



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
June 23, 2020**

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/bosclerk/>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 711 (TTY).

16-20

EBE:ebe

A regular meeting of the Board of Supervisors was called to order at 2:01 p.m., and was conducted wholly electronically using Fairfax County's videoconferencing system because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. The meeting was accessible to the public through live broadcast on Channel 16, live video stream, and live audio. Chairman McKay presided over the meeting and participated from the Government Center, and the following Supervisors participated remotely from their respective District Offices:

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

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

BOARD ANNOUNCEMENTS

1. **ORDERS OF THE DAY** (2:01 p.m.)

Chairman McKay stated that since the meetings continue to be electronic during the COVID-19 pandemic and because this is a special meeting, there are preliminary motions that require Board approval. He stated that because each member of the Board is participating in the meeting from his or her respective Board office, it must be verified that a quorum of Members is participating and that each Member's voice is clear, audible, and at an appropriate volume for all of the other Members. Therefore, Chairman McKay conducted a roll call and asked each Member to confirm that they could hear each other's voices.

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

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

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

Vice Chairman Gross returned the gavel to Chairman McKay.

2. **MOMENT OF SILENCE** (2:07 p.m.)

Chairman McKay stated that:

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

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

- Mr. George Klien, who died recently
- Dr. Claiborne T. Richardson, who died recently

AGENDA ITEMS

3. **2 P.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs) (2:12 p.m.)**

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard on June 23, 2020.” Chairman McKay seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

Confirmation of:

- Ms. Evelyn Spain as the Planning Commission Representative

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

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

ANIMAL SERVICES ADVISORY COMMISSION

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

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Related Professional Group #6 Representative.

ATHLETIC COUNCIL

Reappointment of:

- Mr. Michael W. Thompson as the Springfield District Principal Representative
- Ms. Jenni R. Cantwell as the Women's Sports Principal Representative

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Roberta Kelley Paul as the Mount Vernon District Representative
- Ms. Kim S. Farington as the Springfield District Representative
- Ms. Debbie Kilpatrick as the Sully District Representative

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

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

The Board deferred the appointments of the Design Professional #1 and #5 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Appointment of:

- Ms. Andrea McCarthy as the Hunter Mill District Representative
- Mr. Marco Johnson as the Mason District Representative

Reappointment of:

- Captain James Kirkpatrick as the Springfield District Representative

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

CIVIL SERVICE COMMISSION

Appointment of:

- Ms. Vanessa Jordan as the At-Large #8 Representative

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

COMMISSION FOR WOMEN

Reappointment of:

- Ms. Sondra Seba Hemenway as the At-Large Chairman's Representative

The Board deferred the appointment of the Sully District Representative.

COMMISSION ON AGING

Reappointment of:

- Ms. Phyllis Miller Palombi as the Hunter Mill District Representative
- Ms. Cathy Muha as the Sully District Representative

The Board deferred the appointment of the Mason District Representative.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Appointment of:

- Ms. Holly Seibold as the Hunter Mill District Representative

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

The Board deferred the appointments of the BOS At-Large #1, #2, and #3 Representatives.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II

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

ECONOMIC ADVISORY COMMISSION

Reappointment of:

- Mr. Dominic Bonaiuto as the At-Large #1 Representative

Appointment of:

- Mr. Robert J. Makheja as the At-Large #21 Representative

Confirmation of:

- Ms. Julie Strandlie as the Planning Commission Representative

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

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

ENGINEERING STANDARDS REVIEW COMMITTEE

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

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Hunter Mill District Representative.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Jan Ridgely as the Community/Religious Leaders #10 Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Reappointment of:

- Ms. Marion Myers as the Hunter Mill District Representative
- Mr. William D. Lecos as the Mason District Representative
- Mr. Robert Maurer as the Providence District Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Appointment of:

- Mr. Daniel T. Sherrange as the Sully District Representative

(NOTE: Nomination was announced on February 25, 2020.)

