



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**TUESDAY  
February 20, 2024**

*This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <https://www.fairfaxcounty.gov/boardofsupervisors/board-meeting-summaries>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 711 (TTY).*

---

**05-24**

---

**JR:jr**

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, February, 20, 2024, at 9:32 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor James N. Bierman, Jr., Dranesville District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Andres F. Jimenez, Mason District
- Supervisor Rodney Lusk, Franconia District
- Supervisor Dalia Palchik, Providence District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Daniel G. Storek, 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; Jacqueline Rich, Management Analyst; Ekua Brew-Ewool and Kecia Kendall, Deputy Clerks, and Danya Alattar, Administrative Assistant, Department of Clerk Services.

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:33 a.m.)

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

- John Mason, who died recently. He was a former Fairfax City Mayor and also served on the Fairfax City Council; served in the United States Army where he completed two tours in Vietnam and retired as a colonel; served as vice president of SAIC; served as Director of the Transportation Policy and Analysis Center; and served on many regional boards and commissions over the course of four decades
- Catherine Riley, who died recently. She had a long and distinguished career with the Fairfax County Economic Development Authority and had a tremendous impact on the growth of the County. She also served on numerous regional, State, and international Economic Development Councils including the Greater Reston Chamber of Commerce and Leadership Fairfax
- The victims of a devastating house explosion in Loudoun County where Sterling Volunteer Firefighter Trevor Brown lost his life, 11 first responders and two civilians were taken to the hospital with varying injuries, the homeowner and neighbors who were traumatized by the event, the Sterling Volunteer Fire Company, and the Fairfax County Fire Department
- Hong Tang and Yan Zhou who died recently. Both were additional victims of the recent fatal car crash at the Braddock Road and Bradfield Drive intersection in Burke
- Pastor Kevin Corey, who died recently. He was a Newington resident and Youth Pastor of Calvary Road Baptist Church in Alexandria, Virginia. He was in the process of transitioning to be a Senior Pastor

**EBE:ebe**

2. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (9:47 a.m.)

Supervisor Smith moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard February 20, 2024.” Chairman McKay and Supervisor Palchik jointly 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. Kerrie Wilson as the Dranesville District Representative

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

**ADVISORY SOCIAL SERVICES BOARD**

Appointment of:

- Ms. Hillary Hogan as the Springfield District Representative

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

The Board deferred the appointment of the Builder (Multi-Family), Engineer/Architect/Planner #1 and #2, the Lending Institution, and the Non-Profit Housing Representatives.

**AIRPORTS ADVISORY COMMITTEE**

The Board deferred the appointment of At-Large Chairman's, Dranesville District Business and Sully District Representatives.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)**

The Board deferred the appointment of the At-Large #1, #2, #3, #5 and #6 Representatives.

**ANIMAL SERVICES ADVISORY COMMISSION**

Reappointment of:

- Ms. Diane D'Arcy as the Dranesville District Representative
- Mr. Chester J. Freedenthal as the Franconia District Representative
- Ms. Lucinda Stewart as the Hunter Mill District Representative
- Ms. Holly Hazard as the Mason District Representative
- Ms. Gina Marie Lynch as the Mount Vernon District Representative

- Ms. Carol Allin as the Sully District Representative

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

### **ATHLETIC COUNCIL**

Appointment of:

- Mr. Robert Kirk as the Mount Vernon District Principal Representative

The Board deferred the appointment of the Member-At-Large Alternate, Diversity-At-Large Principal and Alternate, Dranesville District Alternate, Mason District Alternate, and Women's Sports Alternate Representatives.

### **AUDIT COMMITTEE**

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

### **BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE**

The Board deferred the appointment of the At-Large Chairman's, Braddock, Dranesville, and Mason District Representatives.

### **BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS**

The Board deferred the appointment of the Alternate #1, and the Design Professional #3 and #5 Representatives.

### **BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)**

The Board deferred the appointment of the At-Large #2, and #3, and Professional #3 and #6 Representatives.

### **CATHY HUDGINS COMMUNITY CENTER ADVISORY COUNCIL**

The Board deferred the appointment of the Fairfax County #9 (Youth) Representative.

### **CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

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

**CHILD CARE ADVISORY COUNCIL**

Appointment of:

- Ms. Sangeeta Sarkar as the Sully District Representative

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

**CITIZEN CORPS COUNCIL, FAIRFAX COUNTY**

The Board deferred the appointment of the Dranesville District Representative.

**CIVIL SERVICE COMMISSION**

Reappointment of:

- Mr. Herbert C. Kemp as the At-Large #11 Representative

The Board deferred the appointment of the At-Large #2, #4, #5, #6, #7, #9, and #10 Representatives.

**COMMISSION FOR WOMEN**

The Board deferred the appointment of the At-Large Minority, Lesbian-Gay-Bisexual-Queer-Intersex-Asexual ("LGBQIA+"), and the Mount Veron District Representatives.

**COMMUNITY ACTION ADVISORY BOARD (CAAB)**

Reappointment of:

- Ms. Michele Hymer Blitz as the At-Large Chairman's Representative
- Ms. Michele Menapace as the Franconia District Representative

Confirmation of:

- Ms. Felicia Webster as the Junior League of Northern Virginia Representative

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

**CONSUMER PROTECTION COMMISSION**

The Board deferred the appointment of the Fairfax County #5, #6, and #9 Representatives.

**CONTINUUM OF CARE BOARD (CoC)**

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

**COORDINATING COUNCIL ON AGING AND ADULTS WITH DISABILITIES (CCAAD)**

Confirmation of:

- Mr. Douglas Birnie as the Community/Religious Leaders #3 Representative

**CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

The Board deferred the appointment of the Springfield District Representative.

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I**

The Board deferred the appointment of the At-Large #1, #2 and #6 Representatives.

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II**

Appointment of:

- Mr. James D. Policaro as the At-Large #5 Representative

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

**ECONOMIC ADVISORY COMMISSION**

Reappointment of:

- Mr. Taylor Chess as the Braddock District Representative
- Mr. Frank W. Woodruff as the Franconia District Representative

Appointment of:

- Mr. Daren Shumate as the Mason District Representative

Confirmation of:

- Mr. John Regan as the Northern Virginia Building Industry Association Representative

The Board deferred the appointment of the At-Large Chairman's #1, #2, and #3, At-Large #4 Chairman's Land Use, Dranesville District, Mount Vernon District, Providence District, Springfield District, and At-Large #11, #12, and #21 Representatives.

#### **ECONOMIC DEVELOPMENT AUTHORITY (EDA)**

The Board deferred the appointment of the At-Large #3 Citizen Representative.

#### **ENGINEERING STANDARDS REVIEW COMMITTEE**

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

#### **ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

The Board deferred the appointment of the Providence District Representative.

#### **FAIRFAX AREA DISABILITY SERVICES BOARD**

The Board deferred the appointment of the At-Large Chairman's, At-Large #2 Business Community, Mason, Mount Vernon, and Providence District Representatives.

#### **FAIRFAX COUNTY 250TH COMMISSION**

Confirmation of:

- Ms. Julie Almacy as the George Washington's Mount Vernon Representative
- Ms. Tammy Mannarino as the History Commission #2 Representative

#### **FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD**

The Board deferred the appointment of the Providence District Representative.

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

Nomination of:

- Ms. Patricia Ann Zissios as the Franconia District Representative

(NOTE: This appointment will be made at the Board's March 19, 2024, meeting.)

The Board deferred the appointment of the At-Large #1 and Mount Vernon District Representatives.

**GEOTECHNICAL REVIEW BOARD**

Confirmation of:

- Mr. Paul Burkart as the Primary #2 Representative
- Mr. Daniel S. Rom as the Alternate #3 Representative

**HEALTH SYSTEMS AGENCY BOARD**

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

**HISTORY COMMISSION**

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

**HUMAN RIGHTS COMMISSION**

Appointment of:

- Ms. Glenda M. Blake as the At-Large #12 Representative

The Board deferred the appointment of the At-Large #5 Representative.

**HUMAN SERVICES COUNCIL**

Appointment of:

- Ms. Terry O'Hara Lavoie as the Mason District #1 Representative

The Board deferred the appointment of the Dranesville District #2, Mason District #2, Providence District #2, and Sully District #1 Representatives.



