



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 11, 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, July 11, 2023, at 9:32 a.m., there were present:

- Vice-Chairman Penelope A. Gross, Mason District, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Rodney Lusk, Franconia District
- Supervisor Dalia Palchik, Providence District
- Supervisor Kathy L. Smith, Sully District
- Supervisor James Walkinshaw, Braddock District

Chairman Jeffrey C. McKay participated remotely from Hampton Roads, Virginia

Supervisor Daniel G. Storck, Mount Vernon District, arrived at 9:33 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 Danya Alattar, Administrative Assistant, Department of Clerk Services.

BOARD MATTERS1. **REMOTE PARTICIPATION OF CHAIRMAN MCKAY** (9:32 a.m.)

Acting-Chairman Gross announced that Chairman McKay will be participating remotely for personal reasons due to an out of town trip.

Acting-Chairman Gross asked Chairman McKay to identify himself for the record and provide his general location.

Chairman McKay stated that he was participating remotely from Hampton Roads, Virginia.

Acting-Chairman Gross relinquished the Chair to Acting-Chairman Smith and moved that the Board:

- Certify that the voice of the remotely participating member, Chairman McKay, can be heard by all persons assembled here in the Government Center
- Confirmed that such remote participation fully conforms with the Board's policy for remote participation in meetings

Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Storck not yet having arrived.

Acting-Chairman Smith returned the gavel to Acting-Chairman Gross.

2. **MOMENT OF SILENCE** (9:33 a.m.)

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

- Fred Hoffman, who died recently. Mr. Hoffman had just celebrated his 100th birthday
- Dick Knapp, who died recently. He was a member of the Southeast Fairfax Development Corporation; a champion for revitalization along the Route 1 corridor; an expert in plants and trees; and a national hero with the military who spent a career working for his country
- Kevin Malone, who died recently. He was a restaurateur and a pioneer of the farm-to-table movement before it became a popular trend

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AGENDA ITEMS

3. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE JAMES MADISON HIGH SCHOOL BOYS VARSITY BASEBALL TEAM**
(9:37 a.m.)

Acting-Chairman Gross announced that the individuals receiving this recognition were still arriving so the Board would proceed with the next presentation.

(NOTE: Later in the meeting, this recognition was presented. See Clerk's Summary Item #5.)

4. **RESOLUTION OF RECOGNITION PRESENTED TO ROBERT WEBB JR.**
(9:37 a.m.)

Supervisor Lusk moved approval of the Resolution of Recognition presented to Robert Webb Jr. for his accomplishments during over 40 years of musical contributions to the County. Acting-Chairman Gross seconded the motion and it carried by unanimous vote.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE JAMES MADISON HIGH SCHOOL BOYS VARSITY BASEBALL TEAM**
(9:46 a.m.)

Supervisor Alcorn moved approval of the Resolution of Recognition presented to members of the James Madison High School Boys Varsity Baseball team for their championship season. The motion was multiply seconded and it carried by unanimous vote.

6. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE MASTER ARTS PLAN TASK FORCE** (9:54 a.m.)

Acting-Chairman Gross relinquished the Chair to Acting Chairman Smith and moved approval of the Resolution of Recognition presented to members of the Master Arts Plan Task Force for their achievements. The motion was multiply seconded and it carried unanimous vote.

Acting Chairman Smith returned the gavel to Acting-Chairman Gross.

7. **PROCLAMATION DESIGNATING JUNE 2023 AS "IMMIGRANT HERITAGE MONTH" IN FAIRFAX COUNTY** (10:10 a.m.)

(NOTE: This proclamation is to designate June 2023 as Immigrant Heritage Month, not July, as listed in the Board Agenda.)

Supervisor Palchik moved approval of the Proclamation designating June 2023 as "*Immigrant Heritage Month*" in Fairfax County Chairman McKay seconded the motion and it carried by unanimous vote.

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ADDITIONAL BOARD MATTERS

8. **PROCLAMATION REQUEST DESIGNATING JULY 2023 AS "PARKS AND RECREATION MONTH"** (10:28 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating July 2023 as "*Parks and Recreation Month*" in the County. Without objection, it was so ordered.

