



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
November 1, 2022**

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EBE:ebe

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, November 1, 2022, at 9:34 a.m., there were present:

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

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

BOARD MATTERS1. **MASKS OPTIONAL** (9:34 a.m.)

Chairman McKay stated that masks are now optional for employees and visitors in County facilities, except for those where health or medical services are being directly provided.

2. **MOMENT OF SILENCE** (9:35 a.m.)

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

- Robert F. Horan, Jr. who passed away recently. He served the County as an elected Commonwealth Attorney for decades and prosecuted numerous high profile cases, including the Roy Rogers murders of 1976, the abduction of 5-year old Melissa Brannon in 1991, and the DC sniper shootings in 2003. He was a great leader and legendary prosecutor. The annual award for the top prosecutor in the State is the Robert F. Horan, Jr. Award given by the State's Association of Commonwealth's Attorneys that he helped form. He was the first recipient of the Lifetime Achievement Award by the National District State Attorney's Association in 2003
- Cynthia Morales, and her dogs, who were involved in a devastating hit and run accident last week while walking on a sidewalk. The incident left Ms. Morales with severe injuries that will have lasting impacts on her life. One of her dogs died, and Bruno, her other dog, sustained minor injuries. Ms. Morales is a County Health Department employee and has dedicated 20 years of service to the community. Her family has set up a "Go Fund Me" to help with her recovery
- Lynn Lilienthal, who passed away recently. She was a Reston icon and a longtime community activist. She joined the Peace Corps and organized mental health treatment and educated orphaned children with physical disabilities. In 1975 she opened the first licensed childcare center to accept infants in the Commonwealth of Virginia. She was honored many times for her service to the community
- Elise Ballard, an Arlington resident, who died after being hit by a car that did not stop and was hit again by a second car. There have been 18 fatalities. Everyone needs to take a moment, to remember and recognize the joint responsibility of drivers and pedestrians – slow down, pay attention, stay off our devices, and honor the dignity and value of everyone's life

AGENDA ITEMS

3. **RESOLUTION OF RECOGNITION PRESENTED TO 21 OF THE COUNTY'S NONPROFIT PARTNERS FOR THEIR CONTRIBUTIONS DURING THE PANDEMIC** (9:43 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to 21 of the County's nonprofit partners for their contributions during the pandemic. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

4. **RESOLUTION OF RECOGNITION PRESENTED TO THE BURKE COMPOSITE SQUADRON CADET COMPETITION TEAM FOR THEIR SUCCESS IN THE CIVIL AIR PATROL NATIONAL CADET COMPETITION** (10:19 a.m.)

Supervisor Walkinshaw moved approval of the Resolution of Recognition presented to members of the Burke Composite Squadron Cadet Competition Team for their success in the Civil Air Patrol National Cadet Competition. Chairman McKay and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

5. **PROCLAMATION DESIGNATING NOVEMBER 13-19, 2022, AS "TRANSGENDER AWARENESS WEEK" IN FAIRFAX COUNTY** (10:31 a.m.)

Supervisor Foust moved approval of the Proclamation designating November 13-19, 2022, as "*Transgender Awareness Week*" in Fairfax County. The motion was multiply seconded and it carried by a vote of nine, Supervisor Herrity being out of the room.

6. **PROCLAMATION DESIGNATING NOVEMBER 15, 2022, AS "FAIRFAX RECYCLE DAY" IN FAIRFAX COUNTY** (10:49 a.m.)

Supervisor Herrity moved approval of the Proclamation designating November 15, 2022, as "*Fairfax Recycle Day*" in Fairfax County. Supervisor Gross and Supervisor Storck jointly seconded the motion and it carried by unanimous vote.

NS:ns

AGENDA ITEMS

7. **PRESENTATION OF THE TRANSPORTATION ADVISORY COMMISSION (TAC) TRANSPORTATION ACHIEVEMENT AWARDS**
(11:06 a.m.)

Pete Sitnik, Vice-Chairman, TAC, presented the 2021 TAC Transportation Achievement Award to the Scotts Run Trail Project Team for its significant contribution to meeting the objectives of the County Transportation Plan and for enhancing the quality of transportation in Fairfax County.

EBE:ebe

8. **9:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (11:14 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard November 1, 2022." Supervisor Lusk seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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

Reappointment of:

- Ms. Linda Perlstein as the At-Large #6 Representative

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

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Attorney Representative.

ATHLETIC COUNCIL

Appointment of:

- Ms. Kelly Ego-Osuala as the Providence District Principal Representative

The Board deferred the appointment of the Mason District Alternate, Providence District Alternate, Springfield District Principal, and Women's Sports Principal Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Kim S. Farington as the Springfield District Representative

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)

Reappointment of:

- Mr. Robert Mansker as the At-Large #3 Representative
- Ms. M. Yvonne Demory as the Professional #5 Representative

The Board deferred the appointment of the At-Large #1, Professional #1, #2, #4, and #6 Representatives.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of 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. Irvin S. Katz as the Mason District Representative

The Board deferred the appointment of the Springfield District Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of Springfield District Representative.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

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

ECONOMIC ADVISORY COMMISSION

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

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

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

ENGINEERING STANDARDS REVIEW COMMITTEE

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

Reappointment of:

- Mr. Bryan P. Campbell as the Braddock District Representative

The Board deferred the appointment of the Lee District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

Reappointment of:

- Ms. Christie Garton as the At-Large #1 Business Community Representative

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

HEALTH SYSTEMS AGENCY BOARD

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

HISTORY COMMISSION

Appointment of:

- Mr. Kevin Bradley as the Archaeologist Representative

Reappointment of:

- Ms. Anne G. Stuntz as the Historian #2 Representative

The Board deferred the appointment of the At-Large #2 and #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:

- Mr. Dennis Carlton as the Sully District Representative

The Board deferred the appointment of the Dranesville and Mount Vernon Representatives.

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. Ronald Kendall as the Mason District Representative

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

PLANNING COMMISSION

The Board deferred the appointment of the At-Large #2, Mason, and Springfield District Representatives.

POLICE CIVILIAN REVIEW PANEL

The Board deferred the appointment of the Seat #3 Representative.

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

SMALL BUSINESS COMMISSION

The Board deferred the appointment of the Lee District Representative.

TENANT-LANDLORD COMMISSION

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

TRANSPORTATION ADVISORY COMMISSION

The Board deferred the appointment of the Lee District Representative.

TREE COMMISSION

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

TRESPASS TOWING ADVISORY BOARD

Reappointment of:

- Mr. Alvin C. Leach as the Towing #2 Representative

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

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

YOUNG ADULTS ADVISORY COMMITTEE

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

AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC)

Confirmation of:

- Dr. Vernon C. Walton as the Business, Economic Development, Health #3 Representative

The Board deferred the appointment of the Mason District Representative.