Nomination of:

- Mr. Andrew Scalise as the At-Large #3 Representative
- Mr. Willard Kenneth Garnes as the At-Large #4 Representative
- Ms. Jennifer Adeli as the Dranesville District Representative
- Ms. Robert Bartolotta as the Providence District Representative
- Ms. Srilekha Reddy Palle as the Springfield District Representative

(NOTE: The Board is scheduled to act on this appointment on July 28, 2020.)

HEALTH CARE ADVISORY BOARD

Reappointment of:

- Mr. William Finerfrock as the Springfield District Representative
- Mr. Philippe Beauchene as the Sully District Representative

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

HEALTH SYSTEMS AGENCY BOARD

Reappointment of:

- Mr. Sahil Chaudhary as the Consumer #6 Representative

Appointment of:

- Ms. Maria Zlotnick as the Provider #4 Representative

The Board deferred the appointment of the Consumer #1 and #2 Representatives.

HISTORY COMMISSION

The Board deferred the appointment of the Historian #1 Representative.

HUMAN RIGHTS COMMISSION

The Board deferred the appointments of the At-Large #7 and #9 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

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

LIBRARY BOARD

Reappointment of:

- Ms. Sheila Janega as the Hunter Mill District Representative

The Board deferred the appointment of the Lee District Representative.

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

REDEVELOPMENT AND HOUSING AUTHORITY

Appointment of:

- Mr. Broderick C. Dunn as the Braddock District Representative

Reappointment of:

- Mr. Rod Solomon as the Providence District Representative

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

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointments of the Dranesville District, Residential Owners and HOA/Civic Association #1, #2, and #3 Representatives.

ROAD VIEWERS BOARD

The Board deferred the appointments of the At-Large #1, #4, and #5 Representatives.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Reappointment of:

- Ms. Janet E. Bradshaw as the Fairfax County #1 Representative
- Ms. Darlena Ricks as the Fairfax County #3 Representative
- Ms. Kelsey J. Myers as the Fairfax County #5 Representative
- Ms. Kathleen T. Jones as the Fairfax County #6 Representative
- Ms. Alexandra Rossi as the Fairfax County #8 Representative

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

TENANT LANDLORD COMMISSION

Appointment of:

- Mr. Robert H. Chamberlain as the Citizen Member #2 Representative
- Ms. Shahana Begum Islam as the Condo Owner Representative

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

TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE

Confirmation of:

- Ms. Andrea M. Reese as the Northern Virginia Regional Park Authority Representative

The Board deferred the appointment of the Lee District Representative.

TRANSPORTATION ADVISORY COMMISSION

Reappointment of:

- Ms. Linda D. Sperling as the At-Large Representative
- Mr. Michael D. Champness as the Dranesville District Representative
- Mr. Roger L. Hoskin as the Mason District Representative
- Mr. Peter Sitnik as the Mount Vernon District Representative
- Mr. Eric D. Thiel as the Springfield District Representative

Appointment of:

- Mr. David Skiles as the Sully District Representative

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

TREE COMMISSION

Confirmation of:

- Mr. John Burke as the Park Authority Representative

The Board deferred the appointment of the Hunter Mill District Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Commercial or Retail Ownership #3 Representative.

UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) (4 years)

Confirmation of:

- Mr. Michael McGrath as the Fairfax County #2 Representative
- Ms. Stacey Smalls as the Fairfax County Alternate #1 Representative

VOLUNTEER FIRE COMMISSION

Confirmation of:

- Mr. Gerald B. Strider as the Zone I Representative
- Mr. Timothy G. Fleming as the Zone II Representative
- Mr. Thomas K. Warnock as the Volunteer Fire and Rescue Association Representative

WATER AUTHORITY

Reappointment of:

- Mr. Harry F. Day as the Mason District Representative
- Mr. Joseph Cammarata as the Mount Vernon District Representative
- Mr. Burton Jay Rubin as the Springfield District Representative

YOUNG ADULTS ADVISORY COUNCIL (YAAC)

Appointment of:

