



FAIRFAX COUNTY PARK AUTHORITY



B O A R D A G E N D A

June 23, 2021

5:00 PM (virtual)

ADMINISTRATIVE ITEM

- (CW) ADMIN-1 Resolution Honoring Ed Richardson upon His Retirement from the Fairfax County Park Authority (with presentation)
- (CW) ADMIN-2 Resolution Honoring Barbara Gorski upon Her Retirement from the Fairfax County Park Authority (with presentation)
- (CW) ADMIN-3 Adoption of Minutes – June 9, 2021, Park Authority Board Meeting

ACTION ITEMS

- (CW) A-1 Approval – Policy 111 – Participation in Meetings Held by Electronic Communication
- (D) A-2 Reallocation of Project Funds for Riverbend Maintenance Facility

INFORMATION ITEM

- (CW) I-1 Legislative Update (with presentation)

CHAIRMAN'S MATTERS

DIRECTOR'S MATTERS

BOARD MATTERS

CLOSED SESSION

ADJOURNMENT



If ADA accommodations are needed, please call (703) 324-8563. TTY (703) 803-3354

Board Agenda Item
June 23, 2021

ADMINISTRATIVE – 1 (with presentation)

Resolution Honoring Ed Richardson upon His Retirement from the Fairfax County Park Authority

ISSUE:

Approval of the resolution to honor Area 4 Manager Ed Richardson for more than 32 years of outstanding service to the Fairfax County Park Authority and the residents of Fairfax County.

RECOMMENDATION:

The Park Authority Director recommends approval of the resolution honoring Ed Richardson, Manager, Area 4.

TIMING:

Board action is requested on June 23, 2021.

BACKGROUND:

After working some seasonal jobs for the Park Authority off and on at Wakefield Park from 1981 to 1985, Ed Richardson was hired full-time in 1988 as a Laborer I on the ground crew at the park. Over the years, he shared his talents and leadership skills across the agency as Athletic Field Manager for Area 3, Area 5 Manager, and Area 4 Manager.

Mr. Richardson was part of the team involved in the Park Authority's first successful accreditation effort. He led the effort to develop the Park Authority's policy for Movable Goals for rectangle fields, and in 2017 he organized and hosted the very large and successful "Showcase" that brought staff together from across the agency to clean up the Laurel Hill Nike Site. He is determined, innovative, and plain-spoken.

Mr. Richardson and his capable teams helped to improve the athletic fields at Wakefield Park and in Management Areas 2 and 3. He was involved in the first Sully Woodlands Regional Master Plan and helped to replace bridges with culverts in Area 4. He was involved with numerous volunteer trail projects at Laurel Hill and Royal Lake, and he designed and managed the development of the dog park at Quinn Farm Park, now known as Rock Hill District Park.

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Throughout his career, Mr. Richardson has consistently been praised by his supervisors for his commitment to the public and his willingness to answer their questions and meet with residents during work hours, and even after hours. He and his crews often drew public praise on the Park Authority's social media accounts for their quick response when residents reported such issues as fallen trees on Park Authority trails.

Mr. Richardson was honored for his exceptional dedication to the job with an Outstanding Performance Award and is remembered for his generosity in donating leave to multiple individuals over the years on numerous occasions.

For these reasons and more, Mr. Richardson is worthy of this resolution in his honor.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution

STAFF:

Sara Baldwin, Acting Executive Director
Aimee L. Vosper, Deputy Director/CBD
Kurt Louis, Director, Park Operations Division
Judy Pedersen, Public Information Officer

***WHEREAS**, Area 4 Manager Ed Richardson is retiring after more than 32 years of dedicated service to the Fairfax County Park Authority, caring for the athletic fields and parklands enjoyed by the residents of Fairfax County; and*

***WHEREAS**, Ed Richardson started his full-time career at the Park Authority as a Laborer I on the ground crew at Wakefield Park in 1988 and retires after sharing his talents across the agency as the Athletic Field Manager for Area 3, Area 5 Manager, and Area 4 Manager; and*

***WHEREAS**, Ed Richardson was part of the team involved in the Park Authority's first accreditation, led the effort to develop the Park Authority's policy for Movable Goals for rectangle fields, and in 2017 organized and hosted the very large and successful "Showcase" that brought staff together from across the agency to clean up the Laurel Hill Nike Site; and*

***WHEREAS**, over the years, Ed Richardson guided his incredible teams to improve the athletic fields at Wakefield Park and in Management Areas 2 and 3, was involved in the first Sully Woodlands regional master plan, and helped to replace bridges with culverts in Area 4; and*

***WHEREAS**, Ed Richardson worked with the community on numerous volunteer trail projects at Laurel Hill and Royal Lake and designed and managed the development of the dog park at Quinn Farm Park, now known as Rock Hill District Park; and*

***WHEREAS**, throughout his career, Ed Richardson has consistently been praised by his supervisors for his commitment to the public and his willingness to answer their questions, and he and his crews often drew public praise on the Park Authority's social media accounts for their quick response when residents reported such issues as fallen trees on Park Authority trails; and*

***WHEREAS**, Ed Richardson was honored with an Outstanding Performance Award and is remembered for his generosity in donating leave to coworkers; and;*

***NOW, THEREFORE, BE IT RESOLVED** by the Fairfax County Park Authority Board that it expresses appreciation and thanks to*

Ed Richardson

For dedicated and outstanding contributions to the Park Authority and the residents of Fairfax County.

Adopted by the Fairfax County Park Authority Board on June 23, 2021.

Michael W. Thompson, Jr.
Secretary

William G. Bouie
Chairman

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ADMINISTRATIVE – 2 (with presentation)

Resolution Honoring Barbara Gorski upon Her Retirement from the Fairfax County Park Authority

ISSUE:

Seeking approval of the resolution to honor Director's Office Administrative Assistant V Barbara Gorski for more than 26 years of outstanding service to the Fairfax County Park Authority and the residents of Fairfax County.

RECOMMENDATION:

The Park Authority Director recommends approval of the resolution honoring Barbara Gorski, Director's Office Administrative Assistant V.

TIMING:

Board action is requested on June 23, 2021.

BACKGROUND:

Barbara Gorski got her start at the Park Authority in October 1994 as a seasonal employee with the title of Secretary III. She leaves the agency as an Administrative Assistant V, a critical member of the Director's Office who has worked diligently for a series of park directors over the past 26+ years.

Ms. Gorski was praised early in her career by James Heberlein as someone who "always works well with everyone" and is "willing to do whatever it takes to get the job done." Paul Baldino lauded her "discretion, tact and effectiveness in working with Park Authority Board members, citizens and employees." Mike Kane called her "a superior team player and team leader," and John Dargle liked her "can-do attitude" and her "enthusiasm, dedication and commitment."