FAIRFAX COUNTY 250TH COMMISSION

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

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ADDITIONAL BOARD MATTERS

9. **RESOLUTION OF RECOGNITION REQUEST FOR HEALTH WORKS FOR NORTHERN VIRGINIA** (11:15 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Health Works for Northern Virginia in honor of its 15-year anniversary. Without objection, it was so ordered.

10. **RESOLUTION OF RECOGNITION REQUEST FOR THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA)** (11:15 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for MWAA, in honor of Dulles International Airports' 60th anniversary. Without objection, it was so ordered.

11. **COMPREHENSIVE HEALTH SCREENINGS** (11:15 a.m.)

Chairman McKay stated that earlier this year, Fire and Rescue Local 2068 partnered with a medical service vendor to provide voluntary comprehensive health screenings to Fairfax County Fire and Rescue employees at the Public Safety Headquarters. The results of this effort show the screenings are of great value to those receiving them.

More than half of the 192 people screened found at least one actionable issue. The most prevalent issues were related to the liver and the thyroid. These scans can help to prevent more serious medical issues from occurring by identifying problems early, which in turn can save the County and employees the cost of more serious treatments, with a minimal per individual cost as low as \$300.

Therefore, jointly with Vice-Chairman Gross, Chairman McKay moved that the Board direct the County Executive to:

- Create a pilot project for calendar year 2023 for County employees to take advantage of this potentially life-saving service
- Identify a funding source and set aside an amount necessary to provide a limited number of County employees who wish to have a comprehensive health screening to be able to do so at no cost to the employee

Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

12. **MODERNIZING THE DEPARTMENT OF TAX ADMINISTRATION (DTA) INFRASTRUCTURE** (11:20 a.m.)

Chairman McKay stated that on October 5, 2022, hundreds of County residents came to the Government Center to pay their personal property taxes. Thousands more did so online, over the phone, or by mail in the days and weeks prior. Unfortunately, many residents were met with challenges, either through issues with the online payment system, long lines here at the Government Center, or confusion over what they owed.

There is no questioning how hard the Department of Tax Administration staff work during the “Smiles” season. They spend long hours helping residents process payments, and he did not receive a single complaint about staff. However, the County has an opportunity now to begin taking the necessary steps to modernize its processes and systems for next year and beyond. The goals of modernization should be to:

- Improve customer experience across the board
- Provide more flexibility for payments, including types and locations
- Provide real-time account information online to residents
- Provide a modern, functional and efficient digital platform for residents
- Improve stability and reliability of all systems
- Strive to make a seamless and stress-free process for residents and staff

Therefore, jointly with Supervisor Palchik, Chairman McKay moved that the Board direct the County Executive and the Department of Tax Administration to prepare options for modernizing the County’s tax collection infrastructure to be included in

the Fiscal Year 2024 Budget. Those options shall be brought to a Budget Committee meeting in early 2023 to allow time for the Board to discuss the options prior to budget adoption. Modernization efforts should not be limited to the issues identified in this Board Matter, and there is recognition that many issues may take more time to fully address. Supervisor Palchik seconded the motion.

Following discussion regarding prompt implementation and possible legislative aspects, the question was called on the motion and it carried by unanimous vote.

13. **2020-2022 BEST WORKPLACES FOR COMMUTERS AWARDS**
(11:28 a.m.)

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

Chairman McKay stated that he is pleased to announce that 29 County employers have qualified for the 2020-2022 BWC designation which brings the total number of employers holding this designation in the County to 138. The green commuting programs implemented by these employers promote environmental stewardship, advance sustainability, and reduce traffic congestion in the County and the region, thus improving the quality of life for all residents and businesses.

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

Therefore, Chairman McKay moved that the Board direct staff to invite this year's recipients of the BWC award to appear before the Board on December 6, 2022, to formally receive their awards. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

14. **RESCISSION OF THE BOARD AUTHORIZATION FOR THE POTENTIAL ESTABLISHMENT OF A HOLMES RUN ACRES HISTORIC OVERLAY DISTRICT (HOD) (MASON DISTRICT)** (11:29 a.m.)

Supervisor Gross stated that on January 14, 2020, the Board directed staff to consider the potential establishment of a HOD for Holmes Run Acres. The Board requested that staff draft a potential Zoning Ordinance Amendment and a Comprehensive Plan Amendment and initiate a rezoning for the addition of the HOD, if approved by the Board.

In early 2020 a workgroup was formed, composed of community members and Architectural Review Board and History Commission representatives. Staff met with the workgroup 15 times over the course of approximately two years. Four community-wide meetings were held during the study: in November 2019, March 2021, July 2022, and August 2022.

The Holmes Run Acres Civic Association requested that staff conduct a poll to gauge the level of community support for the establishment of the potential HOD. The poll revealed that a small majority of the community opposes the establishment of an HOD—52 percent.

Because the request for a potential HOD originated from the community, but not even a small majority of residents support the concept, Supervisor Gross stated that she will move that the Board rescind its Board Matter dated January 14, 2020, for the potential establishment of a HOD for the Holmes Run Acres neighborhood.

Therefore, Supervisor Gross moved that the Board:

- Rescind its direction to staff to evaluate the potential establishment of a HOD for Holmes Run Acres
- Direct staff to remove this item from both the Zoning Ordinance Amendment Work Program and the Comprehensive Plan Amendment Work Program
- Direct staff to discontinue all work associated with the establishment of the HOD, as outlined in the January 14, 2020, Board Matter
- Direct staff to retain all research, commentary, and documents for future review, if necessary

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

15. **PROCLAMATION REQUEST FOR MARY LIPSEY** (11:32 a.m.)

(BAC) Supervisor Walkinshaw stated that since 1969, the Board has relied on the expertise and advice of the History Commission. The work of this body has become even more important in recent years as they have embarked on projects such as the Confederate Names Committee, the African American History Inventory, and the Historical Marker Project.

A central figure in this work has been the Braddock District History Commission member, Mary Buckingham Lipsey. For over 16 years, Ms. Lipsey's contributions, especially to the understanding of Braddock District history, have been immense. She Co-Chaired the African American History Inventory Committee alongside Phyllis Walker Ford, and Chairs both the Commission's Cemetery Committee and the Historical Markers Committee. Ms. Lipsey co-founded the Fairfax County Cemetery Preservation Association to protect cemeteries from vandalism, neglect or development. She is the Co-Author of *Braddock's True Gold*, and the Author of numerous other works such as *Almost Forgotten Women: Yesterday's Headlines, and Aviation: From Curiosity to Reality*.

Among the many projects Ms. Lipsey has worked on, she has assisted for many years to organize events at the historic Oak Hill mansion, giving the community an understanding of the site.

Additional efforts throughout Ms. Lipsey's time on the Commission include the Civil War Sesquicentennial, Fairfax County's 275th anniversary celebration, and the World War I centennial commemoration. She is a member of the Burke Historical Society, and was recently honored with the Daughters of the American Revolution Freedom Hill Chapter's Historic Preservation Recognition Award.

