



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
May 18, 2021**

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).

12-21

KK:kk

A regular meeting of the Board of Supervisors was called to order at 1 p.m. and was conducted wholly electronically using Fairfax County's videoconferencing system because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. The meeting was accessible to the public through live broadcast on Channel 16, live video stream, and live audio. Chairman McKay presided over the meeting and participated with Supervisor Penelope A. Gross, Mason District, at the Government Center and the following Supervisors participated remotely from their respective District Offices:

- Supervisor Walter L. Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor 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 for the Board of Supervisors; Ekua Brew-Ewool, Emily Armstrong, and Kecia Kendall, Deputy Clerks, Department of Clerk Services.

BOARD MATTERS

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

Chairman McKay stated that the Board is again meeting virtually. The Board is planning to return to in person meetings on May 25, 2021, for Committee Meetings, and on June 8, 2021, for Board Meeting in the Board Auditorium.

He stated that because most members of the Board are participating in the meeting from his or her respective Board office, it must be verified that a quorum of Members is participating and that each Member's voice is clear, audible, and at an appropriate volume for all of the other Members. Therefore, Chairman McKay conducted a roll call and asked each Member to confirm that they could hear each other's voices.

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

Chairman McKay moved that the Board:

- Certify that the declared State of Emergency caused by the COVID-19 outbreak makes it unsafe or impractical for speakers, staff, applicants, and the public to attend this meeting in person, and that as such, an in-person meeting cannot be implemented safely or practically.
- Conduct this meeting electronically through a dedicated video conference line, and that the public may access this meeting via simultaneous telecast on Channel 16, or video streaming, or hear a live audio feed of the meeting by dialing 703-324-5300, and the public may participate in public hearings by established phone lines, YouTube submissions, or through written testimony.

Vice-Chairman Gross seconded the motion and it carried by a vote of nine, Supervisor Herrity voting "NAY."

Chairman McKay further moved that the Board certify that all matters on the agenda today concern the emergency, and/or are related to ensuring continuity in Fairfax County government under the Ordinance adopted by the Board on April 14,

2020, and/or this meeting's purpose is to discuss or transact the business statutorily required or necessary to continue operations of the Board and the discharge of the Board's lawful purposes, duties, and responsibilities. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

2. **MOMENT OF SILENCE** (1:06 p.m.)

Chairman McKay stated that:

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

The Board asked everyone to keep in thoughts the family and friends of the following people who died recently:

- Jim Southworth, who was an active member of his community, a civic leader, 2010 Citizen of the Year, producer of Inside Scoop and Board member of Fairfax Public Access
- Lorraine Franklin, mother of Supervisor Smith, Sully District
- Jeane Brockway, who served on hospital, election, and State Transportation and Planning Committee Boards
- Marvin Weissberg, Founder, Weissberg Investment Corporation - building many shopping centers and communities in the County. The Weissberg Company was also a partner in the southeast quadrant of the Mason District
- Dr. Joseph Sirh, who was a Senior Resident at Johns Hopkins University. He was also a member of the Clifton Lions Club, Fairfax Rotary Club, and the Knights of Columbus
- Edward Heberg, who served as President of the Friends of Great Falls Freedom Memorial for many years and was an understated leader in his community

AGENDA ITEMS**EBE:ebe****3. 1 P.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS (BACs) AND ADVISORY GROUPS (1:14 p.m.)**(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard May 18, 2021.” Chairman McKay seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Deborah A. Woolen as the Lee District Representative

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

ADVISORY PLANS EXAMINER BOARD

Confirmation of:

- Mr. Shahab Baig as the County Employee Representative
- Mr. James H. Scanlon as the Professional Engineer/Surveyor #3 Representative
- Mr. Jeffrey J. Stuchel as the Professional Engineer/Surveyor #1 Representative

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Mr. Saud Hasan Shah as the Lee District Representative

Confirmation of:

- Mr. Andre Lee as the City of Fairfax Representative

The Board deferred the appointments of the Mount Vernon and Providence District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

Confirmation of:

- Ms. Morgan Jameson as the Federation of Citizens Associations Representative

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

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

ATHLETIC COUNCIL

Appointment of:

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

Reappointment of:

- Ms. Lisa MicKey as the Lee District Principal Representative

The Board deferred the appointments of the Dranesville District Alternate and Principal, and Mason District Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Appointment of:

- Mr. Saud Hasan Shah as the Lee District Representative

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

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

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

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Mason District Representative.

CIVIL SERVICE COMMISSION

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

COMMUNITY ON AGING

Reappointment of:

- Ms. Catherine S. Cole as the At-Large Chairman's Representative
- Mr. Michael Perel as the Braddock District Representative
- Ms. Kay Larmer as the Dranesville District Representative
- Mr. Thomas B. Bash as the Springfield District Representative

The Board deferred the appointment of the Providence District Representative.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Appointment of:

- Ms. Michele Hymer Blitz as the At-Large Chairman's Representative

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

CONSUMER PROTECTION COMMISSION

The Board deferred the appointments of the Fairfax County Resident #7 and #13 Representatives.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Appointment of:

- Mr. Jay Moore as the Hunter Mill District Representative

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II

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

ECONOMIC ADVISORY COMMISSION

Appointment of:

- Mr. Frank Woodruff as the Lee District Representative

Confirmation of:

- Mr. Edward V. Zaptin as the National Association of Industrial and Office Properties Representative
- Ms. Kristina Francis as the At-Large #19 Representative

The Board deferred the appointment of the Mason District Representative.

