



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

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

**TUESDAY  
December 6, 2022**

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**20-22**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, December 6, 2022, at 9:35 a.m., there were present:

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

Supervisor Dalia Palchik, Providence District, participated remotely.

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

**BOARD MATTERS**1. **REMOTE PARTICIPATION OF SUPERVISOR PALCHIK (PROVIDENCE DISTRICT)** (9:35 a.m.)

Chairman McKay announced that Supervisor Palchik will be participating in the meeting remotely due to medical reasons involving an immediate family member and asked her to identify herself for the record and provide her general location.

Supervisor Palchik announced that she is participating remotely from her home in the Providence District.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board:

- Certify that the voice of the remotely participating Member, Supervisor Palchik, can be heard by all persons assembled in the Government Center
- Confirm that Supervisor Palchik's remote participation fully conforms with the Board Policy for remote participation in meetings

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** (9:37 a.m.)

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

- Former Congressman A. Donald McEachin, who passed away recently after a long battle with cancer. He was first elected to the U.S House of Representatives in 2016 and served on the House, Energy and Commerce, and the Natural Resources Committees, as well as a select committee on the climate crisis. Prior to serving, he had a long career as a personal injury attorney and was a partner of the McEachin and Gee Law Firm in Henrico County
- Sharon Kay Abbott Lane, the victim of a cold case that dates all the way back to December 6, 1993. Her remains were found in a wooded area on Sharpsburg Drive in Centreville. Ms. Lane was a County resident when she disappeared in 1987. With the help of technology, advanced DNA testing and forensics, her brother and children were identified to further confirm her identity

- Ann Marie Hicks, who passed away recently. She served more than 40 years in leadership roles in the Annandale Christian Community for Action, which emergency social services for low-income families; was active in Saint Anthony's Catholic Church where she served on its school board and was a Eucharistic minister
- Cecilia Marshall, who passed away recently. She was the widow of late Supreme Court Justice Thurgood Marshall. They moved into Lake Barcroft in 1968. Her son John Marshall served as the Virginia Secretary of Public Safety
- John Awtrey, who passed away recently. He was a long-term member and Chairman of the West Springfield Police Community Advisory Committee. He was known and loved by many at the West Springfield station, volunteering to serve holiday meals, supporting officers, advocating for changes to support the police in the community
- John P. Rowley, who passed away recently, at age 93, following a car accident. He lived a life of service. At a young age he served in the U.S. Army, and later the Coast Guard Reserves for 32 years; was a former federal ATF agent; worked for the Virginia Department of Social Services, Division of Child Support Enforcement; in addition to several other jobs and volunteer positions
- Robert Robertory, who passed away recently. He had a long and successful career with the federal government in construction and contract law; was active in the Roman Catholic Church; was known for his work in the South County Federation, and was a regular communicator with the Springfield and Mount Vernon District Offices keeping them updated on issues needing attention
- Peter A. Wallingford, who passed away recently. He was the spouse of Fran Wallingford, who was civically engaged in the County
- Fred Wygal, who passed away recently at age 91. Following his graduation from the Cincinnati Conservatory, he was hired in 1954 to be the Choral Director at the opening of the then new Annandale High School. He left a musical legacy in the County and will be greatly missed

**AGENDA ITEMS****3. RESOLUTION OF RECOGNITION PRESENTED TO RIKKI EPSTEIN FOR HER ACCOMPLISHMENTS (9:49 a.m.)**

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Rikki Epstein for her accomplishments as Executive Director of the Arc of Northern Virginia. Supervisor Alcorn seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

**4. RESOLUTIONS OF RECOGNITION PRESENTED TO PHYLLIS WALKER FORD, MARY BUCKINGHAM LIPSEY AND BARBARA NAEF FOR THEIR CONTRIBUTIONS TO THE FAIRFAX COUNTY HISTORY COMMISSION (10 a.m.)**

Supervisor Walkinshaw moved approval of the Resolution of Recognition presented to Mary Buckingham Lipsey for her contributions as the Braddock District History Commissioner. Supervisor Palchik seconded the motion and it carried by unanimous vote.

Supervisor Alcorn moved approval of the Resolution of Recognition presented to Barbara Naef for her contributions as the Hunter Mill District History Commissioner. Chairman McKay seconded the motion and it carried by unanimous vote.

Supervisor Lusk moved approval of the Resolutions of Recognition presented to Phyllis Walker Ford for her contributions as the Lee District History Commissioner. Chairman McKay seconded the motion and it carried by unanimous vote.

(NOTE: Anne M. Barnes, Mount Vernon District Commission, accepted the award on behalf of Ms. Walker Ford, who was not able to attend.)

**5. PRESENTATION OF RECOGNITION PRESENTED TO RECIPIENTS OF THE 2020-2022 BEST WORKPLACES FOR COMMUTERS AWARDS (10:23 a.m.)**

Julie Bond, Senior Research Associate from the Center for Urban Transportation Research at the University of South Florida, recognized the following Fairfax County employers as “Best Workplaces for Commuters.”

The following employers were recognized:

- ActioNet

- Archer Hotel Tysons
- AVIXA
- ACG Architects
- Appian Corporation
- ASM Research, LLC
- Avineon, Inc.
- Bart and Associates, Inc.
- Citizen One Home Loans
- Comstock Holding Companies, Inc.
- Cougar Software, Inc.
- Cvent, Inc.
- Dulles Area Transportation Association
- eSolutions First
- Envision Worldstrides
- Expedition Technology, Inc.
- FH+H
- George Mason University
- Hilton McLean
- IronNet Cybersecurity
- Inova Health System
- Inova Fairfax Medical Campus
- Inova Mount Vernon Hospital
- InSequence, Inc.

- IntelliBridge
- KeyLogic
- KPMG
- KETTLER
- Macedon Technologies
- MCR, LLC
- MITRE
- MorganFranklin Consulting
- NuAxis Innovations
- Pons and Associates, LLC
- Reston Station
- Riverside Research
- Rockhill Management
- Ross, Langan and McKendree
- Slalom
- Sojourner Capital
- SpinSys
- Strategic Resources, Inc.
- SAP NS2
- SeKON Enterprise, Inc.
- The Boro
- The Geller Law Group
- ThunderCat Technology, LLC

- TeraThink Corporation
- Tesla Government
- Tobii Technology Inc.
- Towers Crescent
- Tysons Corner Center
- USTA Mid-Atlantic
- V2X
- Wells and Associates

6. **PRESENTATION BY KATHERINE K. HANLEY, SECRETARY TO THE ELECTORAL BOARD, REGARDING ELECTION YEAR 2022** (10:31 a.m.)

Katherine K. Hanley, Secretary to the Electoral Board, presented statistics regarding the recent election year 2022 and provided an overview of the efforts made by many to improve the process, highlighting the following:

- 2022 was an unusual year as election activity ramped up in January and continues still with the January 10, 2023, special election now under way
- Late March – the Registrar resigned. Eric Spicer was appointed the new Registrar and smoothly steered the office through the transition. The great migration caused by the COVID pandemic, combined with redistricting, meant the Office of Elections became one of the U.S. Post Office’s biggest customers. During the Spring and Summer (usually a quieter time of long-term planning), the office became a beehive of mailings
- April – Fairfax County completed its redistricting process. There were 264 voting precincts (17 additional precincts, previously 247), 230 polling places (one additional polling place, previously 229), and 96.2 percent of voters continued to vote at their original polling place
- Late May/early June – The office mailed approximately 777,000 redistricting notifications to all voters showing all of the new districts. Approximately 75,000 were returned, including those that the Post Office had an address for because election mail cannot be forwarded

- Early July – Unfortunately, the State Department of Elections mailed the annual statewide national change of address mailing, only roughly 23,000 were to Fairfax County residents. That mail was to confirm addresses and of those roughly 15,000 did not respond and were moved to the inactive voter list. 4,670 moved out of state
- August – The Office of Elections decided to mail follow-up mailing to the original mailing of about 68,000 voters that the Post Office knew had moved out of Fairfax County. Approximately 18,000 of those voters responded and 10,000 of those moved out of state and asked to be removed from the County’s voter rolls
- September – Most of the rest of the State finished redistricting and sent redistricting notifications to all voters. That mailing left out the towns of Herndon, Vienna, and Clifton. In follow-up mailings to residents of those three towns, 25,000 were told, in error, that their voting location was in the City of Fairfax. The County itself mailed a correction to those voters
- Early October – Every registered voter received a sample ballot from the County showing the correct precinct location, district, and what was on the ballot, and early voting information all in four languages. The paper supply chain problem caused those to be green this year instead of yellow. October 7, one month before the election, the office was notified that approximately 13,000 DMV registration applications from much earlier in the year had not come to Fairfax County through the computer system. Those registrations had to be processed immediately to see if any eligible voters had been denied an absentee ballot because they had not been properly registered. The office sent absentee ballots in about five days but needed to assign 15 to 20 people additionally to do it. On October 30, the same thing happened again, and the office processed approximately 11,000 in about four days adding 15 to 20 more people
- September 23 – The November 2022 General Election started with the initial mail out of 56,000 absentee ballots, of which at least 50,000 were on the permanent absentee request list. By law, the permanent absentee list was expanded last year, and several people did not remember that they had checked a box to be on the list and were surprised to get one. Three satellite voting locations opened for early voting in person (North County, Mount Vernon, and South County)
- October 1 – the new law, allowing 16-year-olds to register and become voters when they turn 18, went into effect



- October 27 – Another 13 more locations opened for 10 straight days of voting, through November 5 (those 10 days included Sunday, October 30)
- Election Day – 264 precincts at 230 polling places
  - 167 schools or FCPS facilities
  - 34 public facilities
  - 29 private facilities
- Election staffing – 3,179 total
  - 28 full-time staff
  - 378 seasonal staff
  - 2,345 election officers on election day
  - 428 high school student pages

Ms. Hanley expressed her appreciation to all those who helped make the Election a success. She also thanked the Board for its support.

Discussion ensued, with input from Ms. Hanley, regarding:

- Same-day registration
- The amount of time between Election Day and certification
- Election precinct confusion because of redistricting

Chairman McKay expressed his appreciation and thanks to Ms. Hanley, the Registrar Eric Spicer, and electoral staff for pulling together, getting the correct information out, and responding to it quickly to support the integrity of the process.

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7. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (11:06 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard December 6, 2022.” Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Smith being out of the room.

The full list of appointments is as follows:

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

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

**ADVISORY SOCIAL SERVICES BOARD**

The Board deferred the appointment of the Mason District Representative.

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

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

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)**

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

**ARCHITECTURAL REVIEW BOARD**

Reappointment of:

- Mr. Jason F. Zellman as the Attorney Representative

**ATHLETIC COUNCIL**

Reappointment of:

- Mr. Michael W. Thompson as the Springfield District Principal Representative
- Ms. Jenni R. Cantwell as the Women's Sports Principal Representative

The Board deferred the appointment of the Mason District Alternate and Providence District Alternate Representatives.

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE**

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

**BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS**

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

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)**

Appointment of:

- Mr. Andrew Gannon as the Professional #2 Representative

Reappointment of:

- Ms. Constance M. Hylton as the Professional #6 Representative

The Board deferred the appointment of the At-Large #1, and the Professional #1 and #4 Representatives.

**CHILD CARE ADVISORY COUNCIL**

Reappointment of:

- Ms. Kerry O'Brien as the Springfield District Representative

**CITIZEN CORPS COUNCIL, FAIRFAX COUNTY**

The Board deferred the appointment of the Hunter Mill, Mount Vernon, and Providence District Representatives.

**CIVIL SERVICE COMMISSION**

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

**COMMISSION FOR WOMEN**

The Board deferred the appointment of the Lee, Mason, Lesbian-Gay-Bisexual-Queer-Intersex-Asexual ("LGBQIA+") and Transgender Woman Representatives.

**COMMISSION ON AGING**

Appointment of:

- Mr. James R. Kirkpatrick as the Springfield District Representative

**CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

Confirmation of:

- Ms. Erica Gaffney as the Opportunities, Alternatives, and Resources Representative

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

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I**

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

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II**

Confirmation of:

- Mr. Matthew Dougherty as the BOS At-Large #3 Representative

**ECONOMIC ADVISORY COMMISSION**

Reappointment of:

- Mr. Dominic Bonaiuto as the At-Large #1 Representative

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)**

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

**ENGINEERING STANDARDS REVIEW COMMITTEE**

The Board deferred the appointment of the Citizen #2 and #4 Representatives.

