

CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

TUESDAY April 11, 2023

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, April 11, 2023, at 9:35 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Rodney Lusk, Lee 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; Nathaniel Strathearn, Management Analyst II, Ekua Brew-Ewool and Kecia Kendall, Deputy Clerks, Department of Clerk Services.

BOARD MATTER

1. **MOMENT OF SILENCE** (9:36 a.m.)

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

- Michael Tamillow, former Fairfax County Battalion Chief, who passed away recently. Mr. Tamillow helped develop the County's elite Urban Search and Rescue program. He led the Virginia Task Force 1 on many missions, including to earthquakes in Armenia, the Philippines, Turkey, Taiwan, and Iran. He was part of the team that responded to the Oklahoma City Bombing, the U.S Embassy bombing in Kenya, and to the Pentagon on 9-11. Mr. Tamillow was diagnosed with work-related lung cancer in 2020. Chairman McKay noted that this serves as a reminder of the risks that the County's firefighters take every day in serving the community. He asked everyone to keep in thoughts, the Fire and Rescue Department and Public Safety Family
- Anne Keast, who passed away recently. Mrs. Keast was the Chairman of the 8th and 11th Republican Congressional District Committees, was on the Virginia Republican Party State Central Committee and was President and active member of the Monticello Republican Women's Club. She was very civically active and served on the Fairfax County Water Authority and was a Member of the Board of Social Work
- Charles Olin, who passed away recently. Mr. Olin was active in Great Falls communities' effort to save Turner Farm from development and was central to the negotiations between the Park Authority and the U.S. Department of the Interior to transfer the Defense Mapping facility to the Park Authority. In 2011, the Park Authority recognized the Olin's by bestowing them with the prestigious Ellie Doyle Park Service Award
- Molly Bess Abraham, who passed away recently. Ms. Abraham owned and operated the Vienna Inn for four decades along with her husband Meyer Abraham. From the days of racial segregation to the Equal Rights Amendment, Ms. Abraham was on the front lines. She was instrumental in founding the Alexandria Chapter of the National Organization for Women and served as the Virginia State Coordinator. She was also the Chair of the Commission for Women for two terms, advocating equal pay and retirement benefits and worked for Common Cause after selling the Vienna Inn. In 2011 she was named a living legend, an acknowledgement of her significant contributions to the quality of life in Alexandria

- Lloyd Ingram, who passed away April 20. 2022. Supervisor Walkinshaw noted that this is the one-year anniversary of the death of Mr. Ingram, who was struck and killed at the intersection of Olley Lane and Guinea Road. Mr. Ingram's family has turned their grief and frustration into activism. They are advocating with the Board and Virginia Department of Transportation to install a traffic signal at that intersection. Supervisor Walkinshaw asked that the Board recommit to improving safety for pedestrians, bicyclists, and drivers around the County
- Samantha Jennings-Jones, who died recently. She was a 36-year old pedestrian walking on the sidewalk in the Groveton area and was struck and killed by a motorist
- Phillip Hester, who died recently. He was a 62-year old pedestrian who was walking to a bus stop in the Belvoir/Fairfax County Parkway area and was struck and killed by a motorist

AGENDA ITEMS

2. **RESOLUTION OF RECOGNITION PRESENTED TO THE JUSTICE HIGH SCHOOL GIRLS SWIM TEAM MEMBERS** (9:46 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to the Justice High School Girls Swim Team members for their wins in the Virginia High School Class 6A State Championship. Chairman McKay seconded the motion and it carried by unanimous vote.

3. RESOLUTION OF RECOGNITION PRESENTED TO THE HAYFIELD HIGH SCHOOL BOYS BASKETBALL TEAM MEMBERS (9:57 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to the Hayfield High School Boys Basketball Team members for winning the Virginia High School Class 6A State Championship. Supervisor Herrity and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

4. RESOLUTION OF RECOGNITION PRESENTED TO THE CHANTILLY HIGH SCHOOL, MCLEAN HIGH SCHOOL, AND WEST SPRINGFIELD HIGH SCHOOL RECIPIENTS OF THE 2023 FIRST AMENDMENT PRESS FREEDOM AWARD (10:10 a.m.)

Supervisor Smith moved approval of the Resolution of Recognition presented to the Chantilly High School, McLean High School, and West Springfield High School recipients of the 2023 First Amendment Press Freedom Award. The motion was multiply seconded and it carried by unanimous vote.

5. PROCLAMATION DESIGNATING APRIL 9-15, 2023, AS "PUBLIC SAFETY TELECOMMUNICATORS WEEK" IN FAIRFAX COUNTY (10:25 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating April 9-15, 2023, as "Public Safety Telecommunicators Week" in Fairfax County. The motion was multiply seconded and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

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ADDITIONAL BOARD MATTERS

6. PROCLAMATION REQUEST DESIGNATING APRIL 2023 AS "ARAB AMERICAN HERITAGE MONTH" (10:37 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Proclamation designating April as "Arab American Heritage Month" in the County. Without objection, it was so ordered.

7. PROCLAMATION REQUEST DESIGNATING APRIL 14, 2023, AS "SIKH VAISAKHI DAY" (10:37 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 14, 2023, as "Sikh Vaisakhi Day" in the County. Without objection, it was so ordered.

8. **PROCLAMATION REQUEST DESIGNATING APRIL 23 – 29, 2023, AS** <u>"LIBRARY WEEK"</u> (10:37 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 23 - 29, 2023, as "Library Week" in the County. Without objection, it was so ordered.

9. **PROCLAMATION REQUEST FOR WASHINGTON GAS** (10:37 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for Washington Gas, in recognition of its 175th anniversary. Without objection, it was so ordered.

10. PROCLAMATION REQUEST DESIGNATING MAY 10, 2023, AS "VOLUNTEER RECOGNITION DAY" (10:37 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating May 10, 2023, as "Volunteer Recognition Day" in the County. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

11. PROCLAMATION REQUEST DESIGNATING APRIL 18, 2023, AS "HOLOCAUST REMEMBRANCE DAY" (10:37 a.m.)

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

Therefore, jointly with Chairman McKay and Supervisor Palchik, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a Proclamation, to be signed by the Chairman and Mason District Supervisor, designating April 18, 2023, as "Holocaust Remembrance Day" in the County, to be presented at an off-site event. Without objection, it was so ordered.

12. PUBLICITY REQUEST FOR CULMORE COMMUNITY DAY "SAFETY: COMMUNITY RESPONSIBILITY" (10:38 a.m.)

Supervisor Gross stated that Culmore Community Day was originally started over 17 years ago by the global community of the Bailey's Crossroads/Culmore area to meet and celebrate the diversity of the surrounding community. It quickly evolved into an annual event of recreational activities designed to create a strong and connected multicultural community. Today, it is a well-attended community event, with well over 500 people attending. A variety of public and private-sector groups provide free refreshments, food and entertainment, as well as assist with running the day's activities. Some of the events/activities that take place at the Culmore Community Day include public safety education, local government and non-profit resource kiosks, folklore dancing, live music, animal exhibits, face painting, Child etc. This vear's Culmore Community "Safety: Community Responsibility," will be held May 6, 2023, from 10 a.m. - 1 p.m., in the parking lot of the Woodrow Wilson Library.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs, in coordination with the Fairfax County Park Authority, to publicize this event. Without objection, it was so ordered.

13. <u>CERTIFICATE OF RECOGNITION REQUEST FOR BOY SCOUTS OF AMERICA (BSA) TROOP 150</u> (10:40 a.m.)

Supervisor Gross stated that BSA Troop 150 was first chartered in 1928. That summer, they held their first meeting in the building next to the "Little White Church," now known as the Annandale United Methodist Church. This was the first BSA Troop meeting in the County. They have rechartered every consecutive year since then, making it the longest continually operating Troop in the County. This year marks its 95th year of continued operation and service in proving opportunities and training in responsible citizenship, character development, and self-reliance.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition, to be signed by the Chairman and Mason District Supervisor, to be presented to BSA Troop 150, in recognition of its 95th anniversary serving youth in the County, to be presented out of the Board Room. Without objection, it was so ordered.