9. **RESOLUTION OF RECOGNITION FOR NORTHERN VIRGINIA MENTAL HEALTH FOUNDATION** (10:28 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for the Northern Virginia Mental Health Foundation, in honor of its 30th anniversary. Without objection, it was so ordered.

10. **RESOLUTION OF RECOGNITION FOR EILEEN ELLSWORTH** (10:28 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Eileen Ellsworth, in recognition of her 18-years of service as President and Chief Executive Officer of the Community Foundation for Northern Virginia. Without objection, it was so ordered.

11. **CONSIDERATION ITEM REQUEST TO INCLUDE THE ANNANDALE CIVIC SPACE IN THE FY 2023 CARRYOVER REVIEW** (10:29 a.m.)

Acting-Chairman Gross relinquished the Chair to Acting-Chairman Smith and stated that nearly six years ago, the Board approved a contribution from the Economic Development Support Fund, now known as the Economic Opportunity Reserve (EOR) for "Annandale Pilot Projects" to aid revitalization goals of the Annandale Business Center. Since 2017, the EOR funding supported work done in partnership with the Fairfax County Park Authority and other County agencies to construct a park in underutilized open space at 7200 Columbia Pike, a County-owned property in the heart of downtown Annandale. This yearslong effort included a creative community visioning process in 2018, the installation of the Annandale "Pop-Up Park" and summer programming on the site in 2019, and the pursuit of land use approvals, permits, and the steady assemblage of multiple sources of funding for the park's construction since 2020.

Happily, the Annandale Civic Space currently is under construction, and expected to open later this year. The park will offer a civic plaza with seating, an educational garden, a flexible lawn space with topography playground, a new Americans with Disabilities Act-accessible path from Daniels Avenue to Columbia Pike, and the adjacent parking lot will be capable of hosting pop-up programming. The realization of this project has required creativity and flexibility, in its vision, its partnership approach, and in its financing. The estimated cost of the park has risen over the years and outpaced the assembled funds, and some design elements were modified or eliminated as a result.

While the project could be completed as-is, Acting-Chairman Gross stated her strong belief that the inclusion of certain design elements, such as lighting and modifications to the parking lot, would position the park for greater visitor safety and long-term success. Pursuit of these elements during a subsequent phase of construction, would contribute positively to the park's visibility, connectivity, and ability to serve as an anchor for civic connection in an important revitalization area. Thus, additional one-time funding of \$100,000 is requested to pursue these crucial pending improvements.

Therefore, Acting-Chairman Gross asked unanimous consent that the Board direct the Department of Management and Budget to include this \$100,000 as a consideration item for the Fiscal Year 2023 Carryover Review. Without objection, it was so ordered.

Acting-Chairman Smith returned the gavel to Acting-Chairman Gross.

12. **NO BOARD MATTERS FOR SUPERVISOR WALKINSHAW (BRADDOCK DISTRICT)** (10:32 a.m.)

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

13. **PROCLAMATION REQUEST DESIGNATING JULY 2023 AS "DISABILITY PRIDE MONTH"** (10:32 a.m.)

Supervisor Foust stated that Disability Pride Month is celebrated nationally in the month of July to commemorate the passing of the landmark Americans with Disabilities Act (ADA) on July 26, 1990.

The ADA of 1990 is a civil rights law that prohibits discrimination based on disability. It affords similar protections against discrimination to Americans with disabilities as the Civil Rights Act of 1964, which made discrimination based on race, religion, sex, national origin, and other characteristics illegal, and later when amended, sexual orientation and gender identity. Unlike the Civil Rights Act, the ADA also requires covered employers to provide reasonable accommodations to employees with disabilities and imposes accessibility requirements on public accommodations. ADA disabilities include both mental and physical medical conditions. A condition does not need to be severe or permanent to be a disability.

Since 1990, Disability Pride Month has celebrated disabled people, their identities and culture, and their contributions to society. It also seeks to change the way people think about and define disability, to end the stigma of disability, and to promote the belief that disability is a natural part of human diversity in which people living with disabilities can celebrate and take pride.