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

Reappointment of:

- Ms. Johna Gagnon as the Lee District Representative

**FAIRFAX AREA DISABILITY SERVICES BOARD**

Reappointment of:

- Ms. Diane Monnig as the Providence District Representative

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

**HEALTH SYSTEMS AGENCY BOARD**

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

**HISTORY COMMISSION**

Reappointment of:

- Ms. Tammy Mannarino as the At-Large #2 Representative

Appointment of:

- Mr. Tom Shoop as the Citizen #6 Representative

The Board deferred the appointment of the At-Large #3, and Citizen #3 and #7 Representatives.

**HUMAN RIGHTS COMMISSION**

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

**HUMAN SERVICES COUNCIL**

The Board deferred the appointment of the Braddock District #1, Lee District #2, and Mount Vernon District #1 Representatives.

**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Reappointment of:

- Dr. Rajni Goel as the Dranesville District Representative
- Mr. Richard A. Kostro as the Mount Vernon District Representative

**JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL**

The Board deferred the appointment of the Mason District Representative.

**OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING**

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

**PARK AUTHORITY**

Reappointment of:

- Mr. Kiel Stone as the Braddock District Representative
- Mr. Linwood M. Gorham as the Mount Vernon District Representative
- Mr. Michael W. Thompson as the Springfield District Representative

**PLANNING COMMISSION**

Reappointment of:

- Mr. Timothy J. Sargeant as the At-Large #2 Representative
- Mr. Peter F. Murphy as the Springfield District Representative

Appointment of:

- Mr. Daren Shumate as the Mason District Representative

**POLICE CIVILIAN REVIEW PANEL**

Appointment of:

- Mr. William Ware, IV as the Seat #3 Representative

The Board deferred the appointment of the Seat #9 Representative.

**POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES**

Reappointment of:

- Mr. James E. Bitner as the Citizen At-Large #3 Representative

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

**SMALL BUSINESS COMMISSION**

The Board deferred the appointment of the Lee District Representative.

**TENANT-LANDLORD COMMISSION**

Appointment of:

- Mr. Kenneth D. Reid as the Tenant Member #1 Representative

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

#### **TRANSPORTATION ADVISORY COMMISSION**

Appointment of:

- Mr. Matthew Bechak as the Lee District Representative

#### **TREE COMMISSION**

Reappointment of:

- Mr. Cory A. Suter as the Springfield District Representative

The Board deferred the appointment of the Dranesville District Representative.

#### **TRESPASS TOWING ADVISORY BOARD**

The Board deferred the appointment of the Citizen Representative.

#### **TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD**

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

#### **UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES**

The Board deferred the appointment of the Citizen Appointed by BOS #1 and #4 Representatives.

#### **WETLANDS BOARD**

Reappointment of:

- Ms. Kimberly V. Larkin as the At-Large #1 Representative

The Board deferred the appointment of the Mount Vernon District #1 Representative.

#### **YOUNG ADULTS ADVISORY COMMITTEE**

Appointment of:

- Mr. Julian Reda as the Braddock District Representative

The Board deferred the appointment of the Providence District Representative.

### **AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC)**

Confirmation of:

- Ms. Jill Norcross as the Northern Virginia Affordable Housing Alliance Representative

The Board deferred the appointment of the Mason District Representative.

### **FAIRFAX COUNTY 250<sup>TH</sup> COMMISSION**

Appointment of:

- Mr. Garrett McGuire as the At-Large Chairman's Representative

8. **BOARD ADOPTION OF THE 2023 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY, APPROVAL OF THE COUNTY'S 118TH CONGRESS FEDERAL LEGISLATIVE STRATEGY AND PRINCIPLES** (11:08 a.m.)

(NOTE: On November 1, 2022, the Board held a public hearing regarding this item.)

Supervisor Walkinshaw, Chair of the Board's Legislative Committee, highlighted the following regarding the 2023 State Legislative Program and Human Services Issue Paper:

- As discussed at Legislative Committee, the fundamental priorities remain the same
- The State's revenues have fluctuated considerably in recent years, but, have recently been described as being "in surplus." It is important to note that there cannot truly be a State surplus until the State has fully met its funding commitment to core services, including shared State and local services, particularly after years of State underfunding. The State must find ways to increase investments in K-12, human services, and other essential local programs and services
- As in previous years, the program features State support for education as a top priority, and urges the State to fully meet its responsibility to adequately fund K-12



- The regional transportation funding priority statement encourages the General Assembly (GA) to fully restore the \$102 million of funding to the Northern Virginia Transportation Authority that was diverted to the Washington Metropolitan Area Transit Authority in 2018. This will ensure that transportation projects continue to advance in Northern Virginia after decades of State underfunding. The transportation funding priority statement encourages the GA to build upon the successful enactment of significant transportation revenues passed by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs, including new projects, State road maintenance, and continued State assistance for local and regional transit systems
- The Board discussed several changes at the November 22, 2022, Legislative Committee meeting, which have been incorporated into the draft Program. In the Behavioral Health position, and strengthened the language to request substantially increased and ongoing funding for public safety and mental health services that connect people who come into contact with the criminal justice system for non-violent offenses to treatment, added language in support of additional service navigation resources, and improving behavioral health workforce development by formalizing relationships and creating a pipeline from high school and community college to undergraduate and graduate school, and made some small adjustments to the organization of the position. In the Affordable Housing position, the Board added language specifically requesting \$300 million over the biennium in funding for the Housing Trust Fund. It also added the fact sheets to the end of the Legislative Program, the fact sheets cover the State budget, transportation, and human services. Further, made some minor edits and stylistic changes in finalizing these documents
- The Board has two initiatives this year:
  - Allow the County to use contractors to remove illegal signs from the right-of-way
  - Clarify that localities in Northern Virginia are authorized to post appropriate and clear signage requiring motorists to stop for pedestrians in crosswalks at unsignalized intersections, and that counties that do not maintain their own roads are authorized to reduce speed limits to less than 25 miles per hour, but not less than 15 miles per hour, on highways within their boundaries within business or residential districts. This initiative will be introduced as two separate bills for technical purposes,

both of which will provide localities with tools to further improve transportation safety

Supervisor Walkinshaw highlighted the following regarding the Federal Strategies and Principles:

- The political and fiscal landscape in Congress has been volatile over the past several years, and will likely see continued uncertainty in the future
- The County continues to pursue a strategic approach to Federal funding opportunities, with a focus on economic development, transportation and protecting the social safety net. The Board will continue to advocate for the relocation of Federal facilities to the County, including the FBI headquarters. The Board will also be actively working to protect existing Federal investments in the County, particularly the military installations, civilian Federal workforce, and Federal contractors, which are so vital to the County's local economy

Supervisor Walkinshaw stated that the Board also discussed a number of changes to the Federal program, which have been incorporated into the draft Federal strategies and principles:

- In the introduction - the Board added additional background information about the County's Strategic Plan and One Fairfax policy, which was already included in the state legislative program
- In the Federal Agency Relocation, Consolidation, and Related Activities position - the Board strengthened language relating to the relocation of the FBI headquarters, including additional details about the advantages of selecting the Springfield site
- In the Federal Funding for Costs of Educating Federally Connected Students position - the Board added language clarifying that revising the Impact Aid eligibility identification process to automatically opt-in any student with a military student identifier would be helpful in reducing the administrative burden of identifying relevant students. The Board also added similar language in the Education principles
- In the Social Safety Net position - the Board strengthened the language, and added a statistic on the number of affordable homes in the County that have been constructed, preserved, or rehabilitated utilizing the low-income housing tax credit program. The Board also added language about funding workforce development programs to ensure a workforce equipped for emerging, high-growth industries

- In the Department of Justice position - the Board added language about the County's development of a co-responder model, comprised of both behavioral health and law enforcement professionals. Similar to the State legislative program, the Board also made some minor edits and stylistic changes in finalizing this document

On behalf of the Board, Supervisor Walkinshaw thanked the legislative staff for their work.

Supervisor Walkinshaw moved that the Board adopt the 2023 Legislative Program and adopt the recommended strategies and principles for the 118<sup>th</sup> Congress. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity voting "NAY."

Supervisor Walkinshaw announced that the:

- Board will host its annual Legislative Work Session on December 13, 2022, at 3 p.m. with the delegation to the GA
- GA session begins on Wednesday January 11, 2023
- Board's first 2023 Legislative Committee meeting is scheduled for January 21, 2023

**DMS:dms**

### **ADDITIONAL BOARD MATTERS**

9. **PROCLAMATION REQUEST FOR SHOP SMALL BUSINESS SATURDAY** (11:17 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Proclamation for shop Small Business, which was held on Saturday, November 26, 2022, as part of a national campaign in support of the initiative, encouraging the community to shop small. Without objection, it was so ordered.

10. **PROCLAMATION REQUEST FOR SMARTBIZ VIRGINIA** (11:17 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for SmartBiz Virginia, in recognition for leading the County and region's innovative technology initiatives. Without objection, it was so ordered.

11. **PROCLAMATION REQUEST FOR DAVID MEYER** (11:17 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for David Meyer, Mayor of the City of Fairfax, for his years of service to the City and region. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST DESIGNATING JANUARY 13, 2023, AS “KOREAN AMERICAN DAY”** (11:17 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating January 13, 2023, as “*Korean American Day*” in the County. Without objection, it was so ordered.

13. **BEHAVIORAL HEALTH NEEDS FOR THE COUNTY’S YOUTH** (11:18 a.m.)

Chairman McKay stated that, earlier this year, he and Supervisor Palchik brought forth a Board Matter convening a Roundtable of stakeholders and staff to chart a path forward in meeting the behavioral health needs of the County’s youth.

The group worked expeditiously to review what is already in place, identify potential gaps, and develop a plan to make resources more accessible and known to those who may need them. A memorandum was shared with the Board on October 18, 2022, outlining themes that emerged in the Roundtable’s discussions and next steps.

The Board will receive updates for two of these areas. First, an updated Behavioral Health Plan is in development by Health Minds Fairfax staff in collaboration with key stakeholders and partners from the County, Fairfax County Public Schools, and the community. This will focus on prevention and education, access to services, service navigation, and system-level change. The plan will be presented to the Successful Children and Youth Policy Team tomorrow and, once endorsed, will be presented to the Board. A key element of that plan is behavioral health service navigation. Given the urgency of that issue, a program is currently in development to increase service navigation. The proposed program will be considered as part of the next available budgetary process. Second, the Board received the Fiscal Year 2023-25 Opioid Response Plan in August. The plan includes several strategies that are focused on or otherwise relevant to youth, and the Board will continue to receive updates on the plan’s implementation. In addition to helpful and informative memos to the Board regarding this topic, Chairman McKay requested both Healthy Minds Fairfax staff and the County’s Opioid Task Force provide an update to the Board at its February 28, 2023, Human Services Committee.

The Roundtable identified several legislative strategies aimed at increasing capacity and access. Staff worked with the Legislative Director on this front in aligning strategies with the County’s legislative priorities and there are new positions in the Legislative Agenda approved by the Board today.

Therefore, jointly with Supervisor Palchik and Supervisor Walkinshaw, Chairman McKay asked unanimous consent that the Board direct the Legislative Director provide an update to the Board on the legislative strategies being pursued and any progress during the 2023 General Assembly session. This update may be shared via memorandum or at a Legislative Committee meeting this winter. Without objection, it was so ordered.

14. **NOTICE TO RENTERS** (11:22 a.m.)

Chairman McKay stated that State law and the County's Zoning Ordinance require that legal notice of the public hearings related to certain planning and zoning matters be sent to the owners of property in the vicinity of the proposed action. However, this notice is not required to be sent to renters, even if they live on the property in question or adjacent to it. This can result in an equity issue that is not consistent with the One Fairfax policy nor with the County's community engagement strategies. Chairman McKay stated his understanding that staff from the Department of Planning and Development, the Clerk to the Board and the Office of the County Attorney have been engaged in discussions as to how the County may expand its notice or policy requirements to include renters.

Therefore, jointly with Supervisor Smith, Chairman McKay moved that the Board direct staff to bring this matter for discussion by the Board at an upcoming Land Use Policy Committee meeting. Supervisor Smith seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

15. **TRASH AND RECYCLING DISCOUNT FOR COUNTY RESIDENTS AFFECTED BY THE ABRUPT CLOSURE OF HAULIN' TRASH** (11:24 a.m.)

Chairman McKay stated that last week, private trash hauler, Haulin' Trash, which serves approximately 3,000 County residents, abruptly went out of business. This action stranded customers with no immediate recourse other than to bring their trash to a County drop-off facility while they contract with another trash hauler and wait for their first pickup. In many cases, trash was already overflowing due to multiple missed pickups by the now-defunct company.