Recently retired Executive Director Kirk Kincannon said Ms. Gorski "contributes extraordinarily" to the organization and to its customers with her "outstanding customer service." He added, "Barbara brings a smile to her duties each day and makes a positive difference in developing a collaborative atmosphere with other departments across the county."

Ms. Gorski has been described as "the glue" of the front office -- a person who can overcome any obstacle presented to accomplish the task at hand. Whether she was

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preparing the Park Authority Board meeting packages, handling correspondence or juggling numerous other matters of importance, she remained flexible and determined, and in the end, always got the job done.

In her front office role, Ms. Gorski has not only provided administrative support for senior members of the Park Authority leadership team, she also began providing administrative services for the 12-member Park Board when their support position was lost in a budget reduction. Ms. Gorski has attended Park Board meetings, recorded the minutes, prepared and distributed Board packages twice a month, composed routine correspondence, proofed materials, maintained databases to track board items and issues, assisted with compliance pertaining to the Open Meetings Act, FOIA and Roberts Rules of Order, as well as assisted with special projects, scheduling and phone calls. She worked to ensure that Park Board documents were ADA compliant and collaborated with the agency's webmaster to develop a process that ensures access for all citizens.

In her dual role, she has proven herself to be a true professional and an outstanding problem solver, someone who was always eager and willing to use technology to enhance existing processes and procedures. She has been discreet in her handling of sensitive information, dedicated to her work, and often one-step ahead in determining what was needed at any given time.

For her exemplary service, Ms. Gorski has received two Outstanding Performance Awards as well as a coveted Sharon Bulova Award that recognizes administrative excellence.

ENCLOSED DOCUMENTS:

Attachment 1: Resolution

STAFF:

Sara Baldwin, Acting Executive Director
Aimee L. Vosper, Deputy Director/CBD
Judy Pedersen, Public Information Officer

WHEREAS, Director's Office Administrative Assistant V Barbara Gorski is retiring after more than 26 years of dedicated service to a series of Park Authority Executive Directors, the Fairfax County Park Authority, and residents of Fairfax County; and

WHEREAS, Barbara Gorski was praised early in her career by James Heberlein as someone who "always works well with everyone" and is "willing to do whatever it takes to get the job done," was lauded by Paul Baldino for her "discretion, tact and effectiveness in working with Park Authority Board members, citizens and employees," was called "a superior team player and team leader" by Mike Kane, was appreciated by John Dargle for her "can-do attitude" and her "enthusiasm, dedication and commitment," and was recognized by Kirk Kincannon for her "outstanding customer service" and for bringing a smile to her duties every day; and

WHEREAS, Barbara Gorski has been described as "the glue" of the front office -- a person who can overcome any obstacle whether she was preparing the Park Authority Board meeting packages, handling correspondence, or juggling numerous other matters of importance; and

WHEREAS, over the years, Barbara Gorski has not only provided administrative support for senior members of the Park Authority leadership team, she also began providing administrative services for the 12-member Park Board when their support position was lost in a budget reduction and has provided critical support for Park Board meetings, composed routine correspondence, proofed materials, maintained databases to track board items and issues, assisted with compliance pertaining to the Open Meetings Act, FOIA and Roberts Rules of Order, as well as assisted with special projects, scheduling and phone calls; and

WHEREAS, Barbara Gorski has worked to ensure that Park Board documents were ADA compliant and collaborated with the agency's webmaster to develop a process that ensures access for all citizens; and

WHEREAS, Barbara Gorski has been recognized for her exemplary service with two Outstanding Performance Awards, as well as a coveted Sharon Bulova Award that recognizes administrative excellence; and

NOW, THEREFORE, BE IT RESOLVED by the Fairfax County Park Authority Board that it expresses appreciation and thanks to

Barbara Gorski

For dedicated and outstanding contributions to the Park Authority and the residents of Fairfax County.

Adopted by the Fairfax County Park Authority Board on June 23, 2021

Michael W. Thompson, Jr.
Secretary

William G. Bouie
Chairman

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ADMINISTRATIVE – 3

Adoption of Minutes – June 9, 2021, Park Authority Board Meeting

ISSUE:

Adoption of the minutes of the June 9, 2021, Park Authority Board meeting.

RECOMMENDATION:

The Park Authority Acting Executive Director recommends adoption of the minutes of the June 9, 2021 Park Authority Board meeting.

TIMING:

Board action is requested June 23, 2021.

FISCAL IMPACT:

None

ENCLOSED DOCUMENTS:

Attachment 1: Minutes of the June 9, 2021, Park Authority Board Meeting

STAFF:

Sara Baldwin, Acting Executive Director
Aimee L. Vosper, Deputy Director/CBD
Barbara J. Gorski, Administrative Assistant

**Fairfax County Park Authority
Board Meeting
June 9, 2021**

Chairman Bouie called the meeting to order at 5:02 p.m.

In order to conduct this meeting wholly electronically and to effectuate both the emergency procedures authorized by FOIA and the Emergency Ordinance, there were actions that needed to be taken prior to conducting business.

Audibility of Members' Voices

Chairman Bouie conducted a roll call vote to ensure that each member's voice could be heard and to state the location from which they were participating in the meeting.

Board Member Participating:

Dr. Abena Aidoo
Ken Quincy, Vice Chair
Dr. Cynthia Jacobs Carter
Maggie Godbold
Linwood Gorham
Timothy Hackman, Treasurer
Ron Kendall
Faisal Khan
Kiel Stone
Michael Thompson, Secretary
James Zook
William G. Bouie, Chairman

Location:

Residence in Lee District
Residence in Providence District
Residence in Lee District
Residence in Sully District
Residence in Mount Vernon District
Residence in Dranesville District
Residence in Mason District
Residence in Providence District
Residence in Braddock District
Residence in Springfield District
Residence in Springfield District
Residence in Hunter Mill District

Mr. Bouie made a motion that each member's voice may be adequately heard by each other member of this board; seconded by Mr. Thompson. The motion carried unanimously.

Need for an Electronic Meeting

Mr. Bouie made a motion that the State of Emergency caused by the COVID-19 pandemic makes it unsafe for this board to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, FOIA's usual procedures, which require the physical assembly of this Board and the physical presence of the public, cannot be implemented safely or practically. He further moved that this board may conduct this meeting electronically through a dedicated video conference line, and that the public may access this meeting by simultaneous live video streamlining or by calling into the telephone number that has been properly noticed; seconded by Mr. Hackman. The motion carried unanimously.

[This meeting was held electronically and was live streamed at publicinput.com and was accessible via audio by dialing 855-925-2801 and entering the code provided in the meeting announcement.]

