALS TO PROVIDE TESTIMONY FOR PUBLIC HEARINGS (3:57 p.m.)

Chairman McKay stated that individuals have the following options to provide testimony during public hearings:

- Testify before the Board in person
- Provide testimony by telephone (Live)
- Provide testimony by YouTube video

At the designated point in the public hearing, speakers will be called from the Speakers List and they may come forward, or their video will be shown, or they will be connected by telephone. There will then be an opportunity for anyone else who would like to speak regarding the application. If they are present in the Board Auditorium, they may come forward to the podium or call in on a number that will be provided on the screen. Speakers testifying via video must have signed up and submitted their video no later than 9 a.m. on the day prior to the public hearing. For all testimony speakers are given three minutes to speak as an individual. If they are the spokesperson for a group, they are given five minutes.

AGENDA ITEMS

30. **3:30 P.M. – PUBLIC HEARING ON A PROPOSED AMENDMENT TO CHAPTER 122 (TREE CONSERVATION ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (COUNTY CODE) RE: TREE COMMISSION CHARTER** (3:58 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 24 and December 1, 2023.

John Friedman, Engineer IV, Land Development Services, presented the staff report.

Discussion ensued, with input from Christopher Harrington, Director, Department of Public Works and Environmental Services, regarding the proposed amendments equity and fiscal impact.

Following the public hearing, which included testimony by two speakers, Mr. Friedman presented the staff and Planning Commission recommendations.

Following comments, Supervisor Gross moved adoption of the proposed amendments to Chapter 122 (Tree Conservation Ordinance) of the Code of the County of Fairfax. The motion was multiply seconded and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Herrity being out of the room.

31. **3:30 P.M. - PUBLIC HEARING TO ENTER INTO AN AGREEMENT WITH NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) FOR FUND ADMINISTRATION** (4:12 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 24 and December 1, 2023.

Joni Calmbacher, Division Director, Stormwater Planning Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Jerry Peters, Chairman, NVSWCD, gave remarks regarding this item.

Ms. Calmbacher presented the staff recommendation.

Following comments, Supervisor Gross moved that the Board authorize the County Executive or his designee to enter into an agreement with NVSWCD to implement the grant programs associated with the Fund. Supervisor Lusk and Supervisor Palchik jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

32. **3:30 P.M. - PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND READOPT FAIRFAX COUNTY CODE SECTION 7-2-13 AND RELOCATE THE POLLING PLACE FOR THE GREENSPRING PRECINCT IN THE FRANCONIA DISTRICT (FRANCONIA DISTRICT)** (4:17 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 24 and December 1, 2023.

Martin R. Desjardins, Assistant County Attorney, presented the staff report.

Discussion ensued, with input from Katherine Hanley, Chairman of the Electoral Board, regarding the polling place for the Greenspring Precinct.

Following the public hearing, Supervisor Lusk moved that the Board adopt an ordinance to amend and readopt Fairfax County Code Section 7-2-13 relating to election precincts and polling places to move the polling place for the Greenspring precinct. 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 Storek, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

33. **3:30 P.M. - PUBLIC HEARING TO VALIDATE AND CONVEY PROPERTY AT THE FAIRFAX COUNTY GOVERNMENT CENTER TO**

THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (BRADDOCK DISTRICT) (4:21 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 24 and December 1, 2023.

Thomas E. Fleetwood, Director, Department of Housing and Community Development, presented the staff report.

Following the public hearing, Mr. Fleetwood presented the staff recommendation.

Supervisor Walkinshaw moved that the Board approve the resolution, as attached to the Board Agenda Item, and authorize staff to prepare and execute all documentation necessary to convey the property at the Fairfax County Government Center, generally identified as Parking Lots G and H on Tax Map Number 56-1 ((15)), parcel 14B to the FCRHA. If the FCRHA no longer pursues the project, the FCRHA will transfer ownership of the property back to the Board. The motion was multiply seconded and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

34. **3:30 P.M. - PUBLIC HEARING TO VALIDATE AND CONVEY PROPERTY AT THE FRANCONIA GOVERNMENTAL CENTER TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FRANCONIA DISTRICT)** (4:24 p.m.)

Supervisor Lusk moved to defer the public hearing to Validate and Convey Property at the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority until **January 23, 2024, at 4:30 p.m.** Supervisor Smith seconded the motion and it carried by unanimous vote.

35. **3:30 P.M. – PUBLIC COMMENT ON ISSUES OF CONCERN** (4:25 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of November 24 and December 1, 2023.

Chairman McKay announced the rules associated with public comment: The Board will hear public comment on any issue, except issues under litigation; issues that have been scheduled for public hearing before the Board; personnel matters and/or comments regarding specific individuals. Speakers must register in advance, and each speaker is given three minutes for his or her remarks. A maximum of ten speakers may address the Board during any public comment period and speakers may address the Board once during a six-month period.

