



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**TUESDAY  
March 10, 2020**

*This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <https://www.fairfaxcounty.gov/bosclerk/>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 711 (TTY).*

---

**05-20**

---

**EA:ea**

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 10, 2020, at 9:33 a.m., there were present:

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

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

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:34 a.m.)

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

- Mr. Jack Glasner, who died recently
- Mr. Erik Gutshall, who was recently hospitalized.

**AGENDA ITEMS**2. **RESOLUTION OF RECOGNITION PRESENTED TO THE WASHINGTON NATIONALS BASEBALL TEAM** (9:36 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to the Washington Nationals for their contributions to youth baseball in Fairfax County and for recently winning the World Series. Supervisor Alcorn and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

3. **RESOLUTION OF RECOGNITION PRESENTED TO SOUTH COUNTY HIGH SCHOOL VARSITY FOOTBALL COACH GERRY PANNONI** (9:50 a.m.)

Supervisor Storck moved approval of the Resolution of Recognition presented to Gerry Pannoni, South County High School Varsity Football Coach, for his 40 years of distinguished service as teacher, coach, and mentor in the Fairfax County Public Schools. The motion was multiply seconded and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO SOUTH COUNTY HIGH SCHOOL VARSITY FOOTBALL TEAM** (10:00 a.m.)

Supervisor Storck moved approval of the Certificate of Recognition presented to the South County High School Varsity Football team for their determination and grit, which resulted in winning the Virginia High School League Class VI State Football Championship on December 14, 2019. Supervisor Herrity seconded the motion and it carried unanimous vote.

5. **PROCLAMATION DESIGNATING MARCH 2020 AS "ALTERNATIVE DISPUTE RESOLUTION MONTH" IN FAIRFAX COUNTY** (10:12 a.m.)

Supervisor Storck moved approval of the Proclamation designating March 2020 as "*Alternative Dispute Resolution Month*" in Fairfax County and urged all residents to recognize the many benefits of Alternative Dispute Resolution (ADR)

programs and to acknowledge the valuable role of ADR volunteers, who offer their services to their neighbors and communities, fellow students, and peers in the workplace. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by a vote of nine, Supervisor Smith being out of the room.

6. **PROCLAMATION DESIGNATING MARCH 2020 AS "DEVELOPMENTAL DISABILITIES INCLUSION MONTH" IN FAIRFAX COUNTY** (10:22 a.m.)

Supervisor Storck moved approval of the Proclamation designating March 2020 as "*Developmental Disabilities Inclusion Month*" in Fairfax County and urged all residents to recognize the tremendous value and potential of people with developmental disabilities and include them in all aspects of community life. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

7. **PROCLAMATION DESIGNATING MARCH 2020 AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY** (10:33 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating March 2020 as "*Women's History Month*" in Fairfax County to honor all girls and women as they continue towards the goal of equal rights. Supervisor Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

8. **10 A.M. UPDATE ON THE CORONAVIRUS** (10:49 a.m.)

Dr. Gloria Addo-Ayensu, Director, Health Department, provided the Board with an update on the Coronavirus (COVID-19) and the efforts being made by the County to respond to the public health threat. She stated the following:

- The Health Department had been preparing for a global outbreak such as this since 2006, when the County published its first pandemic plan which was used successfully during the 2009 H1N1 pandemic
- Efforts to build continuity of operations, develop HR policies and workplace guidance, reduce the risk of disease transmission, and to strengthen public health preparedness infrastructure has positioned the County well to respond to the COVID-19 outbreak
- The Health Department is collaborating with the Virginia Department of Health, many County agencies and partners such as the healthcare community, schools, businesses, community organizations, leaders of diverse ethnic communities, and places of worship in order to provide guidance and support for efforts to plan for the various nonpharmacological interventions that may have to be used to limit the

spread of disease and minimize the potential impact of this global public health threat on the Fairfax community

- There is no specific treatment for COVID-19. Until a vaccine is developed it is going to take the efforts of all of the community to limit the spread of disease and keep the community safe
- Members of the community should practice good respiratory and hand hygiene and stay home when sick. When given the option between using soap and water or hand sanitizer, it is best to opt for soap and water
- If a community member has symptoms of a fever and cough, he/she should stay home at least until 24 hours following the end of the fever

Benjamin Schwartz, Division Director, Epidemiology and Population Health, Health Department, presented an overview of COVID-19 and Fairfax County efforts to respond to the outbreak which included the following points:

- The COVID-19 situation is changing every day, and the presentation being provided to the Board included the most current information and updates would be provided as new information is discovered
- There are a number of different Coronaviruses, some of which are common viruses that have circulated among people for several years. Occasionally a new Coronavirus emerges from an animal reservoir which may cause severe harm
- Coronaviruses are spread through coughing, sneezing, and close personal contact
- Symptoms begin two to fourteen days after exposure to the virus
- COVID-19 was first recognized in Wuhan, China in December. It most likely originated in the bat population
- There has been a rapid progression. The outbreak began in December, first recognized at the beginning of 2020, three weeks later the first case in the United States (U.S.) occurred, and the first community transmission in the U.S. in late February
- Over 100,000 people have been sick from the Coronavirus worldwide. Eighty percent of the cases have been in China, but the greatest increase is now occurring in Iran, Italy, and several other European countries. The U.S. has had almost 500 cases with most occurrences in Washington, California, New York, and Florida
- There have been two cases in Fairfax County which are associated with international travel and household contact

- There is currently no community spread of COVID-19 in Fairfax County
- For most people in the U.S. the immediate risk of being exposed to the Coronavirus is thought to be low because it is not currently widespread in the communities
- In locations where community spread has been documented, there is an elevated risk of exposure, as well as an elevated risk among healthcare workers, close contacts with patients, and travelers returning from international locations that are affected
- COVID-19 is spread mainly from person to person through respiratory droplets produced when someone coughs or sneezes. Those droplets do not remain suspended in the air nor move through ventilation systems. These droplets will only travel less than six feet, so if someone is more than six feet away there is very little risk of spread
- There is little risk with infected surfaces and objects, since this is not the primary way of spreading the virus
- The most common symptoms of COVID-19 include fever, dry cough, and shortness of breath. Less common symptoms include fatigue, muscle aches, and loss of appetite. About fifteen percent of infected people will develop pneumonia and require hospitalization, but the large majority will have mild illness
- COVID-19 has a mortality rate of two percent
- The highest at risk of death are the elderly, people with underlying disease, immune suppression, and potentially pregnant women
- It is unknown how many people are infected with COVID-19, as healthy individuals are not tested. It is unlikely asymptomatic individuals are able to spread the virus, but further research needs to be done
- Absent an effective vaccine or drug therapy, the measures to stop this disease include isolation, social distancing, and personal infection prevention measures
- COVID-19 is difficult to eradicate because people without symptoms or who have just become ill can spread the infection, and infection has spread to many countries around the world with limited public health capacity, and is likely to continue to spread
- The Health Department makes certain assumptions that the disease will continue to spread globally, that community outbreaks will occur in the U.S., that the disease will occur in waves, which will likely last from six

weeks to three months, and up to twenty percent of the population may become infected, with a two percent mortality rate. Based on the timeline for vaccine development, it is not likely a vaccine will be prepared before the first pandemic wave

