



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
March 5, 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).

06-24

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, March 5, 2024, at 9:31 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. 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; Jacqueline Rich, Management Analyst; Ekuu Brew-Ewool and Kecia Kendall, Deputy Clerks, and Danya Alattar, Administrative Assistant, Department of Clerk Services.

BOARD MATTER1. **MOMENT OF SILENCE** (9:35 a.m.)

Chairman McKay acknowledged that:

- Yesterday, March 4, 2024, a large number of Fairfax County Fire Department and Public Safety members attended the funeral service of Sterling Volunteer Firefighter Trevor Brown, who died in the recent house explosion in neighboring Loudoun County
- He, along with Supervisor Walkinshaw, former Chairman Sharon Bulova, and former Supervisor Penny Gross attended Former Fairfax City Mayor John Mason's Memorial Service, which was held Saturday, March 2, 2024

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

- Reverend Alan Farley, who died recently. He was a West Springfield High School graduate, civil war re-enactor, and was dedicated to doing missionary work in the community
- Ken Hartman, who died recently. He was an original resident of Ravensworth Farms and served as treasurer for its Civic Association; was a Navy veteran, engineer, and active member of the First Presbyterian Church of Annandale

AGENDA ITEMS2. **RESOLUTION OF RECOGNITION PRESENTED TO HEMAN BEKELE**
(9:37 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved approval of the Resolution of Recognition presented to Heman Bekele for winning the 2023 Young Scientist Challenge and being named America's Top Young Scientist. Supervisor Walkinshaw seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

3. **RESOLUTION OF RECOGNITION PRESENTED TO**
KAREN CLEVELAND (9:45 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved approval of the Resolution of Recognition presented to Karen Cleveland for her tenure as Chief Executive Officer of Leadership Fairfax. The motion was multiply seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

4. **RESOLUTION OF RECOGNITION PRESENTED TO LULA BAUER, EXECUTIVE DIRECTOR OF THE LEE MOUNT VERNON SPORTS CLUB** (9:59 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved approval of the Resolution of Recognition presented to Lula Bauer, Executive Director of the Lee Mount Vernon Sports Club, for her induction into the Va-DC Soccer Hall of Fame. Supervisor Lusk seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

5. **PROCLAMATION DESIGNATING MARCH 10–16, 2024, AS "FLOOD AWARENESS WEEK" IN FAIRFAX COUNTY** (10:11 a.m.)

Supervisor Walkinshaw moved approval of the Proclamation designating March 10–16, 2024, as "*Flood Awareness Week*" in Fairfax County. The motion was multiply seconded and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING MARCH 3–9, 2024, AS "CONSUMER PROTECTION WEEK" IN FAIRFAX COUNTY** (10:28 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved approval of the Proclamation designating March 3–9, 2024, as "*Consumer Protection Week*" in Fairfax County. Supervisor Palchik and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

DA:da

7. **PRESENTATION OF THE TRANSPORTATION ADVISORY COMMISSION (TAC) 2022 AND 2023 TRANSPORTATION ACHIEVEMENT AWARDS** (10:39 a.m.)

Michael Champness, Chairman, TAC, acknowledged the presence of TAC Members Christie Garton (Vice-Chairman) and Kevin Morse (Braddock District), and Staff Coordinator, Calvin Lam, who were present in the Board Auditorium.

Mr. Champness presented the 2022 and 2023 TAC Transportation Achievement Awards to the following:

- 2022 – Burke VRE Connector Trail Phase IV Project Team

- 2023 – Active Transportation Projects Team

8. **REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:52 a.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, stated that the Committee met on February 23 and March 1. He presented the report on General Assembly activities, noting the following:

- The County initiatives continue to move through the legislative process successfully. Both initiatives have passed through the House and the Senate and are headed to Governor Youngkin for consideration:
 - The first initiative addresses local speed limits and gives local governments the authority to reduce speed limits in business and residential districts from 25 to 15 miles-per-hour. The Virginia Department of Transportation has to date not opposed the bill and that helped speed the path through the General Assembly
 - The second initiative addresses deadlines for certifying election results
- A key area of focus for the remainder of the session will be the 2024-2026 Biennium Budget. During the last two Legislative Committee meetings, staff provided an analysis of how the budgets adopted by the House and the Senate affect key County priorities. That budget is now in conference and staff are closely monitoring the negotiations and will provide updates as it unfolds
- The House and Senates budget approach K-12 funding in very different ways:
 - The Senate budget provides \$198.6 million statewide to fully eliminate the cap on support positions that were implemented in FY 2010 as a budget cutting measure during the great recession and eliminating that cap has been a longtime priority of the County and other localities. It also includes \$121.3 million in FY 2025 to restore funding for K - 12 education that is required to compensate for the elimination of the State portion of the sales tax on food. Governor Youngkin did not include that funding in his introduced budget, despite the fact that it was a critical component of the agreement that he agreed to, to eliminate the grocery tax. When compared to the

Fairfax County Public Schools (FCPS) advertised budget that the County has been discussing with the School Board, the Senate budget would provide an additional \$43.1 million more than FCPS anticipated when its budget was built

- The House budget takes a different approach to K–12 funding and does not fund the two key items just mentioned. It directs most of its increased funding into the at-risk add-on formula, which unfortunately measures poverty across entire school divisions and as a result does not appropriately reflect the high concentrations of poverty that exist in some schools within FCPS and in some areas of the County. The House budget also contains a dramatically higher staffing standard for English language learners which would require substantial local cost. It is an unfunded new mandate on local school systems. When compared to that FCPS advertised budget, the House budget results in a negative impact to FCPS of \$58.3 million
- In Virginia, unlike Maryland, local jurisdictions have historically provided substantial funding for the Washington Metropolitan Area Transit Authority (WMATA), though the benefits of metro (very real financial benefits especially), are shared by the entire Commonwealth. It is vital that the Commonwealth provide funding for WMATA to address the looming budget shortfall to put the agency on sound financial footing without diverting resources from other transportation needs in Northern Virginia and the Commonwealth. While the House budget includes additional funding to help mitigate WMATA’s shortfall, the Senate passed budget does not include such assistance. Although this past weekend the Chair of the Senate Finance and Appropriations Committee did announce that the Senate would be supportive of including WMATA funding in the final budget conference report. Staff will continue to watch that issue closely as a budget is negotiated
- Both budgets include funding to eliminate the Priority I waitlist for developmental disability slots over the biennium, as well as to increase reimbursement rates. Those Medicaid waivers are a lifeline for people with developmental disabilities, providing them with access to essential services and care. Despite almost yearly investments from the Commonwealth to increase the number of waiver slots, the Fairfax-Falls Church Priority I waitlist has doubled since FY 2018 and includes more than 1200 individuals,

which is more than one-third of the approximately 3400 individuals on the entire Statewide waiting list. The waivers have been increased, but the waitlist is growing faster than the increases