Need to Dispense with FOIA's Usual Procedures to Assure Continuation of Operations

Mr. Bouie made a motion that the Park Authority certifies that all matters on the June 9, 2021, board agenda address the State of Emergency itself, are statutorily required or necessary to continue operations and the discharge of this board's lawful purposes, duties, and responsibilities; seconded by Mr. Thompson. The motion carried unanimously.

ADMINISTRATIVE ITEM

ADMIN-1 Adoption of Minutes – May 26, 2021, Park Authority Board Meeting
Mr. Bouie made a motion to adopt the minutes of the May 26, 2021, Park Authority Board meeting; seconded by Mr. Quincy. The motion carried unanimously.

ADMIN-2 Adoption of Minutes – April 28, 2021, Park Authority Board Meeting as Amended
Mr. Bouie made a motion to adopt the minutes of the April 28, 2021, Park Authority Board meeting as amended; seconded by Mr. Quincy. The motion carried unanimously.

ADMIN-3 Adoption of Minutes – May 17, 2021, Park Authority Board Special Meeting as Amended
Mr. Bouie made a motion to adopt the minutes of the May 17, 2021, Park Authority Board special meeting as amended; seconded by Mr. Quincy. The motion carried unanimously.

ACTION ITEM

A-1 Huntley Meadows Park Help Our Land Heal (Lee District)
John Burke, Resource Management Division, Natural Resource Management Branch, introduced Owen Williams, Natural Resource Management Branch program manager of the Help Our Land Heal program and Park Authority ecologist and who provided a presentation on the agency's restoration of land at Huntley Meadows Park. These efforts meet the recommendations of the regional and the park-specific Natural Resources Management Plans. The board's support has helped the Park Authority to become a leader in the field for natural land management in the mid-Atlantic region and has increased the natural capital value of the restored properties by enhancing the onsite resources.

Owen Williams provided information on the wetland's restoration program at Huntley Meadows Park. The project is taking place in resource protection areas and is helping to enhance wildlife and provide support for rare wetland birds.

There are three objectives for this program. One of the implementation programs is to install ditch plugs in drainage ditches scattered throughout the park. The second is the restoration for additional globally rare forested wetlands, and the third is the restoration of herbaceous marsh which will support the breeding habitat for wetland birds that are rare in the State of Virginia.

Mr. Thompson noted that Attachment 1 of the board item indicates that Parks is spending \$176,000 on project administration, permits, and design and \$24,000 on the construction of the things that are needed. He commented that he would rather spend \$24,000 on the administrative things and \$176,000 to improve the wetlands.

Owen Williams indicated that the small amount is for the ditch plugs which low-tech and easy to install and Parks has the design for those from the hydraulic study. The larger portion of that money will go toward the design function and engineering services for the second and third components of the project. The idea is to create a design, identify a method and create a design, and get the permits, and future projects would actually do the construction.

For the record Mr. Thompson stated that Parks is able to perform the once piece now and the design is complete and Parks knows what it is doing. It will fund all the design work that is necessary to complete the other pieces then staff will come back at a future point to execute that.

Owen Williams confirmed Mr. Thompson's comments and stated that it make sense to bundle these things together because there are some efficiencies working with contractors.

Mr. Thompson noted that he feels better knowing that the money will be spent on the park rather than the planning.

Inquiring about the timeframe Mr. Kendall commented that these types of projects can take anywhere from seven to ten years to show any kind of results.

Owen Williams noted that staff anticipates this portion of the project to begin in FY22 and continuing through the end of December CY24 in order to study the hydrology and collect some water level data. The time horizon on changing that forest type to the healthier, desired condition is a little bit unknown because forests take so long to transition. Staff has seen some changes from the ditch plugs in just a few weeks at Old Colchester in a similar project.

Noting that Huntley Meadows is a place that birders really love Dr. Carter asked what timeframe the return of those rare species might take place.

Owen Williams replied that staff does not know when those species will return. Upon checking records for those species in the local area some records indicate that there are some at Fort Belvoir and Dyke Marsh. Because there are some in the area staff feels that with the right conditions, they will see it and will begin to use it. It may take a couple of years to create the right conditions then the birds will see it and hopefully begin to use it.

John Burke added that for many of these restoration efforts staff can make sure the floral community, the plants that the design was based upon are planted, installed, and work toward success by reducing impacts from deer and other forest things. The one thing we do not have control over is wildlife and we can create the resource and the habitat to make the conditions as ideal as possible, but there are a number of other elements that factor in, if the species we are managing the sites for are seen which could mean the overall success of the community. It could also be the amount of foot-traffic the site gets or just general population trends or migratory trends of the species that we are trying to attract. While we cannot pinpoint when they will come, the hope is that if we build it, they will come.

Mr. Kendall expressed concern that staff did not have an actual timeline on the vegetation controls but wanted to hear more about how it could be adapted. If a lot of money is being put into a project now to come up with a mechanism that could be applied elsewhere throughout the entire county, that makes a lot of sense to him if it is overpriced now in order to get it right. If this is being done at Huntley Meadows now but there is no plan to share the technology and knowledge to other parts of the county, he thinks we are missing the point of why we would be doing something like this. This appears to be more of a pilot project that will be applied to other marshy areas that we have as parkland.

Owen Williams stated that there are planned locations for this type of work at other parks in the system. In a way, the pilot project took place at Old Colchester Park and what was learned through that process is informing staff on this proposal. There are other parks in the system that have these drainage ditches that could be restored as well. This offers ways of transferring that knowledge.

Mr. Bouie remarked that he was sure that former Park Board member Harry Glasgow would be monitoring this situation on a weekly basis providing updates all the time and on other issues including birding.

Dr. Carter made a motion to approve the Huntley Meadows Park Help Our Land Heal project; seconded by Mr. Quincy. The motion carried unanimously.

INFORMATION ITEMS**I-1 Fairfax County Park Foundation FY22 Meeting Dates**

No action was necessary.

I-2 FCPA ESCO Project Funding Update

Keith Snyder provided an update on the Energy Service Corporations contract to perform facility audits, develop energy savings projects with defined savings, and implement these projects. The ESCO CMTA was contracted to evaluate three FCPA RECenters including Cub Run, South Run, and Lee District. Mr. Snyder reviewed the FCPA ESCO projects approved for funding by the Office of Energy and Environmental Coordination (OEEC).

Mr. Hackman stated that his assumption given those very long ROIs for some of the equipment is that the equipment would likely exceed its lifecycle and will have to be replaced making someone on the hook for those costs to maintain the savings between now and the time that the expenditure would be recouped. He asked if there was a plan for some of the out years for that or any expectations for further grants to accommodate those replacements or is Parks

Keith Snyder noted that the ROIs do not necessarily reflect the life of the unit but the partners are on the hook for maintaining the equipment. CMTA will still be monitoring the equipment functioning across the five-year term. Beyond that it would be Parks' maintenance to do any improvements. Once its beyond lifecycle it basically becomes capital equipment.