14. FISCAL YEAR (FY) 2023 THIRD QUARTER BUDGET CONSIDERATION ITEM FOR THE LAKE ACCOTINK PARK PLAYGROUND (BRADDOCK DISTRICT) (10:41 a.m.)

Supervisor Walkinshaw stated that Lake Accotink Park is enjoyed by hundreds of thousands of visitors per year. One of the central amenities is the park's playground, near the marina. Unfortunately, this playground has been closed since November 2022, when it was determined that the equipment was unsafe for use due to wear and tear.

Unlike most other playgrounds in the County, the vendor for this particular playground is no longer in business, and the Park Authority has been unable to find the replacement parts to restore the playground to safe working condition. Therefore, the only option is a full replacement, estimated at \$300,000. A project of this scope was not included in the Park Authority's FY 2024 Budget request or in its 2023 Capital Improvement Program work plan.

Therefore, jointly with Chairman McKay and Supervisor Lusk, Supervisor Walkinshaw circulated, around the dais, the Third Quarter Review Consideration Item, to accelerate the timeline for fulfilling the replacement of the Lake Accotink Park Playground.

15. RECOGNITION REQUEST FOR MCLEAN HIGH SCHOOL (DRANESVILLE DISTRICT) (10:42 a.m.)

Supervisor Foust stated that the Columbia Scholastic Press Association (CSPA) recently named McLean High School's magazine and website, *The Highlander*, a recipient of the 2023 Gold Crown Award in hybrid news. McLean High School was one of only 16 schools in the nation to receive the Gold Crown, and the only school

in Virginia to earn the top honor this year. This is the second consecutive year that McLean High School has received this prestigious award.

This award recognizes excellence in student-run media, based on design, photography, concept, coverage, and writing. CSPA judged 805 entries.

The Columbia Scholastic Press Association is an international student press association, founded in 1925, whose goal is to unite student journalists and faculty advisers at schools and colleges.

Therefore, jointly with Supervisor Palchik, Supervisor Foust asked unanimous consent that the Board direct staff to invite the journalism students from McLean High School, their advisers and other school representatives, to appear before the Board on May 23, 2023, to be recognized for their tremendous accomplishment. Without objection, it was so ordered.

16. PROCLAMATION REQUEST DESIGNATING SEPTEMBER 2023 AS "EMERGENCY PREPAREDNESS MONTH" AND CREATION OF A PUBLIC INFORMATION PACKAGE (10:44 a.m.)

Supervisor Lusk stated that September 2023 will mark the 22nd anniversary of 9/11 and National Preparedness Month, when the County will continue its focus on ensuring its residents are equipped for any form of emergency. National Preparedness Month provides an annual opportunity for residents to learn about the various hazards they may face and best practices on how to prepare for an emergency, and act, in the event a disaster occurs.

Supervisor Lusk expressed his gratitude to the exceptional employees at the Department of Emergency Management and Security (DEMS) for their continuous efforts to keep the County and its residents safe. Each year, DEMS creates the Community Emergency Response Guide and Business Disaster Resilience Guide. Both resources assist residents to be prepared in the event of an emergency or disaster.

Therefore, Supervisor Lusk moved that the Board direct:

- DEMS and the Office of Public Affairs, to create a public information package based on the theme of the 2023 National Preparedness Month, which will be distributed among staff and the public
- Staff to prepare a Proclamation designating September 2023 as "Emergency Preparedness Month" in the County, in appreciation of the tireless work done every day by the people serving the County under the DEMS, to be presented in September 2023

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

17. PROCLAMATION REQUEST FOR THE DEPARTMENT OF EMERGENCY MANAGEMENT AND SECURITY (DEMS) (10:47 a.m.)

Supervisor Lusk stated that the third week of May 2023, is Business Continuity Awareness Week. For those who may not be familiar, business continuity describes an organization's ability to withstand and recover from physical threats, such as natural disasters and security breaches, as well as risks related to technology, operations, and reputational damage. According to the Insurance Institute, "up to 40 percent of businesses affected by a natural or man-made disaster never reopen."

Governments have played a key role in the development and promotion of resilience. The establishment of national emergency management frameworks and implementation of risk mitigation strategies come in the aftermath of World War II, when governments recognized the need to ensure the continuity of critical infrastructure and essential services during times of crisis. In the County, focus has been placed on its ability to continue operations and providing services via the County's Continuity program and its associated programs. Fairfax County's Business Continuity Program assists businesses in the County to increase their resiliency through the Business Disaster Resilience Guide. Implementing a business preparedness plan to ensure that each component of a business is prepared to respond and recover from a disruption is vital to securing business continuity. By working together, the County can ensure it is prepared and resilient in the face of ongoing challenges, contributing to the stability and sustainability of its economy and society.

Therefore, Supervisor Lusk moved that the Board direct the Office of Public Affairs to prepare a Proclamation for the DEMS, in recognition of the essential work done to ensure business continuity, to be presented in May at a Board Meeting. Chairman McKay seconded the motion and it carried by unanimous vote.

18. **RESOLUTION OF RECOGNITION REQUEST FOR CLAUDIA LLANA** (10:49 a.m.)

Supervisor Lusk stated that Claudia Llana, who most recently served as the Director of Transportation and Land Use for Fairfax and Arlington Counties in the Virginia Department of Transportation (VDOT), has been a pillar of the community throughout her 26 years of service with VDOT. Ms. Llana helped to improve transportation safety in the County through an array of projects she oversaw, including the SmartScale Program in the County and Prince William County, I-66, Route 1 widening, and bus rapid transit project.

Through her leadership, Ms. Llana has engaged the community, State and local elected officials, and other stakeholders in Northern Virginia to effectively resolve persistent issues involving traffic safety and pedestrian fatalities. Ms. Llana mentored others while at VDOT, cultivating the next generation of transportation leaders and preparing the department for unlimited future success. Her unwavering

dedication to the communities she served is evident in her remarkable accomplishment and exceptional level of engagement with the community.

Ms. Llana truly made a mark on the County community, and her dedication to making roads in the region safer is sincerely valued. She was someone the County knew it could rely on to put the needs of the community first and foremost, and her guidance and assistance will be missed. The County thanks her for her continued and unequivocal support for the County.

Therefore, Supervisor Lusk moved that the Board direct the Office of Public Affairs to prepare a Resolution of Recognition for Claudia Llana, in recognition of her contributions to the County. Chairman McKay and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

19. YOU ARE NOT ALONE 5K FUN RUN (FRANCONIA DISTRICT) (10:53 a.m.)

Supervisor Lusk provided an update on the <u>You Are Not Alone 5k Fun Run</u> and thanked everyone who participated and contributed to the event.

20. PUBLICITY AND PROCLAMATION REQUESTS DESIGNATING MAY 19, 2023, AS "BIKE TO WORK DAY" (10:57 a.m.)

Supervisor Alcorn stated that in less than two weeks after the upcoming Tour de Hunter Mill, another great cycling event, Bike To Work Day, will take place on May 19, 2023. The County, and its Department of Transportation (DOT), Commuter Connections, the Washington Area Bicyclist Association and neighboring governments are hosting the 22nd annual event. It is a great opportunity to enjoy a healthy and environmentally friendly commute to work and enjoy some of the scenic roads and trails. Even if a resident is working from home, they can participate by biking to one of the many pit stops across the County to get out of the house and enjoy the fun. Residents with longer commutes should consider biking as a first and last mile to a bus or train stop. DOT has great resources, maps and how to register, on its web page www.fairfaxcounty.gov/transportation/bike-work-day-2023.

Therefore, jointly with Chairman McKay and Supervisor Palchik, Supervisor Alcorn moved that the Board direct:

- Staff to prepare a Proclamation designating May 19, 2023, as "Bike to Work Day" in the County
- DOT and the Office of Public Affairs to promote Bike to Work Day to County residents and businesses

Chairman McKay seconded the motion. Supervisor Herrity announced that the Springfield District would be hosting a pit stop. Supervisor Palchik announced that

the Providence District would also be hosting Bike to Work Day. The question was called on the motion and it carried by a vote of nine, Supervisor Foust being out of the room.

