



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
January 25, 2022**

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NS:ns

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, January 25, 2022, at 9:34 a.m., there were present:

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

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

Supervisor Dalia Palchik, Providence District, was absent from the entire meeting.

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

Chairman McKay stated that, in accordance with CDC guidance, masks continue to be required for everyone who enters a County facility. Therefore, everyone in the Board Auditorium today must wear a mask at all times, including while speaking or taking photos.

2. **ABSENCE OF PROVIDENCE DISTRICT SUPERVISOR DALIA PALCHIK** (9:35 a.m.)

Chairman McKay stated that Supervisor Palchik will not be participating in the meeting today and announced the birth of her first child, Sivan Esther Friedman on January 17, 2022.

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

With reference to the January 6, 2021, insurrection at the Nation's Capital, Chairman McKay recognized the one-year anniversary of that day to remember the officers who lost their lives in the days after the insurrection; and asked everyone to remember the first responders, elected officials, Capitol Hill staff, and those who live with the physical and emotional scars from the insurrection.

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

- Willis "Bill" Burton, who passed away recently. He was the County's first Chief Fire Marshall; helped construct the Fire and Rescue Academy; and was credited with purchasing the first County-owned fire apparatus
- Carolyn Ford, who passed away recently. She served the County for 17 years, most recently with the Fairfax Falls Church Community Services Board (CSB)
- Paulette Whiteside, who passed away recently. She served the County for 28 years
- Sara Florez, who passed away recently. She served the County for eight years, most recently with the CSB
- Senator Harry Reid, who passed away recently. He was one of the greatest Senate majority leaders and passed landmark legislation that made the nation stronger and safer
- Jeff Waters, who passed away recently. He was the co-owner of White Hall Farm, a local fixture in the Springfield District. He was dedicated to his family and farm

- Ed Moore, who passed away recently. He was a member of the Clifton Lions Club; a business community leader; and was a retiree from the County school system
- Jack Rust, who passed away recently. He had a decorated legal career; was a dedicated public servant who was twice elected to the Virginia General Assembly; and served as the Commissioner of Accounts for the Fairfax Circuit Court
- Rufus Phillips III, who passed away recently. He was a longtime McLean resident who was elected Dranesville District Supervisor in 1971 where he led the development of the County's Planning and Land Use system. He also had a distinguished career with the Central Intelligence Agency where he earned the agency's Intelligence Medal of Merit
- Victor Kimm, who passed away recently. He was a pillar of the McLean community who spent 29 years volunteering with Share of McLean, a nonprofit organization dedicated to helping those less fortunate; and was the recipient of the 2010 Outstanding Community Citizen by the McLean Chamber of Commerce
- Joel Gonzalez, who passed away recently. He succumbed to his injuries after being struck by a vehicle
- Dr. Thomas Lovejoy, who passed away last month. He was a University Professor in the Department of Environmental Science and Policy and George Mason University; and was known as the "Godfather of Biodiversity" because he was the first to use the term biodiversity. He was also one of the foremost experts on biodiversity in the Amazon and was credited with establishing the Biological Dynamics of Forest Fragments project in Brazil and founding the Amazon Biodiversity Center
- Linda Singer, who passed away recently. A Reston resident since 1975, she was the founding president of the Terraset Elementary School Parent Teacher Organization and was also the Lake Anne Elementary librarian. Her recognitions include Restonian of the Year, Lady Fairfax for the Hunter Mill District, and the Martha Pennino Award for Community Service
- Anne Andrews, who passed away recently. She was a Mount Vernon District resident who founded the Mount Vernon District Route One Task Force for Human Services; led the taskforce for over 40 years; and was engaged to make a difference. Her recognitions include 1990 Lady Fairfax for the Hunter Mill District and 2008 Fairfax County Citizen of the Year

AGENDA ITEMS

4. **PROCLAMATION DESIGNATING JANUARY 2022 AS "HUMAN TRAFFICKING AWARENESS MONTH" IN FAIRFAX COUNTY**
(9:56 a.m.)

Supervisor Herrity moved approval of the Proclamation designating January 2022 as "*Human Trafficking Awareness Month*" in Fairfax County. Chairman McKay seconded the motion and it carried by vote of nine, Supervisor Palchik being absent.

BV:bv

5. **RESOLUTION OF RECOGNITION PRESENTED TO DAVE ROHRER, FORMER DEPUTY COUNTY EXECUTIVE FOR PUBLIC SAFETY** (10:10 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Dave Rohrer, former Deputy County Executive for Public Safety, for his years of outstanding service to the County. The motion was multiply seconded, and it carried by a vote of nine, Supervisor Palchik being absent.

Vice-Chairman Gross returned the gavel to Chairman McKay.

6. **PRESENTATION OF THE DON SMITH AWARD** (10:41 a.m.)

Karen Sheffield, Chair, Employee Advisory Council (EAC), presented the history and purpose of the Don Smith Award.

Ms. Sheffield presented the following awards:

- *Don Smith Award* – Christopher Kroboth, Fire and Rescue Department
- *Honorable Mention Award* – Andrew Carter, McLean Community Center
- *Honorable Mention Award* – Emily Fary, Sheriff's Office
- *Honorable Mention Award* – Sharon Perry, Police Department

7. **REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:49 a.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, presented the report on General Assembly activities, noting the following:

- As of January 23 – 2,364 bills and resolutions have been introduced in the 2022 General Assembly – many of which were discussed at the Legislative Committee meeting. The Committee's positions on specific bills are outlined in the memo and tracking chart included in the Committee's report
- A key area of focus this session will be the 2022-2024 biennium budget. The County continues to advocate for increased K-12 funding, as well as increased funding for a variety of Human Services programs and services, public safety, environmental

initiatives, and transportation, among others. The Board will get additional updates from staff as the budget process progresses

- A wide variety of bills have been introduced this session, including numerous bills that would reduce County revenue, change County services and operations, or restrict the County's land use authority. As the Board is aware, the November elections brought change to the General Assembly and the Governor's mansion resulting in many bills that would undo some of the critical reforms enacted over the last two years including legislation this Board's supported in areas such as increasing access to voting and gun safety. Staff will continue to provide updates on these key issues throughout the legislative process
- The Legislative Committee received the following status updates on the Board's County initiatives this year:
 1. The Bill which would reduce barriers for localities seeking to participate in virtual net metering through the State's municipal net metering pilot program.
 2. The Bill which would allow the Fairfax County Park Authority to resell electricity through electric vehicle charging stations

These bills have been referred to the House Commerce and Energy Committee, where they await consideration.

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

Supervisor Walkinshaw noted that the next meeting of the Legislative Committee will be held in the Board Auditorium on January 28, 2022, at 4p.m.

Supervisor Walkinshaw also noted that the annual reception will be held in Richmond at the Credit Union House of Virginia on February 16, 2022, at 5:30 p.m.

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number One. Chairman McKay seconded the motion and it carried by a vote of eight, Supervisor Herrity voting "NAY," Supervisor Palchik being absent.

DMS:dms8. **BOARD ORGANIZATION AND APPOINTMENTS TO VARIOUS REGIONAL AND INTERNAL BOARDS AND COMMITTEES** (10:55 a.m.)

Chairman McKay announced that the list of Appointments for Board Members to Various Interjurisdictional Committees and Inter-/Intra-Governmental Boards and Committees for Calendar Year 2022 had been distributed.

Chairman McKay noted the following changes to the list:

- Eleanor Ku Coddling, P.E. is the Alternate for the Potomac Watershed Roundtable
- The Joint Environmental Task Force held its last meeting on January 19, 2022, and has disbanded

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

Supervisor Smith moved the re-appointment of Supervisor Gross as Vice-Chairman of the Board. Supervisor Walkinshaw seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

The full list of appointments is as follows:

INTERJURISDICTIONAL COMMITTEES**ALEXANDRIA**

Daniel Storck, Chairman
Jeffrey McKay
Penelope Gross
Rodney Lusk

ARLINGTON

Penelope Gross, Chairman
Jeffrey McKay
John Foust
Dalia Palchik

DISTRICT OF COLUMBIA

Jeffrey McKay, Chairman
James Walkinshaw
Dalia Palchik
Daniel Storck

FAIRFAX CITY

James Walkinshaw, Chairman
Jeffrey McKay
Dalia Palchik

FALLS CHURCH

Penelope Gross, Chairman
Jeffrey McKay
John Foust
Dalia Palchik

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

Jeffrey McKay
Patrick Herrity
Rodney Lusk
Daniel Storck

HERNDON

John Foust, Chairman
Jeffrey McKay
Walter Alcorn

LOUDOUN COUNTY

Kathy Smith, Chairman
Jeffrey McKay
John Foust
Walter Alcorn

PRINCE WILLIAM

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

VIENNA

Walter Alcorn, Chairman
Jeffrey McKay
John Foust
Dalia Palchik

INTERGOVERNMENTAL BOARDS AND COMMITTEES

(including Federal and State)

COMMUNITY CRIMINAL JUSTICE BOARD

Dalia Palchik

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)

COG BOARD OF DIRECTORS

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

COG METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE

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

COG CHESAPEAKE BAY AND WATER RESOURCES POLICY COMMITTEE

Penelope Gross, Principal
Daniel Storck, Principal

COG CLIMATE, ENERGY AND ENVIRONMENTAL POLICY COMMITTEE

Penelope Gross, Principal
Kambiz Agazi (staff), Principal

COG EMERGENCY PREPAREDNESS COUNCIL

Rodney Lusk, Principal

COG HUMAN SERVICES AND PUBLIC SAFETY COMMITTEE

Penelope Gross
Rodney Lusk

COG REGION FORWARD COMMITTEE

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

COG TASK FORCE ON REGIONAL WATER SUPPLY ISSUES

Penelope Gross

**COG NATIONAL CAPITAL REGION TRANSPORTATION
PLANNING BOARD**

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

**GEORGE MASON UNIVERSITY FAIRFAX CAMPUS ADVISORY
BOARD**

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

INOVA HEALTH CARE SERVICES BOARD

James Walkinshaw

INOVA HEALTH SYSTEMS BOARD

Penelope Gross

NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

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

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION
(NVTC)**

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

**PHASE I DULLES RAIL TRANSPORTATION
IMPROVEMENT DISTRICT COMMISSION**

Jeffrey McKay
John Foust
Walter Alcorn
Dalia Palchik

**PHASE II DULLES RAIL TRANSPORTATION
IMPROVEMENT DISTRICT COMMISSION**

Jeffrey McKay
John Foust
Walter Alcorn
Kathy Smith

POTOMAC WATERSHED ROUNDTABLE

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

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT
DISTRICT COMMISSION**

Jeffrey McKay
John Foust
Walter Alcorn
Kathy Smith

VACo BOARD OF DIRECTORS (REGIONAL DIRECTORS)

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

Jeffrey McKay
Penelope Gross
Kathy Smith
James Walkinshaw
Rodney Lusk
Daniel Storck

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA)**

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

Walter Alcorn, Alternate

INTRAGOVERNMENTAL AND OTHER COMMITTEES

AUDIT COMMITTEE

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

BUDGET POLICY COMMITTEE

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

ECONOMIC ADVISORY COMMISSION

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

ECONOMIC INITIATIVES COMMITTEE

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

ENVIRONMENTAL COMMITTEE

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

HEALTH AND HUMAN SERVICES COMMITTEE

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

HOUSING COMMITTEE

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

INFORMATION TECHNOLOGY COMMITTEE

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

LAND USE POLICY COMMITTEE

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

LEGISLATIVE COMMITTEE

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

OLDER ADULTS COMMITTEE

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

PERSONNEL AND REORGANIZATION COMMITTEE

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

PUBLIC SAFETY COMMITTEE

(Committee of the Whole)

Rodney Lusk, Chairman

James Walkinshaw, Vice-Chairman

SUCCESSFUL CHILDREN AND YOUTH POLICY TEAM

Dalia Palchik

Rodney Lusk

TRANSPORTATION COMMITTEE

(Committee of the Whole)

Walter Alcorn, Chairman

Kathy Smith, Vice-Chairman

9. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (10:56 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard January 25, 2022.” Chairman McKay seconded the motion.