ENGINEERING STANDARDS REVIEW COMMITTEE

The Board deferred the appointments of the Citizen #2 and #4 Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

Appointment of:

- Ms. Diane Monnig as the Providence District Representative

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

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Mr. Stephen Morrison as the Advocacy Organizations #2 Representative
- Ms. Doris Ray as the Advocacy Organizations #3 Representative
- Ms. Karen McPhail as the Advocacy Organizations #4 Representative
- Ms. Diane Watson as the Community/Religious Leaders #2 Representative
- Mr. Ron Wiersma as the Community/Religious Leaders #4 Representative
- Mr. Ralph N. Cagle, Jr. as the Community/Religious Leaders #6 Representative
- Mr. Charles C. Thornton, Jr. as the Constituents/Consumer #1 Representative
- Ms. Dorothy Keenan as the Constituents/Consumer #3 Representative
- Mr. Thomas B. Bash as the Disability Services Board Representative
- Dr. Megumi Inoue as the Educational Organizations #3 Representative
- Ms. Jennifer L. Disano as the Educational Organizations #4 Representative
- Ms. Nancy Cromwell Scott as the Fairfax-Falls Church CSB Representative
- Ms. Joan Thomas as the Falls Church City Representative
- Ms. Ellyn L. Crawford as the Health Care Advisory Board #1 Representative

- Ms. Patricia Dunn Williams as the Long Term Care Providers #1 Representative
- Ms. Judy Seiff as the Long Term Care Providers #3 Representative
- Ms. Sharon F. Canner as the Long Term Care Providers #4 Representative
- Ms. Mary Jayne Panek as the Long Term Care Providers #5 Representative
- Ms. Christine D. Clark as the Long Term Care Providers #6 Representative
- Dr. Heisung Lee as the Long Term Care Providers #8 Representative
- Ms. Robin McGlothin as the Long Term Care Providers #10 Representative
- Ms. C. Courtney Hutson Nuzzo as the Long Term Care Providers #11 Representative
- Ms. April Lyn Pinch-Keeler as the Long Term Care Providers #13 Representative
- Ms. Ayeshia Quainoo-Tefera as the Long Term Care Providers #14 Representative
- Ms. Marie J. Woodard as the Long Term Care Providers #21 Representative
- Ms. Cheryl Lynn Maloney Rodakowski as the Long Term Care Providers #31 Representative
- Ms. Loretta Williams as the Long Term Care Providers #33 Representative
- Ms. Linda McKoy Watkins as the Medical Community #1 Representative
- Dr. Terence McCormally as the Medical Community #3 Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Re-nomination of:

- Ms. Daria Akers as the At-Large Chairman's Representative
- Ms. Karen Abraham as the Braddock District Representative
- Ms. Bettina Lawton as the Hunter Mill District Representative
- Ms. Larysa M. Kautz as the Lee District Representative

Nomination of:

- Ms. Diana Delvalle Rodriguez as the At-Large #4 Representative

(The Board is scheduled to take action on these appointments on June 22, 2021.)

HEALTH CARE ADVISORY BOARD

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

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #2 Representative.

HISTORY COMMISSION

The Board deferred the appointments of the Citizen #4 and Historian #1 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the and Sully District Representative.

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

POLICE CIVILIAN REVIEW PANEL

The Board deferred the appointment of the Seat #2 Representative.

REDEVELOPMENT AND HOUSING AUTHORITY

Reappointment of:

- Ms. Kristen Robinson as the At-Large #2 Representative
- Mr. Richard Kennedy as the Hunter Mill District Representative

Appointment of:

- Ms. Elisabeth Lardner as the Mount Vernon District Representative

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointments of the Commercial or Retail Ownership #2, Reston Chamber of Commerce lessees on Non-Residential Space, Residential Owners and HOA/Civic Association #2 and #3 Representatives.

ROAD VIEWERS BOARD

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

SMALL BUSINESS COMMISSION

Appointment of:

- Mr. Melvin Murphy as the Providence District Representative

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Confirmation of:

- Mr. Anthony Aviles as the Reston Association #3 Representative

TENANT LANDLORD COMMISSION

Appointment of:

- Ms. Perez Otonde as the Tenant Member #2 Representative

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

TREE COMMISSION

Appointment of:

- Ms. Cindy Speas as the At-Large Chairman's Representative

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointments of the Commercial or Retail Ownership #3 and the Providence District #2 Representatives.

WETLANDS BOARD

Reappointment of:

- Ms. Anita Van Breda as the At-Large #2 Representative

YOUNG ADULTS ADVISORY COUNCIL

Appointment of:

- Ms. Dini M. Mohamud as the Mason District Representative

DMS:dms

BOARD MATTERS

4. **HOSPITALITY INDUSTRY RECOVERY PROCESS** (1:15 p.m.)

Chairman McKay stated that in May 2020, the Board passed an emergency ordinance, later replaced by a regular ordinance, providing flexibility to the restaurants and fitness/exercise facilities so that they could more easily pivot their services and operations in response to COVID-19 restrictions. In particular, the County saw many restaurants survive despite incredible odds thanks to their ability to expand outdoor dining and take out services. Nevertheless, the hospitality industry has been particularly hard hit by the pandemic.

Now, the local hospitality businesses are moving into a recovery phase, and the County is seeing social gathering and distancing restrictions loosened in response to updated Center for Disease Control (CDC) guidance. As the County enters this next phase of the COVID-19 pandemic and indoor activities become more feasible for businesses impacted by COVID-19, the Board needs to ensure that the County is ready to help these business owners navigate how to again shift their service delivery models.

Considerations for the hospitality industry in this recovery stage includes everything from continued expanded outdoor dining, to adjusting indoor configurations to address the health and safety of staff and customers, to

considering allowable activities for the various business sectors. There are many factors to work through, and the Board wants to ensure that the business community can shift to this next phase in a way that is safe, efficient, and within County code.

In addition, in response to an initiative the Chairman stated that he brought to the Board last year, the General Assembly passed legislation that will soon become law to allow emergency provisions to remain in effect for a year after the end of the declaration of the emergency versus the previous 6-month limitation. Thanks to this County initiative, localities across Virginia can now take advantage of this flexible timeline for emergency provisions brought forward as a response to COVID-19.