21. <u>CERTIFICATE OF RECOGNITION REQUEST FOR THE RESTON</u> COMMUNITY PLAYERS (HUNTER MILL DISTRICT) (11 a.m.)

Supervisor Alcorn stated that he was proud to announce that on March 19, 2023, the Reston Community Players received 13 Washington Area Theatre Community Honors Awards, also known as the WATCH awards. The awards were for the Players productions of "A Little Night Music," "The Game's A Foot" and "Bright Star." By comparison, the next highest number of awards received was six by the Arlington Players. The Reston Community Players have enriched the County since 1966, which was just a few years after Robert E. Simon, Jr. founded Reston. The County is very proud of its performing arts community in the County and recognizes this noteworthy achievement by the Reston Community Players.

Therefore, Supervisor Alcorn asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Certificate of Recognition for the Reston Community Players, including the 2023 WATCH Award recipients, to be presented at an upcoming Board Meeting. Without objection, it was so ordered.

22. CERTIFICATE OF RECOGNITION REQUEST FOR THE SOUTH LAKES HIGH SCHOOL JUNIOR RESERVE OFFICERS' TRAINING CORPS (JROTC) BATTALION (HUNTER MILL DISTRICT) (11:01 a.m.)

Supervisor Alcorn announced that the South Lakes High School Seahawk JROTC Drill Team finished first in the Armed Division at the Army's JROTC Regional Best of the Best Drill Competition held in North Carolina on March 18, 2023. The team will advance to the Army's National Drill Competition to be held in Daytona Beach, Florida, on May 5, 2023. The County has a long history of residents serving in the military, and in this case preparing for military service. This tradition continues for these JROTC cadets who are also excelling at a high level.

Therefore, Supervisor Alcorn asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Certificate of Recognition for the South Lakes High School JROTC Battalion, to be presented at an upcoming Board Meeting or at South Lakes High School. Without objection, it was so ordered.

23. SUPPORT OF THE WASHINGTON METROPOLITAN AREA TRANSIT **APPLICATIONS FOR AUTHORITY'S** (WMATA) **GRANT** FEDERAL TRANSIT ADMINISTRATION'S (FTA) LOW OR EMISSION GRANT PROGRAM AND BUSES AND BUS FACILITIES COMPETITIVE GRANT PROGRAM FOR ELECTRIFICATION WMATA'S **CINDER** BED **ROAD BUS GARAGE** (HUNTER MILL DISTRICT) (11:02 a.m.)

Supervisor Alcorn stated, similar to the Board's goal of converting the Fairfax Connector bus fleet to zero emissions vehicles by 2035, the WMATA Board of Directors adopted a resolution requiring WMATA to transition to a 100 percent zero-emission bus fleet by 2045. To reach this goal, WMATA is advancing plans to upgrade its operations and maintenance facilities. On January 25, 2023, WMATA broke ground at the Northern Division Bus Garage, which will open with a zero-emission fleet in a few years. WMATA also recently broke ground on facilities at the Bladensburg Bus Garage to support the transition to zero-emission Bus fleet.

WMATA has scheduled zero-emissions conversion efforts for the Cinder Bed Road Bus Garage, located in Lorton, Virginia, to begin in Fiscal Year 2024. Cinder Bed is an important facility not only for Metrobus, but also for the County. As part of the Richmond Highway Bus Rapid Transit (BRT) Project, the County is negotiating a Joint Use Agreement (JUA) with WMATA to allow the County to house and maintain future battery-electric BRT vehicles at the Cinder Bed Garage.

To help fund its conversion efforts at the Cinder Bed Garage, WMATA is applying for funding for the FTA's Low or No Emission Grant Program and Buses and Bus Facilities Competitive Grant Program. If awarded, this funding would support joint electrification infrastructure costs, such as site preparation and improvements, electric utility improvements, and installation of charging units, as well as construction of other improvements. WMATA staff requested that the County provide a letter of support for WMATA's grant applications.

Should these grant applications be successful, they will help fund improvements to the Cinder Bed facility and reduce costs for WMATA and the County. Therefore, once the JUA is executed and the County is billed, the County would provide the local match for the grant-funded improvements to the facility associated with the County's improvements. These funds, approximately \$4.3 million, are already included in the Richmond Highway BRT project budget.

Therefore, Supervisor Alcorn moved that the Board approve the draft letter of support for WMATA's application for funding from FTA's Low or No Emission Vehicle Grant Program and/or Buses and Bus Facilities Grant Program, which is attached to his written Board Matter. Chairman McKay and Supervisor Storck jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

24. **FOUNDER'S DAY 2023 (HUNTER MILL DISTRICT)** (11:05 a.m.)

Supervisor Alcorn announced that Founder's Day would be held on April 15, 2023, at Lake Anne Plaza and he invited the community to attend.

25. ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ADOPT AN ORDINANCE REQUESTING AN INCREASE IN FREQUENCY AND/OR DURATION OF EVENTS OF SPECIFIED DESIGNATED OUTDOOR REFRESHMENT AREA LICENSES UNDER VA. CODE SECTION 4.1-206.3(D)(2)(C) (11:06 a.m.)

Supervisor Alcorn announced that he distributed to the Board revised documents regarding this agenda item and the State and Alcoholic Beverage Control commission process.

(Later in the meeting, at the appropriate time, the Board took action on this item. See Clerk's Summary Item #39.)

26. PROCLAMATIONS REQUEST FOR THE SOUTH COUNTY HIGH SCHOOL WOMEN'S INDOOR TRACK TEAM (MOUNT VERNON DISTRICT) (11:07 a.m.)

Supervisor Storck stated that the South County High School Women's Indoor Track Team finished as the Runner Up for the 2023 Virginia High School League C6 Indoor Track Virginia State Championships on February 25, 2023. Additionally, the relay team, which included Jordann Germain, Catalina Sanchious, Asayla McNeal and Cameron Thompson, won first place for the 4x200m, setting a new meet record of 1:39.42.

Supervisor Storck stated that he would like to recognize and celebrate the contributions of the South County High School Women's Indoor 4x200m relay team and the entire Women's Indoor Track team, parents, coaches, teachers and administrators at South County High School who worked hard to help the team achieve these results.

Therefore, jointly with Supervisor Herrity, Supervisor Storck asked unanimous consent that the Board direct staff to prepare Proclamations, to be signed by the Chairman, Mount Vernon District Supervisor, and Springfield District Supervisor, for the following groups:

- The South County High School Women's Indoor Track 4x200 relay team and coaches, to be presented in the Board Room
- The South County Women's Indoor Track team and coaches, in recognition of being awarded the Runner Up Class 6C Virginia State Champions, to be presented out of the Board Room

Without objection, it was so ordered.

27. <u>RECOGNITION REQUEST FOR COUNTY AND LOCAL POLICE</u> (11:08 a.m.)

Supervisor Storck stated that "To Protect and Serve" was more than just a motto two weeks ago as the Mount Vernon District police officers managed the major challenges of a barricade situation on the County's busiest main street – Richmond Highway. When officers encountered Brittany Copelin, 29-years old, in her car with a gun and experiencing a mental health crisis, their exceptional training kicked in and they patiently worked for over 34 hours to find a peaceful resolution. Joined by crisis managers, negotiators and teams from surrounding jurisdictions, and with united police and civilian leadership, the dedicated County officers persevered, protected lives, and, ultimately, peacefully restored the community.

Supervisor Storck thanked the incredible Mount Vernon Police Station officers, specifically "Day Shift B", the first responders on the scene and most involved throughout the incident. He also thanked the many other units and teams involved: Fairfax County Police: Mount Vernon Station Patrol, Major Crimes Division Detectives CID Mount Vernon; Operations Support Bureau: Special Weapons and Tactics (SWAT), Crisis Negotiations Unit, EOD (Bomb Squad), Traffic Division (Motor Squad), Safety Officers, Helicopter Division- Fairfax One and UA-Unmanned Aircraft Unit (Drone), Technical Support Unit; Fairfax County Community Services Board Mobile Crisis Unit; Alexandria City Police Department: SWAT, Hostage Negotiations Unit; Virginia State Police: SWAT, Crisis Negotiations Unit; and George Mason Police Department UA-Unmanned Aircraft Unit (Drone).