Supervisor Gross asked to amend the motion to appoint Greg Dercach as the At-Large #3 Representative to the Celebrate Fairfax, Inc. Board of Directors. This was accepted.

The question was called on the motion, as amended, and it carried by a vote of nine, Supervisor Palchik being absent.

The full list of Appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointments of:

- Ms. Jane Gwinn as the Braddock District Representative
- Mr. Michael Coyle as the Sully District Representative

The Board deferred the appointments of the At-Large Chairman's, Mason, and Mount Vernon District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

Appointment of:

- Mr. Eliot Brenner as the Braddock District Representative

Reappointment of:

- Mr. James Phelps as the Dranesville District Representative

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

The Board deferred the appointments of the At-Large #1 and #4 Representatives.

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Related Professional Group #6 Representative.

ATHLETIC COUNCIL

Reappointment of:

- Mr. Marc Fernandes as the Diversity-At-Large Principal Representative

The Board deferred the appointment of the Mason District Alternate Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Dranesville District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

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

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

Appointment of:

- Mr. Greg Dercach as the At-Large #3 Representative

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointments of the At-Large #2 and the Mason District Representatives.

CIVIL SERVICE COMMISSION

The Board deferred the appointments of the At-Large #6 and #8 Representatives.

COMMISSION FOR WOMEN

The Board deferred the appointments of the Mount Vernon, Springfield, and Sully District Representatives.

COMMUNITY ACTION ADVISORY BOARD

Confirmation of:

- Ms. Adwoa Rey as the Elected – North Target Area #1 Representative

CONSUMER PROTECTION COMMISSION

The Board deferred the appointments of the Fairfax County Resident #6, #7, and #9 Representatives.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointments of the Providence and Springfield District Representatives.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II

Appointment of:

- Mr. Richard Fernicola as the BOS At-Large #6 Representative

Confirmation of:

- Mr. Pete Otteni as the BOS At-Large #1 Representative

ECONOMIC ADVISORY COMMISSION

The Board deferred the appointments of the Mason and Sully District Representatives.

ENGINEERING STANDARDS REVIEW COMMITTEE

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

Reappointments of:

- Mr. Michael Zatz as the At-Large #2 Representative
- Mr. George Lamb as the At-Large #3 Representative
- Ms. Stella M. Koch as the At-Large Chairman's Representative
- Mr. Larry Zaragoza as the Mount Vernon District Representative

The Board deferred the appointments of the At-Large #1 and Providence District Representatives.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large #1 Business Community, Lee and Mason District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmations of:

- Ms. Rose Chu as the Health Care Advisory #1 Representative
- Mr. Rommel Pinili as the Long Term Care Providers #6 Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD

The Board deferred the appointment of the Lee District Representative.

HEALTH CARE ADVISORY BOARD

Reappointment of:

- Mr. Michael Christ Trahos as the At-Large Chairman's Representative

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointments of the Consumer #5 and Provider #1 Representatives.

HISTORY COMMISSION

Reappointment of:

- Ms. Esther W. McCullough as the Citizen #10 Representative

HUMAN RIGHTS COMMISSION

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

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Mount Vernon District #2 Representative.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)

Appointment of:

- Mr. Brian McMahon as the Hunter Mill District Representative

Confirmations of:

- Ms. Anne Cahill as the League of Women's Voters Representative
- Ms. Kendall Holbrook as the Northern Virginia Chamber of Commerce Representative

The Board deferred the appointment of the Braddock District Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Reappointment of:

- Ms. Kim Farington as the Springfield District Representative

The Board deferred the appointments of the Dranesville, Lee, Providence, and Mason District Representatives.

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

POLICE CIVILIAN REVIEW PANEL

Appointments of:

- Mr. Byron Garner as the Seat #2 Representative
- Ms. Janell M. Wolfe as the Seat #5 Representative

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointments of the Commercial or Retail Ownership #2 and the Residential Owners and HOA/Civic Association #3 Representatives.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

Reappointments of:

- Mr. Scott Crabtree as the Resident/Owner Route 28 District #1 Representative
- Mr. William H. Keech, Jr. as the Resident/Owner Route 28 District #2 Representative

SMALL BUSINESS COMMISSION

Appointments of:

- Mr. Ken Biberaj as the At-Large #1 Representative
- Ms. Shawnequa Alleyne as the At-Large #2 Representative

The Board deferred the appointment of the Sully District Representative.

TENANT LANDLORD COMMISSION

The Board deferred the appointments of the Citizen Member #1 and #3, and the Landlord Member #2 and #3 Representatives.

TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE

Reappointments of:

- Mr. Robert Cosgriff as the Braddock District Representative
- Mr. James R. Klein as the Mount Vernon District Representative
- Ms. Karen O. Ampeh as the Sully District Representative

The Board deferred the appointment of the Dranesville District Representative.

TREE COMMISSION

The Board deferred the appointment of the Dranesville District Representative.

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Alternate Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Commercial or Retail Ownership #3 Representative.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

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

WETLANDS BOARD

Reappointment of:

- Ms. Deana M. Crumbling as the Alternate #1 Representative
- Mr. J. Collins as the Mount Vernon District #3 Representative

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

YOUNG ADULTS ADVISORY COMMITTEE

Appointment of:

- Mr. Sam Niner as the Springfield District Representative

Reappointment of:

- Ms. Sarah Bufano as the Braddock District Representative

Confirmation of:

- Dr. Richmond Hill as the Northern Virginia Community College Representative

The Board deferred the appointment of the Fairfax County Public Schools Representative.

2021 REDISTRICTING ADVISORY COMMITTEE

Confirmation of:

- Mr. Rafael (Ray) Marin as the Hispanic Community Representative

AFFORDABLE HOUSING ADVISORY COUNCIL

The Board deferred the appointments of the Lee and Mason District Representatives.

FAIRFAX COUNTY 250TH COMMISSION

Appointment of:

- Ms. Suzanne Moffitt as the Hunter Mill District Representative

The Board deferred the appointment of the Springfield District Representative.

BV:bv

10. **10 A.M. – PUBLIC HEARING ON THE FISCAL YEAR (FY) 2022 MID-YEAR REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2022 REVISED BUDGET PLAN** (10:57 a.m.)

(FPR)

(SAR)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

Christina Jackson, Chief Financial Officer and Director, Department of Management and Budget, outlined the *FY 2022 Mid-Year Review Package*.

Following the public hearing, which included testimony by one speaker, Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Mid-Year Package including Supplemental Appropriation Resolution AS 22200 and Amendment to the Fiscal Planning Resolution AS 22902, for FY 2022 adjustments. This approval includes the FY 2022 Mid-Year Review Package as

presented at the Board meeting on December 7, 2021, as well as the following General Fund adjustments:

- The appropriation of \$5 million in one-time funding to be used toward affordable housing production and preservation to further progress for one of the highest priorities of the Board
- The appropriation of \$1,534,174 in one-time funding to be placed in the County's General Fund Pandemic Reserve, to continue to provide the County flexibility to respond to the Covid-19 Pandemic. With this adjustment, the balance in the Pandemic Reserve stands at \$22.53 million

With these adjustments, as outlined, the General Fund Balance for the *FY 2022 Mid-Year Review* is \$0. Supervisor Foust seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, Vice-Chairman Gross and Chairman McKay voting "AYE," Supervisor Herryty voting "NAY," Supervisor Palchik being absent.

Vice-Chairman Gross returned the gavel to Chairman McKay.

DMS:dms

ADDITIONAL BOARD MATTERS

11. **CERTIFICATE OF RECOGNITION REQUEST FOR ERIN WARD**
(11:10 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition for Erin Ward, Deputy County Attorney, in recognition of her retirement, to be presented out of the Board Room. Without objection, it was so ordered.

12. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 2022, AS "BLACK HISTORY MONTH"** (11:10 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating February 2022, as "*Black History Month*" in the County, to be presented out of the Board Room. Without objection, it was so ordered.

13. **MASKING AT SCHOOLS** (11:11 a.m.)

Chairman McKay stated that on January 15, 2022, Inauguration Day, an Executive Order making masks optional for students in Virginia's public K-12 schools was issued by Governor Youngkin.

Considering this Executive Order, and in the interest of full transparency, it is important for the Board to be aware of the recommendations of Virginia medical experts and other health professionals. Chairman McKay referenced the documents attached to his written Board Matter. The Virginia Chapter of the American Academy of Pediatrics strongly recommends that children “continue to wear masks in school while rates of COVID-19 infection remain high.” In addition, a letter from the Health Directors of Fairfax, Loudoun, Prince William, and Arlington counties and the City of Alexandria firmly endorses multiple mitigation measures, including vaccinations, masking, physical distancing, testing, and quarantine, because “no one single measure is perfect.” They also however, “stress the importance of maintaining universal indoor masking in our schools.” These practices are crucial if the County wants to continue to keep schools open and minimize staff and student absenteeism.

Chairman McKay said here in the County, the Board is committed to keeping schools open and have spent two long years slowing the spread of COVID-19 to facilitate that. The County has followed the science and our trusted health professionals. As of January 20, more than 80 percent of all County residents have received one vaccine dose and there are more than 300 vaccination sites across the County. School age kids who have received at least one vaccine dose include: 46.7 percent of children 5-11 years, 90.1 percent of those 12-15 years, and 94.6 percent of those 16-17 years. In addition, through targeted outreach and mitigation efforts, the County is closing the gap that existed early in the pandemic, wherein the County’s Hispanic and Black populations experienced higher rates of COVID-19 infection than other racial and ethnic groups in the County.