Jointly with Supervisor Foust, Chairman McKay stated that he has two motions to assist with this recovery process. The first will address the internal development and building plan review process, and the second will allow the County to take advantage of recent action by the General Assembly.

Therefore, jointly with Supervisor Foust, Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board:

- Direct staff from the agencies involved in the development process to implement a plan that would assist the hospitality industry. This plan should triage businesses working to reconfigure their spaces based on changing COVID-19 guidelines so that they can get through the land use process swiftly and efficiently
- Direct the staff to return to the Board with amendments to the previously adopted Ordinance to reflect the expended timeframe granted by the General Assembly as well as any other changes to the Ordinance that would be appropriate to assist our hospitality industry

Supervisor Foust and Supervisor Smith jointly seconded the motion.

Following discussion regarding examining ways to determine how to get employees back in their former positions, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

5. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(1:27 p.m.)

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

6. **CERTIFICATE OF RECOGNITION REQUEST FOR MELANIE WALKER** (1:28 p.m.)

Supervisor Walkinshaw stated that Robinson Secondary School Junior Melanie Walker is a talented and ambitious golfer who has achieved impressive results both on and off the green. Having already participated in over 100 tournaments, Melanie has consistently improved herself. Her scores from 2018 through today are impressive, as well as her commitment to teamwork and academic achievement. On April 25, 2021, at the Heritage Oaks Golf Course in Harrisonburg, Melanie competed in the Girls State Open, winning that competition by shooting a 4-under-par 66, coming out ahead by five strokes. This victory makes Melanie one of three Fairfax County Public School individuals who won Virginia High School League championships this year. The Board congratulates her on her many accomplishments and look forward to her future successes.

Therefore, jointly with Supervisor Herrity, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition for Melanie Walker, along with the coaching staff, and invite them to appear for a presentation and recognition outside of the Board Room. Without objection, it was so ordered.

7. **PROCLAMATION REQUEST DESIGNATING JUNE 1, 2021 AS “SOLDIERS OF HOWREY FIELD PARK DAY”** (1:29 p.m.)

Supervisor Walkinshaw stated that on June 1, 1967, six young soldiers from the 77th Engineer Port Construction Company stationed at Fort Belvoir died while working on a community service project to help build the Howrey Field Athletic Complex. The six young soldiers died when a flagpole they were erecting was hit by a gust of wind and contacted a high voltage power line. They had been assigned to the project as part of Fort Belvoir’s community assistance program, working to provide a baseball field for the local Little League. All the men were under 25 years of age. The soldiers’ names were:

- PVT. Paul D. Briggs (Waco, TX)
- PVT. Anthony B. Evans (Uniontown, PA)
- PFC. Marvin D. Harrison (Jacksonville, FL)
- PVT. Charles R. Oliver (Vermillion, OH)
- SPC. 4 Kenneth G. Steiner (St. Anne, MO)
- PVT. Charles M. Whaley (Aberdeen, OH)

In remembering this tragic accident, the Board acknowledges the ultimate sacrifice that these soldiers made in service to their country while on the home front. Their work exemplifies the spirit of volunteerism that helped make the County a great

place to live, work and play. Howrey Field has served generations of residents from the County, and for that, the Board is thankful to these six soldiers.

Therefore, jointly with Chairman McKay, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to prepare a proclamation designating June 1, 2021, as “*Soldiers of Howrey Field Park Day*” in honor of the six men who died while helping to provide the athletic fields which continue to benefit the community, and that a presentation be made either in or out of the Board Auditorium, as appropriate. Without objection, it was so ordered.

8. **RESOLUTION REQUEST IN RECOGNITION FOR THE 50TH ANNIVERSARY OF THE FIRST PERFORMANCE AT THE FILENE CENTER** (1:34 p.m.)

Supervisor Foust stated that this year marks the 50th anniversary of the first performance at the Filene Center, located in the Wolf Trap National Park for the Performing Arts, known affectionately as simply Wolf Trap.

Millions of people of all ages have enjoyed performances at Wolf Trap because of the generosity and vision of Catherine Filene Shouse, who by 1956 had acquired 168 acres of land in the County. The land was used as a family farm and a place to breed horses and dogs as well as a respite from the Shouse home in Georgetown. As roads and suburbs began to encroach her land, Ms. Shouse had the forethought to preserve the family farm as a park.

In 1966, Congress accepted her generous gift of 100 acres for the Filene Center, (named in honor of her parents), and authorized the Wolf Trap Farm Park as the first national park for the performing arts.

In 1968, the Wolf Trap Foundation for the Performing Arts was incorporated. The inaugural performance was held on July 1, 1971 and featured such prominent performers as Van Cliburn. Since that date, concerts at Wolf Trap have helped define the summer for generations of music lovers.

Wolf Trap is a partnership and collaboration of the National Park Service and the Wolf Trap Foundation. National Park Service (NPS) staffs and operates the park grounds; the Foundation produces and presents the performance and educational programs.

In 1981, Ms. Shouse donated two historic barns that she had brought to Virginia from New York and had rebuilt to accommodate smaller performances. Under management of the Foundation, the buildings are used for The Barns at Wolf Trap, which operates year-round, and the Wolf Trap Opera, a venue for young aspiring opera singers. The Foundation also conducts many educational programs including Early Learning Through the Arts, a nationally recognized college internship

program, and the Children's Theatre-in the Woods performance center held from late June through early August.

In August 2002, the park changed its name to Wolf Trap National Park for the Performing Arts to reflect its mission while retaining reference to the historic significance of the area.

Many will remember the devastating fire that occurred on April 4, 1982, which destroyed the Filene Center. Despite that destruction, performances continued and were still held in a make-shift tent, dubbed the Meadow Center.

The COVID-19 pandemic did what a fire could not do. For the first and only time in its 50-year history the Filene Center was dark in 2020. Fortunately, the summer of 2021 will be different. Working hard as a team, staff has created well-vetted safety protocols to protect patrons, employees, and artists. While Wolf Trap will not operate at full capacity, patrons will once again experience the arts in a natural setting.