- The Legislative Committee also receives updates on a number of bills related to public safety, land use, human services, and transportation, among other topics. While just over 1400 Bills have passed both chambers and await gubernatorial action, nearly 700 Bills are still awaiting final disposition. There is a lot of items to work through in a short period of time. Sometimes these things get resolved very quickly in the final days or hours of the session, and sometimes extra time is needed

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number Three. Chairman McKay seconded the motion. Following discussion regarding education funding and the Medicaid waiver issue, the question was called on the motion and it carried by a vote of nine, Supervisor Herry voting “NAY.”

DMS:dms

ADDITIONAL BOARD MATTERS

9. **PROCLAMATION REQUEST DESIGNATING MAY 2024 AS “JEWISH AMERICAN HERITAGE MONTH”** (11:04 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and, jointly with Supervisor Jimenez and Supervisor Palchik and asked unanimous consent that the Board direct staff to prepare a Proclamation designating May 2024 as “*Jewish American Heritage Month*” in the County. Without objection, it was so ordered.

10. **PROCLAMATION REQUEST DESIGNATING MAY 2024 AS “NATIONAL FOSTER CARE MONTH”** (11:04 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating May 2024 as “*National Foster Care Month*” in the County. Without objection, it was so ordered.

11. **PROCLAMATION REQUEST DESIGNATING MARCH 21, 2024, AS “SAVE SOIL DAY”** (11:04 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating March 21, 2024, as “*Save Soil Day*” in the County. Without objection, it was so ordered.

12. **RESOLUTION OF RECOGNITION REQUEST FOR NORTHERN VIRGINIA FAMILY SERVICE** (11:04 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Northern Virginia Family Service, in recognition of its 100th anniversary on May 3, 2024. Without objection, it was so ordered.

13. **RESOLUTION OF RECOGNITION REQUEST FOR VOLUNTEER FAIRFAX** (11:04 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Volunteer Fairfax's 50th anniversary, which coincides with its annual Volunteer Appreciation Day, which is on May 9, 2024, this year. Without objection, it was so ordered.

14. **NOTICE OF LAND USE PUBLIC HEARINGS TO RENTERS IN APARTMENT BUILDINGS AND TO OWNERS AND RENTERS WITHIN MANUFACTURED HOUSING COMMUNITIES** (11:05 a.m.)

Chairman McKay stated that on December 6, 2022, the Board directed staff to explore whether the County's written notice procedures for land use applications meet the Board's goals to encourage robust public participation in the land use process. Specifically, the Board identified two areas of concern. The first relates to whether renters of apartments and renters and owners of manufactured homes are receiving adequate notice of land use applications, particularly applications that apply to the property on which they live. The second relates to the requirement that written notification be provided by certified mail, which can impact accessibility if residents are not home to receive the certified mail. While individualized written notice is only one way in which the community is engaged, it is one of the most direct ways to inform and encourage public participation in development proposals in neighborhoods.

On January 18, 2024, staff delivered a memo to the Board reviewing these issues and recommending a pair of pilot projects related to written notice.

First, staff recommended a pilot project for the County to provide written notice to (i) all residents of a manufactured housing community of any public hearing for a land use application on or adjacent to that community, and (ii) to all residents of any apartment complex that is the subject of a land use application. As discussed in the memo, such notice would be provided in the same manner and on the same schedule as other written notice of public hearings. This additional notice would be in addition to any outreach efforts undertaken by the applicant and/or the Supervisor's office during the land use process.

Second, staff recommended a pilot project to use first-class mail rather than certified mail to deliver written notice of public hearings on zoning applications. As expressed in the memo, applicants would prepare notice packets, using

first-class mail stamps, and deliver those packets to staff with appropriate documentation for review and mailing. This will require some modifications to the current affidavits and documentation used, as well as coordination on appropriate timing to meet the requirements of the Virginia Code and the Zoning Ordinance.

Therefore, to effectuate the Board's goal of increasing public engagement in the land use process, jointly with Vice-Chairman Smith, Supervisor Lusk, Supervisor Storck, and Supervisor Walkinshaw, Chairman McKay moved that the Board direct:

- The Department of Planning and Development (DPD) and the Department of Clerk Services to initiate the two pilot projects proposed in DPD's January 18, 2024, memo. The pilot project to provide written notice to residents and owners in manufactured housing communities and renters in apartment buildings should begin immediately; the pilot project to utilize first-class mail should begin as soon as possible after appropriate outreach to and coordination with the development community
- Staff report to the Board in a year with recommendations as to the effectiveness of the initiatives, and whether they should be continued on a permanent basis

Vice-Chairman Smith and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

15. **RECOGNITION REQUEST FOR THE 2024 FIRST AMENDMENT PRESS FREEDOM AWARD** (11:10 a.m.)

Supervisor Smith stated that the Journalism Education Association (JEA), with representatives from the National Scholastic Press Association (NSPA), and the Quill and Scroll International Honorary Society recently named Chantilly High School (CHS), McLean High School (MHS), and West Springfield High School (WSHS), recipients of the 2024 First Amendment Press Freedom Award. The three schools are among 28 schools from across the United States to receive this award and this is the tenth consecutive year that CHS has received this recognition, the seventh consecutive award for MHS, and the second for WSHS.

