



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

TUESDAY
January 24, 2023

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, January 24, 2023, at 9:33 a.m., there were present:

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

Supervisor Dalia Palchik, Providence District, participated remotely until 11:11 a.m.

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

BOARD MATTERS1. **REMOTE PARTICIPATION OF SUPERVISOR PALCHIK (PROVIDENCE DISTRICT)** (9:34 a.m.)

Chairman McKay announced that Supervisor Palchik will be participating in the meeting remotely due to medical reasons 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** (9:35 a.m.)

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

- Thomas Ross Cook, Jr., who passed away recently. He was a lifelong resident of the Town of Vienna; he photographed businesses and community events recording the town's history and made the town a better place as a strong advocate for young people; and he helped create the Vienna Club's Annual Youth Awards of Excellence.
- Bruce Neilson, who passed away recently. He had a fulfilling 31 year career at the U.S. Department of Justice and retired in 2008. He did great work with Social Action Linking Together (SALT), realizing legislative achievements in prison reform, increases in the minimum wage, temporary assistance for needy families, grants and homelessness prevention. He served on several Boards, and was appointed to the Northern Virginia Community College Board by former Chairman Bulova, where he chaired the Finance Committee for several years

- Three teen girls, two who lost their lives and one who was seriously injured in a heart-wrenching car accident on Lee Chapel Road on January 10
- The victims of several mass shooting incidents that occurred in California very recently, including a mass shooting in Monterey Park on a day where the Asian American community was celebrating Lunar New Year
- Mary Jablonski, who passed away recently. She was a Vienna resident and the front desk volunteer for the Fairfax County Democratic Committee for several years. She worked for the Federal Government in contracting for 27 years, mostly in various Navy Commands and Department of Agriculture before retiring in 2008
- Kenton Edelin, who passed away on Christmas Eve. He was a key member of the Cavaliers magical run to the National Collegiate Athletic Association Final Four tournament in 1984. He attended Hayfield High School in Alexandria; practiced law, and resided in Virginia
- Dingwall Fleury, who recently passed away. For 50 years, he brought his passion for music to his role as maestro of the McLean Symphony. He was chosen to lead the McLean Symphony at its inception in 1971. He was a pianist, harpsichordist, organist, conductor, teacher, lecturer, and orchestra builder

(NOTE: Later in the meeting, Supervisor Herrity presented a Board Matter addressing safety concerns on Lee Chapel Road. See Clerk's Summary Item #37.)

AGENDA ITEMS

3. **RESOLUTION OF RECOGNITION PRESENTED TO THE LANGLEY HIGH SCHOOL GOLF TEAM** (9:49 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to the Langley High School Golf Team for its accomplishments. Chairman McKay seconded the motion and it carried by unanimous vote.

4. **RESOLUTIONS OF RECOGNITION PRESENTED TO SHELLEY MURPHY, WESLEY HOUSING, AND MICHELLE KROCKER, NORTHERN VIRGINIA HOUSING ALLIANCE** (9:57 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Michelle

Krocker, Northern Virginia Housing Alliance, for her outstanding contributions to the community. Supervisor Foust seconded the motion.

Supervisor Foust moved approval of the Resolution of Recognition presented to Shelley Murphy, Wesley Housing, for her outstanding contributions to the community. Vice-Chairman Gross seconded the motion.

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

5. **PROCLAMATION DESIGNATING JANUARY 2023 AS "HUMAN TRAFFICKING AWARENESS MONTH" IN FAIRFAX COUNTY**
(10:19 a.m.)

Supervisor Herrity moved approval of the Proclamation designating January 2023 as "*Human Trafficking Awareness Month*" in Fairfax County. Chairman McKay seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING AS JANUARY 16-22, 2023, AS "COMMUNITY RISK REDUCTION WEEK" IN FAIRFAX COUNTY**
(10:31 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating January 16-22, 2023, as "*Community Risk Reduction Week*" in Fairfax County. Supervisor Lusk seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

7. **PRESENTATION OF THE DON SMITH AWARD** (10:45 a.m.)

Sean Corcoran, Chairman, Employee Advisory Council, presented the history of the Don Smith Award.

Mr. Corcoran presented presented the following awards:

Honorable Mention Awards

- Lori Bell, Fairfax-Falls Church Community Services Board
- Colleen Coll, Department of Public Safety Communications
- Zachary Cross, Fairfax County Police Department
- Stephanie Ryan, Juvenile and Domestic Relations Court

2023 Don Smith Award

- Richard Beatty, Department of Fire and Rescue

EBE:ebe**8. REPORT ON GENERAL ASSEMBLY ACTIVITIES (10:54 a.m.)**

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, stated that the Committee's first meeting was held on January 20, 2023. He presented the report on General Assembly activities, noting the following:

- As of January 23 – 2,118 bills and resolutions had been introduced in the 2023 General Assembly – many of which were discussed at the Legislative Committee meeting. The Committee's positions on specific bills are outlined in the memo and tracking chart included in the Committee's report
- A key area of focus this session will be amendments to the 2022-2024 biennium budget. The County continues to advocate for increased K-12 funding, as well as increased funding for a variety of Human Services programs and services, public safety, environmental initiatives, and transportation, among others. The Board will get additional updates from staff as the budget process progresses
- A wide variety of bills have been introduced this session, including numerous bills that would reduce County revenue, change County services and operations, or restrict the County's land use authority. In particular, legislation was introduced that would essentially undo the County's short-term lodging ordinance by allowing properties managed by Virginia realtors to circumvent important provisions of the ordinance. Staff will continue to provide updates on these key issues throughout the legislative process
- The Legislative Committee received the following status updates on the Board's County initiatives this year:
 1. The Bill which would allow the County to use contractors to remove illegal signs from the right-of-way, was heard in a House Transportation subcommittee last week where the subcommittee recommended reporting the bill unanimously. The legislation now awaits consideration by the full House Transportation Committee
 2. The Bill which would 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, was reported from the Senate Transportation Committee last week, and now awaits consideration by the full Senate

3. The Bill which would clarify 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

These bills have been referred to the House Transportation Committee, where they await consideration.

- The Committee reviewed a number of other transportation bills as well as bills relating to elections, taxation, land use, and health and human services. Legislative staff will continue to keep the Board updated on these issues throughout the legislative process

Supervisor Walkinshaw noted that the:

- Next meeting of the Legislative Committee will be held in Conference Room 11 on January 27, 2023, at 4 p.m.
- Annual reception will be held in Richmond at the Credit Union House of Virginia on February 8, 2023, at 5:30 p.m.

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number One. Chairman McKay seconded the motion and it carried by a vote of eight, Supervisor Herrity voting “NAY,” Supervisor Palchik having left the meeting.

9. **BOARD ORGANIZATION AND APPOINTMENTS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (10:58 a.m.)

Chairman McKay announced that the list of Appointments for Board Members to Various Interjurisdictional Committees and Inter-/Intra-Governmental Boards and Committees for Calendar Year 2023 had been distributed.

Chairman McKay stated that the Vice-Chairman of the Board is elected among his/her colleagues.

Supervisor Smith moved the re-appointment of Supervisor Gross as Vice-Chairman of the Board. The motion was multiply seconded the and it carried by a vote of nine, Supervisor Palchik having left the meeting.

The full list of appointments is as follows:

INTERJURISDICTIONAL COMMITTEES

ALEXANDRIA

Daniel Storck, Chairman
Jeffrey McKay
Penelope Gross
Rodney Lusk

ARLINGTON

Penelope Gross, Chairman
Jeffrey McKay
John Foust
Dalia Palchik

DISTRICT OF COLUMBIA

Jeffrey McKay, Chairman
James Walkinshaw
Dalia Palchik
Daniel Storck

FAIRFAX CITY

James Walkinshaw, Chairman
Jeffrey McKay
Dalia Palchik

FALLS CHURCH

Penelope Gross, Chairman
Jeffrey McKay
John Foust
Dalia Palchik

FORT BELVOIR (Board of Advisors/Base Realignment and Closure)

Jeffrey McKay
Patrick Herrity
Rodney Lusk
Daniel Storck

HERNDON

John Foust, Chairman
Jeffrey McKay
Walter Alcorn

LOUDOUN COUNTY

Kathy Smith, Chairman
Jeffrey McKay
John Foust
Walter Alcorn

PRINCE WILLIAM

(includes UOSA, City of Manassas, and City of Manassas Park)
Kathy Smith, Chairman
Jeffrey McKay
Patrick Herrity
Daniel Storck

VIENNA

Walter Alcorn, Chairman
Jeffrey McKay
John Foust
Dalia Palchik

INTERGOVERNMENTAL BOARDS AND COMMITTEES

(including Federal and State)

COMMUNITY CRIMINAL JUSTICE BOARD

Dalia Palchik

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)

COG BOARD OF DIRECTORS

Jeffrey McKay, Principal
Rodney Lusk, Principal
Penelope Gross, Principal
James Walkinshaw, Alternate
Daniel Storck, Alternate
Walter Alcorn, Alternate

COG METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE

Daniel Storck, Principal
Penelope Gross, Principal
James Walkinshaw, Alternate
Kambiz Agazi (staff), Alternate (for any member)

COG CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE

Penelope Gross, Principal
Daniel Storck, Principal

**COG CLIMATE, ENERGY AND ENVIRONMENTAL
POLICY COMMITTEE**

Penelope Gross, Principal
Kambiz Agazi (staff), Principal

COG EMERGENCY PREPAREDNESS COUNCIL

Rodney Lusk, Principal

**COG HUMAN SERVICES AND PUBLIC SAFETY
COMMITTEE**

Penelope Gross
Rodney Lusk

COG REGION FORWARD COMMITTEE

Jeffrey McKay, Principal
Penelope Gross, Principal
James Walkinshaw, Principal

**COG TASK FORCE ON REGIONAL WATER SUPPLY
ISSUES**

Penelope Gross

**COG NATIONAL CAPITAL REGION TRANSPORTATION
PLANNING BOARD**

Walter Alcorn, Principal
James Walkinshaw, Principal
Jeffrey McKay, Alternate
Rodney Lusk, Alternate

**GEORGE MASON UNIVERSITY FAIRFAX CAMPUS ADVISORY
BOARD**

James Walkinshaw
Patrick Herrity
Jim Zook (Chairman's designee)

INOVA HEALTH CARE SERVICES BOARD

James Walkinshaw

INOVA HEALTH SYSTEMS BOARD

Penelope Gross

NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

Patrick Herrity
James Walkinshaw
Penelope Gross
Dalia Palchik
Walter Alcorn
Rodney Lusk
Kathy Smith

NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC)

(including WMATA and VRE Representatives)
Walter Alcorn, Principal, VRE Operation; Alternate, WMATA
James Walkinshaw, Principal VRE Operation
John Foust
Dalia Palchik
Jeffrey McKay; Alternate, VRE
Daniel Storck, Alternate; Principal, VRE Operation

PHASE I DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION

Jeffrey McKay
John Foust
Walter Alcorn
Dalia Palchik

PHASE II DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION

Jeffrey McKay
John Foust
Walter Alcorn
Kathy Smith

POTOMAC WATERSHED ROUNDTABLE

Penelope Gross
Eleanor Ku Coddling, P.E., Alternate

ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION

Jeffrey McKay
John Foust
Walter Alcorn
Kathy Smith

VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)

(Recommendations. The Board of Supervisors makes recommendations to VACo for consideration.)