Public comment was held and included the following individuals:

- Steven Monahan, Regarding Animal Protection Police Officers
- Siobhan Chase, Regarding Animal Protection Police Officers

DMS:dms

ADDITIONAL BOARD MATTERS

36. **ORDERS OF THE DAY** (4:33 p.m.)

Chairman McKay announced that the Board would be returning to Board Matters, beginning with the Dranesville District Supervisor.

(NOTE: Earlier in the Meeting, additional Board Matters were presented. See Clerk's Summary Items #8 - #10.)

37. **FOR-SALE WORKFORCE DWELLING UNIT (WDU) POLICY AND PROGRAM REVISIONS** (4:34 p.m.)

Supervisor Foust stated that the Board established the WDU For-Sale Policy Task Force to examine challenges and potential improvements to the WDU for-sale program. The task force represented a diverse set of stakeholders from the affordable housing advocacy community including the development industry, the Planning Commission and the Redevelopment and Housing Authority, and Departments of Housing and Community Development and Planning and Development. The group evaluated several topics relating to Work Force Development policies and procedures, including income levels served, the number of units produced and sold, sales prices of those units, financial impact on shifts to affordability ranges, resale best practices, term controls, geographic applicability, and ways to streamline the process.

The task force reached consensus in October of 2023 on several recommended policy changes that would require Board approval including shifting the affordability level of the program from a range of up to 80 percent to 120 percent Average Medium Income (AMI), to a range of up to 70 percent to 100 percent AMI, expanding guidance on proportionality of bedroom counts between the WDU and market rate units with flexibility for family-sized units; and extending the geographic applicability to certain properties outside of development centers. In addition, the task force recommended changes to the WDU pricing model and resale formula that can be made administratively with approval from the County Executive. The recommendations aim to maximize the potential of the for-sale WDU program to serve low- and moderate-income families, maintain project feasibility, and increase predictability in the development process. These recommendations were discussed at the Board's November 28, 2023, Housing Committee meeting. The next step is for these proposed changes to be considered for incorporation into the Comprehensive Plan.

Therefore, Supervisor Foust moved that the Board direct staff to prepare:

- A proposed Comprehensive Plan amendment based on the task force recommendations for the Board's consideration. Consistency between the for-sale and the rental programs should be considered, as well as an additional focus on the effectiveness of the 100 percent AMI tier. The proposed amendment should include options and ranges, as appropriate, for the Board's consideration. In drafting the proposed amendment, staff should engage a diverse group of stakeholders for input
- For public hearing proposed revisions to the Countywide and Tysons Urban Center WDU Administrative Policy Guidelines for consideration, in line with the proposed Plan Amendment

The motion was multiply seconded and it carried a vote of eight, Supervisor Herrity and Supervisor Walkinshaw being out of the room.

38. **PROCLAMATION REQUEST FOR KIMBERLY DORGAN** (4:38 p.m.)

Supervisor Foust stated that Kimberly Dorgan has been a long-time advocate for the revitalization of the downtown McLean area. She has served on the McLean Revitalization Corporation (MRC) Board since 2016 and has been President of the organization since January 2021.

Supervisor Foust stated that in May 2018, he appointed her as Chair of the McLean Community Business Center (CBC) Task Force, a 20-member group of residents representing various stakeholders including neighborhood and community organizations, landowners, and businesses. The purpose of the Task Force was to work closely with the community and staff to discuss, evaluate and refine proposed changes to the Comprehensive Plan for downtown McLean using the Vision Plan developed by the community.

The Task Force met almost every month for over two and a half years, for a total of 29 public meetings. The group debated levels of development, where it should be located, and what form it should take. They also spent considerable time analyzing the impact of development and mitigation measures related to public facilities such as school, parks, and roads. The Board approved the Comprehensive Plan on June 22, 2021, the first significant revision to the plan in over 20 years.

Supervisor Foust stated that in her time on the MRC and the Task Force, Ms. Dorgan has worked on numerous revitalization efforts in McLean and has been an effective leader who was able to achieve consensus among people with very different opinions. Supervisor Foust shared that Ms. Dorgan has announced that she is stepping down from her role as President of the MRC as of the end of this year but will remain on the Board.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a Proclamation for Ms. Dorgan, in recognition of her significant contributions to the McLean community, to be presented at an MRC event, to be held in McLean, on December 8, 2023. Without objection, it was so ordered.

39. **“HIGH PRESSURE” GAS LINES** (4:40 p.m.)