Before serving on the History Commission, Ms. Lipsey taught seventh grade American History at Lake Braddock Secondary School for almost 30 years, and has served as a volunteer docent for the National Museum of American History (since 1980) and the National Archives (since 2004).

Ms. Lipsey will be resigning from the History Commission at the end of this year, but plans to continue as an advisory member so that she can continue her work with George Mason University's Fenwick Library and the African American History Inventory database.

Therefore, Supervisor Walkinshaw asked unanimous consent that the Board direct staff to prepare a Proclamation to honor Mary Lipsey for over 16-years of service, to be presented outside of the Board Auditorium. Without objection, it was so ordered.

16. **RECOGNITION REQUEST FOR THE LANGLEY HIGH SCHOOL GOLF TEAM** (11:36 a.m.)

Supervisor Foust congratulated the Langley High School Golf Team for winning its seventh consecutive Virginia High School League (VHSL) Golf Championship. The competition was held in Harrisonburg on October 10. The Langley golf team has won a total of 11 State titles.

One of the team's members, Alina Ho, High School Junior, shot a 3-under 67 to win the tournament's individual honors by two shots over the defending champion. Ms. Ho is the first Langley High School girl to win the VHSL's co-ed state title and the fourth Langley player to win the State crown. The team has been coached by Al Berg for more than 20 years.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite members of the Langley High School Golf team, Coach Berg, and school representatives to appear before the Board on January 24, 2023, to be recognized for their tremendous athletic accomplishment. Without objection, it was so ordered.

17. **"TAKE A MOMENT" CAMPAIGN** (11:38 a.m.)

Supervisor Alcorn announced that the County recently launched the "Take a Moment" pedestrian safety campaign. He stated that the campaign has a communication toolkit, and he urged the community to take part in this Countywide effort.

18. **PROCLAMATION REQUEST FOR DIPTI PIDIKITI-SMITH** (11:39 a.m.)

Supervisor Lusk stated that the County is very fortunate to have so many residents who give back to their communities. Community members who use their expertise and talents to help their neighbors. One such resident, Dipti Pidikiti-Smith has been an incredible advocate, resource, and source of support for many constituents, particularly those that live on the Richmond Highway Corridor.

Ms. Pidikiti-Smith is the former Deputy Director of Advocacy at Legal Services of Northern Virginia where she began as Route One Attorney and worked diligently on behalf of communities in need for 14 years. She has served on the Community Advisory Board, the Fair Housing Task Force as Co-Chair and Fairfax County Alliance for Human Services also as Co-Chair.

Ms. Pidikiti-Smith has worked tirelessly to help residents maintain stable and affordable housing and was instrumental in assisting with eviction protection during the COVID-19 pandemic. As a key member of the Northern Virginia Eviction Prevention and Community Stability Task Force which was co-convened by Legal Services of Northern Virginia and the Northern Virginia Housing Alliance. The task force was awarded a Virginia Governors Housing Award for

Best Regional Partnership. Additionally, Ms. Pidikiti-Smith has assisted residents who are victims of domestic violence and fraud.

Supervisor Lusk stated that he is pleased to announce that Ms. Pidikiti-Smith has now been appointed Judge on the Fairfax County General District Court. She often refers to Martin Luther King, Jr.'s quote: "Life's most persistent and urgent question is, "What are you doing for others". This quote sums up her concern and advocacy for those who need it most.

Therefore, Supervisor Lusk moved that the Board direct staff to prepare a Proclamation, in acknowledgement of Dipti Pidikiti-Smith's commitment to serving others and for all that she has contributed to the community, to be presented at her Investiture Ceremony on December 9, 2022. Supervisor Lusk stated that he looks forward to celebrating her most recent achievement as the first Asian American woman to be appointed Judge for the Fairfax County General District Court. Chairman McKay seconded the motion and it carried by unanimous vote.

19. **PUBLIC STREETLIGHT INFORMATION AND PLANNING REQUEST**
(11:41 a.m.)

Supervisor Lusk stated that the County pays for the operation of over 50,000 streetlights. That is an impressive number, but unfortunately many neighborhoods and roads in the County do not have streetlights or have gaps in coverage on their street. He stated that his office often receives requests for new streetlights to be installed on streets.

Streetlights are a beneficial tool in public safety. They promote road safety for drivers and pedestrians by increasing visibility during low-light or nighttime hours. Unfortunately, the County sees a significant number of pedestrian fatalities occur during these time periods. Streetlights are also a deterrent to certain kinds of crimes, such as automobile thefts.

Recently, the Board has undertaken important measures to convert outdated bulbs to LED whenever possible through the LED Conversion Program. The Streetlight Developer program is another important program that provides for the installation of streetlights in new developments. These are critical programs to improving the County's streetlight network, but neither provide a method for neighborhoods to request and receive new streetlights for the safety of their existing community.

Supervisor Lusk stated that, thanks to the leadership of Chairman McKay, last year the Board added \$200,000 to each district discretionary fund, which allows each Supervisor to authorize the purchase of new streetlights when requested. That funding is absolutely critical for short-term needs; however, no formal year-over-year program exists for residents to request new streetlights. The Streetlight Citizen Petition Program, which allowed citizens to request streetlights through an official process, has not been funded since approximately 2003.

After discussion with the Director of the Department of Public Works and Environmental Services, Supervisor Lusk stated his belief that the Board should begin planning long-term on this topic.

Therefore, jointly with Supervisor Alcorn, Supervisor Lusk moved that the Board direct the County Executive or the appropriate staff:

- Conduct a review and develop long-term strategies to fund streetlight requests in existing communities, identify parties responsible or potentially responsible for streetlight installation and maintenance, and report to this Board at the Public Safety Committee by the end of the first quarter next year
- Prepare a Not in Package for the Board with information on the status of each District's discretionary fund and describe how these funds can be used by each Supervisor

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

20. **PROCLAMATION REQUEST FOR FOUR SALES LTD** (11:45 a.m.)

Supervisor Storck stated that Four Sales Ltd was started by four enterprising young women from the Lake Barcroft neighborhood in 1972. They ran the company for a total of 34 years before Daniel Sanders and Karen Corbett Sanders took over the company in 2006 and moved the business to the Mount Vernon District. Four Sales Ltd provides on-premises estate and consignment sales, live auctions, auction brokerage, and appraisals. They are known for their honest, friendly, and caring service.

Since 2006, Four Sales Ltd has added services to expand their company offerings and best serve changing market needs. These changes resulted in Four Sales being recognized as an honoree on the 2012 and 2013 INC5000 list of fastest growing privately held companies in the country. They now average 25 full and part time employees, who primarily reside in the County.

As innovators, Four Sales, along with nine other companies, created a not-for-profit industry association, the National Estate Sales Association. Four Sales' President and Chief Executive Officer, Daniel Sanders, served as a founding Board Member and as the organization's Treasurer until earlier this year.