Jeffrey McKay
Penelope Gross
Kathy Smith
James Walkinshaw
Daniel Storck

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)

(Appointed by NVTC. The Board of Supervisors makes recommendations for consideration.)

Walter Alcorn, Alternate

INTRAGOVERNMENTAL AND OTHER COMMITTEES

AUDIT COMMITTEE

Daniel Storck, Chairman
Dalia Palchik, Vice-Chairman
Rodney Lusk
Patrick Herrity

BUDGET POLICY COMMITTEE

(Committee of the Whole)
Jeffrey McKay, Chairman
John Foust, Vice-Chairman
Kathy Smith, 2nd Vice-Chairman

ECONOMIC ADVISORY COMMISSION

(Committee of the Whole)
John Foust, Chairman
Daniel Storck, Vice-Chairman

ECONOMIC INITIATIVES COMMITTEE

(Committee of the Whole)
John Foust, Chairman
Daniel Storck, Vice-Chairman

ENVIRONMENTAL COMMITTEE

(Committee of the Whole)
Daniel Storck, Chairman
Penelope Gross, Vice-Chairman

HEALTH AND HUMAN SERVICES COMMITTEE

(Committee of the Whole)
Dalia Palchik, Chairman
John Foust, Vice-Chairman

HOUSING COMMITTEE

(Committee of the Whole)
John Foust, Chairman
Dalia Palchik, Vice-Chairman

INFORMATION TECHNOLOGY COMMITTEE

(Committee of the Whole)
Walter Alcorn, Chairman
Patrick Herrity, Vice-Chairman

LAND USE POLICY COMMITTEE

(Committee of the Whole)
Kathy Smith, Chairman
Walter Alcorn, Vice-Chairman

LEGISLATIVE COMMITTEE

(Committee of the Whole)
James Walkinshaw, Chairman
Jeffrey McKay, Vice-Chairman

OLDER ADULTS COMMITTEE

(Committee of the Whole)
Patrick Herrity, Chairman
James Walkinshaw, Vice-Chairman

PERSONNEL AND REORGANIZATION COMMITTEE

(Committee of the Whole)
Penelope Gross, Chairman
Rodney Lusk, Vice-Chairman

SAFETY AND SECURITY COMMITTEE

(Committee of the Whole)
Rodney Lusk, Chairman
James Walkinshaw, Vice-Chairman

SUCCESSFUL CHILDREN AND YOUTH POLICY TEAM

Dalia Palchik
Rodney Lusk

TRANSPORTATION COMMITTEE

(Committee of the Whole)

Walter Alcorn, Chairman

Kathy Smith, Vice-Chairman

10. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (10:59 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard January 24, 2023." Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Appointment of:

- Ms. Suzanne Holland as the Mason District Representative

Reappointment of:

- Ms. Jane Gwinn as the Braddock District Representative
- Mr. Wesley Speer as the Mount Vernon District Representative
- Ms. Ernestine Heastie as the Providence District Representative
- Mr. Philip Rosenthal as the Springfield District Representative
- Mr. Michael Coyle as the Sully District Representative

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

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Mr. Julian De Phillips as 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.

AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC)

Confirmation of:

- Ms. Kamilah McAfee as the Affordable Housing Developer/Owner Representative

The Board deferred the appointment of the Mason District Representative.

AIRPORTS ADVISORY COMMITTEE

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

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

ATHLETIC COUNCIL

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 the Design Professional #1 and #5 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

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

CHILD CARE ADVISORY COUNCIL

Appointment of:

- Ms. Evelyn Evans as the Franconia 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

Reappointment of:

- Ms. Alesia Taylor-Boyd as the Franconia District Representative

Appointment of:

- Ms. Sabrina Rose-Smith as the Mason District Representative

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

CONSUMER PROTECTION COMMISSION

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

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

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

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. Mark Treadaway as the Washington Airports Task Force 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.

FAIRFAX AREA DISABILITY SERVICES BOARD

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

GEOTECHNICAL REVIEW BOARD

Confirmation of:

- Mr. Al Nouri as the Primary #1 Representative
- Mr. Jules Reese as the Primary #3 Representative
- Mr. J. Christopher Geise as the Alternate #2 Representative

HEALTH SYSTEMS AGENCY BOARD

Appointment of:

- Ms. Anitha Raj as the Consumer #6 Representative

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

HISTORY COMMISSION

Reappointment of:

- Ms. Elise Ruff Murray as the Citizen #3 Representative

Appointment of:

- Ms. Julianne Mueller as the Citizen #7 Representative

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

HUMAN RIGHTS COMMISSION

Appointment of:

- Ms. Denver Supinger as the At-Large #6 Representative

The Board deferred the appointment of the At-Large #5 Representative.

HUMAN SERVICES COUNCIL

Appointment of:

- Ms. Maria J. Posey as the Braddock District #1 Representative

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

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Appointment of:

- Ms. Tara Mooney as the Braddock District Representative

Reappointment of:

- Ms. Patricia L. Smith-Solan as the Hunter Mill District Representative
- Ms. Joleane Dutzman as the Mount Vernon District Representative
- Dr. Carol Robinson as the Sully District Representative

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

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

POLICE CIVILIAN REVIEW PANEL

Appointment of:

- Mr. Michael Lau as the Seat #8 Representative

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

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

SMALL BUSINESS COMMISSION

Appointment of:

- Ms. Deborah Woolen as the Franconia District Representative

TENANT-LANDLORD COMMISSION

Reappointment of:

- Mr. Robert Chamberlain as the Citizen Member #2 Representative

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

TREE COMMISSION

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

Reappointment of:

- Mr. Frank Henry Grace as the Citizen Appointed by BOS #1 Representative

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

WETLANDS BOARD

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

YOUNG ADULTS ADVISORY COMMITTEE

The Board deferred the appointment of the Providence District Representative.

DMS:dms

ADDITIONAL BOARD MATTERS

11. **INTRODUCTION OF A NEW STAFF AIDE IN THE CHAIRMAN'S OFFICE** (11 a.m.)

Chairman McKay introduced Andy Mensah, a new Staff Aide in his office. On behalf of the Board, he warmly welcomed him to the Board Auditorium and to the County.

12. **PROCLAMATION REQUEST DESIGNATING JANUARY 16 - 22, 2023, AS "COMMUNITY RISK REDUCTION WEEK"** (11 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Proclamation designating January 16 – 22, 2023, as "*Community Risk Reduction Week*" in the County. Without objection, it was so ordered.

13. **PROCLAMATION REQUEST FOR "HEALTH FOR HUMANITY - YOGATHON"** (11 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation recognizing the 16th annual "Health for Humanity -Yogathon," from January 14 - 29, 2023. The campaign encourages everyone, regardless of age, gender, ethnicity, faith, nationality, etc., to participate and achieve personal goals of a healthy lifestyle. Without objection, it was so ordered.

14. **RESOLUTION REQUEST RECOGNIZING JANUARY 22, 2023, AS THE BEGINNING OF "LUNAR NEW YEAR"** (11 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution recognizing January 22, 2023, as the beginning of "*Lunar New Year*" in the County. Without objection, it was so ordered.

15. **PROCLAMATION REQUEST DESIGNATING MARCH 2023 AS "MULTIPLE SCLEROSIS AWARENESS MONTH"** (11 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating March 2023 as "*Multiple Sclerosis Awareness Month*" in the County. Without objection, it was so ordered.

16. **PROCLAMATION REQUEST FOR JACK WEYANT** (11 a.m.)

Jointly with Supervisor Walkinshaw, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for Jack Weyant, Director,

Department of Code Compliance, in celebration of his retirement. Without objection, it was so ordered.

17. **PROCLAMATION REQUEST FOR TOM BIESIADNY** (11 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for Tom Biesiadny, Director, Department of Transportation, in celebration of his retirement. Without objection, it was so ordered.

18. **RESOLUTION REQUEST FOR DAVID LEVINE** (11 a.m.)

Jointly with Supervisor Storck, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution for David Levine, Executive Director, Good Shepherd Housing, in appreciation of his 14 years of service and leadership on affordable housing in the region. Without objection, it was so ordered.

19. **LETTER TO GOVERNOR YOUNGKIN REGARDING PERSONAL PROPERTY TAX RELIEF** (11:01 a.m.)

Chairman McKay stated that, as the Board is aware, County taxpayers were faced with an unprecedented rise in personal property taxes last year caused by a dramatic spike in used car values. To offset the financial impact of these high assessments, the Board took the unprecedented action of immediately reducing by 15 percent the valuation of cars and, therefore, reducing bills to provide relief as part of the Fiscal Year 2023 budget process. The Board also sent a letter to Governor Glenn Youngkin on March 21, 2022, asking him to increase funding for personal property tax relief. Unfortunately, no new car tax relief was funded in the Governor's Budget he introduced in December. Chairman McKay stated that while he supports elimination of the car tax, it is essential that localities are made whole just as they are under the current car tax relief provided by the state.

Car tax relief in Virginia is provided for under the Personal Property Tax Relief Act (PPTRA) of 1998. At that time, the PPTRA provided meaningful tax relief to Virginians and the state funded the relief through an allocation to localities so that local governments did not lose funding for essential services. In a Dillon Rule State, like Virginia, localities have only the taxing authority specifically granted to them by the State and, therefore, have very limited ability to diversify its tax base. Unilaterally eliminating the local vehicle tax, as Governor Youngkin has called for will inhibit the ability to grow the economy and provide critical services to residents unless the State provides funding to make up for the loss in revenue caused. Chairman McKay stated his belief that this could be possible now, considering the State is currently experiencing a significant budget surplus.

The amount of funding the State provides for car tax relief has not changed since 2007. With the substantially higher vehicle values in 2022, the PPTRA only provided 42 percent relief in Fiscal Year 2023, down from 70 percent in 2007, the last time new State funding was providing for car tax relief. The State should honor

its pledge of 1998 to eliminate the car tax while reimbursing local governments for lost revenue.

Therefore, Chairman McKay moved that the Board send the letter, attached to his Board Matter, to Governor Glenn Youngkin, expressing support for the State funding of the elimination of Virginia's tax on vehicles. Supervisor Walkinshaw seconded the motion.