Therefore, jointly with Chairman McKay and Supervisor Alcorn, Supervisor Foust asked unanimous consent that the Board invite representatives of the Wolf Trap Foundation for the Performing Arts to come before the Board, at a time when presentations have resumed, to be recognized for the 50th anniversary of the first performance at the Filene Center as well as for the Foundation's cultural and educational contributions to our community since 1971. Without objection, it was so ordered.

9. **PROCLAMATION REQUEST DESIGNATING JUNE 2021 AS "LGBTQ+ PRIDE MONTH"** (1:38 p.m.)

Supervisor Foust stated that in celebration of the County's richly diverse population, this Board has repeatedly affirmed its commitment to promoting a culture of openness inclusiveness, and acceptance for all persons in the County. By embracing and celebrating our individual identities, we become a better County.

In April 2017, the Board adopted a Resolution of Diversity and Inclusion. The Board has espoused that the County exemplifies values of respect and acceptance, and that the County welcomes and celebrates one another's differences and cultural backgrounds.

In June 2017, the County amended its employment policies to explicitly state that County employees, volunteers, and vendors are prohibited from engaging in harassment, retaliation, and other forms of discrimination based on sexual orientation and gender identity. The County has zero tolerance for harassment and other forms of discrimination.

In November 2017, the Board adopted One Fairfax, a joint social and racial equity policy of the Board and School Board. The policy commits the County and schools to intentionally consider equity when making policies or delivering programs and services. One Fairfax is a declaration that all residents deserve an equitable opportunity to succeed if they work hard—regardless of their race, color, sex, nationality, sexual orientation, income or where they live.

The Pride Movement began with the Stonewall riots against police brutality and oppression in 1969, which were largely led by LGBTQ+ people of color making Pride, at its core, an opportunity to celebrate intersectionality.

Every year since the Stonewall Riots, June has been celebrated as LGBTQ+ Pride Month across the country and the world. It is a movement that celebrates sexual diversity. For lesbian, gay, bisexual, and transgender people, it is a way of protesting discrimination and violence. It promotes their dignity, equal rights, self-affirmation and is a way of increasing society's awareness of the issues they face.

In just the last decade, Virginia has ended marriage inequality, passed legislation that banned anti-LGBTQ+ discrimination in housing and employment and won the right to get licenses and IDs with a nonbinary gender marker. In 2021, the General Assembly passed legislation that tackled inequity in criminal justice and health care, reforming laws rooted in discrimination that could block access to needed services. Virginia became the first state in the South to eliminate the “gay panic defense”. Virginia is one of only 12 states plus the District of Columbia to ban the defense. Governor Northam also signed into law the creation of the LGBTQ+ Advisory Board, which will serve as a liaison between the State and the LGBTQ+ community.

But despite changes in laws and social attitudes, subtle and overt prejudice continues against people who identify as LGBTQ+ around the world and in the Commonwealth. As the Board leads by example in representing all County citizens and employees, it is imperative for the Board, along with County employees and County residents, to continue to stand up, speak out and show support for those who continue to face that prejudice. As Dr. Martin Luther King, Jr. stated: “... injustice anywhere is a threat to justice everywhere.”

Therefore, jointly with Chairman McKay and Supervisor Palchik, Supervisor Foust moved that the Board direct staff to prepare a proclamation designating June 2021, as “*LGBTQ+ Pride Month*” and invite representatives of the LGBTQ+ community and their supporters to appear before the Board at a time when presentations before the Board have resumed. Chairman McKay and Supervisor Palchik jointly seconded the motion, which carried by a vote of nine, with Supervisor Herrity being out of the room.

10. **CERTIFICATE OF RECOGNITION REQUEST FOR THAIS ROLLY (DRANESVILLE DISTRICT)** (1:28 p.m.)

Supervisor Foust congratulated Thais Rolly, a junior at McLean High School, for winning the Virginia High School League (VHSL) State Girls Cross Country Championship on the 5,000-meter Oatlands course in Leesburg. Thais did not take the lead until the final yards, edging past the front runner to win the championship by two seconds. Her winning time was 18 minutes and 36 seconds. The win was the first state cross country championship for a McLean High School runner, girl or boy.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition for Thais Rolly, to be presented this spring at McLean High School. Without objection, it was so ordered.

11. **CERTIFICATE OF RECOGNITION REQUEST FOR THE LANGLEY HIGH SCHOOL BOYS GOLF TEAM (DRANESVILLE DISTRICT)** (1:48 p.m.)

Supervisor Foust congratulated the Langley High School Boys Golf Team for winning the Virginia High School League (VHSL) Golf Championship. The Saxons won their 5th straight state title, which is now the most ever consecutive titles for all sports in the Class 6 category. One of the team's members, senior Kelly Chinn, shot a 5-under 67 to win the tournament's individual honors for the second time. Overall, the Langley team has won nine state golf championships.

Therefore, Supervisor Foust moved that the Board direct staff to prepare a Certificate of Recognition for the team and Coach Al Berg, to be presented this spring at Langley High School. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST DESIGNATING JUNE 2021 AS "FATHERHOOD AWARENESS MONTH"** (1:49 p.m.)

Supervisor Alcorn stated that research has demonstrated that even from birth, children who have an involved father are more likely to be emotionally secure and, as they grow older, have better social connections. Research further reveals that an active and nurturing style of fathering is associated with better verbal skills and intellectual functioning in children.

The County is fortunate to have Healthy Families Fairfax, the Head Start Policy Council, and the Fairfax County Department of Family Services Father Engagement and Parenting Education programs. In collaboration with Fairfax County Neighborhood and Community Services, these efforts help fathers gain parenting skills and economic self-sufficiency.

Therefore, Supervisor Alcorn asked unanimous consent that the Board direct staff to prepare a proclamation designating June 2021, as "*Fatherhood Awareness Month*," to raise public awareness of the importance of fatherhood and the

importance of a father's engagement with his children and family, to be presented out of the Board Room. Without objection, it was so ordered.

