



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
March 21, 2023**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, March 21, 2023, at 9:34 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Rodney Lusk, Franconia District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Daniel G. Storck, Mount Vernon District
- Supervisor James Walkinshaw, Braddock District

Supervisor Dalia Palchik, Providence District, arrived at 10:22 a.m.

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

BOARD MATTER1. **MOMENT OF SILENCE** (9:34 a.m.)

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

- West Foster, Jr., who died recently. He was the co-founder and chairman of Long and Foster, one of the largest independent real estate companies in the nation. The company began its work in the County and the headquarters is still based in Northern Virginia
- Patsy Drain, who died recently. She worked for former Supervisor Jack Herrity and Ronald Reagan when he ran for Governor; helped many people through her law practice, served as Secretary on the Fairfax County Board of Elections; and was involved in many Republican organizations

AGENDA ITEMS2. **RESOLUTION OF RECOGNITION PRESENTED TO PETER MURPHY, CHAIRMAN OF THE FAIRFAX COUNTY PLANNING COMMISSION** (9:37 a.m.)

Supervisor Herrity moved approval of the Resolution of Recognition presented to Peter Murphy for his decades of service as chairman of the Fairfax County Planning Commission. The motion was multiply seconded and it carried by a vote of nine, Supervisor Palchik not yet having arrived.

3. **RESOLUTION OF RECOGNITION PRESENTED TO ALICE'S KIDS** (10:01 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution recognizing and congratulating Alice's Kids for its work in the community and recent national recognition. Supervisor Storck seconded the motion and it carried by a vote of nine, Supervisor Palchik not yet having arrived.

Vice-Chairman Gross returned the gavel to Chairman McKay.

4. **PROCLAMATION DESIGNATING APRIL 2023 AS "CHILD ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (10:16 a.m.)

Chairman McKay announced that Supervisor Palchik will be arriving late.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating April 2023 as "*Child Abuse Prevention*

Month" in Fairfax County. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik not yet having arrived.

Vice-Chairman Gross returned the gavel to Chairman McKay.

5. **RESOLUTION OF RECOGNITION PRESENTED TO THE FRANCONIA DISTRICT POLICE STATION AND THE AUTO CRIMES ENFORCEMENT TEAM** (10:25 a.m.)

Supervisor Storck moved approval of the Resolution of Recognition presented to the Franconia District Police Station and the Auto Crime Enforcement Team for their partnership, outreach and crime prevention efforts. The motion was multiply seconded and it carried by unanimous vote.

6. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (10:39 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard March 21, 2023." Supervisor Lusk seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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

ADVISORY SOCIAL SERVICES BOARD

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

AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC)

The Board deferred the appointment of the Mason District Representative.

AIRPORTS ADVISORY COMMITTEE

Appointment of:

- Ms. Tammi Petrine as the Hunter Mill District Representative

Confirmation of:

- Ms. Evelyn Spain as the Planning Commission Representative

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

The Board deferred the appointment of the At-Large #2, #3, #4, and #5 Representatives.

ATHLETIC COUNCIL

Appointment of:

- Mr. Harold Leff as the Hunter Mill District Principal Representative
- Mr. Jeremy Lee as the Hunter Mill District Alternate Representative

Reappointment of:

- Mr. Lester Munson as the Mount Vernon District Principal Representative
- Mr. Robert Kirk as the Mount Vernon District Alternate Representative
- Mr. Gary Flather as the Sully District Principal Representative

The Board deferred the appointment of the Dranesville District Principal, Franconia District Principal, Mason District Alternate, Providence District Alternate, and Sully District Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

The Board deferred the appointment of the Alternate #1, and the Design Professional #1, #2, and #5 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

The Board deferred the appointment of the Professional #1 and #4 Representatives.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Appointment of:

- Mr. Nicholas Andersen as the Mount Vernon District Representative
- Ms. Sue Gainor as the Providence District Representative

CIVIL SERVICE COMMISSION

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

COMMISSION FOR WOMEN

The Board deferred the appointment of the Lesbian-Gay-Bisexual-Queer-Intersex-Asexual ("LGBQIA+") Representative.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

The Board deferred the appointment of the Mason District Representative.

CONSUMER PROTECTION COMMISSION

The Board deferred the appointment of Fairfax County Resident #10 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Mount Vernon and Springfield District Representatives.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

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

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. Daniel Lagana as the Planning Commission Representative

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 #2 and #4 Representatives.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

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

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Mount Vernon District Representative.

FAIRFAX COUNTY 250TH COMMISSION

The Board deferred the appointment of the Mount Vernon District Representative.

HEALTH SYSTEMS AGENCY BOARD

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

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #5 and #9 Representatives.

HUMAN SERVICES COUNCIL

Appointment of:

- Mr. Edward Yost as the Sully District #2 Representative

The Board deferred the appointment of the Dranesville District #2 and Mount Vernon District #1 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

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

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

REDEVELOPMENT AND HOUSING AUTHORITY

Reappointment of:

- Ms. C. Melissa McKenna as the Dranesville District Representative

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

SMALL BUSINESS COMMISSION

The Board deferred the appointment of the Mason District Representative

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 #2 and #3 Representatives.

TRANSPORTATION ADVISORY COMMISSION

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

TREE COMMISSION

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

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

Reappointment of:

- Mr. Donald Garrett as the Providence District #2 Representative

The Board deferred the appointment of the Adjacent Community Member #1, Commercial or Retail Ownership #3, and Hunter Mill District #1 Representatives.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

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

WETLANDS BOARD

Appointment of:

- Mr. Steven Shappell as the Mount Vernon District #1 District Representative

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ADDITIONAL BOARD MATTERS

7. **RESOLUTION OF RECOGNITION REQUEST FOR MR. CHARLES SCHMIDT** (10:40 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Charles Schmidt, a photographer and long-time County resident whose passion for capturing images of local wildlife led him to gold in the 2022 World Nature Photography Awards. Photographers from more than 40 countries around the world submitted their work for this competition. Chairman McKay shared Mr. Schmidt's amazing photo of a male hooded merganser taking flight at Huntley Meadows Park. Without objection, it was so ordered.

8. **RESOLUTION OF RECOGNITION REQUEST FOR COLONEL PARIS D. DAVIS** (10:40 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Colonel Paris D. Davis, who received the National Medal of Honor from President Biden earlier this month, in recognition of his service nearly 60 years ago during the Vietnam War. Without objection, it was so ordered.

9. **RESOLUTION OF RECOGNITION REQUEST FOR THE HAYFIELD HIGH SCHOOL BOYS BASKETBALL TEAM** (10:40 a.m.)

Jointly with Supervisor Lusk and Supervisor Storck, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of

Recognition for the Hayfield High School Boys Basketball Team for winning the Class 6 State championship game last weekend in Richmond, Virginia. Without objection, it was so ordered.

10. **PROCLAMATION REQUEST FOR THE HEALTH CARE ADVISORY BOARD** (10:40 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for Health Care Advisory Board, in recognition of its 50th anniversary. Without objection, it was so ordered.

11. **PROCLAMATION REQUEST DESIGNATING APRIL 3 – 9, 2023, AS “PUBLIC HEALTH WEEK”** (10:40 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 3 – 9, 2023, as “*Public Health Week*” in the County. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST DESIGNATING APRIL 10 – 14, 2023, AS “COMMUNITY DEVELOPMENT WEEK”** (10:40 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 10 – 14, 2023, as “*Community Development Week*” in the County. Without objection, it was so ordered.

13. **PROCLAMATION REQUEST FOR EARTH DAY** (10:40 a.m.)

Jointly with Supervisor Storck and Supervisor Smith, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation to recognize Earth Day at the Sully Historic Site and Environment Expo at Fort Hunt Park, to be held on April 22, 2023. Without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor Storck presented a Board Matter on the Environment Expo. See Clerk’s Summary Item #26.)

14. **PROCLAMATION REQUEST FOR FAIRFAX COUNTY’S TREE CITY, USA DESIGNATION** (10:40 a.m.)