The award recognizes public high schools that actively support, teach, and protect First Amendment rights and responsibilities of students and teachers, with an emphasis on student-run media where students make all final decisions of content.

Therefore, jointly with Supervisor Bierman and Supervisor Herrity, Supervisor Smith asked unanimous consent that the Board direct staff to invite representatives from CHS, MHS, WSHS and the journalism students from the

respective schools to appear before the Board to be acknowledged for their superior achievement. Without objection, it was so ordered.

16. **PROCLAMATION REQUEST FOR ATHLETIC STATE ACHIEVEMENTS** (11:11 a.m.)

Supervisor Walkinshaw stated that the County is fortunate to offer its students a diverse range of sports opportunities. Participation in school-based athletics not only complements classroom learning but also enhances students' attitudes towards academics and overall performance. It serves as a healthy outlet, promoting physical well-being and fostering teamwork and relationships.

The County is proud to highlight the achievements of athletes from Woodson High School and Lake Braddock Secondary School at their recent State championships. Below are their notable accomplishments:

Woodson High School

- Nathaniel Grannis – State Champion at for the 2024 Virginia High School League (VHSL) Boys 6A State Diving Championship

Lake Braddock Secondary School

- Girls Varsity Gymnastics – VHSL State Champions for the third year in a row
- Lucas Matheny – VHSL State Wrestling Champion
- Charles St. Louis, Ben Tuininga, Josh Donovan, and Josh Howat – State Champions with new State record for the VHSL Boys 400 meter Relay
- Josh Howat – First Place in the Boys 50 meter and 100 meter Free

Therefore, jointly with Chairman McKay, Supervisor Herrity, Supervisor Jimenez, and Supervisor Palchik, Supervisor Walkinshaw asked unanimous consent that the Board direct the Office of Public Affairs to prepare Proclamations in recognition of the athletes' special achievements, along with their coaches and families, to be presented at a later date. Without objection, it was so ordered.

17. **PROCLAMATION REQUEST DESIGNATING MARCH 31, 2024, AS "TRANSGENDER VISIBILITY DAY"** (11:12 a.m.)

Supervisor Bierman stated that March 31 is International Transgender Day of Visibility. It was created in 2009 as a day dedicated to celebrating the lives and accomplishments of transgender people and to raising awareness of the continuing challenges faced by transgender people.

The County is home to the Transgender Education Association whose mission is to support transgender and gender-nonconforming people and their friends, family, and partners, and to provide educational resources and information to all interested parties.

In celebration of the County's richly diverse population and its One Fairfax policy, the County affirms and restates its commitment to build a culture of inclusion and acceptance of transgender individuals and appreciate that the County grows stronger when all persons in the County are recognized and celebrated.

Therefore, jointly with Chairman McKay, Supervisor Alcorn, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, and Supervisor Walkinshaw, Supervisor Bierman moved that the Board direct staff to:

- Prepare a Proclamation designating March 31, 2024, as "*Transgender Visibility Day*" in the County, to be presented to the Transgender Education Association at the March 19, 2024, Board Meeting
- Invite representatives of the transgender community and their allies to the March 19, 2024, Board Meeting, for presentation of the Proclamation

Supervisor Palchik and Supervisor Smith jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

18. **NO BOARD MATTERS FOR SUPERVISOR LUSK (FRANCONIA DISTRICT)** (11:15 a.m.)

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

19. **NO BOARD MATTERS FOR SUPERVISOR ALCORN (HUNTER MILL DISTRICT)** (11:15 a.m.)

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

20. **ANNANDALE HIGH SCHOOL (AHS) PRINCIPAL HONORED FOR EDUCATIONAL LEADERSHIP** (11:15 a.m.)

Supervisor Jimenez announced that Shawn DeRose, Principal at AHS, recently was awarded a Northern Virginia Leadership Award, presented by Leadership Fairfax. Supervisor Jimenez stated that Mr. DeRose received the Educational Leadership Award, which recognizes a teacher or administrator who has demonstrated a long-term and consistent pattern of excellent leadership, exemplifies a passion for educating, embraces innovation, and provides inspirational leadership to students,

parents, and the community. On behalf of the Board, Supervisor Jimenez congratulated Mr. DeRose on being selected for the award.

21. **WOMEN'S HISTORY MONTH** (11:16 a.m.)

Supervisor Storck announced that March is Woman's History Month and provided a brief history, highlighting places in the County where the community can celebrate and learn more about it. He shared information pertaining to Elizabeth Hartwell and Ann Pamela Cunningham regarding their contributions to the County.

(NOTE: Later in the meeting, Supervisor Palchik presented a Board Matter on Women's History Month. See Clerk's Summary Item #23.)

22. **PROCLAMATION REQUEST FOR HOLY TRINITY LUTHERAN CHURCH (HTLC)** (11:20 a.m.)

Supervisor Palchik stated that in the Providence District, and across the County, the community is fortunate to have a multitude of faith communities that feel called to provide community outreach and support to improve the lives of congregants and community members. One such congregation, the HTLC, has been an incredible community resource for Falls Church and surrounding areas for the past 75 years.

HTLC was formally established on January 24, 1949, and it soon embarked on what is now a long tradition of service and support to those in need. Within a few years, the church began sponsoring a German refugee family and a Boy Scout troop and began offering kindergarten in response to community interest.

During the 1960s, HTLC's community outreach and service expanded to include regular blood drives, sewing projects to assist the needy, a nursing home visitation program, and frequent youth and music events open to the community. HTLC provided key leadership for forming the Falls Church Community Services Council in 1969 and has supported the Council ever since.

In subsequent decades, the Church's community outreach and services to the community grew to include over 40 years of Meals on Wheels delivery, 15 years of regular volunteering at Miriam's Kitchen, and it was one of the first churches in the County to participate in the FACETS Hypothermia Prevention Program. Since 2007, it has hosted an overnight hypothermia shelter for a week each year. HTLC also established a special endowment fund that distributes thousands of dollars to local service organizations annually.