Thanks to these efforts, so far in the 2021-22 school year, Fairfax County Public Schools (FCPS) has not had to close a single school due to COVID-19. Following a year and a half of virtual learning, winter weather complications, and considering nationwide staffing shortages, the County has enough challenges to overcome. As an elected body, it is the Board’s duty and that of the Fairfax County School Board to prioritize health and safety to the best of its abilities, including to ensure the best education for students. Furthermore, it is in this Board’s interest that economy continues to thrive. For that to happen, schools and businesses need to be able to stay open.

There is no evidence to support changing the approach now. The County’s layered mitigation strategy has resulted in a low rate of in-school transmission of 1.1 percent in the County according to an October 2021 report and FCPS reported 1,300 cases of COVID-19 in January alone. All efforts should be focused on reversing this trend. Additionally, the County is in the midst of a 30-day state of emergency order issued to help address the major strain on Virginia hospitals caused by Omicron. It is inconceivable to lift masking requirements while in this state of emergency, which was supported by Governor Youngkin and, in fact, reissued less than a week ago by Governor Youngkin.

Beyond all of these considerations, it is unclear that the Governor has the authority to lift masking requirements under current state law. As a result, FCPS is leading a lawsuit of seven school districts to reinforce their local authority. Among other

things, SB1303, passed during the 2021 session of the General Assembly, states: “For the purposes of this act, each school board shall [...] provide such in-person instruction in a manner in which it adheres, to the maximum extent practicable, to any currently applicable mitigation strategies for early childhood care and education programs and elementary and secondary schools to reduce the transmission of COVID-19 that have been provided by the federal Centers for Disease Control and Prevention.” The CDC guidance for COVID-19 prevention in K-12 schools states: “[The] CDC recommends universal indoor masking by all students (ages 2 years and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status.”

The Board wants to be able to return to “normal” as soon as possible and would love to be able to take masks off and no longer be concerned about the spread of COVID-19. This is not a question of being “pro” or “anti” masks. As someone with two kids in the school system, Chairman McKay stated that he looks forward to the day that schools return to “normal,” but not until it is safe to do so. Instead of making political decisions, the Governor and his team should instead establish metrics to inform school districts when it will be safe to lift mask mandates.

Therefore, Chairman McKay moved to:

- Support the Fairfax County School Board and Superintendent in their plan to continue to require masking of students, teachers, and staff at all FCPS facilities at this critical time
- Approve the letter (attached to his written Board Matter) to the Governor, encouraging him to develop metrics in coordination with local health directors and school districts to achieve the mutual goal of eliminating masks, when it is safe to do so
- Direct the legislative team update the Board on any legislation that seeks to alter SB1303 or current masking requirements in schools, including the following legislation that has been filed in the General Assembly: HB514, HB1036, and HB1038
- Direct the Office of Public Affairs continue to work with the Northern Virginia Regional Commission on communicating the importance of a layered mitigation approach to COVID-19, including the importance of booster shots and wearing masks while community transmission remains high

Supervisor Lusk seconded the motion.

Following discussion on the Governor’s actions and the current use of masks, the question was called on the motion and it carried by a vote of eight, Supervisor Herrity voting “NAY,” Supervisor Palchik being absent.

14. **PUBLIC OUTREACH STRATEGY ON THE RENAMING PROCESS**
(11:34 a.m.)

(BAC) Chairman McKay stated that the Redistricting Advisory Committee began its work last week with a charge to evaluate the names of magisterial districts in the County.

While the Committee works to thoroughly analyze materials and conduct its own outreach to inform the ultimate recommendations to the Board, this Board, too, has a vital role to play in this multi-step and public-led process.

On January 11, 2022, the Committee passed a resolution on informing and engaging the general public on the renaming process, purpose, and benefits. This resolution called on the Board to adopt a separate comprehensive public outreach plan on the process and on any recommended changes.

Therefore, jointly with Supervisor Walkinshaw, Chairman McKay moved that the Board direct the Office of Public Affairs work to develop a public outreach strategy on the renaming process that includes social media, electronic communications to County residents, and a public comment period on any recommended changes. This outreach should be coordinated with the Supervisors whose district may be impacted by the proposed recommendations on strategies to do outreach within their districts. It should also be conducted following the committee's own outreach and after their recommendations are given to the Board. Supervisor Walkinshaw seconded the motion and it carried by a vote of eight, Supervisor Herrity being out of the room, Supervisor Palchik being absent.

15. **TRAFFIC CONTROL AT GREAT FALLS PARK** (11:37 a.m.)

Chairman McKay stated that the Great Falls Citizens Association (GFCA) has been actively engaged with the Board, the George Washington Memorial Parkway (GWMP) office of the National Park Service (NPS), and the Virginia Department of Transportation (VDOT) on traffic congestion at Great Falls Park for the past seven years.

A 2017 NPS Congestion Assessment (CA) study of Great Falls Park documents the traffic problems that are occurring and provides recommendations for addressing them. Over the last four years, GFCA has discussed these recommendations with NPS and explored other alternatives.

While NPS and VDOT have introduced several measures, including prepayment of fees and advance notifications about conditions at the park, annual visitation continues to grow and traffic control by the United States Park Police (USPP) remains key in addressing congestion on local roads.

In June 2021, GFCA reached out to Congresswoman Wexton requesting that new dedicated annual funding be included in the Department of Interior appropriations bill for traffic management beginning in FY 2022. GFCA also spoke with Senator Warner's office about this issue. Unfortunately, the timing was such that nothing

could be done by either the House or Senate for the current fiscal year and that the focus should be on funding the FY 2023 budget.

In response to a November 2021 letter sent to Pamela Smith, Chief, USPP concerning traffic control at the intersection of Georgetown Pike and Old Dominion Drive, GFCA was advised that: (i) traffic control could only be done by officers on overtime because of staffing limitations; (ii) this overtime cost was not factored into the USPP FY 2022 budget submission; and (iii) the USPP will not be able to reprogram funds from its current budget plan to accommodate the traffic control request. GFCA was also advised that its request that funding be included in the FY 2023 budget submission for traffic control would be evaluated during the FY 2023 budget formulation process.

As the County is already four months into FY 2022 and the FY 2023 budget process is currently underway, it is important that the County voice its support for including \$100,000 in the USPP budget for traffic control at Great Falls Park as it directly affects many constituents, drivers from other jurisdictions who use Georgetown Pike as a commuter route, and visitors to the area. Great Falls is not only a park for metropolitan Washington, but also a tourist attraction that brings in revenue to Northern Virginia. Living with the problem of traffic congestion, or ignoring it, is no longer an option.

Therefore, jointly with Supervisor Foust and Supervisor Walkinshaw, Chairman McKay moved that the Board:

- Send the letter (attached to his written Board Matter) to Congresswoman Wexton and Senator Warner requesting that the USPP include \$100,000 in its FY 2023 budget submission for the specific purpose of providing traffic control at Great Falls Park as part of its regular duties
- Urge the USPP to work with NPS headquarters to identify whether there are funds in the FY 2022 NPS budget that might be redirected to ensure that traffic control at Great Falls Park continues this fiscal year

Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

Vice-Chairman Gross returned the gavel to Chairman McKay.

16. **REQUEST FOR DISCOUNTED DISPOSAL RATES** (11:40 a.m.)

Supervisor Gross stated that the Department of Public Works and Environmental Service (DPWES) has received requests from The Salvation Army and the Virginia Department of Transportation (VDOT) for reduced disposal rates on the material that is delivered to Fairfax County disposal facilities. Current DPWES policy does not waive fees for any entity, including governmental and non-profit agencies, without clear direction from the Board.

In a NIP Memo to the Board, dated December 14, 2021, County Executive Bryan Hill outlined the substance of the requests. The Salvation Army accepts donations of used furniture and other household items, from about 15,000 homes in the County. However, after recycling the majority of the 4,000 – 5,000 tons donated, about 700 tons of material cannot be used and must be taken to a disposal facility. The Salvation Army currently is paying \$66 per ton tipping fee and is seeking a reduction or waiver of the tipping fee to help with its activities of waste diversion and recycling.

Similarly, VDOT collects material that is dumped illegally on VDOT right-of-way. VDOT also pays the \$66 per ton tipping fee, and state funding for removal of large dumped items is not included in VDOT's maintenance budget. VDOT has been working with DPWES to find a reasonable solution. For both entities, DPWES has recommended a reduction in the tipping fee to the County's internal cost of \$40 per ton, about a one-third reduction. The fee reduction would have a minimal cost impact to the Solid Waste Management Program.

Therefore, Supervisor Gross moved that the Board approve the recommended reduction of tipping fees to \$40 per ton for the Salvation Army and VDOT. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

17. **METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) RESOLUTION TO ADDRESS MENTAL HEALTH STIGMA**
(11:42 a.m.)

Supervisor Gross stated that earlier this month, the COG Board of Directors adopted a resolution that encourages its member jurisdictions to work together, via COG's Human Services Policy Committee, on which we represent Fairfax County, to collaboratively address and combat mental health stigma via enhancing awareness, improving access to care, and support and increase culturally competent providers from diverse backgrounds and ages. A copy of the Resolution is attached to her written Board Matter.

Some of the recommendations in the COG resolution already are being accomplished in Fairfax County, but the interjurisdictional collaboration may need to be more clearly defined. Therefore, jointly with Supervisor Lusk, Supervisor Gross asked unanimous consent that the Board direct:

- Staff to disseminate the COG Resolution among the appropriate agencies in Fairfax County Government
- The County Executive to prepare a brief assessment of the County's work in these subject areas, which can be provided through a memo or a committee agenda item. The assessment also will be shared with the COG Human Services Policy Committee at a future meeting

Without objection, it was so ordered.

18. **AUTHORIZATION FOR A COMPREHENSIVE PLAN AMENDMENT FOR 6446 EDSALL ROAD (MASON DISTRICT)** (11:44 a.m.)

Supervisor Gross stated that the approximately 3.7-acre property located at 6446 Edsall Road, on the east side of 1-395, is currently planned for retail and other commercial uses and is developed as a Bowl America location. This site is in an area developed with multi-family housing and is adjacent to an on-ramp for 1-395. A developer has approached the county about redeveloping the property with multi-family housing. Supervisor Gross stated her belief that this presents an opportunity to consider a change in use for the property that is complementary to the existing multi-family neighborhoods in the area.