Unfortunately, disabled individuals continue to face discrimination for something out of their control. The unemployment rate for disabled people is double that for non-disabled people.

Disabled people also face increased danger of being victims of crimes. A Department of Justice study found that for the period of 2017-2019, disabled people accounted for 26 percent of nonfatal violent crimes although they comprised only 12 percent of the population.

In celebration of the County's richly diverse population, this Board has repeatedly affirmed its commitment to promoting a culture of openness, inclusiveness, and acceptance for all persons in the County. The County appreciates that by embracing and celebrating individual identities, and thus becoming a better County and growing stronger as a community.

Therefore, jointly with Chairman McKay, Supervisor Foust moved that the Board proclaim July 2023 as "*Disability Pride Month*" in the County and invite representatives of the disability community and their supporters, as well as staff and representatives from the many non-profit organizations that provide services to people with disabilities, to appear before the Board at its July 25, 2023, meeting to receive the proclamation. Chairman McKay seconded the motion and it carried by unanimous vote.

14. **INTRODUCTION OF NEW INTERN IN THE HUNTER MILL DISTRICT SUPERVISOR'S OFFICE** (10:35 a.m.)

Supervisor Alcorn introduced Hannah Allen, a new intern in his office. On behalf of the Board, he warmly welcomed her to the County.

15. **CONCURRENT PROCESSING REQUEST FOR CALIBER DEVELOPMENTS, L.C. (HUNTER MILL DISTRICT)** (10:36 a.m.)

Supervisor Alcorn stated that the pending rezoning application, RZ-2022-HM-00023, is a request from Caliber Developments, L.C. to rezone 1.14 acres of land from the R-1 District to the R-3 District, to develop three single-family detached homes at the property located at 1800 Creek Crossing Road. Two years ago, the existing house on this property was proposed for a school use, and that proposal was withdrawn after extensive concern expressed by members of the community.

The Planning Commission unanimously recommended approval of the rezoning application at the June 28, 2023, Planning Commission public hearing. However, the Board public hearing for the rezoning will not occur until September 12, 2023. Authorization of concurrent processing for the subdivision plan related to this rezoning will allow the applicant to move forward with the engineered subdivision plan concurrently with zoning review.

Therefore, Supervisor Alcorn moved that the Board direct the Director of the Department of Land Development Services to accept concurrent and simultaneous review of a subdivision plan and/or other plans and permits as may be necessary to implement the subdivision plan associated with Rezoning Application RZ 2022-HM-00023. 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 applicable ordinances, regulations, or adopted standards in any way. Supervisor Palchik seconded the motion and it carried by unanimous vote.

16. **RESTON COMPREHENSIVE PLAN (RCP) UPDATE (HUNTER MILL DISTRICT)** (10:38 a.m.)

Supervisor Alcorn stated that the Board recently became aware that the County needs to adjust the public hearing schedules on several items, including the proposed RCP. The result for the RCP will be an additional hearing before the Planning Commission on July 19, 2023, and a delay in the Board's public hearing until September 12, 2023.

According to the County Attorney's Office, these hearing changes are being made out of an abundance of caution, in response to new State statutory amendments regarding public notice and hearing requirements. They are similar to changes being made in other jurisdictions, including Loudoun County and they are affecting other pending items — including the proposed Pan Am Comprehensive Plan Amendment and some special exception applications.

The delay in Board action on the Comprehensive Plan also affects Reston's Site-Specific Plan Amendment nominations process and the work underway by the Reston Town Center North Citizen's Task Force. More to come on those topics as the Board tries to move these land use matters forward in a thoughtful and diligent manner.

It is an unfortunate and unintended consequence of the statutory amendments, but the Board wants the County to move forward on all these items in a manner that leaves no doubt about the soundness of its public hearing process.

The good news for Reston residents is that they will have four more opportunities to provide additional comment, at the Planning Commission meeting on July 19, 2023, a Town Hall at the Hunter Mill District Supervisor's office on July 27, 2023, via email and telephone on the mark-up of the plan in late

August/early September 2023 and finally, at the Board's public hearing on September 12, 2023.