**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)**

The Board deferred the appointment of the Mason District Representative.

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

The Board deferred the appointment of the At-Large Chairman's, Dranesville, Franconia, Mason, Providence, and Springfield Representatives.

**PLANNING COMMISSION**

Appointment of:

- Ms. Alis Wang as the Mason District Representative

**POLICE CIVILIAN REVIEW PANEL**

The Board deferred the appointment of the Seat #1, #4, and #9 Representatives.

**POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES**

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

**REDEVELOPMENT AND HOUSING AUTHORITY**

Appointment of:

- Mr. Michael McRoberts as the Hunter Mill District Representative

**RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD**

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #2 Representative.

**SMALL BUSINESS COMMISSION**

Appointment of:

- Mr. Khalid Mekki as the Braddock District Representative

The Board deferred the appointment of the At-Large #2, Mount Vernon, and Providence District Representatives.

**TENANT-LANDLORD COMMISSION**

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

**TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE**

Reappointment of:

- Mr. James Albright as the Mason District Representative

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

**TRANSPORTATION ADVISORY COMMISSION**

Appointment of:

- Mr. Keith Foxx as the Franconia District Representative
- Mr. Shiva K. Pant as the Hunter Mill District Representative

**TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD**

Appointment of:

- Mr. Will Johnson as the Commercial or Retail Ownership #3 Representative

Confirmation of:

- Ms. Mei Fang as the Apartment or Rental Owner Association Representative
- Mr. Todd Rowley as the Chamber of Commerce Lessees of Non-Residential Space Representative

**UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES**

The Board deferred the appointment of the Citizen Appointed by BOS #4 Representative.

**YOUNG ADULTS ADVISORY COMMITTEE**

The Board deferred the appointment of the At-Large #1 Chairman's, At-Large #2 Chairman's, Braddock District, Dranesville District, Hunter Mill District, Providence District, and Sully District Representatives.

**ADDITIONAL INTERGOVERNMENTAL BOARD COMMITTEE APPOINTMENT**

(NOTE: At the Board's January 23, 2024, meeting additional appointments were made to various regional and internal Boards and Committees.)

**METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE**

Appointment of:

- Supervisor Kathy Smith as the Alternate Representative

**KK:kk**

3. **REPORT ON GENERAL ASSEMBLY ACTIVITIES** (9:48 a.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, stated that the Committee met on January 26, 2024. He presented the report on the General Assembly activities, noting the following:

- The County's initiatives continue to move through the legislative process successfully. The first initiative addresses speed limits in school zones and the second initiative addresses deadlines for certifying election results. Both bills were incorporated into other related bills and have passed the full House. They now head to the Senate for consideration. Legislative staff will continue to provide updates to the Board on the progress of these bills.
- The Legislative Committee received updates on a number of bills, including items related to public safety, land use, human services, and transportation, among others.
- Last week was "crossover" at the General Assembly (GA), which is the deadline for bills to pass their originating chamber and "crossover" to the opposite chamber. Nearly 3,000 bills were introduced for consideration this session – more than 450 bills have already passed both the House and the Senate in some form, there are approximately 1,200 bills working their way through the process and are awaiting final disposition.

- The 2024 session is heading toward its scheduled adjournment on March 9, 2024. On Sunday, the House Appropriations Committee and the Senate Finance and Appropriations Committee reported the House and Senate amendments to the Governor's proposed budget. While some information about various items has been released, the full text of House and Senate budget amendments will likely be available in the next day or two. Staff will be busy analyzing both budgets and will provide an overview of the House and Senate budgets at Friday's Legislative Committee meeting. One item of note, the House budget includes additional funding metro and the Senate budget currently does not. As is typically the case, it is expected that each chamber will reject the other's budget and appoint members to a conference committee to resolve these differences. In light of the many changes to the GA's membership after the elections in November, the group of budget conferees will be very different this year, and there is a great deal of anticipation surrounding those appointments.
- Legislative staff will continue to closely monitor the process as they work with legislators to advance County priorities – updates will be provided to the Board as information becomes available.

Supervisor Walkinshaw thanked his colleagues who attended the Annual Reception with the delegation in Richmond on February 15, 2024.

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number Two. Chairman McKay and Supervisor Palchik jointly seconded the motion.

Following discussion regarding bicycle Bills, the question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting "NAY."

4. **COUNTY EXECUTIVE'S PRESENTATION OF THE PROPOSED FISCAL YEAR (FY) 2025 AND FY 2026 MULTI-YEAR BUDGET PLAN** (9:52 a.m.)

Bryan J. Hill, County Executive, gave a presentation on the Proposed FY 2025 and FY 2026 Multi-Year Budget Plan.

Chairman McKay thanked the County Executive and staff for all their work on the budget.

Discussion ensued regarding the budget plan, with input from Mr. Hill.

Supervisor Lusk asked staff to provide information on the following:

- The driving force for the reduction in equalization rates on apartments as it relates to 2024 versus the projection for 2025

- The projected reduction regarding office elevators
- Markets and class of space regarding office – low rise
- Compression in the utilization of space in the office market
- Value of the request that has been made regarding the cost structure for Fairfax Connector

Supervisor Walkinshaw asked staff to provide information on the following:

- A policy and timeline for when and how fees are looked at
- A narrative explanation of the difference between the County's retirement investment returns and the median public plan returns
- If the median public plan for FY 2023 had been met, what the \$28.57 million would have been in this year's proposal

Supervisor Herrity asked staff to provide information on the following:

- A five, ten, and 15-year look back on the retirement investment returns

Supervisor Smith noted that at the Board's February 27, 2024, Land Use Policy Committee meeting, Land Development Services, Zoning Ordinance and Fire Marshall fees will be discussed.

Supervisor Palchik asked staff to provide information on the following:

- Additional information on cap increases for support positions in the State budget
- Additional information on other funding that follows specific special needs students receiving special services and students living in poverty
- Updates on transportation recommendations as they move forward at the State level
- Shifting items from the baseline budget to possible year-end one-time funds

Discussion ensued, with input from Mr. Hill and Christina Jackson, Chief Financial Officer, regarding the:

- Proposed budget increase for the local portion of the Washington Metropolitan Area Transit Authority
- Animal protection police change

Supervisor Alcorn asked staff to provide information on the two percent Market Rate Adjustment (MRA) for general County employees.

Chairman McKay asked staff to provide information on the Cost of Living Adjustment versus the MRA over the past 10 to 15 years.

Supervisor Storck asked staff to provide information on the following:

- Hotel valuations over the last five to ten years
- The Transient Occupancy Tax

Supervisor Herrity asked staff to provide information on the following:

- Whether the Metro funding formula will be adjusted based on ridership ratios between jurisdictions
- Which funds the Transfers-in came from

Discussion ensued, with input from Mr. Hill and Ms. Jackson, regarding:

- Revitalization and the success of retention of businesses in the County
- The comparison of teacher pay increases versus County employee increases

Chairman McKay asked staff to provide the following:

- Updated timeline over the past ten years showing School employee and County employee pay increases
- Instructions on the new text and language access features

Board Members announced upcoming Budget Town Hall Meetings as follows:

<b><u>MEETING</u></b>	<b><u>DATE/TIME</u></b>	<b><u>LOCATION</u></b>
Sully District	February 29 – 7 p.m.	Rocky Run Middle School
Dranesville District	March 11 - 7 p.m.	McLean Community

		Center
Braddock District	March 11 – 7 p.m.	Channel 16 and Face Book Live
Springfield District	March 12 – 7 p.m.	Virtual Meeting
Franconia District	March 14 – 6 p.m.	Channel 16 and Face Book Live
Hunter Mill District	March 20 – 7 p.m.	Location TBD
Hunter Mill District	March 25 – 7 p.m.	Virtual Meeting
Providence District	April 2 – 5:30 p.m.	Channel 16 and Face Book Live

DMS:dms

#### **ADDITIONAL BOARD MATTERS**

5. **RESOLUTION OF RECOGNITION REQUEST FOR LULA BAUER**  
(11:35 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Lula Bauer, Executive Director of the Lee Mount Vernon Sports Club, in recognition of her induction into the VA-DC Soccer Hall of Fame. Ms. Bauer was one of the award winners of the Virginia Youth Soccer Association. Without objection, it was so ordered.