To allow customers time to find new haulers, Chairman McKay moved that the Board direct the Department of Public Works and Environmental Services to:

- Cease charging for household trash and recycling drop off for individual residential customers affected by the closure of Haulin' Trash from December 7, 2022, until January 1, 2023
- Require proof for the discount in the form of a past bill from Haulin' Trash to be verified by County staff on site

- Track the cost of the waived tipping fees

Chairman McKay stated County residents may bring their household trash and recycling to the I-66 Transfer Station or the I-95 Landfill Complex, both of which are open 7 a.m. - 5 p.m., Monday - Friday and 7 a.m. - 4 p.m., Saturday and Sunday. More information can be found on the County's website. For consumer protection information, residents may contact the County's Consumer Affairs Branch at 703-222-8435. Vice-Chairman Gross and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

16. **2022 FAIRFAX COUNTY ENVIRONMENTAL EXCELLENCE AWARDS**  
(11:27 a.m.)

Chairman McKay stated that each year, the County's Environmental Excellence Awards honor individual residents, organizations or businesses, and employees who advance or support the County's environmental goals and policies. The honorees dedicate personal time and expertise beyond their normal civic, fiscal, or professional responsibilities and they consistently demonstrate leadership as role models for others.

In 2022, five awardees were named by the Environmental Quality Advisory Council, on behalf of the Board. Together, these honorees have devoted countless hours to the improvement of the natural environment in the County through public advocacy, volunteerism, the implementation of programs and sustainability strategies, and mentorship.

Therefore, jointly with Supervisor Storck, Chairman McKay stated that they would like to recognize the five winners of the 2022 Fairfax County Environmental Excellence Awards.

The County Employee category included the following three winners:

- Dr. Katherine Edwards, who serves as a Wildlife Management Specialist for the Police Department. By proactively monitoring the white-tailed deer population in the County for the very serious threat, chronic wasting disease, Dr. Edwards is protecting both the future of the deer population and human health and safety
- Brandy Mueller, Environmental Compliance Coordinator for Land Development Services. In this role, Ms. Mueller has created new processes to prevent and remediate environmental harm from land development and vegetation removal, especially in resource protection areas within the County
- Charles Smith, a Project Coordinator with Department of Public Works and Environmental Services. Mr. Smith has been a leading advocate for enhancing the ecological restoration of stream

corridors and associated floodplains and for promoting the use of natural landscaping using native plants and seed mixtures

The Individual Resident category included the following two winners:

- Will Friedman, a rising senior at West Potomac High School, who is being recognized for his exceptional achievements and leadership efforts to better the environment. Mr. Friedman began participating in organized clean ups in and around Little Hunting Creek beginning in middle school. Later, his activities included working with County and school staff and community volunteers to coordinate the planting of trees at over 20 school properties. He has been particularly active in the areas of stream monitoring, the removal of invasive plants, tree planting, and trash and recycling initiatives, even volunteering to pick up and take glass to the purple bin for incapacitated neighbors, all the while maintaining a 4.0 grade point average
- Elisabeth Lardner, the volunteer Chair of the Civic Association of the Hollin Hills Parks Committee since 2016. In this capacity, Ms. Lardner has performed two vital roles: she is a dedicated steward of over 30-plus acres of shared community parkland and is also a community liaison for two major stream restoration/storm water management projects currently underway in Hollin Hills. Woven throughout her tenure as Parks Chair is her commitment to educating those in Hollin Hills about their parks and the environment in general. She is a cheerleader for volunteerism, an advocate for the wise and sustainable management of County parks, and a dedicated and passionate lover of the out-of-doors

The County is fortunate to have these leaders working in the community. Their efforts ensure that residents and visitors can continue to enjoy a healthy, safe, vibrant, and beautiful natural environment for years to come.

Therefore, jointly with Supervisor Storck, Chairman McKay asked unanimous consent that the Board direct the Office of Environmental and Energy Coordination to recognize and publicize the winners. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

17. **CERTIFICATE OF RECOGNITION REQUEST FOR LINDA LATEANA**  
(11:32 a.m.)

Supervisor Gross stated that Linda Lateana, the Chief Operating Officer of Goodwin House Bailey's Crossroads, is retiring after 35-years of service. Ms. Lateana first joined Goodwin Living in 1987 as a clinical social worker and

rose to become the Executive Director of Goodwin House Bailey's Crossroads in 2001.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition for Linda Lateana, in recognition of her dedicated service at Goodwin House Bailey's Crossroads, to be signed by Chairman McKay and the Mason District Supervisor, for presentation out of the Board room. Without objection, it was so ordered.

18. **MASON DISTRICT SUPERVISOR UPCOMING ELECTION UPDATE**  
(11:32 a.m.)

Supervisor Gross stated that when she first moved to the National Capital Region, The Byrds had a hit recording that emulated Ecclesiastes- *To Everything There Is a Season* (popularly known as Turn, Turn, Turn). To a young Hill staffer, the song was more a peace anthem than a life plan but, over time, she has come to learn, and accept that, indeed, there is a season and a "time for every purpose under heaven." Some of the times noted in the song are especially appropriate for those of us, who are privileged to be elected officials, a time to plant and a time to reap, a time to build up, a time to speak and, sometimes, a time to keep silent.

In positions, as elected officials, additional seasons are had that require attention and participation - snow season, budget season, campaign season, for example. Mindful that the campaign season is nearly here, Supervisor Gross stated that she is announcing today that she will not seek re-election in 2023 and will retire when this term is completed on December 31, 2023.

There is lots more to do, but there always will be lots more to do. Supervisor Gross stated that she loves her job, appreciate and respect her colleagues, and treasure all of Mason District, and the residents who have placed their trust and confidence in her for the past 27 years.

Supervisor Gross stated that during the next year plus, she and her staff will endeavor to provide the same robust constituent services, as they have done for nearly three decades. We are so fortunate to be in the County, an outstanding place to live, work, play, worship, and learn. Supervisor Gross stated that she is proud and grateful to have played a role in ensuring these opportunities for the County's diverse community, and she looks forward to the continuing success of the County and the region.

19. **PRESENTATION REQUEST FOR THE FIRST BOYS AND GIRLS CLUBS OF GREATER WASHINGTON (BRADDOCK DISTRICT)** (11:38 a.m.)

Supervisor Walkinshaw stated that this year marks the 20<sup>th</sup> anniversary since the opening of the first Boys and Girls Clubs of Greater Washington in the County. The Boys and Girls Clubs of Greater Washington serve as safe havens for youth in the County. Open when schools are not, the clubs provide a safe and fun alternative



to being home alone or in the community unsupervised. Over 240 youth attend the County clubs for activities, to see their friends, and to spend time with positive and encouraging adults. Every youth is welcome to attend, and no child is turned away for inability to pay the nominal membership fee.

The clubs serve the County youth through five key elements for positive youth development, an adopted strategy created by their National Headquarters. This roadmap ensures that each youth achieves the priority outcomes of Academic Success, Good Character and Citizenship, and Healthy Lifestyles. It also incorporates high-yield learning activities, targeted programs, and regular attendance.

Jointly with Supervisor Gross, Supervisor Walkinshaw stated that they would like to congratulate the Boys and Girls Clubs of Greater Washington on the upcoming January 2023 grand opening of its fourth County club, located at Heritage Mall in Annandale. This site is in addition to the Culmore, Murraygate, and Ox Hill locations.

Therefore, jointly with Supervisor Gross, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to invite representatives from the Boys and Girls Clubs of Greater Washington to appear before the Board at an upcoming meeting or other appropriate venue, in recognition of its 20<sup>th</sup> anniversary and many contributions to the community. Without objection, it was so ordered.

20. **RESOLUTION REQUEST FOR THE W.T. WOODSON HIGH SCHOOL BOYS CROSS COUNTRY TEAM (BRADDOCK DISTRICT)** (11:40 a.m.)

Supervisor Walkinshaw stated that the W.T. Woodson Boys Cross Country team capped off a highly successful Fall 2022 season by winning the Virginia High School League Class 6 State Championships on November 12, 2022, at the Oatlands Plantation in Leesburg. En route to their State Championship, the Cavaliers were victorious at the Patriot District and Occoquan Regional Championships. This is the first time in Woodson's history that the school has won all three championships.

The team had a tremendous year, winning multiple weekend invitationals such as the Monroe Parker Invitational held at Burke Lake Park and Third Battle Invitational out in Winchester, as well as a strong fifth place finish against some of the best teams in the northeast at the Manhattan Invitational held at Van Cortlandt Park in New York City.

The seven-man team was led by senior captains, Samik Bhinge, Daniel Cassata, Caleb Hymans and Luke Schools, and rounded out by junior, Stephen Wolf and sophomores, Jibrán Hutchins and Zain Elcock. Six Woodson High School athletes ran under the 16-minute mark for the 2.98 mile course at Burke Lake Park and three were placed into Woodson's top 25 all-time runners at the park.

All-District Runners (within top 10) include the following students:

- Caleb Hymans
- Daniel Cassata
- Samik Bhinge
- Luke Schools
- Stephen Wolf
- Jibrán Hutchins

All-Region Runners (within top 10) include the following students:

- Samik Bhinge
- Daniel Cassata
- Luke Schools
- Stephen Wolf
- Jibrán Hutchins

All-State Runners (within top 15) include the following students:

- Samik Bhinge
- Daniel Cassata

The team was led by Coach Garrett Kroner, his third year as Head Coach, and who previously served four years as Assistant Coach at Woodson High School. Other coaches for the Woodson team include:

- George Winslow
- Kelley Devlin
- Ted Plunkett
- Katarina Zuber
- Cameron Schwartz

- Craig Davis

This year, Coach Kroner implemented changes to the warm-up and weightlifting training routines and initiated yoga sessions, which may have contributed to the team's success. Coach Kroner also established more team bonding activities like pasta parties a few days before the meets.

Therefore, jointly with Chairman McKay, Supervisor Gross, Supervisor Herrity, and Supervisor Palchik, Supervisor Walkinshaw asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Resolution recognizing the Cavaliers for their impressive wins this year, to be presented either inside or outside the Board Auditorium, as schedules permit, this winter. Without objection, it was so ordered.

21. **RESOLUTION REQUEST FOR THE WEST SPRINGFIELD HIGH SCHOOL GIRLS CROSS COUNTRY TEAM (BRADDOCK DISTRICT)**  
(11:42 a.m.)

Supervisor Walkinshaw stated that the West Springfield High School Girls Cross Country Team capped off a highly successful Fall 2022 season by winning the Virginia High School League Class 6 State Championships on November 12, 2022 at the Oatlands Plantation in Leesburg.

The Spartans, led by Head Coach Matthew Griffin, faced stiff competition against fellow County teams from Woodson and Langley High Schools, but they prevailed with 51 points.

Sophomore Adeline Barker told the Washington Post, "We were crying and hugging. It was a special moment for our team."

Four of West Springfield High School's seven team members finished among the top-15 finishers on the 5,000-meter course. The list includes the following students and their associated completion times:

- Aidan Mcgrath — 18.50.00
- Kenza Elakari — 19:06:00
- Adeline Barker — 19:27:00
- Chloe Miller — 19:53:00
- Lexi Stein — 21:03:00
- Katherine Len — 21:22:00
- Grave Wevley — 22:37:00

Jointly with Chairman McKay, Supervisor Lusk, and Supervisor Herrity, Supervisor Walkinshaw asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Resolution recognizing the Spartans for their impressive wins this year, to be presented either inside or outside the Board Auditorium, as schedules permit, this winter. Without objection, it was so ordered.

22. **BEST OF BRADDOCK AWARDS CEREMONY AND RECEPTION**  
(11:43 a.m.)

Supervisor Walkinshaw announced that the Best of Braddock awards ceremony and reception will be held on December 7, 2022, at the Braddock District Supervisor's office in Burke. Supervisor Walkinshaw stated that the event will recognize people and organizations who have worked to make their neighborhoods or the broader Braddock District community in the County a great place to live.

23. **WEST FALLS CHURCH METRORAIL ACTIVE TRANSPORTATION STUDY** (11:44 a.m.)

Supervisor Foust stated that on July 13, 2021, the Board adopted a Plan Amendment for the West Falls Church Transit Station Area that supports a vision for pedestrian-oriented, mixed-use development near the West Falls Church Metrorail Station.

During the nearly three-year process leading to the adoption of the Plan Amendment, residents voiced their desire for pedestrian and bike improvements between the Metrorail station and nearby neighborhoods, noting the lack of sidewalks along many residential streets, and narrow or otherwise inadequate pathways.

Immediately following adoption of the Plan Amendment, Supervisor Foust stated that he and Supervisor Palchik advanced a follow-on motion that directed the Department of Transportation to commission a study to identify opportunities to provide safe, accessible, access to the station area for all modes of active transportation including walking, bicycling, and other forms of non-motorized travel from surrounding communities.