Therefore, to facilitate the potential re-planning effort of this property, Supervisor Gross moved that the Board authorize an amendment to the Comprehensive Plan for Tax Map Parcel Number 81-1 ((6)) 2 to allow for the consideration of multi-family residential use at an appropriate density. The Comprehensive Plan analysis should include, as a priority, mitigation of highway related noise, consistent with County Policy. The Plan Amendment will be reviewed concurrently with an application to rezone the property, once such an application is submitted. This motion should not be construed as a favorable recommendation on these applications 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 applications. Supervisor Lusk seconded the motion and it carried by a vote of eight, Supervisor Foust being out of the room, Supervisor Palchik being absent.

19. **NO BOARD MATTERS FOR SUPERVISOR WALKINSHAW (BRADDOCK DISTRICT)** (11:46 a.m.)

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

20. **TRASH COLLECTION SERVICE** (11:46 a.m.)

Supervisor Alcorn stated that he would like for the Board to discuss trash collection service in the County at a future Environmental Committee meeting.

(NOTE: Later in the meeting, there was additional discussion regarding this issue. See Clerk's Summary Items #25 and #28.)

21. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (11:46 a.m.)

Supervisor Foust had no Board Matters to present today.

22. **AUTHORIZATION OF COMPREHENSIVE PLAN AMENDMENT AT 6900 RICHMOND HIGHWAY (BEACON OF GROVETON INTERIM PARK) (LEE DISTRICT)** (11:48 a.m.)

Supervisor Lusk said the approximately 0.6-acre property located at 6890 Richmond Highway currently is used as an interim park but planned and zoned for approximately 70,000 square feet of office and retail uses. This approval was part of a mixed-use development with the adjacent apartment building in Land Unit D within the Beacon/Groveton Community Business Center and Commercial Revitalization District. The site has been entitled for the commercial use since 2009, but has not been constructed. The Economic Development Authority's recent market analysis of the Richmond Highway Corridor shows no market demand for office use in the next ten years in the Beacon Groveton area. A proposal also came through a few years ago for the interim park to become a permanent park, which was incorporated in the Embark study and the Plan, but that also has not come to fruition.

The property owner is now proposing the development of senior, affordable housing of around 60 to 70 units, as an alternative to the approved commercial use on the park site. This would not increase the overall planned floor area ratio (FAR) of the development. Understanding the need for affordable housing in the County, especially for low income older adults, he stated his belief that this proposal is worth considering and will require a comprehensive plan amendment and rezoning.

Therefore, Supervisor Lusk moved that the Board direct staff to consider a comprehensive plan amendment for an affordable, independent living facility on Tax Map Parcel 93-1((1))98A. Alternative, community-serving, ground-floor uses may be considered in the review as well. The Plan Amendment should be reviewed concurrently with an application to rezone the property once such amendment is submitted. This motion should not be construed as a favorable recommendation of these applications 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 applications. Supervisor Alcorn seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

23. **CHILD SAFETY SEAT INSTALLATION PROGRAM** (11:54 a.m.)

Supervisor Lusk said, as many of us understand firsthand, there are few undertakings more stressful than installing your child's car seat for the first time. Parents and caregivers throughout the County rely on first responders to assist them in safely installing their children's car seats. While the County's program to assist parents install and inspect car seats was previously administered jointly by the Fairfax County Fire and Police Departments, it is now under the sole jurisdiction of the Police Department (FCPD), while a separate program is administered by the Sheriff's Office.

These programs are currently run independently of each other and face serious challenges due to geography and staff availability. As the Board is aware, FCPD has been faced with staffing issues which have contributed to a shortage of officers, and there is currently a critical deficit of officers with the required training to properly install car seats. This has resulted in excessively long wait times for parents trying to schedule an appointment for a trained officer to assist with the fitting of their children's car seats – Recognizing that this backlog is not due to the actions of the Fairfax County Fire, Police, or Sheriff's Departments, but has been caused by external factors and exacerbated by the COVID-19 pandemic.

Following consultation with representatives from the Police, Fire, and Sheriff's Departments, Supervisor Lusk said he, Supervisor Alcorn, and Supervisor Walkinshaw, believe that a more centralized and coordinated effort is needed to improve the County's car seat installation services, and are pleased that the public safety staff they have consulted with enthusiastically agree.

Therefore, jointly with Supervisor Alcorn and Supervisor Walkinshaw, Supervisor Lusk moved that the County Executive assign the appropriate staff to convene a working group to study possible steps which can be taken to improve the County's current car seat installation program. In addition to the Fairfax County Police, Fire, and Sheriff's Departments, the group should include members of the Office of the County Attorney, the Department of Emergency Management and Security, and a small number of County residents who have familiarity with the program. The group will:

- Explore alternative solutions, including but not limited to a hybrid model where day-to-day car seat installation appointments are offered at County facilities while the Police, Fire, and Sheriff's Departments jointly hold regularly scheduled workshops at various locations throughout the County to improve accessibility, as well as the possibility of partnering with outside organizations such as car dealerships or hospitals to offer car seat fitting services by trained employees
- Investigate the option of incorporating car seat inspection training into the existing public safety academy curricula, certifying administrative staff at public safety facilities in car seat installation, and potential legislative solutions which could impact car seat safety training
- Report its findings to the Public Safety Committee for additional consideration after a three-month period

Supervisor Walkinshaw seconded the motion.

Following discussion, with input from Bryan Hill, County Executive, regarding the timeframe, Supervisor Lusk amended his motion that the County Executive report to the Board as soon as possible. This was accepted.

Following additional discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

24. **REQUEST TO WAIVE FEES FOR SPRINGFIELD GLOBAL LIONS CLUB 2022 FLEA MARKETS** (12:01 p.m.)

Jointly with Supervisor Gross, Supervisor Lusk stated that they are requesting a waiver of the application fees for permits associated with the flea markets held by Springfield Global Lions Club. The Board has approved waiver requests for the Lions annually since 1994. The Springfield Global Lions Club flea market on its fourth year will run twice a month from April to October 2022 on Sundays. Supervisor Lusk said the club has expressed appreciation for permission to allow this in the past and are again requesting a waiver.

All net proceeds from these flea markets are returned to the community. The Springfield Global Lions Club supports organizations such as ECHO, Koinonia, local Food Banks, and other multiple local Lions organization serving the community and assists indigent citizens in need of prescription eyeglasses and hearing aids.

Therefore, jointly with Supervisor Gross, Supervisor Lusk moved that the Board direct staff to waive the application fees for the permits associated with the Springfield Global Lions Club 2022 flea markets. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

25. **DISCUSSION ON TRASH COLLECTION SERVICE** (12:03 p.m.)

(NOTE: Earlier in the meeting, Supervisor Alcorn presented a Board Matter regarding this issue. See Clerk's Summary Item #20.)

Supervisor Storck stated he also agrees that there needs to be discussion regarding the Solid Waste issue. He noted that the Environmental Committee will be meeting in February, and it already has a full agenda, but he looks forward to hopefully having some discussion regarding this issue.

(NOTE: Later in the meeting, Supervisor Herrity presented a Board Matter regarding this issue. See Clerk's Summary Item #28.)

26. **MOUNT VERNON'S 35TH ANNUAL TOWN MEETING** (12:04 p.m.)

Supervisor Storck stated that once again this year, he is fortunate to have the opportunity to continue a Mount Vernon tradition established by my predecessor in 1988, the annual Mount Vernon Town Meeting. The Town Meeting will be back in person this year at Mount Vernon High School and residents can also join from their homes by streaming on Channel 16 and Facebook. The morning will begin with an exhibit hall of County and community service providers, followed by a question and answer (Q&A's) session with local leaders and special recognitions.

Supervisor Storck said he is pleased that Congressmen Don Beyer and Gerry Connolly, Chairman Jeff McKay, County Executive Bryan Hill, George Washington Parkway Superintendent Charles Cuvelier, and Mount Vernon School Board Representative Karen Corbett Sanders will be presenting and answering questions from residents.

Supervisor Storck invited his colleagues and County residents to join him for this annual event on the Saturday before the Super Bowl, February 12, with the exhibit hall opening at 7:45 a.m., and the program from 9:30 a.m. til noon. Again this year, there will be COVID-19 monitoring and CDC recommended safeguards taken, so the format will be adjusted, as needed.

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

Chairman McKay complimented Supervisor Storck on the Town Meeting Flyers which he attached to his Board Matter.

27. **INTRODUCTION OF NEW STAFF (MOUNT VERNON DISTRICT)**
(12:07 p.m.)

Supervisor Storck introduced his new Mount Vernon District Office Manager, Madeleine Carcamo Reyes, and shared a brief history of her accomplishments. On behalf of the Board, he warmly welcomed her to the Board Auditorium.

28. **TRASH COLLECTION SERVICE** (12:08 p.m.)

(NOTE: Earlier in the meeting, Supervisor Alcorn and Supervisor Storck presented Board Matters regarding this issue. See Clerk's Summary Items #20 and #25.)

With regard to the trash collection service issue, Supervisor Herry said that he broached the subject in a recent newsletter and received feedback from his constituents. Supervisor Herry stated that he will forward those suggestions to Solid Waste staff.

29. **RESOLUTION REQUEST TO RECOGNIZE WEST SPRINGFIELD LITTLE LEAGUE (WSLL) FOR ITS 50TH ANNIVERSARY (SPRINGFIELD DISTRICT)** (12:09 p.m.)

Supervisor Herry said the WSLL started its first season as an independent league in 1972, splitting off from what is now the Central Springfield Little League following a tremendous population explosion in the West Springfield area and the growth of the league. WSLL began its independent league with over 600 players and has grown steadily since then. WSLL has served as an example of a successful Little League Team that in 50 years has accomplished so much while at the same time serving as a community outlet for County youth to participate in and gain early sports experience in baseball.

In 1993, WSLL and the Central Springfield Little League jointly fielded their first Challenger baseball team for children with physical and mental disabilities. At that time, they had only nine ball players. Since then, it has grown to over 250 players and has been recognized by Little League Baseball as having the largest Challenger Baseball program in the world. In 2001, Springfield Challenger played T-ball at the White House in front of President George Bush.

Springfield Challenger was honored again on August 29, 2009, when the team was invited to play at the 2009 Little League World Series in Williamsport, Pennsylvania.

Also of special note is that in addition to the many teams they field every year, the WSLL All-Star teams won all three District titles in 2007 and 2009. No other league in District 9 has won all three titles in a single year.

WSLL started with the support and dedication of a handful of individuals and has grown into one of the largest, best-organized sports programs in the area. It is still entirely a volunteer organization led by individuals who believe in the community youth. WSLL has continued to operate throughout the pandemic, offering a critical outlet for students to play, grow, and learn foundational lessons about character and teamwork.