- Mr. Mohamed Rahman as the At-Large Chairman's Representative
- Ms. Denver Supinger as the At-Large #1 Representative
- Mr. Sujit R. Koppula as the Hunter Mill District Representative

- Ms. Jessica Sun as the Providence District Representative
- Mr. Lee Jackson as the Springfield District Representative
- Mr. Dalton J. Bisson as the Sully District Representative

Confirmation of:

- Ms. Casey Judge as the Fairfax County Government Employee Representative
- Ms. Lesly Ascencio as the Fairfax County Public Schools Representative
- Ms. Melanie Marie Stover as the Northern Virginia Community College Representative

The Board deferred the appointments of the At-Large #2, Braddock, Dranesville, Lee, Mason, and Mount Vernon District Representatives.

4. **2 P.M. – BOARD DECISION ON THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 2021 - 2025 (WITH FUTURE FISCAL YEARS TO 2030)** (2:13 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Fiscal Years 2021-2025 Capital Improvement Program (with future Fiscal Years to 2030) with the following amendments:

- Recommend Board approval of the recommendations proposed by the Planning Commission and outlined in the memorandum to the Board dated June 1, 2020
- Make all necessary adjustments to reflect actions taken during the Board's decision on the *FY 2020 Third Quarter Review* and the FY 2021 Adopted Budget Plan that impact the Capital Improvement Program

Vice-Chairman Gross seconded the motion.

Discussion ensued, with input from Joseph Mondoro, Chief Financial Officer, regarding the Planning Commission's recommendations to amend the Public Facilities Manual section of the Policy Plan.

Chairman McKay noted that he would have a Board Matter authorizing a Comprehensive Plan Amendment for the July 14, 2020, Board Meeting.

Supervisor Foust stressed the need to track documents relating to the referendum on classroom facilities and evaluate funds spent on early childhood education facilities.

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

DMS:dms

BOARD MATTERS

5. **2 P.M. – MATTERS PRESENTED BY BOARD MEMBERS** (2:17 p.m.)

Supervisor Gross moved approval of the following Board Matters:

- Attachment 1 – Proclaiming June 2020 as Lesbian, Gay, Bisexual and Transgender Pride Month in Fairfax County (Joint Board Matter: Presented by Supervisor Foust, Chairman McKay, Supervisor Palchik)
- Attachment 2 – Motion for Concurrent Processing: K. Hovnanian at The Boulevard at Westfields, LLC (RZ/FDP 2019-SU-010 Concurrent with PCA 78-S-063-10 and PCA 81S-076) (Presented by Supervisor Smith)
- Attachment 3 – Milestone Communications / Special Exception (Presented by Supervisor Foust)
- Attachment 4 – Proclamation Request for Mayor Laurie DiRocco of the Town of Vienna (Joint Board Matter: Presented by Chairman McKay and Supervisor Alcorn)
- Attachment 5 – Request for LDS and DPD to Develop a Survey for Customers (Joint Board Matter: Presented by Chairman McKay and Supervisor Smith)
- Attachment 6 – Request for Expedited Processing for PCA/CDPA/FDPA 2000-MV-046 (Aventon Holdings I, LLC) (Presented by Supervisor Storck)
- Attachment 7 – Concurrent Processing Motion: The Board of Supervisors of Fairfax County (Presented by Supervisor Walkinshaw)
- Attachment 8 – Request to Make Fairfax County an Official “My Brother’s Keeper Community” (Presented by Chairman McKay)
- Attachment 9 – Request for Staff to Develop a Housing Partnership Pledge and Guidelines for Emergency Rental Assistance and to Explore Additional

Flexibilities for Emergency Rental Assistance (Joint Board Matter: Presented by Chairman McKay, Supervisor Foust, Supervisor Storck)

- Attachment 10 – Request to Inventory Confederate Names (Joint Board Matter: Presented by Supervisor Palchik and Supervisor Alcorn)
- Attachment 11 – Request for Expedited BOS Public Hearing Scheduling for RZ 2019-SU-021/SE 2019-SU-022 (Blue Knob Investors, LLC) (Presented by Supervisor Smith)

Supervisor Foust seconded the motion.