In recent years, HTLC has added community outreach and support activities focused on education and the arts. For nearly a decade, HTLC has provided tutoring, books, and other needed items to Graham Road Elementary School, and in 2017 it met a community need for more infant childcare by making part of its facility available. The church also presents a free annual Concert Series for the

community, as well as a visual art display space and receptions for the Vienna Arts Society.

HTLC has been a bedrock, not only for its own faith community, but for other communities in the Falls Church area. HTLC's growth has mirrored that of the County by serving the changing community in the array of new challenges that have arisen. Supervisor Palchik expressed her appreciation for the dedicated commitment to community that Holy Trinity Lutheran Church has displayed for 75 years and looks forward to its continued leadership in the years ahead.

Therefore, Supervisor Palchik asked unanimous consent that the Board direct staff to prepare a Proclamation in recognition of HTLC's 75th anniversary and appreciation of its history of service to the community, to be presented at an anniversary celebration event later this year. Without objection, it was so ordered.

23. **WOMEN'S HISTORY MONTH** (11:24 a.m.)

(NOTE: Earlier in the meeting, Supervisor Storck presented a Board Matter pertaining to Women's History Month. See Clerk's Summary Item #21.)

Supervisor Palchik announced that on March 22, 2024, from 2 p.m. – 5 p.m., in the Board Auditorium, the University of Virginia will give a presentation: "The Gains, Gaps and Goals – The Status of Women and Girls in Fairfax County," followed by a panel discussion, and audience question and answer period. Light refreshments will also be provided and it will be livestreamed on Cable Channel 16. The formal finalized invitation and additional information is forthcoming. Supervisor Palchik also shared that a Women's History Month Proclamation will be presented at the event.

24. **PUBLICITY AND PROCLAMATION REQUESTS DESIGNATING MAY 2024 AS "LYME DISEASE AWARENESS MONTH" AND "FIGHT THE BITE AWARENESS MONTH"** (11:26 a.m.)

Supervisor Herrity stated that tick and mosquito season will be here soon and many will be spending more time outdoors in the warmer months. Since the pandemic, residents have spent more time outside, contributing to higher numbers of confirmed and likely cases of Lyme Disease, the fastest spreading vector-borne disease in the United States. Several hundred cases of Lyme Disease have been reported in Virginia in the last few years and many cases go unreported, as symptoms, like the 'Bulls-eye' rash, go undetected or are misdiagnosed. Supervisor Herrity stated that the Virginia Department of Health (VDH) shared with his office, that since 2020, many efforts to track Lyme Disease were diverted to the pandemic effort so more cases than normal likely were not reported.

Lyme Disease, Zika Virus, West Nile Virus, and other vector-borne diseases can have severe health impacts on constituents. Chronic forms of these diseases can be particularly debilitating and research funding is unfortunately limited.

Consequently, Lyme Disease and other tick-borne diseases can be difficult to diagnose as most residents and many medical providers are unfamiliar with its symptoms. In the last two years, the National Capital Lyme and Tick-Borne Disease Association has spearheaded efforts through legislation in the General Assembly to promote education on tick-borne illnesses, including House Bill 850 in 2022 and House Bill 2008 in 2023. As a result of those efforts, last summer a working group of State agencies and partners were tasked with making the following recommendations to address:

- Increasing the public awareness of tick-borne diseases and strategies for preventing the transmission of tick-borne diseases
- Educating health care providers and the public about the importance of and the need for early diagnosis and treatment of tick-borne diseases
- Improving public health surveillance and data collection related to tick-borne diseases
- Developing and implementing strategies to reduce the tick populations, to in turn reduce the risk of exposure to and transmission of tick-borne diseases in the Commonwealth

The working group submitted its findings to Governor Youngkin and the VDH with recommendations, including creating lesson plans for K-12 education on tick-borne diseases, continuing education for medical providers, and modernization of visuals used for public health data on tick-borne diseases.

Lyme is a terrible disease that can take many forms, from muscle pain to arthritis, to heart disease and Bell's Palsy. It can cause flu-like symptoms as well as extreme fatigue. Lyme Disease Awareness month is officially recognized in May and provides an opportunity to bring this issue to the public's attention. County residents can protect themselves by performing tick checks after outdoor activities and promptly removing attached ticks. This education is especially important for children, as 30 percent of the 476,000 cases reported by the Centers for Disease Control and Prevention annually are children.

Mosquito bites also can transmit various diseases such as Zika and West Nile Virus. County residents can be instrumental in eliminating places where mosquitoes lay their eggs by checking their properties weekly for stagnant water by tipping and tossing flowerpots, buckets, toys and other containers that might collect water.

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

- Prepare a Proclamation designating May 2024 as "*Lyme Disease Awareness Month*," to be presented to Monte Skall, Director of the

National Capital Lyme and Tick-Borne Disease Association, at the May 7, 2024, Board Meeting

- Share information on preventing and recognizing the symptoms of Lyme Disease, to include County partners at Fairfax County Public Schools for students and parents to educate themselves as well
- Prepare a Proclamation designating May 2024 as “*Fight the Bite Awareness Month*,” to be presented to the Fairfax County Health Department at the May 7, 2024, Board Meeting

Without objection, it was so ordered.

25. **RESOLUTION OF RECOGNITION REQUEST FOR THE CHANTILLY HIGH SCHOOL WRESTLING TEAM** (11:30 a.m.)

Supervisor Herrity stated that the Chantilly High School Wrestling Team participated in the Virginia Class 6 State Tournament over the weekend of February 16, 2024, at a sports tourism facility in Virginia Beach. 11 athletes qualified for the tournament, with the Chantilly Chargers taking 2nd place overall. This successful run was led by Carter Shin and Ezekiel Keel, who each won 1st place in the State Championships for their 106 and 120-weight categories respectively. In addition, the Chantilly Wrestling Head Coach, Mark Weader, was recognized as the Concorde District Coach of the Year for his efforts to develop a championship-contending wrestling program. His tenure in Northern Virginia extends to George Mason University as well. Prior to taking over the Chantilly wrestling program, Coach Weader was a student-athlete turned coach for the George Mason University wrestling team until his retirement in 2011, after 16 years with the department.