- Efforts in containing the infection and mitigating its impact in the community, include guidance from the Center of Disease Control (CDC) to public departments, surveillance coordinated with state and local health departments, and monitoring travelers coming from countries where the virus is widespread
- There is focus on containment with the goal to prevent the introduction of the illness, to prevent community spread, and to eradicate the infection. The strategies for containment include travel restrictions, individual case investigations, and isolation. All of these strategies are difficult and resource-intensive. As the number of cases increase, containment becomes a less feasible option, and thus the strategy shifts to mitigation, which is meant to delay and slow down the spread of infection. Mitigation is primarily achieved through nonpharmaceutical intervention
- Nonpharmaceutical intervention can be personal, community, and environmental. Examples include hand washing, covering coughs and sneezes, keeping from touching the face, social distancing, voluntary home isolation, quarantine, closing schools, modifying work practices, canceling mass gatherings, and environmental surface cleaning
- The decision to cancel mass gatherings is not determined by the CDC, but rather the County
- The Health Department's response to this outbreak is activating the Incident Management Team, coordinating with federal, state, and local partners, monitoring travelers, conducting surveillance for respiratory illness, consulting with providers and giving guidance, providing information and working with County partners, and preparing mitigation activities to reduce the impact of a potential pandemic
- Citizens should be encouraged and enabled to engage in mitigation activities
- The Health Department is developing continuity of operations plans
- The CDC recommends those who are not ill do not wear face masks, but instead utilized by those who are ill
- Disparities exist in terms of the risk of illness and in the consequences of a pandemic. Those from disadvantaged communities and live in more crowded areas, are more likely to rely on crowded public transportation, are less likely to have jobs where social distancing is possible, are less

likely to have paid sick leave, and less likely to have an easily accessible source of medical care

In response to Board questions the following points were discussed:

- The Health Department communicating with the school system through a liaison. When the Fairfax County pandemic plan was developed in 2006, the school system developed their own. The school system has modified their plan in the last few months and they are reviewed by the Health Department. Currently, the Health Department is working with the school system to create a framework should nonpharmaceutical interventions need to be implemented
- There are equity challenges that need to be addressed with the closure of schools
- The Health Department monitors respiratory illnesses, but at this time of year with many other respiratory illnesses in the community, they are not able to differentiate what the cause is of each individual illness. To discern the cause there needs to be a diagnostic test which is not available in a large quantity. There is testing being done by physicians and through the Virginia Department of Health
- People are advised to contact their healthcare provider before going into their offices to make sure other patients are not exposed and the staff can put on their personal protection equipment
- The Health Department will be conducting webinars with healthcare providers in Fairfax County to discuss safety measures with them
- The risk of mortality drastically increases with those who are older in age
- With no evidence of the disease being spread in the Fairfax community, Supervisors can continue to hold their events at this time. At these events, it would be beneficial to inform attendees of protective measures and behavior to help prevent the spread of COVID-19
- The Health Department has held meetings with Fairfax County agencies in order to review Human Resource policies. The Facilities Management Department has had meetings and has come up with an initial plan. The efforts to ensure consistent cleaning of highly used surface touch areas is a work in progress, but those efforts have been started
- It is recommended to minimize mass gatherings where attendees are people who are more at risk, such as senior gatherings
- There are different percentages provided from different sources regarding the mortality rate. The mortality rate of two-percent is derived from an

estimated number of people who are infected, including those who are likely infected but not properly documented citizens. Due to the inability to know exactly how many people are infected, it is estimated the mortality rate is between one-and-a-half percent and three percent

- If a case of COVID-19 occurred in a school, then that particular school would likely close, but a system-wide closure is dependent on a larger number of factors

Supervisor Gross emphasized that citizens should follow the good hygiene measures being promoted, but they should not panic. She referenced a flier the Health Department and CDC recently published “*Stop the Spread of Germs in Fairfax County, Virginia,*” and she requested it be made available in other languages and provided to the Supervisors for distribution. Dr. Addo-Ayensu noted there were already efforts being made to translate the flier and distribute it appropriately through multicultural connections. Supervisor Gross also suggested that a different song be used as an example on the flier for how long a person should wash their hands. Chairman McKay emphasized the importance of spreading this information in simple formats such as the referenced flier.

Additional points which were discussed in response to Board inquiries included the following:

- Citizens are tested for COVID-19 by visiting the Department of Health laboratory. Their capacity for testing is increasing as they receive more tests from CDC. Testing is also available commercially through physicians who believe a patient is infected. All of the commercial test results are being shared with the Health Department
- There is concern that non-English speaking communities do not access County resources. Proactive measures need to be taken to ensure the information reaches them
- To lessen the burden on members of the community who do not have the ability to take sick leave or telework, the County will hold community meetings and small business summits to educate and encourage business owners to enable their employees to take sick leave
- There needs to be individual and family preparedness plans to address school closures, or children who may need to stay home if ill
- Fairfax County has not yet received federal financial support, but it should be received in the future. When those funds are received, an automatic distribution is planned
- The cost and inconvenience of going to get tested will likely prevent many County residents from getting tested



Supervisor Foust requested the Health Department inform the Supervisors as soon they recommend that public events be cancelled.

There was additional discussion regarding the following:

- INOVA has ensured the Health Department they will do testing on individuals and will cover the cost as needed. Testing through the Virginia Department of Health is done at no cost as well
- Fairfax County clinics do not do testing on-site. Those who do get tested need to be thoroughly examined by a physician prior to testing. If someone may be infected, the Health Department would discuss with the patient whether he/she feels further medical care is necessary. If further medical care is not needed, then the Health Department would recommend individuals isolate themselves from others and provide information regarding costs and how to prevent spreading the virus. If the illness becomes more severe, then he/she may call an emergency care center to go in for further testing
- No small business seminars have been planned yet, but the Health Department has done them previously and is readily prepared to begin them again
- With any planned events, Supervisors should consider the status of the disease in the community, whether the event can be held using a different format such as a teleconference or webinar, whether the attendees of the meetings are high-risk, and opportunities to use protective measures at the meeting, including social distance
- Compliance with the recommendations by public healthcare professionals is an important factor
- There is a lot of misinformation being provided by different sources, so it is important that Fairfax County provides accurate facts and brief the community regularly

(NOTE: Later in the meeting, a Supervisor requested additional information be provided. See Clerk's Summary Item #32.)