Supervisor Herrity requested that Attachment 10 – Request to Inventory Confederate Names be pulled for discussion.

Supervisor Herrity moved a friendly amendment to include identification when the buildings were named, specifically if they were named during the 1950-1960s. This was accepted.

Supervisor Foust requested that if additional time is needed to complete this, that staff contact the Board with an explanation as to why. This was accepted.

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

EA:ea

6. **ADMINISTRATIVE ITEMS** (2:36 p.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

ADMIN 1- ADDITIONAL TIME TO OBTAIN A NON-RESIDENTIAL (NON RUP) USE PERMIT (NON-RUP) FOR SPECIAL EXCEPTION APPLICATION SE 2014-MA-003, KENNETH H. FISHER (MASON DISTRICT)

(AT) Approved the request for twelve months of additional time to obtain a Non-RUP for Special Exception Application SE 2014-MA-003 to July 1, 2021, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

ADMIN 2– ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2015-MV-032, ARTIS SENIOR LIVING (MOUNT VERNON DISTRICT)

- (AT) Approved the request for twenty-four months of additional time to commence construction for Special Exception Application SE 2015-MV-032 to July 1, 2022, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

ADMIN 3– ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-121-03, WESTMINSTER SCHOOL, INC. (MASON DISTRICT)

- (AT) Approved the request for thirty months of additional time to commence construction for Special Exception Amendment Application SEA 84-M-121-03 to January 1, 2023, pursuant to the provisions of Sect. 9-015 of the Zoning Ordinance.

ADMIN 4– AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF WESTBRANCH DRIVE/ROUTE 5457 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 15, 2020, at 4:00 p.m.** to consider the vacation of a portion of Westbranch Drive/Route 5457.

ADMIN 5– APPROVAL OF A RESOLUTION TO ALLOW EMERGILITY, LLC, TO OPERATE A PRIVATE EMS AGENCY WITHIN FAIRFAX COUNTY

- (R) Adopted a resolution allowing Emergility to operate an EMS Agency within Fairfax County.

ADMIN 6– APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (PROVIDENCE DISTRICT)

- Endorsed the following the installation of “Watch for Children” signs on the following roads:
 - One “Watch for Children” sign on Overlook Street (Providence District)
 - One “Watch for Children” sign on Hilltop Avenue (Providence District)
 - One “Watch for Children” sign on Idylwood Road (Providence District)

- Directed the Fairfax County Department of Transportation (FCDOT) to schedule the installation of the approved “Watch for Children” signs as soon as possible.

ADMIN 7– APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (MASON DISTRICT)

- (R)
- Endorsed the following traffic calming plan and resolution for Westlawn Drive consisting of the following:
 - Three speed humps on Westlawn Drive (Mason District)
 - Directed the Fairfax County Department of Transportation (FCDOT) to schedule the installation of the approved traffic calming measures as soon as possible.

ADMIN 8– AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ALLOW EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED PATRICK HENRY PLACE (MASON DISTRICT)

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **July 28, 2020, at 4:00 p.m.** to allow eminent domain proceedings for the acquisition of certain land rights necessary for the construction of Project HS-000021, Patrick Henry Shelter-2016, in Fund 30010, General County Construction and Contributions.

ADMIN 9– AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AMENDMENTS TO CHAPTER 41.1 OF THE FAIRFAX COUNTY CODE RELATING TO ANIMAL CONTROL AND CARE

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **July 14, 2020, at 4:30 p.m.** to consider amendments to Chapter 41.1 of the Fairfax County Code, governing Animal Control and Care.