Supervisor Alcorn shared his appreciation for the tremendous work that has been done by John Carter, Hunter Mill District Planning Commissioner, and staff, as well as many Reston residents. More information will be on the Hunter Mill District web page and in the Hunter Mill District Supervisor's newsletter.

17. **INTEGRATING COMMUNICATIONS, ASSESSMENT, AND TACTICS (ICAT) TRAINING PROGRAM** (10:41 a.m.)

Supervisor Lusk stated that the Board and the Fairfax County Police Department (FCPD) recently received a set of recommendations from the Police Executive Research Forum (PERF) based on its study and review of recent officer-involved shootings in the County. One of those recommendations is to provide all FCPD officers with PERF's ICAT Training Program. Supervisor Lusk highlighted the incredible work by Chief Davis and FCPD, noting that by the end of October, all officers will have received the ICAT training.

In a recent joint study with the Louisville Metro Police Department, independent researchers determined that the ICAT Training Program has been proven to significantly reduce use of force incidents, citizen injuries, and police injuries. Not only was this training recommended by PERF, but it was also recommended by the University of Texas at San Antonio's Use of Force study, the Use of Force Community Advisory Committee, and the Matrix Working Group.

Supervisor Lusk stated that this is not the only significant recent training initiative by Chief Davis and FCPD. All FCPD officers have now completed the Active Bystandership for Law Enforcement (ABLE) training. This training, created by the Georgetown University Law Center, focuses on preparing "officers to successfully intervene to prevent harm and to create a law enforcement culture that supports peer intervention." Providing these trainings, and others like it, have been a point of focus for residents and experts alike. The County owes it to its officers to provide them with any available training that will help them make critical decisions in the most important and defining moments of their career. The County also owes it to its residents to ensure that the police have the knowledge and training they need to keep the community safe and secure. Supervisor Lusk thanked Chief Davis for undertaking this important work.

Supervisor Lusk noted that Chief Davis will be making a presentation at the Board's Safety and Security meeting in October on the Matrix Working Group's recommendations, as well as providing an update on the ICAT training effort.

18. **REQUEST TO WAIVE FEES FOR SHILOH BAPTIST CHURCH (MOUNT VERNON DISTRICT)** (10:44 a.m.)

Supervisor Storck stated that Shiloh Baptist Church is located at 10704 Gunston Road in Lorton, Virginia, across from Gunston Hall. The historic church was established in 1869 by freed slaves, and recently celebrated its 150th anniversary.

The church use is currently governed by Special Permit Application SPA-83-V-090-02, which was previously approved in 2016, to permit site modifications and a building addition, with no changes to the parking lot or seating capacity in the main church building. To comply with plan requirements, the seating capacity was reflected as 148, requiring 38 parking spaces.

Due to issues with geometric requirements and utility interference with some parking spaces, the plan approval has been delayed and the church cannot acquire bond release, instead continuing to pay for extensions of establishing the use multiple times since 2016. Recently, however, it was discovered that the church's actual maximum seating capacity is significantly lower and therefore requires a corresponding smaller number of parking spaces.

Through multiple meetings over the past year with Fairfax County Land Development Services, the Department of Planning and Development, and the applicant's representatives, a path forward has been identified requiring several plan resubmissions and other approvals to reflect the reduced seating capacity and parking space requirement. Unfortunately, this will be very costly for the church.

Given the church's financial hardship since the pandemic and its status as a non-profit, there is good cause to grant its request for waivers of any zoning or site-related submission fees.

Therefore, Supervisor Storck moved that the Board direct the Director of Land Development Services and the Director of the Department of Planning and Development to grant a waiver of all applicable County zoning and site-related fees specified in Zoning Ordinance Section 8102 for the As-Built Plan Revision for Shiloh Baptist Church, located at 10704 Gunston Road, Lorton, VA, 22079. This motion should not be construed as a favorable recommendation on any application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of the application. Chairman McKay seconded the motion. Following discussion regarding being cautious on these types of requests, the question was called on the motion and it carried by unanimous vote.