6. **PROCLAMATION REQUEST DESIGNATING MARCH 3 – 9, 2024, AS “CONSUMER PROTECTION WEEK”** (11:35 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating March 3 – 9, 2024, as “*Consumer Protection Week*” in the County. Without objection, it was so ordered.

7. **PROCLAMATION REQUEST DESIGNATING APRIL 1 – 7, 2024, AS “PUBLIC HEALTH WEEK”** (11:35 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 1 - 7, 2024, as “*Public Health Week*” in the County. Without objection, it was so ordered.

8. **PROCLAMATION REQUEST DESIGNATING APRIL 2024 AS “ARAB AMERICAN HERITAGE MONTH”** (11:35 a.m.)

Jointly with Supervisor Jimenez, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 2024 as “*Arab American Heritage Month*” in the County. Without objection, it was so ordered.

9. **PROCLAMATION REQUEST DESIGNATING APRIL 22, 2024, AS “EARTH DAY”** (11:35 a.m.)

Jointly with Supervisor Smith, Supervisor Storck, and Supervisor Walkinshaw, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 22, 2024, as “*Earth Day*” in the County. Without objection, it was so ordered.

10. **REVIEW OF COUNTY BOARDS, AUTHORITIES AND COMMISSIONS (BACS)** (11:35 a.m.)

(BACs) Chairman McKay stated that the County has a reputation for robust community engagement in its decision-making processes. Volunteer service on BACs, is one of the most well-known ways residents can have a seat at the table when it comes to shaping public policy in the County.

Currently, the County has over 80 BACs. These BACs perform a wide variety of functions: some advise the Board on a specific topic, some perform duties required by State Code, and others help the Board identify issues in the community that need to be addressed.

It is time to conduct a thorough review of existing BACs to ensure their original purpose is still relevant to the community, the BAC is still fulfilling its purpose, and to identify any opportunities to reduce any potential redundancies in the work of the BACs. There has been considerable work performed in the recent past to review the operation and purpose of the County’s BACs. Jointly with Vice-Chairman Smith, Chairman McKay asked unanimous consent that the Board direct Vice-Chairman Smith to lead a review of the previous work and to lead any further work that is necessary to determine how the BAC system is operating. This work should conclude with recommendations to the Board to ensure continued contributions from the community through a well-organized and high-performing BAC system.

Following discussion regarding examining the number of meetings and attendance for each BAC, without objection, it was so ordered.

Vice-Chairman Smith returned the gavel to Chairman McKay.

11. **PROCLAMATION REQUEST DESIGNATING MAY 2024 AS “BUILDING SAFETY MONTH”** (11:41 a.m.)



Supervisor Smith stated that staff from Land Development Services (LDS), the Department of Code Compliance (DCC) and the Fire and Rescue Department (FRD) enforce the Virginia Uniform Statewide Building Code and Statewide Fire Prevention Code to ensure minimum life safety requirements are incorporated into the design, construction and maintenance of the buildings and structures in the County. Building Safety Month is celebrated each year to raise awareness of the importance of complying with these Codes, to provide safe buildings and infrastructure that serve the community every day.

Therefore, Supervisor Smith asked unanimous consent that the Board direct staff to prepare a Proclamation designating May 2024 as “*Building Safety Month*” in the County, to be presented to the Building Safety Month Planning Committee members, along with William Hicks, Director, LDS; Jay Riat, Director and Building Official, Building Division, LDS; Assistant Chief John Walser, FRD; Battalion Chief Chris Sample, FRD; and Gabriel Zakkak, Director, DCC, in May at the Building Safety Month Proclamation Event at the Herrity Building. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST DESIGNATING MARCH 10 – 16, 2024, AS “FLOOD AWARENESS WEEK” (11:42 a.m.)**

Supervisor Walkinshaw stated that floods related to inclement weather, and potentially from climatological changes, remain the most common and costly natural disaster in the United States. As climate change increasingly impacts communities around the country and around the world, its effects also will continue to reach the County.

In the Commonwealth of Virginia, Flood Awareness Week is recognized in March. The goal is to provide information to residents and business owners to enable and empower them with knowledge about the best ways to stay safe and protect their property during flood events.

In addition, Flood Awareness Week provides an annual opportunity to raise awareness to flooding issues and concerns in the County, including heeding weather warnings; stressing the dangers associated with flooding; obtaining flood insurance (particularly for properties that exist with existing floodplains); and knowing if your home or business is in a floodplain.

The County’s Department of Public Works and Environmental Services (DPWES) responds to service requests and implements projects to mitigate structural flooding. The Northern Virginia Soil and Water Conservation District (NVSWCD) provides onsite technical assistance to residents and commercial owners about minimizing negative impacts from drainage. County staff provide information to residents through web pages, social media and media coverage. In extreme flood situations, the County launches multi-departmental emergency response, including the Fire and Police Departments, DPWES, and the Department of Emergency Management and Security (DEMS). Per its One Fairfax Policy, the County strives

to ensure equitable outcomes for all, particularly in marginalized populations and underserved communities.

Therefore, jointly with Chairman McKay, Supervisor Bierman, Supervisor Jimenez, and Supervisor Storck, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to prepare a Proclamation, to be signed by the Chairman and the Braddock, Dranesville, Mason, and Mount Vernon Districts Supervisors, designating March 10 – 16, 2024, as “*Flood Awareness Week*” in the County, to be presented out of the Board Room to DPWES, DEMS, the Police Department, the Fire Department, and NVSWCD. Without objection, it was so ordered.

13. **WOOD OAK DRIVE RIGHT-OF-WAY VACATION**  
**(DRANESVILLE DISTRICT)** (11:44 a.m.)

Supervisor Bierman stated that Pulte Home Company, LLC (the applicant) has filed a Rezoning and Final Development Plan for approximately 12.01 acres of land in the Herndon Transit Station Area to permit a residential development comprised of two multi-family residential buildings and two existing office buildings.

The property is located on parcels 16-3 ((1)) 29B and 16-3 ((11)) 5A. As part of the applications, the applicant proposes to incorporate a portion of Wood Oak Drive, located between Sunrise Valley Drive to the south and Cooperative Way to the north, into the application property.

The applicant has been in discussion with the Fairfax County Department of Transportation regarding the feasibility of a request to vacate and/or abandon that portion of right-of-way that is no longer required for roadway purposes.

Since the County owns the right-of-way associated with Wood Oak Drive, the Board must concur with the filing of the applications. The applicant understands that this motion will not prejudice the consideration of the applications in any way.

Therefore, Supervisor Bierman moved that the Board:

- Consent to the inclusion of approximately 7,600 square feet of right-of-way previously dedicated for Wood Oak Drive to be included in Rezoning/Final Development Plan Application RZ/FDP-2022-DR-0002
- Authorize the County Executive and/or his designees to act as agent of the Board in conjunction with this application. The inclusion of a portion of Wood Oak Drive right-of-way in the Rezoning Application in no way relieves the applicant of the requirement to process a vacation and/or abandonment request. This motion should not be construed as a favorable recommendation by the Board, nor

does it relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards. In addition, this consent does not imply County support for this application, does not dictate to staff that the applications should be approved, nor should it prejudice staff's review of the applications

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

14. **INTENT TO DEFER DECISION ONLY ON THE RE-CONVEYANCE OF BOARD OWNED PROPERTY TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (FRANCONIA GOVERNMENTAL CENTER PROPERTY) (11:47 a.m.)**

Supervisor Lusk stated that increasing the supply of affordable housing throughout the County is a high priority. A strategy to exceed its goal of developing a minimum of 10,000 affordable housing units by 2034, is to leverage use of vacant Board-owned property for housing development. The Department of Housing and Community Development (HCD) continues to actively investigate the feasibility of Board-owned sites for affordable housing throughout the County. One such site is the Franconia Governmental Center property that currently houses the Franconia Police Station, Franconia Museum, and the Franconia District Supervisor's Office—all of which are being relocated and co-located on the site of the future Kingstowne Library. The relocation provides a redevelopment opportunity at the current site. The Board acted in January 2021 to convey the site to the FCRHA principally for affordable housing.