The proposed amendments to Chapter 41.1 will (i) allow wildlife rehabilitators, exhibitors and other individuals who have valid permits from the Virginia Department of Game and Inland Fisheries to possess wildlife in the County, (ii) revise the definition of wild or exotic animal, (iii) revise rabies control provisions, (iv) revise provisions related to traveling animal exhibitions (v) remove provisions related to euthanizing wildlife at the County’s animal shelter (vi) update the animal shelter’s fee schedule and (vii) make other minor revisions to Chapter 41.1.

ADMIN 10– APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 20247 FOR THE DEPARTMENT OF FAMILY SERVICES TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES AS A RESULT OF FUNDING MADE AVAILABLE THROUGH THE COMMUNITY SERVICES BLOCK GRANT TO ADDRESS THE COVID-19 PANDEMIC AS PART OF THE CARES ACT

- (SAR)
- Approved SAR AS 20247 for the Department of Family Services to accept grant funding from the Virginia Department of Social Services in the amount of \$874,520, which will be used to provide emergency food assistance through Food for Others. This funding is available as a result of the Coronavirus Aid, Relief, and Economic Security (CARES) Act signed by the President on March 27, 2020 and distributed to entities receiving Community Services Block Grant (CSBG) funding. The grant period for the supplemental CSBG funding is May 22, 2020 to September 30, 2022. When grant funding expires, the County is under no obligation to continue funding the program. No Local Cash Match is required
 - Authorized the Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 11– AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3, COUNTY EMPLOYEES, ARTICLE 1, PERSONNEL ADMINISTRATION, SECTIONS 3-1-1 AND 3-1-21

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 14, 2020, at 4:30 p.m.** to amend Chapter 3, County Employees, Article 1, Personnel Administration, of the Code of the County of Fairfax. The proposed amendments are required as a result of SB 868 which was passed by the 2020 session of the General Assembly, signed by the Governor and takes effect July 1, 2020. The proposed amendments will be effective retroactive to July 1, 2020.

7. **A-1 – APPROVAL OF FY 2020 YEAR-END PROCESSING** (2:37 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and authorize staff to process

payment vouchers for items previously approved and appropriated in FY 2020 for the interim period from July 1 until the Board approves the FY 2020 Carryover Review, which is scheduled for action on September 29, 2020.

Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

8. **A-2 – APPROVAL OF REVISIONS TO PROCEDURAL MEMORANDUM NO. 11-01, EXEMPT SERVICE** (2:37 p.m.)

On motion by Supervisor Gross, seconded by Supervisor Palchik, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved revisions to Fairfax County Procedural Memorandum No. 11-01, Exempt Service, which are required as a result of action taken by the 2020 session of the Virginia General Assembly.

9. **A-3 – APPROVAL OF REVISIONS TO CHAPTERS 4, 7, 10, AND 12 OF THE PERSONNEL REGULATIONS TO ALIGN DEFINITIONS AND TO REPLACE PARENTAL LEAVE WITH PAID FAMILY LEAVE** (2:38 p.m.)

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

- Revisions to Chapters 4, 7, 10, and 12 of the Personnel Regulations, aligning definitions and adding paid family leave
- The Family Medical Leave program becoming effective on October 10, 2020, with the following change to Section 10.23 of the proposed revision to Chapter 10 of the Fairfax County Personnel Regulations:
 - Paid Family Leave shall only be available for the qualified absences that would be covered under the Family Medical Leave act on or after the effective date of this regulation

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

10. **A-4 – APPROVAL OF THE FALL 2020 BOND REFERENDA FOR TRANSPORTATION, PARKS AND PARK FACILITIES, LIBRARIES, AND COMMUNITY HEALTH AND HUMAN SERVICES FACILITIES** (2:48 p.m.)

(Rs) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and:

- Adopt a resolution (Attachment 2), directing the County Attorney to petition the Circuit Court to order a Transportation bond referendum on November 3, 2020
- Adopt a resolution (Attachment 3), directing the County Attorney to petition the Circuit Court to order a Parks and Park Facilities bond referendum on November 3, 2020
- Adopt a resolution (Attachment 4), directing the County Attorney to petition the Circuit Court to order a Libraries bond referendum on November 3, 2020
- Adopt a resolution (Attachment 5), directing the County Attorney to petition the Circuit Court to order a Community Health and Human Services Facilities bond referendum on November 3, 2020
- Authorize the preparation and distribution of an informational pamphlet about the bonds that is mailed to all County households

Supervisor Foust seconded the motion.