In addition to Four Sales' commercial activities, they also have a strong commitment to the D.C.-area community and have a Corporate Social Responsibility program. For many years, they ran an event called Open House Open Hearts to help fill struggling food pantries and they now provide live pro bono auctioneering services for local charities. The company's charity auctioneering program has helped raise between \$250,000 to almost \$1,000,000 per year for the past decade. Some of the local charities supported include United Community,

Mount Vernon at Home, Operation Renewed Hope Foundation, Cystic Fibrosis Foundation, Assistance League of Northern Virginia, Devotion to Children, Cards for Kids, Rock Recovery, and others.

Therefore, jointly with Chairman McKay and Supervisor Gross, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a Proclamation, to be signed by the Chairman and Mason and Lee District Supervisors, in recognition of its 50 years of service in the County, to be presented out of the Board Room on November 15, 2022. Without objection, it was so ordered.

21. **SENIOR SAFETY SUMMIT (MOUNT VERNON DISTRICT)** (11:48 a.m.)

Supervisor Storck announced that the Senior Safety Summit will be held November 2, 2022, at the Hollin Hall Senior Center. There will be exhibitors and presentations by the Police Department, Fire and Rescue, INOVA ElderLink, and Department of Family Services - Adult and Aging, regarding what is available in the community to support seniors and what they can do to increase their safety. He invited the community to attend the event.

22. **PUBLIC SAFETY COMMUNITY UPDATE AT WALT WHITMAN MIDDLE SCHOOL (MOUNT VERNON DISTRICT)** (11:48 a.m.)

Supervisor Storck announced on November 7, 2022, the Police Chief Kevin Davis and Police Captain Fred Chambers, will be at Walt Whitman Middle School in Mount Vernon District to have a community safety conversation. It will be an update on what is happening in the community, as well as an opportunity to ask questions. He invited the community to attend the event.

23. **RECOGNITION REQUEST FOR OAKTON PANTRY (PROVIDENCE DISTRICT)** (11:49 a.m.)

Supervisor Palchik stated that the Oakton Pantry is celebrating its sixth anniversary this year! The Oakton Pantry, located at Oakton High School, is available to help Oakton High School students and families in need. They offer non-perishable food, personal hygiene items, household cleaning products and school supplies.

The Oakton Pantry has shown how important it is to give back to the community and in return, the Oakton community has given an overwhelming degree of generosity to the Oakton Pantry. The donors continue to ensure that the shelves stay stocked, and the needs of the community are fulfilled. Staff members, students, and community volunteers devote their time to keep the Pantry operating and running smoothly.

The winter is an especially busy time for the Pantry and this year they are seeing a record number of students visit the Pantry on a weekly basis. They continue to rely on the community for donations. The County is indebted to the many individuals who have worked tirelessly to bring the Oakton Pantry to fruition and who have

shown their kindness and dedication in providing such a wonderful resource to students and families.

Therefore, Supervisor Palchik asked unanimous consent that the Board recognize the sixth anniversary of the Oakton Pantry. Supervisor Palchik sincerely thanked the many individuals who have helped create, build, and continue to sustain the Oakton Pantry. Without objection, it was so ordered.

24. **APPOINTMENT OF HEAD START/EARLY HEAD START PROGRAM DIRECTOR** (11:51 a.m.)

Supervisor Palchik stated that, as the grantee of both the federal Head Start/Early Head Start and Early Head Start Child Care Partnership Grant, the Board serves as the governing body for the Head Start program in partnership with the Head Start Policy Council. Federal Head Start. Performance Standards require that the governing body and Policy Council approve two key personnel appointments, the Head Start director and Chief Financial Officer.

Supervisor Palchik stated that as Chairperson of the Board's Health and Human Services Committee and Board liaison to the Head Start Program, she would like to request the Board's consideration of the appointment of Janet Stewart to serve as Director of the Fairfax County Head Start program.

Ms. Stewart has served as Interim Director since May of this year. She has provided thoughtful leadership, worked with staff and delegate partners at Fairfax County Public Schools and Higher Horizons Day Care to submit successful federal grant renewals, completed the annual self-assessment and successfully performed many other requirements.

Ms. Stewart has over 20-years of experience in Head Start. Prior to serving as Interim Director, she served as the Program's Quality Assurance Manager, ensuring the program met Federal, State and local regulations and program standards, and served as an assistant to the director. She also supported all Head Start service areas in various positions at Eastern Allegheny Council for Human Services Head Start (EACHS) in West Virginia and began as a Head Start parent herself.

Supervisor Palchik stated her belief that Ms. Stewart's knowledge of the County's program and grants and her lengthy career serving at EACHS Head Start, uniquely position her to serve in the role of Director of the County's Head Start programs. The Policy Council voted on October 27, 2022, to approve the appointment of Ms. Stewart as Director.

Therefore, Supervisor Palchik moved that the Board approve the appointment of Ms. Janet Stewart as Director of the County's Head Start/Early Head Start Program. Chairman McKay seconded the motion and it carried by unanimous vote.

25. **OLDER ADULTS ROUNDTABLE** (11:54 a.m.)

Supervisor Palchik announced that the next Older Adults Roundtable will be held on November 15, 2022, virtually, and will be an open discussion focusing on the transportation services and resources available for older adults in the County. She urged the community to attend the virtual event.

26. **REAFFIRMATION OF COMMITMENT TO DOWNZONING OF OCCOQUAN WATERSHED** (11:54 a.m.)

Supervisor Herrity stated that on July 26, 1982, the Board downzoned approximately 41,000 acres in the Occoquan Basin to a maximum density of one house per five acres and imposed water supply protection controls on approximately 64,500 acres. This action was taken to protect the Occoquan Watershed and the Occoquan Reservoir that supplied drinking water to 600,000 people in Northern Virginia from the effects of non-point source pollution. The decision was challenged and upheld by the Fairfax County Circuit Court in 1985, preserving the zoning that helps protect the reservoir and reinforcing the ability of local governments in Virginia to implement comprehensive plans and effectively plan for the future.

In 2002, the Board celebrated the 20th anniversary of the downzoning decision and proclaimed 2002 as the “*Occoquan Watershed Year*.” Since then, the County has continued to protect and restore this vital natural resource through the implementation of stormwater management projects. Additionally, the Board has welcomed the diversity of agritourism uses that are in keeping with the tradition and heritage of the area and at the same time continues to preserve the downzoning and protect the water quality of streams.

In 2016, the Board was asked to reaffirm its commitment to the downzoning of the Occoquan Watershed, a 1982 decision that downzoned approximately 41,000 acres in the Occoquan Basin to a maximum density of one house per five acres and imposed water supply protection controls on approximately 64,500 acres. The reaffirmation motion, jointly with Supervisor Smith, Supervisor Storck, and former Chairman Bulova, passed unanimously and promoted long-term resource planning and improved the capabilities of local governance to protect the water quality of our streams. Actions by this Board, since the 2016 reaffirmation, have continued to demonstrate the goal of protecting this important watershed. The Board and Fairfax Water have made critical investments, including conversion of part of the Vulcan Quarry, in the Occoquan watershed, to provide drinking water for the region well into the future.