9. **10:10 A.M. REPORT ON GENERAL ASSEMBLY (GA) ACTIVITIES**  
(12:06 a.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, noted that the regular session of the 2020 was expected to adjourn later that week, having gone slightly past their scheduled adjournment date of March 7, 2020. He referred to the updated Committee report which was distributed to the Board and stated that a final version would be posted on the Board's webpage next week.

Supervisor Walkinshaw presented the report on the GA activities.

Looking at the session by the numbers underscores the volume of bills that were considered this year (by the GA and by the Board); Supervisor Walkinshaw noted the following:

- 3,899 bills and resolutions were introduced
- 2,578 bills were reviewed by County staff
- The Board took formal positions on 241 bills

The Board originally opposed or sought to amend 40 bills; at the end of the session, no bills remained in that category.

However, looking at these numbers only tells part of the story. First, and perhaps most importantly, the GA continues to work on its budget. Legislators are expected to pass the budget when they return to Richmond on March 12, 2020, and legislative staff will provide an update to the Board when the information becomes available. The Budget Conference Report includes additional funding in the House budget for the cost of competing for K-12 support positions and the additional House Bill (HB) 599 for localities with police departments which was also included in the Senate budget.

The most significant taxing issues this year were equal taxing authority for counties and cities, which has long been a County priority. The final Conference Report for equal taxing authority passed both the House and the Senate on March 9, 2020. Also, significantly, the GA passed on the bus transportation funding legislation that would partially restore funding to the Northern Virginia Transportation Authority. The 2018 GA diverted \$102 million, and \$50 million has subsequently been restored by this year's legislation.

Other significant measures that passed the GA include the County's legislative initiatives: Senate Bill (SB) 868 (Ebbin), which prohibits discrimination on the basis of sexual orientation and gender identity, and SB 651 and SB 652 (Boysko), which relates to the police officer's retirement system. The GA also passed the Virginia Clean Economy Act, Solar Freedom Legislations, and a number of gun-safety measures, including legislation that would allow localities to regulate firearms in government buildings. These substantial changes and many other present an opportunity for Board discussion and consideration.

Supervisor Walkinshaw recognized the Board's legislative staff and thanked the following individuals for their exceptional work during the GA Session:

- Claudia Arko, Legislative Director, Office of the County Executive
- Ellen Volo, Deputy Legislative Director, Office of the County Executive

- Noelle Dominguez, Chief, Coordination and Funding Division, Department of Transportation
- Chris Sigler, Assistant County Attorney, Office of the County Attorney
- Sue Rowland, Contract Lobbyist, Health and Human Services
- Arielle McAloon, Legislative Associate, Office of the County Executive
- Rebecca Chenette, Legislative Assistant, Office of the County Executive

Supervisor Walkinshaw announced that the Legislative Committee meeting previously scheduled for March 13, 2020, had been cancelled.

Supervisor Walkinshaw moved that the Board adopt the 2020 GA Final Legislative Report. Chairman McKay seconded the motion and it CARRIED by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Herrity voting “NAY,” Supervisor Palchik being out of the room.

**EBE:ebe**

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

Chairman McKay called the Board’s attention to Admin 9 - Authorization to Advertise Publication of the Fiscal Year (FY) 2021 Budget and Required Tax Rates, the FY 2021 Effective Tax Rate Increase, and the Advertised Capital Improvement Program for FYs 2021-2025 (With Future FYs to 2030) and announced that it would be considered separately.

Supervisor Gross moved approval of the Administrative Items 1-8. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik being out of the room.

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (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>
Chantilly Crossing and Southgate Center III	Sully	Penrose Place

**ADMIN 2 DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM**

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

- Reza Amirhakimi #143 (Deceased)
- Nicholas Antonopoulos #124 (Retired)
- John Cardenas #311 (Moved out of area)
- Reid Dudley #2 (Retired)
- Peter Gerner #143
- Frank Jett #332 (Moved out of area)
- Jeffrey Lohr #122 (Retired)
- Joseph Mancini #207
- Constantine Mavromatakis #309
- William Schell #183 (Retired)

**ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CREATION AND ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND/OR VACUUM LEAF COLLECTION SERVICES (DRANESVILLE DISTRICT)**

(Rs) (A) Authorized the advertisement of a public hearing to be held before the Board on **May 5, 2020, at 4:00 p.m.** to consider the following changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisor's adopted criteria for the creation of Small or Local Sanitary Districts:

<b><u>Sanitary District</u></b>	<b><u>Action</u></b>	<b><u>Service</u></b>	<b><u>Recommendation</u></b>
Small District 7 Within Dranesville District (Boxwood and Beacon Area)	Enlarge	Refuse, Recycling & Vacuum Leaf	Approve
Small District 9 Within Dranesville District (Haycock Road Area)	Enlarge	Refuse & Recycling	Approve

Small District 11 Within Dranesville District (Cliff Edge Drive Area)	Enlarge	Refuse & Recycling	Approve
Small District 13 Within Dranesville District (El Nido Area)	Enlarge	Refuse & Recycling	Approve
Local District 1-V Within Dranesville District (McLean Manor Area)	Create	Refuse & Recycling	Approve
Local District 1-Y Within Dranesville District (Churchill Area)	Enlarge	Refuse & Recycling	Approve

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CREATION AND DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND VACUUM LEAF COLLECTION SERVICES (LEE DISTRICT)**

(Rs) (A) Authorized the advertisement of a public hearing to be held before the Board on **May 5, 2020, at 4:00 p.m.** to consider the following changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisor's adopted criteria for the creation of Small or Local Sanitary Districts:

<b><u>Sanitary District</u></b>	<b><u>Action</u></b>	<b><u>Service</u></b>	<b><u>Recommendation</u></b>
Local District 1-F Within Lee District (Grayson Street Area)	Create	Refuse, Recycling, & Vacuum Leaf	Deny
Local District 1-B Within Lee District (5402 Hopark Drive)	De-Create/ Re-Create	Refuse, Recycling, & Adding Vacuum Leaf	Approve

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND VACUUM LEAF COLLECTION SERVICES (MASON DISTRICT)**

(Rs) (A) Authorized the advertisement of a public hearing to be held before the Board on **May 5, 2020, at 4:00 p.m.** to consider the following changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisor's adopted criteria for the creation of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 2 Within Mason District (Pleasant Ridge Area)	Enlarge	Refuse, Recycling, & Vacuum Leaf	Approve
Small District 4 Within Mason District (6467 Overlook Drive)	Enlarge	Refuse, Recycling, & Vacuum Leaf	Approve