Supervisor Foust stated that residents have expressed concern regarding the potential installation of “high pressure” gas lines underneath local residential streets. “High-pressure” gas lines are a component of an overall system, but do not directly provide gas service to the adjacent residences. The residents have questioned the safety and need for this type of line to be located under a local residential street, citing concerns about a higher risk for gas leaks and related hazards in the event of a rupture due to construction activities within proximity of the line.

With regard to utility facilities located in a street right-of-way, Zoning Ordinance Subsection 4102.4.X(3) currently exempts from regulation “[w]ires, cables, conduits, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of electricity, gas, or water, or the collection of sewage or surface water operated or maintained by a government entity or a public utility..., whether any such facility is located underground or above ground.”

While underground pipes, mains and conduits can be located both above and below ground throughout the County and are critical to the provision of necessary utilities to residents and businesses in the County, “high-pressure” gas lines could have a greater potential for damage to life and property in the event of a rupture than other types of utilities such as water, sewage, or electricity.

Therefore, jointly with Chairman McKay, Supervisor Palchik, and Supervisor Smith, Supervisor Foust moved that the Board direct the Department of Planning and Development, and other appropriate staff, including the County Attorney, to evaluate:

- Options to allow for Board evaluation of, or possible prohibition of, “high-pressure” gas lines within local street rights-of-way based on factors including location, size and type of pipe as well as other operational characteristics
- Industry best practices related to the safety, installation and location of such “high- pressure” gas lines
- Present the findings and recommendations to the Board at the Land Use Policy Committee in March 2024

The motion was multiply seconded and it carried a vote of eight, Supervisor Herrity and Supervisor Walkinshaw being out of the room.

40. **REQUEST TO WAIVE APPLICATION FEES FOR PERMITS ASSOCIATED WITH THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB, SPRINGFIELD GLOBAL LIONS CLUB, AND ALEXANDRIA ASIAN AMERICAN LIONS CLUB 2024 FLEA MARKETS** (4:43 p.m.)

Supervisor Lusk stated that, with Board approval, he is requesting a a waiver of the application fees for permits associated with the flea markets conducted by the Springfield-Franconia Host Lions Club, Springfield Global Lions Club, and Alexandria Asian American Lions Club. The Board has approved waiver requests for the Lions Clubs annually since 1994, and these three clubs have collaborated again to submit a joint fee waiver request for 2024.

The flea markets will be held at the Backlick Road Virginia Railway Express (VRE) Station parking lot on Saturdays and Sundays from March to November in 2024. All net proceeds generated by the flea markets are returned to the community. The Lions Clubs provide a portion of the funds generated by the flea markets to charitable organizations including Koinonia, ECHO, Second Story, Juvenile Diabetes Association, Foundation Fighting Blindness, the Virginia Lions Eye Institute Foundation (VLEIF), and local food banks. They also work to provide community members in need with eye exams, eyeglasses, and hearing aids through direct contributions and by partnering with the Northern Virginia Eyeglass Recycling Center, VLEIF, and MyEyeDoctor.

The Springfield-Franconia Host Lions Club, Springfield Global Lions Club, and Alexandria Asian American Lions Club respectfully requested that the Board support their fee waiver applications for 2024 and have shared their appreciation for its continued support. The Clubs wanted to note that use of the VRE Backlick Station may be impacted if VRE begins weekend service in the Summer of 2024. They are continuing to monitor developments and any potential impacts to the flea market use of the Backlick Station parking lot and search for a suitable alternative location if necessary.

Therefore, jointly with Supervisor Gross, Supervisor Lusk moved that the Board waive the application fees for permits associated with the Springfield-Franconia Host Lions Club, Springfield Global Lions Club, and Alexandria Asian American Lions Club 2024 flea markets as held on the dates included in the chart attached to his written Board Matter. Chairman McKay seconded the motion. Following discussion regarding omitting the actual dates and approving the fee waivers for the groups, the question was called on the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Walkinshaw being out of the room.

41. **PROCLAMATION REQUEST FOR ALEXANDRA “ZANDY” WONG** (4:46 p.m.)

Supervisor Lusk stated that he would like to recognize Alexandra “Zandy” Wong, a class of 2020 Hayfield Secondary School graduate, and current senior at

Johns Hopkins University, majoring in Public Health Studies, for being selected as one of this year's Rhodes Scholars. The award is the most prestigious international scholarship for American college graduates.

Ms. Wong is one of 32 students to be selected for this year's scholarship. She plans to pursue two Master of Science degrees, one in Applied Digital Health, and the other in Evidence-Based Social Intervention and Policy Evaluation. The road to her success has not been an easy one. She was born with over 90 percent hearing loss in her left ear. At the age of 12, she heard birds sing for the first time when she received a bone anchored hearing aid, or BAHA. The technology in the implant is what led her to pursue a science and stem career.