Jointly with Supervisor Palchik and Supervisor Storck, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation in recognition of the 40th anniversary of Fairfax County’s Tree City, USA Designation, in coordination with Arbor Day. Without objection, it was so ordered.

15. **PEDESTRIAN SAFETY INITIATIVES** (10:41 a.m.)

Chairman McKay stated that over the past several years, the Board has taken significant steps to prioritize pedestrian safety, not the least of which are the

endorsement of the Safe Streets for All Program, the installation and maintenance of safety related equipment, marking and signage, such as rectangular rapid-flashing beacons, pedestrian hybrid beacons, high visibility crosswalk markings and “Yield to Pedestrian” signage and the commitment of \$100 million for pedestrian and bicycle safety and access projects.

Despite the Board’s efforts, there were 23 pedestrian fatalities in the County on the roads in 2022 – the highest number since consistent statistics started to be collected in 2010.

The Trails, Sidewalks, and Bikeways Committee has delved into this issue and has requested that the Board prioritize additional measures along major arterials in the County.

The first is a “turn calming” program like those being implemented in jurisdictions including New York City, San Francisco and Portland. These programs can reduce turning speeds and thus pedestrian fatalities and injuries at intersections.

Secondly, the Committee recommends that no crosswalk, in which there has been a pedestrian fatality, be eliminated unless there is a compelling reason to do so, as crosswalk markings serve as warnings to drivers that pedestrians may be present.

Therefore, jointly with Supervisor Alcorn, and as the safety of pedestrians and bicyclists is so important, Chairman McKay moved that the Board direct the Department of Transportation to review:

- “Turn calming” programs in other jurisdictions, discuss these programs with the Virginia Department of Transportation (VDOT), and report within four months to the Board’s Transportation Committee with its analysis of how such a program could be implemented in the County, to include any cost or resource implications
- The Committee’s suggestion regarding the crosswalks, discuss it with VDOT, and report at the same Transportation Committee meeting

Supervisor Alcorn seconded the motion. Discussion ensued regarding:

- Adding crosswalk lighting and other improvements
- Automatic review of intersections when fatalities occur
- Adding right turn after red and stopping intersections in the review
- Speed camera pilot

- Options to make the streets safer
- Moving the Braddock Road and Kings Park Drive crosswalk
- Stop sign violations
- Examining the causes of the accidents and focusing the solutions on those
- Utilizing a data driven look

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

16. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(10:50 a.m.)

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

17. **NO BOARD MATTERS FOR SUPERVISOR WALKINSHAW (BRADDOCK DISTRICT)** (10:50 a.m.)

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

18. **McLEAN COMMUNITY CENTER (MCC) ELECTION CANDIDATES**
(10:50 a.m.)

(BAC) Supervisor Foust stated that on March 13, 2023, his office received notice that 15 Dranesville Small District –1A residents, five adults and 10 youth, had successfully petitioned to become candidates and have their names placed on the ballots for the MCC Governing Board elections. Three adult positions and two youth positions are open this year.

Supervisor Foust stated that a copy of the MCC's certification of the candidates, dated March 13, 2023, is included in his written Board Matter. Pursuant to the Memorandum of Understanding (MOU) between the Board and the MCC Governing Board, dated February 8, 1984, as revised, notice of all certified candidates is to be presented to the Dranesville District Supervisor and through him or her to the Board at their next regular meeting. Supervisor Foust stated that early voting began on March 15, 2023, and will continue through May 17, 2023.

Pursuant to the requirements of the MOU, the results of the election will be reported to the Board at its first meeting following the election. If the Board determines that it is in the public interest to do so, the Board will appoint the three adult candidates and one youth candidate from the McLean High School boundary area and one

from the Langley High School boundary area, who receive the highest number of votes to the MCC Governing Board.

Therefore, Supervisor Foust asked unanimous consent that the record reflect receipt by the Board of the list of candidates for the MCC Governing Board election, which is attached to his written Board Matter. Without objection, it was so ordered.

19. **WEST FALLS CHURCH, TRANSIT STATION AREA (TSA), SUB-UNIT A-2 COMPREHENSIVE PLAN AMENDMENT AUTHORIZATION (DRANESVILLE DISTRICT)** (10:51 a.m.)

Supervisor Foust stated that an amendment to the West Falls Church TSA section of the Comprehensive Plan was adopted in July 2021. That amendment anticipated 160,000 square feet of institutional use associated with Virginia Tech's Northern Virginia Center. Since that time, Virginia Tech's programming needs have changed, and a zoning application filed by HITT Contracting and Rushmark Properties (Rezoning Application RZ-2022-DR-00018) reflects a shift between the planned institutional use to general office use.

The rezoning application by HITT Contracting and Rushmark Properties proposes a decrease in the planned institutional use by 120,000 square feet and an increase in general office use by approximately 62,000 square feet. While this shift from institutional to office use requires an amendment to the Comprehensive Plan recommendations, this change does not propose to increase the planned Floor Area Ratio (FAR) or overall planned limits of development in the TSA.

Therefore, Supervisor Foust moved that the Board authorize consideration of a Comprehensive Plan amendment for Sub-Unit A-2 of the West Falls Church TSA. Specifically, the plan amendment should consider the shift from institutional use to office use, as that shift is proposed in the zoning application that has been filed. The proposed change should not increase the planned FAR and it should be demonstrated that any proposed changes meet the broader goals of the West Falls Church TSA Plan. The Plan Amendment should be reviewed concurrently with the zoning application. Supervisor Walkinshaw seconded the motion and it carried by unanimous vote.

20. **SELF-HELP RESOURCE CENTER** (10:54 a.m.)

Supervisor Lusk stated that access to justice for self-represented litigants is a significant issue facing the legal community today. Many litigants who access the courts are unrepresented. A significant portion of individuals either choose to represent themselves, or they do not have the means to hire an attorney to represent them.

The barriers faced by self-represented litigants include cultural and language barriers, procedural hurdles, and general difficulty navigating the court process and legal terminology, from what forms to file, to where and when to appear, and what

to say in court. In 2017, the National Center for State Courts published a study entitled “Virginia Self-Represented Litigant Study: Outcomes of Civil Cases in General District Court, Juvenile and Domestic Relations Court, and Circuit Court.” This study revealed that the traditional adversarial model, where both parties are represented by counsel, occurred in only one percent of General District Court cases, six percent of Juvenile and Domestic Relations Court cases, and 38 percent of Circuit Court cases. Poverty was the reason most often associated with not being represented by counsel.

According to a 2019 study by the Fairfax Bar Association, in collaboration with the George Mason Honors College, the top reasons litigants did not have a lawyer were the cost of hiring an attorney and the belief that the case could be handled alone. Additionally, the study showed many litigants felt overwhelmed and lacked awareness of free legal aid resources.

The Virginia Supreme Court’s Access to Justice Commission acknowledged the need for services to self-represented litigants when it adopted a resolution on December 9, 2021, approving the creation of pilot self-help centers within courthouses to increase public trust in the courts and to provide unrepresented litigants with information necessary to participate meaningfully in proceedings and protect their interests.

The Fairfax Bar Association, which runs the Law Library, is proposing the creation of a self-help resource center located in the Law Library in the Fairfax County Courthouse Complex. The proposal is being led by Judge Susan Stoney and Judge Dipti Pidikiti-Smith, from the Fairfax County General District Court.

The Self-Help Resource Center would be the first of its kind in Virginia. The Center would serve as an alternative option for those who are unable to afford legal services and for whom pro bono help is not available. The types of assistance provided would include the provision of legal information, referrals, forms, and resource materials on topics related to various court matters. Because the Center would be providing legal information only, not advice, the rules pertaining to unauthorized practice of law and conflicts would not be implicated.

Supervisor Lusk stated that in his District, constituents contact his office, desperate for legal direction as they were unable to obtain legal aid services, and in one instance, a child custody case, the parents had no idea what to expect at their court hearing and thus were not able to prepare for or understand the court process. Economically challenged residents and residents from black and brown communities are impacted the most.