13. **TOUR DE HUNTER MILL BIKE RIDE (HUNTER MILL DISTRICT)**
(1:50 p.m.)

Supervisor Alcorn announced that the Tour de Hunter Mill Bike Ride was held on May 15, 2021, and he thanked everyone for their help and for attending the event.

14. **REZONING AND PROFFERED CONDITION AMENDMENT APPLICATIONS FOR ELM STREET COMMUNITIES, INC. (LEE DISTRICT)** (1:53 p.m.)

Supervisor Lusk stated that Elm Street Communities, Inc. (the "Applicant") has recently submitted a rezoning application and a proffered condition amendment application to the Department of Planning and Development. The application is filed on approximately 5.42 acres and represents the consolidation of nine parcels previously zoned to the PDH-30 District as a part of a development known as Mount Vernon Gateway. Mount Vernon Gateway was approved in 2005 but has not been constructed due to various reasons including market considerations. The Applicant proposes a rezoning to the PRM District and a proffered condition amendment to permit a portion of the property to be developed independently of the remaining properties that comprise Mount Vernon Gateway. The proposed development will implement the multifamily portion of Mount Vernon Gateway.

The pending applications propose the inclusion of a portion of right-of-way previously dedicated and known as Rolling Hills Avenue. This portion of Rolling Hills Avenue is no longer necessary as the six nonconforming residential homes that are served by the roadway will be demolished with the construction of the proposed improvements. As such, this portion of right-of-way is no longer required for roadway purposes and may be vacated and/or abandoned.

Therefore, Supervisor Lusk moved that the Board consent to include approximately .481 acre of right-of-way previously dedicated for Rolling Hills Avenue in the rezoning and proffered condition amendment applications submitted by Elm Street Communities, Inc. The Applicant understands that the inclusion of a portion of Rolling Hills Avenue right-of-way in the applications in no way relieves it of the requirement to process a vacation and/or abandonment request or compliance with all applicable standards of the Zoning Ordinance. In addition, the consent does not dictate that the applications will be approved, nor does it prejudice staff's review. Chairman McKay seconded the motion and it carried by unanimous vote.

15. **VIRTUAL COMMUNITY MEETING ABOUT ANIMALS IN YOUR NEIGHBORHOOD** (1:58 p.m.)

Supervisor Storck announced that he would be hosting a meeting on May 19, 2021, at 7:00 p.m. with County Animal Protection Police and Wildlife Management staff to discuss what to do when you see an animal that concerns you, typical animal behaviors and address the concerns I am hearing from some residents. He invited the community to attend the virtual meeting.

16. **3RD ANNUAL ENVIRONMENT EXPO: GET OUTDOORS! LEARN & DO!**
(1:59 p.m.)

Supervisor Storck announced that the Mount Vernon District will host its 3rd Annual Environment Expo: Get Outdoors! Learn and Do! on Saturday, June 26, 2021, from 8 a.m. – noon at Fort Hunt Park. We are excited to announce that this year's event will be held in partnership with the National Park Service. This event will educate and inform local residents on environmental challenges that we face on a daily basis. Attendees will leave the Expo with simple actions you can take to make an impact on climate change and our environment.

This free family friendly event will include: Exhibitors, Workshops, Live Music, Live Reptile and Owl Programs, Electric Vehicles, Nature Walks, Junior Ranger Program, Touch-a-Truck, Recycling How-To's, History Tours, Purple Glass Monster, Food Trucks and more!

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to advertise the Environment Expo. Without objection, it was so ordered.

17. **DEDICATION OF THE TURNING POINT SUFFRAGIST MEMORIAL (MOUNT VERNON DISTRICT)** (2 p.m.)

Supervisor Storck announced that the Turning Point Suffragist Memorial was formally dedicated on Sunday, May 16, 2021, in Lorton, adjacent to the former Occoquan Workhouse. He thanked the Board for allowing him to represent them at the dedication and he encouraged the community to visit the memorial.

18. **PROCLAMATION REQUEST DESIGNATING JULY 2021 AS "LATINX CONSERVATION MONTH"** (2:11 p.m.)

Supervisor Palchik stated that the County boasts a culturally rich Latinx and Spanish-speaking community. Defensores de la Cuenca, "Defenders of the Watershed," a non-profit dedicated to helping the Latinx community connect with the natural world, proposes a month-long series of events that are designed to engage this community in a wide variety of fun activities to promote health and nature conservation in the County's parks and green spaces.

Defensores de la Cuenca along with the support of its partners, the Northern Virginia Soil and Water Conservation District, and the Fairfax County Park

Authority, are planning activities at the Frying Pan Farm Park, Hidden Oaks Nature Center, Nottoway Park, Lake Fairfax Park, and neighborhood parks to take advantage of the unique features at each of these park locations. This will be a series of free, family-friendly activities for the Latinx community to increase knowledge of the environment and awareness of environmental issues, increase understanding of the connections between our health and the health of the environment, and invite participants to stay engaged and grow in their interest of the environment.

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

- Prepare a proclamation designating July 2021 as “*Latinx Conservation Month*”
- Advertise the month-long series of events exploring the importance of parks and green spaces

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

19. **REDEDICATION OF THE GRAHAM ROAD BUILDING SOCCER FIELD (PROVIDENCE DISTRICT)** (2:15 p.m.)

Supervisor Palchik announced that on May 15, 2021, the Graham Road Building Soccer Field was rededicated. She thanked the collaboration of Fairfax County Public Schools, Fairfax County Neighborhood and Community Services, and groups like Arlington Boulevard Community Development Organization, for allowing the Graham Road Community Building Soccer Field to become a real asset for local families.

20. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (2:19 p.m.)

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

21. **PROCLAMATION REQUEST DESIGNATING MAY 2021 AS “BETTER HEARING MONTH”** (2:19 p.m.)