On January 23, 2024, the Board held a public hearing on the validation and reconveyance of the property to the FCRHA. During the public hearing, it became apparent that more public outreach and information sharing were needed, and the decision was deferred to a date certain of March 5, 2024.

Given the interest in this property and the need to ensure that the entire community has an opportunity to voice their opinions on the property transfer, Supervisor Lusk stated his belief that more time is required before this matter returns to the Board. Supervisor Lusk stated that he plans to convene a set of community conversations in the April time frame, in partnership with the HCD and the Department of Neighborhood and Community Services (NCS). NCS' Inclusive Community Engagement Framework (or Engage Fairfax) provides a robust process to ensure meaningful community conversations about issues like this one. These conversations will reflect the diversity and views of Franconia District residents and stakeholders and will ensure that participation is inclusive, equitable, and welcomes all members of the public, including those who will be most affected. This dialogue will allow residents and stakeholders the opportunity to express their ideas and vision and in a subsequent meeting receive feedback on development processes and concepts. These in-person community conversations, along with an

online engagement platform option, are expected to increase public understanding of affordable housing and generate public knowledge to inform decision-making.

Using the expertise of NCS staff, an outside facilitator, and the County's Inclusive Community Engagement Framework, Supervisor Lusk stated his confidence in the ability to have the kind of conversations that are needed to ensure that the Board has the benefit of its constituents' perspectives.

Therefore, Supervisor Lusk announced his intent to defer, later in the meeting at the appropriate time, the decision only on the validation and reconveyance to the FCRHA of the 3.26-acre Franconia Governmental Center site, consisting of Tax Map Parcel 81-3 ((5)) 2A,2B, 2C1 and 3A and Tax Map Parcel 81-3 ((8)) 503, to a date certain of **May 21, 2024, at 3:30 p.m.**

15. **INTENT TO WITHDRAW THE PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS FOR THE CONSTRUCTION OF BUS STOP IMPROVEMENTS AT COMMERCE STREET WESTBOUND AND BRANDON AVENUE** (11:51 a.m.)

Supervisor Lusk announced his intent to withdraw, later in the meeting at the appropriate time, the public hearing on the Acquisition of Certain Land Rights for the Construction of Bus Stop Improvements at Commerce Street Westbound and Brandon Avenue as the property rights for the project have now all been voluntarily acquired by the Land Acquisition Division and condemnation will no longer be necessary.

(NOTE: Later in the meeting, this public hearing was formally withdrawn. See Clerk's Summary Item #48.)

16. **VIENNA-CARTER LIBRARY: BOARD OF TRUSTEES VOTES NEW NAME FOR REBUILT LIBRARY FACILITY** (11:52 a.m.)

Supervisor Alcorn stated that on February 14, 2024, a meeting held at George Mason Regional Library, the Fairfax County Public Library (FCPL) Board of Trustees voted unanimously to name the planned, rebuilt library facility, which will be located on the site of the current Patrick Henry Library, the Vienna-Carter Library.

The Carter family has contributed significantly to the history of the library, the Town of Vienna and Fairfax County. William McKinley Carter (1897-1977), a charter member of the Fairfax County NAACP, was instrumental in procuring a County library branch to serve everyone in the Town of Vienna where, at the time, the existing town library had a whites-only policy.

In 1958, Carter and his wife Lillian co-founded the Vienna Friends of the Library in their living room and led a successful community effort to open an FCPL facility,

the Patrick Henry Library, in 1962 as an integrated library facility where “Everyone [is] Welcome.”

Members of the Carter family and friends were in attendance and submitted a statement to the Board in support of the name change.

Opened in 1971, and reaching the end of its usable life cycle, Patrick Henry Library was bond funded in 2020 for a new facility on the existing site, located in the Town of Vienna at the corner of Maple Avenue and Center Street. Subsequently, the County entered into an agreement with the Town of Vienna to develop the site of the current library for both a new library and a shared parking structure for County and Town usage. The new facility is likely to open, based on the current timeline, in fall 2026. The current building and the planned temporary library open during construction will retain the current name.

17. **RESOLUTION OF RECOGNITION REQUEST FOR THE KOREAN COMMUNITY SERVICE CENTER (KCSC) (11:54 a.m.)**

Supervisor Jimenez stated that on April 21, 2024, the KCSC will recognize its 50<sup>th</sup> anniversary. In 1974, Reverends Yong Chul Chung and Benjamin Sheldon, along with their congregation, formed KCSC to provide transportation and translation services for visitors and immigrants from Korea. They expanded their services to support individuals and families throughout the area for the past five decades – serving over a quarter of a million Asian Americans since it was founded.

KCSC expanded its services to include financial literacy classes, continuing education programs for seniors, mental and physical health services, and even healthcare services through its two community clinics. This included emergency assistance during the COVID-19 pandemic, where they partnered with other organizations to form the “Sharing Love” campaign, which provides emergency food and rent support for those who were severely affected.

Some of its most notable achievements include being selected by the Asian Health Coalition for the ARC campaign with the National Institute of Health research program, being awarded grant funding for supportive housing for victims of domestic violence and for senior crimes and abuse prevention and being selected as one of the best nonprofits in the Metro D.C. area by the Catalogue for Philanthropy.

Therefore, jointly with Chairman McKay, Supervisor Herrity, Supervisor Smith, and Supervisor Walkinshaw, Supervisor Jimenez asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for KCSC, in celebration of its 50 years of existence and service to the County, to be presented outside of the Board Room. Without objection, it was so ordered.

18. **CONGRATULATIONS ON RECENT APPOINTMENTS** (11:56 a.m.)

(BACs) On behalf of the Board, Supervisor Jimenez congratulated Alis Wang and Daren Shumate, to the Planning Commission and Economic Advisory Commission, respectively. Supervisor Jimenez highlighted their long-standing service to the County.

19. **PUBLICITY REQUEST FOR THE IDES OF BARK DOG FESTIVAL** (11:58 a.m.)

Supervisor Storck stated that it is time to let the dogs out and on March 24, 2024, the Mount Vernon District and the Fairfax County Park Authority (FCPA) will be hosting its annual Ides of Bark Dog Festival from 1 – 4 p.m. at Grist Mill Park. Participants will receive treats from local canine businesses, play in the dog park, learn pet care and pet cardiopulmonary resuscitation from pet technicians, and enjoy some delicious food from a local Mount Vernon District business, Chalkboard Wings and BBQ. The festival is a great day with the community's furry, four-legged friends and their humans to meet others and enjoy a day in the park.

This amazing community event could not happen without the incredible support of the FCPA, the Fairfax County Police Department, Fairfax County Fire Department, local animal organizations and the wonderful vendors. Supervisor Storck offered his sincerest appreciation to each of these groups and he urged the community to attend the event.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to advertise and promote the Ides of Bark Dog Festival. Without objection, it was so ordered.

20. **PROCLAMATION REQUEST FOR RON KOWALSKI** (11:59 a.m.)

Supervisor Storck stated that since 2009, South County residents, young and old, have eagerly anticipated the annual Ron Kowalski Real Estate Group's Monopoly Tournament. Mr. Kowalski initiated this tradition to bring the Lorton community together and to spotlight local community non-profits. Initially, proceeds benefited the Workhouse Arts Center and Habitat for Humanity, but for the past 11 years, the focus has been on supporting the Lorton Community Action Center (LCAC). Throughout these 15 years, Mr. Kowalski and his real estate group have raised nearly \$80,000 in support of these local causes. This year's event will take place on February 24, 2024, from 9 a.m. – 2 p.m. at the Moose Lodge in Lorton.

The Tournament holds special significance for the LCAC as it not only provides funding for families in need, but also serves as a platform to raise awareness about its vital work. This increased awareness leads to more volunteers and support, allowing the LCAC to broaden its impact. Last year alone, the LCAC aided

380 families with weekly food distributions, emergency rental assistance, job training, English classes, and so much more.