Following discussion regarding the increase in car taxes and the State's surplus and role, the question was called on the motion and it carried by unanimous vote. Chairman McKay stated that the letter would also be sent to the County delegation.

Vice-Chairman Gross returned the gavel to Chairman McKay.

20. **ABSENCE OF PROVIDENCE DISTRICT SUPERVISOR PALCHIK**
(11:11 a.m.)

Chairman McKay announced that Supervisor Palchik had left the meeting due to medical reasons.

21. **SILVER LINE RECOGNITION BY WASHINGTON AIRPORTS TASK FORCE (WATF)** (11:11 a.m.)

Supervisor Gross stated that it was her pleasure to represent the County at the presentation of the Carrington Williams Trophy by the Washington Airports Task Force on January 20, 2023. The trophy is named for the late Virginia Delegate Carrington Williams, who was a key figure in the implementation of the Dulles rail vision. In 1982, Mr. Williams founded what became the Washington Airports Task Force to "do something about Dulles."

Forty years later, the Williams Trophy was presented to the Silver Line and its partners – Fairfax County, Loudoun County, the Town of Herndon, Metropolitan Washington Airports Authority, and Washington Metropolitan Area Transit Authority, for their regional cooperation and leadership in fulfilling the vision of rail to Dulles. With a fully connected transit infrastructure, the economic engine that is the County and Northern Virginia, will be even more robust as both move together into the future – a future that, once, was just a dream of planners and previous Boards.

Supervisor Gross stated that the Williams Trophy is huge, and is displayed at the WATF offices, so she does not have anything to present today, but the Silver Line and the County join previous awardees, including former Senator John Glenn, Elizabeth Dole, Rodney Slater, Norm Mineta, and Ray Lahood – all former Secretaries of Transportation, Til Hazel, and former Governor Terry McAuliffe, whose names are listed on the award. Supervisor Gross stated that the ceremony was especially poignant for her since the first awardee was Carrington Williams, a

longtime Mason District constituent, and she attended that first award presentation in 1996 as a brand new Mason District Supervisor.

22. **REQUEST TO EXPEDITE THE SCHEDULING OF A PUBLIC HEARING FOR VERSAR CENTER (MASON DISTRICT)** (11:14 a.m.)

Supervisor Gross stated that the applicant, Versar Property Owner, LLC, is the owner of the Versar Center. This office center is located between the Virginia Railway Express railroad tracks and the I-495/I-95/I-395 interchange in Springfield and is identified as Fairfax County Tax Map Parcels: 80-2 ((1)) 22A and 22B. The property is improved with two office buildings, constructed more than 40 years ago, and a bridge that crosses the floodplain. The owner has invested significant capital and resources in the property, such as major interior improvements, the construction of spec suites and launching intensive marketing campaigns. Despite the owner's efforts, there has been minimal leasing activity on this site in years and it is almost entirely vacant.

The Property is located within the Beltway South Industrial Area and is zoned I-5, subject to Rezoning Application RZ 81-A-001 and Proffered Condition Amendment Application PCA 78-A-094. The property is also subject to Special Exception Application SE 80-A-072, which was approved by the Board to permit fill in the floodplain, to allow the bridge connecting the two parcels.

The applicant has filed Special Exception Amendment Application SEA 80-A-072, to modify the conditions to allow for use and site modifications outside of the floodplain boundaries. The applicant does not propose any changes within the floodplain.

Given this narrow amendment and that the applicant is not proposing any changes within the floodplain with this Special Exception Amendment, the applicant has asked for consideration to expedite the scheduling of the public hearings.

Therefore, Supervisor Gross moved that the Board direct the Clerk for the Board of Supervisors and the Director of the Department of Planning and Development to expedite the scheduling of the public hearings for this Special Exception Amendment. This motion should not be construed as a favorable recommendation by the Board and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

23. **INTRODUCTION OF A NEW STAFF AIDE IN THE BRADDOCK DISTRICT SUPERVISOR'S OFFICE** (11:16 a.m.)

Supervisor Walkinshaw introduced Malena Llanos, a new Staff Aide in his office. On behalf of the Board, he warmly welcomed her to the Board Auditorium and to the County.

24. **REQUEST TO EXPEDITE THE SCHEDULING OF A PUBLIC HEARING FOR LACM VA, LLC (BRADDOCK DISTRICT)** (11:18 a.m.)

Supervisor Walkinshaw stated that LACM VA, LLC has filed three concurrent zoning applications in Proffered Condition Amendment Application PCA 86-W-001-14, Conceptual Development Plan Amendment Application CDPA 86-W-001-05, and Final Development Plan Amendment Application FDPA 86-W-001-09 on Tax Map Parcels 56-1((15)) 14B, 56-1 ((15)) 14A, and 56-1 ((15)) 5B, to permit an affordable residential development on the County Government Center property. The proposal consists of two multifamily buildings with 279 dwelling units at a floor area ratio of 1.56, excluding bonus density, and is being implemented through a public-private partnership with the Fairfax County Redevelopment and Housing Authority through the Public-Private Educational Facilities and Infrastructure Act. The Planning Commission public hearing is scheduled for February 1, 2023.

Therefore, Supervisor Walkinshaw moved that the Board direct staff to expedite the scheduling of a Board public hearing for Proffered Condition Amendment Application PCA 86-W-001-14 and Conceptual Development Plan Amendment Application CDPA 86-W-001-05 to a date certain of February 21, 2023. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in any way, nor does it prejudice in any way the Board's consideration of these pending applications. Chairman McKay and Supervisor Alcorn jointly seconded the motion and it carried by a vote of eight, Supervisor Herrity voting "NAY," Supervisor Palchik having left the meeting.

25. **REQUEST TO WAIVE APPLICATION FEES FOR BETHANY HOUSE (BRADDOCK DISTRICT)** (11:21 a.m.)

Supervisor Walkinshaw stated that Bethany House is a private, non-profit organization that has served residents of the County since 1979. Its main mission is to provide safe, short-term housing, life advancement services, and restorative care to women and children who are the victims of domestic violence.

In January 2022, the previous owner bequeathed an approximately 12,133 square foot residential lot, located in the Braddock Magisterial District and identified as Tax Map 68-4 ((9)) 1543, to Bethany House for the single purpose of converting the existing dwelling on the lot into a new safe house for women. The property is zoned to the R-3 District. Pursuant to Zoning Ordinance definitions, a safe house is classified as a congregate living facility, which is permitted by special exception in the R-3 District.

Bethany House, like other non-profit organizations, has limited funds and relies on donations and grants to offer their services and care. The property that was donated still carries a sizeable mortgage, which has added an unexpected expense to the organization. In addition, because this donation was received unexpectedly during the middle of its fiscal year, Bethany House was not able to budget for the mortgage, nor for the fees to go through the entitlement process to allow use of the property.

To get ahead of the PLUS database outage and avoid any processing delays, Bethany House filed its application in mid-October and paid the filing fee. However, the application was just recently accepted.

Supervisor Walkinshaw stated his belief that the public benefits provided by Bethany House demonstrate that there is good cause shown for granting this request for a fee waiver.

Therefore, Supervisor Walkinshaw moved that the Board waive the application fees for Bethany House's Special Exception Application for Tax Map Number 68-4 ((9))1543, to permit a congregate living facility, and direct staff to process a refund of the Special Exception fee. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in any way, nor does it prejudice in any way the Board's consideration of these pending applications. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

26. **PRESENTATION REQUEST FOR FREEDOM HILL CHAPTER'S 75TH ANNIVERSARY** (11:24 a.m.)

Supervisor Foust stated that 2022 marked the 75th anniversary of the Freedom Hill Chapter of the National Society of Daughters of the American Revolution ("NSDAR" or "DAR").

NSDAR was founded on October 11, 1890, during a time that was marked by a revival in patriotism and intense interest in the beginnings of the United States of America. Women felt the desire to express their patriotic feelings and were frustrated by their exclusion from men's organizations formed to perpetuate the memory of ancestors who fought to make this country free and independent. As a result, a group of pioneering women in the nation's capital formed their own organization, and the Daughters of the American Revolution has carried the torch of patriotism ever since. Today there are over 185,000 current members and just over one million women have joined DAR since it was founded.

DAR is a lineage society devoted to preserving history, fostering patriotism, and promoting education. The work of the National Society is largely carried out by its nearly 3,000 chapters nationwide and overseas.

The Freedom Hill Chapter was founded on December 6, 1947. Its members have served and are active in the Chapter, State and national levels of DAR. It was named after the location of the first County Court House, which was built on Freedom Hill in 1742. In 1752, the Court House was abandoned due to Indian hostilities in the area. The Court House was moved to Alexandria and later Providence, now Fairfax.

The Freedom Hill Chapter participates in grassroots volunteer work in numerous ways in the McLean/Great Falls area and in other parts of Virginia. Some of the activities that the Freedom Hill Chapter members have carried out during its 75 years include:

- Honoring area students in the 5th, 6th, 7th and 8th grades for outstanding work in American history, and students in the 12th grade for outstanding citizenship and patriotism
- Participating in naturalization ceremonies to congratulate the newest citizens and distribute U.S. Flags
- Contributing to the rebuilding of the farmhouse at Claude Moore Colonial Farm, the marking of historic Langley Fork, and the restoration of the William Watters Cemetery and Wren-Darne Family Cemetery
- Placing markers at historical sites in Northern Virginia, including Ash Grove, Dranesville Tavern, Colvin Run Mill, Sully Plantation, Green Spring and Huntley House
- Raising money for DAR approved schools and American Indian schools
- Initiating a project to index genealogical records in the DAR Library, resulting in hundreds of thousands of pages indexed

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a Proclamation in recognition of the Freedom Hill Chapter's 75th anniversary that he will present to the group on February 4, 2023. Without objection, it was so ordered.

27. **PRESENTATION REQUEST DESIGNATING FEBRUARY 7 – 14, 2023, AS “CONGENITAL HEART DISEASE (CHD) AWARENESS WEEK”**
(11:26 a.m.)

Supervisor Foust stated that CHD is the most prevalent birth defect in the United States, affecting one in every 100 births. More than 40,000 babies are born each year in the United States with CHD. There is no known cure for CHD, as it is a lifelong disease that requires ongoing specialized care. Fortunately, thanks to the

advancement of science and medicine, 85 percent of individuals born with the disease live past the age of 18.

It is critical that individuals planning a family, fetal clinicians, obstetric physicians, pediatricians, and all those in the medical field have a greater understanding of CHD.

Conquering CHD Virginia is an organization dedicated to improving quality of life for CHD sufferers and increasing awareness of the disease.

“Congenital Heart Disease Awareness Week” provides an opportunity for patients and families affected by CHD throughout the country to share their experiences and knowledge so that the public may be aware of how this defect affects their lives.