Keeping in line with the County’s One Fairfax policy, a self-help resource center will confirm that self-represented litigants are entitled to be able to understand and interact meaningfully with a judicial system that determines their rights and affects their lives in so many significant ways, from housing to child custody cases.

Supervisor Lusk stated that his office reached out to Christina Jackson, Chief Financial Officer, for direction on establishing the self-help resource center. Ms. Jackson instructed the Department of Neighborhood Community Services to review all County funded programs that might be similar, and the determination was made that there are no similar programs in existence.

Therefore, jointly with Chairman McKay, Supervisor Lusk moved that the Board direct the County Executive to prepare a budget consideration item for review by the Board, in the amount of \$96,000, which will be a recurring item as part of the Fiscal Year 2024 budget. This funding will be designated for establishing a Fairfax County Self-Help Resource Center within the Law Library at the Fairfax County Courthouse. Chairman McKay and Supervisor Herrity jointly seconded the motion.

Following discussion regarding the amount requested and including all from economically disadvantaged communities who need services, the question was called on the motion and it carried by unanimous vote.

21. **BOARD PUBLIC HEARING REQUEST FOR BEAZER HOMES, LLC (FRANCONIA DISTRICT)** (10:58 a.m.)

- (A) Supervisor Lusk stated that Beazer Homes, LLC is requesting a rezoning from the R-1 District to the PDH-8 District on the property identified among the County Tax Map records as 91-1 ((1)) 13 through 17. The applicant is currently processing a rezoning application, identified as Rezoning Application RZ-2022-LE-00012, to permit the development of 26 single-family attached dwelling units in compliance with the Comprehensive Plan.

The rezoning application is scheduled for a Planning Commission hearing on April 26, 2023. For the application to be heard in May, the applicant is asking for expedited processing.

Therefore, Supervisor Lusk asked unanimous consent that the Board direct the Department of Planning and Development to schedule Rezoning Application RZ-2022-LE-00012 for a public hearing before the Board on **May 9, 2023**. The applicant understands that the authorization of expedited and the scheduling of a Board date in no way relieves it of the requirement to comply with applicable standards of the Zoning Ordinance. In addition, the authorization does not dictate that the pending application will be approved, nor does it prejudice staff's review. Without objection, it was so ordered.

22. **COMMISSIONING OF A MURAL ON THE HYBLA VALLEY COMMUNITY CENTER (FRANCONIA DISTRICT)** (11 a.m.)

Supervisor Lusk stated, as the Chairman is aware, the recreation and community center amenities along the Richmond Highway Corridor have traditionally struggled to keep pace with similar amenities in other parts of the County. A major step towards balancing those inequities was made in (2018?) when the Chairman facilitated the acquisition of the Mount Vernon Tennis and Racquet Club, which has since been redeveloped as the Hybla Valley Community Center.

With the addition of this sorely needed facility, the Hybla Valley community is now one step closer to having equal and equitable access to the kinds of community center facilities that are common across the County. Supervisor Lusk stated his belief that it is critical but that the Board is not only providing access to amenities such as the new community center, but that those amenities be attractive, welcoming, and serve as a reflection of the community that they serve.

Unfortunately, this is not the case for the Hybla Valley Community Center. Supervisor Lusk stated that as the photo, attached to his written Board Matter, industrial butler buildings, and the plain and stark presentation of the main structure are neither welcoming or attractive—and they are certainly not a reflection of the rich, vibrant and multi-cultural community that they serve. Fortunately, the flat, industrial, neutral veneer of the current structures also presents great opportunity.

For the past two years, the Southeast Fairfax Development Corporation (SFDC) has been actively working to advance public arts projects along the Historic Richmond Highway Corridor. These efforts have been realized though one fully completed mural, and another that is moving towards delivery. It has also motivated development projects on the corridor, such as the South Alex project, to incorporate unique and creative mural elements into their building designs—laying the groundwork for what will hopefully create an “art corridor” identity for Route One as redevelopment accelerates over the next decade.

After consultation with SFDC and discussing their willingness to partner with the County to engage the community, utilize the best practices they have already developed with other mural projects, and seek additional grant opportunities, the County should step forward to make an initial modest investment in re-skinning the Hybla Valley Community Center into a facility that is both visually welcoming, and also a reflection of the community that it serves.

With that objective in mind, and jointly with Chairman McKay, Supervisor Lusk moved that the Board direct the County Executive to prepare a budget consideration item for review by the Board in the amount of \$25,000 as part of the Fiscal Year 2024 budget that would be designated for the commissioning of a mural on the Hybla Valley Community Center which would be facilitated in partnership with the Chairman’s and Franconia District Supervisor’s offices, the Director of the Department of Neighborhood and Community Services, and SFDC. Chairman McKay seconded the motion and it carried by unanimous vote.

23. **CERTIFICATE OF RECOGNITION REQUEST FOR THE JAMES MADISON HIGH SCHOOL GIRLS BASKETBALL TEAM (HUNTER MILL DISTRICT)** (11:05 a.m.)

Supervisor Alcorn stated that James Madison High School has had a notable number of State championships, but the girls basketball team has become – and this is the term used in the sports world – a high school sports dynasty. Under the

leadership of Coach Kirsten Stone, these athletes recently won their fourth consecutive Virginia 6A State Championship. As noted by *The Washington Post*, during their tournament run the team was considered both a powerhouse and an underdog, since several veteran players had graduated last year.

Therefore, jointly with Supervisor Palchik and Supervisor Smith, Supervisor Alcorn asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Certificate of Recognition for the team to be presented at a Board Meeting, or at a time and location that is convenient for the school and the student athletes. Without objection, it was so ordered.

24. **PUBLICITY REQUEST FOR THE THIRD ANNUAL TOUR DE HUNTER MILL** (11:07 a.m.)

Supervisor Alcorn announced that the third annual Tour De Hunter Mill bike event will be held on May 7, 2023, and he invited the Board and community to attend. Supervisor Lusk stated that there will be the three following routes:

- Family ride: 5.9 miles
- Short ride: 15.5 miles
- Long ride: 29 miles

Supervisor Alcorn stated that there is a route for every ability. This year's ride will begin at the Reston Community Center in Hunters Woods and take riders through scenic areas of the Hunter Mill District, with more of a "western route," including Frying Pan Farm Park. Details and registration can be found on the Hunter Mill District web page at www.fairfaxcounty.gov/huntermill and it will be a fun and healthy way to explore the County's roads and trails.

Therefore, Supervisor Alcorn asked unanimous consent that the Board direct the Office of Public Affairs to provide promotional support for the 2023 Tour de Hunter Mill, as appropriate. Without objection, it was so ordered.

25. **PROPOSED REVISIONS OF THE TREE COMMISSION CHARTER WITHIN THE COUNTY CODE** (11:08 a.m.)

(BAC) Supervisor Storck stated that the Charter for the Tree Commission was established in the County Code, Chapter 122 (Tree Conservation Ordinance), Article 9 (Tree Commission). The Commission's current charter includes:

- An annual re-evaluation of the implementation of the Tree Conservation Ordinance
- An annual re-evaluation of landscaping and screening requirements contained in the Zoning Ordinance

- Providing leadership in developing an understanding of tree conservation objectives and methods
- Assisting staff with developing technical specifications and guidelines

The human and ecological benefits of a healthy urban forest are well-established, and County policy, including the Community-wide Energy and Climate Action, has established ambitious, specific goals to expand the urban forest. Staff from multiple County departments, including the Department of Public Works and Environmental Services, Office of Environmental and Energy Coordination, Park Authority, Department of Planning and Development, and Land Development Services all have important roles in managing the County's forest resources.

The Tree Commission has developed a draft of a revised charter, expanding their purview to additionally include:

- The County's Natural Landscape Policy
- Promotion of tree planting and care on private property
- The County's Tree Action Plan
- Expanding public outreach to County residents and private organizations

The proposed changes to the Tree Commission Charter have been discussed by the Chair of the Tree Commission and the Chair of the Environmental Quality Advisory Council, and they support this expansion of Tree Commission responsibilities.