Therefore, jointly with Supervisor Lusk, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution, with dual signature, recognizing West Springfield Little League's 50th Anniversary and its contributions to the community to be presented at its 50th Anniversary Ceremony in the spring. Without objection, it was so ordered.

30. **RECOGNITION OF LAURA GRAPE, EXECUTIVE DIRECTOR, NORTHERN VIRGINIA WATER SOIL AND CONSERVATION DISTRICT(NVWSCD) BOARD OF DIRECTORS** (12:11 p.m.)

Supervisor Herrity recognized Laura Grape, for her years of service as the Executive Director on the NVWSCD Board of Directors. The Board made some important steps forward during her ten-year tenure, including coordinating with the Northern Virginia Clean Water partners, performing climate adaption analysis to determine communities at risk of sea level rise and storm impact, identifying and implementing regional land conservation priorities, and initiating Plant NOVA natives campaign to promote the value of native plants. She is going to work for the Park Authority, after her prior service in the Department of Public Works and Environmental Services, NOVA Parks, Northern Virginia Regional Commission, and the Health Department.

31. **RECOGNITION OF BURKE LAKE AND OAK MARR GOLF CENTERS** (12:12 p.m.)

Supervisor Herrity congratulated the Park Authority and staff at Burke Lake Park for being recognized by Golf Range Association of America's Magazine as one of

the Top 50 Public ranges in the country. This is the fourth time Burke Lake Golf Center is celebrating this distinction.

The Oak Marr Golf Center was also recognized in the top 50 for the second time. Supervisor Herrity stated that the County is very fortunate to have such outstanding parks.

32. **RESOLUTION REQUEST TO RECOGNIZE GEORGE MASON UNIVERSITY'S (GMU) 50TH ANNIVERSARY** (12:12 p.m.)

Supervisor Herrity announced that GMU will be celebrating its 50th Anniversary this year. It is ranked among the US World News and World Report's best national colleges and the most diverse university in Virginia. It is a tier one research university and six GMU programs earned the top 100 best colleges ranking, including engineering, which rose 16 spots in the past year, with an enrollment of 39,000 students representing 130 countries. GMU continues to make higher education affordable to all in the community. It also continues to be an invaluable community partner in so many areas from providing counseling and resources to the business community, partnering with the schools, supporting regional sports development, and most recently its nursing program doing the vaccinations in the Conference Room at the Government Center.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Resolution, with dual signatures, recognizing George Mason University's 50th Anniversary, to be presented at its upcoming anniversary celebration.

Following discussion, Chairman McKay asked to amend the request to include the signatures of Supervisors who geographically represent GMU, and this was accepted. Therefore, without objection, it was so ordered.

33. **PROCLAMATION REQUEST RECOGNIZING WESTERN FAIRFAX CHRISTIAN MINISTRIES (WFCM) 35 YEAR ANNIVERSARY** (12:14 p.m.)

Supervisor Smith stated that this year marks the 35 Year Anniversary of WFCM, a non-profit that serves nearly 4,000 residents annually. WFCM serves as the anchor health and human services organization in Western Fairfax County providing basic needs services as well as longer-term support through in-house programs and partnerships.

WFCM was formed on March 6, 1987, by 12 congregations in Centreville, Chantilly and Fairfax seeking to collaborate and serve residents in need. During its 35-year history WFCM has been in several locations in Western Fairfax including the Keener Insurance Agency building in Centreville.

Currently, WFCM partners with over 750 local households, 38 local congregations, 36 local businesses, Fairfax County Government and several grantors and organizations in the community. This past year WFCM provided over \$1.1 million

in emergency housing assistance and over one million pounds of food to residents in Western Fairfax County.

Therefore, Supervisor Smith asked unanimous consent that the Office of Public Affairs prepare a proclamation, to be presented outside the Board Room, to recognize and honor Western Fairfax Christian Ministries for its outstanding service to the community. Without objection, it was so ordered.

34. **RESOLUTION REQUEST TO PROCLAIM FEBRUARY 8, 2022, AS “WE LOVE FAIRFAX COUNTY PUBLIC SCHOOLS (FCPS) DAY” IN FAIRFAX COUNTY** (12:16 p.m.)

Supervisor Smith stated that, as the Board knows, Fairfax County Public Schools plays an integral role in the lives of County residents. From the educational opportunities, to sparking a zeal for learning, to learning respect for others and being in a rich diverse environment County students grow and are enriched in the FCPS System.

The County has an amazing group of teachers and support staff that provide a safe and nurturing learning environment. These individuals dedicate themselves to educating young men and women who will flourish in the community.

The last couple of years have been particularly challenging to say the least. She urged all County residents to express support for the educators and staff in FCPS schools.

Therefore, jointly with Chairman McKay, Supervisor Palchik, and Supervisor Storck, Supervisor Smith asked unanimous consent that the Board declare February 8, 2022, as “We Love FCPS Day” in Fairfax County and direct staff to prepare a resolution to be presented outside the Board Room. Without objection, it was so ordered. A brief discussion ensued regarding the request.

35. **CEREMONIAL BYWAY — ESTABLISHING VALLUVAR WAY ON BRENTWALL DRIVE (SULLY DISTRICT)** (12:19 p.m.)

Supervisor Smith stated that Members of the Tamil community, a community of 10,000 plus that reside in the County, reached out to several members of the General Assembly, as well as her office, to establish a street named Valluvar Way. Thiru Valluvar was a celebrated Tamil poet and philosopher. Supervisor Smith said she has been working with Delegate Dan Helmer's Office and staff from the Department of Transportation (DOT) to establish a Ceremonial Byway for Valluvar Way on Brentwall Drive in the Sully District.

Delegate Helmer plans to introduce a bill to establish this Ceremonial Byway, and needs the concurrence of the locality to do so. Supervisor Smith stated her understanding that the County is on a tight timeline and staff will need to prepare a Resolution for the Board to vote on. Furthermore, it is her understanding that staff can prepare an item for the February 8 Board meeting.

Therefore, jointly with Chairman McKay, Supervisor Smith moved that the Board direct staff to:

- Prepare an item for a resolution to create a Ceremonial Byway for Valluvar Way
- Communicate to Delegate Helmer's Office the Board's intention to support the Resolution

Chairman McKay seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

36. **PROCLAMATION REQUEST TO RECOGNIZE HEALTH FOR HUMANITY YOGATHON (SULLY DISTRICT)** (12:20 p.m.)

Supervisor Smith stated that the Hindu Swayamsevak Sangh, USA Inc , also known by its initials as HSS, is a non-profit socio-cultural organization which offers a structured value education program aimed at character building, honing leadership skills and community service. Through their sister-organization, the Sewa Annapurna, they provided hot meals to various homeless shelters throughout the Northern Virginia area.

HSS launched its "Health for Humanity Yogathon" as an annual event in 2007 to create awareness about yoga and its advantages in achieving a healthy body, mind, and spirit. The Surya Namaskar (Sun Salutation) yoga routine integrates simple postures of well-balanced movements along with an easy breathing technique in an effort to boost health benefits for everyone, from beginners to seasoned yoga enthusiasts.

Over the past several years, 18,000+ participants from 38 States took part. In the year 2020, the HSS conducted many programs in different locations across Virginia, including schools in Fairfax and Loudoun VA, to encourage students to participate. Ultimately, more than 400+ students benefited from this program in 2020.

This year, the HSS is conducting its annual "Health for Humanity Yogathon" from January 15–30, 2022. Therefore, Supervisor Smith moved that the Office of Public Affairs prepare a proclamation to be presented outside the Board Room to recognize HSS's continued service to the community and to congratulate the HSS on its Health for Humanity Yogathon. Chairman McKay seconded the motion and it carried by a vote of seven, Supervisor Herrity and Supervisor Lusk being out of the room, Supervisor Palchik being absent.

AGENDA ITEMS37. **ADMINISTRATIVE ITEMS** (12:23 p.m.)

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

Supervisor Storck called the Board's attention to Admin 3 – Authorization to Advertise Comprehensive Plan and Zoning Ordinance Amendments and a Board-Initiated Rezoning to Consider Establishing Boundaries and Regulations for a Hollin Hills Historic Overlay District (Mount Vernon District) and a brief discussion ensued regarding the public hearing process.

Supervisor Alcorn called the Board's attention to Admin 11 – Authorization to Advertise a Public Hearing to Consider Amendments to The Code of the County of Fairfax Virginia, Chapter 119 (Grass or Lawn Area) to Establish Regulations on Running Bamboo and to Add a New Article 4 to Establish Civil Penalties and thanked staff for bringing this item forward.

The question was called on the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," Supervisor Palchik being absent.

ADMIN 1 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – BOWLING GREEN DRIVE (PROVIDENCE DISTRICT)

- (R)
- Adopted the Resolution endorsing the following traffic calming measures for Bowling Green Drive (Providence District):
 - One raised median
 - Striped parking lanes
 - Directed staff to schedule installation of the approved measures as soon as possible

ADMIN 2 – APPROVAL OF "\$200 ADDITIONAL FINE FOR SPEEDING" SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – TORRENCE STREET (SPRINGFIELD DISTRICT)

- (R)
- Adopted the Resolution authorizing the installation of "\$200 Additional Fine for Speeding" signs on Torrence Street, between Shiplett Boulevard and Old Keene Mill Road (Springfield District)

- Directed staff to request the Virginia Department of Transportation schedule the installation of the approved measures as soon as possible

ADMIN 3 – AUTHORIZATION TO ADVERTISE COMPREHENSIVE PLAN AND ZONING ORDINANCE AMENDMENTS AND A BOARD-INITIATED REZONING TO CONSIDER ESTABLISHING BOUNDARIES AND REGULATIONS FOR A HOLLIN HILLS HISTORIC OVERLAY DISTRICT (HOD) (MOUNT VERNON DISTRICT)

(A)(R) (NOTE: Earlier in the meeting, there was a brief discussion regarding this item.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on February 23, 2022, at 7:30 p.m., and before the Board on **March 8, 2022, at 4 p.m.**, to consider:

- A Comprehensive Plan Amendment to reflect the Hollin Hills HOD designation in the Comprehensive Plan
- Proposed amendments to the Code of the County of Fairfax, Chapter 112.1 (Zoning Ordinance), to establish the regulations applicable to the proposed Hollin Hills HOD, and a rezoning (zoning map amendment) to establish the proposed boundaries of the Hollin Hills HOD

ADMIN 4 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – FORT HUNT ROAD (MOUNT VERNON DISTRICT)

- (R)
- Adopted the Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on Fort Hunt Road, between Belle View Boulevard and Sherwood Hall Lane/Morningside Lane (Mount Vernon District)
 - Directed staff to request the Virginia Department of Transportation schedule the installation of the approved measures as soon as possible

ADMIN 5 – PROPOSED ADDITION OF A PORTION OF EDMUND HALLEY DRIVE TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (HUNTER MILL DISTRICT)

- (R) Adopted the Resolution approving the request that a portion of Edmund Halley Drive be added to the Secondary System of State Highways.