Therefore, jointly with Chairman McKay, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a Proclamation designating February 7–14, 2023, as “*Congenital Heart Disease Awareness Week*” in the County, which will be presented to members of Conquering CHD Virginia at an event to be held on February 5, 2023. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

28. **PRESENTATION AND PUBLICITY REQUEST DESIGNATING MAY 2023 AS “STROKE SMART MONTH”** (11:28 a.m.)

Supervisor Lusk stated the one-in-six people will have a stroke in their lifetime. Strokes are the leading cause of long-term disability, putting a tremendous emotional and financial burden on individuals, families, and communities.

There are life-saving treatments that must be administered within three to four hours once stroke symptoms begin, and only a very small percentage of patients get to the hospital within the treatment window because the majority of people do not know how to spot a stroke or understand the importance of calling 9-1-1 immediately. Additionally, the stroke onset to 9-1-1 call time has not significantly changed for the last 25 years.

In 2021, Stroke Smart launched a public health initiative to improve stroke knowledge and response to strokes in the commonwealth. They provide educational videos, marketing materials and classes to increase stroke symptom awareness. Supervisor Walkinshaw stated that Stroke Smart’s outreach to his office significantly increased his awareness around this issue and has convinced him of the value of targeted public outreach campaigns aimed at stroke response.

Increasing stroke awareness is vital to creating healthier communities and reducing long-term disabilities. Implementing stroke education outreach to businesses, civic organizations, senior communities, and faith-based organizations as well as health and safety-focused entities such as hospitals, health departments, fire, emergency

medical service, public safety, social services, and the Area Agency on Aging will help ensure that County residents have access to the knowledge and resources necessary to effectively respond to a stroke incident.

Therefore, with that in mind, and jointly with Chairman McKay and Supervisor Palchik, Supervisor Lusk moved that the Board direct the County Executive to assign the Office of Public Affairs to prepare a Proclamation designating May 2023 as “*Stroke Smart Month*” in the County, to coincide with the already established “National Stroke Awareness Month.” This proclamation should be supplemented by a County sponsored public awareness campaign with marketing materials developed prior to May with a goal of educating County residents on recognizing stroke symptoms and the importance of dialing 9-1-1 immediately. To reduce the costs and staff time necessary to meet this goal, staff should coordinate with existing Stroke Smart programs, utilize existing marketing materials that have already been developed, and conduct outreach to other stroke awareness organizations that may be doing similar work. Chairman McKay and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

29. **REQUEST TO USE BLOCK J AS A FUTURE ARTS CENTER (HUNTER MILL DISTRICT)** (11:32 a.m.)

Supervisor Alcorn stated that in July 2018, the Board approved Proffer Condition Amendment and Development Plan Amendment Applications PCA 86-C-119-07/DPA 86-C-119-03 and 86-C-121-08/DPA 86-C-121-05 and Planned Residential Community Application PCA 86-119-02. Approval of the Proffer Condition Amendment and Development Plan Amendments Applications identified Block J, located near the intersection of Sunset Hills Road and Town Center Parkway in Reston, as the potential location for a community-based arts center.

The County, through the Department of Public Works and Environmental Services and the Reston Community Center (RCC), has determined that an arts center is feasible and that Block J of the property is an appropriate location. Two town hall meetings were conducted last fall, which followed several public meetings sponsored by RCC on the arts center’s needs, possible facility functions and designs including an initial feasibility analysis. This process clearly established that the arts center option is not only feasible but is clearly superior to the alternatives offered in the proffer. An arts center located across the street from the Reston Town Center Metro Station not only fulfills land use and transportation goals but is another step towards making the Dulles Corridor a performing arts corridor.

Therefore, Supervisor Alcorn moved that the Board accept Block J as a location for a future arts center consistent with the proffers approved by the Board on July 31, 2018. Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

30. **HUNTER MILL DISTRICT TOWN HALLS** (11:35 a.m.)

Supervisor Alcorn thanked staff for their help with the Hunter Mill District Town Hall meetings.

31. **COMPREHENSIVE PLAN AMENDMENT ADDITIONS TO PREVIOUS AUTHORIZATION OF RESTON STUDY (HUNTER MILL DISTRICT)** (11:35 a.m.)

Supervisor Alcorn stated that on January 14, 2020, the Board authorized a Comprehensive Plan Amendment for Reston to review how the Plan for Reston has been evolving since the adoption of Plan Amendments for the Reston Transit Station Areas in 2014 and for the remainder of the Reston area in 2015.

For the Study, a 31-member Task Force comprised of community members, representatives of community groups, and members of the development industry were appointed and convened. The Task Force met frequently and virtually through the heart of the COVID-19 pandemic from May 2020 through August of 2022 and discussed a variety of topics related to Reston's future growth. In addition to full meetings of the Task Force, several topic sub-groups held meetings and worked collaboratively with County staff from the Department of Planning and Development, Department of Transportation, Park Authority, Housing and Community Development, Health Department, and others. In all, 58 full Task Force meetings were held.

The result of these conversations and collaborative efforts was a new draft Comprehensive Plan guidance for Reston. The draft was shared with the Board at the October 4, 2022, Land Use Policy Committee meeting, with the Planning Commission for its workshop on this topic on September 29, 2022, and with the public beginning on September 7, 2022, to solicit community feedback.

The Task Force's recommendations addressed issues such as equity, community health, economic development, and heritage resources that were not included in the scope of the original authorization.

Additionally, in the course of its work, the Task Force considered changes to the adopted land use and intensity recommendations of the Plan for specific areas such as the Reston Village Centers and Reston Town Center North, and for parcels where development interests advocated changes.

Supervisor Alcorn noted that input from Board Members articulated at last October's committee meeting is incorporated into his draft motion, particularly in light of Board support for adding equity and community health to the Countywide Comprehensive Plan Policy Plan.

Staff from the Department of Planning and Development is also preparing recommendations for updated Comprehensive Plan text for Reston. For the range

of recommendations to be considered, the goal is to now formally expand the scope of the Plan Amendment to include topic areas for consideration as part of the proposed Comprehensive Plan amendment.

Therefore, Supervisor Alcorn moved that the Board add the following topics for consideration for the amendment to the Comprehensive Plan for Reston, in addition to those included in the January 14, 2020, authorization. Specifically, the proposed Plan Amendment should also consider the following:

- The application of equity elements, consistent with the One Fairfax Policy, for Reston's future planning and development
- The application of community health strategies specific to the future growth of Reston
- Workforce development and the application of workforce development strategies critical to Reston's future
- Revised guidance, as appropriate, related to heritage resources
- Revised guidance, as appropriate, related to the application of economic development strategies in Reston
- The appropriate land use and density of the Village Centers
- The appropriate land use and intensity of the redevelopment of Reston Town Center North
- The appropriate land use and intensity of parcels associated with 1810, 1825, and 1850 Samuel Morse Drive and 11111 Sunset Hills Road
- The appropriate land use mix for the Roland Clarke Place Residential Mixed-Use Section within the Wiehle Station Transit-Oriented Development (TOD) District's South Subdistrict

Supervisor Lusk seconded the motion.

Discussion ensued regarding:

- Future discussions by the Board
- Concerns regarding the expansion of the authorization
- Conflicts with the Countywide Plan
- Equity elements

- Proposed timeline
- Diversifying the taxbase
- Comprehensive Plan language
- Implications on staff

The question was called on the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

32. **PUBLICITY REQUEST FOR MOUNT VERNON DISTRICT'S 36TH ANNUAL TOWN MEETING** (11:53 a.m.)

Supervisor Storck stated that he has the opportunity to continue a Mount Vernon tradition established by his predecessor in 1988, the annual Mount Vernon Town Meeting. The Town Meeting will be at the Mount Vernon High School and residents can also join from their homes by streaming it on Cable Channel 16 and Facebook. The morning will begin with an exhibit hall of County and community service providers, followed by questions and answers with local leaders and special recognitions.

Supervisor Storck stated that he was pleased that Congressmen Don Beyer and Gerry Connolly, Chairman McKay, Bryan Hill, County Executive, Colonel Joseph Messina, Mount Vernon School Board Representative Karen Corbett Sanders and Dr. Michelle Reid, Fairfax County Public Schools Superintendent, will be presenting and answering questions from residents.

Supervisor Storck invited the Board and County residents to attend this annual event, to be held on February 11, 2023, with the exhibit hall opening at 7:45 a.m. and the program from 9:30 a.m.– noon.

Therefore, Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to advertise the Town Meeting on its various communications platforms. Without objection, it was so ordered.

33. **PROCLAMATION REQUEST DESIGNATING MARCH 2023 AS "WOMEN'S HISTORY MONTH"** (11:55 a.m.)

Supervisor Smith read the following Board Matter on behalf of Supervisor Palchik: "Women's History Month" originated as "Women's History Week" in 1982. Since the National Women's History Project petitioned the designation of March as Women's History Month in 1987, the County has continued to honor and celebrate all the aspects of women's identity that are intersectional, enriching, and sometimes complicating their lived experiences. This year, the National Women's History Alliance's theme is "Celebrating Women Who Tell Our Stories."

Historically, women have led the charge to secure their right to vote, fight for equal opportunity, uphold civil rights, and join many other critical movements, whose goals have been to create a more fair and just society for all. Throughout these notable and pivotal moments in history, women storytellers in all forms of media have led the charge to boldly express the progress, pain, hope, and courage of women seeking change. Women storytellers represent a powerful, diverse group of people who use their various platforms to transform culture and communities.

Established in 1971, the Commission for Women (CFW) has been an active voice for women to combat domestic violence, and promote educational equality, and progress in the workplace. CFW recognizes and honors the unique contributions of the many women journalists, writers, authors, broadcasters, producers, scholars, and poets who have devoted their lives, careers, and talents to producing art and news, pursuing truth, and reflecting on the progress and growth of society decade after decade. CFW also honors the women in communications in the County and is grateful for their work to keep the narrative of women at the forefront of discussion, in being an authentic and vulnerable voice telling women's stories, while devoting attention to improving female unity through storytelling.

Therefore, jointly with Supervisor Palchik and Supervisor Gross, Supervisor Smith moved that the Board direct the Office of Public Affairs to prepare a Proclamation designating March 2023 as "Women's History Month" in the County, in recognition and celebration of the vital role women play in the County's history and across the nation, to be presented to the Commission for Women in the Board Room on March 7, 2023. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

34. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2021-PR-00030 (FAIRFAX COUNTY SCHOOL BOARD, A BODY CORPORATE) TO REZONE FROM R-2 TO R-3 TO ALLOW BUILDING ADDITIONS AND SITE IMPROVEMENTS FOR MOSAIC ELEMENTARY SCHOOL AND A LOT WIDTH WAIVER, AT AN OVERALL FLOOR AREA RATIO (FAR) OF 0.29, LOCATED ON APPROXIMATELY 10.06 ACRES OF LAND (PROVIDENCE DISTRICT)**
(11:59 a.m.)