Therefore, jointly with Supervisor Smith, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition, in honor of Head Coach Mark Weader, Carter Shin and Ezekiel Keel, for their performance at the Virginia Class 6 State Wrestling Tournament, to be presented before the Board at the appropriate date, along with the other high school athletics presentations for the spring 2024 season. Without objection, it was so ordered.

26. **RESOLUTION OF RECOGNITION REQUEST FOR THE LANGLEY HIGH SCHOOL ICE HOCKEY TEAM** (11:31 a.m.)

Supervisor Herrity stated that the Langley Ice Hockey team won the Northern Virginia Scholastic Hockey League (NVSHL) championship, dominating the Stone Bridge Bulldogs 4 - 1. This performance adds to an incredible 34-straight win run and their fourth title in six years, winning the last three consecutively. They are only the second team in league history to three-peat and will be going on to Nationals on March 21, 2024. They are led by their Coach, Patrick Keough, their

all-league senior forward, Noah Scheinerman, and their goalie, Harrison Smith, who made 27 saves and was recognized as the NVSHL Player of the Year.

Therefore, jointly with Supervisor Bierman, Supervisor Herrity moved that the Board direct staff to prepare a Resolution of Recognition for the Langley Saxons Ice Hockey team for winning their third straight NVSHL title and for their historic winning streak, to be presented before the Board at the appropriate date along with the other high school athletics presentations for the spring 2024 season. Chairman McKay seconded the motion. Following discussion regarding the good practice of allowing a Board Member to initiate presentation requests when it pertains to their district, the question was called on the motion and it carried by unanimous vote.

27. **CHANTILLY HIGH SCHOOL TEEN JOB FAIR** (11:35 a.m.)

Supervisor Herrity announced that a teen job fair was held on March 2, 2024, at Chantilly High School. He thanked the businesses and the community for attending the event and making it a success. Supervisor Herrity announced that another teen job fair will be held on March 9, 2024, at West Springfield High School and he encouraged the community to attend the event.

EBE:ebe

AGENDA ITEMS

28. **ADMINISTRATIVE ITEMS** (11:36 a.m.)

Supervisor Smith moved approval of the Administrative Items. Supervisor Lusk seconded the motion.

Chairman McKay called the Board's attention to Admin 12 – Authorization to Advertise Publication of the Fiscal Year (FY) 2025 Budget and Required Tax Rates, the FY 2025 Effective Tax Rate Increase, the Advertised Capital Improvement Program for FYs 2025-2029 (with Future FYs to 2034), and Notice of Associated Public Hearings and relinquished the Chair to Acting-Chairman Palchik and asked to consider this item separately. This was accepted.

Acting-Chairman Palchik returned the gavel to Chairman McKay.

Supervisor Walkinshaw called the Board's attention to Admin 6 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Virginia – Chapter 4 (Taxation and Finance), Article 11 (Cigarette Tax), Increasing the Cigarette Tax Rate and discussion ensued regarding the cigarette tax rate.

Supervisor Herrity called the Board's attention to Admin 11 – Authorization to Advertise a Public Hearing on Recovering Costs from Sign Violations and

discussion ensued, with input from Gabriel M. Zakkak, Director, Department of Code Compliance, regarding the proposed increase for sign violations, initial warning notification, and cost to administer the program changes.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 12, 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.”

ADMIN 1 – APPROVAL OF STREETS INTO THE SECONDARY SYSTEM – COLLINGWOOD SPRINGS SECTION 2 – KHORIATY’S ADDITION (MOUNT VERNON DISTRICT)

- (R) Approved the request that the street listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Collingwood Springs Section 2 – Khoriaty’s Addition	Mount Vernon	Olive Court

ADMIN 2 – APPROVAL OF EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION FOR TAKEOFF SUBSTATION (SULLY DISTRICT)

Authorized the extension of review period for the following Public Facility 2232 Review Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-2024-SU-00001	Dominion Energy Tax Map Number 34-1 ((3)) 1 Sully District	December 10, 2024

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING THE O’DAY COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2024, at 4 p.m.**, to consider adoption of a Fairfax County Code amendment to establish the O’Day CPD. The restriction would be established on O’Day Drive from Riverwind Terrace to Route 29, and on Barros Drive from the northern intersection of Barros Drive and O’Day Drive to the southern intersection of Barros Drive and O’Day Drive.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF ROUTE 28 WIDENING FROM THE PRINCE WILLIAM COUNTY LINE TO ROUTE 29 (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2024, at 4:30 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Route 28 Widening from the Prince William County Line to Route 29, supported by Project 2G40-189-000 in Fund 40010, County and Regional Transportation Projects.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO APPENDIX Q (LAND DEVELOPMENT SERVICES FEE SCHEDULE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (COUNTY CODE) RE: EXEMPTION FROM BUILDING AND ELECTRICAL PERMIT FEES FOR INSTALLATION OF ELECTRIC VEHICLE CHARGING (EVC) EQUIPMENT

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 19, 2024, at 4:30 p.m.**, to consider a proposed amendment to Appendix Q (Land Development Services Fee Schedule) of the County Code that addresses the fee for installation of EVC equipment. The proposed amendment to the fee schedule will exempt installation of EVC equipment from building and electrical permit fees.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA – CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 11 (CIGARETTE TAX), INCREASING THE CIGARETTE TAX RATE

- (A) (NOTE: Earlier in the meeting, this item was discussed. See page 15.)