Local businesses and groups also play a vital role, with the Woodbridge Moose Lodge generously offering free venue space, the South County Cares Church providing breakfast and Antonelli's Pizza and Subs providing lunch for participants.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a Proclamation, to be signed by the Chairman and the Mount Vernon District Supervisor, for Ron Kowalski and the Ron Kowalski Real Estate Group, in recognition of it supporting local non-profits and the LCAC for the past 15 years, as well as for their invaluable role in uniting the Lorton community and raising nearly \$80,000. Without objection, it was so ordered.

21. **REQUEST TO DEVELOP A PLAN TO PROTECT NESTING BIRDS ON THE I-95 LANDFILL COMPLEX** (12:02 p.m.)

Supervisor Storck stated that the County is a leader in environmental and conservation efforts and the I-95 landfill can be considered as the largest and most important grassland in the eastern part of the County. The County is also poised to become a leader in grassland management on landfills.

Current environmental uses of the landfill include pollinator meadow areas and active beehives that are part of the George Mason University Honeybee Initiative. Future uses include a 5-MW solar field with energy generation expected 2025 and native plantings throughout the installation.

The landfill is also a unique nesting area for grassland birds, who nest between April 1 and mid-July. Grassland birds are critical species that depend on grasslands to survive. The Department of Public Works and Environmental Services (DPWES) currently has an agreement with the Audubon Society of Northern Virginia that allows for monitoring and bird counts on the landfill. As a result of this activity, Glenda Booth, a Mount Vernon resident, in coordination with the Audubon Society, reached out to request that the County limit mowing on the landfill during grassland bird nesting season.

Through discussions with Chris Herrington, Director, and Eric Forbes, Deputy Director, DPWES, staff is supportive of this request. However, the closed landfill has Department of Environmental Quality (DEQ) requirements and a post closure plan. Routine mowing is needed to allow for inspection of the integrity of the landfill cap, access to landfill gas wells, and stormwater drainage structures. A plan to protect the grassland birds during the nesting season will need to be developed, incorporating considerations for continued landfill operations. Staff will need to coordinate any changes to the operations and post closure plan with DEQ.

Therefore, jointly with Chairman McKay and Supervisor Walkinshaw, Supervisor Storck moved that the Board direct DPWES to:

- Identify a no-mow area for bird nesting season and develop an initial pilot plan, incorporating landfill operational needs, in coordination with the Audubon Society of Northern Virginia, by April 1, 2024
- Ensure collaboration with DEQ, the enabling authority
- Proceed if this plan is found to be no cost. However, if funding is required, DPWES will inform the Board of those costs through a Not in Package (NIP) report for further direction

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

22. **MOUNT VERNON DISTRICT BUDGET TOWN HALL MEETING**  
(12:04 p.m.)

Supervisor Storck announced that he will be holding a Budget Town Hall Meeting on March 15, 2024. He encouraged the community to attend the event.

23. **MOUNT VERNON DISTRICT SAFETY UPDATES** (12:05 p.m.)

Supervisor Storck shared recent fatalities that have occurred in the Mount Vernon District. He shared the need to examine and identify additional safety improvements, including further education for the community, possible deterrence options, and future improvements for pedestrian safety.

24. **PUBLICITY REQUEST FOR THE FEMININE SUPPLIES DRIVE**  
(12:11 p.m.)

Supervisor Palchik stated, as the County prepares to celebrate Women's History Month in March, the need for menstrual supplies around the County needs to be recognized. These essential hygiene products are costly and the lack of access to safe and clean menstrual products can negatively impact someone's overall physical and emotional well-being.

Supervisor Palchik stated that she has partnered with her colleagues to host a feminine supplies drive in March to collect essential menstrual products for vulnerable community members. The Board will be accepting new and sealed packages of tampons, pads, liners, and menstrual cups that will support local shelters and nonprofits in each magisterial district. Hosting this drive will help reduce barriers for County residents for whom access to menstrual supplies can pose a financial burden.



Donations will be collected around the County including the Jim Scott Community Center, Sully District Governmental Center, Sully Community Center, North County Governmental Center, West Springfield Government Center, Braddock District Office, McLean Governmental Center, Mason District Government Center, Mount Vernon Governmental Center, Franconia Governmental Center, the County Government Center, The PARC at Tysons, and all Fairfax County Public Library locations. Additional information can be found online at [bit.ly/WMHDrive](https://bit.ly/WMHDrive).

Therefore, jointly with the entire Board, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to share this information through its channels. Without objection, it was so ordered.

25. **CONCURRENT PROCESSING REQUEST FOR THE JUDICIAL COMPLEX (PROVIDENCE DISTRICT)** (12:12 p.m.)

Supervisor Palchik stated that the Judicial Complex is a 47.8-acre property owned by the Board and identified as Fairfax County Tax Map Parcels 57-4 ((1)) 14 and 57-3 ((01)) 17. The Fairfax County Judicial Complex Master Plan (the Plan) was completed in 2021. The Plan provides the County with a 20-year road map for physical development onsite to allow for efficient use of Board-owned property and provides for a more effective delivery of County services to the community.

The applicant, the Fairfax County Department of Public Works and Environmental Services (DPWES) has submitted a Proffered Condition Amendment Application, to amend the proffers and conceptual development plan, and companion Final Development Plan Amendment Application, to initiate the re-development of the Judicial Complex. Public hearings are scheduled before the Planning Commission on May 8, 2024, and the Board at a subsequent date to be determined. The applicant is preparing site and building plans for Phase 1 of development and has requested authorization to process concurrent site and building plan permits to allow this project to move forward expeditiously.

Phase 1 of development includes the construction of a new facility adjacent to the existing Judicial Center, and a relocated main entrance to the Judicial Complex from Chain Bridge Road that will align with planned future roadways within the City of Fairfax. The new facility will include space for the Commonwealth's Attorney, Office of the Sheriff, Police and Fire Department's evidence storage, Circuit Court files storage, incubator space for the new Diversion and Community Re-Entry Center, and other court supportive services.

Therefore, Supervisor Palchik moved that the Board direct the Director of Land Development Services to accept concurrent and simultaneous review of a site plan, architectural drawings, building permits and/or other plans and permits as may be necessary to implement the improvements proposed with this Conceptual Development Plan/Final Development Plan Application. 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 seconded the motion and it carried by unanimous vote.

26. **AUTHORIZATION OF COMPREHENSIVE PLAN AMENDMENT FOR 7426 IDYLWOOD ROAD (PROVIDENCE DISTRICT)** (12:15 p.m.)

Supervisor Palchik stated that this will direct staff to evaluate a potential change to the Comprehensive Plan guidance for property located at 7426 Idylwood Road and consisting of Tax Map Parcels 40-3 ((1)) 6, 7, 7A, and 9. St. Paul's Lutheran Church is located on Parcels 7A and 9; Parcels 6 and 7 are currently vacant. The Comprehensive Plan envisions residential development at 16-20 dwelling units per acre with consolidation of all four parcels. Additional Plan guidance speaks to the orientation of future development, integration with the slopes of the site, access locations, pedestrian amenities, compatibility with adjacent development, and clustered development. The Plan text expected that the full redevelopment that addresses these conditions would only be possible with the removal of the Church.

St. Paul's Lutheran Church has expressed interest in remaining at its present location and continuing its investment in the community with building additions to support its current and future needs. They have partnered with EYA on the potential redevelopment of the vacant portion of their property with single-family attached dwellings. A pre-application request was filed with the Department of Planning and Development in the summer of 2023 and staff has been working with the applicant to address preliminary staff comments, which included conformance with the Plan guidance, particularly related to integration with slopes and clustered development. Recognizing that the Church wishes to remain on site, and this impacts the available area for development and the design of the site, a Plan amendment for residential development at a lower density, with suitable conditions related to site design, recognizing retention of the existing Church, is appropriate.

The addition of this Plan amendment to the work program was coordinated with staff. The proposal does not involve any new uses but instead is a reduction in intensity, and staff has indicated that the amendment can be accommodated in the context of the concurrent zoning cases without impacting the rest of the work program.

Therefore, Supervisor Palchik moved that the Board direct staff to consider a Comprehensive Plan Amendment to consider adding an option for medium-density residential development for Tax Map Parcels 40-3 ((1)) 6, 7, 7A, and 9, with suitable conditions related to site design recognizing retention of the existing Church. This Plan Amendment should be processed concurrently with a Rezoning and Special Permit Amendment Applications. This Plan Amendment should be identified as a Tier 2 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 seconded the motion and it carried by unanimous vote.