Ms. Wong started at Johns Hopkins during the pandemic and encountered accessibility issues in a new, online environment. This led to her advocating for herself and others. She then formed NextGen Accessibility Initiative; an organization that partners with Gen Z led organizations to make their content fully accessible for younger audiences. Ms. Wong has helped create accessible educational content for over 200,000 students across 119 countries. She plans to attend Oxford in October 2024 and then plans to go to medical school to become an academic physician.

Ms. Wong's parents want to thank the Fairfax County Public School system for providing a solid academic foundation and nurturing environment for their children, Meghan, Hana, Zandy, and Sydney Kai. They would like to recognize the following individual schools and the support provided by the Individualized Education Program (IEP), that helped her in speech and language, which began with her Early Childhood Education program through the 10th grade:

- Preschool program at Franconia Rec Center, IEP 2006-2007
- Hayfield Elementary School, 2008-2014
- Twain Middle School, 2014-2016
- Hayfield Secondary School, 2016-2020

Therefore, Supervisor Lusk asked unanimous consent that the Board direct staff to prepare a Proclamation for Alexandra "Zandy" Wong, in recognition of her being selected as a 2024 Rhodes Scholar, to be presented at a future Board meeting where her family and friends can be present to celebrate her outstanding accomplishments. Chairman McKay seconded the motion and it carried a vote of eight, Supervisor Herrity and Supervisor Walkinshaw being out of the room.

42.

PROCLAMATION REQUEST FOR SAINT (ST.) MARK'S LUTHERAN CHURCH (4:50 p.m.)

Supervisor Lusk stated that December 6, 2023, will be the 70th Anniversary of St. Mark's Lutheran Church located in Springfield, Virginia. St. Mark's Lutheran Church has a rich and impressive history. Founded on December 6, 1953, near the crossroads of Northern Virginia in an old farmhouse on Backlick Road, before the Beltway existed. There were 52 adults and 45 children who became the original members of the Church, with the first programming consisting of Worship Services and Sunday School. Amidst these humble beginnings initiated by the Board of American Missions of the Augustana Lutheran Church and Reverend Clarence T. Nelson, St. Mark's set the stage for its commitment to community, fellowship, and communion.

In August 1954, St Mark's welcomed Reverend Duane Carlson to be its first Pastor. Pastor Carlson and his wife Alice led the congregation for 37 years. Under Pastor Carlson's leadership the church expanded rapidly with many offerings for its parishioners. With Sunday School, confirmation classes, choirs, St. Mark's Garden Club, Vacation Bible School, and many other programs, St. Mark's became a strong hub for spiritual study and life. It is impressive to note that two of St. Mark's outstanding contributions started very early on in the Church's history. First, in the early 1960's, St. Mark's had a key role in the founding of ECHO, a coalition of churches organized to distribute food to surrounding areas in need. ECHO is a valuable Springfield non-profit that is still thriving today and supporting the most vulnerable residents with food, clothing and even computers. Also, in the early 1960's, the music program at St. Mark's was launched. The music program is vital to the life of the congregation. Supervisor Lusk shared that he has experienced the beauty of the concerts, and chorale presentation at the church on many occasions.

In the fall of 1967, St Mark's broke ground on a new educational wing and expanded its physical presence, along with a commitment to emphasizing visual art as part of the religious experience. They commissioned Una Hanbury, a Sculptor, to create three impressive pieces that represents the shared spiritual and community values of the growing congregation. Ms. Hanbury created the statue at the entrance of the church entitled "Family" and two relief sculptures located in the lounge and the entrance to the education wing.

The 1970's highlighted the beginning of St. Mark's philosophy of social involvement and community inclusivity through their church resources and programs for refugees and immigrants. Additionally, St. Mark's expanded its education program to offer pre-school education. While the accomplishments of St. Mark's Church are too many to mention, its commitment to creating a supportive and spiritually connected community for all residents is evident.

Under the current leadership, Pastor Albert Triolo and Pastor Saul Cardona lead worship services in English and Spanish to over 200 parishioners worshipping each week. The Church offered virtual services even before the Covid-19 pandemic began and has continued with the Church's commitment to addressing food insecurity by holding a weekly food distribution. Pastor Triolo is leading the latest

building renovation and expansion which will allow for a larger education wing and school as well as a more usable courtyard and additional handicapped parking.

Therefore, in honor of St. Mark's Lutheran Church's 70th Anniversary and its extraordinary accomplishments of religious and community support, Supervisor Lusk moved that the Board direct staff to prepare a Proclamation to be presented to Pastor Triolo at St. Mark's Church on a future date. Chairman McKay seconded the vote and it carried by unanimous vote.