Supervisor Smith stated that hearing loss is a major public concern and is the third common physical condition after heart disease and arthritis. Currently, there are 48 million Americans that have significant hearing loss, nearly 15 percent of the U.S. population.

Of those 48 million individuals, one out of three are over the age of 65 and have some degree of hearing loss. Although, many may think this is an issue that impacts primarily seniors, children also suffer from hearing loss, and even babies can be tested. Approximately three million children in the U.S. have hearing loss, and 1.3

million of them are under the age of three. Furthermore, hearing loss occurs in five out of ever 1,000 newborns.

There are treatments for hearing loss such as hearing aids. Adults should work with an audiologist if they suspect hearing loss. Unfortunately, individuals with hearing loss wait an average of seven years before seeking help.

Therefore, Supervisor Smith asked unanimous consent that the Board direct staff to prepare a proclamation designating May 2021, as “*Better Hearing Month*,” to be presented out of the Board Room. Without objection, it was so ordered.

EBE:ebe

22. **ADMINISTRATIVE ITEMS** (2:21 p.m.)

Supervisor Gross moved approval of the Administrative Items, noting that Admin 3 had been pulled by staff. Supervisor Alcorn seconded the motion.

Supervisor Gross called the Board’s attention to Admin 1 – Authorization to Advertise A Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic and noted that the General Assembly has already taken action regarding the motor vehicles and one of the items applies to noise from mufflers. However, the Board offices have been receiving lots of complaints regarding the noise and wants the Board to include an amendment in next year’s Legislative package to offer some relief for the community.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 3 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 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, MOTOR VEHICLES AND TRAFFIC

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 8, 2021, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Sections 82-1-2, 82-1-3, 82-1-31, 82-3-14, 82-5-1, 82-5-32, 82-5- 41, 82-6-15, 82-6-16, 82-6-26, 82-6-56, 82-6-33, 82-6-41, 82-6-42, 82-6-49, 82-7-1, 82- 9-1, and 82-9-3.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 5, OFFENSES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 8, 2021, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 5 (Offenses).

ADMIN 3 – DESIGNATION OF PLANS EXAMINER BOARD MEMBER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

(NOTE: Earlier in the meeting, the Board noted that this item was pulled. See page #22.)

This item was pulled by staff.

ADMIN 4 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT TO NEW CHAPTER 112.1 REGARDING SPECIAL PERMIT FEES AND OTHER MINOR REVISIONS

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 16, 2021, at 7:30 p.m., and before the Board on **July 13, 2021, at 4 p.m.**, to consider proposed amendments to the Zoning Ordinance, to establish fees commensurate with the fees of other similar types of special permit applications. The amendment also restores permissions for three uses and proposes several clarifications and editorial revisions.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE UNIFORMED RETIREMENT SYSTEM (URS) ORDINANCE

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 22, 2021, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 3, regarding the URS ordinance for the purpose of changing certain provisions with respect to service-connected disabilities. The URS Board of Trustees has review and supports the proposed amendments.

ADMIN 6 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (PROVIDENCE DISTRICT)

- (R)
- Adopted a Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on Blake Lane between Jermantown Road and Sutton Road (Providence District)

- Directed staff to request the Virginia Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON PLAZA LANE (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 22, 2021, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to establish parking restrictions on Plaza Lane (Springfield District). This amendment will prohibit commercial vehicles, recreational vehicles and trailers as defined, respectively, in Fairfax County Code Section 82-5-7, 82-5B-1, and 82-1-2(a)(50), from parking on the east side of Plaza Lane.

ADMIN 8 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (BRADDOCK DISTRICT)

- Authorized the installation of two “Watch for Children” signs on Adare Drive (Braddock District)
- Directed staff of the Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND READOPT FAIRFAX COUNTY CODE SECTION 7-3-2 TO ESTABLISH AN ADDITIONAL VOTER SATELLITE OFFICE AT THE GERRY HYLAND GOVERNMENT CENTER

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 22, 2021, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 7, 2 to establish an additional voter satellite office for absentee voting in person at the Gerry Hyland Government Center.

ADMIN 10 – APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 21302 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA COMMUNITY COLLEGE SYSTEM (VCCS) FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) DISLOCATED WORKER COVID-19 DISASTER RECOVERY GRANT

- (SAR) Approved SAR AS 21302 for DFS to accept grant funding from VCCS in the amount of \$500,000. Funding will support the County’s COVID-19 vaccination

equity strategy as well as training and supportive services to dislocated workers in specific career sectors impacted by the COVID-19 pandemic. No local cash match is required and there are no positions associated with this funding.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 1, GENERAL PROVISIONS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 8, 2021, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 1 (General Provisions).

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2021 REVISED BUDGET PLAN

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 8, 2021, at 3:30 p.m.**, to adjust the FY 2021 appropriation level to reflect Coronavirus State and Local Fiscal Recovery Funds received through the American Rescue Plan.

23. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FAIRFAX COUNTY AND DOMINION ENERGY VIRGINIA REGARDING ELECTRIC DISTRIBUTION DUCTBANK PERMITTING IN THE TYSONS CORNER URBAN CENTER (PROVIDENCE AND HUNTER MILL DISTRICTS) (2:25 p.m.)**

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

- Approve a MOU with Dominion Energy Virginia concerning the permitting of electric distribution duct banks and related equipment in the Tysons Corner Urban Center
- Authorize the County Executive to execute the MOU on its behalf

Supervisor Alcorn seconded the motion. Discussion ensued, with input from William D. Hicks, Director, Land Development Services (LDS) and William Marsh, Tysons Urban Center Coordinator, LDS, regarding cost and fiscal impact, collaboration and the follow up plan to maintain coordination and communication with the Virginia Department of Transportation, Dominion Energy, and the community. The question was called on the motion and it carried by unanimous vote.