27. **PROCLAMATION REQUEST DESIGNATING APRIL 2, 2024, AS “AUTISM AWARENESS DAY”** (12:19 p.m.)

Supervisor Herrity stated that April is National Autism Acceptance Month, which promotes acceptance for individuals on the autism spectrum. One in 36 children in the United States and more than 5.4 million American adults are on the autism spectrum, including over 155,000 Virginians. Diagnoses of autism have increased in the last five years nationwide, which some researchers attribute to an increased awareness of autism. Persons with autism form an incredibly diverse community with vastly different abilities, limitations, and preferences from individual to individual.

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, 59 percent of individuals on the autism spectrum gained employment after receiving vocational rehabilitation services.

The County is fortunate to have organizations like ServiceSource, Phillips Programs, and others that are dedicated to this mission of promoting gainful employment and services for those on the autism spectrum. Although most autism research focuses on children, these organizations play a critical role in closing the gap of service needs when residents with autism reach adulthood, which is often referred to as the “services cliff.” The County is stronger and more diverse because of its autistic residents and its businesses and nonprofits who partner with them.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 2, 2024, as “Autism Awareness Day” in the County and celebrate April as “Autism Acceptance Month” encouraging all citizens to exercise respect and compassion for relatives, friends, co-workers, and fellow Americans on the autism spectrum. This Proclamation will be presented to ServiceSource, a phenomenal community partner serving the needs of residents on the autism spectrum and include recognition of the unique challenges faced by individuals with autism and reaffirm the Board’s commitment to encourage businesses and employers to utilize existing incentives and strategies to assist them in hiring persons with autism. Without objection, it was so ordered.

**DA:da****AGENDA ITEMS****28. ADMINISTRATIVE ITEMS (12:23 p.m.)**

Supervisor Smith moved approval of the Administrative Items. Supervisor Palchik seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Storck being out of the room.

**ADMIN 1– APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – ROSE LANE, BEECHTREE LANE, HOLLAMAN ROAD, KENNEDY LANE, VALLEY BROOK DRIVE, SLADE RUN DRIVE AND HICKORY HILL ROAD (MASON DISTRICT)**

- Authorized the installation of “Watch for Children” signs on the following roads in the Mason District:
  - One “Watch for Children” sign on Rose Lane
  - One “Watch for Children” sign on Beechtree Lane
  - One “Watch for Children” sign on Holloman Road
  - One “Watch for Children” sign on Kennedy Lane
  - One “Watch for Children” sign on Valley Brook Drive
  - One “Watch for Children” sign on Slade Run Drive
  - One “Watch for Children” sign on Hickory Hill Road
- Directed staff of the Department of Transportation to schedule the installation of the approved measures as soon as possible

**ADMIN 2 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – WESTMORELAND STREET (DRANESVILLE DISTRICT)**

- (R)
- Adopted the Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on Westmoreland Street from Haycock Road to the Fairfax County/Arlington County Line (Dranesville District)

- Directed staff to request the Virginia Department of Transportation schedule the installation of the approved measures as soon as possible

**ADMIN 3 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTAL TRAFFIC ADMINISTRATION PROGRAM - KARL ROAD (MOUNT VERNON DISTRICT)**

- (R)
- Adopted the resolution endorsing a traffic calming plan consisting of two speed humps on Karl Road (Mount Vernon District)
  - Directed staff of the Department of Transportation to schedule the installation of the approved measures as soon as possible

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND READOPT FAIRFAX COUNTY CODE SECTION 7-2-13 AND RELOCATE THE POLLING PLACE FOR THE CLIFTON TOWN PRECINCT (SPRINGFIELD DISTRICT)**

Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2024, at 4:30 p.m.**, to consider an ordinance that proposes to amend and readopt Fairfax County Code Section 7-2-13, relating to election precincts and polling locations, to move the polling place for the Clifton Town precinct.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SUNRISE VALLEY DRIVE WALKWAY FROM RESTON PARKWAY TO SOAPSTONE DRIVE (HUNTER MILL DISTRICT)**

Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2023, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project 2G40-085-002, Sunrise Valley Drive Walkway from Reston Parkway to Soapstone Drive, Fund 40010, County and Regional Transportation Projects.

29. **A-1 – APPROVAL OF LICENSE AGREEMENTS WITH BIKES FOR THE WORLD FOR THE USE OF COUNTY-OWNED PROPERTY AT I-95 LANDFILL AND WEST OX TRANSFER STATION (MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (12:23 p.m.)

Supervisor Smith moved that-the Board concur in the recommendation of staff and authorize staff to execute license agreements with Bikes for the World for the use of County-owned property at the I-95 Landfill and West Ox Transfer Station, substantially in the form of Attachments 1 and 2 of the Board Agenda Item. The motion was multiply seconded. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

30. **A-2 – APPROVAL OF A PROJECT AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) AND FAIRFAX COUNTY FOR FISCAL YEAR (FY) 2024 TRANSIT ASSISTANCE GRANT FUNDS** (12:24 p.m.)

On motion of Supervisor Bierman, jointly seconded by Chairman McKay and Supervisor Palchik, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of the Fairfax County Department of Transportation, or their designee, to sign a Project Agreement between DRPT and the County, shown in substantial form as Attachment 1 of the Board Agenda Item, for FY 2024 transit capital assistance. This is the last of 12 agreements from DRPT, 11 of which were reviewed by the Board on January 23, 2024.

31. **A-3 – RESOLUTION TO SUPPORT THE ABANDONMENTS AND ADDITIONS OF VARIOUS ROADS ASSOCIATED WITH THE FAIRFAX COUNTY PARKWAY (ROUTE 286) EXTENSION BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (FRANCONIA, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (12:25 p.m.)

(R) On motion of Supervisor Bierman, seconded by Supervisor Lusk, and carried by unanimous vote, the board concurred in the recommendation of staff and adopted a resolution supporting the VDOT's abandonments and additions portions of Hooes Road (Route 636), Rolling Road (Route 638), and Donegal Lane (Route 8440); and the additions of portions of Fairfax County Parkway (Route 286), Hooes Road (Route 636), Rolling Road (638), Odell Street (Route 6922), Barta Road (Route 820), and Barkers Court (Route 6991).

32. **A-4 – AUTHORIZATION TO MAKE A LOAN(S) TO WESLEY FCC OF FALLS CHURCH, LLC OF UP TO \$9,700,000 TO FINANCE THE DEVELOPMENT OF 6165 LEESBURG PIKE FOR AFFORDABLE SENIOR HOUSING (MASON DISTRICT)** (12:25 p.m.)

Following comments, Supervisor Jimenez moved that the Board concur in the recommendation of staff and authorize the Fairfax County Redevelopment and Housing Authority to subordinate financing of up to \$9.7 million to Wesley FCC of Falls Church, LLC, a subsidiary of Wesley Housing Development Corporation of Northern Virginia for the development of 95 units of affordable senior housing in the Mason District. Supervisor Bierman seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

33. **A-5 – DESIGNATION OF A PORTION OF 6165 LEESBURG PIKE AS A REVITALIZATION AREA (MASON DISTRICT)** (12:29 p.m.)

- (R) On motion of Supervisor Jimenez, jointly seconded by Chairman McKay and Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a resolution designating a portion of 6165 Leesburg Pike as a Revitalization Area for the purpose of facilitating award of nine percent Low Income Housing Tax Credits by Virginia Housing to the project.

34. **A-6 – AUTHORIZATION FOR SUPPLEMENTAL SUBORDINATE FINANCING OF UP TO \$14,000,000 FOR THE SOMOS AT MCLEAN METRO (PROVIDENCE DISTRICT)** (12:30 p.m.)

Following comments, Supervisor Palchik moved that the Board concur in the recommendation of staff and approve and authorize additional loan(s) of up to \$14 million for the development of affordable housing in Phase B of Somos at McLean Metro from local funds (The proposed funding sources listed in the Fiscal Impact section of the Board Agenda Item.) The motion was multiply seconded.