To assist in this study effort, Supervisor Foust stated that he and Supervisor Palchik created an advisory group of area residents and stakeholders who would work with staff to develop a plan with proposed recommendations and set priorities with input from the community. The advisory group was comprised of three at-large members each from the Dranesville and Providence Districts, representatives from school Parent Teacher Associations, and one representative from the McLean Citizens Association, the Providence District Council, the Fairfax Alliance for Better Bicycling, and the Fairfax Families for Safer Streets.

A Technical Group that included staff and representatives of the Virginia Department of Transportation (VDOT), Washington Metropolitan Area Transit Authority, Virginia Tech, the City of Falls Church, and NOVA Parks, assisted the work of the advisory group.

Over the last year, the advisory group met seven times. Advisory group members obtained feedback from their respective communities and three sets of community meetings were held to keep the public informed and to solicit recommendations for needed pedestrian and bike improvements. A community survey was conducted in the spring to obtain feedback on approximately 44 project recommendations within a one-mile radius of the West Falls Church station for pedestrians and 14 projects within a two-mile radius for bicyclists.

The product of the advisory group's efforts is the West Falls Church Metrorail Active Transportation Study report, ("Report"), which includes the advisory group's recommendations for active transportation infrastructure improvements, along with recommendations for speed studies, shared streets concepts, and increased coordination with the City of Falls Church and VDOT to promote a more walkable and bikeable environment in the study area. A copy of the Report was made available to all Board offices prior to today's meeting.

Supervisor Foust stated that he and Supervisor Palchik would like to thank the advisory group members for their hard work in engaging their respective stakeholder groups, balancing opinions of the area residents and prioritizing projects. The project recommendations contained in the Report will build on the many improvements that have been made in the area and enhance pedestrian/bicycle access.

The Report is a first step in creating a safer, more comfortable, and accessible community for the West Falls Church Metrorail area. What lies ahead is the need to obtain funding so that the project recommendations can be implemented.

Therefore, jointly with Supervisor Palchik, Supervisor Foust moved that the Board direct staff from the Fairfax County Department of Transportation to:

- Include the Report's project recommendations in the County's Active Transportation Plan
- Identify potential short-term and long-term funding options for allocation to these pedestrian and bike projects, including the availability of federal and State funding
- Provide periodic reports to the Board and the community on progress made toward project implementation

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

(NOTE: Later in the meeting, during Public Comment, a speaker provided testimony regarding this matter. See Clerk's Summary Item #68.)

24. **AMERICAN RESCUE PLAN ACT (ARPA) FUNDS AND AFFORDABLE HOUSING** (11:52 a.m.)

Supervisor Foust stated that on August 2, 2022, the Board directed the County Executive to make a recommendation concerning committing additional funds under the State and Local Fiscal Recovery Funds component of the ARPA. In a memorandum dated November 4, 2022, the County Executive subsequently recommended that the Board allocate \$15 million in additional ARPA funds for affordable housing development, for a total investment to date of \$45 million from ARPA.

As the County Executive noted in his memorandum, there is a robust current pipeline of affordable housing development projects which clearly demonstrates the need for significant capital funding in the coming years. That pipeline, in furtherance of our goal to produce 10,000 additional homes affordable at 60 percent or less of the Area Median Income, would be an effective use of the recommended one-time ARPA resources.

Supervisor Foust stated his belief in the need to continue to identify opportunities to utilize other one-time funds for affordable housing development. One such potential resource is the County's General Fund Pandemic Reserve. This Reserve was established soon after the onset of the pandemic to provide a resource for the County to be able to quickly respond to emerging needs. However, given the strategic and successful use of federal and state stimulus dollars, the County has not needed to utilize most of this reserve. Per the County Executive's memo to the Board dated November 18, 2022, an unallocated balance of over \$21 million remains. Based on the current trajectory of the pandemic, the one-time nature of this reserve, and an existing balance remaining in the County's ARPA allocation for other priorities, Supervisor Foust stated his belief that this reserve may be a useful resource for affordable housing. It is also important to note that since these are local funds, these dollars would provide maximum flexibility for staff as they make resourcing decisions for affordable housing development.

Therefore, jointly with Chairman McKay, Supervisor Foust moved that the Board direct the County Executive to:

- Allocate \$15 million in State and local Fiscal Recovery Funds from the American Rescue Plan Act for affordable housing development
- Evaluate the potential use of a portion of the County's General Fund Pandemic Reserve to further the Board's affordable housing goals and make a recommendation to the Board as part of the upcoming Fiscal Year 2023 Third Quarter Review budget process

Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

25. **SPECIAL PERMIT FEE WAIVER REQUEST FOR LIFT ME UP! (DRANESVILLE DISTRICT)** (11:57 a.m.)

Supervisor Foust stated that Lift Me Up! is a 501(c)(3) non-profit horseback riding center located in Great Falls and has served residents and the broader region since 1975. The organization provides therapeutic riding lessons and wellness programs that are adapted to each rider’s cognitive and physical needs. These equine assisted programs include therapeutic and adaptive riding lessons, horsemanship camps, and horse shows.

In 2019, Lift Me Up! started its first wellness program dedicated to address the mental health needs of first responders. The next year, they added at-risk youth programs that focus on healthy personal growth. Additional space is now needed to accommodate the demand from other groups including seniors, special needs adults, and veterans.

Lift Me Up! has identified a six-acre Residential Estate (R-E) zoned property, located at 1051 Kelso Road, where they propose to expand their wellness programs. This will require Special Permit approval to operate a riding and boarding stable. To assist in this endeavor, Lift Me Up! has requested that the Board grant a waiver of all fees associated with the filing of the Special Permit application. Supervisor Foust stated his belief that the public benefits provided by Lift Me Up! have adequately demonstrated that there is good cause for the Board to grant the request for a waiver of the filing fees.

Therefore, Supervisor Foust moved that the Board direct the Department of Planning and Development to waive the Special Permit filing fee for a riding and boarding stable for Lift Me Up! for Tax Map Number 19-2 ((2)) A, once it has been accepted. This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards. This action in no way prejudices the substantive review of the application. Chairman McKay and Supervisor Lusk jointly seconded the motion.

Supervisor Alcorn stated that his daughter worked for this non-profit previously and would not be participating in the vote. The question was called on the motion and carried by a vote of nine, Supervisor Alcorn being out of the room.

26. **RECOMMENDATIONS REGARDING HOMELESSNESS-IMPLEMENTATION** (12 noon)

Supervisor Foust stated that on November 22, 2022, the Board's Housing Committee received a comprehensive report concerning the County's ongoing efforts to address the local impacts of the national homelessness challenge.

As the Board learned during the Housing Committee presentation, the County has accomplished much but clearly has more work ahead. The "Housing First" approach recognizes that emergency shelter, as part of a crisis response system, provides safety and important service connections to rapidly connect individuals and families to permanent housing, including permanent supportive housing. While the causes of homelessness are many and varied, the only thing that truly ends homelessness is affordable housing.

The presentation included a set of specific recommendations to consider, ranging from new and under-utilized solutions that could be added to its toolbox, potential zoning changes, and new governance and strategic planning. The Board had a robust discussion during the committee meeting, and Supervisor Foust stated his belief that a consensus emerged around those recommendations over the course of its conversation.

Therefore, jointly with Supervisor Alcorn and Supervisor Smith, Supervisor Foust moved that the Board direct the County Executive to:

- During the first quarter of calendar year 2023, return to the Board with a recommendation for the re-constitution of the Continuum of Care/Homelessness Governing Board
- Work with the re-constituted Governing Board to develop strategic priorities to address homelessness, in time for development of the Fiscal Year (FY) 2025 budget. This effort should include evaluation of the new and underutilized options for addressing homelessness that were presented during the Housing Committee meeting, and recommendations for implementation of those options as deemed appropriate
- Include the zoning proposal to facilitate the adaptive reuse of vacant and underutilized commercial and industrial properties by private entities to provide shelter, services, and permanent supportive housing to the homeless population as a Priority 1 Item on the FY 2024 Zoning Ordinance Work Program for the Board's consideration

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

27. **NO BOARD MATTERS FOR SUPERVISOR ALCORN (HUNTER MILL DISTRICT)** (12:04 p.m.)



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

28. **LIONS CLUBS 2023 FLEA MARKET APPLICATION FEES WAIVER REQUEST (LEE AND MASON DISTRICTS)** (12:04 p.m.)

Supervisor Lusk stated that he and Supervisor Gross are requesting a waiver of the application fees for permits associated with the flea markets conducted by the Springfield-Franconia Host Lions Club, Springfield Global Lions Club, and Alexandria Asian American Lions Club. The Board has approved waiver requests for the Lions Clubs annually since 1994, and these three clubs have collaborated to submit a joint fee waiver request for 2023.

The flea markets will be held at the Backlick Road Virginia Railway Express Station parking lot on Saturdays and Sundays from March to November in 2023. All net proceeds generated by the flea markets are returned to the community. The Lions Clubs provide a portion of the funds generated by the flea markets to charitable organizations including Koinonia, ECHO, Second Story, Juvenile Diabetes Association, Foundation Fighting Blindness, the Virginia Lions Eye Institute Foundation, and local food banks. They also work to provide community members in need with eye exams, eyeglasses, and hearing aids through direct contributions and by partnering with the Northern Virginia Eyeglass Recycling Center, VLEIF, and MyEyeDoctor.

The Springfield-Franconia Host Lions Club, Springfield Global Lions Club, and Alexandria Asian American Lions Club respectfully requested that the Board support their fee waiver applications for 2023 and have shared their appreciation for the Board's continued support.

Therefore, jointly with Supervisor Gross, Supervisor Lusk moved that the Board waive the application fees for permits associated with the Springfield-Franconia Host Lions Club, Springfield Global Lions Club, and Alexandria Asian American Lions Club 2023 flea markets as held on the following dates:

- Springfield-Franconia Host Lions Club: March 11 and 25, April 9 and 23, May 14 and 28, June 11 and 25, August 13 and 27, September 10 and 24 and October 8 and 22
- Alexandria Asian American Lions Club: March 18, April 1, 15 and 29, May 6 and 29, June 3 and 17, July 1, 15 and 29, August 5 and 19, September 2, 16 and 30; October 7 and 21, and November 4 and 11
- Springfield Global Lions Club: April 2, 16 and 30, May 7 and 21, June 4 and 18, July 2, 16 and 30, August 13 and 27, September 10 and 24, October 8 and 22, November 5

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

29. **UPDATE ON THE FORMER KINGSTOWNE TOP GOLF SITE (LEE DISTRICT)** (12:07 p.m.)

Supervisor Lusk stated that the very first Top Golf franchise was right in the heart of Kingstowne. Since its inception the company has obviously grown substantially and evolved its model into something that is almost impossible to imagine looking back at their original facility. The site of the original Top Golf has been one of great interest and conversation in the Lee District for many years, and for most of that time conversations about the future of the site have contentious and largely divided. Last year, Supervisor Lusk stated that he concluded that the plan amendment under consideration connected to the site did not enjoy the community support necessary to bring it before the Board, and he requested that it be indefinitely deferred. Since that time, the level of interest and speculation in the future of the former Top Golf site has only increased. With that in mind, Supervisor Lusk announced that as of today consideration of that amendment has officially been reactivated. After consulting with staff, there is no motion or official action necessary to initiate that reactivation, and Supervisor Lusk stated that he made the announcement so that the community is aware of the change in the status of the plan amendment. As a result of extensive community outreach, and engagement by both the applicant and staff, the plan amendment now enjoys the endorsement of the Kingstowne Residential Owners Corporation. Supervisor Lusk stated that he was excited to share this development with the broader community in my district, and to re-open the door to the activation of this location in the heart of Kingstowne.

30. **ADOPTION OF THE AUDITOR OF THE BOARD'S NOVEMBER 2022 QUARTERLY REPORT** (12:09 p.m.)

Supervisor Storck stated that the Board has received the Auditor of the Board's Quarterly Draft Report for November 2022. This quarter's report includes the second half of the Fiscal Year (FY) 2023 & full FY 2024 Audit Study Plan which was approved by the Audit Committee based on the availability of the Office of Elections to participate in the proposed Election Readiness Study.