24. **A-2 – AUTHORIZATION OF ISSUANCE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF TAX-**

EXEMPT BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$20,000,000 TO FINANCE THE 79-UNIT OAKWOOD NORTH FOUR APARTMENTS IN ALEXANDRIA, VIRGINIA (LEE DISTRICT)
(2:31 p.m.)

(R)

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

- Authorized FCRHA to submit an application to the Virginia Department of Housing and Community Development for the necessary private activity bond allocation
- Adopted a Resolution approving FCRHA's issuance of private activity tax-exempt bonds in an aggregate amount not to exceed \$20,000,000

25. **A-3 – AUTHORIZATION OF PHASE I DESIGN DEVELOPMENT AGREEMENT BETWEEN THE FAIRFAX COUNTY BOARD OF SUPERVISORS (BOS) AND THE CITY OF FAIRFAX REGARDING THE JOINT REDEVELOPMENT OF THE WILLARD HEALTH CENTER CAMPUS AND THE SHERWOOD COMMUNITY CENTER (BRADDOCK AND PROVIDENCE DISTRICT)** (2:33 p.m.)

On motion of Supervisor Palchik, seconded jointly by Supervisor Walkinshaw and Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute a Phase I Design Development Agreement with the City of Fairfax, substantially in the form of Attachment 1, to support the joint redevelopment of the Joseph Willard Health Center site located at 3750 Old Lee Highway, City of Fairfax (Tax Map No. 57-2-02-172) and portions of the City's Stacy C. Sherwood Community Center Complex with a new multi-agency facility with shared parking.

26. **A-4 – APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 21294 TO ACCEPT GRANT FUNDING AND AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE EXISTING STANDARD PROJECT ADMINISTRATION AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE IMPLEMENTATION OF CINDER BED ROAD BIKEWAY (LEE DISTRICT)** (2:36 p.m.)

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

- Approved SAR AS 21294 to accept funding from VDOT in the amount of \$2,763,242 for the Cinder Bed Road Bikeway

- Endorsed the Total Project Estimate (TPE) of \$14.8 million which is an increase of \$8.6 million from the current TPE of \$6.2 million. The \$8.6 million increase will be funded through the new grant approved by this Board item, as well as a reallocation from the Construction Reserve in Fund 40010, County and Regional Transportation Projects
- Adopted a Resolution authorizing the Director of the Department of Transportation to execute a new Appendix A associated with UPC 118128

27. **I-1 – CONSOLIDATED PLAN CERTIFICATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) MOVING TO WORK PLAN FOR FISCAL YEAR (FY) 2022** (2:38 p.m.)

The Board next considered an item contained in the Board Agenda announcing that the County Executive will sign the Certification of Consistency with the Consolidated Plan and provide it to the FCRHA for inclusion in the Moving to Work Plan for FY 2022 to be submitted to the US Department of Housing and Urban Development.

28. **I-2 – CONVEYANCE OF PARCELS TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE TRANSFORM 66 PROJECT (SULLY AND BRADDOCK DISTRICTS)** (2:29 p.m.)

The Board next considered an item contained in the Board Agenda announcing that the County will transfer to VDOT specified portions of the County-owned parcels dedicated previously for public street purposes or other public uses.

KK:kk

29. **RECESS/CLOSED SESSION** (2:39 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. *Joseph A. Glean v. Fairfax County Board of Supervisors*, Case No. GV21-004904 (Fx. Co. Gen. Dist. Ct.)
 2. *Great Falls Crossing Community Association, Inc. v. Alan Mandelblat, Board of Supervisors of Fairfax County, Fairfax County Department of Housing and Community Development, Capital One Bank, Great Seneca Financial Corporation, Unifund CCR Partners, Fairfax Oral and Maxillofacial Surgery, PC, and Cavalry Investments, LLC*, Case No. CL-2021-0004351 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 3. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kim-Dung T. Nguyen and Ted Nguyen*, Case No. CL-2021-0005644 (Fx. Co. Cir. Ct.) (Braddock District)
 4. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John M. Winbery*, Case No. GV21-006503 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 5. *Hiba Aziz, Building Code Official for Fairfax County, Virginia v. Fairfax Property Management Corporation*, Case No. GV21-006507 (Fx. Co. Gen. Dist. Ct.) (Lee District)
 6. *Elaine M. McLane, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Virginia P. Miller*, Case No. CL-2008-0010203 (Fx. Co. Cir. Ct.) (Lee District)
 7. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Keun Hoon Lee and Yong Ja Lee*, Case No. CL-2019-0000700 (Fx. Co. Cir. Ct.) (Lee District)
 8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gabriel Marcelo Gamarra*, Case No. CL-2021-0006025 (Fx. Co. Cir. Ct.) (Lee District)
 9. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Salvador Gutarra Juarez and Aurora Mariela Gutarra*, Case No. GV21-004429 (Fx. Co. Gen. Dist. Ct.) (Mason District)

10. *Hiba Aziz, Code Official for Fairfax County, Virginia v. Jian Liu*, Case No. GV21- 004457 (Fx. Co. Gen. Dist. Ct.) (Mason District)
11. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Khin W. Myint*, Case No. GV21-006750 (Fx. Co. Gen. Dist. Ct.) (Mason District)
12. *Hiba Aziz, Acting Building Official for Fairfax County, Virginia v. Oscar Maravilla*, Case No. GV21-006287 (Fx. Co. Gen. Dist. Ct.) (Mason District)
13. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Majeed Sanori and Farah Sanori*, Case No. GV21-006749 (Fx. Co. Gen. Dist. Ct.) (Mason District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mahlon C. Hawker*, Case No. CL-2019-0015198 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. A.H. Ghafoor Company, LLC*, Case No. CL-2019-0012459 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *In re: March 10, 2021, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Harmony Hills Equestrian Center, Inc., and Terry Abrams v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2021-0004806 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Potomac Crossroads, LLC*, Case No. CL-2020-0012959 (Fx. Co. Cir. Ct.) (Mount Vernon District)
18. *Hiba Aziz, Acting Building Official for Fairfax County, Virginia v. Francisco Sanchez and Maria Micaela Trejos Campos*, Case No. GV21-006285 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Thomas F. Bligh Jr. and Miyoko Bligh*, Case No. GV21-006503 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
20. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Thomas F. Bligh Jr. and Miyoko Bligh*, Case Number GV21-006503 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
21. *Hiba Aziz, Acting Building Official for Fairfax County, Virginia v. PS Business Parks LP*, Case No. GV21-006215 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