Authorized the advertisement of a public hearing to be held before the Board on **April 16, 2024, at 3 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 4, that would increase the excise tax rate from one and one-half cents (\$0.015) to two cents (\$0.02) for each cigarette sold, stored, or received.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND READOPT SECTION 67.1-10-2 OF THE FAIRFAX COUNTY CODE RELATING TO SEWER AVAILABILITY CHARGES (INCLUDING THE FIXTURE UNIT RATE), SERVICE CHARGES, BASE CHARGES, AND HAULED WASTEWATER CHARGES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 16, 2024, at 3 p.m.**, to consider an ordinance that proposes to amend and

readopt Fairfax County Code Section 67.1-10-2, relating to Sewer Availability Charges (including the Fixture Unit Rate), Service Charges, Base Charges, and Hauled Wastewater Charges Re-affirming the:

- Availability Charges (including the fixture unit rate) for Fiscal Year (FY) 2024 through FY 2028, and establishing the Availability Charges for FY 2029
- Sewer Service Charges for FY 2024 through FY 2026, adjusting the Sewer Service Charges for FY 2027 and FY 2028, and establishing the Sewer Service Charges for FY 2029
- Base Charges for FY 2024 through FY 2026, adjusting the Base Charges for FY 2027 and FY 2028, and establishing the Base Charges for FY 2029
- Hauled Wastewater Charges for FY 2024 and maintaining the same charges as FY 2024 for FY 2025

ADMIN 8 – AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61, APPENDIX Q, SECTION H AND CHAPTER 62

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 16, 2024, at 3 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 61, Appendix Q, Section H and Chapter 62, regarding the fees charged for plan review, permits and inspection services to support the Fire Marshal’s efforts to enhance the plans review, permit and inspection services.

ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT RE: ZONING APPLICATION FEES AND PLANNED DISTRICT RECREATION MINIMUM EXPENDITURE

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 3, 2024, at 7:30 p.m., and before the Board on **April 16, 2024, at 3 p.m.**, to consider proposed amendments to the Zoning Ordinance regarding application fees and planned district recreation minimum expenditure.

ADMIN 10 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO APPENDIX Q, (LAND DEVELOPMENT SERVICES FEE SCHEDULE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (COUNTY CODE), REGARDING ADJUSTMENT OF THE FEES CHARGED BY LAND DEVELOPMENT SERVICES FOR PLAN REVIEW, PERMITS, AND INSPECTION SERVICES

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on April 3, 2024, at 7:30 p.m., and before the Board on **April 16, 2024, at 3 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix Q (Land Development Services Fee Schedule) to adjust the fees charged by the County for plan review, permits, and inspection services.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON RECOVERING COSTS FROM SIGN VIOLATIONS

- (A) (NOTE: Earlier in the meeting, this item was discussed. See pages 15 - 16.)

Authorized the advertisement of a public hearing to be held before the Board on **April 16, 2024, at 3 p.m.**, to consider increasing the Department of Code Compliance administrative fee from \$10 dollars to \$50 dollars for each sign illegally placed within the limits of a highway to recoup a portion of the County costs.

ADMIN 12 – AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2025 BUDGET AND REQUIRED TAX RATES, THE FY 2025 EFFECTIVE TAX RATE INCREASE, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM FOR FYs 2025-2029 (WITH FUTURE FYs TO 2034), AND NOTICE OF ASSOCIATED PUBLIC HEARINGS

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 15.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #29.)

29. **ADMIN 12 – AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2025 BUDGET AND REQUIRED TAX RATES, THE FY 2025 EFFECTIVE TAX RATE INCREASE, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM FOR FYs 2025-2029 (WITH FUTURE FYs TO 2034), AND NOTICE OF ASSOCIATED PUBLIC HEARINGS** (11:36 a.m.)

- (A) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item #28.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved the authorization to advertise publication of the FY 2025 Advertised Budget, the Effective Tax Rate Increase, the Advertised CIP, and the Required Tax Rates as outlined in the Board Agenda Item and give notice of associated public hearings. This includes the advertisement only of the Real Estate Tax rate of \$1.135 per \$100

of assessed value, which could reflect a four-cent increase over the current real estate tax rate of \$1.095 per \$100 of assessed value. Vice-Chairman Smith and Supervisor Palchik jointly seconded the motion.

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

Vice-Chairman Smith returned the gavel to Chairman McKay.

30. **A-1 – APPROVAL OF CALENDAR YEAR 2024 FOREST PEST MANAGEMENT PROGRAM** (11:53 a.m.)

On motion of Supervisor Walkinshaw, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed staff to take the actions outlined in the Board Agenda Item concerning Fairfax County's Calendar Year 2024 Forest Pest Management Program, per Appendix I of the Code of the County of Fairfax, Fairfax County Special Service District for the Control of Infestations of Insects that May Carry a Disease that is Dangerous to Humans, Gypsy Moths, Cankerworms and Certain Identified Pests.

31. **A-2 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM** (11:53 a.m.)

On motion of Supervisor Walkinshaw, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed staff to take the actions, as outlined in the Board Agenda Item, concerning Fairfax County's Disease Carrying Insects Program. This action covers all Disease Carrying Insects Program activities carried out through June 30, 2025.

32. **A-3 – APPROVAL OF COMMENTS ON WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) PROPOSED FISCAL YEAR (FY) 2025 OPERATING BUDGET AND FY 2025-2030 CAPITAL IMPROVEMENT PROGRAM** (11:54 a.m.)

Supervisor Bierman moved that the Board concur in the recommendation of staff and approve a letter (Attachment 1 of the Board Agenda Item) conveying the County's comments on the proposed FY 2025 Operating Budget and FY 2025-2030 Capital Improvement Program to WMATA. Supervisor Alcorn seconded the motion.

Supervisor Alcorn asked to amend the motion to update the letter's references to the proposed budget and add a sentence that reads: "The Fairfax County Board of Supervisors is hopeful that the WMATA Compact jurisdictions are able to secure the additional funding necessary to prevent the most severe service cuts contained in the initial budget proposals." This was accepted.

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

33. **A-4 – APPROVAL FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES (DNCS) TO SUBMIT A HEAD START/EARLY HEAD START FORMAL UNDER-ENROLLMENT PLAN TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), ADMINISTRATION FOR CHILDREN AND FAMILIES, OFFICE OF HEAD START** (11:56 a.m.)