19. **INTRODUCTION OF NEW INTERN IN THE MOUNT VERNON DISTRICT SUPERVISOR'S OFFICE** (10:48 a.m.)

Supervisor Storck introduced Michele Togbe, a new summer intern in his office. On behalf of the Board, he warmly welcomed her to the County.

20. **INTRODUCTION OF NEW INTERNS IN THE PROVIDENCE DISTRICT SUPERVISOR'S OFFICE** (10:49 a.m.)

Supervisor Palchik introduced Bidushi Basnet and Lourdes Najarro-Zepeda, new summer interns in her office. On behalf of the Board, she warmly welcomed them to the County.

21. **RESOLUTION OF RECOGNITION REQUEST FOR FAIRFAX DIAPERS AND PUBLICITY REQUEST FOR THE VOLUNTEER AND PARTNER SERVICES DONATION DRIVE** (10:52 a.m.)

Supervisor Palchik stated that on June 21, 2023, Fairfax Diapers accomplished a tremendous achievement by distributing its millionth diaper! Fairfax Diapers was founded in the Spring of 2019 by Christine Kenny, with the goal of easing the challenge of diaper insecurity, while also raising awareness of the ongoing and pressing need within the community.

On June 25, 2019, Fairfax Diapers distributed its very first diaper at Food for Others, a local non-profit. Since then, Fairfax Diapers has distributed diapers through 11 local partner organizations. With no overhead cost and an all-volunteer board, every dollar donated goes straight to purchasing diapers for the community. Currently, 47 percent of families with young children struggle with getting access to diapers, so its work is crucial to the community. Fairfax Diapers distributes 30,000 diapers each month with over 70 percent being distributed at Food for Others during food distribution.

Supervisor Palchik stated that her office recently partnered with Fairfax Diapers for a diaper drive and collected 1,400 diapers from generous community members. Fairfax Diapers is a critical asset to the most vulnerable residents. If you can, please consider donating diapers to Fairfax Diapers, or signing up to volunteer.

Another great way to give back and support the ongoing needs of families in the community is by fulfilling donation requests for much-needed baby supplies through Volunteer and Partner Services. This drive is ongoing and is only accepting brand-new items. In addition to these most needed items, donations of gift cards to local grocery stores to support the desperate need for short-term grocery assistance for the families in the community are also being collected.

If you are interested and able to help to make sure local families have basic necessities for their children, please visit bit.ly/babydriveitems to see a list of the most needed items and where they can be sent. For additional information or

questions, please contact Sam Carrico by email at: Samantha.Carrico@fairfaxcounty.gov or by calling 571-536-8192.

Services offered by Fairfax Diapers and Volunteer and Partner Services help countless families, ensuring they have the resources that they need for a healthy and safe environment. Thank you to the staff, volunteers, and community members who make these services possible. Your devotion, support, and generosity are greatly appreciated.

Therefore, jointly with Chairman McKay, Supervisor Alcorn and Supervisor Walkinshaw, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to:

- Prepare a Resolution of Recognition for Fairfax Diapers, in recognition of its outstanding achievement, to be presented out of the Board Room
- Publicize the Volunteer and Partner Services donation drive on the appropriate channels to encourage the community to participate

Without objection, it was so ordered.

22. **RESOLUTIONS OF RECOGNITION REQUEST FOR RECENT ATHLETIC STATE ACHIEVEMENTS** (10:55 a.m.)

Supervisor Palchik stated that local County athletic teams made several recent State level achievements. The following teams and athletes from Oakton High School and McLean High School placed at the top of their sports at the recent Spring State championships:

- Oakton High School: Girls Varsity Lacrosse Team, State Champions, and Iyasu Yemane, Boys Varsity 800 Meters, State Champion
- McLean High School: Girls Softball Team, State Champions

Therefore, jointly with Chairman McKay, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, and Supervisor Smith, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to prepare Resolutions of Recognition for the athletes, along with their coaches, and families, in recognition of their achievements, dedication, and team collaboration, to be presented this Fall, as schedules permit. Without objection, it was so ordered.

