



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
January 23, 2024**

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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, January 23, 2024, at 9:31 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor James N. Bierman, Jr., Dranesville District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Andres F. Jimenez, Mason District
- Supervisor Rodney Lusk, Franconia District
- Supervisor Dalia Palchik, Providence District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Daniel G. Storek, Mount Vernon District
- Supervisor James Walkinshaw, Braddock District

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

BOARD MATTER1. **MOMENT OF SILENCE** (9:31 a.m.)

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

- Douglas John Kennett, who died recently. He was a retired U.S. Airforce Colonel who served for 30 years as a public affairs officer. He was well known in the Route One Corridor area as a long-time supporter and member of the Board of Directors for United Community
- Michelle Leete, who died recently. She was president of the Fairfax County Chapter NAACP (National Association for the Advancement of Colored People) and served on numerous other leadership roles. She was also serving as Vice President of Strategy and Governance of the Washington DC Chapter of the Project Management Institute
- Julie Clemente, who died recently. She was president of Clemente Development Company; a leader in the transformation of Tysons; was Fairfax County Volunteer of the Year in 2004; was named Chairman Bulova's Lady Fairfax in 2010; and served on numerous community and boards, including Celebrate Fairfax, the Friends of Clemyjontri Park, and the Jamestown-Yorktown Foundation, as well as a member of the Virginia Port Authority
- The victims of two unrelated house fires in the Mason and Mount Vernon Districts of the County. In both incidents the Fire and Rescue response was amazing, but unfortunately two elderly residents lost their lives. County residents are urged to be extra cautious with in-home space heaters
- Linda Bartlett, who died recently. She was a Braddock District resident who served for more than 13 years on the Animal Services Advisory Commission and was very passionate about her work and spreading its awareness
- Sarah Elpern, who died recently. She was very involved in the psychiatric community and in the Northern Virginia Mental Health Institute; was an analyst in the Federal Research Division of the Library of Congress; and was a caring community member
- Peter McCandless, who died recently. He was a Hunter Mill District resident who played an integral role in shaping Reston for over 30 years by being the public relations (PR) manager for the original developer of Reston; held numerous executive PR positions in the

region; and in 1984 founded the McCandless Company, a Reston-based PR agency

- Elizabeth Ann Dixon Smith, who died recently. She was a lifelong Mount Vernon District resident; an avid gardener; a volunteer at the American Horticultural Society of River Farm; and loved attending and volunteering at the Shakespeare Theatre
- C. Richard Bierce, who died recently. He was honored by the Board of Supervisors in 2019 for more than 30 years of service to the Architectural Review Board, serving in many capacities including as Chairman and Vice-Chairman; helped establish, preserve, and protect 13 Overlay Districts in the County; and is known in the Mount Vernon District for the Laurel Hill Adaptive Reuse
- Glenn Snodgrass, who passed away recently. He was a retired U.S. Army Colonel who served his country during the Vietnam war receiving the Bronze Star, the Meritorious Service Medal, and many more. After retirement he continued his service by supporting Veterans in need, and served the community as a member of the Board of Directors for the Rotary Club of West Springfield

AGENDA ITEMS

2. **RESOLUTION OF RECOGNITION PRESENTED TO EILEEN ELLSWORTH** (9:53 a.m.)

Chairman McKay relinquished the Chair to Acting-Chairman Smith and moved approval of the Resolution of Recognition presented to Eileen Ellsworth in recognition of her 18 years of service as President and Chief Executive Office of the Community Foundation for Northern Virginia. Supervisor Palchik seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

Acting-Chairman Smith returned the gavel to Chairman McKay.

3. **PROCLAMATION DESIGNATING JANUARY 14-20, 2024, AS "TEEN CANCER AWARENESS WEEK" IN FAIRFAX COUNTY** (10:02 a.m.)

Supervisor Smith moved approval of the Proclamation designating January 14 – 20, 2024, as "*Teen Cancer Awareness Week*" in Fairfax County. Chairman McKay and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING JANUARY 2024 AS "HUMAN TRAFFICKING AWARENESS MONTH" IN FAIRFAX COUNTY** (10:13 a.m.)

Supervisor Herrity moved approval of the Proclamation designating January 2024 as "*Human Trafficking Awareness Month*" in Fairfax County. Chairman McKay seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION RETROACTIVELY DESIGNATING NOVEMBER 2023 AS "MILITARY FAMILY APPRECIATION MONTH" IN FAIRFAX COUNTY** (10:25 a.m.)

Supervisor Lusk moved approval of the Proclamation retroactively designating November 2023 as "*Military Family Appreciation Month*" in Fairfax County. Chairman McKay seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, a Board Matter was presented regarding the creation of a Veterans and Military Families Commission. See Clerk's Summary Item #16.)

6. **REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:41 a.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, stated that the Report on General Assembly Activities traditionally includes recommendations made by the Legislative Committee at its Friday afternoon meeting. However, County facilities were closed this past Friday, due to inclement weather, so the meeting was not held.

Therefore, there was no Report on General Assembly Activities.

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7. **BOARD ORGANIZATION AND APPOINTMENTS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (10:42 a.m.)

Chairman McKay announced that the list of Appointments for Board Members to Various Interjurisdictional Committees and Inter-/Intra-Governmental Boards and Committees for Calendar Year 2024 had been distributed.

Chairman McKay stated that the Vice-Chairman of the Board is elected among his/her colleagues.

Supervisor Walkinshaw moved the appointment of Supervisor Smith as Vice-Chairman of the Board. The motion was multiply seconded and it carried by unanimous vote.

The full list of appointments is as follows:

INTERJURISDICTIONAL COMMITTEES

ALEXANDRIA

Daniel Storck, Chairman
Jeffrey McKay
Andres Jimenez
Rodney Lusk

ARLINGTON

Jeffrey McKay, Chairman
Andres Jimenez
James Bierman, Jr.
Dalia Palchik

DISTRICT OF COLUMBIA

Jeffrey McKay, Chairman
James Walkinshaw
Dalia Palchik
Daniel Storck

FAIRFAX CITY

James Walkinshaw, Chairman
Jeffrey McKay
Dalia Palchik
Patrick Herrity

FALLS CHURCH

Jeffrey McKay, Chairman
James Bierman, Jr.
Andres Jimenez
Dalia Palchik

FORT BELVOIR (Board of Advisors/Base Realignment and Closure)

Jeffrey McKay
Patrick Herrity
Rodney Lusk
Daniel Storck

HERNDON

Jeffrey McKay, Chairman
James Bierman, Jr.
Walter Alcorn

LOUDOUN COUNTY

Kathy Smith, Chairman
Jeffrey McKay
James Bierman, Jr.
Walter Alcorn

PRINCE WILLIAM

(includes UOSA, City of Manassas, and City of Manassas Park)
Kathy Smith, Chairman
Jeffrey McKay
Patrick Herrity
Daniel Storck

VIENNA

Walter Alcorn, Chairman
Jeffrey McKay
James Bierman, Jr.
Dalia Palchik

INTERGOVERNMENTAL BOARDS AND COMMITTEES

(including Federal and State)

COMMUNITY CRIMINAL JUSTICE BOARD

James Bierman, Jr.

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)

COG BOARD OF DIRECTORS

Jeffrey McKay, Principal
Rodney Lusk, Principal
James Walkinshaw, Principal
Andres Jimenez, Alternate
Daniel Storck, Alternate
Walter Alcorn, Alternate

COG METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE

Daniel Storck, Principal
James Walkinshaw, Principal
James Bierman, Jr., Alternate
John Morrill (staff), Alternate (for any member)

COG CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE

James Walkinshaw, Principal

**COG CLIMATE, ENERGY AND ENVIRONMENTAL
POLICY COMMITTEE**

Andres Jimenez, Principal
John Morrill (staff), Principal

COG EMERGENCY PREPAREDNESS COUNCIL

Rodney Lusk, Principal

COG HUMAN SERVICES POLICY COMMITTEE

Rodney Lusk
James Bierman, Jr.

COG REGION FORWARD COMMITTEE

James Walkinshaw, Principal
James Bierman, Jr., Principal
Andres Jimenez, Principal

**COG FOOD AND AGRICULTURE REGIONAL MEMBER
POLICY COMMITTEE**

Dalia Palchik

COG TRANSPORTATION PLANNING BOARD

Walter Alcorn, Principal
James Walkinshaw, Principal
Jeffrey McKay, Alternate
James Bierman, Jr., Alternate

**GEORGE MASON UNIVERSITY FAIRFAX CAMPUS ADVISORY
BOARD**

James Walkinshaw
Patrick Herrity
Jim Zook (Chairman's designee)

INOVA HEALTH CARE QUALITY AND RELIABILITY BOARD

James Bierman, Jr.

INOVA HEALTH SYSTEMS BOARD

Jeffrey McKay

NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

James Walkinshaw
Patrick Herrity
James Bierman, Jr.
Andres Jimenez
Walter Alcorn
Rodney Lusk
Kathy Smith

NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC)

(including WMATA and VRE Representatives)

James Walkinshaw, Principal, VRE Operation

Daniel Storck, Principal, VRE Operation

Andres Jimenez, Alternate

Walter Alcorn, WMATA

Dalia Palchik

James Bierman, Jr.

**PHASE I DULLES RAIL TRANSPORTATION
IMPROVEMENT DISTRICT COMMISSION**

Jeffrey McKay

James Bierman, Jr.

Walter Alcorn

Dalia Palchik

**PHASE II DULLES RAIL TRANSPORTATION
IMPROVEMENT DISTRICT COMMISSION**

Jeffrey McKay

James Bierman, Jr.

Walter Alcorn

Dalia Palchik

POTOMAC WATERSHED ROUNDTABLE

Daniel Storck

Eleanor Ku Coddling, P.E., Alternate

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT
DISTRICT COMMISSION**

Jeffrey McKay

James Bierman, Jr.

Walter Alcorn

Kathy Smith

VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)

Jeffrey McKay

Daniel Palchik

Kathy Smith

James Walkinshaw

Daniel Storck

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA)**

(Appointed by NVTC. The Board of Supervisors makes recommendations for consideration.)

Walter Alcorn

INTRAGOVERNMENTAL AND OTHER COMMITTEES

AUDIT COMMITTEE

Daniel Storck, Chairman
James Bierman, Jr.
Andres Jimenez
Patrick Herrity

BUDGET POLICY COMMITTEE

(Committee of the Whole)
Jeffrey McKay, Chairman
Kathy Smith, Vice-Chairman
Dalia Palchik, Vice-Chairman

ECONOMIC ADVISORY COMMISSION

(Committee of the Whole)
Daniel Storck, Chairman
Jeffrey McKay, Vice-Chairman

ECONOMIC INITIATIVES COMMITTEE

(Committee of the Whole)
Daniel Storck, Chairman
Jeffrey McKay, Vice-Chairman

ENVIRONMENTAL COMMITTEE

(Committee of the Whole)
James Walkinshaw, Chairman
Andres Jimenez, Vice-Chairman

HEALTH AND HUMAN SERVICES COMMITTEE

(Committee of the Whole)
Dalia Palchik, Chairman
Rodney Lusk, Vice-Chairman

HOUSING COMMITTEE

(Committee of the Whole)
Dalia Palchik, Chairman
Rodney Lusk, Vice-Chairman

INFORMATION TECHNOLOGY COMMITTEE

(Committee of the Whole)
Patrick Herrity, Chairman
Walter Alcorn, Vice-Chairman

LAND USE POLICY COMMITTEE

(Committee of the Whole)
Kathy Smith, Chairman
James Bierman, Jr., Vice-Chairman

LEGISLATIVE COMMITTEE

(Committee of the Whole)
James Walkinshaw, Chairman
Jeffrey McKay, Vice-Chairman

OLDER ADULTS COMMITTEE

(Committee of the Whole)
Walter Alcorn, Chairman
Dalia Palchik, Vice-Chairman

PERSONNEL AND REORGANIZATION COMMITTEE

(Committee of the Whole)
Andres Jimenez, Chairman
Kathy Smith, Vice-Chairman

SAFETY AND SECURITY COMMITTEE

(Committee of the Whole)
Rodney Lusk, Chairman
James Walkinshaw, Vice-Chairman

SUCCESSFUL CHILDREN AND YOUTH POLICY TEAM

Dalia Palchik
Rodney Lusk

TRANSPORTATION COMMITTEE

(Committee of the Whole)
James Bierman, Jr., Chairman
Walter Alcorn, Vice-Chairman

8. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (10:47 a.m.)

Supervisor Smith moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard January 23, 2024.” Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Jane Gwinn as the Braddock District Representative
- Mr. Renko R. Hardison as the Franconia District Representative
- Mr. Paul Davis as the Hunter Mill District Representative
- Mr. Wesley Speer as the Mount Vernon District Representative
- Ms. Ernestine Heastie as the Providence District Representative
- Mr. Philip Rosenthal as the Springfield District Representative
- Mr. Michael Coyle as the Sully District Representative

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

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Springfield District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY BOARD

Appointment of:

- Supervisor Kathy Smith as the BOS Member Representative

AIRPORTS ADVISORY COMMITTEE

Reappointment of:

- Mr. Robert Meier as the Mount Vernon District Representative
- Mr. Michael Rioux as the Mount Vernon District Business Representative

- Mr. Mark G. Searle as the Sully Business District Representative

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

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

ATHLETIC COUNCIL

Appointment of:

- Mr. Scott Anderson as the Mason District Principal Representative
- Ms. Hillary Richardson as the Women's Sports Principal Representative

Confirmation of:

- Mr. Roland Taylor as the Town of Herndon Principal Representative

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

AUDIT COMMITTEE

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

Appointment of:

- Mr. Fredric Wilson as the Professional #1 Representative

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

CATHY HUDGINS COMMUNITY CENTER ADVISORY COUNCIL

Appointment of:

- Ms. Judy Singer as the Fairfax County #2 Representative
- Ms. Alexandra Rossi as the Fairfax County #5 Representative

Confirmation of:

- Dr. Lubna Mohammed as the Reston Association Member #3 Representative

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

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

Reappointment of:

- Mr. Greg Dercach as the At-Large #3 Representative

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

Reappointment of:

- Ms. Alexis Dickerson as the Franconia District Representative

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

CHILD CARE ADVISORY COUNCIL

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

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

The Board deferred the appointment of the Dranesville District Representative.