Mr. Hackman commented that given those long ROIs that funding must also be justified in terms of the financial cost savings but also in terms of carbon emissions avoided and other ancillary savings or benefits of that nature to paint an overall more positive picture.

For purposes of this board meeting Keith Snyder stated the information was condensed down and the full utility impact of gas savings, electric savings, water savings, are all itemized out and can be provided if requested. These are all benefits of the projects. What we looked at here could be replaced in time and spent less money internally as the Park Authority, but in order to get the next level of upgraded controls and guaranteed savings going with the ESCO project that is what the ROI should be looking at.

Mr. Gorham asked if he was correct to assume that the ROIs are actually shorter than that when you consider the life cycles of the equipment. In the choosing which equipment will be replaced did you factor or consider pieces of equipment that are closer to the end of their lifecycle than others?

In the process of working with the facilities to develop the projects several factors were determined. The existing life of all the capital equipment at the facilities was given over.

The work order management crew and the capital equipment team used the information from them that was recently developed in order to prioritize the equipment that was toward end of life. All the equipment on the list and in the case of air handlers options were looked at of how to repair to get it to work for another five years as is and how to add controls to it to get the next level of control. Unfortunately, considering the age of the equipment adding controls just was not possible, not even feasible from a cost standpoint, but manufacturers do not have the equipment to put on it. It was not designed for the controls we have today. That is why it was better to push for the full replacement rather than the less costly options.

Mr. Kendall asked if in their calculations had staff looked at a current cost or project out increases in the cost of electricity over time?"

Keith Snyder indicated that the current electric rate was used and that is why only the year-one cost savings was reflected. There are projections for lifecycle savings, but again those are projections and can be off. In reality there are projections on normalized increases for all the utilities but individual years can be off. Water rates have been at 4-4 ¼% increase annually; electricity is at 2 ½% and gas is at 1 ½-2% rise depending upon your provider.

Mr. Bouie commented that this will be an interesting discussion because based on the some of those ROIs in the years out those RECenters will have been replaced twice along with major changes in technology those make a lot of these totally obsolete in a short amount of time. The monitoring will be very interesting to watch.

No action was necessary.

I-4 Third Quarter Budget Review, General Fund, Fund 10001

Michael Peter provided information on the General Fund data that was provided in the package and the how things are shaping up as things have gotten to be a completely different picture from here.

Mr. Thompson rested that the budget documents reflect numbers from 2019 because any comparison to last year, hoping not to repeat last year, would prefer to compare them to 2019 so to better understand as we are projecting forward.

Mike Peter stated that that will be seen in the Park Revenue and Operating Fund.

No action was necessary.

I-5 Third Quarter Budget Review, Park Revenue and Operating Fund, Fund 80000

Michael Peter provided information on the Park Revenue and Operating Fund data that was provided in the package and the shows a better comparison going back further

showing the actual revenue trends for each quarter between FY16 and FY21. He noted that they were projecting -\$2.7M revenue for FY21, but as things begin opening up, the projects are not at \$750K for FY 21.

DISCUSSION ITEM

D-1 Planning and Development Division Annual Work Plan

Stephanie Leedom presented the annual work plan for the board's review, pointed out some of the changes in the plan and noted that it will be coming back to the board for approval at a later date. If any board members have questions or concerns, they should reach out to Ms. Leedom. No action was necessary at this time.

CHAIRMAN'S MATTERS

- Chairman Bouie extended kudos to staff as parks have been overrun with people and are doing an amazing job that the maintenance crews and everyone is doing to keep the parks clean and active and attractive to the public is absolutely remarkable.

He spent the weekend at Stratton Woods Park in a racquetball tournament with people from Florida, Bolivia, Mexico, Michigan, New York, New Jersey, from all over the world. This was taking place as soccer games, a volleyball tournament, two baseball games, and tennis were taking place. He stopped by the park the following day and the remarkable amount of trash that was generated by all those folks had been removed. Kudos to staff for stepping up.

- He reported that rumor has it that the governor is going to lift the emergency ordinance at the end of the month. The Park Board may be going back to live meeting in July with the new policy in effect. Sara Baldwin is working very diligently to make sure we have a safe environment to return to.
- As Mike Peter stated Parks is in discussion with the Department of Management and Budget to determine what can be done with stimulus dollars and retrieving those. There will be more updates in the next meeting.
- Mr. Bouie pointed out that the board was required to amend some of the minutes from past meetings due to an inquiry about VFOIA requirements, so the meeting minutes were amended to ensure we met those VFOIA requirements. The changes will be noticed when the announcement to go into closed session comes forward. This is a clarification we were given from the County Attorney.

DIRECTOR'S MATTERS

- Sara Baldwin echoed Mr. Bouie's comments about staff. Over the Memorial Day weekend staff really showed all we have done to reopen facilities.

- After being closed for over 500 days, the Fairfax County Park Authority outdoor aquatic facilities opened Memorial Day, 2021. Although the facilities were planned to open on Saturday, May 29, temperatures in the 50s and rain Saturday and Sunday delayed opening until Monday, May 31. The weather improved, and despite cool temperatures, all facilities opened, and residents still came out in strong numbers.

Seventy people braved the unseasonably cool water and enjoyed the Martin Luther King Jr pool in Alexandria. Staff implemented the new Fairfax County residency identification for free access and had no issues.

Our Special Harbor at Lee District Park delayed opening from its usual 9:30 am. By the early afternoon, the facility was at maximum capacity and had almost 850 people for the day.

The Water Mine at Lake Fairfax Park delayed opening one hour. A new ticketing system was implemented to speed up the entry line and decrease the need for cash transactions. While many swimmers did end up buying tickets onsite, the ticketing system was successful and will be continued moving forward. The facility had over 600 people show up for the day. Promotional Services was onsite and filmed some fantastic testimonials from the users.

- After COVID-19 prevented the program launch last summer, the Park Authority's new Summer Swim League kicked off its first season with 135 registered athletes (ages 6-13) on the first day of practice on June 1, 2021. While other swim leagues are run by private sports organizations renting lanes at FCPA pools, the new league is run by the Park Authority. Boasting teams at eight RECenters, generating over \$40,000 of new revenue and a fill rate of 85%, the Summer Swim League is off to a strong start. All eight coaches are certified in USA Swimming and are preparing their teams for their first meet later this summer.

The new league is a collaborative initiative between the Aquatic Section management, RECenter aquatic directors, league support staff, Production Services, PIO, Purchasing, and the Program Branch.

- The Board of Supervisors has required that all members of Boards, Authorities, and Commissions read the One Fairfax policy and sign the One Fairfax Policy Acknowledgement Form to confirm they have received and reviewed it by June 30. If you have not signed the acknowledgement form, please do.
- At its meeting on June 8, the Board of Supervisors authorized the advertisement of a public hearing on the continuation of the Fairfax County Park Authority for a period of 30 years, until October 28, 2051. The public hearing will be held on July 13.