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND VACUUM LEAF COLLECTION SERVICES (PROVIDENCE DISTRICT)**

(R) (A)

Authorized the advertisement of a public hearing to be held before the Board on **May 5, 2020, at 4:00 p.m.** to consider the following changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board of Supervisor's adopted criteria for the creation of Small or Local Sanitary Districts:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 8 Within Providence District (2421 Williams Avenue)	Enlarge	Refuse, Recycling, & Vacuum Leaf	Approve

**ADMIN 7 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE CONTINUATION OF FUNDING ASSOCIATED WITH THE HEAD START AND EARLY HEAD START GRANT**

Authorized the following:

- The Department of Neighborhood and Community Services to apply for and accept grant funding, if received, from the U.S. Department of Health and Human Services. Funding in the amount of \$9,604,696, including \$1,157,848 in Local Cash Match, will support the continuation of Head Start and Early Head Start services to 658 children and their families. This funding will continue to support 53/45.6 FTE existing grant positions. No new grant positions are being requested with this funding
- The Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into

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

**ADMIN 8 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ASSOCIATED WITH THE EARLY HEAD START CHILD CARE PARTNERSHIP AND EXPANSION GRANT**

Authorized the following:

- The Department of Neighborhood and Community Services to apply for and accept grant funding, if received, from the U.S. Department of Health and Human Services. Funding in the amount of \$1,024,212, including \$181,534 in Local Cash Match, will support the continuation of Early Head Start Child Care Partnership and Expansion services to 56 infants and toddlers and their families. This funding will support 11/11.0 FTE existing grant positions. No new grant positions are being requested with this funding
- The Chairman of the Board of Supervisors, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

**ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLICATION OF THE FISCAL YEAR (FY) 2021 BUDGET AND REQUIRED TAX RATES, THE FY 2021 EFFECTIVE TAX RATE INCREASE, AND THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYS 2021-2025 (WITH FUTURE FYS TO 2030)** (12:15 p.m.)

(NOTE: Earlier in the meeting it was noted that this item would be considered separately. See Clerk's Summary Item CL 10.)

- (A) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board authorize the advertisement of the publication of the FY 2021 advertised Budget; the effective tax rate increase; the advertised CIP; and required tax rates as outlined in Administrative Item 9. This includes the advertisement of a real estate tax rate of \$1.18 per \$100 of assessed value, which would result in a 3 cent increase over the current real estate tax rate of \$1.15 per \$100 of assessed value. Supervisor Alcorn seconded the motion.

Following discussion regarding the advertised tax rate increase, Supervisor Herrity stated that he would not be supporting the motion.

The question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Lusk,

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

KK:kk

11. **A-1 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR RESTON GATEWAY (HUNTER MILL DISTRICT)** (12:20 p.m.)

Supervisor Alcorn moved to defer action on an approval of a parking reduction for Reston Gateway. The motion was multiply seconded, and it carried by unanimous vote.

12. **A-2 – APPROVAL OF CONTRACT AWARD FOR TAX EXEMPT MASTER LEASE AGREEMENT AND OTHER ACTIONS ASSOCIATED WITH AWARD OF THE CONTRACT TO PROVIDE LEASE PURCHASE FINANCING FOR ACQUISITION OF EQUIPMENT** (12:21 p.m.)

On motion by Supervisor Gross, seconded by Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the award and execution of a contract with Banc of America Public Capital Corp substantially in the form of the attached Master Lease Agreement (Attachment 2) with such changes, insertions, and omissions as the County Executive may approve, the execution of the Master Lease Agreement by the Fairfax County Purchasing Agent to be conclusive evidence of the Board’s approval of any such changes, insertions, and omissions therein.

13. **A-3 – APPROVAL OF A RESOLUTION SUPPORTING AN ADDITIONAL PROJECT BEING SUBMITTED TO THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) FOR FY 2021 TO FY 2022 COMMUTER CHOICE FUNDING (PROVIDENCE, DRANESVILLE, AND MASON DISTRICTS)** (12:21 p.m.)

(R) On motion by Supervisor Alcorn, multiply seconded, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Attachment 1, in substantial form, supporting an application by the City of Falls Church for NVTC’s Commuter Choice Program Funds to enhance transit service in the Route 7 corridor between Tysons and the Mark Center in Alexandria.

14. **A-4 – MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF FAIRFAX AND THE ANNANDALE VOLUNTEER FIRE DEPARTMENT (MASON DISTRICT)** (12:22 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the Memorandum of Agreement (Agreement) between the County of Fairfax and the Annandale Volunteer Fire Department (AVFD). The Agreement



provides for conveyance of the West Annandale Fire Station and transfer of property at 8914 Little River Turnpike to the County. The Agreement also defines the financial commitments of the County and the AVFD, the process to design and construct a new county owned and operated fire station and describes the administrative and operational relationships between the County and the AVFD. Chairman McKay seconded the motion.

Discussion ensued with input from Jason Jenkins, Assistant Chief, Personnel Services Bureau, Fire and Rescue Department, regarding the following:

- Identifying a temporary location
- Reduce impact on response time
- Collaboration with the District Supervisor

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

15. **A-5 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM**  
(12:30 p.m.)

On motion by Supervisor Gross, seconded by Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed staff to take the following actions concerning Fairfax County's Disease Carrying Insects Program:

**Mosquitoes, West Nile virus, Zika virus, and Other Mosquito-borne Diseases**

1. Continue to conduct a county-wide mosquito surveillance program.
2. Continue to test mosquitoes for West Nile virus (WNV), Zika virus, and other pathogens as necessary.
3. Continue inspections and larviciding of mosquito breeding areas in the County using appropriate and approved larvicides according to established criteria in as many rounds during the mosquito season as necessary.
4. Continue to conduct an aggressive community outreach and education program to increase County residents' awareness of mosquitoes, West Nile virus, Zika virus, and other mosquito-borne diseases, as well as personal protection and prevention methods.
5. Continue to use adult mosquito control methods as necessary to protect public health.

**Ticks, Lyme disease, and other Tick-borne Diseases**

1. Continue to conduct tick surveillance activities.

2. Continue to test ticks for pathogens, including the bacteria that causes Lyme disease.
3. Continue to conduct a county-wide community outreach and education program to increase County residents' awareness of ticks, Lyme disease, and other tick-borne diseases, as well as personal protection and prevention methods.

#### **Other Disease-transmitting Insects of Public Health Importance**

1. Continue to work with Environmental Health staff to provide information on other disease-transmitting insects of public health importance.

Board action on this item will cover all Disease Carrying Insects Program activities carried out through June 30, 2021.

#.