CIVIL SERVICE COMMISSION

Reappointment of:

- Ms. Nancy Angland Rice as the At-Large #1 Representative
- Ms. Sara J. Simmons as the At-Large #3 Representative
- Mr. John Townes as the At-Large #12 Representative

The Board deferred the appointment of the At-Large #2, #4, #5, #6, #7, #9, #10, and #11 Representatives.

COMMISSION FOR WOMEN

Reappointment of:

- Ms. Phylcia Woods as the Providence District Representative

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

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Confirmation of:

- Ms. Elizabeth Benson as the Head Start Principal Representative
- Ms. Alice Doe as the Elected - South Target Area #2 Representative

The Board deferred the appointment of the Mason District Representative.

CONSUMER PROTECTION COMMISSION

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

CONTINUUM OF CARE BOARD (CoC)

Confirmation of:

- Ms. Penelope Rood as the City of Fairfax Representative
- Ms. Janet Kedzie as the Health Department Representative

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

COORDINATING COUNCIL ON AGING AND ADULTS WITH DISABILITIES (CCAAD)

Confirmation of:

- Mr. David J Pritz as the Long Term Care Providers #23 Representative

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Springfield District Representative.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

Appointment of:

- Ms. Donna Shafer as the At-Large #3 Representative
- Mr. Ben Small as the At-Large #5 Representative

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II

Reappointment of:

- Mr. Michael Rocks as the BOS At-Large #4 Representative

Confirmation of:

- Mr. Andrew J, Czekaj as Town of Herndon #2 Representative

The Board deferred the appointment of the BOS At-Large #5 and #6 Representatives.

ECONOMIC ADVISORY COMMISSION

Reappointment of:

- Mr. T. J. Radtke as the Hunter Mill District Representative

Confirmation of:

- Mr. Pradip Dhakal as Town of Herndon Representative

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

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

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

ENGINEERING STANDARDS REVIEW COMMITTEE

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

Reappointment of:

- Mr. Kenneth Lanfear as the Hunter Mill District Representative
- Mr. Richard Healy as the Mason District Representative

The Board deferred the appointment of the Providence District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

Reappointment of:

- Ms. Deborah Cohen as the Braddock District Representative

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

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD

The Board deferred the appointment of the Providence District Representative.

FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

Appointment of:

- Mr. Joseph Mondoro as the At-Large #3 Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

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

HEALTH CARE ADVISORY BOARD

Appointment of:

- Mr. Andrew G. Goldberg as the Sully District Representative

HEALTH SYSTEMS AGENCY BOARD

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

HUMAN RIGHTS COMMISSION

Reappointment of:

- Mr. Shahid S. Malik as the At-Large #11 Representative

The Board deferred the appointment of the At-Large #5 and #12 Representatives.

HUMAN SERVICES COUNCIL

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

INDUSTRIAL DEVELOPMENT AUTHORITY

Reappointment of:

- Mr. Joseph Heastie as the At-Large #6 Representative

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)

Reappointment of:

- Mr. Carter Bates as the Braddock District Representative

- Mr. Edward Blum as the Providence District Representative
- Mr. Sean Rastatter as the Springfield District Representative

The Board deferred the appointment of the Mason District Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the At-Large Chairman's Representative.

LIBRARY BOARD

Confirmation of:

- Ms. Natalie Lorenzi as the School Board Representative

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY

Appointment of:

- Ms. Tracy Strunk as the Seat #2 Representative
- Supervisor James N. Bierman, Jr. as the Seat #3 Representative

Reappointment of:

- Mr. Joe LaHait as the Seat #1 Representative
- Supervisor Dalia Palchik as the Seat #4 Representative
- Ms. Karen R. Hammond as the Seat #5 Representative

PARK AUTHORITY

Appointment of:

- Ms. Johna Toomey as the At-Large #1 Representative

Reappointment of:

- Dr. Cynthia Jacobs Carter as the Franconia District Representative
- Ms. Marguerite Godbold as the Sully District Representative

PLANNING COMMISSION

Reappointment of:

- Mr. Phillip A. Niedzielski-Eichner as the At-Large #3 Representative
- Ms. Mary Cortina as the Braddock District Representative
- Mr. Daniel Lagana as the Franconia District Representative
- Ms. Evelyn Spain as the Sully District Representative

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

REDEVELOPMENT AND HOUSING AUTHORITY

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

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

Confirmation of:

- Ms. Jenny Anderson as the Elected Resident/Owner #1 Representative
- Mr. Charles Betancourt as the Elected Resident/Owner #2 Representative
- Mr. Jeffrey Chod as the Elected Resident/Owner #3 Representative

SMALL BUSINESS COMMISSION

Appointment of:

- Ms. Sabrina Mattin as the Braddock District Representative
- Ms. Rachel Rozner as the Dranesville District Representative

Reappointment of:

- Ms. Deborah Woolen as the Franconia District Representative
- Mr. Christopher Vernon as the Springfield District Representative

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

TENANT-LANDLORD COMMISSION

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

TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE

Reappointment of:

- Mr. Kenneth Comer as the At-Large Chairman's Representative
- Mr. Robert Cosgriff as the Braddock District Representative
- Ms. Erin Partlan as the Franconia District Representative
- Mr. Alexander Rough as the Hunter Mill District Representative
- Mr. James Klein as the Mount Vernon District Representative
- Mr. Brooks Stephens as the Providence District Representative
- Ms. Karen Ampeh as the Sully District Representative

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

TRANSPORTATION ADVISORY COMMISSION

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

TREE COMMISSION

Appointment of:

- Ms. Glenna Tinney as the Franconia District Representative

Confirmation of:

- Mr. John Burke as the Park Authority Representative
- Ms. Brenda Frank as the Virginia Department of Extension Representative

- Mr. Richard Healy as the Environmental Quality Advisory Council Representative
- Mr. Jacob Zielinski as the Virginia Department of Forestry Representative
- Mr. Jerry Peters as the Northern Virginia Soil and Conservation District Representative

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

Confirmation of:

- Mr. Chris Boynton as the Tysons Partnership Representative #1 Representative
- Mr. David Schneider as the Tysons Partnership Representative #2 Representative

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

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

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

WETLANDS BOARD

Reappointment of:

- Ms. Clyde Wilber as the Springfield District Representative

YOUNG ADULTS ADVISORY COMMITTEE

Reappointment of:

- Mr. Timothy S. Klein as the Franconia District Representative
- Mr. Mahnoor Zafar as the Mount Vernon District Representative
- Mr. Samuel Niner as the Springfield District Representative

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

DMS:dms

ADDITIONAL BOARD MATTERS

9. **INTRODUCTION OF NEW STAFF AIDES IN THE CHAIRMAN'S OFFICE** (10:48 a.m.)

Chairman McKay introduced Kia Cooke and Vanessa Simpson, new Staff Aides in his office. On behalf of the Board, he warmly welcomed them to the Board Auditorium and to the County.

10. **PROCLAMATION REQUEST DESIGNATING JANUARY 2024 AS "FIRE FIGHTER CANCER AWARENESS MONTH"** (10:50 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and asked unanimous consent that the Board direct staff to prepare a Proclamation designating January 2024 as "*Fire Fighter Cancer Awareness Month*" in the County. Without objection, it was so ordered.

11. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 2024 AS "BLACK HISTORY MONTH"** (10:50 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating February 2024 as "*Black History Month*" in the County. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 7 – 14, 2024, AS "CONGENITAL HEART DISEASE WEEK"** (10:50 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating February 7 – 14, 2024, as "*Congenital Heart Disease Week*" in the County. Without objection, it was so ordered.

13. **2023 BEST WORKPLACES FOR COMMUTERS (BWC) AWARDS** (10:50 a.m.)

Chairman McKay stated that the Fairfax County Department of Transportation's (FCDOT) Commuter Services team continues to work with the University of South Florida's Center for Urban Transportation Research to identify County employers who are potential candidates for the nationally acclaimed BWC designation. The BWC program aims to motivate County employers to offer transportation alternatives to single-occupant vehicle commuting such as ridesharing, transit, biking, walking, teleworking, and other Transportation Demand Management strategies, to improve mobility and reduce greenhouse gas emissions in the region.

Chairman McKay stated that he is pleased to announce that 14 County employers have qualified for the 2023 BWC designation, which brings the total number of employers holding this designation in the County to 152. The green commuting programs implemented by these employers promote environmental stewardship, advance sustainability, and reduce traffic congestion in the County and the region, thus improving the quality of life for all residents and businesses.

The County Commuter Services continues to work with each of these County businesses and organizations to implement the full range of commuter and trip reduction programs which comprise the characteristics of the BWC program. These efforts help the County to attract and retain a quality workforce and further position its employers as national leaders in green commuting.

Therefore, Chairman McKay moved that the Board direct staff to invite the 2023 recipients of the BWC award to appear before the Board at its meeting on February 6, 2024, to formally receive their awards. Supervisor Lusk seconded the motion and it carried by unanimous vote.

14. **WORKSPACE AVAILABILITY FOR CLERK TO THE COURT**
(10:52 a.m.)

Chairman McKay stated that the Office of the Clerk of the Fairfax Circuit Court recently contacted his office to help identify space around the County to hold remote office hours to help residents receive certain Court services without the need to travel to the Courthouse. Chairman McKay stated his understanding that these services may include issuance of marriage licenses and notary commissions, with the potential to add more services in the future.

Therefore, Chairman McKay asked unanimous consent that the Board direct staff to work with the Office of the Clerk of the Fairfax County Circuit Court to identify potential space in County facilities to provide these services to County residents. Without objection, it was so ordered.

Vice-Chairman Smith returned the gavel to Chairman McKay.

(NOTE: Later in the meeting, Supervisor Storck referenced this Board Matter. See Clerk's Summary Item #33.)

15. **CHAIRMAN MCKAY'S NEW YEAR RECEPTION 2024** (10:53 a.m.)

Chairman McKay announced that his 2024 New Year Reception will be held on February 9, 2024, from 5 – 7 p.m. in the Atrium at the Government Center and welcomed all to attend.

16. **CREATION OF A VETERANS AND MILITARY FAMILIES COMMISSION** (10:55 a.m.)

(BAC) (NOTE: Earlier in the meeting, during presentation of a Proclamation retroactively designating November 2023 as “*Military Family Appreciation Month*,” this Board Matter was noted. See Clerk’s Summary Item #5.)

Supervisor Walkinshaw stated that the County has 84 Boards, Authorities, and Commissions (BACs) made up of community members who advise the Board on just about every topic that affects residents in the County. To date, no BAC exists to represent the issues and challenges faced by veterans, members of the armed forces, and their families.

Fort Belvoir is the County’s largest employer, and the County is home to more than 45,000 active-duty military, selected reserve members, and an estimated 65,000 veterans. More than 14,500 students in Fairfax County Public Schools are connected to the military, and 18 Fairfax County schools have been recognized as Purple Star Schools. Given that the County has such an active and vibrant military family community, it’s important for the Board to hear from them on issues they are most concerned about.

Many partnerships, organizations, and networks exist to help support the military community, such as the Northern Virginia Regional Commission’s Community/Military Partnerships Committee, employment resources through the County’s veterans preference for government jobs, and the Commonwealth’s Virginia Values Veterans Program. The County recently created the Veterans Coordinator position for the purpose of connecting County veterans, active-duty service members, retirees, and their families with resources, assisting with eliminating barriers to services, and improving care connections for the military community. The Board also recently instituted real estate tax relief for the spouses of service members who died in the line of duty, bringing their taxes to the lowest allowable amount, \$0.01 per \$100 of value.

Supervisor Walkinshaw stated that the County can do even more to support military families. As Supervisor Lusk and former Supervisor Gross pointed out in the joint Board Matter to recognize “*Military Family Appreciation Month*,” the annual Military Family Lifestyle Survey by the nonprofit Blue Star Families, indicated that only 30 percent of active-duty family respondents felt a sense of belonging to their local communities. Additionally, one-third of active-duty spouses responded that they are not working due to childcare costs, which contributes to a military spouse unemployment rate that is four times the national average. As a premier destination for military families to relocate because of the amazing resources the County has to offer, and recognizing the value that military families bring by being active in their local communities, the County would greatly benefit by establishing a BAC that focuses on the needs and the interests of veterans and military families.

Therefore, jointly with Chairman Jeffrey C. McKay, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, and Supervisor Storck, Supervisor Walkinshaw moved that the Board direct the County Executive to work with the Veterans Coordinator and staff on the establishment of a Veterans and Military Families Commission. Staff should review similar entities in other jurisdictions and return with a resolution for the Board's consideration by March 19, 2024. The proposal should include the Commission's purpose, bylaws, structure, and parameters for membership. Chairman McKay seconded the motion and it carried by unanimous vote.