**Second Half FY 2023 Annual Study Plan:**

**Auditor's Study Plan Recommendations:**

**Third Quarter's Approved Audit Committee Study Plan**

- Take-Home Vehicle Fleet Utilization Study
- Northern Virginia Transportation Commission Study

**Fourth Quarter's Proposed Amendment Audit Committee Study Plan**

- Health Department Services Study

- Election Readiness Study

**Full FY 2024 Annual Study Plan:**

**Auditor's Study Plan Recommendations:**

**First Quarter's Proposed Audit Committee Study Plan**

- Follow-Up Department of Vehicle Services Vehicle Replacement Study
- Stormwater Services Special Revenue Study

**Second Quarter's Proposed Audit Committee Study Plan**

- FY 2025 Audit Committee Annual Study Plan Proposal
- Follow-Up Community Service Board Revenue Analysis Study

**Third Quarter's Proposed Audit Committee Study Plan**

- Metrorail Parking System Study
- Stormwater Conveyance System Study

**Fourth Quarter's Proposed Audit Committee Study Plan**

- Emergency Rental Assistance Program Study
- School Aged Child Care Study

**November 2022 Quarter Report Alternative Studies:**

**Auditor's Study Plan Recommendations:**

**Alternative Study Areas**

- General Obligation Bond Issuance and Drawdown Study
- Follow-Up Department of Transportation Cash Proffers Study
- School Bus Maintenance & Replacement Study

Therefore, Supervisor Storck moved that the Board adopt the Auditor of the Board's November 2022 Quarterly Report. Supervisor Lusk seconded the motion and it carried by unanimous vote.

31. **MOUNT VERNON DISTRICT HOLIDAY OPEN HOUSE** (12:12 p.m.)

Supervisor Storck announced that the Mount Vernon District Holiday Open House will be held on December 8, 2022, and he invited the community to attend.

32. **PRESENTATION AND PUBLICITY REQUEST FOR “HUMAN TRAFFICKING AWARENESS MONTH”** (12:12 p.m.)

Supervisor Herrity stated that human trafficking is the fastest growing criminal enterprise in the world. The Department of Homeland Security (DHS) defines trafficking as involving the use of force, fraud, or coercion to obtain some type of labor or commercial sex act. Each January the County recognizes National Human Trafficking Awareness month and the sobering reality that even as it works hard to end this crime, many continue to suffer horrific treatment at the will of traffickers. The instability of the pandemic exacerbated vulnerable conditions for many that made them more susceptible to traffickers. As stated by the United States Advisory Council on Human Trafficking (USACHT), traffickers do not necessarily target people; they target vulnerabilities. Tragically, this is demonstrated by the increase in child trafficking around the world and even here in the County. In its 2022 annual report, USACHT identifies that child sexual abuse material reached a historic high in 2021 and despite low reporting numbers of child trafficking, actual victimization is estimated to be much higher. Staff reported that they have seen an increase in trafficking victims who are seven to ten years old, including more male children than in previous years. In the past year, the County served 110 human trafficking victims, many of whom were seeking County assistance for immediate needs and were later identified as being trafficked. Human trafficking data is historically incomplete because of underreporting and difficulty identifying victims.

Trafficking can take many forms including sexual exploitation, domestic servitude, and forced labor. In March 2019, Supervisor Herrity stated that he asked the Board to form an interdepartmental work group to focus on the issue of over 80 illicit massage businesses (IMBs) operating in the County. These businesses hide in plain sight among legitimate businesses and make up one of the largest and most networked markets in the United States sex trafficking industry. While the pandemic delayed efforts, the County has made strides in the last six months. Police are working with nonprofit partners to investigate suspected IMBs. Meanwhile, as approved in his 2020 Board matter, staff have begun reviewing the County’s massage ordinance and identifying recommendations that would make it more robust, creating a nonpermissive environment for illegitimate massage businesses.

While the County and its nonprofit partners work tirelessly to support victims and bring traffickers to justice, residents play a critical role in the fight to end human trafficking. All residents should be aware of the indicators of trafficking as well as who to call for help. If you are in immediate danger, or see someone in immediate danger, call 9-1-1. Residents should never try to confront a trafficker. Sometimes people do not know how to help or are unsure if what they are seeing is trafficking. The Domestic and Sexual Violence Services team suggests that residents focus less

on building certainty that a case is trafficking and instead focus on helping those around you who are vulnerable. Since traffickers target the most vulnerable, you can help prevent trafficking by helping others who have recently been displaced, are experiencing family turmoil, or have financial insecurity. In addition, residents should be increasingly vigilant about activity online, especially for their children. According to the OSACHT 2022 annual report, online recruitment is the number one method to lure people in sex trafficking globally.

Therefore, jointly with Chairman McKay, Supervisor Herrity asked unanimous consent that the Board direct staff to:

- Prepare a Resolution recognizing January 2023 as “*Human Trafficking Awareness Month*” in the County, recognizing the tireless efforts of staff and County partners who have worked to raise awareness, aid survivors, and bring traffickers to justice, to be presented at the Board Meeting on January 24, 2023, to the Executive Director of Reset180. Reset180 is a local nonprofit that has been instrumental in raising awareness, providing resources to trafficking survivors, and working to root out IMBs throughout Northern Virginia
- Share the information regarding Domestic and Sexual Violence Services, the Domestic and Sexual Violence 24-Hour Hotline, Domestic Violence Action Center, Domestic and Sexual Violence Services Main Office, and Indicators of Trafficking with residents so they can have more information and know who to call for help

Chairman McKay requested that staff provide the Board with updates at the meeting on January 24, 2023. Without objection, it was so ordered.

33. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) UPDATES**  
(12:18 p.m.)

Supervisor Herrity provided updates on a few local VDOT projects.

34. **PLAN AMENDMENT AUTHORIZATION POLICY PLAN** (12:21 p.m.)

Supervisor Smith stated that staff provided an overview of an approach to comprehensively review the Comprehensive Plan’s Policy Plan at the November 22, 2022, Land Use Policy Committee Meeting. As they mentioned, generally the format and content of the Comprehensive Policy Plan date back to 1990. With multiple amendments and additions over the years, the Policy Plan has expanded significantly, but has not been reviewed holistically.

As outlined by staff at the meeting, the goals of a complete Policy Plan Update are to:

- Review, update, and streamline existing Policy Plan elements
- Add new Policy Plan elements as needed
- Ensure the Policy Plan is in alignment with the Countywide Strategic Plan, the One Fairfax Policy, and other recently adopted policies and initiatives

As part of the initial effort, recognizing that there will be overlap with other Policy Plan elements, staff anticipates focusing on the Land Use, Environment and Transportation elements, and the potential addition of equity and community health policies to the Policy Plan.

Therefore, jointly with Chairman McKay, Supervisor Smith moved that the Board direct staff to consider a Comprehensive Plan Amendment to update the Countywide Policy Plan. This effort should begin with an examination of Equity, Community Health, Land Use, Environment and Transportation policies. There will be overlap with review of policies in other elements as part of this effort. Chairman McKay and Supervisor Alcorn jointly seconded the motion and it carried by unanimous vote.

35. **PRESENTATION AND PUBLICITY REQUEST FOR THE PUBLIC HEALTH SYSTEM PARTNER** (12:23 p.m.)

Supervisor Palchik stated that throughout the past three years of this unprecedented global health emergency, over 1,000 partners representing multiple sectors within the local public health system mobilized to support containment, mitigation, and to advance health equity by sharing trusted information regarding COVID-19 disease and increasing access to vaccination within the community.

Recognizing that public health is what is done together as a society to create the conditions in which everyone can be healthy; the Board seeks to offer a Proclamation celebrating the numerous partners who contributed to the COVID-19 response and actions that supported County resident's ability to be safe, healthy, and thrive during these past three years.

Therefore, jointly with Chairman McKay and Supervisor Foust, Supervisor Palchik asked unanimous consent that the Board direct staff from the Office of Public Affairs to prepare a Proclamation, to be presented at a public event to be held at the Government Center on February 4, 2023, from 10 a.m. – 2 p.m., and assist the Health Department in promoting the webpage being created to detail the event. Without objection, it was so ordered.

Chairman McKay noted that a lot of non-profit groups were recognized for their work, in response to COVID-19 throughout the pandemic, and this is a way to ensure that everyone who assisted is recognized. He encouraged his colleagues to participate and help disseminate information regarding this upcoming event.

36. **THE CHAIRMAN’S NEW YEAR RECEPTION** (12:25 p.m.)

Chairman McKay announced that his New Year Reception will be held on January 20, 2023, and he invited the community to attend the event. He stated that there will be a donation drive to benefit the Animal Shelter.

**KK:kk**

37. **ADMINISTRATIVE ITEMS** (12:26 p.m.)

Supervisor Gross moved approval of the Administrative Items. 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.”

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF BARNEY ROAD (SULLY DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 21, 2023, at 4 p.m.**, to consider a proposal to vacate a portion of Barney Road.

**ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF SCOTTS CROSSING ROAD (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 24, 2023, at 4:30 p.m.**, to consider a proposal to vacate and abandon a portion of Scotts Crossing Road.

**ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO FAIRFAX COUNTY CODE SECTION 84.1-8-3, VEHICLE REQUIREMENTS**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 24, 2023, at 3:30 p.m.**, to consider proposed amendments to the Fairfax County Code Section 84.1-8-3, Vehicle Requirements.

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA – CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 1 (PERSONNEL ADMINISTRATION), SECTIONS 3-1-1 (PURPOSES OF ARTICLE; DEFINITIONS) AND 3-1-2 (COUNTY SERVICE AND DIVISIONS THEREOF), AND ARTICLE 5 (FINANCIAL**

**DISCLOSURES), SECTION 3-5-2.1 (DISCLOSURE OF FINANCIAL INTEREST)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 24, 2023, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 3, Article 1, Sections 3-1-1 and 3-1-2, and Article 5, Section 3-5-2.1.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER APPROVAL OF THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) 2022 RESTATED AND AMENDED SERVICE AGREEMENT**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 24, 2023, at 4:30 p.m.**, to consider approval of the UOSA 2022 Restated and Amended Service Agreement.

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING A PROPERTY CLASSIFICATION AND TAX RATE FOR REAL PROPERTY OWNED BY CERTAIN SURVIVING SPOUSES OF MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 24, 2023, at 3:30 p.m.**, to consider an ordinance establishing a property classification and tax rate for real property owned by certain surviving spouses of members of the armed forces who died in the line of duty. The proposed ordinance establishes a tax rate of \$0.01 per \$100 of assessed value, the lowest rate allowed by the legislation and makes this relief retroactive to January 1, 2022.

**ADMIN 7 – APPROVAL OF A “WATCH FOR CHILDREN” SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – ADAMS CHASE CIRCLE (MOUNT VERNON DISTRICT)**

- Authorized the installation of a “Watch for Children” sign on Adams Chase Circle (Mount Vernon District) as part of the RTAP
- Directed staff of the Department of Transportation to schedule the installation of the approved “Watch for Children” sign as soon as possible

**ADMIN 8 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – CHERRY STREET, BROOK DRIVE, CLEAVE DRIVE, WESTOVER STREET AND LINDEN LANE (MASON DISTRICT)**



- Authorized the following installations in the Mason District:
  - Two “Watch for Children” signs on Cherry Street
  - One “Watch for Children” sign on Brook Drive
  - One “Watch for Children” sign on Cleave Drive
  - One “Watch for Children” sign on Westover Street
  - Two “Watch for Children” signs on Linden Lane
- Directed staff of the Department of Transportation to schedule to schedule the installation of the approved “Watch for Children” signs as soon as possible

**ADMIN 9 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – ROSE LANE (MASON DISTRICT)**

- (R)
- Adopted the Resolution endorsing a traffic calming plan consisting of seven speed humps on Rose Lane (Mason District)
  - Directed staff to schedule installation of the approved measures as soon as possible

**ADMIN 10 - APPROVAL OF AN EXTENSION TO THE LICENSE AGREEMENT BETWEEN FAIRFAX COUNTY AND THE WORKHOUSE ARTS FOUNDATION, INC. (MOUNT VERNON DISTRICT)**

Approved a five-year extension of the License Agreement with the Workhouse Arts Foundation, Inc. through December 31, 2027.

**ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23137 FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO ACCEPT GRANT FUNDING FROM THE VIRGINIA EARLY CHILDHOOD FOUNDATION (VECF) SUPPORTING THE READY REGIONS CAPITAL AREA**

- (SAR)
- Approved SAR AS 23137 authorizing the Department of Neighborhood and Community Services to accept grant funding from the VECF in the amount of \$2,373,766. Funding will be used to continue to build the infrastructure of the Ready Region Capital Area to support and strengthen the region’s birth to five early childhood system. Funding will also support a total of 11 full-time exempt grant positions (5 full-time exempt existing grant positions transitioning from the County’s VECF Preschool Development

Grant Birth to Five grant and 6 full-time exempt new grant positions). No local cash match is required

- Approved the Memorandum of Understanding between VECF and the County

**ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23110 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE COMMUNITY PROJECT FUNDING REQUESTS INCLUDED IN THE CONSOLIDATED APPROPRIATIONS ACT, 2022**

(SAR) Approved SAR AS 23110 for the CSB to accept grant funding from the U.S. Department of Health and Human Services, Health Resources and Services Administration in the amount of \$3,175,000 supporting three CSB projects that were funded through the Consolidated Appropriations Act, 2022. No local cash match is required.