23. **PROCLAMATION REQUEST FOR SARATOGA COMMUNITY ASSOCIATION (SCA)** (10:56 a.m.)

Supervisor Herrity stated that Saratoga is a Wills and Van Metre community of 690 single-family homes, with 39 acres of wooded, common-use property nestled

throughout the neighborhood. The SCA was established in the 1970s as a homeowner's association to provide for the maintenance, preservation and architectural control of the residence lots and common areas contained within the Saratoga boundaries.

Today, Saratoga offers a wealth of popular amenities within walking distance, including access to a private-membership pool which hosts the Saratoga Stingrays Swim Team, both a fun summer team and a competitive swim team where many Saratoga families have volunteered to help support the youth of Saratoga through this sport. Also, it offers direct access to the 40-mile Gerry Connolly Cross County Trail and adjacent Pohick Creek, which connects the entire County from one end to the other and provides a natural wonderland to discover and enjoy. On September 21, 2023, SCA will be celebrating its 50th anniversary.

Therefore, jointly with Supervisor Storck, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Proclamation for SCA, in recognition of its 50 years of service to residents of Saratoga and the County, to be presented out of the Board Room at its anniversary celebration on September 21, 2023. Without objection, it was so ordered.

24. **REQUEST TO WAIVE THE CENTREVILLE DAY DISPOSAL FEE (SULLY DISTRICT)** (10:58 a.m.)

Supervisor Smith stated that the 31st annual Centreville Day takes place in Centreville's Historic District on Saturday, October 14, 2023, and is being sponsored by The Friends of Historic Centreville. The festivities include a parade, live entertainment, crafters, local businesses, community groups, food vendors, children's activities, and tours of the Historic District.

The Friends of Historic Centreville is a non-profit organization and the proceeds from the event go towards developing Historic Centreville Park, financing educational programs for students from Title I elementary schools, supporting local Scouting projects, and other charitable causes.

The Friends of Historic Centreville enlist the assistance of community volunteers, Scouts, and students from Ormond Stone Middle School to prepare the grounds for the event, including litter and debris pickup, maintaining cleanliness throughout the event, and restoring the historic area after the event ends.

Therefore, in the interests of maximizing the benefits from this event, Supervisor Smith moved that the Board direct staff to waive the tipping fees for the trash disposal and work with the waste management hauler for the removal of trash from the event. Supervisor Foust and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

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25. **ADMINISTRATIVE ITEMS** (11:01 a.m.)

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

Supervisor Walkinshaw called the Board's attention to Admin 3 – Approval of Traffic Calming Measures as Part of the Residential Traffic Administration Program (RTAP) – Inverchapel Road (Braddock District) and reassured the community that all RTAP procedures were followed and it meets the Virginia Department of Transportation standards to help reduce speeds on the road.

Supervisor Walkinshaw also noted that the RTAP procedures do allow for modification or reconsideration of the traffic calming measures after two years. This issue can be revisited at that time if the community chooses to do so.

Following further discussion regarding the RTAP process, the question was called on the motion to approve the Administrative Items and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, Chairman McKay, and Acting-Chairman Gross voting "AYE."

**ADMIN 1 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION
ROCK HILL DISTRICT PARK FIELD LIGHTS (SULLY DISTRICT)**

Authorized the extension of review period for the following Public Facility 2232 Review Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-2023-SU-00015	Fairfax County Park Authority Tax Map 43-1 ((1)) 10 and 43-2 ((5)) A 15150 Old Lee Road Chantilly, VA Sully District	May 6, 2024

**ADMIN 2 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING”
SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION
PROGRAM (RTAP) – NEWINGTON FOREST AVENUE
(MOUNT VERNON DISTRICT)**

- (R)
- Adopted the Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on Newington Forest Avenue from Hooes Road to Pohick Road (Mount Vernon District)

- Directed staff to request the Virginia Department of Transportation schedule the installation of the approved “\$200 Additional Fine for Speeding” signs as soon as possible

ADMIN 3 – APPROVAL OF TRAFFIC CALMING MEASURE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) – INVERCHAPEL ROAD (BRADDOCK DISTRICT)

(R) (NOTE: Earlier in the meeting, there was discussion regarding this item. See page 12.)