17. **PRESERVATION OF LAKE ACCOTINK (BRADDOCK DISTRICT)**
(11:01 a.m.)

Supervisor Walkinshaw stated that the Board accepted the findings of the Task Force on the Future of Lake Accotink at its December 5, 2023, Board Meeting and the Environmental Committee received a presentation on those findings at its December 12, 2023, meeting.

As Task Force was established to review and develop findings on the previous dredging studies, ensure that all options have been considered to preserve Lake Accotink in the most sustainable, equitable, and cost-effective manner, identify information needs and questions that should be addressed should the Board proceed with studying a managed wetland or smaller lake option, and consider the impacts to the environment, surrounding communities, recreational uses of the park, and financing, including the need for ongoing maintenance. The Task Force was chaired by former Chairman Bulova and included former Braddock District Supervisor John Cook. The Board has received the Task Force's Findings Report and it is available on the Task Force's website.

The Task Force's invaluable work, alongside staff and a new consulting team, has provided a path forward that has the potential to preserve Lake Accotink, albeit with a smaller body of open water, for generations to come. But its work also revealed the need for additional study and analysis of the various actions necessary to preserve Lake Accotink.

Sedimentation Rate Study:

The Task Force helped uncover the fact that, despite multiple estimates dating back to 2016, the County does not know with certainty how much sediment is entering Lake Accotink, how much sediment is settling in Lake Accotink, nor how much sediment is flowing downstream from Lake Accotink. That information is necessary to inform future dredging and maintenance dredging intervals, the County's understanding of the Lake's evolution over time, and sediment impacts on downstream areas.

Lake Accotink Dam Analysis:

The Commonwealth of Virginia's dam safety regulations have changed. During the Task Force's work, the Board learned that staff is currently working with the Virginia Department of Conservation and Recreation to determine the classification of the Lake Accotink Dam and whether State regulations will require improvements to the dam. A safe, functioning dam is necessary to maintain an open water feature, and an assessment of costs to achieve regulatory compliance and ensure the dam's performance for the next 50 years is needed.

Smaller Lake Option:

The Task Force found that:

- A 20 – 40 acre lake would preserve much of the aesthetic and recreational value of Lake Accotink, while minimizing maintenance costs and impacts on surrounding communities
- If an initial dredge of a smaller lake area were performed, dredge spoils could remain on-site in Lake Accotink Park, most likely within the existing footprint of the Lake
- A smaller lake option could be paired with a managed wetland, grasslands, navigable kayak trails, and other creative recreational and education amenities not currently available at Lake Accotink

Staff and the consultant working alongside the Task Force have pointed out that on-site reuse would require an “extensive permitting process” and is a “relatively new regulatory process that few regulators have worked through.” Even if spoils from an initial dredge could be reused on-site, future maintenance dredges would require offsite disposal.

Supervisor Walkinshaw stated his agreement with the Task Force that the smaller lake would meet many of the community's expressed desires. While costs to maintain a smaller lake would still be significant, they would in all likelihood be far less than the estimated \$395 million cost to maintain the full lake over the next 25 years. Unless the feasibility study reveals unforeseen insurmountable hurdles, Supervisor Walkinshaw stated his belief that the County should proceed with the smaller lake option.

A feasibility study is needed to determine the best methods, costs, regulatory and permitting challenges, maintenance dredging intervals, permanent infrastructure needs, on-site reuse potential, implementation timelines, and staff needs to preserve a 20 - 40 acre Lake Accotink at a depth of four to eight feet. A robust community engagement plan to ensure public involvement in the scope development of the feasibility study and the opportunity to comment on the feasibility report is

necessary. The Task Force's findings related to public engagement should inform that plan.

Financing:

On October 29, 2019, the Board approved a financing plan for the dredging of Lake Accotink, which noted an estimated \$50 million order of magnitude cost for the dredging of Lake Accotink that was included in the Fiscal Year (FY) 2020 - FY 2024 Capital Improvement Program (CIP). That financing plan estimated a cost of \$30.5 million for the initial full lake dredge and annualized maintenance dredging costs of \$2,013,000. The plan identified the Virginia Clean Water Revolving Loan Fund as the preferred funding mechanism to fund dredging, with the issuance of a bond sale through the Fairfax County Economic Development Authority as a fallback option.

On July 27, 2021, the Board approved an updated financing plan for an additional \$30 million, for a total of \$60.5 million while noting annualized maintenance dredging costs of \$3 million. The FY 2024-2028 CIP reflects that continued \$60.5 million commitment.

Therefore, jointly with Chairman McKay and Supervisor Lusk, Supervisor Walkinshaw moved that the Board direct the County Executive and the Director of the Department of Public Works and Environmental Services (DPWES) to take the following actions and to conduct these activities in a timely manner:

- Proceed with the conduct of a sedimentation rate study, which will measure sedimentation rates over a three year period
- In cooperation with the Fairfax County Park Authority, conduct an assessment of the Lake Accotink Dam to determine the improvements and maintenance needed to ensure long-term regulatory compliance and safe functioning, and to explore sources of funding for any required improvements to the dam
- Conduct a feasibility study of the 20 - 40 acre four to eight foot deep smaller lake option identified in the Task Force's findings
- Develop a robust community engagement plan informed by the Task Force's findings
- Repurpose an existing position or establish a new position within DPWES to coordinate work related to all the activities associated with this Board Matter
- Maintain the Board's commitment of \$60.5 million to preserving Lake Accotink in the FY 2025 - FY 2029 advertised CIP

- Coordinate with the Fairfax County Park Authority to resume the Lake Accotink Park Master Planning Process upon completion of the feasibility study and development of a long-term plan for the preservation of Lake Accotink
- Ensure that the sedimentation rate study, assessment of the dam, community engagement plan, and feasibility study proceed immediately and concurrently
- Produce for the Board by March 31, 2024, a timeline for completion of the various actions outlined in this motion

Chairman McKay seconded the motion.

Discussion ensued regarding:

- The role of the Robinson Terminal
- Costs for the dredging materials and future costs
- Options for storage and transport
- Usage of stormwater funds
- Aspects included in the report
- Continued community involvement
- Coordination with the Park Authority and the master plan process

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

18. **RESOLUTION OF RECOGNITION REQUEST FOR CHARLES SMITH**
(11:16 a.m.)

Supervisor Walkinshaw stated that he would like to recognize the retirement of longtime County employee, Charles Smith.

After serving in the U.S. Army, Mr. Smith spent five years with the Northern Virginia Regional Park Authority, where he worked as a seasonal naturalist and planner/land administrator. He then joined the Fairfax County Park Authority (FCPA), working as a Historian and Assistant Manager of Ellanor C. Lawrence Park. He moved on to become a Senior Natural Resource Specialist and then Natural Resource Management and Protection Branch Manager for FCPA, where he oversaw the development and implementation of policy, programs, and plans to manage ecological resources on 23,000 acres of parkland.

He left the Park Authority and joined the Department of Public Works and Environmental Services, where he worked for the past 10 years. Starting as a Senior Project Manager, he was quickly promoted to Central Division Watershed Project Implementation Branch Chief, a position he held until he retired on January 12, 2024.

He is well respected for his technical expertise in stormwater management and stream restoration. He has not only been a leading advocate for enhancing the water quality of streams, but also for the ecological restoration of stream corridors and associated floodplains. He has worked to promote the use of natural landscaping, using native plants and seed mixtures and to educate staff and residents on the negative impacts of non-native invasive plant species on the environment. His leadership and guidance have not only improved the ecological value of projects implemented in the County, but also regionally and statewide. For his work, he was selected in 2022 as a Fairfax County Environmental Excellence Award winner.

He has been an invaluable resource to the Braddock District and his work will have long-lasting impacts. He played a key role in development of the Long Branch Central Watershed Management Project, which will restore 6.5 miles of impaired stream to meet the Virginia Department of Environmental Quality's Total Maximum Daily Load reduction requirements, improve water quality, and improve habitat and environmental health. This collaborative effort engaged residents to work collaboratively to develop acceptable restoration solutions and implement innovative methods focused on site conditions.

Most recently, in addition to his regular workload, he supported the work of the Task Force on the Future of Lake Accotink, a challenging undertaking. He provided an extraordinary amount of technical support to the Task Force's leadership, put together presentations for the Task Force, coordinated with consultants, and responded to a barrage of detailed technical inquiries in a very thorough and professional manner, even when the County's work was called into question.

He is a Certified Ecological Restoration Practitioner with the Society for Ecological Restoration, a Board Member of the Virginia Native Plant Society, and actively participates in educating the public, particularly with the Fairfax County Master Naturalists and Prince William Conservation Alliance.

The County has relied heavily on his expertise. In addition to being well informed and extremely knowledgeable, his calm and composed demeanor has been especially helpful when addressing some of the thorny issues the Braddock District has faced. He will be missed.

Therefore, jointly with Chairman McKay, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Charles Smith, in recognition of contributions to the County's

stormwater program and to the ecological enhancement of the environment, to be presented outside of the Board Room. Without objection, it was so ordered.

19. **A PLACE CALLED ILDA: RACE AND RESILIENCE AT A NORTHERN VIRGINIA CROSSROADS** (11:20 a.m.)

Supervisor Walkinshaw shared that Tom Shoop recently wrote a book that recounts the Black experience in the County over generations and sheds new light on the racial, economic, political, and bureaucratic factors that drove the development of Northern Virginia and the nation as a whole. Weaving together accounts of horse thievery, attempted murder, savage beatings, hate crimes, and a long-forgotten cemetery, this gripping and often moving narrative provides a rich and unusually detailed record of the rise, decline, and rediscovery of a crossroads whose secrets and mysteries depict an America that might have been, and might still be. Supervisor Walkinshaw encouraged the community to read Tom Shoop's book.

20. **RESOLUTION OF RECOGNITION REQUEST FOR TIM CLINE** (11:23 a.m.)

Supervisor Smith stated that Tim Cline, Cubmaster for Pack 146 in Chantilly, is retiring after many years of service. During his years of service, he volunteered thousands of hours to make the community, the Sully District and the County a better place to live.

Therefore, Supervisor Smith asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Tim Cline, in recognition of his contributions, to be presented at the Cub Scout's annual Blue and Gold Banquet on February 4, 2024. Without objection, it was so ordered.

21. **ONBOARDING APPRECIATION FROM THE DRANESVILLE DISTRICT SUPERVISOR** (11:23 a.m.)

Supervisor Bierman expressed his appreciation to all for their help with onboarding and support for him. He stated that he looks forward to working with everyone.

22. **RESIDENTIAL CUT-THROUGH STICKER PROGRAM** (11:24 a.m.)

Supervisor Bierman stated that the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation (FCDOT) Cut-Through Mitigation Program offers relief to residential communities negatively impacted by peak-hour cut-through traffic on neighborhood roads. In communities with an approved cut-through restriction program, access to roads is restricted during specific times of day, except for buses and emergency vehicles. The restrictions apply to residents with homes on the designated streets as well as non-residents. To be eligible for the cut-through restriction program, various VDOT criteria demonstrating the need for such a restriction must be met, such as a showing of excessive cut-through traffic during peak hours, and a reasonable alternative route

must be available. In addition, at least two-thirds of the occupied residences on the streets to be affected must accept the cut-through plan.

Currently in the County, there are cut-through restrictions in place in two areas of the Mason District and one area in the Dranesville District. Another four communities located in the Mason, Providence, and Dranesville Districts, have requests pending.

In 2019, at the unanimous request of the Board, the Virginia General Assembly enacted a law that gives localities the authority to adopt an Ordinance that permits communities that qualify for cut-through restrictions to additionally request permits or stickers “that will allow such [local] residents to make turns into or out of the designated area during certain times of the day when such turns would otherwise be restricted.” If a community votes to enroll in the sticker program, the decision to purchase such a sticker remains entirely voluntary.

The problem of motorists using neighborhood streets to avoid bottlenecks on major roadways, such as Route 7 and Interstate-495, has grown significantly since 2019 due to road navigation guidance systems apps, such as WAZE. In the Dranesville District, constituents have reported that they have sat in a line of traffic within their own neighborhood for over 40 minutes to get to their home. In frustration, some people have resorted to parking their car several blocks from their homes. Others have missed appointments because they cannot get out of their neighborhood.

The cut-through restriction program can help ameliorate these problems but would also limit how local residents are permitted to move through their own neighborhoods. A Residential Cut-Through Sticker Program providing exemptions would thus help ensure that cut-through restrictions do not themselves create additional problems for local residents.

Since 2019, FCDOT staff has drafted an Ordinance, enacting the sticker program, and has presented information at the Board’s Transportation Committee meetings on a resident sticker program, including providing draft program policies and procedures, and providing estimates regarding the program’s start-up and recurring costs. In 2023, staff made presentations on January 31 and July 18.

At the July 18, 2023, Transportation Committee meeting, the Board made comments and asked questions of staff regarding the operation and costs of the program, the amount of the permit fee, revenue that a sticker program would generate, and how the program would be enforced. Among other things, the Board expressed skepticism regarding how FCDOT estimated costs and revenues derived from the program.

Therefore, to address those questions and determine whether to act on the enabling legislation that the Board requested, Supervisor Bierman moved that the Board direct FCDOT staff to make a presentation at the February 13, 2024,

Transportation Committee meeting. The presentation should include, but not be limited to, the following:

- Updated software development costs
- Operational costs including staffing requirements and a recommended permit fee
- Whether the Department of Tax Administration could process permit fee payments
- Information regarding what experience other jurisdictions have had with their cut-through sticker programs

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

23. **VIRGINIA DEPARTMENT OF TRANSPORTATION I-495 NEXT PROJECT** (11:29 a.m.)