#### **A-6 – APPROVAL OF THE CALENDAR YEAR 2020 FOREST PEST MANAGEMENT PROGRAM** (12:30 p.m.)

On motion by Supervisor Gross, seconded by Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed staff to take the following actions concerning Fairfax County's Calendar Year 2020 Forest Pest Management Program:

#### **Gypsy Moth**

- a. Continue a monitoring program for life stages of the gypsy moth in all areas of the County.
- b. Continue to conduct an outreach program targeting the tree care industry and residents of the County in monitoring of gypsy moth populations.

#### **Fall Cankerworm**

- a. Continue a monitoring program for all life stages of the fall cankerworm in the County.
- b. Continue fall cankerworm spring defoliation surveys.
- c. Continue to conduct an outreach program to the public on the potential impacts of this pest.

#### **Emerald Ash Borer (EAB)**

- a. Continue to inventory the County for ash resources as well as investigate new control methods for EAB, including the use of biological control.

- b. Continue a control program for this pest on high value ash trees on Fairfax County owned properties. Staff plans to use the trunk injected pesticide Mectinite® (Attachment I) and basal bark trunk spray Safari 20 SG® (Attachment II).
- c. Monitor ash trees that were treated as part of the previous year's program to determine the effectiveness of the control.
- d. Monitor areas where EAB parasitoids were previously released to determine if parasitoids can be recovered. Investigate additional areas that are suitable for parasitoid release.
- e. Continue to implement an extensive outreach program targeting the tree care industry and residents of the County on EAB control methods and removal of dead ash trees.
- f. Coordinate the remediation of damage caused by EAB, including the removal of dead ash trees from County property.

#### **Thousand Canker Disease of Walnut**

- a. Continue to explore the potential impact of this disease that is threatening black walnut (*Juglans nigra*).
- b. Continue to provide outreach opportunities for residents on methods for protecting black walnut trees on their property.
- c. Investigate new control methods for the walnut twig beetle, including the use of biological control.

#### **Sudden Oak Death Disease (SOD)**

- a. Continue to conduct a monitoring program in order to determine if SOD is present in the County.
- b. Continue to update a management plan in the event SOD is discovered in the County.

#### **Hemlock Woolly Adelgid (HWA)**

- a. Continue a control program in naturally occurring stands of eastern hemlock on County and Northern Virginia Regional Park Authority property. Staff has selected sites in the Dranesville and Springfield districts and may provide control at each site. Staff plans to use the soil or trunk injected pesticides IMA-jet® (Attachment III), Safari 20 SG® (Attachment II), and CoreTect® (Attachment IV).

- b. Continue to evaluate hemlock trees that have been treated to determine treatment efficacy and tree health.
- c. Establish partnerships with other local and regional authorities to provide treatment for HWA.
- d. Investigate new control methods for HWA, including the use of biological control.

#### **Asian Longhorned Beetle (ALB)**

- a. Continue to update the long-term management plan for ALB.
- b. Continue to conduct an outreach program in order to educate the public and private industry on the potential impacts of this pest.
- c. Continue to monitor in areas that have been identified as being at high risk for ALB introduction.

#### **Spotted Lanternfly (SLF)**

- a. Continue to monitor scientific research for SLF to determine its impact on trees in the County should it arrive.
- b. Continue to survey all life stages in all areas of the County.
- c. Initiate a County inventory of tree of heaven (*Ailanthus altissima*). Trees found on County property may be treated with an herbicidal treatment of Arsenal (Attachment V), Garlon 3A (Attachment VI) or Garlon 4 (Attachment VII), Milestone (Attachment VIII), and Rodeo (Attachment IX).
- d. Initiate a control program with Merit 2F (Attachment X) and Safari 20 SG (Attachment II), systemic insecticides that deliver insecticides into host trees, or Botinigard (Attachment XI), a contact insecticide, in the event SLF is discovered in the County.
- e. Develop a management plan in the event SLF is discovered in the County.
- f. Continue to conduct an outreach program targeting the tree care industry and residents of the County in monitoring of SLF.

#### **Beech Bark Disease (BBD)**

- a. Initiate a monitoring program for BBD in beech stands on County owned properties.

#### **Beech Leaf Disease (BLD)**

- a. Petition the Commissioner of the Virginia Department of Agriculture and Consumer Services (VDACS) to add BLD to the list of insects and diseases that can be controlled by local service districts.
- b. Initiate a monitoring program for BLD in beech stands on County owned properties.

### **Forest Health Initiative**

- a. Continue to evaluate forest health using data from the i-Tree™ survey conducted in 2017.
- b. Continue to evaluate the soil microbiota and its effects on forest health.

16. **C-1 – APPROVAL OF RESOLUTION AND BYLAWS STATING THE PURPOSES, MEMBERSHIP, AND PROCEDURES OF THE YOUNG ADULTS ADVISORY COUNCIL** (12:32 p.m.)

(BAC) (R) The Board next considered an item contained in the Board Agenda regarding approval of Resolution and Bylaws stating the purposes, membership, and procedures of the Young Adults Advisory Council.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board adopt the Resolution and Bylaws for the Young Adults Advisory Council setting forth the purposes, membership, and initial procedures of this new county advisory group, also known as a Board, Authority, Commission, or Committee (BAC). The motion was multiply seconded, and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

17. **I-1 – CONTRACT AWARD – PSYCHIATRIC SERVICES FOR FIRST RESPONDERS** (12:33 p.m.)

The Board next considered an item contained in the Board Agenda, announcing staff's intent to award the contract to Northern Virginia Psychiatric Group.

**DMS:dms**

### **ADDITIONAL BOARD MATTERS**

18. **REQUEST FOR A PROCLAMATION DESIGNATING APRIL 6-12, 2020, AS “PUBLIC HEALTH WEEK” IN FAIRFAX COUNTY** (12:33 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives from the Fairfax County Department of Health to appear before the Board on

March 24, 2020, to accept a proclamation designating April 6-12, 2020 as “*Public Health Week*” in Fairfax County. Without objection, it was so ordered.

19. **REQUEST FOR A CERTIFICATE OF RECOGNITION FOR THE AMERICAN YOUTH STRING ENSEMBLE AND THE AMERICAN YOUTH PHILHARMONIC ORCHESTRAS** (12:33 p.m.)

Chairman McKay asked unanimous consent that the Board direct staff to invite representatives from the American Youth String Ensemble and the American Youth Philharmonic Orchestras to appear before the Board to be recognized for their success at the National Orchestra Festival in Orlando over the weekend, in which they were named as Grand Champions in the Middle School Division. Without objection, it was so ordered.

20. **TURNING POINT SUFFRAGIST MEMORIAL** (12:34 p.m.)

Jointly with Supervisor Storck, Chairman McKay stated that as the Board is aware, construction on the country’s first memorial dedicated to the courage of suffragists and the Suffrage Movement is underway at Occoquan Regional Park.