- Adopted a resolution endorsing a traffic calming plan for Inverchapel Road (Braddock District) consisting of six speed humps and one speed table
- Directed staff to schedule the installation of the approved traffic calming measures as soon as possible

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26. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FAIRFAX COUNTY AND THE TYSONS COMMUNITY ALLIANCE (TCA) (PROVIDENCE AND HUNTER MILL DISTRICT)** (11:08 a.m.)

Supervisor Palchik moved that the Board concur in the recommendation of staff and authorize the County Executive to execute an MOU between the County and the TCA for a term of up to five years. The motion was multiply seconded.

Discussion ensued, with input from Scott Sizer, Division Manager, Catalytic Development, Department of Economic Initiatives, regarding the MOU. The question was called on the motion and it carried by unanimous vote.

27. **A-2 – APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF HERNDON AND FAIRFAX COUNTY (COUNTY) TO DESIGN AND CONSTRUCT THE SUGARLAND RUN NORTH STREAM RESTORATION PROJECT (DRANESVILLE DISTRICT)** (11:20 a.m.)

On motion of Supervisor Foust, multiply seconded, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign an agreement with the Town to provide funding for the design and construction of the Sugarland Run North Stream Restoration project located in the Town and the Sugarland Run watershed.

28. **A-3 – APPROVAL OF THE FISCAL YEAR (FY) 2024 AND FY 2025 COMMUNITY SERVICES PERFORMANCE CONTRACT BETWEEN THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) AND THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (VDBHDS)** (11:20 a.m.)

On motion of Supervisor Palchik, jointly seconded by Chairman McKay and Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the FY 2024 and FY 2025 Community Services Performance Contract Amendment between the CSB and the VDBHDS and the associated acceptance of FY 2024 funds.

29. **A-4 – AUTHORIZATION TO ESTABLISH THE FAIRFAX TALENT UP FUND - A WORK-BASED LEARNING PROGRAM DEMONSTRATION PROJECT** (11:20 a.m.)

Following a summary of the County Executive's recommendation, Supervisor Foust moved that the Board concur in the recommendation of staff and:

- Authorize establishment of the Fairfax Talent Up Fund – a work-based learning demonstration project for individuals that have suffered negative economic impacts due to the COVID-19 pandemic
- Approve the expenditure of \$2.5 million
- Authorize the County Executive to enter into an agreement with an organization to administer the program

The motion was multiply seconded. Discussion ensued, with input from Theresa Benincasa, Manager, Economic Mobility, Department of Economic Initiatives, and William Browning, Manager, Workforce Innovations, Department of Family Services, regarding the program funding and reporting frequency to the Board. The question was called on the motion and it carried by unanimous vote.

30. **A-5 – BOARD APPROVAL OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S (DOT) MAJOR SERVICE CHANGE, DISPARATE IMPACT, AND DISPROPORTIONATE BURDEN POLICIES FOR THE FAIRFAX CONNECTOR** (11:26 a.m.)

On motion of Supervisor Alcorn, seconded by Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Major Service Change, Disparate Impact, and Disproportionate Burden policies for the Fairfax Connector, substantially in the form of Attachment One of the Board Agenda Item, as part of DOT's forthcoming triennial update to its Title VI Plan.

31. **A-6 – APPROVAL OF CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (11:27 a.m.)

(R) On motion of Supervisor Smith, seconded by Acting-Chair Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed changes to the Fairfax County Purchasing Resolution as specified in Attachment One of the Board Agenda Item, to become effective on July 11, 2023.

32. **A-7 – APPROVAL OF A PARKING REDUCTION FOR THE REDEVELOPMENT OF THE WEST FALLS CHURCH METRO STATION SITE (DRANESVILLE DISTRICT)** (11:27 a.m.)