BOARD MATTERS

- Mr. Quincy seconded the comments made about staff's performance in these trying times. It is amazing what they have been able to accomplish. If you did not notice it shows up in financials. Their efforts contributed to the positive financials that were shown. He closed with kudos to staff.
- Mr. Thompson thanked Sara Baldwin and others as we deal with issues related to tournaments. He reminded everyone that it is important to support athletics that are both organized and unorganized. He is reminded of that each time he drives past Rolling Valley which he did on multiple occasions over the weekend. The single basketball court probably had 80 kids waiting to play winners while the two turf fields were being used. Sometimes we get so focused on the organized sports that we need to do a lot of support of the unorganized sports and we should not let them become total orphans. Staff does do a lot to support them.
- Mr. Kendall reported that the summer concerts will begin in July and thanked staff for making sure it happens this year. He suggested that all board members go to the concerts and talk to the folks. There is always an MC microphone available to get up and thank folks for coming out to the concerts because they really need them this year.
- Dr. Carter, Ms. Godbold, and Mr. Khan offered kudos to staff.
- Dr. Aidoo and Messrs. Hackman, Zook, and Stone had nothing to report.
- Mr. Gorham observed, having been a lifelong Fairfax County resident that our parks are used much more today than he has ever witnessed. This includes the Park Authority, NOVA Parks, the National Wildlife Refuge, and state parks near where he lives. The need for parks has never been higher in Fairfax County. As we move forward trying to deal with equity Parks has some real opportunities to do everything it can to increase capacities and opportunities in parks for all of the people in Fairfax County. He thinks Parks should seriously be lobbying for and thinking of ways to have more park opportunities. Parks should not have to operate at capacity, at least not on the weekend. He hopes that Parks can get that done combined with equity.
- Mr. Bouie added that the Trust for Public Land published a report of each metropolis in the U.S. It provides an equity score in terms of the number of parks provided in your community. The District of Columbia was rated #1 in terms of providing parks versus an equity scale across the board in the U.S.

He noted that he would share the link with the Park Board through Barbara Gorski so each board members could check out their community. It is divided by zip code and will tell you how close you are to a park, the walkability score, and how it's meeting the equity goals that have been set. He told the board members to feel free to pass it on to anyone they would like.

CLOSED SESSION

At 6:17 p.m. Mr. Thompson made a motion that the Park Authority Board recess and convene in closed session for discussion and consideration of matters enumerated in Virginia Code §2.2-3711 and listed in the agenda for this meeting as follows:

- a) Discussion of personnel matter pursuant to Virginia Code §2.2-3711(A)(1)
 - 1) Recruitment of Executive Director

Seconded by Mr. Quincy. The motion carried unanimously.

RETURN TO OPEN SESSION

At 6:54 p.m. Mr. Thompson made a motion to return to open session; seconded by Mr. Quincy. The motion carried unanimously.

CERTIFICATION OF CLOSED SESSION

Mr. Thompson made a motion that the Park Authority Board certifies that, to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under Virginia Code §2.2-3712 and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the board; seconded by Mr. Quincy. The motion carried unanimously

CLOSED SESSION ACTIONS

- C-1 Personnel Matter – Recruitment of Executive Director
No action was necessary.

ADJOURNMENT

There being no further business and without objection, Mr. Bouie adjourned the meeting at 6:55 p.m.

Participating Staff:

Sara Baldwin, Acting Executive Director
Judy Pedersen, Public Information Officer
Michael Peter, Director, Business Administration
Stephanie Leedom, Director, Planning and Development Division
Kurt Louis, Director, Park Operations Division
Cindy Walsh, Director, Park Services Division

Roberta Longworth, Executive Director Park Foundation
Keith Snyder, Planning and Development Division
John Burke, Resource Management Division
Owen Williams, Resource Management Division
Matthew Peters, Human Resources
Barbara Gorski, Administrative Assistant

Minutes Approved at Meeting
on June 23, 2021

Park Authority Board Minutes prepared by

Barbara J. Gorski, Administrative Assistant

Board Agenda Item
June 23, 2021

ACTION – 1

Adoption of the Fairfax County Park Authority Board Policy for Participation in Meetings by Electronic Communication Policy 111

ISSUE: In order for Participation in Meetings by Electronic Communication to occur, a Park Board policy must be in place.

RECOMMENDATION:

The Acting Executive Director recommends the Park Board adopt the Policy 111 under Objective 100-Administration for Participation in Meetings by Electronic Communication.

TIMING:

Approval is requested on June 23, 2021, to ensure that a policy is in place at a time that the Governor rescinds the Emergency Executive Order that allows meetings to be conducted electronically by June 30, 2021.

BACKGROUND:

With the increasing number of COVID-19 vaccinations and decreasing positivity rates, it is likely that the Park Board may wish to conduct “hybrid” public meetings in which some members are physically present, and others participate in the meeting remotely. A Policy must be in place for this to occur. This Policy adoption ensures that these meetings shall be conducted lawfully under FOIA.

To meet FIOA, meetings must be conducted either (1) in-person, with a quorum of the public body physically present and the public also able to physically attend; or (2) completely via electronic communication with the members and the public calling in to a central phone line or connecting to a video platform. If the meeting is to be held electronically, the Governor’s state of emergency must still be in effect. If the Governor ends the state of emergency, meetings must be conducted in-person, as they were before COVID-19.

As long as the Park Authority has in place a Policy that allows for remote participation, a meeting can be conducted with some members physically present and others participating remotely. This Policy must be strictly and uniformly applied to requests to participate remotely. Significantly, a quorum of the public body must be physically present for other members to participate remotely pursuant to the policy. If a physical

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quorum of the public body is not present, then the meeting cannot occur. There are a host of provisions that must be met by those members that are participating remotely. If a quorum is met, and the requirements of remote participation are met, then the meeting can occur. This Policy includes those provisions which make it lawful to conduct an Electronic Meeting.

FISCAL IMPACT:
None

ENCLOSED DOCUMENTS:
Attachment 1: Policy for Participation in Meetings by Electronic Communication
Attachment 2: Virginia General Assembly HB 1931 – Meetings by Electronic Communication

STAFF:
Sara Baldwin, Acting Executive Director
Aimee Vosper, Deputy Director
Judy Pedersen, PIO



| | |
|--|---|
| Policy 111 | Title: Fairfax County Park Authority Board Policy for Participation in Meetings Held by Electronic Communication |
| Date Approved: | Last reviewed: |
| Objective: <u>Administration</u> Establish policies for the Park Authority that provide direction for the implementation of sustainable management practices in accordance with community needs. | |

Purpose: To allow for remote participation during Park Authority Board meetings and to ensure these meetings are conducted lawfully under the Virginia Freedom of Information Act.