Supervisor Bierman stated that the Board has in the past supported, with some reservations, the Virginia Department of Transportation's (VDOT) I-495 NEXT project, which, in conjunction with Maryland's plans to widen the American Legion Bridge and construct High Occupancy Toll (HOT) lanes, could reduce congestion, provide additional travel choices, and improve travel efficiency along one of the worst traffic hot spots in the country. However, recent changes to Maryland's plans and the manner in which the Virginia construction has been performed have been very concerning to area residents.

Construction on the project began in mid-2022 and has included the removal of noise walls, the clearing of trees, and preliminary bridge work. The assumption all along has been that the project would be closely aligned with Maryland's plans. For example, the project envisions five ramps to be built or reconstructed. VDOT will build two of the ramps to connect to a tie-in to be built by the Maryland Department of Transportation (MDOT). One ramp is to be built in Virginia by MDOT. This coordination and bi-state funding plan was memorialized in the Capital Beltway Accord, announced by the Governors of Virginia and Maryland in November 2019. The accord was heralded as a once-in-a-generation achievement for the Capital region.

Maryland's plans have changed significantly since the 2019 announcement. There will no longer be a public-private partnership and the County recently learned that Maryland intends to apply for federal grant money. These changes have raised questions and concerns about what Maryland intends to do and when they intend to do it. Among other things, there is confusion about the purpose of the ramps being built that previously were proposed to tie into HOT roads, on the Maryland side. If these toll roads are not constructed, the building ramps are leading to nowhere.

Moreover, the Board has received no answer to the letter it sent in September 2023 to the Virginia Secretary of Transportation regarding a written agreement between Virginia and Maryland.

Supervisor Bierman stated that he is troubled by the numerous resident concerns regarding the significant impacts on surrounding neighborhoods, including acres of tree loss along long stretches of I-495 and dramatic increases to neighborhood congestion resulting from peak-hour cut-through traffic.

At the Board's December 12, 2023, Transportation Committee meeting, representatives of VDOT, including Michelle Shropshire, Acting Director of VDOT Megaprojects, gave a presentation on the project. Unfortunately, the response to concerns about coordination with Maryland was inadequate. Additionally, VDOT representatives were asked to share the details and timing of a necessary reforestation plan. They indicated that planning was underway but provided no clear commitment to a timeline or plan for community engagement.

At this late stage of the project, the lack of information is troubling. The County must understand how the uncertainty of Maryland's plans affects the benefits of this project and know how the project's negative impacts will be ameliorated.

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

- Draft a second letter to Secretary Miller, requesting that VDOT address the concerns expressed in his Board Matter, including, but not limited to, concerns about the lack of coordination, questions about the ramps, and concerns about deforestation, and present the draft letter to the Board at the next Transportation Committee meeting to be held on February 13, 2024
- Present a plan at the next Transportation Committee meeting for future coordination with VDOT and MDOT and to consider future environmental coordination with appropriate County agencies regarding tree reforestation plans

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

24. **PROCLAMATION REQUEST IN RECOGNITION OF "FIRE SAFETY DAY"** (11:33 a.m.)

Supervisor Lusk stated that the County has approximately 1,750 mobile/manufactured homes. Of these, approximately 800 homes are in the Franconia District and spread across two communities, Audubon Estates and Harmony Place. This makes the Franconia District the largest mobile home population in the County. During many visits to Audubon Estates and Harmony Place, Supervisor Lusk stated that he observed how close the units are to

each other and realized that if there was a fire in one of these communities the effects could be catastrophic.

Supervisor Lusk stated that he reached out to a fellow classmate from Leadership Fairfax, Courtney Bulger, the then Director of the American Red Cross of Northern Virginia to see if it would be possible to install smoke detectors in each mobile home and provide fire safety education to residents. She immediately agreed to partner with the Franconia District Supervisor's office to help launch a special initiative for the mobile home parks in that District. Supervisor Lusk stated that he then reached out to the Fairfax County Fire Department and spoke with Assistant Fire Chief Tracey Reed, who stated that this type of initiative for manufactured housing had never been done before but the Fire Department would be willing to partner this first of its kind initiative. After many planning meetings, Supervisor Lusk stated his office, the Red Cross, and the Fire Department launched its first "Fire Safety Day" in the Franconia District at Harmony Place on August 27, 2023. During this first launch of the program, 150 smoke alarms were installed in 46 homes. After the installations were completed, Harmony Place residents surprised the groups with a homemade barbecue offering tacos and pupusas in appreciation for the fire safety efforts in their community.

With the success of this first day, all the partners agreed to move forward with the next "Fire Safety Day" initiative in Audubon Estates. And now, to date, 603 smoke alarms have been installed in 189 homes, making Audubon Estates and Harmony Place safer for the families who live there. This initiative also provides fire safety tips, evacuation plans for residents and containers from Solid Waste Management for community clean-up of debris. There will be at least one more installation day in Audubon Estates to ensure that as many homes as possible receive the no-cost smoke detectors and fire safety education.

The American Red Cross of Northern Virginia and the County's Fire Department plan to implement this program in manufactured housing communities across the County. This would not be possible without the assistance from the Red Cross and its "Sound the Alarm" program and the dedication and commitment of the community volunteers, CERT volunteers and key staff including, the former Director of the Red Cross of Northern Virginia, Courtney Bulger, David Chesler and Jackie Rivera also from the Red Cross and Fire Chief John Butler, Marlon Murphy, Kat Dye and Battalion Chief Todd Barb from the Fairfax County Fire Department. As well as, Josie Valdez, Manager of Audubon Estates, Marianela Reynado from Tenants and Workers United, and Susan Davidson from the Solid Waste Management Division.

Therefore, Supervisor Lusk moved that the Board direct staff to prepare a Proclamation in recognition of the extraordinary work and importance of "*Fire Safety Day*," a fire safety initiative, to be presented to the Northern Virginia Red Cross and Fairfax County Fire Department, ideally at a future meeting of the Board or outside of the Board Auditorium, if necessary. Chairman McKay seconded the motion and it carried by unanimous vote.

25. **GIFT OF FEE SIMPLE TITLE FROM JBG SMITH PROPERTIES (HUNTER MILL DISTRICT)** (11:37 a.m.)

Supervisor Alcorn stated that part of the Board's Transportation Priorities Plan includes updates to pedestrian infrastructure along Sunrise Valley Drive, and acquisition of land rights for the project, "Sunrise Valley Drive Walkway from Reston Parkway to Soapstone Drive," is underway. This project will improve existing walkways as well as install missing links of sidewalk along the north side of Sunrise Valley Drive, a length of approximately 1,500 linear feet. The project will enhance pedestrian mobility along Sunrise Valley Drive.

JBG Smith Properties owns one of the parcels impacted by this project and has declined to grant the limited land rights needed to complete the Sunrise Valley Drive Walkway project. Instead, they have requested that the County take full ownership of the small parcel in its entirety. The property owner has offered to gift the land to the County. Acceptance of this small parcel would allow the County to avoid condemnation to complete the Sunrise Valley Drive pedestrian enhancements and would provide the County with land to make one or more small improvements to this open space in the future.

Therefore, Supervisor Alcorn moved that the Board accept and receive a gift of fee simple title from JBG Smith Properties for Tax Map Parcel 017-3-03-0001-E3, whose street address is 11810 Sunrise Valley Drive, Reston, Virginia 20191. Chairman McKay seconded the motion and it carried by unanimous vote.

26. **RELAC CANCELS AIR CONDITIONING (A/C) SERVICE FOR HUNTER MILL DISTRICT RESIDENTS** (11:39 a.m.)

Supervisor Alcorn announced that RELAC recently announced that they would be discontinuing A/C service to approximately 900 homes in the Hunter Mill District. Supervisor Alcorn highlighted several steps currently underway to address this service stopping for those residents. He announced that two informational meetings have been scheduled for residents on January 23 and 24, 2024, at 7 p.m., at the Reston Community Center. He encouraged the community to attend the informational meetings.

27. **ONBOARDING APPRECIATION FROM THE MASON DISTRICT SUPERVISOR** (11:41 a.m.)

Supervisor Jimenez expressed his appreciation to all for their help with onboarding and support for him. He stated that he looks forward to working with everyone.

28. **PUBLICITY REQUEST FOR AARP TAX-AIDE SUPERSITE** (11:42 a.m.)

Supervisor Jimenez announced that his office will continue to partner with the AARP Tax-Aide program. This is a nationwide program that has 11 locations in

Northern Virginia, with the Mason District Government Center being the largest in the area. Prior to the pandemic, the 50 tax counselors, all certified by the Internal Revenue Service to complete tax returns and five client facilitators/greeters, assisted in completing over 2,000 Federal and State tax returns. During the most recent tax filing season this program helped file 1,500 tax returns.

The program also aligns with the County's values and One Fairfax Policy in that it aims to serve seniors and lower/moderate-income individuals. However, the tax counselors can assist others as well. The program in the Mason District is open to and primarily attracts walk-ins, but there are a limited number of appointments that can be made ahead of time.

This year's Tax-Aide program begins on January 29, 2024, and ends on April 15, 2024. The hours of operation for the Mason District location are as follows:

- Monday and Thursday: 1 p.m. – 8 p.m.
- Tuesday, Wednesday, and Friday: 9:30 a.m. – 1 p.m.
- Saturday: 9 a.m. – 1 p.m.

Appointments can be made by calling 703-249-9961. This program is open to all County residents, with locations in the Mason, Dranesville, Hunter Mill, Providence, and Sully Districts.

Therefore, jointly with Chairman McKay, Supervisor Alcorn, Supervisor Bierman, Supervisor Palchik, and Supervisor Smith, Supervisor Jimenez asked unanimous consent that the Board direct the Office of Public Affairs to share information about this program via its varying platforms, to include the link for all the locations as the dates, hours, and intake processes vary at each location. Without objection, it was so ordered.

29. **MASON DISTRICT GOVERNMENT CENTER OPEN HOUSE**
(11:45 a.m.)

Supervisor Jimenez announced that there will be an open house at the Mason District Government Center on February 2, 2024, from 6:30 - 8:30 p.m., and he invited the community to attend.

30. **PUBLICITY REQUEST FOR MOUNT VERNON DISTRICT'S 37TH ANNUAL TOWN MEETING** (11:46 a.m.)

Supervisor Storck stated that, once again, he is fortunate to have the opportunity to continue a tradition established by his predecessor in 1988, the annual Mount Vernon District Town Meeting. It will be at the Mount Vernon High School and residents can also join from their homes by streaming on Channel 16 and

Facebook. The morning will begin with an exhibit hall of County and community service providers, followed by the official program with a "virtual tour" of the District and questions and answers (Q&A) with local leaders and special recognitions. Supervisor Storck urged the community to join them after the program for a "Taste of Mount Vernon," featuring a sampling of local restaurants.

Supervisor Storck stated he was pleased that Congressman Gerry Connolly, Chairman McKay, County Executive Bryan Hill, and Mount Vernon School Board Representative Mateo Dunne, will be presenting and participating in the Q&A with residents. The event will also include features such as the KidBiz Young Entrepreneurs Expo, Fairfax County Health Department vaccine clinic with flu vaccines, and the Mount Vernon High School String Quartet and Marine Corps Junior Reserve Officers' Training Corps Color Guard. Supervisor Storck invited all to attend the annual event, the Saturday before the Super Bowl, February 10, 2024, with the exhibit hall opening at 7:45 a.m., program from 9:30 a.m.- noon, and a Taste of Mount Vernon from 12:15 - 1:30 p.m.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to advertise the Town Meeting on its various communications platforms. Without objections, it was so ordered.

31. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 2024 AS "CAREER AND TECHNICAL EDUCATION (CTE) MONTH"** (11:48 a.m.)

Supervisor Storck stated that CTE month is a public awareness campaign held every February to celebrate the achievements and accomplishments of programs nationwide. Its programs are aimed at preparing students for high-skill, high-wage and in-demand careers. In these programs, students develop critical thinking, time management and problem-solving skills. Currently, there are 12.5 million students enrolled in CTE courses across the nation. The average high school graduation rate for students concentrating in CTE programs is 93 percent, compared to an average national freshman graduation rate of 80 percent.

Fairfax County Public Schools (FCPS) has CTE programs offered in every middle and high school. The programs include Business and Information Technology, Family and Consumer Sciences, Health and Medical Sciences, Technology Education and Engineering and Trade and Industrial Education. Within these programs, students also receive industry credentials and learn the technical skills of many occupations while preparing for higher education or entry-level employment. All FCPS CTE programs incorporate workplace readiness and set students up to be confident and professional in their chosen field.

Career and Technical Student Organizations (CTSOs) also play a role in enhancing students learning through leadership, personal development and real-world application. Through competitive events and programs hosted, students get the opportunity to gain the skills necessary to succeed in those careers as well as

network with business and industry partners. FCPS offers many CTSOs so students can join and grow in careers.

Therefore, jointly with Supervisor Palchik and Supervisor Smith, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a Proclamation designating February 2024 as “*Career and Technical Education Month*” in the County, to be signed by the Mount Vernon, Providence, and Sully District Supervisors, to be presented to the FCPS Career and Technical Education Department Leadership, at the Board meeting scheduled for February 6, 2024. Without objection, it was so ordered.

32. **PROCLAMATION REQUEST FOR POHICK CHURCH (MOUNT VERNON DISTRICT)** (11:51 a.m.)