Discussion ensued regarding a discrepancy in the street address listed in the Board Agenda Item and its attached map, with input from Thomas Fleetwood, Director, Department of Housing and Community Development, who clarified that the correct address is 1750 Old Meadow Road.

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

35. **A-7 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO MAKE LOANS TO SUBSIDIARIES OF LINCOLN AVENUE CAPITAL (LAC) OF UP TO \$11,000,000 TO FINANCE PHASE II OF THE RESIDENCES AT GOVERNMENT CENTER II DEVELOPMENT (BRADDOCK DISTRICT)** (12:32 p.m.)

Following comments, Supervisor Walkinshaw moved that the Board concur in the recommendation of staff and authorize the FCRHA to make of up to \$11 million to LAC Phase II of the Residences at Government Center II development. The motion was multiply seconded. Following discussion regarding the motion and the need for affordable housing, the question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

DMS:dms

**ADDITIONAL BOARD MATTER**

36. **INTENT TO DEFER/WITHDRAW PUBLIC HEARINGS** (12:36 p.m.)

Supervisor Smith announced her intent to defer, later in the meeting at the SE 2022-SU-00030, and SEA 00-Y-017-02 (Agape Property Management LLC) until March 19, 2024, at 3:30 p.m.

Supervisor Smith announced her intent to indefinitely defer, later in the meeting at the appropriate time, the public hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Pleasant Valley Road Shared Use Path.

Supervisor Herrity announced his intent to defer, later in the meeting at the appropriate time, the public hearing on AF 2023-SP-00005 (AR 2006-SP-003) (Schulz Local Agricultural and Forestal Renewal).

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items #42, #47, #45.)

### **AGENDA ITEM**

#### **37. RECESS/CLOSED SESSION (12:38 p.m.)**

Following a query to Elizabeth Teare, County Attorney, regarding the amount of time needed for closed session, Supervisor Smith 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. *Federal Communications Commission Notice of Proposed Rulemaking Regarding Cable Operator and DBS Provider Billing Practices (MB Docket No. 23-405) and Future FCC Consumer Protection Proceedings*
  - 2. *Anthry Raul Milla v. PFC McComas and PFC D. Brown, Case No. 21-1379 (U.S. Ct. of App. for the Fourth Cir.)*



3. *Khalid Benmama v. Shantelle Jennings*, Case No. GV23-021360 (Fx. Co. Gen. Dist. Ct.)
4. *Jay Riat, Building Official for Fairfax County, Virginia v. Qusay Satter and Israa Satter*, Case No. GV24-000889 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
5. *Jay Riat, Building Official for Fairfax County, Virginia v. Libero Investments, LLC*, Case No. GV24-002402 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
6. *Jay Riat, Building Official for Fairfax County, Virginia v. Jaime Alberto Velis and Edmar A. Martinez*, Case No. GV23-008514 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
7. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Carol L. Gage*, Case No. GV23-024499 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
8. *Jay Riat, Building Official for Fairfax County, Virginia v. Mohammed F. Talukder and Momataz Parvin*, Case No. CL-2023-0000871 (Fx. Co. Cir. Ct.) (Mason District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hang Le T. Tran*, Case No. GV24-001443 (Fx. Co. Gen. Dist. Ct.) (Mason District)
10. *Jay Riat, Building Official for Fairfax County, Virginia v. B9 Sequoia NVIP Owner, LLC, and Duran Floral Design, LLC*, Case No. GV23-020667 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
11. *Jay Riat, Building Official for Fairfax County, Virginia v. Winkal Holdings, LLC*, Case No. GV23-021013 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
12. *Jay Riat, Building Official for Fairfax County, Virginia v. Elena Morales*, Case No. GV23-022047 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. Corey Mandez Ingram*, Case No. GV23-024500 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

14. *Jay Riat, Building Official for Fairfax County, Virginia v. L&T Food Distributor, Inc., and My Vo Management, LLC*, Case No. GV23-024093 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Close It Now 365, LLC*, Case No. GV24-001274 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
16. *Jay Riat, Building Official for Fairfax County, Virginia v. B9 Sequioa NVIP Owner, LLC*, Case No. GV24-001715 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
17. *Jay Riat, Building Official for Fairfax County, Virginia v. Aminullah Abassi and Samira Abassi*, Case No. GV23-014337 (Fx. Co. Gen. Dist. Ct.) (Providence District)
18. *Jay Riat, Building Official for Fairfax County, Virginia v. Milestone Properties in Fairfax, LLC*, Case No. GV24-002119 (Fx. Co. Gen. Dist. Ct.) (Providence District)
19. *Jay Riat, Building Official for Fairfax County, Virginia v. Sarra Semere and Helen Semere-Kifle*, Case No. GV24-000910 (Fx. Co. Gen. Dist. Ct.) (Providence District)
20. *Board of Supervisors v. Great Falls Youth Rugby*, Case No. (pending), (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), discussion regarding the following:
  - Proposed Bankruptcy Plan submitted by Endo International PLC to resolve opioid litigation claims
  - *Washington Gas v. Zinner*, et al., Fairfax County Circuit Court Case Numbers CL-2022-2942 and CL-2022-3061

- Possible construction contract claims associated with the Sorenson Gross Company contracts
- *Town of Vienna, Virginia v. Board of Supervisors*, Case No. 1:12-cv-514 (U.S. District Court for the Eastern District of Virginia)
- As permitted by Virginia Code Section 2.2-3711(A)(1), interviews for the Police Civilian Review Panel Liaison and related discussion

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

At 4:01 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

#### **ACTIONS FROM CLOSED SESSION**

38. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:01 p.m.)

Supervisor Smith 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. Supervisor Palchik seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

39. **APPROVAL OF BANKRUPTCY PLAN** (4:02 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved that the Board approve the Bankruptcy Plan proposed by Endo International PLC and its affiliates in Case Number 22-22549, which is pending in the United States Bankruptcy Court for the Southern District of New York. Supervisor Palchik and Vice-Chairman Smith jointly seconded the motion and it carried by unanimous vote.

40. **APPROVAL OF PARTICIPATION IN THE PROCEEDING OF THE FEDERAL COMMUNICATIONS COMMISSION (FCC)** (4:03 p.m.)

Chairman McKay moved that the Board authorize the County participation in the proceeding of the FCC relating to the Notice of Proposed Rulemaking Regarding Cable Operator and DBS Provider Billing Practices in MB Docket Number 23-405, as well future FCC Consumer Protection Proceedings, on the terms and conditions

outline by the County Attorney in Closed Session. Supervisor Palchik seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

KK:kk

#### **ADDITIONAL BOARD MATTER**

41. **OPTIONS FOR INDIVIDUALS TO PROVIDE TESTIMONY FOR PUBLIC HEARINGS** (4:03 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 to come down to the podium or to call in to 703-324-1020. 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**

42. **3:30 P.M. – PUBLIC HEARING ON PCA 79-C-089-02 (RZPA 2022-SU-00129) (AGAPE PROPERTY MANAGEMENT LLC) TO AMEND THE PROFFERS FOR RZ 79-C-089 PREVIOUSLY APPROVED FOR OFFICE TO PERMIT DELETION OF LAND AREA AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 1.08, LOCATED ON APPROXIMATELY 3.79 ACRES OF LAND (SULLY DISTRICT) (CONCURRENT WITH RZ 2022-SU-00013, SE 2022-SU-00030, AND SEA 00-Y-017-02 AND ASSOCIATED WITH PA 2023-III-3UP)**

#### **AND**

**PUBLIC HEARING ON RZ 2022-SU-00013 (AGAPE PROPERTY MANAGEMENT LLC) TO REZONE FROM I-5, AN, HC AND WS TO C-4, AN, HC AND WS TO PERMIT AN INDEPENDENT LIVING FACILITY**

**FOR LOW INCOME RESIDENTS AND ADULT DAY CARE WITH AN OVERALL FLOOR AREA RATIO OF 1.08, LOCATED ON APPROXIMATELY 3.79 ACRES OF LAND (SULLY DISTRICT) (CONCURRENT WITH PCA 79-C-089-02 (RZPA 2022-SU-00129) AND SE 2022-SU-00030/SEA 00-Y-017-02 AND ASSOCIATED WITH PA 2023-III-3UP)**