Discussion ensued, with input from Gary Scott, General Registrar and Director of Elections, Electoral Board, regarding the length and layout of the 2020 election ballot.

Vice-Chairman Gross requested the verbiage about County libraries be more transparent to better illustrate the history of building improvements.

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

11. **A-5 – APPROVAL OF REVISIONS TO CHAPTER 17 OF THE PERSONNEL REGULATIONS DUE TO LEGISLATION PASSED BY THE GENERAL ASSEMBLY** (2:59 p.m.)

On motion by Supervisor Gross, seconded by Chairman McKay and carried by a unanimous vote, the Board concurred in the recommendation of staff and approved revisions to the Fairfax County Personnel Regulations, to ensure compliance with Va. Code § 15.2-1507.

KK:kk

12. **3 P.M. – PUBLIC HEARING TO CONSIDER ADOPTING A REDUCTION IN THE LATE PAYMENT PENALTY ORDINANCES FOR REAL ESTATE AND PERSONAL PROPERTY TAXES FOR TAX YEAR 2020** (3:00 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 12 and 19, 2020.

Jay Doshi, Director, Department of Tax Administration, presented the staff report.

Following the public hearing, Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4, Taxation and Finance of the Code of the County of Fairfax, Virginia to reduce the Late Payment Penalty for Real Estate and Personal Property Taxes and to eliminate the additional late payment penalty for Personal Property taxes past due more than 30 days for tax year 2020 pursuant to Fairfax County Code §§ 4-10-1 and 4-17.1-9. This ordinance is limited to tax year 2020 and is intended to alleviate the negative financial impact stemming from the potential spread of COVID-19. If approved, the ordinance will assist residents and businesses in Fairfax County. Supervisor Gross seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

Vice-Chairman Gross returned the gavel to Chairman McKay.

BOARD RECESS (3:03 p.m.)

Chairman McKay announced that the Board would be in recess until 3:30 p.m., at which time the next Public Hearings would be heard.

The recessed meeting was called to order at 3:30 p.m. with all Members being present and with Chairman McKay presiding.

13. **3:30 P.M. – PUBLIC HEARING ON REZONING APPLICATION RZ 2019-SP-014 (BRIGHTVIEW SENIOR LIVING DEVELOPMENT, LLC) TO REZONE FROM R-1 AND WS TO PDH-4 AND WS TO PERMIT ADDITIONAL LAND AREA FOR AN INDEPENDENT LIVING AND ASSISTED LIVING FACILITY WITH NO INCREASE IN DENSITY OR INTENSITY, LOCATED ON APPROXIMATELY 0.16 ACRES OF LAND**

(AND)

PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA/CDPA 2017-SP-017 (BRIGHTVIEW SENIOR LIVING DEVELOPMENT, LLC) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLAN FOR REZONING APPLICATION RZ 2017-SP-017, PREVIOUSLY APPROVED FOR AN INDEPENDENT LIVING AND ASSISTED LIVING FACILITY, TO

PERMIT AN INDEPENDENT LIVING AND ASSISTED LIVING FACILITY AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN AT A DENSITY OF 15.16 DWELLING UNITS PER ACRE AND A FLOOR AREA RATIO OF 0.21, LOCATED ON APPROXIMATELY 5.62 ACRES OF LAND ZONED PDH-4 AND WS (SPRINGFIELD DISTRICT) (3:30 p.m.)

Supervisor Herrity moved to defer the public hearing on Rezoning Application RZ 2019-SP-014 and Proffered Condition Amendment /Conceptual Development Plan Amendment Application PCA/CDPA 2017-SP-017 until **November 17, 2020 at 3:30 p.m.** Supervisor Smith seconded the motion and it carried by unanimous vote.