Policy Statement:

1. **AUTHORITY AND SCOPE.**

a. This policy is adopted pursuant to the authorization of Va. Code § 2.2-3708.2 and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Va. Code §§ 2.2-3700—3715.

b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Va. Code § 2.2-3708.2(A)(3).

2. **DEFINITIONS.**

- a. **“PAB”** means the FAIRFAX COUNTY PARK AUTHORITY BOARD
- b. **“Member”** means any member of the FAIRFAX COUNTY PARK AUTHORITY BOARD.
- c. **“Remote participation”, “remotely participate”, or “participate remotely”** mean participation by a member of the PAB via telephonic, video, or other audio or combined audio and video electronic communication method where the member is not physically assembled with the other members of the PAB.
- d. **“Meeting”** means a meeting as defined by Va. Code § 2.2-3701.
- e. **“Notify” or “notifies,”** for purposes of this policy, means actual notice, including,

Policy 111 Fairfax County Park Authority Board Policy for Participation in Meetings Held by Electronic Communication (continuation)

but not limited to, email, text, telephone, or in-person notice.

3. MANDATORY REQUIREMENTS

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

a. A quorum of the PAB must be physically assembled at the primary or central meeting location; and

b. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

4. PROCESS TO REQUEST REMOTE PARTICPATION

a. On or before the day of the meeting, and at any point before the meeting begins, the requesting member must notify the PAB Chair (or the Vice-Chair if the requesting member is the Chair) that they are unable to physically attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance or (iii) a personal matter and identifies with specificity the nature of the personal matter.

b. The requesting member shall also notify the Executive Director of the Park Authority of their request, but their failure to do so shall not affect their ability to remotely participate.

c. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely due to a temporary or permanent disability or other medical condition or that of a family member that requires the member to provide care.

Policy 111 Fairfax County Park Authority Board Policy for Participation in Meetings Held by Electronic Communication (continuation)

d. The requesting member is not obligated to provide independent verification regarding the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.

e. The Chair (or the Vice-Chair or other designee) shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

5. PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION

When a quorum of the PAB has assembled for the meeting, the PAB shall vote to determine whether:

a. The Chair's (or their designee's) decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and

b. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

6. RECORDING IN MINUTES:

a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, or a family member's medical condition that requires the member to provide care to the family member the PAB shall record in its minutes (1) the PAB's approval of the member's remote participation; and (2) the remote location from which the member participated.

b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has attended remotely due to a personal matter, and the remote location from which the member participated.

c. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

7. CLOSED SESSION

If the PAB goes into closed session, the member participating remotely shall ensure that no

Policy 111 Fairfax County Park Authority Board Policy for Participation in Meetings Held by Electronic Communication (continuation)

third party is able to hear or otherwise observe the closed meeting.

8. **STRICT AND UNIFORM APPLICATION OF THIS POLICY**

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

References:

1. Virginia Code § 2.2-3708.2. Meetings held through electronic communication means
<https://law.lis.virginia.gov/vacode/title2.2/chapter37/section2.2-3708.2/>

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 33

An Act to amend and reenact § 2.2-3708.2 of the Code of Virginia, relating to the Virginia Freedom of Information Act; electronic meetings.

[H 1931]

Approved February 25, 2021

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-3708.2 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-3708.2. Meetings held through electronic communication means.

A. The following provisions apply to all public bodies:

1. Subject to the requirements of subsection C, all public bodies may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that:

a. Such member is unable to attend the meeting due to *(i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance;* or

b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision *b* is limited each calendar year to two meetings *or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.*

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to *(i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance.* If participation is approved pursuant to subdivision 1 b, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

3. Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that *(i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency.* The public body convening a meeting in accordance with this subdivision shall:

a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;

b. Make arrangements for public access to such meeting; and

c. Otherwise comply with the provisions of this section.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

B. The following provisions apply to regional public bodies:

1. Subject to the requirements in subsection C, regional public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.

2. If participation by a member through electronic communication means is approved pursuant to this subsection, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public.

If a member's participation from a remote location is disapproved because such participation would

violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

C. Participation by a member of a public body in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 and subsection B shall be authorized only if the following conditions are met:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at one primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

D. The following provisions apply to state public bodies:

1. Except as provided in subsection D of § 2.2-3707.01, state public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means, provided that (i) a quorum of the public body is physically assembled at one primary or central meeting location, (ii) notice of the meeting has been given in accordance with subdivision 2, and (iii) members of the public are provided a substantially equivalent electronic communication means through which to witness the meeting. For the purposes of this subsection, "witness" means observe or listen.

If a state public body holds a meeting through electronic communication means pursuant to this subsection, it shall also hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

2. Notice of any regular meeting held pursuant to this subsection shall be provided at least three working days in advance of the date scheduled for the meeting. Notice, reasonable under the circumstance, of special, emergency, or continued meetings held pursuant to this section shall be given contemporaneously with the notice provided to members of the public body conducting the meeting. For the purposes of this subsection, "continued meeting" means a meeting that is continued to address an emergency or to conclude the agenda of a meeting for which proper notice was given.

The notice shall include the date, time, place, and purpose for the meeting; shall identify the primary or central meeting location and any remote locations that are open to the public pursuant to subdivision 4; shall include notice as to the electronic communication means by which members of the public may witness the meeting; and shall include a telephone number that may be used to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.

3. A copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body conducting the meeting.

4. Public access to the remote locations from which additional members of the public body participate through electronic communication means shall be encouraged but not required. However, if three or more members are gathered at the same remote location, then such remote location shall be open to the public.

5. If access to remote locations is afforded, (i) all persons attending the meeting at any of the remote locations shall be afforded the same opportunity to address the public body as persons attending at the primary or central location and (ii) a copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of the public body for the meeting shall be made available for inspection by members of the public attending the meeting at any of the remote locations at the time of the meeting.

6. The public body shall make available to the public at any meeting conducted in accordance with this subsection a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § 30-179.

7. Minutes of all meetings held by electronic communication means shall be recorded as required by § 2.2-3707. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes. For emergency meetings held by electronic communication means, the nature of the emergency shall be stated in the minutes.