The Turning Point Suffragist Memorial will be a garden-style memorial with 19 different informational and interactive stations, symbolic of the 19th amendment, designed to tell the history of the Suffrage Movement.

It takes its name from a dramatic period in the suffragist campaign, when women arrested for picketing the White House for the right to vote were imprisoned in the Occoquan Workhouse (later known as the Lorton Reformatory) and subject to brutal and humiliating treatment by the prison guards.

This year, on the centennial anniversary of the passage of the 19th Amendment, the Turning Point Suffragist Memorial is scheduled to open on August 26, 2020, with national attention. However, initial construction bids have come in significantly over budget and the project now faces uncertainties as critical funding is needed to complete the work.

Previously, the Board contributed \$200,000 as part of the FY 2018 Third Quarter Review. Although staff is still developing the FY 2020 Third Quarter package, which will come to the Board for advertisement on March 24, 2020, and which the Board will discuss at an upcoming Budget Committee meeting on March 31, 2020, funding concerns need to be raised with the Board now and ensure staff is aware of the need for additional funding for this important memorial.

Therefore, jointly with Supervisor Storck, Chairman McKay moved that the Board place a request of \$600,000 for the Turning Point Suffragist Memorial on its Consideration Items list for potential Third Quarter funding. Supervisor Storck seconded the motion and it carried by unanimous vote.

21. **REQUEST FOR A CERTIFICATE OF RECOGNITION FOR SECRETARY ANNE HOLTON** (12:36 p.m.)

Jointly with Supervisor Walkinshaw, Chairman McKay stated that George Mason University (GMU) recently announced the selection of its eighth president, Gregory Washington, who will begin in July. The University's interim President Anne Holton was selected in June 2019 and was the first woman to serve in the position.

Secretary Holton served as the Virginia Secretary of Education under Governor McAuliffe from 2014-2016, where she worked to increase investment in Virginia's public education, promoted innovation in education and learning, and ensured all students had a pathway to success. She has worked as a visiting professor at Mason's Schar School of Policy and Government and the College of Education and Human Development. Secretary Holton was also the former First Lady of Virginia.

George Mason University is a great partner with the County. In January, a dual enrollment program was created with GMU, Northern Virginia Community College, and Mount Vernon High School. The project will bring affordable higher education access to the Route One Corridor. Equitable access to public education is a priority the Board shares with Secretary Holton.

Therefore, jointly with Supervisor Walkinshaw, Chairman McKay asked unanimous consent that the Board direct staff to invite Secretary Anne Holton to appear before the Board on May 19, 2020, to accept a proclamation commending her service as interim President of George Mason University. Without objection, it was so ordered.

22. **PLANNING FOR A FUTURE ANNUAL HOUSING SUMMIT** (12:37 p.m.)

Jointly with Supervisor Foust, Chairman McKay stated that the Department of Housing and Community Development, Department of Economic Initiatives, and the George Mason University School of Business will host the 2020 Housing Challenge on March 11, 2020, and it will bring together students, residents, industry professionals, housing advocates, and policy experts and provide solutions for enhanced home affordability, particularly for those earning low to moderate incomes.

The three focus areas of the challenge are:

- Communications: Enhancing Public Awareness and Support for Affordable Housing
- Partnerships: Engaging Employers and Non-Traditional Partners in Providing Affordable Housing

- Faith Communities: Facilitating their Participation in the Affordable Housing Solution

Chairman McKay stated that he is looking forward to speaking at the event and highlighting the Board's commitment to growing the County's affordable housing options.

Recognizing that commitment, and knowing that the Board has much more planned to increase the number of affordable units available in each magisterial district, it is critical that a Housing Summit is hosted yearly in order to engage all stakeholders, discuss trends and policies, and highlight what is being done locally.

Therefore, jointly with Supervisor Foust, Chairman McKay moved that the Board direct the Department of Housing and Community Development, alongside other relevant County agencies, to begin planning a future annual Housing Summit beginning next year. Supervisor Lusk seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

23. **LAND USE REFORM INITIATIVES AND AFFORDABLE HOUSING**  
(12:38 p.m.)

Jointly with Chairman McKay and Supervisor Lusk, Supervisor Alcorn stated that last year in the FY 2020 budget markup, the Board gave direction to staff on a number of affordable housing issues, including development of a package of innovative land use policies to further facilitate the development of affordable housing beyond the stated goal of 5,000 units. Several of those land use reforms are now in process. At the Board's Health, Housing and Human Services Committee meeting in September 2019, the Board was advised that an update on those reforms would be brought forward at the next Committee meeting. This update was deferred to the new Board in order to facilitate the prioritization of the remaining land use reform initiatives identified in the 2019 Affordable Housing Resources Panel (AHRP) recommendations.

Therefore, jointly with Chairman McKay and Supervisor Lusk, Supervisor Alcorn moved that the Board direct staff, in conjunction with Supervisor Foust, Chair of the Housing Committee, to present a status update and method for prioritization of these potential reforms for Board discussion at a future Housing Committee meeting. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

24. **COUNTYWIDE ANTI-HUMAN TRAFFICKING COORDINATION TO ADDRESS ILLICIT MESSAGE BUSINESSES (IMBS) AND THEIR VICTIMS** (12:39 p.m.)

Jointly with Supervisor Alcorn and Supervisor Lusk, Supervisor Herrity stated that human trafficking is a horrific crime that is nefarious in the many forms it



takes. Illicit massage businesses (IMBs) are one of the largest forms of trafficking in the United States. These IMBs hide in plain sight in strip malls and business parks among legitimate businesses. It is estimated that there are 9,000 to 10,000 IMBs in the United States, with Virginia ranking in the top ten states with the highest number of IMBs.

County staff and nonprofit partners, including the Northern Virginia Human Trafficking Initiative (HTI) and Heyrick Research, have gathered critical information regarding the scope of IMBs in Fairfax County and their operations. According to research from these sources there are more 100 IMBs with a potential of over 170 victim workers in Fairfax County alone. The continued existence of these businesses is simply unacceptable and just a piece of the human trafficking that exists in the County. While conducting its usual fire code and violation inspections, the Fairfax County Fire and Rescue, Special Investigations Unit, has gathered and brought particularly valuable information to light regarding the operations of these IMBs that further magnifies the extent of the IMBs and the impact on the safety of those being trafficked. The Police Department and Licensing and Regulations Branch, which licenses and regulates massage businesses in the County, also have gathered information on the operations of these illicit businesses.