As the Charter of the Tree Commission is contained within County Code, a Code revision is necessary to modify the charter. Therefore, jointly with Chairman McKay and Supervisor Smith, Supervisor Storck asked unanimous consent that the County Executive:

- Direct staff within the Department of Public Works and Environmental Services, Land Development Services, and the Office of the County Attorney to initiate the necessary Code amendment process to modify Chapter 122 of the County Code to revise the Charter for the Tree Commission to be generally consistent with their proposed draft
- Bring the Code revision before the Board for approval before December 2023

Without objection, it was so ordered.

26. **PUBLICITY REQUEST FOR THE ENVIRONMENT EXPO** (11:10 a.m.)

(NOTE: Earlier in the meeting, Chairman McKay presented a Board Matter on the Environment Expo. See Clerk's Summary Item #13.)

Supervisor Storck announced that the Mount Vernon District will host its 5th Annual Environment Expo: Get Outdoors! Learn and Do! on April 22, 2023, from 10 a.m. – 2 p.m. at Fort Hunt Park. Supervisor Storck stated he is excited to partner with the National Park Service, Clean Fairfax and many County agencies again this year. This free, fun, family friendly festival will feature activities and exhibitors sharing information about climate action, environmental challenges faced and solutions all can participate in to make the County, and the world at large, a healthier, more sustainable place.

Attendees will enjoy live music, reptile and raptor demonstrations, an electric vehicle showcase, nature and eagle nest walks, giveaways, solar cooking, scavenger hunts and more. More information can be found at www.fairfaxcounty.gov/mountvernon. He invited the community to attend the event.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to promote the Environment Expo through its various communication channels. Without objection, it was so ordered.

27. **PUBLICITY REQUEST FOR PEDAL WITH PETALS: FAMILY BIKE RIDE IN TYSONS (PROVIDENCE DISTRICT)** (11:12 a.m.)

Supervisor Palchik stated that to celebrate the cherry blossom season, the Tysons Community Alliance and the National Cherry Blossom Festival are hosting the inaugural Pedal with Petals Family Bike Ride event on April 2, 2023, from 8 a.m. – 11 a.m. at The Plaza at Tysons Corner Center.

This is a free event, and everyone is welcome. Bike marshals will be provided by the Fairfax Alliance for Better Bicycling and will lead four waves of cyclists around Tysons Corner Center Plaza every half hour. In addition, there will be a bike decorating station to make your ride “blossom,” free bike repairs provided by Trek, face painting, photo opportunities, snacks and refreshments, and so much more.

The bike ride starts and ends in front of Tysons Tower and Vita Tysons Corner. While event parking is available, attendees are encouraged to take the Silver Line Metro to the Tysons station. More information and registration can be found at <https://tysonsva.org/pedal-withpetals>.

Therefore, jointly with Chairman McKay, Supervisor Alcorn, and Supervisor Foust, Supervisor Palchik invited the Board and the community to help

kick off spring with a safe and “wheelie” fun bike ride around The Plaza and asked unanimous consent that the Board direct the Office of Public Affairs to publicize the event on the appropriate channels. Without objection, it was so ordered.

28. **REQUEST FOR EXPEDITED BOARD PUBLIC HEARING DATE FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2010-PR-010 (PROVIDENCE DISTRICT)** (11:13 a.m.)

- (A) Supervisor Palchik stated that pending Special Exception Amendment Application SEA 2010-PR-010 is a request to allow the replacement of two signs at the top of the Hilton headquarters building with larger signs and to allow a sign over the front entrance door of the building at 7930 Jones Branch Drive in Tysons. Staff, including the Urban Centers Section of the Department of Planning and Development, has no issues with the application. The application is scheduled for a public hearing before the Planning Commission on April 26, 2023.

Given the absence of any significant concerns, Supervisor Palchik moved that the Board authorize an expedited Board public hearing for Special Exception Amendment Application SEA 2010-PR-010 to a date certain of: **May 23, 2023**. As always, approval of the motion shall in no way prejudice or affect any ongoing staff review and should not be construed as support for the application by the Board. Supervisor Herrity seconded the motion and it carried by unanimous vote.

29. **PROCLAMATION REQUEST DESIGNATING MAY 2023 AS “OLDER AMERICANS AND ADULT ABUSE PREVENTION MONTH”** (11:15 a.m.)

Supervisor Herrity stated that this year, the U.S. Administration for Community Living has chosen the theme “Aging Unbound” for “Older Americans Month.” Older adults play vital, positive roles in communities as family members, friends, mentors, volunteers, civic leaders, members of the workforce, and more. Just as every person is unique, so too is how they age and how they choose to do it.

Older Americans Month” is an opportunity to celebrate the strength of older adults and the aging network in the County, with special emphasis on aging in place so older adults can plan to stay in their homes and live independently in their communities for as long as possible.

May is also “Adult Abuse Prevention Month” in the Commonwealth. While recognizing the vitality of the County’s older adults, recognition that vulnerable older adults need protection from abuse, neglect, and exploitation is needed.

The County has many resources for older adults who want to age in place and live in the County. The County also has many resources available for older adults, caregivers, and individuals with disabilities through the Aging, Disability, and Caregiver Resources Line.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Proclamation designating May 2023 as “*Older Americans and Adult Abuse Prevention Month*” in the County and invite a representative from the Commission on Aging to receive the Proclamation from the Board at its May 23, 2023, meeting. Without objection, it was so ordered.

30. **PUBLICITY AND RESOLUTION REQUESTS DESIGNATING MAY 2023 AS “LYME DISEASE AWARENESS MONTH” AND “FIGHT THE BITE AWARENESS MONTH”** (11:17 a.m.)

Supervisor Herrity stated that tick and mosquito season will be here soon and many will be spending more time outdoors in the warmer months. Throughout the last few years, residents have spent more time outside because of the pandemic, contributing to higher numbers of confirmed and likely cases of Lyme Disease. Lyme Disease is the fastest spreading vector-borne disease in the United States. Several hundred cases of Lyme Disease have been reported in Virginia in the last few years and many cases go unreported, as symptoms, like the ‘Bulls-eye’ rash, go undetected or are misdiagnosed. Supervisor Herrity stated that the Virginia Department of Health shared with his office that since 2020 many efforts to track Lyme disease were diverted to the pandemic effort so more cases than normal likely were not reported. Lyme Disease, Zika Virus, West Nile Virus, and other vector-borne diseases can have severe health impacts on constituents. Chronic forms of these diseases can be particularly debilitating and research funding is unfortunately limited.

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

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

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff of the Office of Public Affairs to:

- Prepare a Resolution designating May 2023 as “*Lyme Disease Awareness Month*” in the County, to be presented to Monte Skall, Director of the National Capital Lyme and Tick-Borne Disease Association at the Board Meeting on May 9, 2023

- Share information on preventing and recognizing the symptoms of Lyme Disease, to include Fairfax County Public Schools for students and their parent to educate themselves
- Prepare a Resolution designating May 2023 as “*Fight the Bite Awareness Month*” in the County, to be presented to the Fairfax County Health Department at the Board Meeting on May 9, 2023

Without objection, it was so ordered.

31. **RECEPTION AND CERTIFICATES OF APPRECIATION REQUESTS FOR THE STUDENT SHARK TANK TECHNOLOGY CHALLENGE PARTICIPANTS AND THEIR FAMILIES** (11:18 a.m.)

Supervisor Herrity stated that the first Fairfax County High School Student Shark Tank Technology Challenge was held in 2015. The project was launched to help implement a Fairfax 50+ Community Action Plan initiative entitled: Help People Stay in their Homes with Technology. The annual challenge was interrupted by the public health safety concerns brought about by the COVID-19 pandemic but has since continued successfully.

This year students from six different high schools accepted the “Shark Tank” challenge. Four schools will be represented in the finals. Selected projects will be presented to the Shark Tank judges on March 24, 2023. Winners are notified the week after the competition and will be publicly announced in May.