8. Any authorized state public body that meets by electronic communication means pursuant to this subsection shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:

a. The total number of meetings held that year in which there was participation through electronic communication means;

- b. The dates and purposes of each such meeting;
 - c. A copy of the agenda for each such meeting;
 - d. The primary or central meeting location of each such meeting;
 - e. The types of electronic communication means by which each meeting was held;
 - f. If possible, the number of members of the public who witnessed each meeting through electronic communication means;
 - g. The identity of the members of the public body recorded as present at each meeting, and whether each member was present at the primary or central meeting location or participated through electronic communication means;
 - h. The identity of any members of the public body who were recorded as absent at each meeting and any members who were recorded as absent at a meeting but who monitored the meeting through electronic communication means;
 - i. If members of the public were granted access to a remote location from which a member participated in a meeting through electronic communication means, the number of members of the public at each such remote location;
 - j. A summary of any public comment received about the process of conducting a meeting through electronic communication means; and
 - k. A written summary of the public body's experience conducting meetings through electronic communication means, including its logistical and technical experience.
- E. Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.

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ACTION 2

Reallocation of Project Funds for Riverbend Maintenance Facility (Dranesville)

ISSUE:

Approval of the reallocation of project funds for construction of the Riverbend Maintenance Facility.

RECOMMENDATION:

The Park Authority Executive Director recommends approval of the reallocation of project funds for construction of the Riverbend Maintenance Facility.

TIMING:

Board action is requested on June 23, 2021, to maintain the project schedule.

BACKGROUND:

The 2013 Master Plan, 2016 Fairfax County Park Bond, and 2019 Planning and Development Division (PDD) Work Plan include a project to design and construct a maintenance facility at Riverbend Park.

The Park Authority Board approved the scope of the Maintenance Facility at Riverbend Park in September 2020. The scope included demolition of the Potomac Hill's Manager's House and existing septic field, construction of a new maintenance facility, and related site work. The approved project budget based on the estimated cost was \$1,239,378.

Staff has now received construction bids for the project. Due to increased material costs caused by nationwide supply chain problems, the lowest bid received for this project was 12% higher than anticipated (Attachment 1). The revised cost estimate for completing the recommended scope of work is \$1,389,378.66.

Based on current funding available in the amount of \$1,239,378.66 and the revised cost estimate of \$1,389,378.66, additional funding in the amount of \$150,000 is required to complete the project. Funding is available from the recently completed Area 1 Maintenance Facility Project to fund the additional \$150,000 required to complete the Riverbend Maintenance Facility Project.

The schedule for this project is revised as follows:

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Phase
Construction

Planned Completion
Second Quarter CY 2022

FISCAL IMPACT:

Based on the revised cost estimate, funding in the amount of \$1,389,378.66 is necessary to fund this project. Funding in the amount of \$750,000 in WBS PR-000078-037, Riverbend Maintenance Facility; and \$80,000 in PR-000076-004, Riverbend Maintenance Facility; and \$80,000 PR-000079-005, Riverbend Maintenance Facility; and \$179,378 PR-000091-022, Riverbend Maintenance Facility; \$150,000 in PR-000091, Bond Premium, and reallocation of additional funding in the amount of \$150,000 in PR-000078-003, Area 1 Maintenance Facility all in Fund 30400, Park Bond Construction for total available funding in the amount of \$1,389,378.66 required to fund this project.

ENCLOSED DOCUMENTS:

Attachment 1: Bid Results

STAFF:

Sara Baldwin, Acting Executive Director

Sara Baldwin, Deputy Director/COO

Aimee L. Vosper, Deputy Director/CBD

Stephanie Leedom, Director, Planning and Development Division

Cindy Walsh, Acting Director, Resource Management Division

Paul Shirey, Manager, Project Management Branch, Planning and Development Division

Andy Miller, Project Coordinator, Buildings Branch, Planning and Development Division

Heather Lynch, Project Manager, Planning and Development Division

Valerie Maislin, Project Manager, Planning and Development Division

Michael Peter, Fiscal Administrator

Jessica Tadlock, Manager, Capital and Fiscal Services



FAIRFAX COUNTY PARK AUTHORITY



Planning and Development Division BID RESULTS

PROJECT: Riverbend Park Maintenance Facility

PM: Heather Lynch

OPENING DATE: 06/03/2021

| Contractors Name (Bidder) | Business Type, if any | Base Bid Price | Days | ALTERNATES | | Total |
|-------------------------------------|---------------------------------|----------------|------|------------------------|--|----------------|
| | | | | Add Alternate #1 | | |
| ESTIMATE | | \$800,000.00 | 280 | | | \$800,000.00 |
| Cooper Building Services, LLC*** | B=Small, Non- Minority Owned | \$1,377,000.00 | | | | \$1,377,000.00 |
| A.P. Construction, LLC* | X=Small, Minority Owned | \$893,900.00 | | | | \$893,900.00 |
| Hammerhead Construction** | B=Small, Non- Minority Owned | \$1,210,000.00 | | | | \$1,210,000.00 |
| | | | | | | |
| | - | | | | | |
| | - | | | | | |
| | - | | | | | |

*Apparent Lowest Bidder

**Second Apparent Lowest Bidder

***Third Apparent Lowest Bidder

Board Agenda Item
June 23, 2021

INFORMATION – 1

Legislative Program – 2021/2022

Staff will provide a Legislative update on the status of the 2021 General Assembly Legislative activities and discuss preparations for 2022.

ENCLOSED DOCUMENTS:

Attachment 1: Legislative Items Passed for 2021
Attachment 2: Presentation

STAFF:

Sara Baldwin, Acting Executive Director
Aimee L. Vosper, Deputy Director/CBD

FCPA
2021 Legislative Session
Items Passed

| FCPA Supported - Positive Impact | |
|-----------------------------------|--|
| HB 2159 | Balloons; release of nonbiodegradable balloons outdoors prohibited, civil penalty. |
| SB 1290 | ConserveVirginia program; established. |
| SB 1457 | Historic sites; urban county executive form of gov't. (Fairfax County), provisions in its ordinance. |
| HJ 527 | Invasive plant species; DCR, et al., to study the sale and use of species. |
| HB 2068 | Local Food and Farming Infrastructure Grant Program; established. |
| HB 1919 | Local green banks; authorizes a locality, by ordinance, to establish. |
| HB 2311 | Objects of antiquity; unlawful to remove from battlefield, penalty. |
| HB 2042/SB 1393 | Trees; replacement and conservation during development, effective clause. |
| FCPA Recommended Additional Study | |
| HB 1760 | Conservation easements; certain easements be liberally construed in favor of purpose which created. |
| SB 1199 | Conservation easements; construction. |
| HB 2030 | Neonicotinoid pesticides; communication between beekeepers and applicators. |
| HB 2217 | Public access authorities; granted certain liability protections. |
| HB 1983 | Wetland and stream mitigation banks; proximity of impacted site. |
| SB 1274 | Wildlife corridors; various agencies to consider and incorporate. |
| No Significant Impact to FCPA | |
| SJ 285 | Barrier Crimes and Criminal History Records Checks, Joint Subcommittee Studying; continued. |
| HB 2262 | Bicycles; traffic regulations, report. |
| HB 2086/SB 1316 | Child care providers; background checks, portability. |
| HB 1833 | Conservation and Recreation, Department of; leasing of land. |
| HB 1928 | Historic resources; acquisition and lease of land. |
| HB 2298 | Muzzleloading rifle and shotgun; clarifies definitions. |
| HB 1836 | Natural Resources, Secretary of; name changed to the Secretary of Natural and Historic Resources. |
| SB 1194 | Produce safety; removes the sunset date. |
| HB 1823 | Public schools, child day programs, and certain other programs; carbon monoxide detectors required. |
| SB 1398 | Retail sales and transient occupancy taxes; room rentals. |
| HB 1804 | State parks; DCR to develop recommendations for funding, report. |
| HB 1763 | Tax credit; agricultural best management practices. |
| SB 1260 | Transportation purposes; entry onto land for inspection. |
| SB 1402 | Trout fishing in stocked waters; equalizes for residents and nonresidents requirements to fish. |
| HB 1851/SB 1098 | Unmanned aircraft; exempts an owner from the requirement to register. |
| HB 1864 | Virginia Human Rights Act; expands definition of employer. |
| SB 1161 | Virginia Soil and Water Conservation Board, clarifies membership. |