On behalf of Supervisor Palchik, Supervisor Smith announced her intent to defer, later in the meeting, at the appropriate time, the public hearing on Rezoning Application RZ 2021-PR-00030 (Fairfax County School Board, A Body Corporate) to **February 7, 2023, at 1:30 p.m.**

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

35. **EXPEDITED PROCESSING REQUEST FOR OLD KEENE MILL PNC BANK (SPRINGFIELD DISTRICT)** (11:59 a.m.)

Supervisor Herrity stated that PNC Bank is requesting reinstatement of the special exception for an existing drive-through bank at the Old Keene Mill Shopping Center. The site is currently developed with a drive-through financial institution; however, the bank pad was vacant for more than two years, and a new special exception approval is required. Other than interior renovations and minor exterior building improvements, no new construction is proposed for the application. Currently, no significant issues have been raised by staff nor the community. The renovations are nearly complete, and the bank hopes to open the branch by April 2023. The Planning Commission has a public hearing scheduled on March 15, 2023.

Therefore, Supervisor Herrity moved that the Board authorize the expedited processing of Special Exception Application 2022-SP-00043 for a scheduled Board public hearing date of March 21, 2023. The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor Lusk seconded the motion and it carried by a vote of seven, Chairman McKay and Supervisor Smith being out of the room, Supervisor Palchik having left the meeting.

36. **RENAMING REQUEST OF THE WEST SPRINGFIELD GOVERNMENT CENTER COMMUNITY ROOM (SPRINGFIELD DISTRICT)** (12:02 p.m.)

Supervisor Herrity stated that the West Springfield District Police community has requested that the community room in the West Springfield Government Center be named after John Awtrey, longtime member and Chairman of the West Springfield Chief's Advisory Council (CAC) and Chairman of the Chief's CAC.

Mr. Awtrey was known and loved by many at the West Springfield Station, volunteering to serve holiday meals, supporting officers, and advocating for changes to support the police and the community. In addition to his advocacy for the police, throughout his life Mr. Awtrey was a devoted advocate to fighting domestic violence and human trafficking as it touched the military. He was a dedicated public servant whose impact continues to be felt, especially at the West Springfield Station.

Therefore, Supervisor Herrity moved that the Board recognize John Awtrey's service to the community by renaming the West Springfield Government Center Community Room as the "John Awtrey Community Room" in his honor. Approval of this is subject to the approval of and compliance with the Board's Renaming Policy. As per the Renaming Policy, Supervisor Herrity asked that this request be looked at by the History Commission and follow the outlined process for renaming

a facility. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

37. **ADDRESSING SAFETY CONCERNS ON LEE CHAPEL ROAD (SPRINGFIELD DISTRICT)** (12:03 p.m.)

(NOTE: Earlier in the meeting, the crash on Lee Chapel Road was mentioned during the moment of silence. See Clerk's Summary Item #2.)

Supervisor Herrity stated that, as the Board is aware, the community recently lost two young lives and one remains seriously injured after a crash on Lee Chapel Road. Supervisor Herrity stated that in the weeks following the crash, he received a significant number of calls, emails, and social media messages from people asking the Board to do something to prevent this from happening again, including a petition signed by over 14,000 residents asking for improvements. This half mile stretch of Lee Chapel Road has seen significant accidents as well as injuries over the past several years. After a previous fatal crash occurred on this road in 2015, Supervisor Herrity stated he recommended a project that would fix the hills, curves, and alignment be added to the District's priority list of unfunded transportation projects. Supervisor Herrity stated that he attempted to have it moved forward during the 2017 Transportation Priority Plan process, but funding was not sufficient at that time, and it remains on the unfunded priority list.

After learning of the news of this terrible crash, Supervisor Herrity stated that he asked leadership at the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation (FCDOT) to meet to discuss short-term safety-related options the Board can take while it continues to work to obtain funding for the full improvement of this section of Lee Chapel Road. Supervisor Herrity noted that on January 18, 2023, he hosted a meeting with Supervisor Storck, Delegate Kathy Tran, and VDOT and FCDOT leadership to discuss short and mid-term improvements that the County can undertake while it works to fund the full four-lane improvement project as shown on the Comprehensive Plan.

VDOT has already installed optical speed bars on the roadway as a timely first step. FCDOT has also asked the Department of Public Works and Environmental Services (DPWES) to look at the feasibility of and costs associated with installation of streetlights in the vicinity of the hills. Supervisor Herrity stated that he has been engaged with the Park Authority, as recommended by VDOT and FCDOT. The Board, as well as VDOT and FCDOT, are clearly committed to improve safety on this short section of roadway and details on these proposals will be forthcoming in the next few weeks. While FCDOT is already looking at a mid-term solution to eliminate the hill that has been the primary source of accidents and fatalities on this road, it is prudent to bring this action to the Board for direction and approval.

Therefore, while the short-term solutions continue to be addressed, and jointly with Chairman McKay and Supervisor Storck, Supervisor Herrity moved that the Board direct:

- FCDOT to research and provide a preliminary cost estimate for a project to eliminate the hills on Lee Chapel Road between Ox Road and the Fairfax County Parkway and provide the Board with potential sources of funding for the solution. These interim changes should be designed with the ultimate goal of the four-lane widening currently envisioned in the Comprehensive Plan
- The County Executive to coordinate with the Park Authority, FCDOT and VDOT to look at safety improvements along the Park Authority owned road frontage on Lee Chapel Road
- The DPWES to study the feasibility and associated costs with widening the road

Chairman McKay and Supervisor Storck jointly seconded the motion.

Discussion ensued regarding needed education and conversations with the young drivers and the need for a comprehensive review of where the County is in terms of its transportation plans and funding

The question was called on the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

38. **PUBLICITY REQUEST FOR THE 2023 FAIRFAX COUNTY TEEN JOB AND OPPORTUNITY FAIRS (SPRINGFIELD DISTRICT)** (12:14 p.m.)

Supervisor Herrity stated that his office, Fairfax County Public Schools (FCPS), and the Connection Newspapers, along with businesses, and community organizations including local chambers, have hosted very successful teen job fairs and career-building workshops for the past six years. These events focused on students and young job seekers looking for a variety of employment opportunities; full time, after-school, seasonal positions, internship opportunities, and volunteer positions. The fairs have provided thousands of teenagers the opportunity to get in front of employers and for employers to find talented County students to fill their positions. Even during the pandemic, the County was able to host two virtual fairs that were very successful. Last year, with the return to in-person fairs, over 2,000 students and roughly 100 businesses participated.

Supervisor Herrity stated that this year the County will be hosting the fairs in-person again and he is once again teaming up with Connection Newspapers, FCPS, as well as local chambers and organizations to bring the community three Fairfax County Teen Job Fairs and Career-Building Workshops. The fairs will be held on three Saturdays in March.

The fairs will be open to all teens in Fairfax County looking for employment, volunteer opportunities, or tips on building their resume. Free table space will be provided to registered businesses and organizations to advertise their available positions. There will also be resume and career building sessions with local Chamber of Commerce partners. Beginning today, January 24, 2023, both students as well as employers may register to attend by visiting the following link: <https://www.fairfaxcounty.gov/springfield/teenjobfairs>.

First jobs are important, and these events help connect teens with employers and prepare youth for the workforce. This year especially, students and employers are eager for the opportunities provided by the fair.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct the Office of Public Affairs to help publicize the 2023 Fairfax County Teen Job and Opportunity Fairs. Without objection, it was so ordered.

Chairman McKay stated that these events also provide an educational opportunity related to teen driving.

39. **BURKE LAKE AND OAK MARR GOLF CENTERS NAMED AMONG PROFESSIONAL GOLF ASSOCIATION'S TOP 50 PUBLIC RANGES (SPRINGFIELD DISTRICT)** (12:16 p.m.)

Supervisor Herrity announced that Burke Lake and Oak Marr Golf Centers were recently recognized as Top 50 Public Ranges by Golf Range Magazine, a publication of the Golf Range Association of America and the Professional Golf Association.

40. **NO BOARD MATTERS FOR SUPERVISOR SMITH (SULLY DISTRICT)** (12:17 p.m.)

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

NS:ns

AGENDA ITEMS

41. **ADMINISTRATIVE ITEMS** (12:17 p.m.)

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

Supervisor Alcorn called the Board's attention to Admin 2 – Authorization for the Office of Environmental and Energy Coordination to Apply for and Accept Grant Funding from the U.S. Department of Energy to Support the Charge Up Fairfax

Program and provided background information and clarification on the agenda item.

The question was called on the motion to approve the Administrative Items and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

ADMIN 1 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23158 FOR THE DEPARTMENT OF FAMILY SERVICES TO ACCEPT WORKFORCE INNOVATION GRANT FUNDING FROM VIRGINIA COMMUNITY COLLEGE SYSTEM TO SUPPORT THE NORTHERN VIRGINIA CAREER PATHWAYS FOR REFUGEES (NVCPR) INITIATIVE

- (SAR)
- Approved SAR AS 23158 for the Department of Family Services to accept grant funding from Virginia Community College System in the amount of \$168,201. Funds will be used for the NVCPR Initiative. No local cash match is required, and no new grant positions will be created.
 - Authorized the Chairman of the Board, the County Executive and/or a designee appointed by the County Executive, to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 2 – AUTHORIZATION FOR THE OFFICE OF ENVIRONMENTAL AND ENERGY COORDINATION (OEEC) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF ENERGY (DOE) TO SUPPORT THE CHARGE UP FAIRFAX PROGRAM

- Authorized OEEC to apply for and accept \$830,000 in grant funding, if received, from the DOE to support the Charge Up Fairfax program. Funds will be used for program administration and development of materials to support onsite assessments to be conducted by an architectural and engineering firm. No new positions will be created. No local cash match is required
- Authorized the Chairman of the Board, the County Executive and/or a designee appointed by the County Executive, to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 3 – APPROVAL OF A “WATCH FOR CHILDREN” SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) - BRADDOCK RIDGE DRIVE (SULLY DISTRICT)

- Authorized the installation of a “Watch for Children” sign on Braddock Ridge Drive (Sully District) as part of the RTAP
- Directed staff of the Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 4 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – HUNTSMAN BOULEVARD (SPRINGFIELD DISTRICT)

- (R)
- Adopted the Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on Huntsman Boulevard between Fairfax County Parkway and Spelman Drive (Springfield District)
 - Directed staff to request the Virginia Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 5 – DISCONTINUANCE OF A PORTION OF ROUTE 1049 (MACKALL AVENUE) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (DRANESVILLE DISTRICT)

- (R)
- Adopted the Resolution requesting that a portion of Route 1049 (Mackall Avenue) be discontinued from the Secondary System of State Highways.