Supervisor Storck stated that when traveling north on Richmond Highway from Lorton, you can find a great deal of history tucked right next to Fort Belvoir at the edge of Mason Neck. Celebrating its 250th anniversary this year, Pohick Church has been an active spiritual home of many of the nation’s founders as well as present day community members. Pohick Church played a pivotal role as the spiritual sanctuary of George Washington, who was a Truro Parish Vestryman; and as Church Warden and Land Surveyor, he played a crucial part in the relocation, design and construction of Pohick Church on its present site in Lorton.

Rightly called “the Mother Church of Northern Virginia,” Pohick was the first permanent church in the colony to be established north of the Occoquan River, sometime prior to 1724. The only artifact surviving from this period is the baptismal font, which has been identified as a large Medieval mortar, likely dating from the 11th or 12th centuries. The existing building was completed in 1774, just before the outbreak of the Revolutionary War. Vestrymen George Washington, George Mason and George William Fairfax supervised the construction and along with other wealthy landowners of the parish purchased, and to this day still have, family pew boxes.

Listed in the National Register of Historic Places and bearing historical significance as an elegant specimen of Georgian-style architecture, reflecting its colonial-era origins, Pohick Church is rich in the nation’s history. During the War of 1812, oral tradition recounts that the British raided the church because of its association with George Washington. Pohick was periodically abandoned in the early 19th century and fell into disrepair. The community again banded together for the reconstruction of “General Washington’s Church.” Among the contributors to this renovation were President Martin Van Buren, former President John Quincy Adams, Daniel Webster, Henry Clay and Francis Scott Key.

Tragically, a mere 21 years after this reconstruction, the Civil War brought new devastation when occupying Union forces stripped the building’s interior for souvenirs of “Washington’s Church” and used its worship space as a stable. Soldiers scrawled their names on the inside walls, carved graffiti onto the doorposts

and pockmarked the exterior with bullet holes. The outside markings can still be viewed today. Pohick then became a Union observation post, with the famous “aeronaut,” Professor Thaddeus S. C. Lowe, looking down at Confederate movements from his balloon, which soared 1,000 - 2,000 feet above the church courtyard.

Following the Civil War, services resumed in 1874 and a major restoration of its colonial interior began in 1890, thanks to the generous contributions of its congregation, the Mount Vernon Chapter of the Daughters of the American Revolution and the Mount Vernon Ladies Association, among others.

Over the years, Pohick’s unique history has drawn nation’s leaders to visit the church for special services and commemorations. Not long after the Civil War, President Rutherford B. Hayes attended services at Pohick on Sunday, June 23, 1878, during a week when he was staying at Mount Vernon. President Warren Harding paid another such visit on May 29, 1921, the eve of Memorial Day, for the dedication of a memorial plaque honoring six local soldiers who died in combat during World War I.

Pohick Church stands as a testament to the collective endeavors of noteworthy individuals including George Washington, acknowledged as "the father of the country," George Mason, contributor to the Virginia constitution and “father of the Bill of Rights;” other local tradespeople and business owners; as well as numerous enslaved African Americans, in whose commemoration of their contributions, the church immortalized their names in bronze in 2023, serving as a lasting reminder.

With its history spanning four centuries, Pohick continues to inspire visitors from around the world, inviting all to come and explore the rich spiritual heritage that so many have experienced over the years. The church is open to visitors Monday - Saturday, 9 a.m. - 4:30 p.m., and Sundays from 12:30 p.m. - 4:30 p.m., following the morning services. Guided tours for groups are available through advance arrangement with the church secretary and entry is free of charge.

Located next to Fort Belvoir, Pohick Church plays a significant role as a spiritual haven and welcoming community for all active military, veterans and their families.

Pohick Church holds many community events throughout the year from its Annual Fall Fair to Vacation Bible School and more. In celebration of the 250th Anniversary, Pohick Church will hold Semiquincentennial events throughout 2024. To ring in this joyous year, Pohick Church held a Bell Ringing Ceremony on Sunday, January 14, 2024, where they rang the steeple bell 250 times. Supervisor Storck invited his colleagues and the community to join Pohick Church for their Jubilee Grand Celebration at Mount Vernon Estate on February 10, from 4:30 – 8:30 p.m. followed by other celebratory events throughout the year.

Therefore, jointly with Chairman McKay, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a Proclamation, to be signed by the

Chairman and Mount Vernon District Supervisor, for Pohick Church, in recognition of its 250th Anniversary of its 1774 church building and for its centuries-long contributions to the community, American history, and for carrying forward the spiritual legacy of its founders to current and future generations, to be presented to Pohick Church leadership, at the February 6, 2024, Board Meeting. Without objection, it was so ordered.

33. **MOUNT VERNON DISTRICT ANNOUNCEMENTS** (11:57 a.m.)

Supervisor Storck referenced Chairman McKay's earlier Board Matter regarding the Clerk of the Court services and urged that staff identify closer workspaces to ensure members of the community do not have to travel long distances. (See Clerk's Summary Item #14.)

Supervisor Storck stated that the Fairfax County Fire and Rescue Department (FRD) recently rescued two men from a small boat that became stranded in the icy waters of Belmont Bay. He congratulated the FRD for rescuing the men.

34. **RESOLUTION OF RECOGNITION REQUEST FOR OAKTON'S 141ST BIRTHDAY** (11:59 a.m.)

Supervisor Palchik stated that the area now known as Oakton will celebrate its 141st birthday this year. Previously known as "Flint Hill," the United States Postal Service refused to establish a post office with that name because one already existed in Rappahannock County. Resident and first Postmaster Squire, Ernest Smith, proposed "Oak's Corner" after the large oak trees that marked the area and the government opted to go with a shorter name. On January 24, 1883, the area was christened 'Oakton' with the establishment of its first post office near Route 123 and Hunter Mill Road.

Oakton was an area dominated by horse farms. At the turn of the 20th century, a trolley line was introduced that resulted in population growth, additional transit options, and new development in surrounding communities.

Since then, community organizations, including the Hunter Mill Defense League, the Oakton Women's Club, Options for Oakton, and Save Blake Lane Park, have worked together and with the Providence District Supervisor's office to achieve community priorities, including the construction of the Oakton Library, the establishment and beautification of Oakton's parks, improvement of pedestrian safety, and saving the last remaining Oakton witness tree. Meanwhile, the Vale Club, Friends of the Oakton Library, and other groups have helped create a community spirit. The Greater Oakton Community Association is continuing the work of helping arrange programs benefitting residents, promoting civic engagement, advocating for improvements, and striving to preserve the area's historic and environmental assets. In addition to the many local events held in the Oakton's parks and community spaces, community groups and passionately engaged residents have always worked closely with the

Providence District Supervisor in a partnership that is a model for community-driven governance.

Therefore, Supervisor Palchik asked unanimous consent that the Board direct staff prepare a Resolution of Recognition for Oakton's 141st birthday, to be presented at the Providence District New Year Open House on January 24, 2024. Without objection, it was so ordered.

35. **RESOLUTION OF RECOGNITION REQUEST FOR THE OAKTON HIGH SCHOOL MARCHING BAND** (12:02 p.m.)

Supervisor Palchik stated that in April 2023, the heavy-metal band Metallica launched its inaugural "For Whom the Band Tolls," a contest challenging college and high school marching bands across the country to incorporate Metallica songs into their shows. Bands were expected to craft the most exciting, unique, and impressive performances of Metallica's music.

The Oakton High School Marching Cougars won first place in the small high school division and will receive \$15,000 worth of musical instruments and equipment. The band began rehearsals in July and practiced three days a week. Its choreographed performance, called "Parade to Black," features a medley of Metallica songs, including "The Unforgiven," "For Whom the Bell Tolls," "Turn the Page," and "Enter Sandman." With over 450 submissions from college and high school bands, Oakton High School's win landed them in the top five bands in the competition.

The County is so proud of the Oakton Marching Cougars' extraordinary creativity and passion for the performing arts that resulted in this incredible accomplishment. They are a perfect representation of the County and Providence District's commitment to the arts, and the unique ways talents are showcased. They inspire the community to pursue its own arts passions at every opportunity.

Therefore, jointly with Supervisor Alcorn and Supervisor Smith, Supervisor Palchik asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for the Oakton High School Marching Cougars, in recognition of their win in the inaugural "For Whom the Band Tolls" competition. Without objection, it was so ordered.

36. **PROVIDENCE DISTRICT NEW YEAR OPEN HOUSE** (12:04 p.m.)

Supervisor Palchik announced that the Providence District New Year Open House will be held on January 24, 2024, from 5:30 p.m. – 7 p.m. at the Jim Scott Community Center. She invited the community to attend the event.

37. **RESOLUTION OF RECOGNITION REQUEST FOR THE LAKE BRADDOCK SECONDARY SCHOOLS (LBSS) RIFLE CHAMPIONSHIPS**
(12:05 p.m.)

Supervisor Herrity stated that the LBSS Rifle Team participated in the USA Shooting Virginia Junior Olympic State Championship recently. For the first time in the school's history, a Bruin is the State Champion. Diana Leppert defeated 80 other competitors from around the State with the highest overall score. She will advance on to represent Virginia at the 2024 Junior Olympics in Colorado this upcoming April. Miss Leppert follows in the steps of her sister, Victoria, who won the national title last year at the Junior Olympic Championships in Women's Air Rifle. It is the only time in history that the reigning national champion and the State champion are from the same family in the same year.

Therefore, jointly with Supervisor Walkinshaw, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Diana and Victoria Leppert and the Lake Braddock Bruins, in recognition of their performance at the USA Shooting Virginia Junior Olympic State Championship this year and the Junior Olympic Championships last year, to be presented before the Board, at the appropriate date, along with the other high school State champions for the winter 2023-2024 season. Without objection, it was so ordered.

38. **PUBLICITY REQUEST FOR THE 2024 FAIRFAX COUNTY TEEN JOB FAIRS** (12:06 p.m.)

Supervisor Herrity stated that his office and the Fairfax County Public Schools (FCPS) have hosted very successful teen job fairs and career-building workshops for the past seven years along with businesses, and community organizations, including local chambers. These events focus on students and young job seekers looking for a variety of employment opportunities; full time, after-school, seasonal positions, internship opportunities, and volunteer positions. The fairs have provided thousands of teenagers the opportunity to get in front of employers and for employers to find talented County students to fill their positions. Even during the pandemic, two virtual fairs were held and were very successful. Last year, over 1,500 students and roughly 100 businesses participated.

Supervisor Herrity stated that he is excited to team up with FCPS as well as local chambers and organizations to bring the community two Fairfax County Teen Job Fairs and Career-Building Workshops once again. The fairs will run on two Saturdays in March.

The fairs will be open to all teens in the County looking for employment, volunteer opportunities, or tips on building their resume. Free table space will be provided for registered businesses and organizations to advertise their available positions. Resume and career building sessions with chamber of commerce partners will be

hosted. Beginning January 23, 2024, both students as well as employers may register at: <https://www.fairfaxcounty.gov/springfield/teenjobfairs>.

First jobs are important, and these events help connect teens with employers and prepare youth for the workforce.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct the Office of Public Affairs to help publicize the 2024 Fairfax County Teen Job and Opportunity Fairs. Without objection, it was so ordered.

39. **TWO PARK AUTHORITY GOLF RANGES NAMED AMONG TOP 50 PUBLIC RANGES NATIONALLY** (12:08 p.m.)

Supervisor Herrity announced that the Burke Lake Golf Center and Oakmont Golf Center ranges were once again recognized among America's Top 50 Public Ranges by *Golf Range Magazine*, a publication of the Golf Range Association of America and the Professional Golf Association. Supervisor Herrity and Supervisor Palchik congratulated staff on achieving this prestigious award again.

KK:kk

AGENDA ITEMS

40. **ADMINISTRATIVE ITEMS** (12:10 p.m.)

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

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM – POND MIST RESERVE (SULLY DISTRICT)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Pond Mist Reserve	Sully	Pond Mist Way

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM – FIDELIO PROPERTIES-FERGUSTON WATERWORKS (SULLY DISTRICT)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Fidelio Properties-Ferguson Waterworks	Sully	Lowe Street

ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM – PARK VIEW ESTATES (SPRINGFIELD DISTRICT)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Park View Estates	Springfield	Foxhollow Lane

ADMIN 4 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – FAIRWAY DRIVE, EASTERN PORTION (HUNTER MILL DISTRICT)

- (R)
- Adopted the resolution endorsing a traffic calming plan for the eastern portion of Fairway Drive, between Hook Road/Orchard Lane and Wiehle Avenue, consisting of the following:
 - Two speed humps with Fire and Rescue cut-outs on the eastern portion of Fairway Drive (Hunter Mill District)
 - Directed staff to schedule installation of the approved traffic calming measures as soon as possible

ADMIN 5 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – FORESTVILLE DRIVE (DRANESVILLE DISTRICT)

- (R)
- Adopted the resolution endorsing traffic calming plans in the Dranesville District consisting of the following:
 - Two speed humps on Forestville Drive
 - One speed table on Forestville Drive
 - Directed staff to schedule installation of the approved traffic calming measures as soon as possible

ADMIN 6 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – LORETTO STREET AND ATTEENTEE ROAD (FRANCONIA DISTRICT)

- Authorized the following installations in the Franconia District:
 - One “Watch for Children” sign on Loretto Street
 - Two “Watch for Children” signs on Atteentee Road
- Directed staff of the Department of Transportation to schedule the installation of the approved “Watch for Children” signs as soon as possible

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF IMPROVEMENTS TO BUS STOP #01655, COMMERCE STREET WESTBOUND AT BRANDON AVENUE (FRANCONIA DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 20, 2024, at 4:30 p.m.**, regarding the acquisition of certain land rights necessary for improvements at Bus Stop #01655, Commerce Street Westbound at Brandon Avenue, in Project CR-000007, Capital Sinking Fund for Revitalization, Fund 30010, General Construction and Contributions.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24158 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (VDBHDS) FOR STEP-VA OUTPATIENT, PRIMARY CARE SCREENING, AND SAME DAY ACCESS

Approved SAR AS 24158 for CSB to accept funding from the VDBHDS in the amount of \$192,838 to implement STEP-VA services for Outpatient, Primary Care Screening, and Same Day Access. Funding will support 2/2.0 full-time exempt new grant positions. No local cash match is required.

ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24163 FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY (DIT) TO ACCEPT GRANT FUNDING FROM DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREAS SECURITY INIATIVE (UASI) SUBGRANT AWARDS FROM THE GOVERNMENT OF THE DISTRICT OF COLUMBIA HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

- (SAR)
- Approved SAR AS 24163 in the amount of \$135,000 for DIT to accept a DHS UASI subgrant award from the District of Columbia Homeland Security and Emergency Agency. These funds will be used to provide cybersecurity training to jurisdictionally identified, non-executive level staff of governments within Northern Virginia, starting with the smallest member jurisdictions. No local cash match is required and no positions are associated with this funding
 - Authorized the Chairman of the Board, the County Executive, and/or 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 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24145 FOR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY PROJECT FUNDING REQUEST INCLUDED IN THE CONSOLIDATED APPROPRIATIONS ACT, 2022

- (SAR) Approved SAR AS 24145 for DHCD to accept grant funding from HUD in the amount of \$1.5 million supporting one project that was funded through the Consolidated Appropriations Act, 2022. No local cash match is required.

ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24149 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (VDHCD) FOR THE WORKFORCE INNOVATION SKILLS HUB (WISH)

- (SAR) Approved SAR AS 24149 for DFS to accept grant funding from VDHCD in the amount of \$400,000 to support programming costs of the WISH including tuition grants, transportation stipends, wraparound services, and consumables. No local cash match is required.

DA:da

41. **A-1 – APPROVAL OF THE BOARD OF SUPERVISORS’ REGULAR MEETING SCHEDULE FOR CALENDAR YEAR 2024 AND AUTHORIZATION FOR THE CHAIRMAN TO POSTPONE A SCHEDULED MEETING IN THE EVENT OF WEATHER OR OTHER HAZARDOUS CONDITIONS** (12:11 p.m.)

- (R) On motion of Supervisor Smith, seconded jointly by Chairman McKay and Supervisor Palchik and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved the Board’s regular meeting schedule for January through December 2024
- Authorized the Chairman to defer any scheduled regular meeting to the Tuesday following the deferred regular meeting if the Chairman, or the Vice-Chairman, is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for Members to attend

42. **A-2 – APPROVAL OF VACATION OF A PARKING REDUCTION FOR COMMONWEALTH CENTER MULTIFAMILY DEVELOPMENT (SULLY DISTRICT)** (12:11 p.m.)

On motion of Supervisor Smith, seconded jointly by Chairman McKay and Supervisor Palchik, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved vacation of the previously approved parking reduction of 12.5 percent (71 fewer spaces) for the Commonwealth Center development, mid-rise multifamily building and terminated the associated parking reduction agreement.

43. **A-3 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) AND COST REIMBURSEMENT AGREEMENT BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE FEDERAL BUREAU OF INVESTIGATION (FBI) WASHINGTON DC METRO SAFE STREETS TASK FORCE** (12:12 p.m.)

On motion of Supervisor Lusk, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign the MOU and Cost Reimbursement Agreement between the FCPD and the FBI Washington DC Metro Safe Streets Task Force.

44. **A-4 – APPROVAL OF A MASTER CREDIT AGREEMENT AND REVOLVING LINE OF CREDIT** (12:12 p.m.)

(R) On motion of Supervisor Smith, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved a Master Credit Agreement with the Fairfax County Economic Development Authority (FCEDA) and Wells Fargo Municipal Capital Strategies, LLC (the Bank), to provide a revolving Line of Credit of up to \$90 million
- Adopted a resolution authorizing the execution and delivery of a Master Credit Agreement with FCEDA and the Bank, providing a revolving Line of Credit of up to \$90 million. This resolution delegates to the Chairman, the Vice-Chairman, the

County Executive, and the Chief Financial Officer authority to determine details and execute and deliver documents and agreements relating to this transaction. Bond Counsel has advised that this form of authorization is acceptable

45. **A-5 – APPROVAL OF PROJECT AGREEMENTS BETWEEN THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) AND FAIRFAX COUNTY FOR FISCAL YEAR (FY) 2024 TRANSIT ASSISTANCE GRANT FUNDS** (12:13 p.m.)

Supervisor Bierman moved that the Board concur in the recommendation of staff and authorize the Director of the Fairfax County Department of Transportation to sign 11 Project Agreements between DRPT and the County, as shown in Attachments 1 through 11 of the Board Agenda Item, for FY 2024 transit capital and operating assistance. Supervisor Alcorn and Chairman McKay jointly seconded the motion.

Supervisor Alcorn asked unanimous consent that the Board direct staff to provide a list of fares for the past few years and include what has been done to reduce the fares for the longer haul commuter routes, and any plans for the future. Without objection, it was so ordered.

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

46. **A-6 – APPROVAL AND AUTHORIZATION TO EXECUTE A PROJECT ADMINISTRATION AGREEMENT (PAA) WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE BRADDOCK ROAD MULTIMODAL PHASE I PROJECT – SOUTHAMPTON DRIVE TO RAVENSWORTH ROAD (BRADDOCK AND MASON DISTRICTS)** (12:14 p.m.)

(R) Supervisor Walkinshaw moved that the Board concur in the recommendation of staff and adopt a resolution authorizing the Director of the Department of Transportation to execute a PAA with VDOT, substantially in the form of Attachment 2 of the Board Agenda Item, which will secure full funding for Phase I of the Braddock Road Multimodal Phase I Project – Southampton Drive to Ravensworth Road. Chairman McKay seconded the motion.

Following a brief discussion regarding the design efforts, Supervisor Walkinshaw noted that this action does not finalize the design elements of the project. The question was called on the motion and it carried by unanimous vote.

47. **A-7 – APPROVAL OF FAIRFAX CONNECTOR SPRING 2024 SERVICE CHANGES** (12:16 p.m.)

Supervisor Bierman moved that the Board concur in the recommendation of staff and approve the Fairfax Connector's Spring 2024 service change proposals as

outlined in the Board Agenda Item. Supervisor Palchik and Chairman McKay jointly seconded the motion.

Discussion ensued, with input from Michael Felschow, Chief, Planning Section, Transit Services Division, Department of Transportation, regarding outreach efforts and the timing for implementation of the service changes.

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

48. **A-8 – APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 24080 TO ACCEPT GRANT FUNDING AND AUTHORIZATION TO EXECUTE A STANDARD PROJECT AGREEMENT (SPA) WITH THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) AND THE POTOMAC RAPPAHANNOCK TRANSPORTATION COMMISSION (PRTC) FOR THE RICHMOND HIGHWAY BUS RAPID TRANSIT PROJECT (FRANCONIA AND MOUNT VERNON DISTRICTS)** (12:18 p.m.)

(SAR) (R) On motion of Supervisor Lusk, seconded jointly by Chairman McKay and Supervisor Storck, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved SAR AS 24080 to accept funding from the NVTC and PRTC in the amount of \$10 million for the Richmond Highway Bus Rapid Transit project. Commuter Choice funding will help fund the construction of a 7.4-mile, nine-station, bus rapid transit line operating in new median lanes along Richmond Highway (U.S. Route 1). No local cash match is required
- Adopted a resolution authorizing the Director of the Department of Transportation to execute a SPA with NVTC and PRTC for the funding and implementation of the project

DMS:dms

49. **RECESS/CLOSED SESSION** (12:20 p.m.)

Following a query to Elizabeth Teare, County Attorney, regarding the amount of time needed for closed session, Supervisor Smith moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code Section 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property,

where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2-3711(A) (3).

- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code Section 2.2-3711(A) (7) and (8).

1. *Filsan Duale v. Colonel Edwin C. Roessler Jr., Fairfax County Police Department, et al.*, Case No. CL-2019-0017251 (Fx. Co. Cir. Ct.); *Yasmine Djama, by next friend Moustapha Djama v. Fx. Co. BOS, et al.*, Case No. CL-2023-0007942 (Fx. Co. Cir. Ct.); *Amran Djama, by next friend Moustapha Djama v. Fx. Co. BOS, et al.*, Case No. CL-2023-0007941 (Fx. Co. Cir. Ct.); *Ibrahim Djama by next friend Moustapha Djama v. Fx. Co. BOS, et al.*, Case No. CL-2023-0007925 (Fx. Co. Cir. Ct.); *Samira Djama by next friend Moustapha Djama v. Fx. Co. BOS, et al.*, Case No. CL-2023-0007940 (Fx. Co. Cir. Ct.); *Kareem Bashir v. Colonel Edwin C. Roessler Jr., et al.*, Case No. CL-2022-0012442 (Fx. Co. Cir. Ct.)
2. *Curtiss Davis v. Edwin C. Roessler Jr. et al.*, Case No. 23-316 (United States Supreme Court)
3. *Amazon Data Services, Inc. v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2022-0017489 (Fx. Co. Cir. Ct.)
4. *Edward M. Williams v. Fairfax County and Fairfax County Department of Family Services*, Case No. 23-cv-1004 (E.D.Va.)
5. *Kenneth Hartwell v. Fairfax County Board of Supervisors, et al.*, Case No. CL-2023-0012608 (Fx. Co. Cir. Ct.)
6. *Ramon Estrada v. Fairfax County Government*, JCN VA0000873565 (VWCC)
7. *State Farm Mutual Automobile Insurance Company as Subrogee of Joyce Frank v. Paul Schafer*; Case No. GV22-020163 (Fx. Co. Gen. Dist. Ct.) 8

8. *Alma Catin v. Jason Abitz and Fairfax County*, Case No. GV23-005800 (Fx. Co. Gen. Dist. Ct.)
9. *State Farm Fire and Casualty Company as Subrogee of Rosa Castro v. Jasper Cooper*, Case No. GV23-022829 (Fx. Co. Gen. Dist. Ct.)
10. *Omnia Benkilani v. Michael Burgoyne, Jr.*, Case No. GV23-022431 (Fx. Co. Gen. Dist. Ct.)
11. *In re February 2, 2022, Decision of the Board of Zoning Appeals of Fairfax County, Virginia: Washington Gas Light Company v. Christine Chen Zinner, Kurt Iselt, Sarah Ellis, Lillian Whitesell, and Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2022-0002942 (Fx. Co. Cir. Ct.); and *Washington Gas Light Company v. Christine Chen Zinner; Kurt Iselt; Sarah Ellis; Lillian Whitesell; Board of Supervisors of Fairfax County Virginia; Board of Zoning Appeals of Fairfax County Virginia; Virginia Department of Transportation*, Case No. CL-2022-0003061 (Fx. Co. Cir. Ct.)
12. *Board of Supervisors of Fairfax County, Virginia and William Hicks, Director Fairfax County Land Development Services v. George Gonchar*; CL-2023-0016411 (Fx. Co. Cir. Ct.) (Mason District)
13. *Justin Sand and Liviya Piccione-Sand v. Fairfax County Wetlands Board, Fairfax County Department of Planning and Development, and Board of Supervisors of Fairfax County*, Case No. CL-2023-0018018 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Mark Steven Moratzka and Pamela J. Moratzka*, Case No. CL-2023- 0015528 (Fx. Co. Cir. Ct.) (Braddock District)
15. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gregory S. Souders*, Case No. GV22-014558 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Truc N. Mai and Vinh Quang Tran*, Case No. GV23-022418 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

17. *Jay Riat, Building Official for Fairfax County, Virginia v. Stephen John Spiegelhalter, et al.*, Case No. GV23-016468 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
18. *Jay Riat, Building Official for Fairfax County, Virginia v. Azmat Kham*, Case No. CL-2022-0008979 (Fx. Co. Cir. Ct.) (Franconia District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sysmall I. Warfield*, Case No. CL-2021-0011520 (Fx. Co. Cir. Ct.) (Franconia District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Phillip W. Trott and Sandra Montiel*, Case No. CL-2022-0008979 (Fx. Co. Cir. Ct.) (Franconia District)
21. *Jay Riat, Building Official for Fairfax County, Virginia v. Tsigie Kumssa*, Case No. GV23-020184 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
22. *Jay Riat, Building Official for Fairfax County, Virginia v. William Hawkins*, Case No. GV23-022040 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
23. *Jay Riat, Building Official for Fairfax County, Virginia v. Ioannis K. Kozakos*, Case No. GV23-022042 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
24. *Jay Riat, Building Official for Fairfax County, Virginia v. Richard E. Coppola*, Case No. GV23-007458 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
25. *Jay Riat, Building Official for Fairfax County, Virginia v. Ali Hassani*, Case No. GV23-019349 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator and Jay Riat, Building Official for Fairfax County, Virginia v. Akhtar Baig*, Case No. CL-2023-0015920 (Fx. Co. Cir. Ct.) (Mason District)
27. *Jay Riat, Building Official for Fairfax County, Virginia v. Milton J. Aguilar Serrano and Lily M. Carrasco de Aguilar*, Case No. CL-2023-0012075 (Fx. Co. Cir. Ct.) (Mason District)