During multiple meetings with various staff, the most common feedback on this issue is the need for a more coordinated approach to stop human trafficking, and more specifically in addressing IMBs. In addition to sharing resources and information between departments, feedback has been received on the need to strengthen the County's massage regulation ordinance that appears weak compared to other jurisdictions. The possible strengthening of this ordinance and increasing enforcement of other County policies and requirements, presents an opportunity to close the loopholes IMBs are taking advantage of while making sure an unnecessary burden is not placed on the many legitimate massage businesses that also operate in Fairfax County.

The County also needs to address and support of the victims of human trafficking. Any efforts of the County to address IMBs should include a plan to help the victims. Our non-profit community will be helpful in this effort.

There are many jurisdictions that have significantly reduced or eliminated the presence of IMBs in their communities, including Washington, DC; Kent, WA; Aurora, CO; and San Jose, CA. It is possible to close these IMBs in Fairfax County and sustain a non-permissive environment so they can't exist here again.

Therefore, jointly with Supervisor Alcorn and Supervisor Lusk, Supervisor Herrity moved that the Board direct the County Executive to convene a working group with staff from the Health Department, Fire and Rescue Department, Police Department, Department of Licensing and Regulations, Department of Tax Administration, Domestic and Sexual Violence Services, Department of Code Compliance, the County Attorney's Office, as well as nonprofit partners to develop a coordinated plan to address IMBs and other forms of human trafficking

in Fairfax County by creating a non-permissive environment. Jointly with Supervisor Alcorn and Supervisor Lusk, Supervisor Herrity further moved that this plan be used to provide a platform for information sharing and a review of possible changes to coordinate revision of the County's ordinance regulating massage businesses and relevant County Code requirements. The plan should be reported back to the Board at a Public Safety Committee meeting in the next six months. Supervisor Lusk seconded the motion.

Discussion ensued with input from Bryan Hill, County Executive, regarding the following:

- Staff time and budgetary implications
- Current regulatory limitations
- Need for better information and resource sharing and a stronger ordinance
- Presenting the findings and what's currently being done to the Board prior to any action taking place
- Current police investigations into IMBs
- Who the nonprofit partners would be and the selection method for inclusion

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

25. **2020 FAIRFAX COUNTY TEEN JOB FAIRS** (12:57 p.m.)

Supervisor Herrity announced that two teen job fairs were recently held on March 7, 2020. He stated that additional ones will be held on March 24, 2020, at Chantilly High School, March 21, 2020, at Mount Vernon High School, and March 28, 2020, at West Springfield High School. He encouraged the community to attend the events.

26. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR ANTHONY MATRIN, W.T. WOODSON HIGH SCHOOL WRESTLER** (12:58 p.m.)

Jointly with Supervisor Palchik and Supervisor Herrity, Supervisor Walkinshaw stated that Anthony Martin is an incredibly talented wrestler who embodies the spirit of perseverance. Serving as Captain of W.T. Woodson High School's wrestling team for 3 years, Mr. Martin has demonstrated resilience and leadership after suffering a defeat in last year's championship match. With hard work, hours of training, and dedication to the sport, Mr. Martin came back and clinched a hard-fought victory, winning this year's Virginia's 132lb State Tournament, thus becoming the only wrestler in W.T. Woodson High School's history to win 4-district championships and a State title. After graduation, Mr. Martin plans to

continue his education by becoming a cadet in the United States Coast Guard Academy. On behalf of the Board, Supervisor Walkinshaw congratulated him on his many accomplishments and stated that he looks forward to his future successes.

Therefore, jointly with Supervisor Palchik and Supervisor Herrity, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to invite Anthony Martin along with the coaching staff, to appear before the Board to be presented with a Certificate of Recognition at a future Board meeting in honor of his superior achievement. Without objection, it was so ordered.

27. **REQUEST TO PUBLICIZE THE MOUNT VERNON IDES OF BARK FESTIVAL AT GRIST MILL PARK** (12:59 p.m.)

Supervisor Stork announced that on March 29, 2020, the Mount Vernon District and the Fairfax County Park Authority will be hosting the annual Ides of Bark Dog Festival from 1:00-4:00 p.m. at Grist Mill Park. This year, participants will receive many treats from local canine businesses, watch demonstrations by the Fairfax County Police Canine Unit, learn pet care and pet CPR from pet technicians, and even have the opportunity to participate in a canine obstacle course. A special guest host this year, 98.7 WMZQ, will play music and give out prizes to make for a really great day with our furry, four legged friends.

This amazing community event could not happen without the incredible support of the Fairfax County Park Authority, Fairfax County Police Department, Fairfax County Fire Department, local animal organizations and many wonderful vendors.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to publicize and promote the Ides of Bark Festival. Without objection, it was so ordered.

28. **MASON DISTRICT BUDGET TOWN HALL MEETING** (1:00 p.m.)

Supervisor Gross announced that there will be a Mason District Town Hall meeting on March 12, 2020, at 7:00 p.m. at Mason District Governmental Center and she invited the community to attend.

29. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (1:00 p.m.)

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

30. **NO BOARD MATTERS FOR SUPERVISOR LUSK (LEE DISTRICT)** (1:00 p.m.)

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

31. **PROVIDENCE DISTRICT TOWN HALL MEETING** (1:01 p.m.)

Supervisor Palchik announced that there will be a Providence District Town Hall meeting on March 21, 2020, at 2:00 p.m. at Providence Community Center and she invited the community to attend.

32. **GUIDANCE FROM HEALTH DEPARTMENT REGARDING COMMUNITY MEETINGS** (1:01 p.m.)

(NOTE: Earlier in the meeting, the Board received a presentation regarding the Coronavirus. See Clerk's Summary Item CL 8.)

Supervisor Palchik requested that the information shared earlier by the Health Department regarding the Coronavirus and the Health Department's recommendations regarding community meetings be shared with the Board and community.

33. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR CHANTILLY HIGH SCHOOL, MCLEAN HIGH SCHOOL, AND THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY** (1:01 p.m.)

Jointly with Supervisor Foust, Supervisor Herrity, and Supervisor Gross, Supervisor Smith stated that the Journalism Education Association (JEA) with representatives from the National Scholastic Press Association (NSPA), and the Quill and Scroll International Honorary Society recently named Chantilly High School, McLean High School, and Thomas Jefferson High School for Science and Technology, recipients of the 2020 First Amendment Press Freedom Award. The three schools are among the nine schools from across the United States to receive this award and this is the sixth consecutive year that Chantilly High School has received this recognition, and the fourth award for McLean High School.

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

Therefore, jointly with Supervisor Foust, Supervisor Herrity, and Supervisor Gross, Supervisor Smith asked unanimous consent that the Board direct staff to invite representatives from Chantilly High School, McLean High School, and Thomas Jefferson High School for Science and Technology and the journalism students from the respective schools to appear before the Board to be presented with a Certificate of Recognition at a future board meeting in honor of their superior achievement. Without objection, it was so ordered.