43. **AUTHORIZATION OF COMPREHENSIVE PLAN AMENDMENT FOR ROGER BACON DRIVE PROPERTIES IN RESTON AND THE REMOVAL OF THE BROOKFIELD PLAN AMENDMENT FROM THE COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM (HUNTER MILL DISTRICT)** (4:53 p.m.)

Supervisor Alcorn announced that he will have two motions related to the Comprehensive Plan Amendment Work Program. The first motion will be to direct staff to evaluate a potential change to the Comprehensive Plan guidance for parcels located along Roger Bacon Drive in Reston, within the Wiehle Transportation Overlay District North District of the Wiehle-Reston East Transit Station Area approximately, a half-mile from the Metrorail Station. The Comprehensive Plan recommendations for this district envision a pedestrian oriented environment with mid-and-high-rise buildings with a mix of uses and ground level retail up to a 1.5 floor area ratio (FAR). The parcels along Roger Bacon Drive are developed with two midrise office buildings, a commercial condo building with 23 units, and three free-standing restaurants, and are all served with surface parking.

To better achieve the vision for this area and to create additional opportunities for housing within walking distance to the Wiehle-Reston East Metrorail and the Washington and Old Dominion Trail (W&OD), there is an opportunity to evaluate the Plan and consider residential mixed-use up for the parcel located at 11260 Roger Bacon Drive. This parcel is developed with a five-story office building, constructed in 1980 with surface parking, and this Plan Amendment would consider a residential mixed-use building with approximately 275 units and 3,000 square feet of ground floor retail. This evaluation should also include parcels to the east and south along Roger Bacon Drive and Michael Faraday Court for a coordinated analysis of potential impacts and to achieve an interconnected street network linking Roger Bacon Drive, Michael Faraday Court, and potentially Lake Fairfax Business Park. The addition of this Plan Amendment to the Work Program was coordinated with staff and it did not raise issues with staff resources.

Supervisor Alcorn stated that his second motion is related to the Brookfield Plan Amendment (Site-Specific Plan Amendment (SSPA) Application SSPA 2023-III-7UP), previously authorized by the Board on April 11, 2023, as a Tier 3 item on the Work Program. The motion will remove consideration of this

Plan Amendment from the Work Program. Review of this area could be considered during the next SSPA nomination period if a nomination is received at that time.

Therefore, Supervisor Alcorn moved that the Board:

- Direct staff to consider a Comprehensive Plan amendment to consider residential mixed-use up to 2.5 FAR for Tax Map 7-4 ((15)) 2. This Plan Amendment should consider a planned grid of streets linking Roger Bacon Drive, Michael Faraday Court, and Lake Fairfax Business Center, and therefore include the following parcels: Tax Map 17 – 4 ((16)) 1 – 23; 17-4 ((15)) 4, 17-4 ((15)) (5) 1, 3A, 4 and A; 18-3 ((5)) 7, 7A, 8B and G. Additionally, the analysis of the impacts will be considered in coordination with the proposed Plan Amendment for Lake Fairfax Business Center. The proposal should also prioritize increased connectivity to the Wiehle-Reston East Metrorail Station and the W&OD Trail, consider adopted watershed plans, and ensure the preservation of the existing Resource Protection Area (RPA) adjacent to Lake Fairfax Park. This Plan Amendment should be identified as a Tier 1 priority item on the Comprehensive Plan Amendment Work Program
- Remove the Brookfield Plan amendment (SSPA 2023-III-7UP) from the Comprehensive Plan Amendment Work Program

The motion was multiply seconded. Following discussion, with input from Leanna O'Donnell, Director, Planning Division, Department of Planning and Development, regarding provisions and nominations, the question was called on the motion and it carried by unanimous vote.

44. **AUTHORIZATION FOR COUNTY STAFF TO DISCUSS OPTIONS FOR FUTURE OF VIENNA WATER WITH TOWN OFFICIALS** (4:58 p.m.)

Supervisor Alcorn stated that, following informal conversations in the community and with various Town of Vienna officials, the time has come for a more in-depth discussion between staff from Fairfax Water and Town of Vienna officials, concerning the future of public water service delivery in the Town of Vienna and surrounding areas currently served by Vienna Water.

Therefore, jointly with Supervisor Palchik, Supervisor Alcorn moved that the relevant County and Fairfax Water staff be authorized to discuss issues related to the future of public water service in the Vienna area and report to the Board with an update on those discussions by the summer of 2024. Supervisor Palchik seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

45. **HUNTER MILL DISTRICT WINTER COAT CLOSET** (4:59 p.m.)