Supervisor Palchik moved that the Board concur in the recommendation of staff and approve DNCS's Head Start/Early Head Start Under-Enrollment Plan for submission to the U.S. HHS, Administration for Children and Families, Office of Head Start. Chairman McKay and Supervisor Lusk jointly seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

DMS:dms

34. **RECESS/CLOSED SESSION** (11:58 a.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. *Kimberly LaFave, et al. v. County of Fairfax, et al.*, Case No. 1:23-cv-1606 (E.D. Va.)
 2. *State Farm Fire and Casualty Company as Subrogee of Austin Whynot v. Abdelhakim Hammoudi*, Case No. GV23-018752 (Fx. Co. Gen. Dist. Ct.)

3. *Omnia Benkilani v. Michael Burgoyne, Jr.*, Case No. GV23-022431 (Fx. Co. Gen. Dist. Ct.)
4. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Brent Thomas Burford*, Case No. GV24-000706 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cuong Tan Nguyen*, Case No. CL-2024-0000612 (Fx. Co. Cir. Ct.) (Dranesville District)
6. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Lloyd Chaisson*, Case No. CL-2023-0000503 (Fx. Co. Cir. Ct.) (Hunter Mill District)
7. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gayle L. Shura, Trustee of the Gayle L. Shura Living Trust, dated April 22, 2004*, Case No. CL-2023-0002968 (Fx. Co. Cir. Ct.) (Hunter Mill District)
8. *Jay Riat, Building Official for Fairfax County, Virginia v. Mount of Olives of Falls Church, LLC*, Case No. GV24-000293 (Fx. Co. Gen. Dist. Ct.) (Mason District)
9. *Jay Riat, Building Official for Fairfax County, Virginia v. Hector M. Perez Campos and Delmy A. Rodriguez*, Case No. GV23-009211 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
10. *Jay Riat, Building Official for Fairfax County, Virginia v. Wilbert A. Pineda and Maria Belloso*, Case No. GV23-011444 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), *Anthony Lamont Gardner, Jr. v. Fairfax County Police Department, et al.*, Case Number 1:23-cv-610 (Eastern District of Virginia, Alexandria Division)

- As permitted by Virginia Code Section 2.2-3711(A)(3), potential acquisition of real property for a public purpose in the Sully District
- As permitted by Virginia Code Section 2.2-3711(A)(1), appointment of the Police Civilian Review Panel Liaison

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

At 3:42 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

35. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:42 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.”

36. **APPOINTMENT OF A POLICE CIVILIAN REVIEW PANEL LIAISON** (3:42 p.m.)

Supervisor Jimenez moved that the Board appoint Craig A. Miles as the Police Civilian Review Panel Liaison, effective March 11, 2024, at a starting salary of \$172,000 annually. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

On behalf of the Board, Chairman McKay warmly welcomed Mr. Miles to the Board Auditorium and congratulated him on his appointment.

37. **DENIAL OF SETTLEMENT DEMAND OF ANTHONY GARDNER** (3:43 p.m.)

Supervisor Lusk moved that the Board deny the settlement demand of Anthony Gardner, according to the terms and conditions outlined by the County Attorney in Closed Session. Chairman McKay and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

KK:kk**ADDITIONAL BOARD MATTER****38. OPTIONS FOR INDIVIDUALS TO PROVIDE TESTIMONY FOR PUBLIC HEARINGS (3:44 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**39. 3:30 P.M. – PUBLIC HEARING ON SE 2023-MV-00021 (MARGARET MWIKALI MWONGELA AND THE MONTESSORI SCHOOL OF LORTON LLC) TO PERMIT A HOME DAY CARE FACILITY, LOCATED ON APPROXIMATELY 3,564 SQUARE FEET OF LAND (MOUNT VERNON DISTRICT) (3:44 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 20 and February 27, 2024.

The application property is located at 8017 George Fox Place, Lorton, 22079. Tax Map 107-4 (22) ((2)) 35A.

Margaret Mwikali Mwongela, Co-Title Owner, reaffirmed the validity of the affidavit dated September 13, 2023, for the record.

Catherine Lewis, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Following a query by Supervisor Storck, Ms. Mwangela confirmed, for the record, that she was in agreement with the proposed development conditions dated November 22, 2023.

Supervisor Storck moved that the Board approve Special Exception Application SE 2023-MV-00021, subject to the development conditions dated November 22, 2023. Supervisor Palchik and Chairman McKay jointly seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

40. **3:30 P.M. – PUBLIC HEARING ON SE 2023-FR-00008 (HIRUT TESFAYE/YAYA FAMILY CHILDCARE LLC) TO PERMIT A HOME DAY CARE FACILITY, LOCATED ON APPROXIMATELY 1,700 SQUARE FEET OF LAND (FRANCONIA DISTRICT) (3:49 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 20 and February 27, 2024.

The application property is located at 6026 Kestner Circle, Alexandria, 22315. Tax Map 91-2 ((15)) (13) 27.

Hirut T. Tesfaye, Co-Owner, reaffirmed the validity of the affidavit dated June 3, 2023, for the record.

Catherine Lewis, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Following a query by Supervisor Lusk, Ms. Tesfaye confirmed, for the record, that she was in agreement with the proposed development conditions dated November 29, 2023.

Following comments, Supervisor Lusk moved that the Board approve Special Exception Application SE 2023-FR-00008, subject to the development conditions dated November 29, 2023. 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.

41. **3:30 P.M. – PUBLIC HEARING ON SEA 94-D-002-03 (NEIGHBORHOOD AND COMMUNITY SERVICES) TO AMEND SEA 94-D-002-02 PREVIOUSLY APPROVED FOR ALTERNATIVE USES OF A PUBLIC FACILITY TO PERMIT A NON-PROFIT ORGANIZATION TO USE THE LEWINSVILLE SENIOR CENTER AND ASSOCIATED MODIFICATIONS TO THE DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 5.58 ACRES OF LAND (DRANESVILLE DISTRICT) (3:55 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 20 and February 27, 2024.

The application property is located at 1613 Great Falls Street, McLean, 22101. Tax Map 30-3 ((1)) 42A.

Karen De Mijango, Assistant Division Director, Department of Neighborhood and Community Services, reaffirmed the validity of the affidavit dated December 18, 2023, for the record.