ADMIN 6 – DISCONTINUANCE OF A PORTION OF ROUTE 676 (CLARK’S CROSSING ROAD) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (HUNTER MILL DISTRICT)

- (R)
- Adopted the Resolution requesting that a portion of Route 676 (Clark’s Crossing Road) be discontinued from the Secondary System of State Highways.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE TO ESTABLISH THE COVINGTON COMMUNITY PARKING DISTRICT (CPD) (PROVIDENCE DISTRICT)

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **February 21, 2023, at 4 p.m.**, to consider adoption of a Fairfax County Code amendment to establish the Covington CPD on Ellenwood Drive from Arlington Boulevard to Lee Highway.

ADMIN 8 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) DIVISION OF DOMESTIC AND SEXUAL VIOLENCE SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO SUPPORT HEALTHY YOUTH PREVENTION EDUCATION (HYPE)

- Authorized DFS apply for and accept \$200,000 in grant funding, if received, from the VDSS to support the HYPE program. Funds will be used to translate the HYPE curriculum into Spanish and then to deliver HYPE for Spanish speakers at two high schools and at two community-based organizations. Funding will support one new full-time exempt grant position. No local cash match is required, and one full-time exempt new grant position is being requested
- Authorized the Chairman of the Board, the County Executive and/or a designee appointed by the County Executive, to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 9 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO REQUEST THE CONSOLIDATION OF THE HEAD START AND EARLY HEAD START GRANT AND EARLY HEAD START CHILD CARE PARTNERSHIP AND EXPANSION GRANT FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

Authorized the Department of Neighborhood and Community Services to request consolidation of the Head Start and Early Head Start Grant and Early Head Start Child Care Partnership and Expansion Grant from the U.S. Department of Health and Human Services. The consolidation of the grants into a single federal award will significantly reduce annual federal grant application and renewal requirements, streamline administrative processes, reduce reporting and auditing burden across multiple grants, ease planning and oversight of grant activities, and simplify the cost allocation plan for expenses. The consolidation will be effective for the grant program year beginning July 1, 2023. The total anticipated funding associated with these awards will remain \$11.6 million, including \$1.5 million in local cash match.

42. **A-1 – APPROVAL OF THE BOARD OF SUPERVISORS’ REGULAR MEETING SCHEDULE FOR CALENDAR YEAR 2023 AND AUTHORIZATION FOR THE CHAIRMAN TO POSTPONE A SCHEDULED MEETING IN THE EVENT OF WEATHER OR OTHER HAZARDOUS CONDITIONS** (12:19 p.m.)

- (R) On motion of Supervisor Gross, seconded by Supervisor Lusk, and carried by a vote of nine, Supervisor Palchik having left the meeting, the Board concurred in the recommendation of staff and adopted a resolution:

- Approving the Board's regular meeting schedule for January through December 2023
- Authorizing the Chairman to defer any scheduled regular meeting to the Tuesday following the deferred regular meeting if the Chairman, or the Vice Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for members to attend

43. **A-2 – APPROVAL OF A PARKING REDUCTION FOR VISTA APARTMENTS MULTI-FAMILY DEVELOPMENT (BRADDOCK DISTRICT)** (12:19 p.m.)

On motion of Supervisor Walkinshaw, jointly seconded by Chairman McKay and Supervisor Smith, and carried by a vote of nine, Supervisor Palchik having left the meeting, the Board concurred in the recommendation of staff and approved a parking reduction for Vista Apartments pursuant to Paragraph 6.B.(1) I of Section 6100 of the Fairfax County Zoning Ordinance based on the proximity of transit as demonstrated in the parking study #7656-PKS-004, subject to the conditions outlined in Attachment I of the Board Agenda Item.

44. **A-3 – DESIGNATION OF THE RESIDENCES AT THE GOVERNMENT CENTER II (RGC II) SITE AS A REVITALIZATION AREA (BRADDOCK DISTRICT)** (12:20 p.m.)

- (R) Supervisor Walkinshaw moved that the Board concur in the recommendation of staff and adopt a resolution designating the RGC II site as a Revitalization Area, for the purpose of facilitating an award of Low-Income Housing Tax Credits to the project. Chairman McKay and Supervisor Smith jointly seconded the motion.

Discussion ensued, concerning language in the resolution regarding the revitalization area designation and tax credit requirements, as well as the need for affordable and workforce housing, with input from Thomas Fleetwood, Director, Department of Housing and Community Development.

The question was called on the motion and it carried by a vote of eight, Supervisor Herrity abstaining, Supervisor Palchik having left the meeting.

45. **A-4 – RESOLUTION TO SUPPORT THE ABANDONMENT OF A PORTION OF LINCOLNIA SCHOOL ROUTE 9610 (MASON DISTRICT)** (12:31 p.m.)

- (R) Following comments regarding development of the area, Supervisor Gross moved that the Board concur in the recommendation of staff and adopt a resolution supporting the abandonment of a portion of Lincolnia School Route 9610.

Supervisor Lusk seconded the motion, and it carried by a vote of nine, Supervisor Palchik having left the meeting.

46. **A-5 – APPROVAL OF A RESOLUTION ENDORSING PROJECTS FOR SUBMISSION TO THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) FOR THE FISCAL YEARS 2024-2025 I-395/I-95 COMMUTER CHOICE PROGRAM (FRANCONIA, MASON, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (12:34 p.m.)

(R) On motion of Supervisor Alcorn, jointly seconded by Supervisor Gross and Supervisor Lusk, and carried by a vote of nine, Supervisor Palchik having left the meeting, the Board concurred in the recommendation of staff and adopted a resolution endorsing Fairfax County's and other localities' project submissions for NVTC's I-395/I-95 Commuter Choice Program.

47. **A-6 – APPROVAL OF REVISIONS TO CHAPTERS 2, 4, AND 8 OF THE PERSONNEL REGULATIONS** (12:34 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Lusk, and carried by a vote of nine, Supervisor Palchik having left the meeting, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 2, 4, and 8 of the Personnel Regulations, as outlined in the Background section and included as Attachments One through Three of the Board Agenda Item.

48. **C-1 – ELECTION YEAR POLICIES** (12:35 p.m.)

(P) The Board next considered an item contained in the Board Agenda regarding Election Year Policies for the 2023 Election of the Board of Supervisors.

Supervisor Gross moved that the Board adopt the Election Year Policies for the 2023 Election of the Board of Supervisors. Chairman McKay seconded the motion. Following a brief discussion regarding the policies, the question was called on the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," Supervisor Palchik having left the meeting.

49. **C-2 – APPEAL OF JOHN ZECCA AND LINDSY NOBLE FROM A DECISION OF THE EXCEPTION REVIEW COMMITTEE (ERC) PURSUANT TO THE CHESAPEAKE BAY PRESERVATION ORDINANCE (CBPO), CODE OF THE COUNTY OF FAIRFAX, VIRGINIA, FOR LANGLEY FOREST, LOT 13A, SECTION 1; TAX MAP NUMBER 021-4-06-0013A (DRANESVILLE DISTRICT)** (12:37 p.m.)

The Board next considered an item contained in the Board Agenda regarding an appeal of the ERC decision denying a request for an encroachment exception under

§118-6-8(b) (Accessory Structures) of the CBPO and disapproving the associated Water Quality Impact Assessment.

Camyllyn Lewis, Senior Engineer III, Department of Land Development Services (LDS), gave a brief presentation on the item.

Grayson Hanes, Reed Smith, LLP, the appellant's representative, proceeded to present their case.

Discussion ensued, with input from Mr. Hanes; Matthew Hansen, Division Director, LDS; John Zecca, property owner; and John Kelley, Engineer, Wetland Studies and Solutions, Inc., regarding:

- Clarification on proposed exception conditions listed in Attachment 3 of the Board Agenda Item and those the appellant will accept
- Clarification on when the current home was built, when the Resource Protection Area (RPA) was implemented, and if a swimming pool had been on the property
- Current lot design and construction and fill materials used with current retaining walls on the property
- Concern with setting a precedent across the County and comparison to prior ERC cases
- Clarification on the ability to grandfather existing structures in the application of the ordinance

Discussion continued, with input from Mr. Hansen, regarding water quality and the conditions of the application.

Following comments, Supervisor Foust moved that the Board deny the appeal to Encroachment Exception Number 1996-WRPA-016-1. Supervisor Lusk and Supervisor Alcorn jointly seconded the motion.

Following discussion, with input from Mr. Hansen, regarding the process for submitting a new application, the question was called on the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

DMS:dms50. **RECESS/CLOSED SESSION** (1:22 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. *Board of Supervisors of Fairfax County, Virginia, Fairfax County, Virginia, and Jay Doshi, Director, Department of Tax Administration Fairfax County, Ex Officio v. Gate Gourmet, Inc.*, Case No. CL-2021-0015216 (Fx. Co. Cir. Ct.)
 2. *JBG Tysons Hotel LLC v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2022-0015892 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 3. *Jacob Austin Schneider v. Fairfax County Department of Public Works and Environmental Services*, Case No. 1:22-cv-0871 (E.D.Va.)
 4. *Cassie C. Crisano v. Office of the Fire Marshal, Fairfax County Fire & Rescue Department, Daniel V. Gray, and Investigator Terrance L. Fayson*, Case No. CL-2021-0014915 (Fx. Co. Cir. Ct.)
 5. *Ryan M. Stewart v. Fairfax County*, Case No. GV22-006243 (Fx. Co. Gen. Dist. Ct.)
 6. *Jeremy D. Nickens v. May Shallal and Patrick Anderson*, Case No. GV22-018316-00, (Fx. Co. Gen. Dist. Ct.)