Partners of the high school challenge include Fairfax Area Agency on Aging, Department of Neighborhood and Community Services, George Mason’s Kellar Institute, and INTEGRITYOne Partners. INTEGRITYOne Partners is generously providing the monetary award this year, as they have each year since 2015. Judges for this event are representatives from INTEGRITYOne Partners, the Kellar Institute, AARP, and the Wellness Center for Older Adults.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to hold a reception to honor the “Shark Tank” technology challenge students and their families and that the winners be invited to appear before the Board at its meeting on May 23, 2023, to receive Certificates of Appreciation, in recognition of their achievements and contributions to the community. Without objection, it was so ordered.

32. **UPCOMING SPRINGFIELD DISTRICT EVENTS** (11:19 a.m.)

Supervisor Herrity announced the following upcoming Springfield District events and he invited the Board and the community to attend:

- Teen job fair on March 25, 2023, 1 p.m. – 3 p.m., at Chantilly High School

- Annual budget townhall on March 22, 2023, at 7 p.m., and can be viewed on Facebook Live and Channel 16
- Fentanyl townhall on March 28, 2023, 7 p.m. – 8:30 p.m. at Lake Braddock Secondary School

33. **RESOLUTION REQUEST DESIGNATING MAY 2023 AS "BUILDING SAFETY MONTH"** (11:20 a.m.)

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

The County is committed to facilitating the safe and sustainable building of its communities and is fortunate to have dedicated staff to confirm, through the permitting, plan review, inspection and enforcement process, that modern safety construction methods have been implemented. County staff collaborate with industry people to continually improve processes and services so construction permitting can be a positive example of effective and efficient government services.

Therefore, jointly with Chairman McKay, Supervisor Smith asked unanimous consent that the Board direct staff to prepare a Resolution, designating May 2023 as "*Building Safety Month*" in the County, to be presented outside the Board Room to the Building Safety Month Planning Committee members, along with William Hicks, Director, Land Development Services; Jay Riat, Division Director, Land Development Services; John Walser, Deputy Chief, Fire and Rescue Department; Chris Sample, Battalion Chief, Fire and Rescue Department; and Gabriel Zakkak, Director, Code Compliance. Without objection, it was so ordered.

34. **BIRTHDAY WISHES FOR ERICA CURTIS** (11:21 a.m.)

Supervisor Smith announced that Erica Curtis turned 100 years old today. On behalf of the Board, she wished Ms. Curtis a happy birthday.

EBE:ebe

AGENDA ITEMS

35. **ADMINISTRATIVE ITEMS** (11:22 a.m.)

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

Supervisor Gross called the Board's attention to Admin 7 – Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment to Chapter 112.1 Regarding Article 6 Parking and Loading and Related Changes. Discussion ensued with input from William Mayland, Assistant Zoning Administrator, Department of Planning and Development (DPD), regarding public outreach efforts and staff's recommendation timeline.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding how staff determined that Annandale is a transit hub which reduces parking requirements in the revitalization area. Without objection, it was so ordered.

Discussion continued, with Board Members expressing their support of the authorization, but raising concerns regarding parking regulations that staff should address prior to the public hearing, with input from Mr. Mayland.

The question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATION (MASON DISTRICT)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-2023-MA-00003	School Board of Fairfax County Bren Mar Park Elementary School Expansion Tax Map Number 81-1 ((1)) 6 6344 Beryl Road Alexandria, VA Mason District	December 31, 2023

ADMIN 2 – EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATION (SPRINGFIELD DISTRICT)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-2023-SP-00004	Milestone Towers Tax Map Number 85-4 ((1)) 15 8024 Kincheloe Road Clifton, VA 20124 Springfield District	December 31, 2023

ADMIN 3 – EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATION (MOUNT VERNON DISTRICT)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-2023-MV-00005	Gunston Fire Station #20 Tax Map Number 114-3 ((1)) 11 10417 Gunston Road Lorton, VA 22079 Mount Vernon District	January 9, 2024

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2023 REVISED BUDGET PLAN

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 11, 2023, at 4 p.m., April 12, 2023, at 3 p.m., and April 13, 2023, at 3 p.m.**, to adjust the FY 2023 appropriation level. The advertisement encompasses both the County and the Schools' FY 2023 Third Quarter Reviews. Section 15.2-2507 of the Code of Virginia requires that a public hearing be held prior to Board action to amend the current appropriation level.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE EXPANDING THE CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 9 (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 9, 2023, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Culmore RPPD, District 9, to include Wilkins Drive from Vista Drive to Knollwood Drive.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON WHITTIER AVENUE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 9, 2023, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to establish parking restrictions on Whittier Avenue (Dranesville District). This amendment will prohibit commercial vehicles, recreational vehicles, and trailers as defined, respectively, in Fairfax County Code Sections 82-5-7, 82-5B-1, and 82-1-2(a)(50), from parking on Whittier Avenue, from Old Dominion Drive to Laughlin Avenue, from 10 p.m. to 6 a.m., seven days a week.

ADMIN 7 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT TO CHAPTER 112.1 REGARDING ARTICLE 6 PARKING AND LOADING AND RELATED CHANGES

- (A) (R) (NOTE: Earlier in the meeting, this item was discussed. See page 23.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 19, 2023, at 7:30 p.m., and before the Board on **June 6, 2023, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112.1 (Zoning Ordinance), to update and modernize Article 6 (Parking and Loading Regulations) in its entirety and modify various other sections as they relate to parking.

ADMIN 8 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23195 FOR THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT (VDEM) FOR THE VOLUNTARY ACQUISITION, STRUCTURAL DEMOLITION, AND LAND RESTORATION AND REFORESTATION OF 819 SWINKS MILL ROAD (DRANESVILLE DISTRICT)

- (SAR)
- Approved SAR AS 23195 for DPWES to accept funding in the amount of \$920,000 from VDEM made available through the Federal Emergency Management Agency's Flood Mitigation Assistance Grant Program. This funding will be utilized to acquire the property at 819 Swinks Mill Road and restore it to a natural floodplain in the Dranesville District. No local cash match is required
 - Authorized the Chairman of the Board, the County Executive and/or a designee appointed by the County Executive to enter into the grant

agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 9 – AUTHORIZATION FOR THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES), SOLID WASTE MANAGEMENT PROGRAM, TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) TO SUPPORT CONSUMER RECYCLING EDUCATION AND OUTREACH

- Authorized the DPWES, Solid Waste Management Program, to apply for and accept \$1,991,208 in grant funding, if received, from the U.S. EPA. Funding will be used to support recycling outreach and engagement by providing curbside feedback to residents on the quality of their recyclable set-outs. No new positions will be created, and no local cash match is required
- Authorized the Chairman of the Board, the County Executive, and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 10 – AUTHORIZATION FOR THE OFFICE OF ENVIRONMENTAL AND ENERGY COORDINATION (OEEC) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) ENVIRONMENTAL JUSTICE GOVERNMENT-TO-GOVERNMENT PROGRAM

- Authorized the OEEC to apply for and accept grant funding, if received, from the U.S. EPA Environmental Justice Government-to-Government program in the amount of \$1.0 million. The funding will be used to establish a Resilience Hub/Solar Sanctuary in a vulnerable area of the County. There are no new positions associated with this grant and no local cash match is required
- Authorized the Chairman of the Board, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

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36. **A-1 – AUTHORIZATION TO AMEND FAIRFAX COUNTY’S ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2022** (11:39 a.m.)

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

- Adopted the amendment to the County's One-Year Action Plan for FY 2022
- Authorized signature of the certifications and federal funding application forms required by the U.S. Department of Housing and Urban Development

37. **A-2 – APPROVAL OF 2023 RATE ADJUSTMENTS TO CENTREVILLE, FAIRFAX CENTER, RESTON, TYSONS, TYSONS GRID OF STREETS, AND TYSONS-WIDE ROAD FUNDS (BRADDOCK, DRANESVILLE, HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (11:40 a.m.)