**ADMIN 13 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS), FISCAL YEAR (FY) 2023 COMBATING HATE CRIME GRANT PROGRAM**

- Authorized the FCPD to apply for and accept funding, if received, from the DCJS, Combating Hate Crimes Grant program in the amount of \$150,000. FCPD will partner with six organizations to improve its security in hopes of deterring, detecting, delaying and denying threats and attacks thus reducing or eliminating damage from a hate crime. No new positions will be created, and no local cash match is required
- Authorized the Chairman of the Board, the County Executive, and/or designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

**ADMIN 14 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2019-SU-022, BLUE KNOB INVESTORS, LLC (SULLY DISTRICT)**

(AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 2019-SU-022 to July 28, 2025, pursuant to the provisions of subsection 8100.3.D.6(b) of the Zoning Ordinance.

38. **A-1 – APPROVAL OF A PARKING REDUCTION FOR HUNTINGTON CLUB – PHASE 1 (LAND BAYS A, B, C, AND D) (MOUNT VERNON DISTRICT)** (12:27 p.m.)

On motion of Supervisor Storck, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction for Huntington Club – Phase 1 (Blocks A, B, C, and D) pursuant to Paragraph 6.B(1)(a) of Section 6100 of the Fairfax County Zoning Ordinance based on the site’s proximity to mass transit as demonstrated in the parking study #3608-PKS-001, subject to the conditions in Attachment I of the Board’s Agenda Item.

39. **A-2 – APPROVAL OF A RESOLUTION TO EXTEND THE CABLE FRANCHISE TERM OF COMCAST OF VIRGINIA, LLC** (12:27 p.m.)

(R) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and adopted a Resolution authorizing the County to enter into an agreement with Comcast extending the term of Comcast’s cable franchise without change in the terms and conditions of the franchise. Supervisor Alcorn seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

40. **A-3 – AUTHORIZATION OF PHASE II DESIGN AND CONSTRUCTION AGREEMENT BETWEEN THE FAIRFAX COUNTY BOARD OF SUPERVISORS AND THE CITY OF FAIRFAX REGARDING THE JOINT REDEVELOPMENT OF THE WILLARD HEALTH CENTER CAMPUS AND THE SHERWOOD COMMUNITY CENTER** (12:28 p.m.)

Supervisor Palchik moved that the Board concur in the recommendation of staff and authorize the County Executive to execute a Phase II Design and Construction Agreement with the City of Fairfax, substantially in the form of Attachment 1 to the Board Agenda Item, 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. Chairman McKay seconded the motion.

Supervisor Walkinshaw noted that this item will be a topic of discussion at an Interjurisdictional Committee meeting with the City of Fairfax and its new Mayor-elect in January 2023.

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

41. **A-4 – SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS AND PUBLIC IMPROVEMENT REFUNDING BONDS** (12:29 p.m.)

(Rs) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and approve the:

- Sale of General Obligation Public Improvement Bonds that will generate \$350 million to fund construction of capital facilities and infrastructure as previously approved by the Board
- Sale of Public Improvement Refunding Bonds, as discussed in the Board Item
- Resolution authorizing the issuance of the General Obligation Public Improvement Bonds and Public Improvement Refunding Bonds. The Resolution:
  - Authorizes the execution and delivery of a Continuing Disclosure Agreement and other documents necessary for sale
  - Delegates to the County Executive or Chief Financial Officer authority to award the bonds, on specified criteria, through either a competitive or negotiated sale. Bond Counsel has advised that this form of authorization is acceptable and provides flexibility for changing market conditions
  - Approves the form of the notice of sale and the Official Statement for the Public Improvement Bonds, and authorizes the Chairman, Vice Chairman, County Executive or Chief Financial Officer to sign the Official Statement for the Public Improvement Bonds and Public Improvement Refunding Bonds

Supervisor Lusk seconded the motion.

Chairman McKay noted that the County's Triple-A Bond rating has been in existence since 1975, again in 1978, and its Fitch Ratings since 1997. As of January 2022, 13 states, 49 counties, and 31 cities have Triple-A bond ratings from all three major bond rating agencies. As a result of the County's excellent Triple-A bond rating, the County has saved over \$1 billion in taxpayer money due to bond and refunding sales.

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

42.

**A-5 – APPROVAL OF REVISIONS TO CHAPTERS 1, 2, 5, 7, AND 10 OF THE PERSONNEL REGULATIONS; AND PROCEDURAL**

**MEMORANDUM 11-01, EXEMPT SERVICE; AND APPROVAL OF NEW PAY PLANS AND REVISED CLASS SPECIFICATIONS** (12:31 p.m.)

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

- Proposed revisions to Chapters 1, 2, 5, 7, and 10 of the Personnel Regulations
- Revisions to PM 11-01
- New pay plans and amendments to the class specifications

43. **A-6 – ACCEPTANCE OF 2022-2023 COUNTYWIDE SITE-SPECIFIC PLAN AMENDMENT (SSPA) NOMINATIONS** (12:32 p.m.)

Supervisor Smith stated that the Site-Specific Plan Amendment nomination period took place this October, and the Board received 75 nominations, 74 of which remain active as shown in the Board item. Staff have reviewed the nominations for eligibility and to ensure all the required submission items have been provided to facilitate their review during screening. of the 74 nominations, one was deemed ineligible. That nomination, SP-005, in the Springfield District, is for an outparcel at the Fair Oaks Mall and is subject to a pending land use plan amendment for the Core Area of the Fairfax Center area, and the proposed change could be evaluated through that separate effort.

Supervisor Smith noted that only two nominations are incomplete at this time. In one of these, nomination PR-006 in the Providence District, the nominator has worked diligently to obtain 20 of the 24 total owners' signatures from the Alliance Center office condominium in Merrifield and continues to work to obtain signatures. For the other, nomination SP-001 in the Springfield District, the nominator has not submitted a concept plan; however, given the unique circumstances of the proposed nomination, a concept plan is not necessary.

From the SSPA retrospective this past Spring, the Board included a new step in the process that allows the Board to accept, or reject, the nominations into the screening phase. The nominations that are accepted will proceed into screening which will include review by staff, the community, and the Planning Commission to determine which nominations should be advanced to the Comprehensive Plan Amendment Work Program as formal plan amendments.

Based on discussions with each Board Member, staff has compiled a list of the nominations that Board Members have expressed interest in accepting. This list, entitled the December 6, 2022, Proposed List of Nominations, has been circulated to each Board Member and the Clerk for the Board. This list includes a few

additional nominations that were not included with the 74 shown on Attachment 1 of the Board Agenda Item.

Therefore, Supervisor Smith moved that the Board accept the nominations and additions listed in the December 6, 2022, Proposed List of Nominations into the SSPA Screening Process, which was distributed around the dais. Supervisor Gross and Chairman McKay jointly seconded the motion.

A brief discussion ensued, with input from Graham Owen, Planner IV, Policy and Plan Development Branch, Department of Planning and Development (DPD), regarding the next SSPA opportunity and the screening process.

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

Supervisor Smith stated that the remaining nominations, listed in Attachment 1 of the Board Item, that have not already been accepted by the Board, will not be reviewed as part of the SSPA process.

Therefore, Supervisor Smith moved that the Board reject those remaining nominations. Supervisor Alcorn seconded that motion and it carried by unanimous vote.

Supervisor Smith asked unanimous consent that the Board direct DPD staff to include the updated list of nominations on the SSPA Track a Nomination website.

Following discussion, with input from Mr. Owen regarding the timeline moving forward, without objection, it was so ordered.

44. **A-7 – ADOPTION OF PROPOSED AMENDMENTS TO THE FAIRFAX COUNTY STATEMENT OF POLICY REGARDING SEWAGE DISPOSAL**  
(12:43 p.m.)

(P) Supervisor Storck moved that the Board concur in the recommendation of staff and adopt the proposed amendments to the Fairfax County Statement of Policy Regarding Sewage Disposal to revise requirements for reimbursing developers for enlarged sewage facilities and general housekeeping updates to the existing policy, which was adopted by the Board on June 16, 1980, and amended through February 2, 2016. Chairman McKay seconded the motion.

Discussion ensued, with input from Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, regarding the agreement and expenses.

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

45. **A-8 – APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) WITH THE TOWN OF HERNDON (“TOWN”) FOR THE COUNTY OF FAIRFAX**

**TO SERVICE, MAINTAIN, AND REPAIR MOTOR VEHICLES OWNED AND OPERATED BY THE TOWN** (12:48 p.m.)

On motion of Supervisor Foust, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to execute a MOA with the Town for the County of Fairfax to service, maintain, and repair motor vehicles owned and operated by the Town.

46. **A-9 – APPROVAL OF RESOLUTION ENDORSING PROJECTS SUBMITTED FOR FISCAL YEAR 2029 REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) AND CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FEDERAL FUNDING THROUGH THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA)** (12:48 p.m.)

- (R) On motion of Supervisor Alcorn, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a Resolution endorsing the County's, and other localities and agencies, project submissions to NVTA for the CMAQ and RSTP funding programs.

47. **A-10 – BOARD ENDORSEMENT OF FOX MILL ROAD AND PINECREST ROAD INTERSECTION IMPROVEMENTS (HUNTER MILL DISTRICT)** (12:49 p.m.)

On motion of Supervisor Alcorn, jointly seconded by Supervisor Foust and Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Endorsed the design plans for the Fox Mill Road and Pinecrest Road Intersection Improvements administered by Virginia Department of Transportation (VDOT) as generally presented at the May 18, 2022, Design Public Hearing
- Authorized the Director of the Department of Transportation to transmit the Board's endorsement to VDOT

48. **A-11 – ACTION ITEM TO CONSIDER APPROVAL OF THE ECONOMIC INCENTIVE PROGRAM (EIP) APPLICATION OF HANOVER R.S. LIMITED PARTNERSHIP (LEE DISTRICT)** (12:49 p.m.)

On motion of Supervisor Lusk, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the application by Hanover R.S. Limited Partnership, submitted in conjunction with Proffered Condition Amendment Application PCA 2007-LE-007 and

Rezoning/Plan Amendment Application RZ/PA 2022-LE-00056, for eligibility in the EIP.

49. **I-1 – PRESENTATION OF THE FISCAL YEAR (FY) 2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND POPULAR ANNUAL FINANCIAL REPORT (PAFR)** (12:51 p.m.)

The Board next considered an item contained in the Board Agenda regarding the FY 2022 Annual ACFR and PAFR.

A brief discussion ensued regarding the item.

**DMS:dms**

50. **RECESS/CLOSED SESSION** (12:53 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 Section 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code Section 2.2-3711(A) (7).
  1. *Kimberly LaFave, et al. v. County of Fairfax et al.*, Case No. CL-2021-0001569 (Fx. Co. Cir. Ct.)
  2. *Barry McCabe v. Fairfax County, Fairfax County Animal Shelter, Fairfax County Board of Supervisors, David Rohrer, Ed Roessler, Anthony Matos, Barbara Hutcherson, Amanda Novotny, and John Doe(s)*, Docket No. 21-801 (U.S. Sup. Ct.)
  3. *Victor Sun Zheng v. Jenny Mei Zhang and Darrin DeCoster*, Case No. CL2022-0007810 (Fx. Co. Cir. Ct.)