7. *Tuul Schultz v. H. Kim*, Case No. GV22-009145 (Fx. Co. Gen. Dist. Ct.)
8. *Yenny S. Guevara v. Terry Mincey and Fairfax County*, Case No. GV22-012632 (Fx. Co. Gen. Dist. Ct.); and *Ruben Marquez Quinteros v. Terry Mincey and Fairfax County*, Case No. GV22-012631 (Fx. Co. Gen. Dist. Ct.)
9. *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 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *David Berry, Carol A. Hawn, Helen H. Webb, and Adrienne A. Whyte v. Board of Supervisors of Fairfax County*, Record No. 211143 (Va. Sup. Ct.)
11. *Brookfield Washington, LLC v. The County of Fairfax, Virginia, The Board of Supervisors of Fairfax County, Virginia, and The Department of Land Development Services of Fairfax County, Virginia*, Case No. CL-2022-0008210 (Fx. Co. Cir. Ct.) (Hunter Mill District)
12. *Jay Riat, Building Official for Fairfax County, Virginia v. Charles V. Duran*, Case No. CL-2022-0012211 (Fx. Co. Cir. Ct.) (Braddock District)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. Huu D. Tran and Nhanh T. Le*, Case No. CL-2022-0015917 (Fx. Co. Cir. Ct.) (Braddock District)
14. *Jay Riat, Building Official for Fairfax County, Virginia v. Alberto Gonzolo Acha*, Case No. GV21-007672 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Robert H. Jongwe*, Case No. GV22-010640 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

16. *Jay Riat, Building Official for Fairfax County, Virginia v. Henry Tuan Nguyen*, Case No. GV22-018472 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
17. *Jay Riat, Building Official for Fairfax County, Virginia v. Burke Commerce Center, LC*, Case No. GV22-019061 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
18. *Jay Riat, Building Official for Fairfax County, Virginia v. Kevin T. Nguyen and Tina P. Huynh*, Case No. GV22-020188 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cuong Tan Nguyen*, Case No. CL-2022-0000434 (Fx. Co. Cir. Ct.) (Dranesville District)
20. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Shirley Dormeus*, Case No. CL-2022-0017057 (Fx. Co. Cir. Ct.) (Dranesville District)
21. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Leah Gansier*, Case No. GV22-018257 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
22. *Jay Riat, Building Official for Fairfax County, Virginia v. Dolly Nadeem Malik and Nadeem Ahmad Malik*, Case No. GV22-019069 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
23. *Jay Riat, Building Official for Fairfax County, Virginia v. Becky D. Lewis and Rossen Radev*, Case No. GV22-019337 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Springfield Industrial Park Partnership*, Case No. CL-2022-0012894 (Fx. Co. Cir. Ct.) (Franconia District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sedaka A. Tomasto Tomateo, Juliana N. Lopez Mallqui and Jose L. Lopez La Rosa*, Case No. CL-2022-0013231 (Fx. Co. Cir. Ct.) (Franconia District)
26. *Jay Riat, Building Official for Fairfax County, Virginia v. Irene Castillo*, Case No. CL-2022-0015404 (Fx. Co. Cir. Ct.) (Franconia District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator and Jay Riat, Building Official for Fairfax County,*

- Virginia v. Phillip W. Trott and Sandra Montiel*, Case No. CL-2022-0015918 (Fx. Co. Cir. Ct.) (Franconia District)
28. *Jay Riat, Building Official for Fairfax County, Virginia v. Kamal Mohammad Islam and Tahana Islam*, Case No. CL-2022-0016647 (Fx. Co. Cir. Ct.) (Franconia District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Carlos F. Gonzalez and Nancy E. Gonzalez*, Case No. GV22-009809 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
30. *Jay Riat, Building Official for Fairfax County, Virginia v. Julio C. Moreno and Lelfia D. Flores Blanco, aka, Lelfia Yanira Blanco*, Case No. GV22-014714 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
31. *Jay Riat, Building Official for Fairfax County, Virginia v. Honeida A. Manzano Cueva and Maria D. Cueva*, Case No. GV22-015099 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
32. *Jay Riat, Building Official for Fairfax County, Virginia v. Mohammed A. Kashem*, Case No. GV22-015799 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
33. *Jay Riat, Building Official for Fairfax County, Virginia v. Edwin Rocha and Hilda Rocha*, Case No. GV22-015797 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
34. *Jay Riat, Building Official for Fairfax County, Virginia v. Suniti Sharma and Preeti Shahipal*, Case No. GV22-015798 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
35. *Jay Riat, Building Official for Fairfax County, Virginia v. Hometown Audubon, LLC, Nelly Pena, Anabel Garcia, and Armando Valera*, Case No. GV22-016122 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
36. *Jay Riat, Building Official for Fairfax County, Virginia v. Sussex Garden, LLC*, Case No. GV22-019264 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yi Yang and Xiaohui Wang*, Case No. CL-2022-0015556 (Fx. Co. Cir. Ct.) (Hunter Mill District)

38. *Jay Riat, Building Official for Fairfax County, Virginia v. Chuanhao Jin and Yanguang Jin*, Case No. CL-2022-0001856 (Fx. Co. Cir. Ct.) (Hunter Mill District)
39. *Jay Riat, Building Official for Fairfax County, Virginia v. Jades Enterprises*, Case No. GV22-010192 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
40. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Juan Hernandez and Thelma H. Ayala*, Case No. GV22-11605 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
41. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Michael W. Wittmann and Christopher E. Wittman*, Case No. GV22-015509 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
42. *Jay Riat, Building Official for Fairfax County, Virginia v. Robert M. Fay and Kathryn Fay*, Case No. GV22-019335 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
43. *Jay Riat, Building Official for Fairfax County, Virginia v. Mai Huong Thi Quach and Tien Nan Wang*, Case No. GV22-020189 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ha Thi Truoc*, Case No. CL-2020-0013745 (Fx. Co. Cir. Ct.) (Mason District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Dar Al-Hijrah Islamic Center*, Case No. CL-2022-0012896 (Fx. Co. Cir. Ct.) (Mason District)
46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ayman Awadallah and Reema Awadallah*, Case No. CL-2020-0014916 (Fx. Co. Cir. Ct.) (Mason District)
47. *Jay Riat, Building Official for Fairfax County, Virginia v. Chung H. Lee and Hyun Hee Lee*, Case No. GV22-015103 (Fx. Co. Gen. Dist. Ct.) (Mason District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Derege Zewdie, CoTrustee of the Zewdie and Govani Family Living Trust, and Marlu Govani, CoTrustee of the Zewdie and Govani Family Living Trust*, Case No. CL-2022-0013031 (Fx. Co. Cir. Ct.) (Mason District)

49. *Leslie B. Johnson, Fairfax County Zoning Administrator and Jay Riat, Building Official for Fairfax County, Virginia v. Akhtar Baig*, Case No. CL-2022-0015920 (Fx. Co. Cir. Ct.) (Mason District)
50. *Jay Riat, Building Official for Fairfax County, Virginia v. DAA Constructors, LLC*, Case No. GV22-004766 (Fx. Co. Gen. Dist. Ct.) (Mason District)
51. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Double Lee Corporation*, Case No. GV22-009998 (Fx. Co. Gen. Dist. Ct.) (Mason District)
52. *Jay Riat, Building Official for Fairfax County, Virginia v. Alberto Sandoval and Martha Sandoval*, Case No. GV22-010028 (Fx. Co. Gen. Dist. Ct.) (Mason District)
53. *Jay Riat, Building Official for Fairfax County, Virginia v. Tin H. Truong*, Case No. GV22-010184 (Fx. Co. Gen. Dist. Ct.) (Mason District)
54. *Jay Riat, Building Official for Fairfax County, Virginia v. Victoria H. Bak*, Case No. GV22-013191 (Fx. Co. Gen. Dist. Ct.) (Mason District)
55. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Josette K. Moore*, Case No. GV22-015098 (Fx. Co. Gen. Dist. Ct.) (Mason District)
56. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Konstantinos Kapasouris*, Case No. GV22-015831 (Fx. Co. Gen. Dist. Ct.) (Mason District)
57. *Jay Riat, Building Official for Fairfax County, Virginia v. Robert P. Beck*, Case No. GV22-016247 (Fx. Co. Gen. Dist. Ct.) (Mason District)
58. *Jay Riat, Building Official for Fairfax County, Virginia v. Edwin W. Espinoza Gonzales and Roxana Soto De Espinoza*, Case No. GV22-018457 (Fx. Co. Gen. Dist. Ct.) (Mason District)
59. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Manijeh Majilessi*, Case No. GV22-019063 (Fx. Co. Gen. Dist. Ct.) (Mason District)
60. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Shelia Ball*, Case No. GV22-016564 (Fx. Co. Gen. Dist. Ct.) (Mason District)

61. *Jay Riat, Building Official for Fairfax County, Virginia v. Milton J. Aguilar Serrano and Lily M. Aguilar Serrano*, Case No. GV22-019062 (Fx. Co. Gen. Dist. Ct.) (Mason District)
62. *Jay Riat, Building Official for Fairfax County, Virginia v. Jouhad Boutros Dagher*, Case No. GV22-019851 (Fx. Co. Gen. Dist. Ct.) (Mason District)
63. *Jay Riat, Building Official for Fairfax County, Virginia v. Pech Chenda-Nak, Pechseda Nak, Erik Bruner-Yang, Polin Ang*, Case No. GV22-020707 (Fx. Co. Gen. Dist. Ct.) (Mason District)
64. *Jay Riat, Building Official for Fairfax County, Virginia v. Fahad Razzaq and Ruth Elizabeth Razzaq*, Case No. CL-2022-0001287 (Fx. Co. Cir. Ct.) (Mount Vernon District)
65. *Leslie B. Johnson, Fairfax County Zoning Administrator and Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Charlotte A. Brunner*, Case No. CL-2022-0007309 (Fx. Co. Cir. Ct.) (Mount Vernon District)
66. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Keith K. Myers*, Case No. CL-2022-0008814 (Fx. Co. Cir. Ct.) (Mount Vernon District)
67. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Branden Beasley*, Case No. CL-2022-0016034 (Fx. Co. Cir. Ct.) (Mount Vernon District)
68. *Jay Riat, Building Official for Fairfax County, Virginia v. Abdul Nasser Ahmadi*, Case No. GV22-009806 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
69. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Charles Randall Gentry*, Case No. GV22-010642 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
70. *Jay Riat, Building Official for Fairfax County, Virginia v. S.G. Properties LLC and Lorton Stone, LLC*, Case No. GV22-013910 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

71. *Jay Riat, Building Official for Fairfax County, Virginia v. Kings Crossing Shops LLC*, Case No. GV22-014684 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
72. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Manfredo Jordan and Caesar Jordan, aka Caesar Jordan Ortiz*, Case No. GV22-018446 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
73. *Jay Riat, Building Official for Fairfax County, Virginia v. Richard T. Downey, Trustee of the Richard T. Downey Trust*, Case No. GV22-019725 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
74. *Jay Riat, Building Official for Fairfax County, Virginia v. B9 Sequoia Fullerton Owner, LLC*, Case No. GV22-019262 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
75. *Jay Riat, Building Official for Fairfax County, Virginia v. Ajen Homes Designers and Builders, LLC, Ramon Blas-Espinoza, and Coralyth Blas*, Case No. CL-2022-0008529 (Fx. Co. Cir. Ct.) (Providence District)
76. *Jay Riat, Building Official for Fairfax County, Virginia v. Tensen N. Khato and Nyima Y. Khato*, Case No. GV22-019069 (Fx. Co. Gen. Dist. Ct.) (Providence District)
77. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia v. Martin H. Heisrath*, Case No. GV22-019722 (Fx. Co. Gen. Dist. Ct.) (Providence District)
78. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Aurora Antonieta Rodas Vasquez and Brittany Kay Rodas Vasquez*, Case No. CL-2022-0013030 (Fx. Co. Cir. Ct.) (Springfield District)
79. *Jay Riat, Building Official for Fairfax County, Virginia v. Maysa K. Moulhem*, Case No. GV22-015396 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
80. *Jay Riat, Building Official for Fairfax County, Virginia v. Alejandro Bilbao La Vieja Ruiz and Nataly Mautino Taborga*, Case No. GV22-014685 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
81. *Jay Riat, Building Official for Fairfax County, Virginia v. Carlos M. Banegas*, Case No. GV22-017980 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

82. *Jay Riat, Building Official for Fairfax County, Virginia v. V. Javier J. Guinand and Grace H. Guinand*, Case No. GV22-019065 (Fx. Co. Gen. Dist. Ct.) (Sully District)
83. *Jay Riat, Building Official for Fairfax County, Virginia v. Byong Kang and Susan Kang*, Case No. GV22-019236 (Fx. Co. Gen. Dist. Ct.) (Sully District)
84. *Leslie B. Johnson, Fairfax County Zoning Administrator v. G. Thomas Pendleton and Diana G. Pendleton*, Case No. GV22-020705 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711 (A)(7) and (8), legal briefing regarding *Kathleen Stanley v. Fairfax County*, EEOC Charge No. 570-2018-02249
- As permitted by Virginia Code Section 2.2-3711(A)(1), consideration of prospective candidates for appointment, as well as annual evaluations for the County Executive and County Attorney

Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

At 3:38 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Palchik, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

51. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:38 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. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

AGENDA ITEMS52. **3:30 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (3:41 p.m.)