ADMIN 6 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – BANGOR DRIVE AND FAIRHAVEN AVENUE (MOUNT VERNON DISTRICT)

- (R)
- Adopted the Resolution endorsing the following traffic calming measures in the Mount Vernon District:
 - One speed hump on Bangor Drive
 - Two speed humps on Fairhaven Avenue
 - Directed staff to schedule installation of the approved measures as soon as possible

ADMIN 7 – STREETS INTO THE SECONDARY SYSTEM (SULLY AND PROVIDENCE DISTRICTS)

- (R) Approved the request that the street(s) listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Reserve at Walney Park	Sully	Walney Park Drive
Woodson Reserve	Providence	Arlington Boulevard Service Drive
		Silvan Woods Drive
		Silvan Woods Court

ADMIN 8 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

- Authorized the FCPD to apply for and accept funding, if received, from the U.S. Department of Justice, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant in the amount of \$131,024. Funding will be used to purchase 11 White Phosphorous Night Vision Goggle Systems for the SWAT Team and Canine Unit to better enable movement and threat identification in very low light situations. No new positions will be created with this grant and no local cash match is required.

- Authorized the Chairman of the Board, the County Executive, and/or a designee appointed by the County Executive, to enter into the grant agreement and any related agreements including but not limited to Federal Subaward Agreements, on behalf of the County.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF LITTLE RIVER TURNPIKE WALKWAY (WESTBOUND) FROM HIGH PLACE TO PINECREST PARKWAY (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 22, 2022, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Little River Turnpike Walkway (Westbound) from High Place to Pinecrest Parkway, in Project 5G25-060-000, Pedestrian Improvements – 2014 in Fund 30050, Transportation Improvements.

ADMIN 10 – STREET INTO THE SECONDARY SYSTEM (MOUNT VERNON DISTRICT)

- (R) Approved the request that the street(s) listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Leatherland Property	Mount Vernon	Dublee Court

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX VIRGINIA, CHAPTER 119 (GRASS OR LAWN AREA) TO ESTABLISH REGULATIONS ON RUNNING BAMBOO AND TO ADD A NEW ARTICLE 4 TO ESTABLISH CIVIL PENALTIES

- (A) (NOTE: Earlier in the meeting, there was a brief discussion regarding this item.)

Authorized the advertisement of a public hearing to be held before the Board on **February 22, 2022, at 3:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 119 (Grass or Lawn Area), to establish regulations on running bamboo, and add a new Article 4 to establish civil penalties.

ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 22184 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT GRANT FUNDING FROM VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (VDBHDS) FOR SUBSTANCE ABUSE BLOCK GRANT PREVENTION SET ASIDE SERVICES

- (SAR) Approved SAR AS 22184 for the CSB to accept grant funding in the amount of \$174,000 from VDBHDS to implement and expand the Substance Abuse Block

Grant Prevention Set Aside Services. There are no positions associated with this funding and no local cash match is required.

ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 22183 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT GRANT FUNDING FROM VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (VDBHDS) FOR SUPPLEMENTAL SUBSTANCE ABUSE BLOCK GRANT FUNDED PROGRAMS AND SERVICES

(SAR) Approved SAR AS 22183 for the CSB to accept funding in the amount of \$488,208 from the VDBHDS for Supplemental Substance Abuse Prevention and Treatment Block Grant funding. This funding will mainly serve the target and priority populations of pregnant and parenting women and intravenous drug users. There are no positions associated with this funding and no local cash match is required.

38. **A-1 – APPROVAL OF THE BOARD OF SUPERVISORS’ REGULAR MEETING SCHEDULE FOR CALENDAR YEAR 2022 AND AUTHORIZATION FOR THE CHAIRMAN TO POSTPONE A SCHEDULED MEETING IN THE EVENT OF WEATHER OR OTHER HAZARDOUS CONDITIONS** (12:26 p.m.)

(R) Supervisor Gross moved that the Board concur in the recommendation of staff and adopt the Resolution:

- Approving the Board’s regular meeting schedule for January through December 2022
- Authorizing the Chairman to defer any scheduled regular meeting to the Tuesday following the deferred regular meeting if the Chairman, or the Vice Chairman if the Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for Members to attend

Supervisor Lusk seconded the motion.

Supervisor Gross noted that the Budget public hearings are being held later than normal, occurring during Holy Week, and there may be a potential conflict with some faith-based activities.

The question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

39. **A-2 – APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF VIENNA AND FAIRFAX COUNTY TO DESIGN AND CONSTRUCT THE BEAR BRANCH AT SOUTHSIDE PARK PHASE II STREAM RESTORATION PROJECT (HUNTER MILL DISTRICT)** (12:29 p.m.)

On motion of Supervisor Alcorn, seconded by Chairman McKay, and carried by a vote of nine, Supervisor Palchik being absent, the Board concurred in the recommendation of staff and:

- Approved the execution of an agreement with the Town of Vienna to provide funding for the design and construction of the Bear Branch at Southside Park Phase II (AC9240A) Stream Restoration Project
- Authorized the County Executive or his designee to sign the agreement

40. **A-3 – APPROVAL OF THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE UNITED STATES SECRET SERVICE (SECRET SERVICE) REGARDING MEMBERSHIP IN THE SECRET SERVICE SPONSORED NATIONAL CAPITAL REGION CYBER FRAUD TASK FORCE (NCR-CFTF)** (12:29 p.m.)

On motion of Supervisor Lusk, jointly seconded by Chairman McKay and Supervisor Gross, and carried by a vote of nine, Supervisor Palchik being absent, the Board concurred in the recommendation of staff and:

- Approved a MOU between the FCPD and the Secret Service regarding membership in the Secret Service sponsored NCR-CFTF
- Authorized the Chief of Police to sign the MOU

41. **A-4 – APPROVAL OF THE NORTHERN VIRGINIA REGIONAL GANG (NVRG) TASK FORCE FUNDING AGREEMENT BETWEEN FAIRFAX COUNTY AND THE COUNTIES OF ARLINGTON, FAUQUIER, LOUDOUN, AND PRINCE WILLIAM; THE CITIES OF FALLS CHURCH, MANASSAS, AND MANASSAS PARK; THE TOWNS OF HERNDON, LEESBURG, AND VIENNA; AND THE VIRGINIA STATE POLICE REGARDING THE NVRG TASK FORCE** (12:30 p.m.)

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

- Approve the NVRG Task Force Funding Agreement between Fairfax County and the counties of Arlington, Fauquier, Loudoun, and Prince William; the cities of Falls Church, Manassas, and Manassas Park; the towns of Herndon, Leesburg, and Vienna; and the Virginia State Police regarding the NVRG Task Force

- Authorize the Chief of Police to sign the agreement

Supervisor Gross seconded the motion and raised a question regarding the revised item and why some jurisdictions were removed from the agreement.

Discussion ensued, with input from Dean Lay, Deputy Chief, Police Department, who noted that Covid-19 has put a strain on staffing and two of the jurisdictions have had to reduce, however they will still be participating.

The question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

42. **A-5 – AUTHORIZATION TO EXECUTE A FUNDING AGREEMENT WITH CONGRESSIONAL SCHOOL, INC. FOR AN ENTRANCE IMPROVEMENT PROJECT ON SLEEPY HOLLOW ROAD (MASON DISTRICT)** (12:32 p.m.)

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

- Approve a funding agreement between Fairfax County and Congressional School, Incorporated. The agreement commits Congressional School to contribute land rights for the pedestrian improvement project and up to \$25,000 to widen an entrance to the school adjacent to northbound Sleepy Hollow Road
- Authorize the Director of the Department of Transportation to execute the funding agreement

Chairman McKay seconded the motion.

Discussion ensued regarding the project and it being a good opportunity to improve access to the site.

The question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

43. **A-6 – AUTHORIZATION TO SIGN STANDARD PROJECT AGREEMENTS (SPA) FOR DISTRIBUTION OF TOLL REVENUES FOR MULTI-MODAL PROJECTS IN THE I-66 CORRIDOR (HUNTER MILL DISTRICT)** (12:33 p.m.)

- (R) On of Supervisor Alcorn, seconded by Supervisor Lusk, and carried by a vote of nine, Supervisor Palchik being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing the Director of the Department of Transportation to sign the two SPAs between the County and the Northern Virginia Transportation Commission (NVTC) for distribution of \$5,265,300 in I-66 toll revenues. NVTC will allocate these funds to the County to implement two projects:

- A new commuter bus service from Reston South to the Crystal City/Pentagon City area
- A Transportation Demand Management strategy to reduce the fare of Fairfax Connector Route 599

44. **A-7 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO MAKE HOUSING BLUEPRINT LOANS AND UTILIZE FUNDING IN THE AGGREGATE AMOUNT OF \$33,051,534 TO FINANCE THE DEVELOPMENT OF THE PROPOSED 175-UNIT DOMINION SQUARE WEST PHASE I (HUNTER MILL DISTRICT)** (12:34 p.m.)

Supervisor Alcorn moved to defer action regarding this item until later in the meeting, following Closed Session. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

(NOTE: Later in the meeting action was taken regarding this item. See Clerk's Summary Item #51.)

45. **A-8 – AUTHORIZATION OF ISSUANCE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF TAX-EXEMPT BONDS OR NOTES IN AN AMOUNT NOT TO EXCEED \$17 MILLION TO FINANCE THE 75-UNIT FOUR PERCENT LOW-INCOME HOUSING TAX CREDITS PORTION OF THE PROPOSED 150-UNIT LODGE AT AUTUMN WILLOW (SPRINGFIELD DISTRICT)** (12:35 p.m.)

(R) Supervisor Herrity moved that the Board concur in the recommendation of staff and adopt a Resolution:

- Authorizing the FCRHA to submit an application to the Virginia Department of Housing and Community Development for the necessary private activity bond allocation
- Approving FCRHA's issuance of private activity tax-exempt bonds in an aggregate amount not to exceed \$17 million

Supervisor Foust seconded the motion.

Discussion ensued, with input from Tom Fleetwood, Director, Department of Housing and Community Development regarding the County retaining ownership of the property.