Today, the Occoquan Reservoir provides safe drinking water for over one million Northern Virginia residents. Concerns from Fairfax Water on increased salinization and sediments, that may impact the watershed, make it crucial for the Board to officially reaffirm its stance as leaders and stewards of this watershed. The current Board has four members who were not on the Board in 2016. Supervisor Herrity

stated his belief that it is important for the Board to reaffirm its commitment to the protection of the Occoquan watershed.

Therefore, jointly with Chairman McKay, Supervisor Smith, and Supervisor Storck, Supervisor Herrity moved that the Board, on behalf of all citizens of the County, reaffirm its commitment to the continued efforts by the County, related agencies, and residents to protect and preserve this critical natural resource for future generations just as the previous Board did in 2016. Chairman McKay, Supervisor Smith, and Supervisor Storck jointly seconded the motion and it carried by unanimous vote.

27. **STATEMENT ON THE SULLY DISTRICT NAME** (12 noon)

Supervisor Smith stated that in March 2022, the Redistricting Advisory Committee (RAC) recommended that the Board change the name of the Sully and Lee Magisterial Districts. Today, there is an administrative item to advertise a public hearing to rename the Lee District. Supervisor Smith stated that she would like to share the process that has occurred in the Sully District and explain the path forward.

After the RAC gave its recommendation, Sully District staff reached out to get information about the Sully Historic Site and the origins of the Sully District. Once the information was obtained, two virtual town halls were held for community discussion about the name. Supervisor Smith stated that she has received emails and had conversations with community members and have heard differing viewpoints about changing the name of the Sully District. The most important thing heard in these conversations was the need to heal the community. The best way to do this is to work on ways to tell the true story of the County's sometimes complicated and misunderstood history and that of the Sully District specifically.

One way to do this is to educate the public about how land was developed, who benefitted and who was marginalized in the process. This includes historically black neighborhoods that were eliminated as the County expanded to the west. This process could be like that being used with the Gum Springs Community in the Mount Vernon District.

Another opportunity for healing and educating the public is to reimagine some of the narratives around the Sully Historic Site. This site has a 225-year-old house, 120 acres of park, gardens, out buildings and slave quarters. The County can do more with this site and can be creative in providing enriching and meaningful experiences for all visitors to learn about the history of slavery at the site as well as the County through immersive, educational, experiential, and reflective programming and interpretation.

Supervisor Smith stated that she has learned a lot during this process from the conversations she is having with community members and staff. There is so much that the community does not know about the County's past.

Supervisor Smith stated her belief that the best step forward at this time is to retain the name of Sully District, learn more about the impact its history has on today - to enable forward movement and embrace the One Fairfax policy for all. In working on a path forward, Supervisor Smith stated that she is actively speaking with the National Association for the Advancement of Colored People, the County's Equity Officer and Park Authority Executive Director, regarding ways to have a more honest conversation about the history of the Country, County, and Sully District.

NS:ns

AGENDA ITEMS

28. **ADMINISTRATIVE ITEMS** (12:03 p.m.)

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

Supervisor Lusk called the Board's attention to Admin 8 – Authorization to Advertise a 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) and provided background information on the agenda item.

Supervisor Smith called the Board's attention to Admin 2 – Authorization to Advertise Public Hearings on Proposed County Code Amendments Regarding County Code Amendments for Consistency with New Chapter 112.1 and Admin 3 – Authorization to Advertise Public Hearings on a Proposed Zoning Ordinance Amendment to Chapter 112.1 Regarding Minor and Editorial Revisions and asked to consider these items separately. This was accepted.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 2 and Admin 3, and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON 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)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 6, 2022, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic, Article 2, to add a new Section 82-2-9.

ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED COUNTY CODE AMENDMENTS REGARDING COUNTY CODE AMENDMENTS FOR CONSISTENCY WITH NEW CHAPTER 112.1

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 22.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #29.)

ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT TO CHAPTER 112.1 REGARDING MINOR AND EDITORIAL REVISIONS

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 22.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #30.)

ADMIN 4 – AUTHORIZATION TO ADVERTISE A 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

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 6, 2022, at 4 p.m.**, to consider a temporary uncodified ordinance providing for an emergency taxicab fuel surcharge of up to \$1.00 per-trip effective December 30, 2022, through June 30, 2023.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTY AT 9514 WORKHOUSE WAY TO BUNNYMAN BREWERY COMPANY, LLC (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 6, 2022, at 4:30 p.m.**, to consider a lease for a portion of County-owned property, located at 9514 Workhouse Way to Bunnyman Brewery Company LLC, for the private operation of a food and beverage retail establishment.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A 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)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 6, 2022, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 17.1 (Personal Property Tax).

ADMIN 7 – AUTHORIZATION TO ADVERTISE A 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)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 6, 2022, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Route 28 Widening from Prince William County Line to Route 29, supported by Project 2G40-189-000 in Fund 40010, County and Regional Transportation Projects.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A 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)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 6, 2022, at 4:30 p.m.**, to consider an ordinance that proposes to amend and readopt Fairfax County Code Sections 7-2-3 and 7-2-7 to rename the Lee District to the Franconia District, and Appendix G, Section 32 and Appendix M, Section 38 to rename associated parking districts.

ADMIN 9 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO PARTNER WITH THE VIRGINIA TECH TRANSPORTATION INSTITUTE (VTTI) TO APPLY FOR GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION’S (USDOT) FISCAL YEAR (FY) 2022 STRENGTHENING MOBILITY AND REVOLUTIONIZING TRANSPORTATION (SMART) PHASE 1 PLANNING AND ADVANCED TRANSPORTATION TECHNOLOGIES AND INNOVATIVE MOBILITY DEPLOYMENT (ATTIMD) DISCRETIONARY GRANT PROGRAMS (PROVIDENCE DISTRICT)

- (R)
- Authorized DOT to partner with VTTI to apply for grant funding from USDOT in an amount up to \$2 million for the planning and project development phase of a SMART Grant Mobility project
 - Authorized DOT to partner with VTTI to apply for grant funding from the USDOT in an amount up to \$12 million for the

deployment, installation, and operation of an ATTIMD Grant Mobility project

- Authorized the Director of DOT to enter into the grant agreement(s) and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County
- Adopted the project endorsement resolution in substantial form of Attachment One of the Board Agenda Item

ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23097 FOR VARIOUS FAIRFAX COUNTY AGENCIES TO ACCEPT DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREAS SECURITY INITIATIVE (UASI) SUBGRANT AWARDS FROM THE GOVERNMENT OF THE DISTRICT OF COLUMBIA HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

- (SAR)
- Approved SAR AS 23097 for Fairfax County to accept DHS FY 2022 UASI subgrant awards from the State Administrative Agency in the amount of \$8,136,028. Funds will be used by various County agencies to enhance security and overall preparedness by implementing the projects summarized in Attachment One of the Board Agenda Item. Funding will continue to support three existing full-time exempt grant positions. No local cash match is required.
 - Authorized the Chairman of the Board, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

29. **ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED COUNTY CODE AMENDMENTS REGARDING COUNTY CODE AMENDMENTS FOR CONSISTENCY WITH NEW CHAPTER 112.1** (12:08 p.m.)