On motion of Supervisor Alcorn, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the rate schedule, as shown in substantial form in Attachment One of the Board Agenda Item, including a 6.4 percent adjustment of the existing contribution rates in all fund areas, with the new rate effective April 1, 2023.

38. **A-3 – APPROVAL OF A RESOLUTION TO EXTEND THE CABLE FRANCHISE TERM OF COXCOM, LLC** (11:41 a.m.)

- (R) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the County Executive to execute an agreement with Cox extending the term of Cox's cable franchise without change in the terms and conditions of the franchise. Supervisor Smith and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

39. **A-4 – APPROVAL OF A RESOLUTION TO EXTEND THE CABLE FRANCHISE TERM OF VERIZON VIRGINIA LLC** (11:41 a.m.)

- (R) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that Board concur in the recommendation of staff and adopt a Resolution authorizing the County Executive to execute an agreement with Verizon extending the term of Verizon's cable franchise without change in the terms and conditions of the franchise. Supervisor Smith and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

40. **A-5 – APPROVAL OF A RESOLUTION TO EXTEND THE CABLE FRANCHISE TERM OF COMCAST OF VIRGINIA, LLC** (11:42 a.m.)

- (R) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that Board concur in the recommendation of staff and adopt a Resolution authorizing the County Executive to execute an agreement with Comcast extending the term of Comcast's cable franchise without change in the terms and conditions of the franchise. Supervisor Smith and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

41. **A-6 – AUTHORIZATION FOR DIRECTOR OF DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES), OR HIS DESIGNEE, TO EXECUTE BETTERMENT AGREEMENTS, DEEDS, AND OTHER INSTRUMENTS WITH VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), DOMINION ENERGY, INC., FAIRFAX WATER, AND OTHER UTILITY COMPANIES, OR THEIR DESIGNATED AGENT** (11:42 a.m.)

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

- Authorized the Director of DPWES, or their designee, to execute Betterment Agreements, deeds, and other instruments with VDOT, Dominion, Fairfax Water, and other utility companies, or their designated agent, when deemed to be in the County's best interest
- Authorized the Director of DPWES, or their designee, to execute Adjustment Agreements, deeds, and other instruments with VDOT, Dominion, Fairfax Water, and other utility companies, or their designated agent, when deemed to be in the County's best interest

42. **RECESS/CLOSED SESSION** (11:43 a.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code Section 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2-3711(A) (3).

- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code Section 2.2-3711(A) (7) and (8).
1. *Paulina Arias v. Michael Filius*, Case No. GV22-002497 (Fx. Co. Gen. Dist. Ct.)
 2. *Sirena Holdings, LLC v. Fairfax County Department of Public Works and Environmental Services*, Case No. CL-2022-0015016 (Fx. Co. Cir. Ct.) (Dranesville District)
 3. *Jay Riat, Building Official for Fairfax County, Virginia v. Kevin T. Nguyen and Tina P. Huynh*, Case No. GV22-020188 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David A. Vallo and Amiastri W. Vallo*, Case No. GV23-002464 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sedaka A. Tomasto Tomateo, Juliana N. Lopez Mallqui, and Jose L. Lopez La Rosa*, Case No. CL-2022-0013231 (Fx. Co. Cir. Ct.) (Franconia District)
 6. *Jay Riat, Building Official for Fairfax County, Virginia v. Guenter Pfeil*, Case No. GV22-016106 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
 7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yon Chol Pak and Sun Yee Pak*, Case No. CL-2022-0000780 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 8. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gayle L. Shura, Trustee of the Gayle L. Shura Living Trust, dated April 22, 2004*, Case No. CL-2023-0002968 (Fx. Co. Cir. Ct.) (Hunter Mill District)

9. *Jay Riat, Building Official for Fairfax County, Virginia v. Jouhad Boutros Dagher*, Case No. GV22-019851 (Fx. Co. Gen Dist. Ct.) (Mason District)
10. *Jay Riat, Building Official for Fairfax County, Virginia v. Pech Chenda Nak, Pechseda Nak, Erik Bruner-Yang, and Polin Ang*, Case No. GV22-020707 (Fx. Co. Gen Dist. Ct.) (Mason District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jane Taylor*, Case No. GV23-003017 (Fx. Co. Gen. Dist. Ct.) (Mason District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Westminster School, Inc.*, Case No. GV23-003018 (Fx. Co. Gen. Dist. Ct.) (Mason District)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. JCR Lorton Station Investors, LLC and Lasani Food Inc.*, Case No. GV22-013801 (Fx. Co. Gen Dist. Ct.) (Mount Vernon District)
14. *Jay Riat, Building Official for Fairfax County, Virginia v. Richard T. Downey, Trustee of the Richard T. Downey Trust*, Case No. GV22-019725 (Fx. Co. Gen Dist. Ct.) (Mount Vernon District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Suffies, LLC*, Case No. GV22-011191 (Fx. Co. Gen Dist. Ct.) (Providence District)
16. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Pauline Mock*, Case No. GV23-002465 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Pauline Mock*, Case No. GV23-002467 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
18. *Jay Riat, Building Official for Fairfax County, Virginia v. Mario Amaro*, Case No. CL-2022-0010569 (Fx. Co. Cir. Ct.) (Sully District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Quoc K. Troung*, Case No. GV22-019064 (Fx. Co. Gen. Dist. Ct.) (Sully District)

20. *Board of Supervisors of Fairfax County, Virginia v. McGee Garden Center, LLC, and Gloria Carhuancho McGee*, Case No. GV23-003659 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711 (A)(7) and (8), *Farrell v. Board of Supervisors*, Fairfax County Circuit Court case number CL-2020-569 and *LaFave, et al. v. Fairfax County, et al.*, Fairfax County Circuit court case number CL-2021-1569.

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

ADDITIONAL BOARD MATTER

43. **INTENT TO DEFER PUBLIC HEARINGS (SULLY DISTRICT)**
(11:44 a.m.)

Supervisor Smith announced her intent to defer, later in the meeting at the appropriate time, the following public hearings:

- 3:30 p.m. - Public Hearing on RZ 2022-SU-00010 (Matan Glorus Road, LLC)
- 3:30 p.m. - Public Hearing on PCA 80-S-008-02 (Virginia Medical Transport, LLC)
- 4 p.m. - Public Hearing on a Proposal to Vacate a Portion of Barney Road

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items #49, #51, and #52.)

At 3:35 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Gross, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

44. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:35 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 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. Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Gross being out of the room.

45. **AUTHORIZATION OF A SETTLEMENT COUNTEROFFER WITH CHRISTOPHER FARRELL** (3:36 p.m.)

Supervisor Smith moved that the Board authorize a settlement counteroffer in *Christopher Farrell v. The Board of Supervisors of Fairfax County*, Case Number CL-2020-569 in the Circuit Court of Fairfax County. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

Elizabeth Teare, County Attorney, noted that Supervisor Gross was not present for Closed Session and did not participate.

AGENDA ITEMS

46. **3:30 P.M. – PUBLIC HEARING ON SE 2022-SP-00043 (PNC BANK, NA) TO PERMIT A DRIVE-THROUGH FINANCIAL INSTITUTION, LOCATED ON APPROXIMATELY 10.09 ACRES OF LAND (SPRINGFIELD DISTRICT)** (3:38 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

The application property is located at 8436 Old Keene Mill Road, Springfield, 22152. Tax Map 79-3 ((5)) 1B.

Sheri Akin, Agent, McGuireWoods LLP, reaffirmed the validity of the affidavit dated February 9, 2023, for the record.

William O’Donnell, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Following the public hearing, Mr. O’Donnell presented the staff and Planning Commission recommendations.

Following comments and a query by Supervisor Herrity, Ms. Akin confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 28, 2023.

Supervisor Herrity moved that the Board approve:

- Special Exception Application SE 2022-SP-00043, subject to the development conditions dated February 28, 2023.
- Reaffirmation of the previously approved:
 - Transitional screening modification
 - Waiver of the barrier requirements to that shown on the SE Plat

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

47.