Supervisor Alcorn announced that his office hosted the Hunter Mill District Winter Coat Closet on November 18, 2023. This event was started by his predecessor, former Hunter Mill District Supervisor Hudgins to ensure that neighbors in need have warm winter coats and other winter clothing. This year's event was a great success. More than 1,000 winter coats, hats, and scarves were distributed to hundreds of local families. This outstanding effort was led by his staff member, Jillian Smith, along with representatives of Cornerstones, Reston District Police Officers, and many volunteers from area organizations and businesses.

46. **AUTHORIZATION OF A COMPREHENSIVE PLAN AMENDMENT FOR THE PENN DAW FIRE STATION, EMERGENCY, AND AFFORDABLE HOUSING (MOUNT VERNON DISTRICT)** (5 p.m.)

Supervisor Storck summarized his written Board Matter, which reads: The Penn Daw Fire Station was built in 1967 as a Volunteer Fire Station and is one of the oldest and busiest stations in the County. While the station has tremendous character and history, it sits in a tight cul-de-sac with an inefficient layout for operations, inadequate female living quarters, and no room for future growth. The Penn Daw Station is also well known for its tremendous community support through annual coat, school supply, and holiday drives uplifting thousands of children.

Funding for a new fire station was approved in the 2015 Bond Referendum. After several years of searching for a location, in 2020 the County purchased the former Hybla Valley Nursery site at 2801 Beacon Hill Road. This 3.5-acre site is located near the current site, allows for construction without building a temporary fire station, saving millions of dollars, and is less than a tenth of a mile to Richmond Highway and a future bus rapid transit station.

Funding for a new emergency shelter in South County was approved along with three other County shelters in the 2016 Bond Referendum. Following extensive efforts to sustain the Eleanor Kennedy Shelter and a prolonged search for alternative sites, staff considered collocation with the new Hybla Valley Nursery site.

There has been very strong Board support about the criticality of addressing the human need for modern emergency responsiveness for all members of the community, whether through its best-in-class Fire and Rescue Department or folks needing a healthy home for the night. Current facilities are not up to these standards and have needed to be replaced for more than a decade. The new collocated facility concept is supported by the County's Strategic Plan and aligns with its Housing First goals and efforts to prevent and end homelessness.

Supervisor Storck stated that, as a result, on November 6, 2020, he convened an advisory committee with members from neighboring communities, public safety

representatives, the faith community and affordable/emergency housing providers, as well as the Mount Vernon Council of Citizens Association, the Mount Vernon Springfield Chamber of Commerce, and representatives from Fort Belvoir. The advisory committee members have been an essential part of the communication process with the community, his office, and with staff. Outreach included 17 public committee meetings and six community meetings (with two postcard mailer notifications) to gather public feedback on topics such as other potential sites, public safety, community impacts, outdoor spaces, parking, traffic, building design, noise, sustainability, and site design.

Once the due diligence process for considering other sites was completed, a final decision was made to pursue the Beacon Hill Road site. An extensive design process began and is still underway with community engagement at every point.

Therefore, Supervisor Storck moved that the Board direct staff to initiate a Comprehensive Plan amendment for Board consideration to collocate the new fire station, community shelter, and affordable housing on Tax Map Parcels 93-1 ((17)) 5, 6, 7, 8, A and B. The Plan Amendment should be identified as a Tier 1 priority item on the Comprehensive Plan Amendment Work Program. This motion should not be construed as a favorable recommendation on future applications by the Board and does not relieve any applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of future applications. Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

47. **MOUNT VERNON DISTRICT ANNOUNCEMENTS** (5:04 p.m.)

Supervisor Storck shared the following announcements in the Mount Vernon District:

- Potomac Banks, located in the southern part of the County, is steeped in history, culture, museums, natural resources and other attractions that tell the tale of the history of America. A visit here will place you in one of the most historically rich areas in the entire United States where you will find unique stories that make up the fabric of the local community and nation as a whole
- Holiday Open House 2023 will be held on December 7, 2023, 5:30 – 7:30 p.m. at the Mount Vernon Governmental Center and he invited the Board and community to attend

48. **RESOLUTION OF RECOGNITION REQUEST FOR HILTON** (5:06 p.m.)

Supervisor Palchik stated that the best place to work in the world is right here in the County. Hilton, headquartered in Tysons, topped the 2023 World's Best

Workplaces list compiled by *Fortune* and *Great Place to Work*. This recognition also marks the first time a hospitality company has achieved the top honor.

Each year, *Great Place to Work* invites companies to participate in a rigorous, databased model that quantifies the employee experience to determine the World's Best Workplaces. The process includes soliciting employee feedback through surveys, collecting data about company culture and workforce, and achieving certification status. This year's World's Best Workplaces list is based on 6.2 million survey responses from employees around the globe.