- (A) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item #28.)

Supervisor Smith moved that the Board authorize the advertisement of a public hearing to be held before the Board on **January 24, 2023, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax for consistency with new Chapter 112.1, with an additional change: The definition of a traveling animal exhibition in Chapter 41.1 should be updated to replace language which references a temporary special permit with an administrative or special permit. Chairman McKay seconded the motion and it carried by unanimous vote.

30. **ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT TO CHAPTER 112.1 REGARDING MINOR AND EDITORIAL REVISIONS**
(12:09 p.m.)

(A) (R) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk’s Summary Item #28.)

Supervisor Smith moved that the Board adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on December 8, 2022, at 7:30 p.m. and before the Board on **January 24, 2023, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112.1 (Zoning Ordinance), regarding minor and editorial revisions, with a revision to the text in the Staff Report regarding minor modifications for a PRC Plan with subsection 8100.2.F(3)(i): “Minor modifications to PRC Plans may be approved in accordance with subsection 8100.5.” Chairman McKay seconded the motion and it carried by unanimous vote.

31. **A-1 – ADOPTION OF RESILIENT FAIRFAX, THE COUNTY’S CLIMATE ADAPTATION AND RESILIENCE PLAN** (12:10 p.m.)

Supervisor Storck moved that the Board concur in the recommendation of staff and adopt the Resilient Fairfax Climate Adaptation and Resilience Plan, which is included as Attachment One of the Board Agenda Item. Chairman McKay and Supervisor Gross jointly seconded the motion. Following discussion with Board Members expressing their views/concerns and support/non-support of the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Herry abstaining.

32. **A-2 – APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23091 TO ACCEPT GRANT FUNDING AND AUTHORIZATION TO EXECUTE PROJECT ADMINISTRATION AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE IMPLEMENTATION OF TRANSPORTATION ALTERNATIVES FUNDED BUSH HILL ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL (SRTS) PROJECT (LEE DISTRICT)** (12:15 p.m.)

(SAR) (R) Supervisor Lusk moved that the Board concur in the recommendation of staff and:

- Approve SAR AS 23091 for the Department of Transportation (DOT) to accept grant funding from VDOT, associated with the Transportation Alternatives Program in the amount of \$800,000 for the Bush Hill Elementary SRTS project
- Adopt a resolution authorizing the Director of DOT to enter into the Standard Project Administration Agreement with the VDOT

Chairman McKay seconded the motion. Following a brief discussion regarding the project, the question was called on the motion and it carried by unanimous vote.

33. **A-3 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO MAKE A SUPPLEMENTAL LOAN TO THE AUTUMN WILLOW PROJECT IN THE AMOUNT OF \$4,300,000, TO FINANCE THE DEVELOPMENT OF THE LODGE AT AUTUMN WILLOW, FAIRFAX, VIRGINIA (SPRINGFIELD DISTRICT)** (12:17 p.m.)

Supervisor Herrity queried staff regarding the project. Discussion ensued, with input from Thomas Fleetwood, Director, Department of Housing and Community Development (HCD), and Anna Shapiro, Deputy Director, Real Estate, Finance and Development Department, HCD, regarding:

- Annual Median Income increases and proposed rents
- Trends in Tax Credit property development
- Amount of funding negotiated with the developer amid rising supply costs

Following additional comments regarding support for senior affordable housing, Supervisor Herrity moved that the Board concur in the recommendation of staff and authorize the FCRHA to provide supplemental gap financing in the amount of \$4.3 million for the Lodge at Autumn Willow in the Springfield District. Supervisor Smith seconded the motion. Following discussion on leveraging local dollars amid project cost increases and the significance of the project, the question was called on the motion and it carried by unanimous vote.

34. **A-4 – ENDORSEMENT OF DESIGN PLANS FOR THE COMPTON ROAD SHARED-USE PATH PROJECT (SULLY DISTRICT)** (12:24 p.m.)

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

- Endorsed the design plans for the Compton Road Shared-Use Path Project administered by the Virginia Department of Transportation (VDOT) as generally presented at the VDOT June 27, 2022, virtual Design Public Hearing
- Authorized the Director of the Department of Transportation to transmit the Board's endorsement to VDOT

35. **A-5 – APPROVAL OF FUNDING ALLOCATIONS FOR PEDESTRIAN AND BICYCLE IMPROVEMENT PROJECTS AND MAINTENANCE**
(12:24 p.m.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and approve \$5 million in funding for active transportation capital and maintenance projects to improve the County's pedestrian and bicycle infrastructure and to purchase additional speed display signs as follows:

- \$2.7 million for crosswalk improvement projects
- \$1 million for the Department of Public Works and Environmental Services trail maintenance
- \$1 million for Fairfax County Park Authority trail and sidewalk maintenance
- \$200,000 for local cash match required to accept \$800,000 from the Transportation Alternatives Program for the Bush Hill Elementary School Safe Routes to School Project
- \$100,000 for speed display signs for the Fairfax County Police Department

The motion was multiply seconded. Following a brief discussion regarding additional project opportunities, the question was called on the motion and it carried by unanimous vote.

36. **A-6 – APPROVAL OF A PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP) FOR THE FAIRFAX CONNECTOR** (12:25 p.m.)

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

- Approve the PTASP, as shown in substantial form of Attachment One of the Board Agenda Item, for the Fairfax Connector
- Authorize the Director of the Department of Transportation to sign the plan

The motion was multiply seconded. Following a brief discussion on the report, the question was called on the motion and it carried by unanimous vote.

37. **A-7 – APPROVAL OF PROJECT AGREEMENTS BETWEEN THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) AND FAIRFAX COUNTY FOR FISCAL YEAR (FY) 2023 TRANSIT ASSISTANCE GRANT FUNDS** (12:26 p.m.)

On motion of Supervisor Alcorn, jointly seconded by Chairman McKay and Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of the Department of Transportation to sign Project Agreements between DRPT and Fairfax County, as shown in substantial form as Attachments 1 – 14 of the Board Agenda Item, for FY 2023 transit capital and operating assistance grant funds.

DMS:dms

38. **RECESS/CLOSED SESSION** (12:27 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. *Jane Doe v. Michael O. Barbazette, Jason J. Mardocco, James Baumstark, Vincent Scianna, Edwin C. Roessler, Fairfax Police Officers ##3-10, and Fairfax County, Virginia*, Case No. 1:21-cv-1150 (E.D. Va.)
 3. *C.M. Busto v. Fairfax County and Chief Judge Penney Azcarate*, Case No. 1:22- cv-771 (E.D. Va.)