Legislative Update

Park Authority Board

June 23, 2021

Legislation Process:

Review and Passing of Bills - 2021 Session Review

- ▶ County Legislative Team (CLT) travels to the Virginia General Assembly and lobbies for Fairfax County.
- ▶ CLT informs FCPA legislative review team of proposed bills.
- ▶ FCPA reviews proposed bills and potential impacts and provide feedback to CLT.
- ▶ CLT lobbies for or against bills based on the legislative agenda and input from FCPA.
- ▶ Virginia General Assembly passes bills.
- ▶ Governor of Virginia passes or vetoes bills.

2021 Board of Supervisors Priorities

▶ K-12 Funding

- ▶ Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully and appropriately meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow critical, formula-driven gaps to persist between state funding levels and the actual costs to localities of providing a high-quality education, particularly in high cost of living jurisdictions like Fairfax County. Virginia's state per pupil funding consistently ranks among The lowest compared to other states, shifting the fiscal burden to localities and continuing a discrepancy that has become increasingly untenable, particularly at a time when a global pandemic has placed unprecedented challenges on public education.

▶ Regional Transportation Funding

- ▶ The Commonwealth must fully restore funding to the Northern Virginia Transportation Authority (NVTA) in an amount equal to what was diverted, to ensure that transportation projects continue to advance in Northern Virginia after decades of state underfunding.

▶ Transportation Funding

- ▶ The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs.

2021 Board of Supervisors Priorities

▶ State Budget

- ▶ The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by adequate state funding to successfully provide those services, and reciprocal accountability for successes and failures, ensuring both the state and localities accept responsibility commensurate with their respective roles

▶ Local Authority

- ▶ Existing local government authority should be preserved, particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another. Finally, local government representatives should be included on all commissions or other bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

FCPA Summary of Bills Reviewed

2021 General Assembly Session

- ▶ 2021 GA considered over 1,033 bills and resolutions
- ▶ 61 bills were referred for FCPA review at least once
 - ▶ 34 ultimately enacted
- ▶ Most new laws take effect July 1, 2021
- ▶ Staff will review all bills that may have an impact on FCPA or the County

Items of Note:

- ▶ HJ 527 Invasive plant species (Study) - POSITIVE
 - ▶ Recommend further Study; to develop recommendations regarding statutory and regulatory changes intended to reduce or eliminate the sale and use of invasive plant species in the Commonwealth and promote the sale and use of native plant
 - ▶ This would have a positive impact in reducing off-site seed sources for non-native invasive species that could potentially spread onto parkland. The Countywide Bamboo working group supports this study.

Items of Note:

▶ HB 1919 Local green banks - POSITIVE

- ▶ Authorizes a locality, by ordinance, to establish a green bank to promote the investment in clean energy technologies in its locality and provide financing for clean energy technologies, defined in the bill. The bill establishes certain powers and functions of a green bank, including developing rules and procedures, financing and providing loans for clean energy projects, and stimulating demand for renewable energy. The bill requires the green bank to be a public entity, quasi-public entity, depository bank, or nonprofit entity and requires the locality to hold a hearing and publish notice of the hearing in a newspaper of general circulation prior to establishing the green bank.

Items of Note:

▶ SB 1457 Preservation of Historic Sites - POSITIVE

- ▶ Provides that any locality utilizing the urban county executive form of government (Fairfax County) may include a provision in its historic preservation ordinance that would allow public access to an historic area, landmark, building, or structure, or land pertaining thereto, or providing that no subdivision shall occur within any historic district unless approved by the review board or, on appeal, by the governing body of the locality as being compatible with the historic nature of such area, landmarks, buildings, or structures therein with regard to any parcel or parcels that collectively are (i) adjacent to a navigable river and a national park and (ii) in part or as a whole subject to an easement granted to the National Park Service or Virginia Outdoors Foundation granted on or after January 1, 1973
- ▶ This was written to provide for public access to the River Farm property. FCPA is supportive of that public access for River Farm and worked with the CLT to draft appropriate language.

Changes to Existing Ordinance

- ▶ HB 2312 and SB 1406 Marijuana; legalization of simple possession
 - ▶ Eliminates criminal penalties for simple possession certain quantities of marijuana by persons 21 years of age or older, modifies several other criminal penalties related to marijuana, and imposes limits on dissemination of criminal history record information related to certain marijuana offenses.
 - ▶ FCPA staff are currently benchmarking and working with the County Attorney to understand the potential impacts to the Park Authority.

2022 Legislation Process:

Development of Bills- Summer 2021

- ▶ County Legislative Team (CLT) sends out call for legislative items.
- ▶ Board Members and county staff identify and propose legislative items.
- ▶ CLT vets legislative items and schedules those that make it onto the County's Legislative Committee Agenda.
- ▶ County's Legislative Committee hears the item(s) and consensus is formed to move or not move an item onto the county's legislative agenda.
- ▶ County's Legislative Agenda goes to Richmond.

Call for Legislative Items

We want your input!

- ▶ Any ideas for the CLT to consider for the 2022 VA General Assembly?
 - ▶ Submit ideas to Aimee Vosper by July 7th

Thank you!

- ▶ Link to 2021 GA Fairfax County Adopted Legislative Program: [2021-ga-final-legislative-report.pdf](#)
([fairfaxcounty.gov](#))

Board Agenda Item
June 23, 2021

CLOSED SESSION

- a) Discussion of personnel matter pursuant to Virginia Code §2.2-3711(A)(1)
 - 1. Recruitment of Executive Director
 - 2. Performance Evaluation – Acting Executive Director