The question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

46. **A-9 – APPROVAL OF A RESOLUTION ENDORSING PROJECTS FOR SUBMISSION TO THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) FOR THE FISCAL YEAR (FY) 2023 – 2024 I-66 INSIDE THE BELTWAY COMMUTER CHOICE PROGRAM (PROVIDENCE, DRANESVILLE, HUNTER MILL, AND MASON DISTRICTS)** (12:36)

(R) On motion of Supervisor Alcorn, jointly seconded by Chairman McKay and Supervisor Lusk, and carried by a vote of nine, Supervisor Palchik being absent, the Board concurred in the recommendation of staff and adopted a Resolution:

- Endorsing four County transportation projects for submission for NVTC's I-66 Inside the Beltway Commuter Choice Program funding for FY 2023 – 2024
- Authorizing the Director of the Department of Transportation to sign and submit the applications

47. **RECESS/CLOSED SESSION** (12:37 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code Section 2.2 3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code Section 2.2-3711(A) (7).
 1. Claim of Marathon Resource Management Group, LLC, to the Board of Supervisors
 2. *Fairfax County Board of Supervisors v. Shoosmith Brothers, Inc.*, Case No. CL-2020-0016000 (Fx. Co. Cir. Ct.)
 3. *Duffield Hauling, Inc. v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2020-0085522 (Fx. Co. Cir. Ct.)

4. *Lamonta Gladney v. Tyler Tyan Timberlake*, Case No. 1:21-cv-287 (E.D. Va.)
5. *Jane Doe v. Michael O. Barbazette, Jason J. Mardocco, James Baumstark, Vincent Scianna, Edwin C. Roessler, Fairfax Police Officers ##3-10, and Fairfax County, Virginia*, Case No. 1:21-cv-1150 (E.D. Va.)
6. *CoxCom, LLC d/b/a Cox Communications Northern Virginia v. Fairfax County and Board of Supervisors of Fairfax County*, Record No. 210568 (Va. Sup. Ct.)
7. *Cisco Systems, Inc. v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2021-0010265 (Fx. Co. Cir. Ct.)
8. *Board of Supervisors of Fairfax County, Virginia, Fairfax County, Virginia, and JayDeep Rasiklal Doshi, Director, Department of Tax Administration Fairfax County, Ex Officio v. Gate Gourmet, Inc.*, Case No. CL-2021-0015216 (Fx. Co. Cir. Ct.)
9. *Marty Matthews v. Fairfax County, Virginia*, Case No. 1:20-cv-01469 (E.D. Va.)
10. *Darrell Williams v. County of Fairfax and TransDev Services, Inc.*, Case No. CL-2021- 0011151 (Fx. Co. Cir. Ct.)
11. *Amanda Freeman, by GEICO General Insurance Co., (subrogee) v. Morgan Russell Walker*, Case No. CL-2020-0011547 (Fx. Co. Cir. Ct.)
12. *Majahid Osman, by GEICO (subrogee) v. Morgan Russell Walker*, Case No. GV20-004237 (Fx. Co. Gen. Dist. Ct.)
13. *In re: March 11, 2020, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Anders Larsen Trust, Jason Hein, and Matthew Desch v. Virginia Health Operations, LLC, d/b/a Newport Academy, Monroe RE, LLC, and Board of Supervisors of Fairfax County, Virginia; Victor T. Tsou and Janet C. Tsou v. Monroe RE, LLC, Virginia Health Operations, LLC, d/b/a Newport Academy, and Board of Supervisors of Fairfax County, Virginia*, Case Nos. CL-2020-0005490 and CL-2020-0005521 (Fx. Co. Cir. Ct.) (Dranesville District)
14. *In Re: October 21, 2020, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Jeffrey V. Reynolds, Mark J. Lane, Drainage & Erosion Solutions, LLC, and Custom Stonescaping, LLC v. Board of Supervisors of Fairfax County*,

- Virginia*, Case No. CL-2020-0018282 (Fx. Co. Cir. Ct.) (Providence District)
15. *In Re: November 4, 2020, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Robert and Susan Boggs v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2020-0019166 (Fx. Co. Cir. Ct.) (Dranesville District)
 16. *In Re: March 23, 2021, Hearing of the Board of Supervisors of Fairfax County, Virginia, Samuel Ham v. HHP Holdings, LLC and Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2021-0006069 (Fx. Co. Cir. Ct.) (Springfield District)
 17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Thien Tho Ngoc Nguyen and Kim-Uyen Mai Pham*, Case No. CL-2020-0014216 (Fx. Co. Cir. Ct.) (Braddock District)
 18. *Jay Riat, Building Official for Fairfax County, Virginia v. Susan Kay Peery*, Case No. GV21-015287 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 19. *Jay Riat, Building Official for Fairfax County, Virginia v. Huu D. Tran and Nhanh T. Le*, Case No. GV21-018299 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 20. *Jay Riat, Building Official for Fairfax County, Virginia v. Port Royal, Inc, and Agave Bar Restaurant Incorporated*, Case No. GV21-016478 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tyrone A. Steigleman, Sr.*, Case No. GV21-017936 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 22. *Jay Riat, Building Official for Fairfax County, Virginia v. Paul T. Tansill and Younsun Jung Tansill*, Case No. GV21-016699 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 23. *Jay Riat, Building Official for Fairfax County, Virginia v. Daquan Zhou*, Case No. GV21-018206 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 24. *Jay Riat, Building Official for Fairfax County, Virginia v Ahmad Mojarrad and Amaneh Mojarrad*, Case No. GV21-019032 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 25. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. David M. Frutchey*, Case No. CL-2019-0016757 (Fx. Co. Cir. Ct.) (Hunter Mill District)

26. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Bruce A. Blackerby*, Case No. CL-2020-0005195 (Fx. Co. Cir. Ct.) (Hunter Mill District)
27. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Sunil Chacko and Tomoko Fujimoto*, Case No. GV21-014339 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
28. *Jay Riat, Building Official for Fairfax County, Virginia v. Jades Enterprises*, Case No. GV21-016704 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lisa Hoffman and Matt Hoffman*, Case No. GV21-019029 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
30. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Juan Hernandez and Thelma H. Ayala*, Case No. GV21-019312 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
31. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. James W. Adams and Doris C. Adams*, Case No. CL-2021-0017536 (Fx. Co. Cir. Ct.) (Lee District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Somsre Gaston*, Case No. CL-2012-0017044 (Fx. Co. Cir. Ct.) (Lee District)
33. *Jay Riat, Building Official for Fairfax County, Virginia v. Diep T. Do and Quang M. Do*, Case No. GV21-013532 (Fx. Co. Gen. Dist. Ct.) (Lee District)
34. *Jay Riat, Building Official for Fairfax County, Virginia v. Daniel Fikre, Hiwot Tekle, Joseph H. Minasie*, Case No. GV21-016473 (Fx. Co. Gen. Dist. Ct.) (Lee District)
35. *Jay Riat, Building Official for Fairfax County, Virginia v. Barbara J. Vereen and David Vereen*, Case No. GV21-016474 (Fx. Co. Gen. Dist. Ct.) (Lee District)
36. *Jay Riat, Building Official for Fairfax County, Virginia v. Dmitriy O. Minin*, Case No. GV21-016922 (Fx. Co. Gen. Dist. Ct.) (Lee District)

37. *Jay Riat, Building Official for Fairfax County, Virginia v. Wilfredo S. Morales*, Case No. GV21-017526 (Fx. Co. Gen. Dist. Ct.) (Lee District)
38. *Jay Riat, Building Official for Fairfax County, Virginia v. NV Flagging LLC*, Case No. GV21-018019 (Fx. Co. Gen. Dist. Ct.) (Lee District)
39. *Jay Riat, Building Official for Fairfax County, Virginia v. Hamid Barka and Sonia E. Campos*, Case No. GV21-019107 (Fx. Co. Gen. Dist. Ct.) (Lee District)
40. *Jay Riat, Building Official for Fairfax County, Virginia v. Analise Latoya Fagan*, Case No. GV21-019024 (Fx. Co. Gen. Dist. Ct.) (Lee District)
41. *Jay Riat, Building Official for Fairfax County, Virginia v. Remby Management LLC*, Case No. GV21-019026 (Fx. Co. Gen. Dist. Ct.) (Lee District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Phillip W. Trott and Sandra Montiel*, Case No. GV21-018876 (Fx. Co. Gen. Dist. Ct.) (Lee District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Aresnio Suyo*, Case No. GV21-019314 (Fx. Co. Gen. Dist. Ct.) (Lee District)
44. *Jay Riat, Building Official for Fairfax County, Virginia v. Hever Joel Rosales and Margarita Rosales*, Case No. GV21-019502 (Fx. Co. Gen. Dist. Ct.) (Lee District)
45. *Jay Riat, Building Official for Fairfax County, Virginia v. Sam Habib and Nasrin Noory*, Case No. GV21-019111 (Fx. Co. Gen. Dist. Ct.) (Lee District)
46. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Judy V. Marshall*, Case No. CL-2020-0008131 (Fx. Co. Cir. Ct.) (Mason District)
47. *Jay Riat, Building Official for Fairfax County, Virginia v. Eliodoro Guzman Calvimonte*, Case No. GV21-016475 (Fx. Co. Gen. Dist. Ct.) (Mason District)
48. *Jay Riat, Building Official for Fairfax County, Virginia v. Miguel A. Gomez, Francisca Gomez, and Jose C. Gomez*, Case No. GV21-016479 (Fx. Co. Gen. Dist. Ct.) (Mason District)

49. *Jay Riat, Building Official for Fairfax County, Virginia v. SNS 7601 LLC and Forever Smile Dental, LLC*, Case No. GV21-016569 (Fx. Co. Gen. Dist. Ct.) (Mason District)
50. *Jay Riat, Building Official for Fairfax County, Virginia v. Oscar Maravilla*, Case No. GV21-019442 (Fx. Co. Gen. Dist. Ct.) (Mason District)
51. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cameron Enterprise Associates, LLC*, Case No. CL-2019-0012576 (Fx. Co. Cir. Ct.) (Mount Vernon District)
52. *Jay Riat, Building Official for Fairfax County, Virginia v. Springfield Nine LLC and Asian Imports-MD, LLC*, Case No. GV21-013404 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
53. *Jay Riat, Building Official for Fairfax County, Virginia v. 8505 Richmond, LLC*, Case No. GV21-015144 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
54. *Jay Riat, Building Official for Fairfax County, Virginia v. Genovevo Candelas and Amanda Candelas*, Case No. GV21-019035 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
55. *Jay Riat, Building Official for Fairfax County, Virginia v. Syed Qamer*, Case No. GV21-019115 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
56. *Jay Riat, Building Official for Fairfax County, Virginia v. Virginia Sanchez*, Case No. GV21-019117 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
57. *Jay Riat, Building Official for Fairfax County, Virginia v. Strickler Holdings, LLC*, Case No. GV21-019036 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
58. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Brett Holleman*, Case No. CL-2020-0009992 (Fx. Co. Cir. Ct.) (Providence District)
59. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Oakton Limited Partnership, LLP*, Case No. CL-2021-0017793 (Fx. Co. Cir. Ct.) (Providence District)
60. *Jay Riat, Building Official for Fairfax County, Virginia v. Green Lady Masonry and Remodeling, LLC*, Case No. GV21-013102 (Fx. Co. Gen. Dist. Ct.) (Providence District)