4. *Jay Riat, Building Official for Fairfax County, Virginia v. Jennet Mofor*, Case No. GV22-015516 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
5. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jay Riat, Building Official for Fairfax County, Virginia v. Oscar Maravilla*, Case No. CL-2022- 0013794 (Fx. Co. Cir. Ct.) (Mason District)
6. *Jay Riat, Building Official for Fairfax County, Virginia v. Charbel C. Markhoul and Rita A. Douaihy*, Case No. GV21-013768 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
7. *Jay Riat, Building Official for Fairfax County, Virginia v. David Sisson*, Case No. GV22-015514 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
8. *Jay Riat, Building Official for Fairfax County, Virginia v. Faiz Ullah*, Case No. GV22-015515 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
9. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph McLoughlin*, Case No. GV22-012188 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(3), (6), and (29), potential acquisition of real property in the Mount Vernon District where open discussion would adversely affect bargaining position or negotiating strategy
- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), legal briefing regarding Virginia Code Section 15.2-852

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

At 3:32 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

39. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:32 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements

and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Lusk seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

BV:bv

AGENDA ITEMS

40. **3 P.M. – PUBLIC HEARING TO RECEIVE COMMENT FROM CITIZENS ON THE PROPOSED LEGISLATIVE PROGRAM TO BE PRESENTED TO THE 2023 VIRGINIA GENERAL ASSEMBLY** (3:34 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 October 14 and October 21, 2022.

Supervisor Walkinshaw, Chair of the Legislative Committee, presented a brief synopsis of the proposed legislative program, noting the following:

- The language on the Draft Legislative Program highlighted in yellow has been added since the Board’s last Legislative Committee meeting on October 18, 2022. The new language is in response to direction that the Board provided to staff at that meeting
- As discussed at the Legislative Committee meetings, much of the program remains the same, especially with respect to the fundamental priorities
- State’s revenues have continued to fluctuate considerably in recent years but have now been described as being in surplus. However, as pointed out in the letter to the Governor last month, until the State has fully met its funding commitment to core services, including shared State and local services, there is not really a State surplus because the Commonwealth has not paid its bills
- This presents an opportunity to make critical investments and K-12 education, human services and other shared State and local programs, after years of State under funding. The budget will be a major focus in the 2023 session as the General Assembly (GA) works on amendments to the budget for the 2022-2024 biennium
- As in previous years, the program features State support for education as an overarching priority and urges the State to fully meet its responsibility to adequately fund K-12, including continued

efforts to address State funding formula imbalances and inadequacies, as well as restoration of full funding for costs of competing funds

- The Board's regional transportation priority statement encourages the 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, and encourages the GA to build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GA's to ensure sufficient funding for transportation needs
- The Human Services issue paper highlights the County's interest in a number of Human Services programs and includes three priorities:
 - State funding and actions to increase the availability of affordable, accessible and integrated housing options
 - Sustainable State funding for behavioral health programs and services
 - Increase States support to address the ongoing substance use disorder epidemic
- Two items under consideration as 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 and unsignalized intersections. Counties that do not maintain their own roads are authorized to reduce speed limits to less than 25 miles per hour (MPH), but not less than 15 MPH on highways within their boundaries, within business or residential districts

Supervisor Walkinshaw noted that the last Legislative Committee meeting for the year will be November 22, 2022, to finalize the State Legislative Program in preparation for Board adoption on December 6, 2022. In addition, there will be some discussion regarding various federal issues.

Following the public hearing, which included testimony by one speaker, Supervisor Walkinshaw reiterated that the:

- Legislative Committee meeting will be November 2, 2022
- Board adoption of Legislative program will be at the December 6, 2022, Board meeting
- Board will host its annual Legislative Work Session on December 13, 2022, with the delegation to the GA

41. **3:30 P.M. – PH ON SE 2022-PR-00023 (1820 DOLLEY MADISON LLC) TO PERMIT AN INCREASE IN HEIGHT FOR A CONTAINMENT STRUCTURE UP TO A MAXIMUM OF 80 FEET TALL AND AN INCREASE IN FENCE HEIGHT UP TO 16 FEET TALL, LOCATED ON APPROXIMATELY 6.9 ACRES OF LAND (PROVIDENCE DISTRICT)**
(3:45 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 14 and October 21, 2022.

The application property is located on the northeast quadrant of the intersection of Dolley Madison Boulevard and Scott's Crossing Road. Tax Map 29-4 ((5)) 9 (pt.), 9A (pt.), and 10A (pt.).

Gregory A. Riegle, McGuire Woods LLP, reaffirmed the validity of the affidavit dated September 21, 2022, for the record.

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

Mr. Riegle 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. Timberlake presented the staff and Planning Commission recommendations.

Following a query by Supervisor Palchik, Mr. Riegle confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 12, 2022.

Supervisor Palchik moved that the Board approve:

- Special Exception Application SE 2022-PR-00023, subject to the development conditions dated October 12, 2022

- Waiver of subsection 4102.5.Z(3)(e) of the Zoning Ordinance to permit the containment netting to remain when the ballfield is not in use during the offseason

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

(NOTE: On October 26, 2022, the Planning Commission approved Final Development Plan Application FDP 2011-PR-009, subject to the development conditions dated October 17, 2022.)

42. **3:30 P.M. – PH ON SE 2022-HM-00025 (TRINE UNIVERSITY) TO PERMIT A COLLEGE OR UNIVERSITY USE IN A PORTION OF AN EXISTING OFFICE BUILDING, LOCATED ON APPROXIMATELY 6.50 ACRES OF LAND (HUNTER MILL DISTRICT)** (3:51 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 14 and October 21, 2022.

The application property is located at 1881 Campus Commons Drive, Reston, 20191. Tax Map 26-2 ((1)) 10.

Lori R. Greenlief, McGuire Woods LLP, reaffirmed the validity of the affidavit dated September 14, 2022, for the record.

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

Ms. Greenlief 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. Martinez presented the staff and Planning Commission recommendations.

Following a query by Supervisor Alcorn, Ms. Greenlief confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 11, 2022.

Supervisor Alcorn moved approval of Special Exception Application SE 2022-HM-00025, subject to the development conditions dated October 11, 2022. The motion was jointly seconded by Supervisor Lusk and Supervisor Foust, and it carried by a vote of nine, Supervisor Gross being out of the room.

43. **3:30 P.M. – PH ON PCA 2003-PR-022-03 (RZPA 2022-PR-00017) (V METRO, LLC; V METRO W, LLC, METRO W, LLC) TO AMEND THE PROFFERS FOR RZ 2003-PR-022 PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT TO PERMIT ASSOCIATED MODIFICATIONS TO PROFFERS WITH AN OVERALL FLOOR AREA RATIO (FAR) OF 2.25 ON THE TOTAL 23.25-ACRE PRM ZONED SITE, LOCATED ON APPROXIMATELY 9.76 ACRES OF LAND (PROVIDENCE DISTRICT)** (3:56 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 14 and 21, 2022.

The application property is located on the south side of Saintsbury Drive, approximately 400 feet east of its intersection with Vaden Drive. Tax Map 48-2 ((24)) B1.