22. *Hiba Aziz, Building Code Official for Fairfax County, Virginia v. Fahad Razzaq and Ruth Elizabeth Razzaq*, Case No. GV21-006506 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
23. *Hiba Aziz, Building Official v. Sean and Helen Vermillion*, Case No. GV21-6747 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon)
24. *Hiba Aziz, Acting Building Official for Fairfax County, Virginia v. Marisol Ferrel*, Case No. GV21-006286 (Fx. Co. Gen. Dist. Ct.) (Providence District)
25. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Timothy F. Showalter*, Case No. GV21-006505 (Fx. Co. Gen. Dist. Ct.) (Providence District)
26. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donald M. Douglas and Louise L. Douglas*, Case No. CL-2013-0003838 (Fx. Co. Cir. Ct.) (Springfield District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lois Foley, William F. Foley, David L. Foley and G&C Fleet Service, L.L.C.*, Case No. CL-2019-0016449 (Fx. Co. Cir. Ct.) (Sully District)
28. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Prem K. Mishra and Nimish Mishra*, Case No. GV21-006751 (Fx. Co. Gen. Dist. Ct.) (Sully District)
29. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Garrett M. Sefrin and Emily R. Sefrin*, Case No. GV21-006752 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

1. As permitted by Virginia Code Section 2.2-3711(A)(8), legal analysis regarding participation in the County's Employee Retirement System.
2. As permitted by Virginia Code Section 2.2-3711(A)(1) and (8), personnel related matter and legal analysis concerning the Police Civilian Review panel.

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

At 4:03 p.m., the Board reconvened the electronic meeting with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION**30. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION (4:04 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 by virtue of Virginia Code Section (§) 2.2-3711, and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Alcorn 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.”

AGENDA ITEMS**KK:kk****31. 4 P.M. – A-5 – BOARD APPROVAL OF A MINOR VARIATION REQUEST FOR RZ 76-S-021 BY WEST SPRINGFIELD CENTER, LLC, TO MODIFY REFERENCES IN PROFFERS 4, 5 AND 6 TO THE DESCRIPTION OF THE ARCHITECTURAL DESIGN AND CHARACTER FOR ONE OF THE ONE-STORY COMMERCIAL OFFICE AND RETAIL STRUCTURES FROM “TOWNHOUSE” STYLE TO “TRANSITIONAL” (SPRINGFIELD DISTRICT) (4:04 p.m.)**

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

Suzanne Wright, Chief, Conformance Review and Acceptance Branch, Zoning Evaluation Division, Department of Planning and Development, gave a PowerPoint slide presentation depicting the request, site location, and staff recommendations.

In accordance with Zoning Ordinance Section 18-204(5) and Virginia Code Section 15.2-2302, Supervisor Herrity moved that the Board:

- Waive the requirement of a public hearing
- Approve a minor variation of Rezoning Application RZ 76-S-021 to permit a transitional style architecture for one of the one-story commercial office and retail structures at West Springfield Center as detailed in Action Item 5

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

EA:ea

32. **4 P.M. – PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2020-SP-021 (MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA KOREAN BAPTIST CHURCH) TO PERMIT A TELECOMMUNICATION FACILITY, LOCATED ON APPROXIMATELY 13.54 ACRES OF LAND ZONED R-C AND WS (SPRINGFIELD DISTRICT)** (4:10 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of April 30 and May 7, 2021.

The application property is located at 7200 Ox Road, Fairfax Station, 22039. Tax Map 87-4 ((1)) 1A.

Tracy Themak, Agent, Donohue and Stearns, PLC, reaffirmed the validity of the affidavit for the record.

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

Ms. Themak 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.

Discussion ensued with input from Ms. Estes, Ms. Themak, and Tracy Strunk, Director, ZED, DPD, regarding:

- The impact of the height of the proposed structure
- The reasoning for the proposed height of the cell tower
- The average height of cell towers

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

Following a query by Supervisor Herrity, Ms. Themak confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 14, 2021.

Supervisor Herrity moved approval of Special Exception Application SE 2020-SP-021, subject to the development conditions dated April 14, 2021. Supervisor Lusk seconded the motion and it carried by unanimous vote.

33. **4 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF BURKE ROAD REALIGNMENT – APLOMADO DRIVE TO PARAKEET DRIVE (SPRINGFIELD DISTRICT)** (4:20 p.m.)

(NOTE: On April 13, 2021, the Board deferred this public hearing to May 18, 2021, at 4 p.m.)

Supervisor Herrity moved to defer the public hearing on the acquisition of certain land rights necessary for the construction of Project 2G40-087-003 Burke Road Realignment – Apломado Drive to Parakeet Drive until **June 8, 2021, at 3:30 p.m.** Supervisor Lusk seconded the motion, and it carried by unanimous vote.

34. **4 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF ROCK HILL ROAD WALKWAY (STERLING TO ASTORIA) (DRANESVILLE DISTRICT)** (4:21 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of April 30 and May 7, 2021.

Mohammed Najeeb, Right-of-Way Agent, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Foust moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 2G40-088-062, Rock Hill Road Walkway (Sterling to Astoria), Fund 40010, County and Regional Transportation Projects. 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.”

35. **4 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (4:26 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of April 30 and May 7, 2021.

Public comment was held and included no speakers.

36. **BOARD ADJOURNMENT** (4:27 p.m.)

At 4:27 p.m. the Board adjourned.