Supervisor Storck stated that he recognized the considerable impact the barricade had on residents and businesses, disrupting key services, tangling travel and lack of access to the area, and the County appreciates the community's patience. Beyers Subaru and Sheehy Honda Dealerships, across from the barricade, were especially supportive to dozens of first responders by keeping their businesses open for their use.

This incident, and its outcome, is one that the community can be proud of; one where commitment to the sanctity of all lives, first responder training and professionalism of the police served and protected the perpetrator, victim, police and the greater Mount Vernon community.

Therefore, jointly with Chairman McKay and Supervisor Lusk, Supervisor Storck asked unanimous consent that the Board direct staff to invite the Fairfax County Police: Mount Vernon Station Patrol, Major Crimes Division Detectives CID Mount Vernon; Operations Support Bureau: SWAT, Crisis Negotiations Unit, EOD (Bomb Squad), Traffic Division (Motor Squad), Safety Officers, Helicopter Division- Fairfax One and UA-Unmanned Aircraft Unit (Drone), Technical Support Unit; Fairfax County Community Services Board Mobile Crisis Unit; Alexandria City Police Department: SWAT, Hostage Negotiations Unit; Virginia State Police: SWAT, Crisis Negotiations Unit; and George Mason Police

Department UA-Unmanned Aircraft Unit (Drone) to appear before the Board at an upcoming Board Meeting to be recognized for their dedication and perseverance in bringing this incident to a peaceful resolution and for keeping the community safe. Without objection, it was so ordered.

28. <u>CONCURRENT PROCESSING REQUEST FOR OLDE TOWNE PET RESORT LLC (MOUNT VERNON DISTRICT)</u> (11:13 a.m.)

Supervisor Storck stated that Olde Towne Pet Resort LLC is the operator of a pet boarding facility located at 8101 Alban Road on approximately 1.67 acres on the east side of Alban Road and adjacent to Interstate-95. The property is zoned to the C-6 District. The applicant requests approval of a special exception to permit the use of existing outdoor components associated with the existing kennel use. An associated variance is also requested to permit certain existing and proposed outdoor structures needed to support the outdoor kennel use. The applications include the construction of limited site improvements, including new awnings to replace existing awnings. These awnings will support the installation of new sanitary sewer connections within the outdoor play areas.

The Special Exception (SE) application was previously heard before the Planning Commission on March 15, 2023, and it recommended approval of the application. The associated variance application was subsequently heard before the Board of Zoning Appeals on March 22, 2023, and was approved. Currently, the SE application is scheduled for a public hearing before the Board on April 11, 2023. However, due to the recent Virginia Supreme Court decision on the modernized Zoning Ordinance or "zMOD", the Board public hearing will need to be deferred until the zMOD Ordinance is readopted.

To help alleviate any further delay in approval, a request has been submitted for concurrent processing of site-related documents in association with the pending SE. The applicant is eager to properly establish the outdoor use on the property and install the necessary supporting outdoor structures and subsequently improve the sewer connections and environmental conditions of the site as soon as possible.

Therefore, Supervisor Storck moved that the Board direct the Director of the Department of Land Development Services to accept concurrent and simultaneous review of a site plan, architectural drawings, building permits and/or other plans and permits as may be necessary to implement the improvements proposed with Special Exception Application SE 2021-MV-00018, associated with Variance Application VC 2022-MV-00003. This motion should not in any way be construed as a favorable recommendation on any application or plan by the Board, and do not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards, and in no way prejudices the substantive review of the applications and/or plans. Chairman McKay seconded the motion and it carried by unanimous vote.

29. RE-APPROVAL REQUEST FOR RECORDATION OF PARKING REDUCTION FOR AVENTON HUNTINGTON METRO (MOUNT VERNON DISTRICT) (11:16 a.m.)

Supervisor Storck stated that Aventon Holdings LLC (Proffered Condition Amendment Application PCA-2000-MV-046) was approved by the Board on July 14, 2020, for a multi-family development of 379 units that are currently under construction. On May 4, 2021, the Board approved a parking reduction request for the Aventon Property. The reduction required recordation of the approval conditions in the Land Records within six-months of the Board's approval (Condition #8). Unfortunately, this was not completed. As required by the approved conditions, the parking reduction approval terms also needed to be included in any site plans filed for the development of the property. This was done, and the parking supply was approved and built in conformance with those conditions. However, to complete the parking reduction process and record the necessary documents, the Board needs to re-approve the reduction to reset the six-month timetable for recordation. Staff is comfortable with this administrative correction to ensure no further delays.

Therefore, Supervisor Storck moved that the Board approve Parking Reduction Request #7878-PKS-002, for a 10.6 percent reduction (56 fewer spaces) of the required parking for the Aventon Huntington Property, subject to the previously approved conditions. Chairman McKay seconded the motion and it carried by unanimous vote.

30. <u>IDES OF BARK (MOUNT VERNON DISTRICT)</u> (11:17 a.m.)

Supervisor Storck provided updates on the Ides of Bark event, which was held March 26, 2023, at Grist Mill Park. He thanked everyone who helped make the event a success.

31. <u>5TH ANNUAL MOUNT VERNON DISTRICT ENVIRONMENTAL EXPO:</u> <u>GET OUTDOORS! LEARN AND DO!</u> (11:18 a.m.)

Supervisor Storck announced that the 5^{th} Annual Mount Vernon District Environmental Expo: Get Outdoors! Lear and Do! will be held on April 22, 2023, from 10 a.m. - 2 p.m., at Fort Hunt Park and invited the community to attend.

32. PROCLAMATION REQUESTS FOR ATHLETIC STATE ACHIEVEMENTS (11:19 a.m.)

Supervisor Palchik stated that the County is fortunate to provide its students with the opportunity to participate in a wide variety of sports. School-based athletic involvement has the power to support classroom learning and has shown to contribute to students having a more positive attitude toward schoolwork and overall academic performance. It provides students with a healthy outlet and keeps

students active and in good health while also allowing them to build relationships through teamwork.

Supervisor Palchik stated that the County has many recent State achievements and she recognized the following athletes who placed at the top of their sports at the recent state championships:

Oakton High School:

- Boys Wrestling, Isaac Hegg 150-pound State Champion
- Boys Indoor Track 4x800m Relay State Champions
 - Junior Allen
 - Brad Woodhouse
 - Iyasu Yemane
 - Tyler Coleman

McLean High School:

• Swim and Dive, 100 Yard Breaststroke, Catherine Hughes – State Champion

George C. Marshall High School:

 Boys State Wrestling, Owen Lebkisher – 157-pound weight class – State Champion

W. T. Woodson High School:

- Boys Indoor Track, 4x400m Relay State Champions
 - Lorenzo Bantung
 - Justin Anderson
 - Ethan Spector
 - Caleb Hymans

Therefore, jointly with Chairman McKay, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Smith, and Supervisor Walkinshaw, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to prepare Proclamations, in recognition

of the achievements, dedication, and team collaboration, for the athletes, their coaches, and families. Without objection, it was so ordered.

33. **PUBLICITY REQUEST FOR EARTH DAY CELEBRATION** (11:21 a.m.)

Supervisor Palchik stated that April is Earth Month and is a time for the County to recognize and celebrate everything that Earth offers and the many ways all should protect and preserve it.

Supervisor Palchik announced that she will be hosting an Earth Day celebration on April 21, 2023, from 2-5 p.m. at the Providence Community Center. Family-friendly activities are planned and include a nature walk and cleanup of East Blake Lane Park, seed propagation and pot decoration, compost education, tree planting, and more! Partners from the Park Authority, Merrifield Garden Center, Citizens Climate Lobby, Green Springs Gardens, Northern Virginia Families for Safe Streets, and the County's former Tree Commissioner, Laura Beaty, will also be present.

Supervisor Palchik announced that the event will kick off their diaper drive, in which unopened packages of diapers will be collected and donated to Fairfax Diapers.