14. **3:30 P.M. – PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-H-043 (MICHAEL F. FLAHERTY) TO AMEND THE PROFFERS FOR RZ 1993-H-043 TO PERMIT DELETION OF LAND AREA, LOCATED ON APPROXIMATELY 15,310 SQUARE FEET OF LAND ZONED R-2 (HUNTER MILL DISTRICT)** (3:32 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 June 5 and 12, 2020.

This property is located on the east side of Lupine Drive and north side of Drewlaine Drive approximately 900 feet north of its intersection with Old Courthouse Road. Tax Map 28-4 ((34)) E.

Lori Greenlief, McGuireWoods LLP, reaffirmed the validity of the affidavit for the record.

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

Ms. Greenlief 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, Mr. Onyebuchi presented the staff and Planning Commission (PC) recommendations.

Supervisor Alcorn moved approval of:

- Proffered Condition Amendment Application PCA 93-H-043

Chairman McKay seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity,

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

15. **3:30 P.M. – PUBLIC HEARING ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2017-SP-028 (SERITAGE SRC FINANCE LLC) TO AMEND THE SPECIAL EXCEPTION APPLICATION SE 2017-SP-028, PREVIOUSLY APPROVED FOR A WAIVER OF CERTAIN SIGN REGULATIONS TO PERMIT ADDITIONAL SIGN AREA AND MODIFICATIONS TO DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 15.07 ACRES OF LAND ZONED C-7 AND HC (SPRINGFIELD DISTRICT) (3:37 p.m.)**

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 5 and 12, 2020.

This property is located at 12000 L. Fair Oaks Mall, Fairfax, 22033. Tax Map 46-3 ((8)) 2.

Kathryn Taylor, Walsh, Colucci, Lubeley & Walsh, P.C., reaffirmed the validity of the affidavit for the record.

Tracy Strunk, Division Director, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

Ms. Taylor 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, Ms. Strunk presented the staff and Planning Commission (PC) recommendations.

Supervisor Herrity moved:

- Approval of Special Exception Amendment Application SEA 2017-SP-028, subject to the proposed development conditions dated April 29, 2020

Supervisor Smith seconded the motion.

Discussion ensued with Chairman McKay asking if this application was coming in under the new revised flexibility that the Board gave to regional malls. Ms. Strunk stated that she did not believe so since the sign regulations were already in place, and that if they meet certain standards, the Board can waive certain sign regulations.

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

BOARD RECESS (3:45 p.m.)

Chairman McKay announced that the Board would be in recess until 4:00 p.m., at which time the remaining Public Hearings would be heard.

The recessed meeting was called to order at 4:00 p.m. with all Members being present and with Chairman McKay presiding.

16. **4 P.M. – PUBLIC HEARING ON REZONING APPLICATION RZ 2019-LE-012 (BRIGHTVIEW SENIOR LIVING DEVELOPMENT, LLC) TO REZONE FROM R-1 TO PDC TO PERMIT A CONTINUING CARE FACILITY AND CHURCH WITH CHILD CARE CENTER WITH AN OVERALL FLOOR AREA RATIO OF 0.62 AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 7.61 ACRES OF LAND (LEE DISTRICT)** (4:00 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 5 and 12, 2020.

This property is located on the east side of Telegraph Road, south of its intersection with Mission Court. Tax Map 92-1 ((1)) 23 and 24.

Lori Greenlief, McGuireWoods LLP, reaffirmed the validity of the affidavit for the record.

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

Ms. Greenlief 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, Mr. Creed presented the staff and Planning Commission (PC) recommendations.