4. *Nathaniel President v. Fairfax County Police Department*; Case No. GV22- 011791 (Fx. Co. Gen. Dist. Ct.)
5. *Shaning Yu v. Fairfax County Government, Department of Human Resources*; Case No. GV22-013840 (Fx. Co. Gen. Dist. Ct.)
6. *In re: April 20, 2022, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Addicott Hills Homeowners Association, Inc., Great Falls Citizens Association, and Farhad Saba v. Stonecrest Home Arts, Inc., and Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2022-0006672 (Fx. Co. Cir. Ct.), and *Addicott Hills Homeowners Association, Inc., Great Falls Citizens Association, and Farhad Saba v. Stonecrest Home Arts, Inc., Board of Supervisors of Fairfax County, Virginia, and Board of Zoning Appeals of Fairfax County, Virginia*, Case No. CL-2022-0007036 (Dranesville District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Walter S. Bowman and Issa Maria Bowman*, Case No. GV22-016114 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
8. *Jay Riat, Building Official for Fairfax County, Virginia v. Paul T. Tansill and Yonsun Jung Tansill*, Case No. GV22-017703 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kyu Chong*, Case No. CL-2022-0147222 (Fx. Co. Cir. Ct.) (Hunter Mill District)
10. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Elaine N. Oliver Trust*, Case No. GV22-017119 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. B-DEL Corporation and District Sports Center, LLC*, Case No. CL-2022-001273 (Fx. Co. Cir. Ct.) (Lee District)
12. *Jay Riat, Building Official for Fairfax County, Virginia v. NV Flagging LLC, f/k/a NV Flagging, Inc.*, Case No. CL-2022-0005298 (Fx. Co. Cir. Ct.) (Lee District)

13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Badar Zaman and Haneefa Bibi*, Case No. GV22-11206 (Fx. Co. Gen. Dist. Ct.) (Lee District)
14. *Jay Riat, Building Official for Fairfax County, Virginia v. Guenter Pfeli*, Case No. GV22-016106 (Fx. Co. Gen. Dist. Ct.) (Lee District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Steuart Backlick Plaza, LLC and Fresh World One, Inc.*, Case No. CL-2022-0013730 (Fx. Co. Cir. Ct.) (Mason District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mieu Lien Phung Living Trust, et. al.*, Case No. CL-2021-0014458 (Fx. Co. Cir. Ct.) (Mason District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ayman Awadallah and Reema Awadallah*, Case No. CL-2022-0014916 (Fx. Co. Cir. Ct.) (Mason District)
18. *Jay Riat, Building Official for Fairfax County, Virginia v. Baileys I, LLC*, Case No. GV22-014686 (Fx. Co. Gen. Dist. Ct.) (Mason District)
19. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Konstantinos Kapasouris*, Case No. GV22-015831 (Fx. Co. Gen. Dist. Ct.) (Mason District)
20. *Jay Riat, Building Official for Fairfax County, Virginia v. Miguel A. Giron*, Case No. GV22-016112 (Fx. Co. Gen. Dist. Ct.) (Mason District)
21. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. David Sisson*, Case No. GV22-008186 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. MSSS LLC*, Case No. GV22-015058 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
23. *Jay Riat, Building Official for Fairfax County, Virginia v. Isela Flores*, Case No. GV22-015512 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
24. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Keith Elliott, Jr.*, Case No.

- GV22-016112 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Keith Elliott, Jr.*, Case No. GV22-016109 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  26. *Jay Riat, Building Official for Fairfax County, Virginia v. Charles Randall Gentry*, Case No. GV22-016015 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  27. *Jay Riat, Building Official for Fairfax County, Virginia v. Alexis Victoria Capestany, James Joseph Capestany and Laura M. Antuna*, Case No. GV22- 016906 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  28. *Jay Riat, Building Official for Fairfax County, Virginia v. GC Retail L.C., Body and Soul, L.L.C.*, Case No. GV22-017389 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  29. *Jay Riat, Building Official for Fairfax County, Virginia v. AUR Properties, L.P. and Desi Bethak Inc.*, Case No. GV22-017701 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  30. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Walter E. Huizenga*, Case No. GV22-015513 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
  31. *Jay Riat, Building Official for Fairfax County, Virginia v. Hao Ngoc Nguyen and Anna Thi Nguyen*, Case No. CL-2022-0006184 (Fx. Co. Cir. Ct.) (Providence District)
  32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Fairfax Center Associate, L.L.C. and Happy Tail Grooming Salon LLC*, Case No. CL-2021- 0010534 (Fx. Co. Cir. Ct.) (Providence District)
  33. *Jay Riat, Building Official for Fairfax County, Virginia v. Gul M. Niayz*, Case No. GV22-010258 (Fx. Co. Gen. Dist. Ct.) (Providence District)
  34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tysons Ventures, LLC and Sasani Rashidi*, Case No. GV22-014021 (Fx. Co. Gen. Dist. Ct.) (Providence District)

35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Deng Mang*, Case No. GV22-014715 (Fx. Co. Gen. Dist. Ct.) (Providence District)
36. *Jay Riat, Building Official for Fairfax County, Virginia v. The Board of Directors, Unit Owners Association of Renaissance 2230 and Gates Hudson Community Management, LLC*, Case No. GV22-017388 (Fx. Co. Gen. Dist. Ct.) (Providence District)
37. *Jay Riat, Building Official for Fairfax County, Virginia v. Daniel M. Heltzer and Alyssa Ripka Lubov*, Case No. GV22-017981 (Fx. Co. Gen. Dist. Ct.) (Providence District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. William O'Rourke and Dorothy J. Z. O'Rourke*, Case No. CL-2021-0013479 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711 (A)(7) and (8), legal briefings regarding *Reston Civic Core, LLC v. Board of Supervisors*, Fairfax County Circuit Court Case No. CL-2022-0015638; Virginia Code Section 15.2-852; and County property damage claims and the Indemnification Resolution
- As permitted by Virginia Code Section 2.2-3711(A)(1), discussion regarding a Board appointment and annual evaluations for two Board appointees

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

At 3:12 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

#### **ACTIONS FROM CLOSED SESSION**

51. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:12 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 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.”

52. **MOTION AUTHORIZING FILING OF LITIGATION FOR CLAIMS FOR DAMAGE TO COUNTY PROPERTY** (3:12 p.m.)

Supervisor Gross moved that the Board authorize the filing of litigation in the following claims for damage to County property, according to the terms and conditions outlined by the County Attorney in Closed Session:

- FX-18-003172
- FX-18-003199
- FX-18-003241
- FX-21-006384
- FX-21-006914
- FX-22-007218
- FX-22-007867
- FX-23-008657

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

EBE:ebe

**AGENDA ITEMS**

53. **3 P.M. – PUBLIC HEARING ON SE 2021-MA-032 (MCDONALD’S CORPORATION) TO PERMIT A RESTAURANT WITH DRIVE THROUGH IN A HIGHWAY CORRIDOR OVERLAY DISTRICT, LOCATED ON APPROXIMATELY 46,009 SQUARE FEET OF LAND (MASON DISTRICT)** (3:15 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 18 and November 25, 2022.

The application property is located at 6729 Arlington Boulevard, Falls Church, 22042. Tax Map 50- 4 ((17)) G

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

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

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

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

Following a query by Supervisor Gross, Mr. Pritchard confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 18, 2022.

Supervisor Gross moved that the Board approve:

- Special Exception Application SE 2021-MA-032, subject to the development conditions dated October 18, 2022
- Waivers and modifications contained in the handout distributed, dated December 6, 2022, which will be made part of the record, and are as follows:
  - Waiver of the loading space requirement
  - Modification of the transitional screening requirement along a portion of the southern property line
  - Reduction of the front yard setback
  - Modification of the peripheral park lot landscaping requirement along the eastern property line

Supervisor Palchik seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

54. **3 P.M. – PUBLIC HEARING ON SE 2022-PR-00001 (PETROLEUM MARKETING GROUP, INC.) TO PERMIT THE ADDITION OF A CONVENIENCE STORE WITHIN AN EXISTING SERVICE STATION BUILDING AND A WAIVER OF THE OPEN SPACE REQUIREMENT, LOCATED ON APPROXIMATELY 19,643 SQUARE FEET OF LAND (PROVIDENCE DISTRICT) (3:33 p.m.)**

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 18 and November 25, 2022.

The application property is located at 1953 Chain Bridge Road, McLean, 22102. Tax Map 29-4 ((1)) 17.

David R. Gill, Wire Gill LLP, reaffirmed the validity of the affidavit dated November 18, 2022, for the record.

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

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

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

Following a query by Supervisor Palchik, Mr. Gill confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 18, 2022.

Supervisor Palchik moved that the Board approve:

- Special Exception Application SE 2022-PR-00001, subject to the proposed development conditions dated October 18, 2022
- Waiver of the loading space requirement in Subsection 6101.3 of the Zoning Ordinance

Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

**BV:bv**

55. **3:30 P.M – PUBLIC HEARING ON PCA A-502-04 (RZPA 2022-HM-00016) (CM VANTAGE LLC) TO AMEND THE PROFFERS FOR RZ A-502 PREVIOUSLY APPROVED FOR MEDIUM DENSITY RESIDENTIAL TO PERMIT THE ADDITION OF 28 SINGLE FAMILY ATTACHED DWELLINGS TO AN EXISTING MULTI-FAMILY DEVELOPMENT AT AN OVERALL DENSITY OF 12.3 DWELLING UNITS PER ACRE (DU/AC) WITH ASSOCIATED MODIFICATIONS TO SITE DESIGN, LOCATED ON APPROXIMATELY 14.59 ACRES OF LAND (HUNTER MILL DISTRICT)**

**AND**

**PUBLIC HEARING ON DPA A-502-10 (RZPA 2022-HM-00016) (CM VANTAGE LLC) TO PERMIT THE 10TH AMENDMENT OF THE DEVELOPMENT PLAN FOR RZ A-502 TO PERMIT THE ADDITION OF 28 SINGLE FAMILY ATTACHED DWELLINGS TO AN EXISTING MULTI-FAMILY DEVELOPMENT AT AN OVERALL DENSITY OF 12.3 DWELLING UNITS PER ACRE (DU/AC) AND ASSOCIATED MODIFICATIONS TO SITE DESIGN, LOCATED ON APPROXIMATELY 14.59 ACRES OF LAND (HUNTER MILL DISTRICT)**

**AND**

**PUBLIC HEARING ON PRC A-502-06 (RZPA 2022-HM-00016) (CM VANTAGE LLC) TO APPROVE THE PRC PLAN ASSOCIATED WITH RZ A-502 TO PERMIT THE ADDITION OF 28 SINGLE FAMILY ATTACHED DWELLINGS TO AN EXISTING MULTI-FAMILY DEVELOPMENT AND ASSOCIATED SITE MODIFICATIONS, LOCATED ON APPROXIMATELY 14.59 ACRES OF LAND (HUNTER MILL DISTRICT) (3:40 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 November 18 and November 25, 2022.

The applications property is located along Vantage Hill Road, east side of Wainwright Drive and south side of Baron Cameron Avenue, Tax Map 17-2 ((38)) all parcels.

Lynne J. Strobel, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated October 24, 2022, for the record.

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

- David D. Flanagan

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

- David D. Flanagan

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



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

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

Following comments and a query by Supervisor Alcorn, Ms. Strobel confirmed, for the record, that the applicant was in agreement with the proposed PRC conditions dated October 19, 2022.

Supervisor Alcorn moved that the Board approve:

- Proffered Condition Amendment Application PCA A-502-04, subject to the proffers dated December 1, 2022.
- Development Plan Amendment Application DPA A-502-10
- Planned Residential Community Application PRC A-502-06, subject to the PRC conditions dated October 19, 2022.
- Waiver of subsection 2105.3.B(2) of the Zoning Ordinance for the 200-square-foot privacy yard requirement

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.”

56. **3:30 P.M. – PUBLIC HEARING ON RZ 2021-PR-012 (PULTE HOME COMPANY, LLC) TO REZONE FROM C-3, HC, SC TO PTC, HC, AND SC TO PERMIT A MIXED-USE MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH UP TO 1.80 FLOOR AREA RATIO (FAR) AND APPROVAL OF THE CONCEPTUAL AND FINAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 5.42 ACRES OF LAND (PROVIDENCE DISTRICT)** (3:51 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 November 18 and November 25, 2022.

The application property is located at 1953 Gallows Road, Vienna, 22182. Tax Map 39-2 ((2)) 114 and 114A.

Jennifer L. Garcia, DLA Piper LLP, reaffirmed the validity of the affidavit dated November 8, 2022, for the record.

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

Ms. Garcia 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. Garcia, and Jeremy Ko, Transportation Planner, Department of Transportation, regarding consolidation efforts, refuse operations, and monetary contributions.

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

Following comments, Supervisor Palchik moved that the Board approve:

- Rezoning Application RZ 2021-PR-012, and the associated Conceptual Development Plan, subject to the proffers dated November 28, 2022.
- Waivers and modifications contained in the handout digitally distributed, dated December 6, 2022, which will be made part of the record, and are as follows:
  - Modification of subsection 2105.6.A(7) for the Tysons Urban Center streetscape design in favor of that shown on the CDP/FDP
  - Waiver of subsection 2105.6.B(1) requiring a minimum district size of 10 acres
  - Modification of subsection 5108.5.B for peripheral landscaping for the existing office building, as shown on the CDP/FDP
  - Modification of subsection 6101.2.C to permit a loading space within 40 feet from the intersection of any two streets, as shown on the CDP/FDP and subject to demonstration of adequate sight distance prior to first site plan approval
  - Waiver of the loading space requirements set forth in subsection 6101.3 in favor of that shown on the CDP/FDP

- Modification of subsection 8100.7.E(4) for dedication, construction, or widening of existing roads to that shown on the CDP/FDP and proffers

Chairman McKay seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

(NOTE: On November 30, 2022, the Planning Commission approved Final Development Plan Application FDP 2021-PR-012, subject to the development conditions dated November 29, 2022.)