28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yingxue Chen*, Case No. CL-2023-0014421 (Fx. Co. Cir. Ct.) (Mason District)
29. *Jay Riat, Building Official for Fairfax County, Virginia v. Rafik Abdullahi and Semira Abdulkadir*, Case No. CL-2023-0017937 (Fx. Co. Cir. Ct.) (Mason District)
30. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Bao Thien Nguyen and Ninh Tran Nguyen*, Case No. GV23-018670 (Fx. Co. Gen. Dist. Ct.) (Mason District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lishan Kassa*, Case No. GV23-022711 (Fx. Co. Gen. Dist. Ct.) (Mason District)
32. *Jay Riat, Building Official for Fairfax County, Virginia v. Alexis Victoria Capestany, James Joseph Capestany and Laura M. Antuna*, Case No. GV22- 016906 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
33. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Vicki M. Cocuzzi*, Case No. GV23-009209 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
34. *Jay Riat, Building Official for Fairfax County, Virginia v. Elena Morales*, Case No. GV23-022407 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
35. *Jay Riat, Building Official for Fairfax County, Virginia v. Hector Martinez Ibarra, Maria Del Transito Villanueva Gaitan, and Jose Villanueva Gaitan*, Case No. GV23-023222 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duane S. Whitney, et al.*, Case No. CL-2007-0056440 (Fx. Co. Cir. Ct.) (Providence District)
37. *Jay Riat, Building Official for Fairfax County, Virginia v. Buddy Carl Stolze, Trustee of the Stolze Family Trust and Cathy Sue Stolze, Trustee of the Stolze Family Trust*, Case No. GV23-012301 (Fx. Co. Gen. Dist. Ct.) (Providence District)

38. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Elaine N. Oliver, Trustee under the Elaine N. Oliver Trust*, Case No. GV23-018671 (Fx. Co. Gen. Dist. Ct.) (Providence District)
39. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Michael G. Hicken and Donna Sperry Hicken*, Case No. CL-2022- 0012153 (Fx. Co. Cir. Ct.) (Sully District)
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Brian E. Swersky*, Case No. CL-2023-0017938 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), legal analysis regarding the following:
 - Pending Compass Creek annexation proceeding between the Town of Leesburg and Loudoun County
 - *NS Reston, LLC v. Fairfax County Board of Supervisors*, Fairfax County Circuit Court Case Number CL-2019-15831

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

ADDITIONAL BOARD MATTER

50. **INTENT TO DEFER THE PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PLEASANT VALLEY ROAD SHARED USE PATH (SULLY DISTRICT)**
(12:21 p.m.)

Supervisor Smith announced her intent to defer, later in the meeting, at the appropriate time, the public hearing on the acquisition of certain land rights necessary for the construction of Pleasant Valley Road Shared Use Path to February 20, 2024, at 4 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item #61.)

At 3:31 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

51. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:31 p.m.)

Supervisor Smith moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements by virtue of Virginia Code Section 2.2-3711 and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Palchik seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

AGENDA ITEMS

52. **3:30 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (3:32 p.m.)

At 3:32 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman McKay in accordance with Article III, Section I of the bylaws.

Supervisor Smith moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

OFFICERS

Jeffrey McKay Chairman, Fairfax County Board of Supervisors	– Chairman
Supervisor Kathy L. Smith Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Jill G. Cooper Clerk for the Fairfax County Board of Supervisors	– Secretary
Christopher Pietsch Director, Department of Finance	– Treasurer

Elizabeth Teare – Attorney
County Attorney

Bryan Hill – Executive Director
County Executive

Eric Forbes – Authority Representative
Deputy Director, Solid Waste
Management Program,
Department of Public Works and
Environmental Services

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

Supervisor Smith moved approval of the minutes from the January 24, 2023, meeting of the Fairfax County Solid Waste Authority. Supervisor Alcorn seconded the motion and it carried by unanimous vote.

Supervisor Smith moved approval of the financial statements for the Authority. Supervisor Alcorn and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

Supervisor Smith moved to adjourn the annual meeting of the Fairfax County Solid Waste Authority. Supervisor Palchik seconded the motion and it carried by unanimous vote.

At 3:34 p.m., the annual meeting of the Fairfax County Solid Waste Authority was adjourned.

KK:kk

ADDITIONAL BOARD MATTER

53. **OPTIONS FOR INDIVIDUALS TO PROVIDE TESTIMONY FOR PUBLIC HEARINGS** (3:34 p.m.)

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

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

At the designated point in the public hearing, speakers will be called from the Speakers List and they may come forward, or their video will be shown, or they

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

Chairman McKay stated that the first three public hearings were heard at the last meeting on December 5, 2023. There was a glitch with the broadcast of the meeting and the Board is conducting a second hearing on these items as a courtesy. All testimony heard and received at the December 5, 2023, public hearings will be, and has been, incorporated into the record of the public hearings today on these matters. The phone number that was to be listed on the screen was not on the screen at the time it was said to be listed.

AGENDA ITEMS

54. **3:30 P.M. - PUBLIC HEARING TO VALIDATE AND CONVEY PROPERTY AT THE FAIRFAX COUNTY GOVERNMENT CENTER TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (BRADDOCK DISTRICT) (3:35 p.m.)**

- (R) (NOTE: At its January 26, 2021, meeting, the Board held a public hearing and adopted a resolution authorizing the conveyance of property at the Fairfax County Government Center to the FCRHA. To resolve any concerns about the validity of that public hearing, and in an abundance of caution, the Board scheduled a repeat public hearing for December 5, 2023. At its December 5, 2023, meeting the Board re-adopted a resolution, however, due to a Cable broadcasting issue, the public hearing is being repeated.)

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 January 12 and January 19, 2024.

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

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

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

was multiply seconded and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

55. **3:30 P.M. – PUBLIC HEARING ON A PROPOSED AMENDMENT TO CHAPTER 122 (TREE CONSERVATION ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (COUNTY CODE) RE: TREE COMMISSION CHARTER** (3:38 p.m.)

- (O) (NOTE: At its December 5, 2023, meeting, the Board adopted the proposed amendments to Chapter 122 (Tree Conservation Ordinance), regarding the Tree Commission Charter. However, due to a Cable broadcasting issue, the public hearing is being repeated.)

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 January 12 and January 19, 2024.

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

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

Supervisor Smith moved adoption of the proposed amendments to Chapter 122 (Tree Conservation Ordinance), of the Code of the County of Fairfax, as recommended by the Planning Commission and set forth in the staff report dated September 26, 2023, and that the amendment become effective at 12:01 a.m. on January 24, 2024. The motion was multiply seconded and it carried by a vote of nine, Supervisor Alcorn, Supervisor Bierman, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Herrity being out of the room.

56. **3:30 P.M. - PUBLIC HEARING TO ENTER INTO AN AGREEMENT WITH NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) FOR FUND ADMINISTRATION** (3:42 p.m.)

(NOTE: At its December 5, 2023, meeting, the Board authorized staff to enter into an agreement with NVSWCD for fund administration. However, due to a Cable broadcasting issue, the public hearing is being repeated today.)

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 January 12 and January 19, 2024.

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

Following the public hearing, Ms. Calmbacher presented the staff recommendation.

Supervisor Walkinshaw moved that the Board authorize the County Executive, or his designee, to enter into an agreement with NVSWCD to implement the grant programs associated with the Fund. Supervisor Jimenez seconded the motion and it carried by unanimous vote.

57. **3:30 P.M. – PUBLIC HEARING ON SE 2022-HM-00035 (CARLA S. MARTY AND CARLA’S DAYCARE LLC) TO PERMIT A HOME DAY CARE FACILITY, LOCATED ON APPROXIMATELY 19,744 SQUARE FEET OF LAND (HUNTER MILL DISTRICT) (3:45 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 January 9 and January 16, 2024.

The application property is located at 1307 Deep Run Lane Reston, 20190. Tax Map 12-3 ((4)) (6) 46.

Carla Marty, Owner, reaffirmed the validity of the affidavit dated February 28, 2023, for the record.

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

Ms. Marty 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. Yee presented the staff and Planning Commission recommendations.

Following a query by Supervisor Alcorn, Ms. Marty confirmed, for the record, that she was in agreement with the proposed development conditions dated November 1, 2023.

Supervisor Alcorn moved that the Board approve Special Exception Application SE 2022-HM-00035, subject to the development conditions dated November 1, 2023. Supervisor Herrity seconded the motion and it carried by unanimous vote.

58. **3:30 P.M. – PUBLIC HEARING ON RZ 2023-PR-00009 (MAESBOY, LLC) TO REZONE FROM C-6 TO C-3 DISTRICT TO PERMIT A VETERINARY HOSPITAL, OFFICE, FINANCIAL INSTITUTION, HOTEL, OR A COLLEGE/UNIVERSITY WITH A MAXIMUM FLOOR AREA RATIO OF 0.70, LOCATED ON APPROXIMATELY 2.64 ACRES OF LAND (PROVIDENCE DISTRICT) (3:50 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 January 9 and January 16, 2024.

The application property is located on the north side of Arlington Boulevard and east side of Executive Park Avenue, Tax Map 49-3 ((1)) 102.

David I. Schneider, Holland and Knight, LLP reaffirmed the validity of the affidavit dated January 5, 2024, for the record.

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

Mr. Schneider 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, Mr. Fountain presented the staff and Planning Commission recommendations.

Following comments, Supervisor Palchik moved that the Board approve:

- Rezoning Application RZ 2023-PR-00009, subject to the proffers dated January 3, 2024
- Waivers and modifications contained in the handout distributed, dated December 14, 2023, which will be made part of the record, and are as follows:
 - Modification of the loading space requirement to permit two loading spaces with Scenario 2 and 3
 - Waiver of the Comprehensive Plan trail requirement for Scenario 1 to permit the existing sidewalk to remain
 - Waiver of the 10-foot off-street parking setback to allow the existing off-street parking to remain with Scenario 1

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

59. **3:30 P.M. – PUBLIC HEARING ON PCA/CDPA 2011-HM-032 (RZPA 2022-HM-00027) (JBG TYSONS HOTEL L.L.C.) TO AMEND RZ 2011-HM-032, PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT, TO PERMIT MODIFICATIONS TO PROFFERS AND SITE DESIGN AT A 2.66 FLOOR AREA RATIO INCLUSIVE OF BONUS DENSITY, LOCATED ON APPROXIMATELY 11.49 ACRES OF LAND (HUNTER MILL DISTRICT) (3:57 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 January 9 and January 16, 2024.

The application property is located in the northwest quadrant of the intersection of Leesburg Pike and Westwood Center Drive, Tax Map 29-3 ((34)) 2, 3B, 4B, 5, 6 and B.

Robert D. Brant, Walsh, Colucci, Lubeley and Walsh, P.C. reaffirmed the validity of the affidavit dated January 11, 2024, for the record.

Chairman McKay disclosed that he received a campaign contribution in excess of \$100 from:

- Scott Tressler, Toll Brothers, Inc.

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

Mr. Brant 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. Quinn presented the staff and Planning Commission recommendations.

Following comments, Supervisor Alcorn moved that the Board approve:

- Proffered Condition Amendment Application PCA 2011-HM-032, subject to the proffers dated December 15, 2023
- Conceptual Development Plan Amendment Application CDPA 2011-HM-032

- Waivers and modifications contained in the handout distributed, dated December 14, 2023, which will be made part of the record, and are as follows:
 - Modification of subsections 5108.5.A(1) and 5108.5.A(2) of the Zoning Ordinance on the interior parking lot landscape requirements for the existing above-grade parking structure and spaces on private streets based on subsection 5108.5.A(5)(b) of the Zoning Ordinance in favor of that shown on the CDPA
 - Modification of subsections 5108.5.B(1) and 5108.5.B(2) of the Zoning Ordinance on the peripheral landscape requirements for above-grade parking structure and parking on private streets based on subsection 5108.5.B(3) of the Zoning Ordinance in favor of that shown on the CDPA
 - Waiver of subsections 5108.6.B(1)(a) and 5108.6.C of the Zoning Ordinance for the transitional screening and barrier requirements along the northern lot line based on subsection 5108.7.J of the Zoning Ordinance
 - Reaffirmation of a waiver to allow the use of underground stormwater management and best management practices in a residential development (6279-WSWD-001-1) subject to development conditions dated May 28, 2013, and contained in Attachment A to Appendix 10 of the staff report [RZ 2011-HM-032]
 - Reaffirmation of a Waiver of Section 2-505 of the Zoning Ordinance to permit structures and vegetation on a corner lot as shown on the CDP and final development plan (FDP)
 - Reaffirmation of a modification of the Zoning Ordinance to allow for a parapet wall, cornice or similar projection to exceed the height limit established by more than three feet; as may be indicated on the FDP to screen mechanical equipment
 - Reaffirmation of a waiver of the maximum fence height from seven to fourteen feet around accessory

uses/structures located within the rear yard for areas associated with sports courts and urban plazas as identified on the FDP