Therefore, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event on the appropriate channels. Supervisor Palchik invited the Board and community to celebrate Earth Day with the Providence District Office and learn how to continue caring for the Earth. Without objection, it was so ordered.

34. PROCLAMATION REQUEST DESIGNATING MAY 2023 AS "MENTAL HEALTH AWARENESS MONTH AND YOUTH MENTAL HEALTH AWARENESS MONTH" (11:22 a.m.)

Supervisor Palchik stated that the COVID-19 pandemic has caused disruptions to work and education, cancellations of extracurricular activities, loss of family income, health concerns and long-term illnesses, and deaths of loved ones. These factors have created traumas and stressors impacting many adults, youth, and children.

In the United States, 17 percent of the youth experience a mental health disorder, one in five adults experience mental illness, and one in 20 adults experience serious mental illness that interferes with or limits major life activities. May is a time to understand mental health, recognize signs and symptoms, and obtain professional help.

The Fairfax-Falls Church Community Services Board (CSB) was established to provide community health services and support for individuals with mental health issues and to promote awareness of positive mental health, well-being, and

development for all residents in the County. In Fiscal Year 2022, over 6,000 individuals received mental health treatment services with 24 percent, aged 18 or under. Additionally, over 6,500 residents were served by CSB Emergency Services. Overall, residents received more than 8,200 crisis intervention and related services, including over 2,000 mobile crisis services in the community.

Therefore, jointly with Supervisor Lusk, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Proclamation, designating May 2023 as "Mental Health Awareness Month and Youth Mental Health Awareness Month" in the County, urging all individuals, families, groups, and organizations to work together in efforts to promote mental health thereby strengthening communities, to be presented to the CSB at the May 9, 2023, Board Meeting. Without objection, it was so ordered.

- 35. NAMING REQUEST FOR THE COMMUNITY ROOM AT WEST SPRINGFIELD GOVERNMENT CENTER AFTER JOHN AWTREY (11:25 a.m.)
- (R) Supervisor Herrity stated that the West Springfield District police community has requested that the community room in the West Springfield Government Center be named after John Awtrey, longtime member and Chairman of the West Springfield Community Advisory Committee (CAC) and Chairman of the Chief's CAC. Supervisor Herrity stated that he wholeheartedly endorses the recommendation, and he asked the Board in January to approve the naming and have it evaluated by the History Commission, as per the County's Renaming Policy.

However, Supervisor Herrity stated that he received a letter from the History Commission stating that evaluation of the naming of a facility that is not a historic site, nor regarding a historic person, is outside of its bylaws.

Therefore, Supervisor Herrity moved that the Board recognize John Awtrey's service to the community by renaming the West Springfield Government Center Community Room as the "John Awtrey Community Room" in his honor, in accordance with the request from the West Springfield Police Station and direct the Department of Facilities Management to install the appropriate signage. Chairman McKay and Supervisor Lusk jointly seconded the motion.

Following discussion, with input from Elizabeth Teare, County Attorney, regarding the motion, Supervisor Herrity amended the motion that the Board adopt a resolution for this renaming action. This was accepted. The question was called on the motion, as amended, and it carried by unanimous vote.

36. PROCLAMATION AND PUBLICITY PROCLAMATION REQUESTS DESIGNATING APRIL 22, 2023, AS "DRUG TAKE BACK DAY" (11:27 a.m.)

Supervisor Herrity stated that the unfortunate reality is that despite continued efforts, the opioid crisis is still a growing problem and one that has been exacerbated by the pandemic. Opioids are still the number one cause of unnatural death in the County. Overdoses and deaths occur in all age groups, among men and women, and in all areas of the County. Addiction is continually happening to good students, parents, and even star athletes.

The work of the Fairfax County Opioid and Substance Use Task Force and the Fairfax County-Falls Church Community Services Board has been instrumental in providing resources and training to combat this crisis in the community. Their work, and the work of first responders administering Narcan to overdose victims, is saving lives. While overdoses in the County have increased, it is critically important to continue its efforts of getting unused medicines, especially opioids, out of medicine cabinets to prevent accidental or illicit use.

Residents can deposit unused medicines at drug disposal boxes found at over 12 different pharmacies as well as all eight County Police Stations. More safe disposal sites can be found at www.dea.gov/takebackday.

On April 22, 2023, 10 a.m. to 2 p.m. the Police Department, in conjunction with the Drug Enforcement Administration, will give the public another opportunity to prevent pill abuse and theft by ridding their homes of potentially dangerous expired, unused and unwanted prescription drugs. Anyone may bring their pills for disposal to County Police Stations. In addition, the Clifton Lions Club will be co-hosting a Drug Take Back event at Clifton Presbyterian Church on April 22, 2023, 10 a.m. to 2 p.m. These events do not accept liquids, needles or sharps, so please only bring pills or patches. The service is free and anonymous. No questions asked.

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

- Prepare a Proclamation designating April 22, 2023, as "Drug Take Back Day" in the County, encouraging the community to clear out their medicine cabinets
- Continue working with the Police Department to advertise the upcoming National Drug Take Back Day

Chairman McKay seconded the motion and it carried by a vote of eight, Supervisor Palchik and Supervisor Smith being out of the room.

37. **FISCAL YEAR (FY) 2024 BUDGET CONSIDERATION ITEMS** (11:29 a.m.)

Supervisor Herrity announced that he would be submitting FY 2024 budget consideration items related to salary increases and extending DROP for police officers.

38. NO BOARD MATTERS FOR SUPERVISOR SMITH (SULLY DISTRICT) (11:30 a.m.)

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

EBE:ebe

AGENDA ITEMS

39. **ADMINISTRATIVE ITEMS** (11:30 a.m.)

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

Supervisor Alcorn called the Board's attention to <u>Admin 5 – Authorization to Advertise a Public Hearing to Adopt an Ordinance Requesting an Increase in Frequency and/or Duration of Events of Specified Designated Outdoor Refreshment Area Licenses Under Virginia Code Section 4.1-206.3(D)(2)(C), and noted that updated attachments have been distributed to the Board.</u>

Supervisor Herrity called the Board's attention to Admin 9 – Authorization to Advertise Public Hearings on the Readoption of the Zoning Ordinance as Amended through March 22, 2023, and asked unanimous consent that the Board direct staff to post the updated copy of the Ordinance (zMOD) online so that anyone wishing to review it prior to the public hearing will be able to do so. Without objection, it was so ordered.

The question was called on 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."

<u>ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION</u> (DRANESVILLE DISTRICT)

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

Application

<u>Number</u> <u>Description</u> <u>New Date</u>

2232-2023-DR-00007 Dranesville Elementary School

Tax Map Number 10-2 ((1)) 3K

February 8, 2024

1515 Powells Tavern Place

Herndon, VA 20170 Dranesville District

ADMIN 2 – APPROVAL OF "\$200 ADDITIONAL FINE FOR SPEEDING" SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – MANORVIEW WAY (FRANCONIA DISTRICT)

(R) • Adopted the Resolution authorizing the installation of "\$200 Additional Fine for Speeding" signs on Manorview Way from Masondale Road to Still Spring Place (Franconia District)

 Directed staff to request the Virginia Department of Transportation schedule the installation of the approved "\$200 Additional Fine for Speeding" signs as soon as possible

ADMIN 3 – APPROVAL OF A "WATCH FOR CHILDREN" SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – HAMPTON CREEK WAY (FRANCONIA DISTRICT)

- Authorized the installation of one "Watch for Children" sign on Hampton Creek Way (Franconia District)
- Directed staff of the Department of Transportation to schedule the installation of the approved "Watch for Children" sign as soon as possible

<u>ADMIN 4 – DESIGNATION OF PLANS EXAMINER STATUS UNDER</u> THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with a registration number, as Plans Examiners:

• Brent Boggs #347

• Eric Bogumil #348

Designated the following individuals, identified with a registration number, as inactive Plans Examiners:

• Clinton Abernathy #116 (Retired)

M. Shahab Baig #208 (Retired)

• Travis D'Amico #293 (Moved out of area)

• Ann Germain #80 (Retired)

• Mohamed Kadasi #248 (Retired)

• Joe Kiffe #337 (Moved out of area)

• Lance Kilby #190

• Leo Ratchford #203 (Retired)

• Bijan Sistani #227 (Retired)

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ADOPT AN ORDINANCE REQUESTING AN INCREASE IN FREQUENCY AND/OR DURATION OF EVENTS OF SPECIFIED DESIGNATED OUTDOOR REFRESHMENT AREA LICENSES UNDER VIRGINIA CODE SECTION 4.1-206.3(D)(2)(C)

(A) (NOTE: Earlier in the meeting, this item was discussed. See page 20.)