Hilton made efforts this year to enhance its workplaces and attract talent. Since 2016, Hilton has continued to build its strong culture by creating an inclusive workspace that offers growth opportunities and provides support to its 460,000 employees around the world. The survey found that 90 percent of Hilton employees said the company is a great place to work, 88 percent said their work has a special meaning to them, and 84 percent said that management involves people in decisions that affect their jobs or work environment. Additionally, Hilton was ranked number 10 in the nation on *Military Times*'s annual 2023 Best for Vets ranking and named the 'Best Workplace for Women' in the United States.

To thank Hilton employees for their commitment to expanding talent in the hospitality industry, Hilton launched Hilton Cares, a scholarship and financial assistance program that will provide \$500,000 to employees and community members passionate about building and growing careers in hospitality.

Hilton renewed its lease in Tysons and plans to add 350 jobs over the next five years. Tysons is a great place to work because of companies like Hilton that put their employees first.

Therefore, jointly with Chairman McKay and Supervisor Foust, Supervisor Palchik moved that the Board direct staff to prepare a Resolution of Recognition for Hilton, in recognition and celebration of it being named the Number 1 World's Best Workplace. Chairman McKay and Supervisor Foust jointly seconded the motion and it carried by unanimous vote.

49.

VEHICLE TAX RELIEF UPDATE – VIRGINIA DEFENSE FORCE (VDF)
(5:09 p.m.)

Supervisor Herrity stated that the VDF is authorized by the *Code of the Virginia* as the all-volunteer reserve component of the Virginia National Guard and serves as a force multiplier integrated into all Guard domestic operations. Members of the VDF volunteer their time for training and community support and are only paid when called to State active duty by an authorization from the Governor of Virginia.

Supervisor Herrity stated that after a meeting with a constituent in 2018, it was brought to his attention that members of the VDF are not included in the County's special subclass with the tax rate of \$0.01 per \$100 of assessed value. The subclass

currently includes vehicles owned by auxiliary police officers, auxiliary deputy sheriffs, disabled veterans, volunteer firefighters, and qualifying seniors. The *Code of Virginia* Section 58.1-3506 (44) states that motor vehicles owned or leased by persons who serve as uniformed members of the VDF are eligible for the County's special subclass.

Supervisor Herrity stated that in 2018, he requested an estimate of the fiscal impact of including the VDF as a special subclass. Supervisor Herrity further stated that he recently asked the Department of Tax Administration to provide an update of the estimate of the impact of providing this exemption for those eligible in the County. The rough estimate was \$53,430.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct the Department of Tax Administration to provide the Board an estimate of the fiscal impact of adding the VDF to the list of properties included in the County's special subclass at the tax rate of \$0.01 per \$100 of assessed value and report the results to the Board in January of 2024. In addition, this report should include the service requirements of the members of VDF and a list of Virginia jurisdictions that have/have not implemented this policy change. Without objection, it was so ordered.

50. **REQUEST TO EXPEDITE PROCESSING FOR 11 VALLEY ROAD LLC (SPRINGFIELD DISTRICT)** (5:11 p.m.)

Supervisor Herrity stated that 11 Valley Road LLC (the applicant) is the owner of approximately 3.84 acres located on the south side of Valley Road on the property identified as Tax Map Parcel 46-4 ((2)) 25 (the subject property) and zoned to the R-1 District.

The applicant proposes a waiver of the minimum lot width requirement in the R-1 District to permit a subdivision of the subject property into three lots. The density of the proposed subdivision will be less than one dwelling unit per acre, which is consistent with the R-1 zoning and the lot sizes of surrounding development.

The special exception application is scheduled for a public hearing before the Planning Commission on February 7, 2024. Given the length of time it has taken to find a path forward to develop the subject property, the applicant would like to proceed to subdivision as soon as possible. Therefore, the applicant has asked for consideration of concurrent processing and the scheduling of a public hearing before the Board.

Therefore, Supervisor Herrity moved that the Board direct staff to:

- Authorize concurrent and simultaneous processing of a site plan, subdivision plat, architectural drawings, and any other drawings

as may be necessary in conjunction with Special Exception Application SE 2023-SP-00016

- Schedule a hearing for SE 2023 SP-00016 before the Board on February 20, 2024. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards

Chairman McKay seconded the motion. Following an inquiry regarding whether staff is in favor of the proposed dates, the question was called on the motion and it carried by unanimous vote.

51. **PROCLAMATION REQUEST FOR ANTIOCH BAPTIST CHURCH (SPRINGFIELD DISTRICT)** (5:14 p.m.)