34. **INTER TO DEFER THE PUBLIC HEARINGS ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-D-007-02 AND SPECIAL EXCEPTION APPLICATION SE 2019-DR-012 MILESTONE**

**TOWER LIMITED PARTNERSHIP IV D/B/A MILESTONE: FAIRFAX COUNTY SCHOOL BOARD** (1:03 p.m.)

Supervisor Foust announced his intent, later in the meeting, at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 89-D-007-02 and Special Exception Application Se 2019-DR-012.

(NOTE: Later in the meeting, this item was formally deferred. See Clerk's Summary Item CL 39.)

**AGENDA ITEMS**

35. **RECESS/CLOSED SESSION** (1:04 p.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 § 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 § 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 § 2.2-3711(A) (7).
1. *Jennie Klenner v. Fairfax County Government*, Case No. CL-2019-0005281 (Fx. Co. Cir. Ct.)
  2. *Carolyn J. Harris v. Darnell Sibert*, Case No. GV19-029549 (Fx. Co. Gen. Dist. Ct.)
  3. *Anna Elena Gordon, by GEICO, subrogee v. Kevin Lee Keyes*, Case No. GV20-001213 (Fx. Co. Gen. Dist. Ct.)
  4. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Walter R. Mahler and Shyamala K. Mahler*, Case No. CL-2019-0015999 (Fx. Co. Cir. Ct.) (Dranesville District)

5. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Hsing-Cheng Chen and Marina L. Chen*, Case No. CL-2016-0014720 (Fx. Co. Cir. Ct.) (Dranesville District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Christopher M. Castle and Susan G. Castle*, Case No. GV19-023078 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Natalie S. Wozniak*, Case No. CL-2019-0009693 (Fx. Co. Cir. Ct.) (Hunter Mill District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Harry Marshall Studds*, Case No. CL-2018-0007593 (Fx. Co. Cir. Ct.) (Lee District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Carlos Cadima*, Case No. CL-2018-0012765 (Fx. Co. Cir. Ct.) (Mason District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Iftikhar Khan*, Case No. CL-2019-0003971 (Fx. Co. Cir. Ct.) (Mason District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ahora Company, L.C., and Peenong, LLC, d/b/a Thai Herb a/k/a El Patio*, Case No. CL-2019-0017133 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mahlon C. Hawker*, Case No. CL-2019-0015198 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Hausenfleck and Susan Brassfield-Hausenfleck*, Case No. CL-2019-0014369 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Board of Supervisors of Fairfax County and William Hicks, Director, Fairfax County Department of Land Development Services v. Charles J. Barber, Sr., Living Trust*, Case No. CL-2020-0002173 (Fx. Co. Cir. Ct.) (Springfield District)

And in addition:

- As permitted by Virginia Code Section 2.23711(A)(7) and (8), legal briefing regarding the following:

- a. *Bruce & Tanya and Associates, Inc. v. Board of Supervisors and others, Fourth Circuit Court of Appeals Record Numbers 19-1151(L) and 191153 XAP, and the related case of Board of Supervisors of Fairfax County, Virginia v. Bruce & Tanya & Associates, Inc., Fairfax County Circuit Court Case Number CL-2016-16846*
- b. *Violeta Peith v. Fairfax County Park Authority and others, Fairfax County Circuit Court Case Number CL-2019-0011752*

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

At 4:02 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

### **ACTIONS FROM CLOSED SESSION**

36. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:02 p.m.)

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

37. **MOTION REJECTING THE DEMAND OF VIOLETA PEITH V. FAIRFAX COUNTY PARK AUTHORITY AND OTHERS** (4:03 p.m.)

Supervisor Herrity moved that the Board of Supervisors reject the demand received in the litigation pending in the Fairfax County Circuit Court styled *Violeta Peith v. Fairfax County Park Authority and others*, Case Number CL-2019-0011752 in accordance with the discussion held with the County Attorney in Closed Session. Chairman McKay seconded the motion and it carried by unanimous vote.

38. **MOTION DECLINING BRUCE & TANYA & ASSOCIATES' SETTLEMENT OFFER AND AUTHORIZING TERMS OF SETTLEMENT** (4:03 p.m.)

Supervisor Herrity moved that the Board of Supervisors decline the settlement offer proposed by Bruce & Tanya & Associates, Inc., regarding the cases of *Bruce & Tanya & Associates, Inc. v. Board of Supervisors of Fairfax County, et al.*, Record No. 19-1151(L), 19-1153 XAP (4th Cir. Ct. App.) and *Board of*

*Supervisors of Fairfax County, Virginia v. Bruce & Tanya & Associates, Inc.*, CL-2016-16846 (Fx. Cty. Cir. Ct.), and authorized settlement according to the terms and conditions outlined by the County Attorney in Closed Session. Chairman McKay seconded the motion and it carried by unanimous vote.

**KK:kk**

39. **3:30 P.M. - PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-D-007-02 (MILESTONE TOWER LIMITED PARTNERSHIP IV D/B/A MILESTONE; FAIRFAX COUNTY SCHOOL BOARD) TO AMEND THE PROFFERS FOR REZONING APPLICATION RZ 89-D-007, PREVIOUSLY APPROVED FOR PUBLIC USES TO PERMIT A TELECOMMUNICATIONS FACILITY AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 0.24, LOCATED ON APPROXIMATELY 40.68 ACRES OF LAND ZONED R-3**

**AND**

**PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2019-DR-012 (MILESTONE TOWER LIMITED PARTNERSHIP IV D/B/A MILESTONE; FAIRFAX COUNTY SCHOOL BOARD) TO PERMIT A TELECOMMUNICATIONS FACILITY, LOCATED ON APPROXIMATELY 40.68 ACRES OF LAND ZONED R-3 (DRANESVILLE DISTRICT) (4:04 p.m.)**

(NOTE: Earlier in the meeting, Supervisor Foust announced his intent to defer the public hearing. See Clerk's Summary Item CL 34.)

Supervisor Foust moved to defer the public hearing on Proffered Condition Amendment Application PCA 89-D-007-02 and Special Exception Application SE 2019-DR-012 until **March 24, 2020 at 4:30 p.m.** Supervisor Lusk seconded the motion and it carried by unanimous vote.

40. **4 P.M. - PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE TO ESTABLISH THE LINDSAY PARK COMMUNITY PARKING DISTRICT (BRADDOCK DISTRICT) (4:05 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 21 and 28, 2020.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Walkinshaw moved adoption of the proposed amendment to Appendix M, of *The Code of the County of Fairfax, Virginia*, establishing the Lindsay Park Community Parking District (CPD).



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

41. **BOARD ADJOURNMENT** (4:08 p.m.)

The Board adjourned.