57. **3:30 P.M. – PUBLIC HEARING ON PCA/CDPA 2007-LE-007 (RZPA 2022-LE-00056) (HANOVER R.S. LIMITED PARTNERSHIP) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLAN, FOR RZ 2007-LE-007, PREVIOUSLY APPROVED FOR MIXED-USE DEVELOPMENT, TO PERMIT MODIFICATIONS TO PROFFERS AND SITE DESIGN AT AN INTENSITY OF 1.71 FLOOR AREA RATIO (FAR), LOCATED ON APPROXIMATELY 6.18 ACRES OF LAND (LEE DISTRICT)** (4:19 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 November 18 and November 25, 2022.

The application property is located on the north side of Spring Mall Road, and east of Loisdale Road. Tax Map 90-2 ((16)) A(pt.), B, C, D, and E (pt.).

Elizabeth D. Baker, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated October 26, 2022, for the record.

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

- Eric Christensen

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

- Charles Eric Christensen

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

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

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

Following comments, Supervisor Lusk moved that the Board approve:

- Proffered Condition Amendment Application PCA 2007-LE-007, and the associated Conceptual Development Plan Amendment, subject to the proffers dated December 5, 2022.
- Parking Reduction Request (#7463-PKS-008-01) pursuant to subsection 6100.6.B.1.c of the Zoning Ordinance based on the proximity of the development to Metrorail, and subject to the conditions dated August 11, 2022, and contained in Appendix 18 of the Staff Report
- Waivers and modifications contained in the handout distributed, dated December 6, 2022, which will be made part of the record, and are as follows:
  - Waiver of subsection 5108.5.A.5.b of the Zoning Ordinance to eliminate the interior parking lot landscaping requirement for the additional level of the parking garage proposed
  - Modification of subsection 8100.7.E.2 of the Zoning Ordinance to allow the proposed 10-foot-wide shared use path to fulfill the on-street bike lane requirement identified in the Comprehensive Plan, as shown on the CDPA/FDPA
  - Reaffirmation of the following previously approved waivers and modifications associated with RZ 2007-LE-007:
    - Modification of the required number of loading spaces as required by the Zoning Ordinance, in favor of that shown on the CDPA/FDPA
    - Waiver of the transitional screening yard and barrier requirements between uses on site as required by the Zoning Ordinance

- Waiver of the 600-foot maximum length of private streets
- Modification of the 50 percent limitation on residential as a secondary use in the PDC District

Chairman McKay seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

(NOTE: On November 16, 2022, the Planning Commission approved Final Development Plan Amendment Application FDP A 2007-LE-007.)

58. **3:30 P.M. – PUBLIC HEARING ON PCA/CDPA 2007-LE-007-02 (RZPA 2022-LE-00057) (SPRINGFIELD HOSPITALITY, LLC) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLAN, FOR RZ 2007-LE-007, PREVIOUSLY APPROVED FOR MIXED-USE DEVELOPMENT, TO PERMIT MODIFICATIONS TO PROFFERS AND SITE DESIGN AT AN INTENSITY OF 1.71 FLOOR AREA RATIO (FAR), LOCATED ON APPROXIMATELY 5.35 ACRES OF LAND (LEE DISTRICT) (4:35 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 November 18 and November 25, 2022.

The application property is located on the east side of Loisdale Road across from Loisdale Court. Tax Map 90-2 ((13)) 5A1(pt.) and 90-2 ((16)) A(pt.).

David R. Gill, Wire Gill LLP, reaffirmed the validity of the affidavit dated November 18, 2022, for the record.

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

- Eric Christensen

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

- Eric Christensen

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

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

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

Following comments, Supervisor Lusk moved that the Board approve:

- Proffered Condition Amendment Application PCA 2007-LE-007-02, and the associated Conceptual Development Plan Amendment, subject to the proffers dated December 5, 2022
- Waiver the loading space requirement

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.”

(NOTE: On November 30, 2022, the Planning Commission approved Final Development Plan Amendment Application FDPA 2007-LE-007-02.)

NS:ns

59. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2021-IV-3MV HUNTINGTON METRO STATION, SOUTH OF HUNTINGTON AVENUE AND NORTHEAST OF NORTH KINGS HIGHWAY (MOUNT VERNON DISTRICT)** (4:43 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 18 and November 25, 2022.

Graham Owen, Planner IV, Policy and Plan Development Branch, Planning Division, Department of Planning and Development, presented the staff report.

Ellen Young, Mount Vernon District Representative, Site-Specific Plan Amendment Task Force, presented the Task Force recommendations.

Mark Viani, Nominator representative, and Steve Segerlin, Director of Real Estate and Station Area Planning, Washington Metropolitan Area Transit Authority (WMATA), gave brief presentations, providing background information and expressing support for the proposed transit-oriented development.

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

Following comments, Supervisor Storck moved approval of Plan Amendment 2021-IV-3MV, as recommended by the Planning Commission, and found in Attachment One of the Board Agenda Item, with the following modification to the Transit Oriented Mixed Use Development Option:

“Changes in transit infrastructure on the site are anticipated to occur with phased redevelopment. Redevelopment in the southern portion is envisioned to occur in coordination with or following the construction of a BRT station as integrated into the hillside in the location currently occupied by the southern garage. **Alternate configurations of the BRT station that achieve the goals and attributes of the mixed-use redevelopment option may also be considered. The BRT station is expected to provide an accessible, convenient connection to the metro rail system.**”

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

Supervisor Storck further moved that the Board direct staff to work jointly with WMATA to identify potential funding strategies and sources for the infrastructure improvements envisioned in the Plan Amendment. Chairman McKay seconded the motion.

Discussion ensued, with input from Mr. Owen, regarding the potential sources of funding. The question was called on the motion and it carried by unanimous vote.

60. **4 P.M. – PUBLIC HEARING FOR THE DE-CREATION OF MADDUX LANE AREA SANITARY DISTRICT FOR REMOVAL OF REFUSE/RECYCLING COLLECTION SERVICE (DRANESVILLE DISTRICT)** (5:15 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 18 and November 25, 2022.

Lainie Cooke, Management Analyst II, Department of Public Works and Environmental Services, presented the staff report.

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

Following comments, Supervisor Foust moved adoption of the Resolution approving changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board’s adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
DTA Local District 1-A1 Within Dranesville District (Maddux Lane Area)	De-Create	Refuse and Recycling

Supervisor Lusk seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Herrity being out of the room.

61. **4 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF ROUTE 28 WIDENING FROM THE PRINCE WILLIAM COUNTY LINE TO ROUTE 29 (SULLY DISTRICT) (5:18 p.m.)**

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 18 and November 25, 2022.

Kelly Alcon, Project Coordinator, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report.

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

Supervisor Smith moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Route 28 Widening from the Prince William County Line to Route 29 project. Chairman McKay and Supervisor Foust jointly seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

62. **4 P.M. – PUBLIC HEARING TO CONSIDER A TEMPORARY UNCODIFIED ORDINANCE THAT WILL PROVIDE FOR UP TO A ONE DOLLAR PER-TRIP EMERGENCY TAXICAB FUEL SURCHARGE FROM DECEMBER 30, 2022, THROUGH JUNE 30, 2023 (5:24 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 November 18 and November 25, 2022.

Rebecca Makely, Director, Department of Cable and Consumer Services, presented the staff report.

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

Supervisor Alcorn moved adoption of the proposed temporary uncodified ordinance that will provide for a taxicab fuel surcharge of up to \$1.00 per-trip from December 30, 2022, through June 30, 2023. 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.”

63. **4:30 P.M. – PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA - CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.1 (PERSONAL PROPERTY TAX)** (5:28 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 November 18 and November 25, 2022.

Young Tarry, Director, Personal Property and Business License Division, Department of Tax Administration, presented the staff report.

Discussion ensued, with input from Ms. Tarry, regarding registration trends in the County.

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

Following a brief discussion regarding the benefits of I.T. investments by the County, improved customer service, and the fiscal impact due to lost revenue, Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 17.1 (Personal Property Tax). Vice-Chairman Gross seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, Vice-Chairman Gross, and Chairman McKay voting “AYE.”

Vice-Chairman Gross returned the gavel to Chairman McKay.

64. **4:30 P.M. – PUBLIC HEARING TO LEASE A PORTION OF COUNTY-OWNED PROPERTY AT 9514 WORKHOUSE WAY TO DRINKLOCAL, LLC (DBA BUNNYMAN BREWERY) (MOUNT VERNON DISTRICT)** (5:34 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 18 and November 25, 2022.

Scott Sizer, Division Manager, Department of Economic Initiatives, presented the staff report.

Following the public hearing, which included testimony by two speakers, Mr. Sizer presented the staff recommendation.

Following comments, Supervisor Storck moved that the Board authorize staff to execute a lease with DrinkLocal, LLC (dba Bunnyman Brewing) for County owned property at 9514 Workhouse Way, known as Building W-13 at the Workhouse Campus. The lease should be on the terms in general form that was reviewed at today's public hearing, with authorization for staff to negotiate and finalize the appropriate required insurance to Exhibit F. The motion was multiply seconded.

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

65. **4:30 P.M. – PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, ARTICLE 2, TO ADD A NEW SECTION 82-2-9 (PHOTO SPEED MONITORING DEVICES) WHICH WILL ALLOW THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO CONDUCT A SCHOOL AND WORK ZONE SPEED CAMERA PILOT PROGRAM** (5:51 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 November 18 and November 25, 2022.

Captain Alan Hanson, Traffic Division, FCPD, presented the staff report.

Discussion ensued, with input from Captain Hanson, regarding the:

- Start date and length of the pilot program
- Procurement of speed cameras
- Safety-focused impact of the pilot program

Following the public hearing, which included testimony by two speakers, Captain Hanson presented the staff recommendation.

Supervisor Lusk moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82, Article 2, to add a new section 82-2-9 (Photo Speed Monitoring Devices) which will allow the FCPD to conduct a school and work zone speed camera pilot program. The motion was multiply seconded. Following discussion in support of the pilot program, further investment in public safety, and challenges with reducing the speed limit, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

66. **4:30 P.M. – PUBLIC HEARING ON CHAPTER 62 OF THE CODE OF THE COUNTY OF FAIRFAX, PROPOSED AMENDMENTS** (6:10 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 November 18 and November 25, 2022.

John Walser, Deputy Chief, Fire and Rescue Department, presented the staff report.

Following the public hearing, Deputy Chief Walser presented the staff recommendation.

Supervisor Lusk moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 62. Chairman McKay and Supervisor Gross jointly seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

67. **4:30 P.M. – PUBLIC HEARING TO AMEND AND READOPT SECTIONS 7-2-3 AND 7-2-7 OF THE FAIRFAX COUNTY CODE TO RENAME THE LEE DISTRICT TO THE FRANCONIA DISTRICT, AND APPENDIX G, SECTION 32 AND APPENDIX M, SECTION 38 TO RENAME ASSOCIATED PARKING DISTRICTS (LEE DISTRICT)** (6:14 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 November 18 and November 25, 2022.

Evan Braff, County-Wide Coordinator, Office of the County Executive, presented the staff report.

Following the public hearing, which included testimony by two speakers, Mr. Braff presented the staff recommendation.

Following comments, Supervisor Lusk moved that the Board amend and readopt Fairfax County Code Sections 7-2-3 and 7-2-7 of the Fairfax County Code to rename the Lee District to the Franconia District, and Appendix G, Section 32 and Appendix M, Section 38 to rename associated parking districts. Chairman McKay seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk’s Summary Item #69.)

68. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:33 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 November 18 and November 25, 2022.

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

Public comment was held and included the following individuals:

- Paul Rothstein – Regarding ethics compliance and training for County task force members
- Aaron Kohrs – Regarding Fairfax Connector bus service
- Kim Debayo-Doherty – Regarding Crime in Fairfax County and the Police Head Count
- Alexis Glenn – Regarding support of the 2022-2023 Countywide Site-Specific Plan Amendment nominations

(NOTE: Later in the meeting, public comment resumed. See Clerk’s Summary Item #70.)

**ADDITIONAL BOARD MATTER**

69. **ADDITIONAL ACTION REGARDING THE RENAMING OF THE LEE DISTRICT TO THE FRANCONIA DISTRICT (FRANCONIA DISTRICT, FORMERLY LEE DISTRICT)** (6:47 p.m.)

(NOTE: Earlier in the meeting, additional action was taken which is related to this item. See Clerk’s Summary Item #67.)

Supervisor Lusk moved that the Board direct staff to prepare a Comprehensive Plan Amendment that revises references in the Comprehensive Plan from the Lee District to the Franconia District as appropriate. 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.”

**AGENDA ITEM**

70. **CONTINUATION OF PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:48 p.m.)

(NOTE: Earlier in the meeting, public comment was held, and included additional speakers. See Clerk's Summary Item #68.)

Public comment continued and included testimony by the following individual:

- Kitty Halsey – Regarding Housing Safety Concerns

71. **BOARD ADJOURNMENT** (6:52 p.m.)

At 6:52 p.m., the Board adjourned.