Supervisor Herrity stated that on January 8, 1989, Antioch Baptist Church was founded under Pastor John Q. Gibbs, holding its first worship service at the Salvation Army Chapel on Ox Road. In 1995, Pastor Marshal L. Ausberry took over and led the church's expansion efforts until his retirement last June. Antioch Baptist Church purchased 3.6 acres of land to build its current facility at 6531 Little Ox Road and added numerous ministries to welcome newcomers. As of today, the campus has expanded to 23 acres and a ministry center.

As the church grew, so did its community impact. The church sponsored missions in Haiti and other countries, reintegration opportunities for ex-offenders, and services for the homeless and those who are sick or elderly. The church also supports many kids through its Sunday school and Awana club programs, tutoring and financial literacy ministries, and providing transition assistance for military members and veterans. The church continues to support many throughout Fairfax County today by focusing on the importance of faith, community, and love for all people.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Proclamation for Antioch Baptist Church, in recognition of its 35th Anniversary and community service to the County, to be presented out of the Board Room. Without objection, it was so ordered.

52. **PROCLAMATION REQUEST DESIGNATING JANUARY 2024 AS "HUMAN TRAFFICKING AWARENESS MONTH" IN FAIRFAX COUNTY** (5:15 p.m.)

Supervisor Herrity stated that human trafficking is the fastest growing criminal enterprise in the world. The Department of Homeland Security (DHS) defines trafficking as involving the use of force, fraud, or coercion to obtain some type of labor or commercial sex act. Each January the Board recognizes "National Human

Trafficking Awareness Month” and the sobering reality that even as the County works hard to end this crime, many continue to suffer horrific treatment at the will of traffickers.

The instability of the pandemic exacerbated vulnerable conditions for many that made them more susceptible to traffickers. As stated by the United States Advisory Council on Human Trafficking (USACHT), traffickers do not necessarily target people; they target vulnerabilities. Tragically, this is demonstrated by the increase in child trafficking around the world and even here in the County. County staff reported that they have seen an increase in trafficking victims who are seven to 10 years old, including more male children than in previous years. In 2022, the County served 110 human trafficking victims, many of whom were seeking County assistance for immediate needs and were later identified as being trafficked. Human trafficking data is historically incomplete because of underreporting and difficulty identifying victims.

Trafficking can take many forms including sexual exploitation, domestic servitude, and forced labor. Supervisor Herrity stated that in March 2019, he asked the Board to form an interdepartmental work group to focus on the issue of over 80 illicit massage businesses (IMBs) operating in the County. These businesses hide in plain sight among legitimate businesses and make up one of the largest and most networked markets in the United States sex trafficking industry. While the pandemic delayed efforts, the County has made strides in the last year. Police are working with the nonprofit partners to investigate suspected IMBs. Meanwhile, as approved in the 2020 Board Matter, staff have begun reviewing the massage ordinance and identifying recommendations that would make it more robust, creating a nonpermissive environment for illegitimate massage businesses.

While the County and its nonprofit partners work tirelessly to support victims and bring traffickers to justice, residents play a critical role in the fight to end human trafficking. All residents should be aware of the indicators of trafficking as well as who to call for help. If you are in immediate danger, or see someone in immediate danger, call 9-1-1. Residents should never try to confront a trafficker. Sometimes people do not know how to help or are unsure if what they are seeing is trafficking. The County’s Domestic and Sexual Violence Services (DSVS) team suggests that residents focus less on building certainty that a case is trafficking and instead focus on helping those around you who are vulnerable. Since traffickers target the most vulnerable, you can help prevent trafficking by helping others who have recently been displaced, are experiencing family turmoil, or have financial insecurity. In addition, residents should be increasingly vigilant about activity online, especially for their children. According to the USACHT 2022 Annual Report, online recruitment is the number one method to lure people in sex trafficking globally.

Therefore, Supervisor Herrity moved that the Board direct staff to prepare a Proclamation designating January 2024 as “*Human Trafficking Awareness Month*” in the County, in recognition of the tireless efforts by staff and County partners who have worked to raise awareness, aid survivors, and bring traffickers to justice, to be

presented to the County's DSVS team at the Board's January 23, 2024, meeting. Supervisor Smith seconded the motion.

Discussion ensued regarding the new addition of SafeSpot Fairfax to the Board Matter. Following discussion regarding the data in the Board Matter conflicting with the data previously shared by staff, Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to provide a memo detailing the accurate data with statistics and figures prior to the presentation of this Proclamation scheduled for the Board meeting on January 23, 2024. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

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

53. **NO BOARD MATTERS FOR SUPERVISOR SMITH (SULLY DISTRICT)** (5:21 p.m.)

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

54. **BOARD ADJOURNMENT** (5:22 p.m.)

At 5:22 p.m. the Board adjourned.