Supervisor Foust moved that the Board concur in the recommendation of staff and approve an amended parking reduction of 29 percent for parcels 040-3 ((1)) 83 and 84, and 040-4 ((1)) 13, pursuant to Subsection 6100.6.B.(1) (a) of the Zoning Ordinance, based on an analysis as demonstrated in the parking study #PKS-2022-00001, subject to the conditions dated June 28, 2023, and outlined in Attachment One of the Board Agenda Item. Supervisor Palchik seconded the motion. Following discussion regarding the parking reduction study and the possibility of a further parking reduction, the question was called on the motion and it carried by unanimous vote.

33. **C-1 – ACCEPTANCE OF FAIRFAX COUNTY MASTER ARTS PLAN: FACILITIES** (11:30 a.m.)

The Board next considered an item contained in the Board Agenda regarding acceptance of the Fairfax County Master Arts Plan: Facilities.

Supervisor Palchik moved that the Board adopt the Fairfax County Master Arts Plan: Facilities. Chairman McKay and Supervisor Lusk jointly seconded the motion. Following discussion on the importance of facilities and investments in the arts, the question was called on the motion and it carried by unanimous vote.

Leila Gordon, Executive Director, Reston Community Center, noted the importance of the One Fairfax Policy in finalizing the Fairfax County Master Arts Plan: Facilities.

34. **RECESS/CLOSED SESSION** (11:35 a.m.)

Supervisor Smith 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), including annual evaluation of the Executive Director of the Police Civilian Review Panel and

consideration of candidates for the vacant Auditor of the Board position.

- (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, as identified below, where discussion in an open session would adversely affect the negotiating or litigating posture of the public body, as well as consultation with legal counsel regarding specific legal matters listed below requiring the provision of legal advice by such counsel, all as permitted by Virginia Code Section 2.2-3711(A) (7) and (8).
 - 1. *Application of Virginia Electric and Power Company*, PUR-2023-00049 (Va. State Corp. Comm'n) (Springfield District)
 - 2. *Kimberly LaFave, et al. v. County of Fairfax, et al.*, Case No. CL-2021-0001569 (Fx. Co. Cir. Ct.)
 - 3. *Wesley Shifflett v. Bryan J. Hill* (Fx. Co. Cir. Ct.)
 - 4. *Curtiss Davis v. Edwin C. Roessler Jr. et al.*, (United States Supreme Court)
 - 5. *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)
 - 6. *Jay Riat, Building Official for Fairfax County, Virginia v. Ubedulla Mohammadullah*, Case No. GV22-006946 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
 - 7. *Jay Riat, Building Official for Fairfax County, Virginia v. Isela Flores*, Case No. GV23-003015 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(1), annual evaluation of a Board-appointed employee and consideration of candidates for the vacant Auditor of the Board position

- As permitted by Virginia Code Section 2.2-3711(A)(1) and (8), briefing regarding Board of Zoning Appeals appointments

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

At 12:34 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Acting-Chairman Gross presiding.

ACTIONS FROM CLOSED SESSION

35. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (12:35 p.m.)

Supervisor Smith moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements by virtue of Virginia Code Section 2.2-3711 and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Palchik seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storek, Supervisor Walkinshaw, Chairman McKay, Acting-Chairman Gross, and voting “AYE.”

36. **AUTHORIZATION TO FILE A NOTICE OF PARTICIPATION WITH THE STATE CORPORATION COMMISSION IN THE APPLICATION OF VIRGINIA ELECTRIC AND POWER COMPANY FOR APPROVAL AND CERTIFICATION OF ELECTRIC TRANSMISSION FACILITIES** (12:36 p.m.)

Supervisor Herrity moved that the Board authorize the filing of a Notice of Participation with the State Corporation Commission in the application of Virginia Electric and Power Company for approval and certification of Electronic [sic] Transmission Facilities, Case Number PUR-2023-00049, on the terms and conditions outlined by the County Attorney in closed session. Supervisor Lusk seconded the motion and it carried by unanimous vote.

37. **BOARD ADJOURNMENT** (12:36 p.m.)

Acting-Chairman Gross reiterated that there are no public hearings scheduled for the afternoon, and, therefore, at 12:36 p.m. the Board adjourned.