- Reaffirmation of a modification to the requirement of a minimum distance of 40 feet for loading space in proximity to drive aisles, to that as demonstrated on a CDP or FDP
- Reaffirmation of a waiver of Section 11-302 of the Zoning Ordinance to allow a private street to exceed 600 feet in length as shown on the CDP
- Reaffirmation of a modification of Section 7-800 of the PFM to allow the use of tandem parking spaces and valet services to be counted as required parking (as permitted by the PTC District regulations)
- Reaffirmation of a modification of the Zoning Ordinance requirement for a final development plan as prerequisite to a site plan for public improvements plans associated with public roadway, infrastructure or park spaces
- Reaffirmation of a waiver of the Zoning Ordinance to provide any additional interparcel connections to adjacent parcels beyond that shown on the Plans and as proffered
- Reaffirmation of a modification of all trails and bike trails in favor of the streetscape and on-road bike lane system shown on the plans
- Reaffirmation of a waiver of the service drive along Leesburg Pike
- Reaffirmation of a waiver to allow establishment of parking control, signs and parking meters along private streets within the development
- Reaffirmation of a waiver of the Zoning Ordinance requirement for any further dedication and construction for widening of existing roads to address Comprehensive Plan requirements beyond that which is indicated in the Plans and proffers

- Reaffirmation of a modification of the Public Facilities Manual (PFM) minimum planter opening area for trees used to satisfy the tree cover requirement in favor of that shown on the plans
- Reaffirmation of a modification to allow trees located above any proposed percolation trench or bioretention areas to count towards county tree cover requirements as depicted on the CDP and FDP
- Reaffirmation of a modification of the 10 year tree canopy requirements in favor of that shown on the Plans and as proffered
- Reaffirmation of a modification of the Zoning Ordinance and PFM for required tree preservation target and 10 percent canopy to be calculated as shown on the overall CDP area

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

60. **3:30 P.M. – PUBLIC HEARING ON RZ 2023-PR-00002 (AMIR J. FILIPOUR, TRUSTEE AND SHARON V. FILIPOUR, TRUSTEE) TO REZONE FROM R-1 TO R-2 TO PERMIT 3 SINGLE-FAMILY DETACHED DWELLINGS WITH A TOTAL DENSITY OF 1.31 DWELLING UNITS PER ACRE AND A WAIVER OF THE SIDE YARD SETBACK, LOCATED ON APPROXIMATELY 2.29 ACRES OF LAND (PROVIDENCE DISTRICT)**

AND

PUBLIC HEARING ON SE 2023-PR-00004 (AMIR J. FILIPOUR, TRUSTEE AND SHARON V. FILIPOUR, TRUSTEE) TO PERMIT A WAIVER OF MINIMUM LOT WIDTH REQUIREMENTS AND A WAIVER OF THE SIDE YARD SETBACK, LOCATED ON APPROXIMATELY 2.29 ACRES OF LAND (PROVIDENCE DISTRICT) (4:07 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 January 9 and January 16, 2024.

The application property is located on the north side of Chain Bridge Road, 350 feet west of the intersection with Oak Valley Drive, Tax Map 48-1 ((1)) 17 and 23.

Michael D. Van Atta, McGuire Woods LLP, reaffirmed the validity of the affidavit dated August 8, 2023, for the record.

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

Mr. Van Atta 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, which included testimony by one speaker, Mr. Van Atta presented rebuttal.

Ms. Lewis presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Mr. Van Atta, regarding:

- Community outreach efforts
- Zoning around the property

Following comments and a query by Supervisor Palchik, Mr. Van Atta confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 4, 2024.

Supervisor Palchik moved that the Board approve:

- Rezoning Application RZ 2023-PR-00002, subject to the proffers dated January 3, 2024
- Special Exception Application SE 2023-PR-00004, subject to the development conditions dated January 4, 2024
- Waiver of the side yard setback for the existing dwelling to that shown on the General Development Plan/SE Plat

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

61. **4 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PLEASANT VALLEY ROAD SHARED USE PATH (SULLY DISTRICT)** (4:26 p.m.)

Supervisor Smith moved to defer the public hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Pleasant Valley Road Shared Use Path until **February 20, 2024, at 4 p.m.** Chairman McKay seconded the motion and it carried by unanimous vote.

62. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2023-III-3UP, AGAPE HOUSE IN THE DULLES SUBURBAN CENTER, LAND UNIT E-1, LOCATED AT 3870 CENTERVIEW DRIVE, CHANTILLY, VA 20151 (SULLY DISTRICT)** (4:27 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 January 9 and January 16, 2024.

Clara Johnson, Branch Chief, Monitoring and Plan Development Branch, Planning Division (PD), Department of Planning and Development (DPD), formally introduced Sahar Hamdard, Planner II, Monitoring and Plan Development Branch, PD, DPD.

Ms. Hamdard presented the staff report.

Following the public hearing, which included testimony by three speakers, Ms. Hamdard presented the staff and Planning Commission recommendations.

Supervisor Smith moved approval of Plan Amendment Application 2023-III-3UP, as recommended by the Planning Commission. Supervisor Palchik seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of eight, Supervisor Herrity abstaining, Supervisor Alcorn being out of the room.

63. **4 P.M. – PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT, RE: LANDSCAPING AND SCREENING** (4:43 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 January 9 and January 16, 2024.

Sara Morgan, Planner, Zoning Evaluation Division, Department of Planning and Development, presented the staff report.

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

Discussion ensued, with input from Ms. Morgan regarding:

- Surrounding jurisdictions percentage requirements
- Benefit of the increased percentage
- Analysis on increased cost versus benefits
- Current delineation

Supervisor Smith moved that the Board adopt:

- The proposed Zoning Ordinance Amendment for Landscaping and Screening with the staff recommended options and the proposed amendments to Appendix 1 relating to previous approvals as set for in the staff report dated November 15, 2023, except for environmentally tolerant species and transitional screening
- The alternative text as recommended by the Planning Commission for environmentally tolerant species to give preference to environmentally tolerant species where appropriate for site conditions
- The alternative text as recommended by the Planning Commission for transitional screening to require Light Utility Facility, Heavy Utility Facility, and uses in the Industrial Uses classification to provide transitional screening when located across the street from land used or zoned for uses indicated across the top of Table 5108.2

The alternative text is set forth in the handout dated January 16, 2024, which was distributed to the Board.

- The amendment become effective at 12:01 a.m. on January 24, 2024

Supervisor Palchik seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of eight, Supervisor Bierman, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Herrity voting “NAY,” and Supervisor Alcorn being out of the room.

64. **4 P.M. – PUBLIC HEARING ON RZ 2022-SU-00019 (PDCREF 2 CHANTILLY LLC) TO REZONE FROM C-8, I-3, I-5, HC, WS AND AN TO I-5, HC, WS AND AN TO PERMIT DATA CENTER WITH A FLOOR AREA RATIO (FAR) OF 0.8 OR WAREHOUSE WITH AN FAR OF 0.3, LOCATED ON APPROXIMATELY 12.10 ACRES OF LAND (SULLY DISTRICT)**

AND

PUBLIC HEARING ON SE 2022-SU-00038 (PDCREF 2 CHANTILLY LLC) TO PERMIT AN INCREASE IN BUILDING HEIGHT FROM 75 FEET, UP TO A MAXIMUM OF 110 FEET, LOCATED ON APPROXIMATELY 12.10 ACRES OF LAND (SULLY DISTRICT) (4:56 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 January 9 and January 16, 2024.

The Rezoning Application RZ 2022-SU-00019 property is located on the south side of Lee Jackson Memorial Highway, approximately 1,200 feet west of its intersection with Stonecroft Boulevard, Tax Map 33-2 ((1)) 6 (pt.).

The Special Exception Application SE 2022-SU-00038 property is located on the south side of Lee Jackson Memorial Highway, approximately 1,200 feet west of its intersection with Stonecroft Boulevard, Tax Map 33-2 ((1)) 6 (pt.).

G. Evan Pritchard, Cozen O'Connor PC, reaffirmed the validity of the affidavit dated August 18, 2023, for the record.

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

Mr. Pritchard 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, which included testimony by 23 speakers, Mr. Pritchard presented rebuttal.

Ms. Estes presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Mr. Pritchard; Danielle Barlow, Transportation Planner, Department of Transportation; William O'Donnell, Branch Chief, ZED, DPD; Randall Farren, Planner V, Park Authority; Sharad Regmi, Planner IV, Wastewater Management; Jamie Cox, Civil Engineer; and Brent Ferren, Acoustical Engineer, regarding:

- The visual appearance of the structure
- Traffic analysis
- Scale of the park dedication
- Invasive bamboo removal
- Energy efficiency
- Water quality
- Distance between diesel generators in relation to the Resource Protection Area and stream
- Oil and water separator
- Methodology of cooling of servers
- Ambient noise
- Low frequency noise
- Post construction acoustical analysis
- In perpetuity reporting process for noise
- Proffered noise limitations
- Effect of 67 acre park as a noise buffer to residential neighborhood
- Definition of a jellyfish filter
- LEEDS certification
- Trails
- General comparison of proffers to other projects of this size
- Alignment of this application with the recommendation of the staff paper in the data center analysis
- Context of square footage of data centers in the County compared to other local jurisdictions

Supervisor Smith moved that the Board approve:

- Rezoning Application RZ 2022-SU-00019, subject to the proffers dated January 16, 2024, including both parts of the proffers
- Special Exception Application SE 2022-SU-00038, subject to the development conditions dated September 7, 2023

Following a query by Supervisor Smith, Mr. Pritchard confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 7, 2023.

Supervisor Palchik seconded the motion.

Following a statement by Supervisor Smith, discussion ensued, with Board Members expressing their views/concerns and support/non-support of the motion. The question was called on the motion and it carried by a vote of eight, Supervisor Bierman, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Herrity voting “NAY,” and Supervisor Alcorn being out of the room.

EBE:ebe

65. **4:30 P.M. – PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING THE POPLAR TREE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (8:30 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 January 12 and January 19, 2024.

Amir Farshchi, Transportation Planner II, Department of Transportation (DOT), presented the staff report.

Following the public hearing, which included testimony by one speaker, Mr. Farshchi presented the staff recommendations.

Supervisor Smith moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Poplar Tree CPD, in accordance with current CPD restrictions. The CPD includes Poplar Tree Road (Route 4831), from Fallen Oak Drive to Leighfield Valley Drive, south side only. Chairman McKay seconded the motion.

A brief discussion ensued, with input from Henri Stein McCartney, Senior Transportation Planner, DOT, regarding the timeline for installation of the signs. The question was called on the motion and it carried by a vote of eight,

Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Alcorn and Supervisor Palchik being out of the room.

66. **4:30 P.M. – PUBLIC HEARING TO CONVEY BOARD-OWNED RIGHT-OF-WAY NEAR 6332 RICHMOND HIGHWAY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (FRANCONIA DISTRICT)** (8:35 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 12 and January 19, 2024.

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

Chairman McKay noted that the significant improvements proposed for the Richmond Highway corridor necessitate acquiring these properties to complete the road widening, pedestrian improvements, and bus rapid transit along the highway. He stated, for the record, that when these properties are acquired they must be demolished as soon as possible, because if they sit vacant, boarded up, and blighted, it sends the wrong message and is a danger to the community.

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

Pursuant to the development condition requirement by Krispy Kreme, Supervisor Lusk moved that the Board authorize County staff to prepare and execute all documentation necessary to convey the 5,091 square feet of Board-owned right-of-way located in front of 6332 Richmond Highway to VDOT for incorporation into the VDOT Secondary Road System. Chairman McKay and Supervisor Storck jointly seconded the motion and it carried by a vote of seven, Supervisor Alcorn, Supervisor Herrity, and Supervisor Smith being out of the room.

67. **4:30 P.M. – PUBLIC HEARING TO VALIDATE AND CONVEY PROPERTY AT THE FRANCONIA GOVERNMENTAL CENTER TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (FRANCONIA DISTRICT)** (8:40 p.m.)

- (R) (NOTE: At its March 9, 2021, meeting the Board held a public hearing and adopted a resolution authorizing the conveyance of property at the Franconia Government Center to the FCRHA. To resolve any concerns about the validity of that public hearing, in an abundance of caution, the Board scheduled a repeat public hearing for December 5, 2023. At its December 5, 2023, meeting the Board deferred the public hearing until January 23, 2024.)

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 January 12 and January 19, 2024.

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

Following the public hearing, which included testimony by 37 speakers, Mr. Fleetwood presented the staff recommendations.

Discussion ensued, with input from Mr. Fleetwood, regarding:

- The land use process
- Community outreach and engagement efforts

Supervisor Lusk moved to defer action on transferring the property to the Department of Housing and Community Development to re-engage conversations with the community. Chairman Mc Kay seconded the motion.

Discussion ensued, with input from Mr. Fleetwood, regarding community outreach efforts and exploring options for the space.

Discussion continued, with input from Elizabeth Teare, County Attorney, Cynthia Bailey, Deputy County Attorney, regarding the motion to defer.

Supervisor Lusk restated his motion to defer action on the Public Hearing to Validate and Convey Property at the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority to a date certain of **March 5, 2024, at 4 p.m.** Supervisor Palchik seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

68. **4:30 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2015-IV-RH1 TOPGOLF SITE, LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH VAN DORN STREET AND KINGSTOWNE VILLAGE PARKWAY (FRANCONIA DISTRICT)**
(11:42 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 January 12 and 19, 2024.

Aaron Klibaner, Planner II, Policy and Plan Development Branch, Planning Division, Department of Planning and Development, presented the staff report.

Following the public hearing, which included testimony by 22 speakers, Mr. Klibaner, presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Thomas Burke, Senior Transportation Planner, Department of Transportation, regarding:

- Traffic analysis
- Infrastructure plans
- Review of the plan language

Following comments, Supervisor Lusk moved that the Board adopt the Planning Commission recommendation for Plan Amendment Application 2015-IV-RH12 as shown in the Board Agenda Item. Chairman McKay seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

69. **BOARD ADJOURNMENT** (1:26 a.m.)

At 1:26 a.m., January 24, 2024, the Board adjourned.