Authorized the advertisement of a public hearing to be held before the Board on May 9, 2023, at 4 p.m., to consider adopting an ordinance adding Appendix W to the Code of the County of Fairfax, relating to designated outdoor refreshment area licenses.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CREATION OF THE HUNTINGTON CENTRAL COMMUNITY DEVELOPMENT AUTHORITY (CDA) (MOUNT VERNON DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on May 9, 2023, at 4:30 p.m., to consider adopting an ordinance adding a new section P-2 to Appendix P of the Code of the County of Fairfax, relating to the establishment of the Huntington Central CDA.

ADMIN 7 – AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR GRANT FUNDING FROM THE VIRGINIA OPIOID ABATEMENT AUTHORITY (VOAA) FOR A COOPERATIVE PARTNERSHIP GRANT, UTILIZE THE COUNTY'S FISCAL YEAR (FY) 2023 NONCOMPETITIVE INDIVIDUAL OPIOID ABATEMENT AUTHORITY SHARE AS THE LOCAL MATCH, AND APPLY FOR THE OPIOID ABATEMENT AUTHORITY GOLD

STANDARD FINANCIAL INCENTIVE AND ADOPT A CORRESPONDING RESOLUTION

(R)

- Authorized the CSB to apply for funding from the VOAA in the amount of \$5,176,985 for a Cooperative Partnership Grant. Funding will be used to expand capacity of substance use treatment services for youth with an opioid use disorder diagnosis or a co-occurring substance use disorder and/or behavioral health diagnosis in Region 2
- To achieve the County's portion of the local match associated with the Cooperative Partnership Grant:
 - Authorized CSB to apply for the FY 2023 VOAA Gold Standard financial incentive
 - Adopted the VOAA Gold Standard Incentive Resolution in substantially the form of Attachment One of the Board Agenda Item
 - Authorized CSB to use the County's FY 2023 Noncompetitive Individual VOAA Share, including the Gold Standard financial incentive, as the local match
 - Authorized the County Executive, or his designee, to execute any documents related to the CSB's application for the Cooperative Partnership Grant, Noncompetitive Individual VOAA Share, and Gold Standard financial incentive

ADMIN 8 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES (DNCS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) FOR SUPPLEMENTAL FUNDING ASSOCIATED WITH THE HEAD START/EARLY HEAD START AND EARLY HEAD START CHILD CARE PARTNERSHIP AND EXPANSION GRANTS FOR COST-OF-LIVING ADJUSTMENT AND QUALITY IMPROVEMENT FUNDING

 Authorized DNCS to apply for and accept supplemental grant funding, if received, from the DHHS in the amount of \$995,414, including \$199,083 in local cash match. Funding is specifically being provided by the grantor to support program quality improvements and a 5.60 percent cost-of-living adjustment to offset higher operating costs for the Head Start, Early Head Start, and Early Head Start Child Care Partnership and Expansion grants. Grant funding currently supports 63/56.6 full-time exempt grant positions. No new grant positions are being requested

 Authorized the Chairman of the Board, 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 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON THE READOPTION OF THE ZONING ORDINANCE AS AMENDED THROUGH MARCH 22, 2023

(A) (R) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page 20.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on May 3, 2023, at 7:30 p.m., and before the Board on May 9, 2023, 2023, at 4:30 p.m., to repeal and replace the 1978 Zoning Ordinance (as amended), and to either repeal the 2021 zMOD Ordinance or sunset the proposed new Zoning Ordinance if the 2021 zMOD Ordinance is subsequently reinstated by others.

40. A-1 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR 13515 DULLES TECHNOLOGY DRIVE (DRANESVILLE DISTRICT) (11:32 a.m.)

Supervisor Foust moved that the Board approve Parking Reduction Request #5574-PKS-016 in conformance with the Zoning Ordinance Article 11-102, paragraph 4.B, for a 37 percent reduction of the required parking based on shared parking with the uses located at 13515 Dulles Technology Drive, subject to the conditions dated January 23, 2023. Supervisor Lusk seconded the motion and it carried by unanimous vote.

41. <u>A-2 – BOARD ENDORSEMENT OF DESIGN PLANS FOR FRONTIER DRIVE EXTENSION PROJECT (FRANCONIA DISTRICT)</u> (11:33 a.m.)

On motion of Supervisor Lusk, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and

- Endorsed the design plans for the Frontier Drive Extension Project administered by the Virginia Department of Transportation (VDOT) as generally presented at the July 22, 2022, Design Public Hearing
- Authorized the Director of the Department of Transportation to transmit the Board's endorsement to VDOT

42. <u>A-3 – APPROVAL OF FAIRFAX CONNECTOR FARE POLICY CHANGE</u> (11:33 a.m.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and approve the expansion of fare free service for all Fairfax Connector routes to all children ages 12 and younger when accompanied by a paying adult, without a limit on the number of children. The motion was multiply seconded. Following a brief discussion regarding the free fare service, the question was called on the motion and it carried by unanimous vote.

- 43. A-4 ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) HEALTH CARE REVENUE BONDS (INOVA HEALTH SYSTEM PROJECT) SERIES 2023 (11:35 a.m.)
- (R) Supervisor Smith moved that the Board concur in the recommendation of staff and adopt a resolution approving the issuance by the IDA of its Inova Health System Project Series 2023 Bonds, in multiple series to be issued from time to time for the purpose of funding outstanding indebtedness and for the financing and refinancing of new projects in in the County. The motion was multiply seconded.

Supervisor Gross stated that she represents the County on the Inova Board of Trustees. It is an uncompensated position, however, out of abundance of caution, she recused herself.

Supervisor Walkinshaw stated that he represents the County on the Inova Fairfax Medical Campus Quality Committee and the Inova Quality and Reliability Committee. His services are not compensated, however, out of abundance of caution, he recused himself.

The question was called on the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Walkinshaw being recused.

44. A-5 – GRANT AGREEMENT BETWEEN THE VIRGINIA RESOURCES AUTHORITY (VRA) AND FAIRFAX COUNTY FOR THE CHOWAN AVENUE STORMWATER IMPROVEMENT PROJECT (MASON DISTRICT) (11:36 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign the grant agreement with VRA to receive the Community Flood Preparedness Fund grant for the Chowan Avenue Stormwater Improvement Project, as summarized in the table contained in the Board Agenda Item.

45. A-6 – GRANT AGREEMENT BETWEEN THE VIRGINIA RESOURCES AUTHORITY (VRA) AND FAIRFAX COUNTY FOR THE TRIPPS RUN AT BARRETT ROAD FLOOD MITIGATION PROJECT (MASON DISTRICT) (11:37 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve and authorize the County Executive or his designee to sign the grant agreement with VRA to receive the Community Flood Preparedness Fund grant for the Tripps Run at Barrett Road Flood Mitigation Project, as summarized in the table contained in the Board Agenda Item. Supervisor Lusk seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

46. A-7 – GRANT AGREEMENT BETWEEN THE VIRGINIA RESOURCES AUTHORITY (VRA) AND FAIRFAX COUNTY FOR THE COUNTY REGULATED FLOODPLAIN MAP UPDATES (11:39 a.m.)

Supervisor Storck moved that the Board concur in the recommendation of staff and approve and authorize the County Executive or his designee to sign the grant agreement with VRA to receive the Community Flood Preparedness Fund grant for the County Regulated Floodplain Map Updates, as summarized in the table contained in the Board Agenda Item. Supervisor Gross seconded the motion. Following a brief discussion regarding floodplains, the question was called on the motion and it carried by unanimous vote.