Supervisor Lusk moved approval of:

- Rezoning Application RZ 2019-LE-012, subject to the execution of proffered conditions consistent with those dated May 21, 2020
- Modification of the transitional screening requirement along the western and northern property lines in favor of the landscaping shown on the CDP/FDP

- Modification of the required barrier along the northern property line in favor of the existing barrier shown on the CDP/FDP
- Waiver of the required barrier along the western property line
- Modification of the peripheral parking lot landscaping in favor of the landscaping as shown on the CDP/FDP

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

(NOTE: On May 20, 2020, the PC approved Final Development Plan Application FDP 2019-LE-012, subject to the proposed development conditions dated April 29, 2020.)

17. **4 P.M. – PUBLIC HEARING ON REZONING APPLICATION RZ 2019-BR-019 (CONLEY DEVELOPMENT, LLC) TO REZONE FROM R-1 TO R-2 TO PERMIT RESIDENTIAL DEVELOPMENT WITH A TOTAL DENSITY OF 2.0 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 1.0 ACRES OF LAND (BRADDOCK 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 June 5 and 12, 2020.

This property is located on the west side of Olley Lane, approximately 865 feet south of its intersection with Little River Turnpike. Tax Map 58-4 ((12)) 8.

John Manganello, Land Development Consultants, Inc., reaffirmed the validity of the affidavit for the record.

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

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

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

Supervisor Walkinshaw moved approval of:

- Rezoning Application RZ 2019-BR-019, subject to the execution of proffered conditions consistent with those dated May 20, 2020

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

(NOTE: On May 20, 2020, the PC recommended approval of Rezoning Application RZ 2019BR-019 and its associated Generalized Development Plan (GDP), subject to the execution of proffered conditions consistent with those dated May 20, 2020.)

18.

4 P.M. – PUBLIC HEARING ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2006-HM-017-02 (CENTREVILLE ROAD LC) TO AMEND SE 2006-HM017, PREVIOUSLY APPROVED FOR A CHILD CARE CENTER, TO PERMIT DELETION OF LAND AREA AND ASSOCIATED MODIFICATIONS TO SITE DESIGN AND DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 2.61 ACRES OF LAND ZONED R-1 (HUNTER MILL DISTRICT) (4:26 p.m.)

(NOTE: On June 9, 2020, the Board deferred the public hearing until June 23, 2020 at 4:00 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 June 5 and 12, 2020.

This property is located at 2745 and 2747 Centreville Road, Herndon, 20171. Tax Map 25-1 ((1)) 34C and 34D.

Mukhtar Ahmad, Metropolitan Consulting Engineers, LLC, reaffirmed the validity of the affidavit for the record.

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

Mr. Ahmad 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, Mr. Onyebuchi presented the staff and Planning Commission (PC) recommendations.

Following a query by Supervisor Alcorn, Mr. Ahmad confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 3, 2020.

Supervisor Alcorn moved:

- Approval of Special Exception Amendment Application SEA 2006-HM-017-02, subject to the proposed development conditions dated March 3, 2020

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

19. **4:30 P.M. – PUBLIC COMMENT ON ISSUES OF CONCERN** (4:31 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 June 5 and 12, 2020.

Public comment was held and included the following individuals:

- Mark Ingraio, Introduction to Northern Virginia Building Industry Association (NVBIA)
- Peggy Pridemore, Gun safety legislation
- Alexander Burke, Herndon development
- Donna Jacobson, Resident involvement in land use decisions
- Robert Mercincavage, Excessive motor vehicle noise
- Carol Turner, Accessory dwelling units
- Sheila Dunheimer, Metropolitan Washington Airport Authority's current (2019) noise contour line map
- Catherine Ledec, Pavilions at Huntington Metro Community Association
- Richmond Forsen, John Quincy Marr Memorial

Supervisor Herrity noted that Governor Northam announced that Virginia would be entering Phase 3 on July 1, 2020. He stated that if the County is unable to move forward, he requested that it be discussed with the entire Board. Chairman McKay stated that he is hopeful that the county will move on to Phase 3 but is awaiting correspondence from the Northern Virginia Health Directors stating that the County has met the Governor's criteria for Phase 3.

20. **BOARD ADJOURNMENT** (5:08 p.m.)

The Board adjourned.