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

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

Following the public hearing, which included testimony by one speaker, Mr. Fountain presented the staff and Planning Commission recommendations.

Following a query by Supervisor Bierman, Ms. De Mijango confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 10, 2024.

Supervisor Bierman moved that the Board approve:

- Special Exception Amendment Application SEA 94-D-002-03, subject to the development conditions dated January 10, 2024
- Reaffirmation of the modifications contained in the handout distributed, dated January 24, 2024, which will be made part of the record, and are as follows:
 - Modification of the transitional screening requirements along the periphery of the site as shown on the approved SEA Plat

- Modification of the barrier requirements along the periphery of the site as shown on the approved SEA Plat

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

42. **3:30 P.M. – PUBLIC HEARING ON RZ 2018-LE-009 (EYA DEVELOPMENT LLC) TO REZONE FROM PDH-4 AND R-1 DISTRICTS TO PDH-12 DISTRICT TO DEVELOP 174 SINGLE-FAMILY ATTACHED DWELLINGS (INCLUSIVE OF 18 ADUS) AT 10.07 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 17.28 ACRES OF LAND (FRANCONIA DISTRICT) (CONCURRENT WITH PCA-C-448-34 AND ASSOCIATED WITH PA 2015-IV-RH1)**

AND

PUBLIC HEARING ON PCA-C-448-34 (EYA DEVELOPMENT LLC) TO AMEND THE PROFFERS FOR RZ-C-448, PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO REMOVE THE LAND AREA TO PERMIT PROFFERS AND SITE DESIGN MODIFICATIONS AT A DENSITY OF 10.07 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 6.28 ACRES OF LAND (FRANCONIA DISTRICT) (CONCURRENT WITH RZ 2018-LE-009 AND ASSOCIATED WITH PA 2015-IV-RH1) (4:08 p.m.)

- (Os) 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 20 and February 27, 2024.

The property for both applications is located on the east side of South Van Dorn Street, approximately 190 feet south of its intersection with Castlewellan Drive. Tax Map 91-2 ((1)) 35A and 35B.

Mark C. Looney, Cooley LLP, reaffirmed the validity of the affidavit dated February 21, 2024, for the record.

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

- Evan A. Goldman, EYA Development LLC

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

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

Discussion ensued, with input from Mr. Looney, regarding the traffic analysis.

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

Following comments, Supervisor Lusk moved that the Board approve:

- Proffered Condition Amendment Application PCA-C-448-34
- Rezoning Application RZ 2018-LE-009, and the associated Conceptual Development Plan (CDP), subject to the proffers dated February 20, 2024
- Waivers contained in the handout distributed, dated February 14, 2024, which will be made part of the record, and are as follows:
 - Waiver of the 200 square foot privacy yard requirement in favor of that shown on the CDP and Final Development Plan
 - Waiver of the 600-foot maximum length of private streets

Chairman McKay seconded the motion. Following discussion regarding the motion, the question was called on 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.”

(NOTE: On February 14, 2024, the Planning Commission approved Final Development Plan Application FDP 2018-LE-009.)

43. **4 P.M. – PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTY AT 3601 FIREHOUSE LANE TO DISH WIRELESS, L.L.C. (MASON DISTRICT)** (4:39 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 23 and March 1, 2024.

Michael Lambert, Assistant Director, Facilities Management Department, presented the staff report.

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

Supervisor Jimenez moved that the Board authorize staff to prepare and execute all documentation necessary to lease approximately 36 square feet of ground space located at Bailey's Fire Station with an address of 3601 Firehouse Lane and identified by Tax Map Number 0614 01 0020B to Dish Wireless, L.L.C. Supervisor Lusk seconded the motion and it carried by unanimous vote.

44. **4 P.M. – PUBLIC HEARING ON, AND APPROVAL OF, THE PROPOSED SALE OF SEWER REVENUE BONDS, 2024A AND SEWER REVENUE REFUNDING BONDS, SERIES 2024B** (4:43 p.m.)

(Rs)

(BONDS)

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 20 and February 27, 2024.

Joseph LaHait, Deputy Director, Department of Management and Budget, presented the staff report.

Following the public hearing, Ellie Coddling, Deputy Director, Department of Public Works and Environmental Services, presented the staff recommendation.

Supervisor Smith moved that the Board adopt:

- The Series Resolution authorizing the sale of Sewer Revenue Bonds Series 2024A
- The Series Resolution authorizing the sale of Sewer Revenue Refunding Bonds, Series 2024B
- Direct the Clerk for the Board of Supervisors to file certified copies of the Series Resolutions with the Circuit Court

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

45. **4 P.M. – PUBLIC HEARING TO VALIDATE AND CONVEY PROPERTY AT THE FRANCONIA GOVERNMENTAL CENTER TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FRANCONIA DISTRICT)** (4:46 p.m.)

(NOTE: At its March 9, 2021, meeting, the Board held a public hearing and adopted a resolution authorizing the conveyance of property at the Franconia Government Center to the FCRHA. To resolve any concerns about the validity of that public hearing, in an abundance of caution, the Board scheduled a repeat public hearing for December 5, 2023. At its December 5, 2023, meeting the Board deferred the

public hearing until January 23, 2024. At its January 23, 2024, meeting the Board held a public hearing and deferred action until March 5, 2024.)

Supervisor Lusk announced that he is convening three community meetings, in partnership with a variety of County agencies including the Department of Neighborhood and Community Services, and the Franconia District Office, to be held at John Lewis High School, on the following dates:

- April 13, 2024, noon – 2 p.m.
- April 22, 2024, 6 p.m. – 8 p.m.
- May 6, 2024, 6 p.m. – 8 p.m.

Following comments, Supervisor Lusk moved that the decision-only to Validate and Convey Property at the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority be deferred until **May 21, 2024, at 3:30 p.m.** Supervisor Palchik seconded the motion and it carried by unanimous vote.

46. **BOARD ADJOURNMENT** (4:48 p.m.)

At 4:48 p.m. the Board adjourned.