3:30 P.M. – PUBLIC HEARING ON SEA 2007-SP-001-02 (COSTCO WHOLESALE CORPORATION) TO AMEND SE 2007-SP-001, PREVIOUSLY APPROVED FOR RETAIL SALES ESTABLISHMENT-LARGE AND SERVICE STATION TO PERMIT AN EXPANSION OF THE VEHICLE FUELING STATION AND ASSOCIATED MODIFICATIONS TO SITE DESIGN AND DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 16.17 ACRES OF LAND (SPRINGFIELD DISTRICT)
(3:43 p.m.)

(NOTE: Chairman McKay inadvertently called the public hearing on SEA 95-Y-024-07 (Costco Wholesale Corporation) (Sully District), but then clarified that this public hearing is for SEA 2007-SP-001-02 (Costco Wholesale Corporation) (Springfield District.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

The application property is located at 4725 West Ox Road, Fairfax, 22030. Tax Map 56-1 ((1)) 5C.

David S. Houston, Bean, Kinney and Kroman, PC, reaffirmed the validity of the affidavit dated January 9, 2023, for the record.

Supervisor Palchik disclosed that she had received a campaign contribution in excess of \$100 from the following:

- Mark M. Viani

Supervisor Lusk disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Mark M. Viani

Supervisor Storck disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Mark M. Viani

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

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

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

Following comments and a query by Supervisor Herrity, Mr. Houston confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 7, 2023.

Supervisor Herrity moved that the Board approve:

- Special Exception Amendment Application SEA 2007-SP-001-02, subject to the development conditions dated February 7, 2023.
- Reaffirmation of the previously approved:
 - Modification of transitional screening
 - Waiver of the barrier requirements along the eastern property line in favor of that shown on the SE Plat

The motion was multiply seconded and it carried by unanimous vote.

48. **3:30 P.M. – PUBLIC HEARING ON SEA 95-Y-024-07 (COSTCO WHOLESALE CORPORATION) TO AMEND SE 95-Y-024, PREVIOUSLY APPROVED FOR AN INCREASE IN AREA AND HEIGHT FOR TWO FREESTANDING SIGNS, AN INCREASE IN BUILDING HEIGHT FOR TWO HOTELS AND A SERVICE STATION IN A HIGHWAY CORRIDOR OVERLAY DISTRICT, TO PERMIT AN EXPANSION OF THE VEHICLE FUELING STATION AND ASSOCIATED MODIFICATIONS TO SITE DESIGN AND**

DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 13.38 ACRES OF LAND (SULLY DISTRICT) (3:51 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

The application property is located at 14390 Chantilly Crossing Lane, Chantilly, 20151. Tax Map 34-3 ((1)) 41B.

David S. Houston, Bean, Kinney and Kroman, PC, reaffirmed the validity of the affidavit dated January 9, 2023, for the record.

Supervisor Palchik disclosed that she had received a campaign contribution in excess of \$100 from the following:

- Mark M. Viani

Supervisor Lusk disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Mark M. Viani

Supervisor Storck disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Mark M. Viani

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

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

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

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

Supervisor Smith moved that the Board approve Special Exception Amendment Application SEA 95-Y-024-07, subject to the development conditions dated February 7, 2023. Supervisor Herrity seconded the motion. Following discussion regarding the development conditions, the question was called on the motion and it carried by unanimous vote.

49. **3:30 P.M. – PUBLIC HEARING ON RZ 2022-SU-00010 (MATAN GLORUS ROAD, LLC) TO REZONE FROM I-3, I-4, WS AND AN TO I-4, WS AND AN TO ALLOW AN EXPANSION OF A SURFACE PARKING AREA SERVING A PREVIOUSLY APPROVED INDUSTRIAL DEVELOPMENT CONSISTING OF OFFICE/WAREHOUSE/DATA CENTER USES AND AN OVERALL FLOOR AREA RATIO OF 0.20, LOCATED ON APPROXIMATELY 16.31 ACRES OF LAND (SULLY DISTRICT)** (3:57 p.m.)

At the request of the applicant, Supervisor Smith moved to defer the public hearing on Rezoning Application RZ 2022-SU-00010 until **May 9, 2023, at 3:30 p.m.** to allow the applicant additional time to refine the application before the public hearing. Chairman McKay seconded the motion and it carried by unanimous vote.

KK:kk

50. **3:30 P.M. – PUBLIC HEARING ON RZ 2016-SP-033 (MERIT INVESTMENT, LLC) TO REZONE FROM R-1 TO PDH-3 TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 1.34 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 2.24 ACRES OF LAND (SPRINGFIELD DISTRICT)** (3:58 p.m.)

Following discussion, with input from Suzanne Wright, Director, Zoning Evaluation Division, Department of Planning and Development, regarding a proffer signature issue, Supervisor Herrity moved to defer the public hearing on Rezoning Application RZ 2016-SP-003 [sic] until **May 9, 2023, at 4 p.m.** The motion was multiply seconded and it carried by unanimous vote.

51. **3:30 P.M. – PUBLIC HEARING ON PCA 80-S-008-02 (RZPA 2022-SU-00095) (VIRGINIA MEDICAL TRANSPORT, LLC) TO AMEND THE PROFFERS FOR RZ 80-S-008 PREVIOUSLY APPROVED FOR INDUSTRIAL DEVELOPMENT TO PERMIT VEHICLE LIGHT AND MAJOR SERVICE ESTABLISHMENT AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 0.46, LOCATED ON APPROXIMATELY 2.33 ACRES OF LAND (SULLY DISTRICT)** (3:59 p.m.)

Supervisor Smith moved to defer the public hearing on Proffered Condition Amendment Application PCA 80-S-008-02 (RZPA 2022-SU-00095) until **May 9, 2023, at 3:30 p.m.** Supervisor Palchik seconded the motion and it carried by unanimous vote.

52. **4 P.M. – PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF BARNEY ROAD (SULLY DISTRICT)** (4 p.m.)

Supervisor Smith moved to defer the public hearing on a Proposal to Vacate a Portion of Barney Road until **May 9, 2023, at 4 p.m.** Supervisor Palchik seconded the motion and it carried by unanimous vote.

53. **4 P.M. – PUBLIC HEARING ON AF 2022-SP-00006 (AA 83-S-004-3) (WHITEHALL STATEWIDE AGRICULTURAL AND FORESTAL DISTRICT JEREMY MARTIN VAZQUEZ TRUST AND NADINE CONSUELO VAZQUEZ REVOCABLE TRUST) TO PERMIT THE RENEWAL OF AN AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 205.30 ACRES OF LAND (SPRINGFIELD DISTRICT)** (4:01 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 March 3 and March 10, 2023.

The application property is located at 6200, 6390 Newman Road, and 12523 Popes Head Road, Fairfax, 22030. Tax Map 66-4 ((1)) 29Z and 75-2 ((1)) 19Z and 20Z.

Sophia Fisher, Planner, Zoning Evaluation Division, Department of Planning and Development, presented the staff report.

Nadine Vazquez, Owner/Applicant, presented her case.

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

Following a query by Supervisor Herrity, the applicant, Ms. Vazquez, confirmed for the record, acceptance of Ordinance provisions dated March 1, 2023.

Supervisor Herrity moved approval of AF 2022-SP-00006 and Appendix E of the Fairfax County Code be amended to renew the Whitehall Statewide Agricultural and Forestal District, subject to the Ordinance provisions dated March 1, 2023. Supervisor Lusk and Chairman McKay jointly seconded the motion. Following a brief discussion regarding the application, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

54. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT
2021-CW-1CP AFFORDABLE HOUSING PRESERVATION POLICY**
(4:18 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

Brianne Fuller, Associate Director, Preservation, Affordable Housing Development, Department of Housing and Community Development, presented the staff report.