At 3:41 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman McKay in accordance with Article III, Section I of the bylaws.

Supervisor Gross moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

OFFICERS

Jeffrey McKay Chairman, Fairfax County Board of Supervisors	– Chairman
Penelope A. Gross Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Jill G. Cooper Clerk for the Fairfax County Board of Supervisors	– Secretary
Christopher Pietsch Director, Department of Finance	– Treasurer
Elizabeth Teare County Attorney	– Attorney
Bryan Hill County Executive	– Executive Director
Eric Forbes Deputy Director, Solid Waste Management Program, Department of Public Works and Environmental Services	– Authority Representative

Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

Supervisor Gross moved approval of the minutes from the January 25, 2022, meeting of the Fairfax County Solid Waste Authority. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

Supervisor Gross moved approval of the financial statements for the Authority. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

Supervisor Gross moved to adjourn the annual meeting of the Fairfax County Solid Waste Authority. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

At 3:43 p.m., the annual meeting of the Fairfax County Solid Waste Authority was adjourned.

BV:bv

53. **3:30 P.M. – PUBLIC HEARING ON RZ 2021-PR-00030 (FAIRFAX COUNTY SCHOOL BOARD, A BODY CORPORATE) TO REZONE FROM R-2 TO R-3 TO ALLOW BUILDING ADDITIONS AND SITE IMPROVEMENTS FOR MOSAIC ELEMENTARY SCHOOL AND A LOT WIDTH WAIVER, AT AN OVERALL FLOOR AREA RATIO (FAR) OF 0.29, LOCATED ON APPROXIMATELY 10.06 ACRES OF LAND (PROVIDENCE DISTRICT)** (3:42 p.m.)

Supervisor Smith moved to defer the public hearing on Rezoning Application RZ 2021-PR-00030 until **February 7, 2023, at 1:30 p.m.** Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

54. **3:30 P.M. – PUBLIC HEARING ON SE 2022-HM-00022 (MARIA G. JIMENEZ) TO PERMIT A HOME DAY CARE FACILITY, LOCATED ON APPROXIMATELY 5,699 SQUARE FEET OF LAND (HUNTER MILL 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 January 6 and January 13, 2023.

The application property is located at 2233 Santibel Drive, Reston, 20191. Tax Map 26-1 ((10)) (8) 39A.

Maria G. Jimenez reaffirmed the validity of the affidavit dated October 4, 2022, for the record.

Tracy Strunk, Director, Department of Planning and Development (DPD), announced that Suzanne Wright was promoted to the position of Director, Zoning Evaluation Division (ZED).

On behalf of the Board, Chairman McKay congratulated and warmly welcomed her.

Brandon McCadden, Planner, ZED, DPD, gave a presentation depicting the application and site location.

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

Following a query by Supervisor Alcorn, Ms. Jimenez confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 10, 2023.

Supervisor Alcorn moved that the Board approve Special Exception Application SE 2022-HM-00022, subject to the development conditions dated January 10, 2023. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

NS:ns

55. **3:30 P.M. – 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** (3:50 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 January 6 and January 13, 2023.

Greg Bruch, Director, Revenue Collection Division, Department of Tax Administration, presented the staff report.

Following the public hearing, which included testimony by eight speakers, Mr. Bruch presented the staff recommendation.

Following comments, Supervisor Walkinshaw moved adoption of the proposed 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. Chairman McKay and Supervisor Storck jointly seconded the motion.

Discussion ensued, with Board Members expressing their views and support of the motion.

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

Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

56. **3:30 P.M. – PUBLIC HEARING ON PROPOSED AMENDMENTS TO FAIRFAX COUNTY CODE SECTION 84.1-8-3, VEHICLE REQUIREMENTS** (4:24 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 January 6 and January 13, 2023.

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

Following the public hearing, which included testimony by one speaker, Supervisor Alcorn moved adoption of the proposed amendments to Fairfax County Code Section 84.1-8-3, Vehicle Requirements, regarding model year, age, and miles. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

KK:kk

57. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2022-IV-MV1 BEACON OF GROVETON, LOCATED AT THE NORTHWEST QUADRANT OF THE INTERSECTION OF RICHMOND HIGHWAY AND GROVETON STREET (FRANCONIA DISTRICT)** (4:28 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 January 6 and January 13, 2023.

Aaron Klibaner, Planner II, Planning Division, Department of Planning and Development presented the staff report.

Mark Viani, Agent, Bean, Kinney and Korman, gave a brief presentation.

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

Supervisor Lusk moved that the Board adopt the Planning Commission recommendation for Plan Amendment 2022-IV-MV1, as shown in the Board Agenda Item. The amendment would add an option for 100 percent affordable independent living facility with alternative ground floor non-residential uses.

Supervisor Storck and Chairman McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Palchik having left the meeting.

58. **4 P.M. – PUBLIC HEARING ON A PROPOSED PLAN AMENDMENT (PA) 2022-III-FC2 FOR AFFORDABLE HOUSING ON THE GOVERNMENT CENTER CAMPUS, AT THE INTERSECTION OF GOVERNMENT CENTER PARKWAY AND POST FOREST DRIVE (BRADDOCK DISTRICT)** (4:38 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 6 and January 13, 2023.

Ryan Stewart, Planner III, Planning Division, Department of Planning and Development presented the staff report.

Discussion ensued, with input from Mr. Stewart, regarding:

- Existing plan language for this area
- Consistency with the larger Fairfax Center area plan, last approved by the Board in 2016
- Detail on Subunit I-3

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

Supervisor Walkinshaw moved that the Board adopt the Planning Commission recommendation for Plan Amendment 2022-III-FC2, as shown in the Board Agenda Item to facilitate the development of needed affordable housing at the corner of Government Center Parkway and Post Forest Drive. Supervisor Alcorn seconded the motion and it carried by a vote of eight, Supervisor Herrity voting “NAY,” Supervisor Palchik having left the meeting.

59. **4 P.M. – PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT TO CHAPTER 112.1 RE: MINOR AND EDITORIAL REVISIONS** (5:11 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 January 6 and January 13, 2023.

Carmen Bishop, Deputy Zoning Administrator, Department of Planning and Development, presented the staff report.

Following the public hearing, Ms. Bishop presented the staff and Planning Commission recommendation.

Supervisor Smith moved that the:

- Board adopt the proposed Zoning Ordinance Amendment to Chapter 112.1 for minor and editorial revisions as set for in the Staff Report dated November 1, 2022
- Amendment become effective at 12:01 a.m., the day following adoption

Chairman McKay seconded the motion and it carried by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Lusk being out of the room, Supervisor Palchik having left the meeting.

60. **4 P.M. – PUBLIC HEARING ON PROPOSED COUNTY CODE AMENDMENTS RE: COUNTY CODE AMENDMENTS FOR CONSISTENCY WITH NEW CHAPTER 112.1** (5:17 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 January 6 and January 13, 2023.

Jennan Qato, Planner II, Department of Planning and Development, presented the staff report.

Following the public hearing, Ms. Qato presented the staff and Planning Commission recommendation.

Supervisor Smith moved that the:

- Board adopt the proposed County Code Amendments for consistency with new Chapter 112.1, as set forth in the Staff Report dated November 1, 2022
- Amendment become effective at 12:01 a.m., the day following adoption

Supervisor Gross seconded the motion and it carried by a vote of nine Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

61. **4:30 P.M. – 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 (DISCLOSURES OF FINANCIAL INTEREST) (5:21 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 January 6 and January 13, 2023.

Catherine Schafrik, Director, Department of Human Resources, presented the staff report.

Following the public hearing, Supervisor Gross moved approval of the amendments to Chapter 3, Article 1, Sections 3-1-1, 3-1-2 and Article 5, Section 3-5-2.1 as outlined by staff in the public hearing. Supervisor Lusk seconded the motion.

Supervisor Gross clarified that the motion includes that the amendment to County Code 3-1-1 would be retroactive to July 1, 2022, and the remaining amendments become effective upon adoption.

The question was called on the motion, as clarified, and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

62. **4:30 P.M. – PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON PORTIONS OF SCOTTS CROSSING ROAD (PROVIDENCE DISTRICT) (5:26 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 December 23, 2022, and January 13, 2023.

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

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

Supervisor Smith stated that the applicant, McGuire Woods, LLP, on behalf of Dolly Madison, LLC, is requesting the vacation and abandonment of portions of Scotts Crossing Road. The applicant is seeking this request to complete the plans associated with the approved Rezoning Application RZ 2011-PR-009.

Therefore, on behalf of Supervisor Palchik, Supervisor Smith moved that the Board adopt Attachment 3 of the Board Agenda Item, the Ordinance of Vacation and Attachment 4 of the Board Agenda Item, the Order for Abandonment of the subject right-of-way. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

63. **4:30 P.M. – PUBLIC HEARING ON APPROVAL OF THE UPPER OCCOQUAN SEWAGE AUTHORITY 2022 RESTATED AND AMENDED SERVICE AGREEMENT** (5:30 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 December 23, 2022, and January 13, 2023.

Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

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

Supervisor Gross moved approval of the County Executives recommendation, as outlined in the Board Agenda Item. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik having left the meeting.

64. **BOARD ADJOURNMENT** (5:34 p.m.)

At 5:34 p.m. the Board adjourned.