Gregory A. Riegle, McGuire Woods LLP, reaffirmed the validity of the affidavit dated October 6, 2022, for the record.

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

Mr. Riegle 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 lengthy comments, Supervisor Palchik moved that the Board approve Proffered Condition Amendment Application PCA 2003-PR-022-03, subject to the proffers dated October 31, 2022. Supervisor Lusk 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.”

44. **3:30 P.M. – PH ON PCA 89-V-038 (RZPA 2022-MV-00010) (PRAESUM HEALTHCARE SERVICES, LLC) TO AMEND THE PROFFERS FOR RZ 89-V-038 PREVIOUSLY APPROVED FOR AN INSTITUTION PROVIDING HOUSING AND GENERAL CARE FOR THE INDIGENT, ORPHANS, AND THE LIKE TO PERMIT A MEDICAL CARE FACILITY AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO (FAR) OF 0.82, LOCATED ON APPROXIMATELY 0.66 ACRES OF LAND (MOUNT VERNON DISTRICT)**

AND

PH ON SE 2022-MV-00002 (PRAESUM HEALTHCARE SERVICES, LLC) TO PERMIT A MEDICAL CARE FACILITY, LOCATED ON APPROXIMATELY 0.66 ACRES OF LAND (MOUNT VERNON DISTRICT) (4:08 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 October 14 and October 21, 2022.

The application property is located at 7665 Lorton Road, Lorton, 22079. Tax Map 108-3 ((2)) 9.

David I. Schneider, Holland and Knight LLP, reaffirmed the validity of the affidavits dated October 12 and October 13, 2022, for the record.

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

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

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

Following comments, Supervisor Storck moved that the Board approve:

- Proffered Condition Amendment Application PCA 89-V-038, subject to the proffers dated October 19, 2022
- Special Exception Application SE 2022-MV-00002, subject to the proposed development conditions dated September 6, 2022
- Parking Reduction Request Number 8100-PKS-001 for 7665 Lorton Road, pursuant to Article 6, Section 6100, Subsection 6100.6.G of

the Zoning Ordinance based on the unique characteristics of the proposed use and subject to the conditions dated May 25, 2022, and contained in Appendix 7

- Waivers and modifications contained in the handout distributed, dated November 1, 2022, which will be made part of the record, and are as follows:
 - Waiver of the 8-foot-wide trail requirement along Richmond Highway in lieu of the existing sidewalk and trail, and future dedication of a 10-foot-wide major trail
 - Modification of the 45-foot building setback to that which is shown on the GDP/SE Plat
 - Approval of a modification to allow the one existing loading space as shown on the General GDP/SE Plat

Supervisor Lusk 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.”

45. **3:30 P.M. – PH ON SEA 2005-SU-007-02 (KOREAN CENTRAL PRESBYTERIAN CHURCH) AMEND SE 2005-SU-007 PREVIOUSLY APPROVED FOR A PLACE OF WORSHIP, CHILD CARE CENTER AND PRIVATE SCHOOL OF GENERAL EDUCATION, TO ADD LAND AREA AND TO PERMIT ASSOCIATED MODIFICATIONS TO SITE DESIGN AND DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 83.77 ACRES OF LAND (SULLY DISTRICT)**
(4:24 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 October 14 and October 21, 2022.

The application property is located at 15451 Lee Highway, Centreville, 20121. Tax Map 64-1 ((1)) 8, 9, 25, 26 and 27; 64-1 ((3)) 16 and 17; 64-2 ((3)) 18; 64-2 ((5)) 1, 2 and 3.

David S. Houston, Bean, Kinney and Korman, PC, reaffirmed the validity of the affidavit dated August 24, 2022, for the record.

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

- Mark M. Viani

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

- Mark M. Viani

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

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

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

Following a query by Supervisor Smith, Mr. Houston confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 28, 2022.

Supervisor Smith moved that the Board approve:

- Special Exception Amendment Application SEA 2005-SU-007-02, subject to the development conditions dated September 28, 2022
- Waivers and modifications contained in the handout distributed, dated September 22, 2022, which will be made part of the record, and are as follows:
 - Modification of the transitional screening requirements along all property boundaries of the Zoning Ordinance in favor of that shown on the SEA Plat
 - Waiver of the barrier requirements along all property boundaries of the Zoning Ordinance in favor of that shown on the SEA Plat
 - Waiver of the service drive requirements of the Public Facilities Manual in favor of that shown on the SEA Plat

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.

KK:kk

46. **4 P.M. – PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 12839 LEE HIGHWAY, FAIRFAX, VIRGINIA 22030 (SPRINGFIELD DISTRICT)** (4:33 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 October 14 and October 21, 2022.

Jack Weyant, Director, Department of Code Compliance, presented the staff report.

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

Following comments, Supervisor Herrity moved:

- Adoption of the Ordinance declaring 12839 Lee Highway blighted, constituting a nuisance
- Approval of the blight abatement plan for 12839 Lee Highway

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.”

47. **4 P.M. – PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 1724 BEULAH ROAD, VIENNA, VIRGINIA 22182 (HUNTER MILL DISTRICT)** (4:42 p.m.)

Supervisor Alcorn moved to defer the public hearing on Spot Blight Abatement Ordinance for 1724 Beulah Road indefinitely. Supervisor Palchik seconded the motion.

Discussion ensued, with input from Jack Weyant, Director, Department of Code Compliance, regarding a plan to follow up on the property owner’s commitment to remedy the situation.

Elizabeth Teare, County Attorney, noted that if the public hearing was not being deferred to a date certain, it would need to be readvertised.

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

48. **4 P.M. – PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 6120 HILLVIEW AVENUE, ALEXANDRIA, VIRGINIA 22310 (LEE DISTRICT)** (4:45 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 October 14 and October 21, 2022.

Jack Weyant, Director, Department of Code Compliance (DCC), presented the staff report.

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

Discussion ensued, with input from Mr. Weyant and Victoria Fitzgerald, Code Compliance Investigator, DCC, regarding how the blight abatement plan would be affected if the property owner initiated the permit process.

Supervisor Lusk moved:

- Adoption of the Ordinance declaring 6120 Hillview Avenue blighted, constituting a nuisance
- Approval of the blight abatement plan for 6120 Hillview Avenue

Supervisor Foust and Chairman McKay jointly 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.”

49. **4:30 P.M. – PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA - CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 13 (TRANSIENT OCCUPANCY TAX)** (5:02 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 October 14 and October 21, 2022.

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

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

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 13 (Transient Occupancy Tax).

Supervisor Lusk 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.

50. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:05 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 October 14 and October 21, 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:

- Scott Peterson, regarding climate
- Rick Galliher, regarding Code Section 109, concerning solid waste and recycling reforms
- Joseph Gillmer, regarding American Disposal Services issues

51. **BOARD ADJOURNMENT** (5:18 p.m.)

At 5:18 p.m. the Board adjourned.