Discussion ensued, with input from Thomas Fleetwood, Director, Department of Housing and Community Development, regarding the following:

- The strategy for preserving the 80 percent Area Median Income (AMI)
- The demand for County subsidized units up to 80 percent
- Whether the 80 percent of AMI and below is addressed in the Comprehensive Plan

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

Following comments, Supervisor Foust moved that the Board:

- Adopt Plan Amendment 2021-CW-1CP Affordable Housing Preservation Policy, as recommended by the Planning Commission and as shown in the Staff Report that was included with the Board Item
- Direct staff to continue developing the Affordable Housing Preservation Administrative Policy Guidelines to provide further guidance on the implementation of this policy
- Direct staff to engage the stakeholders in the process with the goal of presenting the guidelines to the Housing Committee on August 1, 2023, and to the Board of Supervisors for adoption at a Board meeting in September 2023

Supervisor Storck and Chairman McKay jointly seconded the motion.

Discussion ensued, with Board Members expressing their support/nonsupport of the motion.

Supervisor Alcorn asked unanimous consent that the Board direct staff to provide information on how the “right to return” can be addressed as part of the Administrative Policy Guidelines. Without objection, it was so ordered.

Supervisor Lusk reiterated, for the record, a point he made at the last Housing Committee meeting, that the Franconia District has the highest number of manufactured housing units. Acknowledging that there is a need to preserve and provide opportunities for the residents of those communities to have access to better amenities, infrastructure, and improve the exterior of a number of the units. The intent is that there will be a mechanism and some methodology to address this question as it relates to preservation and improvements to these housing types – manufactured and mobile.

Discussion ensued, with input from Ms. Fuller, regarding the Manufactured Housing Amendment which is underway and expected to be provided to the Board later this year or early next year.

Discussion continued, with input from Mr. Fleetwood, regarding preserved housing.

Following further discussion regarding affordable housing, the question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

55. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENTS (PAs) 2021-CW-T2, FAIRFAX COUNTY AND FRANCONIA-SPRINGFIELD PARKWAYS (BRADDOCK, DRANESVILLE, FRANCONIA, HUNTER MILL, MOUNT VERNON, SPRINGFIELD, AND SULLY DISTRICTS) AND 2019-III-T1, FAIRFAX COUNTY PARKWAY AND BURKE CENTRE PARKWAY (SPRINGFIELD DISTRICT)** (5:12 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

Thomas Burke, Transportation Planner IV, Transportation Planning Division, Department of Transportation, presented the staff report.

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

Following comments, Supervisor Alcorn moved that the Board adopt the Planning Commission recommendation for Plan Amendments 2021-CW-T2 and 2019-III-T1, as detailed in the Staff Report included in the Board Agenda Item. Supervisor Herrity and Chairman McKay jointly seconded the motion. Following discussion regarding the applications, the question was called on the motion and it carried by unanimous vote.

56. **4:30 P.M. – PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF BLAKE LANE (ROUTE 655) (PROVIDENCE DISTRICT)** (5:30 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 February 17 and March 10, 2023.

Jeffrey Edmondson, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Mr. Edmondson presented the staff recommendation.

Discussion ensued, with input from Mr. Edmondson, regarding the accessibility of this portion of Blake Lane.

Following comments, Supervisor Palchik moved that the Board adopt (Attachment III) the ordinance of vacation and (Attachment IV) the order of abandonment of the subject right-of-way. The motion was multiply seconded and it carried by a vote of eight, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, and Chairman McKay voting “AYE,” Supervisor Alcorn and Supervisor Walkinshaw being out of the room.

57. **4:30 P.M. - PUBLIC HEARING ON THE DRAFT PROPOSED ONE-YEAR ACTION PLAN FOR FISCAL YEAR 2024** (5:35 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

Laura Lazo, Associate Director, Grants Management, Department of Housing and Community Development, presented the staff report.

The public hearing was held and included testimony from four speakers. Following the testimony of Lois Ruckert, President, Little River Glen Senior Center Advisory Council (Speaker 2), Supervisor Walkinshaw stated that he will help coordinate a meeting with the Department of Housing and Community Development and the Little River Glen Senior Center Advisory Council regarding the efforts that have been made, and will continue to be made, to address issues raised by the speaker regarding parking at the Little River Glen Senior Center.

Following the testimony of Alexander Burke (Speaker 4), Supervisor Foust asked unanimous consent that the Board direct staff to provide information on whether the contractor is, according to County standards, meeting the maintenance

requirements at Herndon Harbor House senior apartments. Without objection, it was so ordered.

Ms. Lazo presented the staff recommendation.

Discussion ensued, with input from Ms. Lazo, regarding the action needed to open the Community Development Block Grant funds to home repairs.

Supervisor Foust moved that the Board direct staff to forward comments received on the draft Annual Action Plan to the Consolidated Community Funding Advisory Committee (CCFAC) for its consideration before the CCFAC makes its final recommendation to the Board for action on May 9, 2023. Chairman McKay seconded the motion. Following discussion, with input from Mr. Fleetwood, regarding housing preservation goals, the question was called on the motion and it carried by unanimous vote.

58. **ORDERS OF THE DAY** (6:02 p.m.)

Chairman McKay announced that there are two public hearings remaining. One has five speakers, while the other one has 38, so the Board would proceed with Public Comment.

59. **4:30 P.M. - PUBLIC HEARING ON PROPOSED SALARY INCREASES TO \$125,000 OR UP TO \$130,000 FOR MEMBERS OF THE BOARD OF SUPERVISORS AND TO \$140,000 OR UP TO \$145,000 FOR THE CHAIRMAN, EFFECTIVE JANUARY 1, 2024, THE BEGINNING OF THE TERM OF THE THEN NEWLY ELECTED BOARD**

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

60. **4:30 P.M. - PUBLIC COMMENT ON ISSUES OF CONCERN** (6:03 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 3 and March 10, 2023.

Chairman McKay announced the rules associated with public comment: The Board will hear public comment on any issue, except issues under litigation; issues that have been scheduled for public hearing before the Board; personnel matters and/or comments regarding specific individuals. Speakers must register in advance, and each speaker is given three minutes for his or her remarks. A maximum of ten speakers may address the Board during any public comment period and speakers may address the Board once during a six-month period.

Public comment was held and included the following individuals:

- Edward Cody III – Regarding Newington Road Sidewalks
- Penelope Robertson – Regarding Lake Accotink
- Katy Schnitger – Regarding Brain Injury Awareness Month
- Allan Robertson – Regarding the Lake Accotink Dredging Project
- Rachelle Price – Regarding Brain Injury Services Support

61. **4:30 P.M. - PUBLIC HEARING ON PROPOSED SALARY INCREASES TO \$125,000 OR UP TO \$130,000 FOR MEMBERS OF THE BOARD OF SUPERVISORS AND TO \$140,000 OR UP TO \$145,000 FOR THE CHAIRMAN, EFFECTIVE JANUARY 1, 2024, THE BEGINNING OF THE TERM OF THE THEN NEWLY ELECTED BOARD** (6:23 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 10 and March 17, 2023.

Catherine Schafrik, Director, Department of Human Resources gave a staff presentation.

The public hearing was held and included testimony from 36 speakers, which included 2 video presentations.

Discussion ensued, with input from Ms. Schafrik, regarding the date the pay increase would take effect, if adopted by the Board.

As a Budget Q&A, Supervisor Herrity asked staff to provide the generic benefits, pension benefits, and the office budget that each Board Member receives

Following comments, Supervisor Foust moved that the annual salary for Board Members be adjusted, effective January 1, 2024, to \$123,283 and that the annual Chairman's salary be adjusted to \$138,283, also effective January 1, 2024. Supervisor Smith and Chairman McKay jointly seconded the motion.

Discussion ensued, with input from Ms. Schafrik, regarding the salary projections for Board Members and the lost wages chart.

Discussion continued, 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 recorded vote of eight, Supervisor Foust, Supervisor Gross, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Alcorn and Supervisor Herrity voting “NAY.”

62. **4:30 P.M. - PUBLIC COMMENT ON ISSUES OF CONCERN**

(NOTE: Earlier in the meeting, Public Comment was held. See Clerk’s Summary Item #60.)

63. **BOARD ADJOURNMENT** (9:14 p.m.)

At 9:14 p.m. the Board adjourned.