**AND**

**PUBLIC HEARING ON SE 2022-SU-00030 (AGAPE PROPERTY MANAGEMENT LLC) TO PERMIT AN INDEPENDENT LIVING FACILITY FOR LOW INCOME RESIDENTS AND ADULT DAY CARE CENTER, LOCATED ON APPROXIMATELY 3.79 ACRES OF LAND (SULLY DISTRICT) (CONCURRENT WITH PCA 79-C-089-02 (RZPA 2022-SU-00129) AND RZ 2022-SU-00013/SEA 00-Y-017-02 AND ASSOCIATED WITH PA 2023-III-3UP)**

**AND**

**PUBLIC HEARING ON SEA 00-Y-017-02 (AGAPE PROPERTY MANAGEMENT LLC) TO AMEND SE 00-Y-017 PREVIOUSLY APPROVED FOR OFFICE TO PERMIT DELETION OF LAND AREA AND ASSOCIATED MODIFICATIONS TO SITE DESIGN AND DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 3.79 ACRES OF LAND (SULLY DISTRICT) (CONCURRENT WITH PCA 79-C-89-02 (RZPA 2022-SU-00129), RZ 2022-SU-00013 AND SE 2022-SU-00030 AND ASSOCIATED WITH PA 2023-III-3UP) (4:04 p.m.)**

Supervisor Smith moved to defer the public hearing on Proffered Condition Amendment Application PCA 79-C-089-02, Rezoning Application RZ 2022-SU-00013, Special Exception Application SE 2022-SU-00030, and Special Exception Amendment Application SEA 00-Y-017-02 until **March 19, 2024, at 3:30 p.m.** Chairman McKay seconded the motion and it carried by unanimous vote.

43. **3:30 P.M. – PUBLIC HEARING ON SE 2023-SP-00016 (11 VALLEY ROAD LLC) TO PERMIT A WAIVER OF THE MINIMUM LOT WIDTH REQUIREMENT IN THE R-1 DISTRICT TO PERMIT A SUBDIVISION OF THE SUBJECT PROPERTY INTO THREE LOTS, LOCATED ON APPROXIMATELY 3.83 ACRES OF LAND (SPRINGFIELD DISTRICT) (4:05 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 6 and February 13, 2024.

The application property is located at 11433 Valley Road, Fairfax, 22033. Tax Map 46-4 ((2)) 25.

Lynne J. Strobel, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated January 11, 2024, for the record.

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

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Discussion ensued, with input from William O'Donnell, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, and Ms. Strobel, regarding the Virginia Department of Transportation's flexibility on multiple connections.

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

Following comments and a query by Supervisor Herrity, Ms. Strobel confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 12, 2024.

Supervisor Herrity moved that the Board approve Special Exception Application SE 2023-SP-00016, subject to the development conditions dated February 12, 2024. Supervisor Palchik seconded the motion and it carried by unanimous vote.

**EBE:ebe**

44. **4 P.M. – PUBLIC HEARING ON AF 2023-MV-00002 (HOLLY SPRING) TO PERMIT THE CREATION OF AN AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 26.22 ACRES OF LAND (MOUNT VERNON DISTRICT)** (4:18 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 6 and February 13, 2024.

The application property is located at 11807, 11810, and 11824 Harley Road, Lorton, 22079. Tax Map 118-1 ((3)) B; 118-2 ((5)) C, 1B, 2B, 7A.

Sofia Fisher, Planner, Department of Planning and Development, presented the staff report.

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

Following comments and a query by Supervisor Storck, the applicant, Gary Knipling, confirmed for the record, acceptance of the Ordinance provisions dated January 10, 2024.

Supervisor Storck moved approval of Agricultural and Forestal Application AF 2023-MV-00002, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, establishing the Holly Spring Local Agricultural and Forestal District, subject to the Ordinance Provisions dated January 10, 2024. Chairman McKay seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

45. **4 P.M. – PUBLIC HEARING ON AF 2023-SP-00005 (AR 2006-SP-003) (SCHULZ LOCAL AGRICULTURAL AND FORESTAL RENEWAL) TO PERMIT RENEWAL OF A PREVIOUSLY APPROVED AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 23.03 ACRES OF LAND (SPRINGFIELD DISTRICT)** (4:24 p.m.)

Supervisor Herrity moved to defer the public hearing on AF 2023-SP-00005 (Schulz Local Agricultural and Forestal Renewal) until **March 19, 2024, at 4 p.m.**. Chairman McKay seconded the motion and it carried by unanimous vote.

46. **4 P.M. – PUBLIC HEARING ON AF 2023-DR-00003 (SIMANSON LOCAL AGRICULTURAL AND FORESTAL DISTRICT) TO PERMIT THE CREATION OF AN AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 29.81 ACRES OF LAND (DRANESVILLE DISTRICT)** (4:24 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 6 and February 13, 2024.

The application property is located at 830, 834, 840, 844, 900 Leigh Mill Rd. and 9698 Mill Ridge Ln., Great Falls, 22066. Tax Map 13-3 ((1)) 19Z, 20Z, 24Z, 25, 26Z, 43Z and 13-3 ((16)) 3.

William Nance, Planner, Department of Planning and Development, presented the staff report.

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

Following a query by Supervisor Bierman, the applicant, Gary A. Simanson, confirmed for the record, acceptance of the Ordinance Provisions dated January 10, 2024.

Supervisor Bierman moved approval of Agricultural and Forestal Application AF 2023-DR-00003, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, establishing the Simanson Local Agricultural and Forestal District, subject to the Ordinance Provisions dated January 10, 2024. Chairman McKay and Supervisor Smith jointly seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

47. **4 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PLEASANT VALLEY ROAD SHARED USE PATH (SULLY DISTRICT)** (4:30 p.m.)

Supervisor Smith moved that the Board indefinitely defer the public hearing on the acquisition of certain land rights necessary for the construction of Project ST-000036-013, Pleasant Valley Road Shared Use Path. Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

48. **4:30 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF IMPROVEMENTS TO BUS STOP #01655, COMMERCE STREET WESTBOUND AT BRANDON AVENUE (FRANCONIA DISTRICT)** (4:31 p.m.)

Following discussion, with input from Elizabeth Teare, County Attorney, regarding the withdrawal, Supervisor Lusk moved that the Board withdraw the public hearing on the acquisition of certain land rights necessary for improvements to Bus Stop #01655, Commerce Street Westbound at Brandon Avenue, as all the rights have been voluntarily acquired by the Land Development Services and condemnation will no longer be necessary. Chairman McKay seconded the motion and it carried by unanimous vote.

49. **4:30 P.M. – PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON ELECTRONIC DRIVE (MASON DISTRICT)** (4:32 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 6 and February 13, 2024.

Henri Stein McCartney, Senior Transportation Planner, Department of Transportation, presented the staff report.



Following the public hearing, which included testimony by one speaker, Supervisor Jimenez moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix R, to establish parking restrictions on Electronic Drive (Mason District). This amendment prohibits commercial vehicles, recreational vehicles (watercraft, boat trailers, motor homes, or camping trailers), and any trailer or semi-trailer, as defined, respectively, in Fairfax County Code Sections 82-5-7, 82-5B-1 and 82-1-2(a), from parking on Electronic Drive from Tiros Drive to the eastern property boundary of 6621 Electronic Drive, 7 a.m. to 7 p.m., seven days per week. Chairman McKay seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

50. **4:30 P.M. – PUBLIC COMMENT ON ISSUES OF CONCERN** (4:39 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 February 6 and February 13, 2024.

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:

- Joseph McCormack – Regarding Cinder Bed Bikeway
- Kristin Burns – Regarding Human Rights
- Robert McCahill – Regarding Casino Concerns
- Sally Horn – Regarding Casino Concerns
- Andrew Pavord – Regarding Casino Concerns
- Jim Battle – Regarding Casino Concerns
- Gene Gresko – Regarding Senate Bill 304 (Accessory Dwelling Units)
- Dennis K. Hays – Regarding Casino Concerns

- Tyler Ray – Regarding Data Center Concerns

51. **BOARD ADJOURNMENT** (5:14 p.m.)

At 5:14 p.m. the Board adjourned.