47. A-8 – GRANT AGREEMENT BETWEEN THE VIRGINIA RESOURCES AUTHORITY (VRA) AND FAIRFAX COUNTY FOR THE TUCKER AVENUE STORMWATER IMPROVEMENT PROJECT (DRANESVILLE DISTRICT) (11:40 a.m.)

On motion of Supervisor Foust, jointly seconded by Chairman McKay and Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign the grant agreement with VRA to receive the Community Flood Preparedness Fund grant for the Tucker Avenue Stormwater Improvement Project, as summarized in the table contained in the Board Agenda Item.

48. A-9 – ADOPTION OF THE 2023 COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM, INCLUDING CERTAIN PROPOSED COUNTYWIDE SITE-SPECIFIC PLAN AMENDMENT (SSPA) NOMINATIONS (11:40 a.m.)

Supervisor Smith moved that the Board concur in the recommendation of staff and adopt the Planning Commission recommendation to adopt the 2023 Comprehensive Plan Amendment Work Program, as recommended by the Planning Commission and shown in Attachment I of the Board Agenda Item. Supervisor Alcorn seconded the motion. Following comments by Supervisor Smith regarding the schedule for

the work program, the question was called on the motion and it carried by unanimous vote.

- 49. A-10 – AUTHORIZATION OF ISSUANCE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING **AUTHORITY** (FCRHA) TAX-EXEMPT PRIVATE ACTIVITY REVENUE BONDS OR NOTES IN AN AMOUNT NOT TO EXCEED \$99,000,000 TO FINANCE THE 265-UNIT DOMINION **NORTH FOUR PORTION OF** THE **PROPOSED** DOMINION SOUARE DEVELOPMENT (HUNTER MILL DISTRICT) (11:45 a.m.)
- (R) Supervisor Alcorn moved that the Board concur in the recommendation of staff and adopt the resolution:
 - Authorizing the FCRHA to submit an application to the Virginia Department of Housing and Community Development for the necessary private activity bond allocation
 - Approving FCRHA's issuance of private activity tax-exempt bonds in an aggregate amount not to exceed \$99 million as part of the overall financing plan for the development of the Dominion North Four Project

Chairman McKay and Supervisor Lusk jointly seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

50. A-11 – APPROVAL OF FUNDING ALLOCATIONS FOR PEDESTRIAN AND BICYCLE IMPROVEMENT PROJECTS AND FACILITY MAINTENANCE (11:47 a.m.)

On motion of Supervisor Alcorn, multiply seconded and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved \$22,508,830 in funding for active transportation capital and maintenance projects to improve the County's pedestrian and bicycle infrastructure (Attachment One of the Board Agenda Item) which consists of the following:
 - \$ 0.300 million for additional funds for existing projects
 - \$ 4.450 million for new "Low Cost" crosswalk projects
 - \$15.695 million for priority active transportation projects

- \$ 0.870 million for consultant support
- \$ 0.400 million for additional Fairfax County Park Authority (FCPA) trail bridge maintenance (Attachment Two of the Board Agenda Item)
- \$ 0.794 million for contingency for project increase and future local cash matches for grant applications
- Approved an FCPA maintenance project list that updates the list previously approved on November 1, 2022 (Attachment Three of the Board Agenda Item)

NS:ns

51. **RECESS/CLOSED SESSION** (11:48 a.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code Section 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code Section 2.2-3711(A) (7) and (8).
 - 1. Contractual Dispute with Coxcom, LLC, d/b/a Cox Communications Regarding Underpayment of Public, Educational, and Governmental Access Grants
 - 2. AM Worldgate Owner LLC v. Board of Supervisors of Fairfax County, Virginia, et. al, Case No. CL-2023-0003050 (Fx. Co. Cir. Ct.) (Dranesville District)

- 3. Joseph A. Glean v. Board of Supervisors of Fairfax County, Virginia, et al., Case No. CL-2023-0002376 (Fx. Co. Cir. Ct.)
- 4. Yenny S. Guevara v. Terry Mincey and Fairfax County, Case No. GV22-012632 (Fx. Co. Gen. Dist. Ct.); and Ruben Marquez Quinteros v. Terry Mincey and Fairfax County, Case No. GV22-012631 (Fx. Co. Gen. Dist. Ct.)
- Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Shirley Dormeus, Case No. CL-2022-0017057 (Fx. Co. Cir. Ct.) (Dranesville District)
- Leslie B. Johnson, Fairfax County Zoning Administrator
 v. Dan Nguyen Crowley and Am N. Crowley, Case No.
 CL-2023-0002966 (Fx. Co. Cir. Ct.) (Dranesville
 District)
- 7. Leslie B. Johnson, Fairfax County Zoning Administrator v. Santos Hernandez Romero, Case No. GV23-004708 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
- 8. Leslie B. Johnson, Fairfax County Zoning Administrator v. Sandy Ying-Tang Cheng and Yuk Yee Cheng, Case No. CL-2022-0013232 (Fx. Co. Cir. Ct.) (Franconia District)
- 9. Jay Riat, Building Official for Fairfax County, Virginia and Leslie B. Johnson, Fairfax County Zoning Administrator v. Wilfredo S. Morales, Case No. CL-2023-0003630 (Fx. Co. Cir. Ct.) (Franconia District)
- 10. Jay Riat, Building Official for Fairfax County, Virginia v. Honeida A. Manzano Cueva and Maria D. Cueva, Case No. CL-2023-0004612 (Fx. Co. Cir. Ct.) (Franconia District)
- 11. Jay Riat, Building Official for Fairfax County, Virginia v. Carlton Wayne Powell, Case No. CL-2022-0001858 (Fx. Co. Cir. Ct.) (Lee District)
- 12. Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. SeCar Real Estate Holdings, LLC, Case No. CL-2023-0004182 (Fx. Co. Cir. Ct.) (Mason District)

- 13. Leslie B. Johnson, Fairfax County Zoning Administrator v. Shelia Ball, Case No. GV22-0016564 (Fx. Co. Gen. Dist. Ct.) (Mason District)
- 14. *Jay Riat, Building Official for Fairfax County, Virginia v. Yun Investment*, Inc., Case No. GV21-019374 (Fx. Co. Gen Dist. Ct.) (Mason District)
- 15. Jay Riat, Building Official for Fairfax County, Virginia v. Yun Investment, Inc., Case No. GV23-004608 (Fx. Co. Gen Dist. Ct.) (Mason District)
- 16. Jay Riat, Building Official for Fairfax County, Virginia v. Kevin Gonzalez and Antoinette Marie Gonzalez, Case No. GV23-005110 (Fx. Co. Gen Dist. Ct.) (Mason District)
- 17. Jay Riat, Building Official for Fairfax County, Virginia v. Ashraf Khalid Mustafa Alshajrawi, Case No. GV23-005187 (Fx. Co. Gen. Dist. Ct.) (Mason District)
- 18. Jay Riat, Building Official for Fairfax County, Virginia v. Fahad Razzaq and Ruth Elizabeth Razzaq, Case No. CL-2022-0001287 (Fx. Co. Cir. Ct.) (Mount Vernon District)
- 19. Jay Riat, Building Official for Fairfax County, Virginia v. Gust Monis, Diane Monis, Grow24, LLC, and American Cigar and Tobacco, Inc., Case No. GV22-150057 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
- 20. Jay Riat, Building Official for Fairfax County, Virginia v. Ethiorun LLC and Medi, LLC, Case No. GV23-000856 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
- 21. Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gregg Riddiford, Case No. CL-2023-0015905 (Fx. Co. Cir. Ct.) (Providence District)
- 22. Jay Riat, Building Official for Fairfax County, Virginia v. Umit Demirci and Selma Demirci, Case No. GV22-014683 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

- 23. Leslie B. Johnson, Fairfax County Zoning Administrator v. Mujeeb R. Aziz and Samira Aziz, Case No. GV23-001864 (Fx. Co. Gen. Dist. Ct.) (Sully District)
- 24. Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Mujeeb R. Aziz and Samira Aziz, Case No. GV23-001867 (Fx. Co. Gen. Dist. Ct.) (Sully District)
- 25. Jay Riat, Building Official for Fairfax County, Virginia v. Massis Investments, LLC, Case No. GV22-003837 (Fx. Co. Gen. Dist. Ct.) (Sully District)
- 26. Jay Riat, Building Official for Fairfax County, Virginia v. Massis Investments, LLC, Case No. GV23-004614 (Fx. Co. Gen. Dist. Ct.) (Sully District)
- 27. Board of Supervisors of Fairfax County, Virginia v. Gutter Cleaning, Case No. GV23-001872 (Fx. Co. Gen. Dist. Ct.) (Dranesville, Springfield and Sully Districts)

And in addition:

• As permitted by Virginia Code Section 2.2-3711 (A)(7) and (8), legal briefing regarding *Berry v. Board of Supervisors*, Virginia Supreme Court Record Number 211143.

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

At 2:51 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

52. <u>CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS</u> <u>DISCUSSED IN CLOSED SESSION</u> (2:51 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Palchik 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."

53. <u>MOTION AUTHORIZING FILING OF PETITION FOR REHEARING</u> (2:51 p.m.)

Supervisor Smith moved that the Board authorize the County Attorney to file a petition for rehearing in the Supreme Court of Virginia in *Berry v. Board of Supervisors*, Record Number 211143. The motion was multiply seconded and it carried by unanimous vote.

54. <u>AUTHORIZED SETTLEMENT OF CLAIMS AGAINST COXCOM, LLC</u> (2:52 p.m.)

Supervisor Gross moved that the Board authorize settlement of its claims against Coxcom, LLC, doing business as Cox Communications Northern Virginia, for underpayment of amounts due under the parties' Franchise Agreement, according to the terms and conditions outlined by the County Attorney in Closed Session. The motion was multiply seconded and it carried by unanimous vote.

KK:kk

AGENDA ITEMS

55. 2:30 P.M. - PUBLIC HEARING ON SE 2021-MV-00018 (OLDE TOWNE PET RESORT SPRINGFIELD, LLC) TO PERMIT THE EXISTING OUTDOOR COMPONENTS ASSOCIATED WITH AN EXISTING INDOOR KENNEL, LOCATED ON APPROXIMATELY 1.67 ACRES OF LAND (MOUNT VERNON DISTRICT) (2:53 p.m.)

Supervisor Storck moved to indefinitely defer the public hearing on Special Exception Application SE 2021-MV-00018. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

56. 2:30 P.M. - PUBLIC HEARING ON SE 2022-DR-00034
(MONTESSORI SCHOOL OF MCLEAN) TO PERMIT A PRIVATE
SCHOOL AND CHILD CARE CENTER AND A WAIVER OF THE FRONT
YARD SETBACK FOR AN EXISTING STRUCTURE, LOCATED ON
APPROXIMATELY 3.87 ACRES OF LAND (DRANESVILLE DISTRICT)
(2:55 p.m.)

Supervisor Foust moved to defer the public hearing on Special Exception Application SE 2022-DR-00034 until <u>May 23, 2023, at 3:30 p.m.</u> Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

57. **PUBLIC HEARING** 95-M-029-02 P.M. ON **SEA** (MCDONALD'S CORPORATION) TO **AMEND** SE 95-M-029 **FOR** PREVIOUSLY APPROVED RESTAURANT WITH **DRIVE** THROUGH IN A HIGHWAY CORRIDOR OVERLAY **DISTRICT TO PERMIT** ASSOCIATED ADDITIONAL LAND **AREA** AND **DESIGN** MODIFICATIONS TO SITE AND **DEVELOPMENT** CONDITIONS, LOCATED ON APPROXIMATELY 1.13 ACRES OF LAND (MASON DISTRICT) (2:55 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Amendment Application SEA 95-M-029-02 until <u>May 23, 2023, at 4 p.m.</u> Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

NS:ns

58. **BOARD RECESS** (2:56 p.m.)

At 2:56 p.m. the Board recessed briefly and at 3 p.m. reconvened with all members being present, and with Chairman McKay presiding.

59. 3 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2022-CW-3CP RENAMING OF LEE SUPERVISOR DISTRICT TO FRANCONIA SUPERVISOR DISTRICT (3 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 March 24 and 31, 2023.

Lia Niebauer, Planner, Policy and Plan Development Branch, Department of Planning and Development, presented the staff report.

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

Following brief comments, Supervisor Lusk moved to adopt the Planning Commission recommendation for Plan Amendment 2022-CW-3CP, to approve the proposed editorial changes to the Comprehensive Plan to revise references from the Lee District to the Franconia District, as shown in the staff report dated February 15, 2023. The motion was multiply seconded and it carried by unanimous vote.

60. <u>3 P.M. – PUBLIC HEARING PUBLIC HEARING ON THE FISCAL YEAR</u> (FY) 2024 EFFECTIVE TAX RATE INCREASE (3:05 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 24 and 31, 2023.

Albena Assenova, Department of Management and Budget, presented the staff report.

Following the public hearing, which included testimony by three speakers, Ms. Assenova presented the staff recommendation.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board close the public hearing while leaving the record open for testimony until May 2, 2023, as part of the Budget Mark-up process. That will permit persons who wish to testify to do so during the public hearing on the FY 2024 Advertised Budget Plan, Capital Improvement Program (CIP), and FY 2023 Third Quarter Review by testifying as described on the Department of Clerk Services page on the Fairfax County website or by providing written testimony after the close of the public hearings. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

61. 3 P.M. – PUBLIC HEARING ON PROPOSED AMENDMENTS TO 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 (3:22 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 24 and 31, 2023.

Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

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

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board close the public hearing and defer action on the FY 2024 charges until May 2, 2023, as part of the Budget Mark-up process followed by adoption of the sewer ordinance amendment on May 9, 2023. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

62. **BOARD RECESS** (3:25 p.m.)

At 3:25 p.m. the Board recessed briefly and at 4:02 p.m. reconvened with all members being present, and with Chairman McKay presiding.

EBE:ebe

4 P.M. – PH ON THE COUNTY EXECUTIVE'S PROPOSED FISCAL YEAR (FY) 2024 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS(FYS) 2024-2028 (WITH FUTURE FYS TO 2033) AND THE CURRENT APPROPRIATION LEVEL IN THE FY 2023 REVISED BUDGET PLAN (4:01 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 March 24 and March 31, 2023.

Chairman McKay announced that this is the first of three nights of consecutive public hearings on the County Executive's Proposed FY 2024 Advertised Budget Plan, the Advertised Capital Improvement Program for FY 2024-2028 (with future FYs to 2033), and the Current Appropriation Level in the FY 2023 Revised Budget Plan.

Chairman McKay announced that the public hearing would begin with a presentation by the School Board and called upon Rachna Sizemore Heizer, Chairman, Fairfax County School Board.

Chairman Sizemore Heizer recognized her colleagues and staff who were present in the Board Auditorium:

- Elaine Tholen, Dranesville District (Budget Chair)
- Tamara Derenak Kaufax, Vice-Chair and Franconia District
- Karen Corbett Sanders, Mount Vernon District (Legislative Liaison)
- Leigh Burden, Assistant Superintendent, Department of Financial Services

Chairman Sizemore Heizer delivered the school's annual presentation.

Following Chairman Sizemore Heizer's presentation, Chairman McKay thanked the School Board for its presentation and recognized the members of the School Board who were present in the Board Auditorium, noting that this is the last time they will be working with the budget process and thanked them for their service. The Board heard testimony from 34 speakers, which included 6 video presentations.

64. **BOARD RECESS** (6:37 p.m.)

Chairman McKay announced that the Board would recess until 3 p.m. on April 12, 2022, at which time the budget public hearings will continue regarding the:

- County Executive's Proposed Fiscal Year (FY) 2024 Advertised Budget Plan
- Capital Improvement Program for FYs 2024-2028 (with future FYs to 2033)
- Current Appropriation Level in the FY 2023 Revised Budget Plan