61. *Jay Riat, Building Official for Fairfax County, Virginia v. Kendall Erickson*, Case No. GV21-013101 (Fx. Co. Gen. Dist. Ct.) (Providence District)
62. *Jay Riat, Building Official for Fairfax County, Virginia v. LZ Rentals, LLC*, Case No. GV21-018300 (Fx. Co. Gen. Dist. Ct.) (Providence District)
63. *Jay Riat, Building Official for Fairfax County, Virginia v. Adolfo Parina Sandi*, Case No. GV21-019504 (Fx. Co. Gen. Dist. Ct.) (Providence District)
64. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Emad L. Elias, Essam I. Gouda and Nermine Elias*, Case No. CL-2021- 0013000 (Fx. Co. Cir. Ct.) (Springfield District)
65. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. EPD Forest Glen 2 LP and Florence Frey*, Case No. CL-2021-0008941 (Fx. Co. Cir. Ct.) (Sully District)
66. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Jeam Holdings, LLC*, Case No. GV21-013405 (Fx. Co. Cir. Ct.) (Sully District)
67. *Jay Riat, Building Official for Fairfax County, Virginia v. Marleny Howard*, Case No. GV21-016476 (Fx. Co. Gen. Dist. Ct.) (Sully District)
68. *Jay Riat, Building Official for Fairfax County, Virginia v. Jairo Rodriguez and Clara L. Derodriguez*, Case No. GV21-016480 (Fx. Co. Gen. Dist. Ct.) (Sully District)
69. *Jay Riat, Building Official for Fairfax County, Virginia v. Nicole M. Alfandre*, Case No. GV21-016705 (Fx. Co. Gen. Dist. Ct.) (Sully District)
70. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Michael Ching*, Case No. GV21-019025 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- As permitted by Virginia Code Sections 2.2-3711(A)(7) and (8), legal analysis regarding a proposed settlement agreement among the County; Hammel, Green and Abrahamson, Inc.; ECS Mid-Atlantic, LLC; Manhattan Construction Company; and Brayman Construction Corporation regarding the Innovation garage in the Dranesville District

- As permitted by Virginia Code Sections 2.2-3711(A)(3) and (29), discussion of the potential acquisition of real property and confidential terms of proposed contracts relating to the Dominion Square West project in the Hunter Mill District, as necessary to preserve the County's bargaining position or negotiating strategy

Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

At 3:11 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Palchik, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

48. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:11 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," Supervisor Palchik being absent.

49. **SETTLEMENT AGREEMENT AMONG THE COUNTY, HAMMEL, GREEN AND ABRAHAMSON, INC.; ECS MID-ATLANTIC, LLC; MANHATTAN CONSTRUCTION COMPANY; AND BRAYMAN CONSTRUCTION CORPORATION** (3:12 p.m.)

Supervisor Foust moved that the Board approve the settlement agreement among the County, Hammel, Green and Abrahamson, Inc.; ECS Mid-Atlantic, LLC; Manhattan Construction Company; and Brayman Construction Corporation, on the terms and conditions outlines by the County Attorney in Closed Session. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

50. **MOTION TO DENY AND DISALLOW CLAIM BY MARATHON RESOURCE MANAGEMENT GROUP, LLC** (3:13 p.m.)

Supervisor Gross moved that the Board deny and disallow Marathon Resource Management Group, LLC's December 17, 2021, claim on the grounds that the claimant has failed to satisfy the statutory requirements for its claim and has submitted invoices that were untimely, unsubstantiated, and irreconcilable with the

claimant's bid. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

AGENDA ITEMS

51. **A-7 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO MAKE HOUSING BLUEPRINT LOANS AND UTILIZE FUNDING IN THE AGGREGATE AMOUNT OF \$33,051,534 TO FINANCE THE DEVELOPMENT OF THE PROPOSED 175-UNIT DOMINION SQUARE WEST PHASE I (HUNTER MILL DISTRICT) (3:14 p.m.)**

(NOTE: Earlier in the meeting, the Board deferred action regarding this item. See Clerk's Summary Item #44.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and authorize the FCRHA to use funds for the Project as follows:

- \$22,081,534 subordinate loan to the developer, Arlington Partnership for Affordable Housing, Incorporated, from the Housing Blueprint and Housing Proffer Contributions – Tysons
- \$10,970,000 from American Rescue Plan Act funds as equity investment by the FCRHA through fee simple ownership of the land

Chairman McKay seconded the motion.

Following discussion regarding affordable housing and the proximity of this project to Metrorail, the question was called on the motion and it carried by a vote of nine, Supervisor Palchik being absent.

52. **3 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY (3:15 p.m.)**

At 3:15 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman McKay in accordance with Article III, Section I of the bylaws.

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

OFFICERS

Jeffrey McKay
Chairman, Fairfax County
Board of Supervisors

– Chairman

Penelope A. Gross Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Jill G. Cooper Clerk for the Fairfax County Board of Supervisors	– Secretary
Christopher Pietsch Director, Department of Finance	– Treasurer
Elizabeth Teare County Attorney	– Attorney
Bryan Hill County Executive	– Executive Director
John W. Kellas Deputy Director, Solid Waste Management, Program Operations Division, Department of Public Works and Environmental Services (DPWES)	– Authority Representative

The motion was multiply seconded and carried by a vote of nine, Supervisor Palchik being absent.

Supervisor Gross moved approval of the minutes from the January 26, 2021, meeting of the Fairfax County Solid Waste Authority. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

Supervisor Gross moved approval of the financial statements for the Authority. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

Supervisor Gross moved to adjourn the annual meeting of the Fairfax County Solid Waste Authority. Supervisor Foust seconded the motion and it carried by a vote of nine Supervisor Palchik being absent.

At 3:17 p.m., the annual meeting of the Fairfax County Solid Waste Authority was adjourned.

KK:kk

53. **3 P.M. – PUBLIC HEARING ON RZ 2021-DR-006 (7700-4 LEESBURG PIKE ASSOCIATES, LLC AND 7700 HOMES ASSOCIATES LLC) TO REZONE FROM C-2 AND HC TO PDH-16 AND HC TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 15.5 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 6.73 ACRES OF LAND (DRANESVILLE DISTRICT)**
(3:18 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

The application property is located on the northwest side of Leesburg Pike and east of Edgar Court, Tax Map 39-2 ((1)) 57.

Mark C. Looney, Agent, Cooley LLP, reaffirmed the validity of the affidavit dated January 6, 2022, for the record.

Cathy Lewis, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

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

Supervisor Foust submitted an item for the record.

Supervisor Foust moved:

- Approval of Rezoning Application RZ 2021-DR-006, subject to the proffers dated November 10, 2021
- Waiver of Paragraph 2 of Section 6-207 of the Zoning Ordinance for the 200 square foot privacy yard requirement
- Waiver of Paragraph 2 of Section 11-302 of the Zoning Ordinance for a private street which exceeds 600 feet in length
- Modification of Section 13-303A of the Zoning Ordinance for the transitional screening width and total plantings along a portion of the western and northwestern property lines in favor of allowing the

retaining wall to shift closer to the western boundary in order to accommodate Private Road A

- Waiver of Section 13-304.4.B of the Zoning Ordinance for the barrier requirement along a portion of the northwestern property line in favor of a 42-inch picket wood fence or guard rail along the top of the retaining wall
- Waiver of Section 17-201.2 of the Zoning Ordinance for the trail requirement along Route 7 in favor of a trail along the northern portion of the property
- Waiver of Section 17-201.3 of the Zoning Ordinance for the frontage improvements along Route 7 (Leesburg Pike)

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

(NOTE: On November 10, 2021, the Planning Commission approved Final Development Plan Application FDP 2021-DR-006.)

54. **3 P.M. – PUBLIC HEARING ON RZ 2021-LE-007 (SHEEHY LOISDALE PROPERTY, LLC) TO REZONE FROM C-2 AND I-3 TO C-8 TO PERMIT VEHICLE SALES, RENTAL, AND SERVICE ESTABLISHMENT WITH AN OVERALL FLOOR AREA RATIO OF 0.11, LOCATED ON APPROXIMATELY 7.23 ACRES OF LAND (LEE DISTRICT)**

AND

PUBLIC HEARING ON SE 2021-LE-005 (SHEEHY LOISDALE PROPERTY, LLC) TO PERMIT VEHICLE SALES, RENTAL, AND SERVICE ESTABLISHMENT, LOCATED ON APPROXIMATELY 7.23 ACRES OF LAND ZONED C-8 (LEE DISTRICT) (3:30 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

The Rezoning Application RZ 2021-LE-007 property is located on the east side of Loisdale Road approximately 900 feet south of Lois Drive, Tax Map 90-4 ((1)) 3, 4 and 5.

The Special Exception Application SE 2021-LE-005 property is located on the east side of Loisdale Road approximately 900 feet south of Lois Drive vacant land and 7501 Loisdale Road, Springfield, 22150, Tax Map 90-4 ((1)) 3, 4 and 5.

Lynne J. Strobel, Agent, Walsh, Colucci, Lubeley and Walsh, P.C. reaffirmed the validity of the affidavits dated December 22, 2021, for the record.

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

- Sheehy Auto Stores, Inc.

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

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

Discussion ensued, with input from Ms. Strobel, regarding the impact additional impervious surfaces will have on the nearby existing park structures.

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

Following a query by Supervisor Lusk, Ms. Strobel confirmed for the record, that the applicant was in agreement with the proposed development conditions dated December 21, 2021.

Supervisor Lusk moved:

- Approval of Rezoning Application RZ 2021-LE-007, subject to the proffers dated January 14, 2022
- Approval of Special Exception Application SE 2021-LE-005, subject to the proposed development conditions dated December 21, 2021

Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," Supervisor Palchik being absent.

55. **3 P.M. – PUBLIC HEARING ON REZONING APPLICATION RZ 2021-MV-010 (CHRISTOPHER LAND, LLC) TO REZONE FROM R-1 TO PDH-8 TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 4.7 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN (CDP), LOCATED ON APPROXIMATELY 6.35 ACRES OF LAND (MOUNT VERNON DISTRICT)** (3:44 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

The application property is located on the south side of Lorton Road and west of Windermere Hill Drive, Tax Map 107-3 ((1)) 1 and 2A.

Clark L. Massie, Agent, Tetra Corporation, reaffirmed the validity of the affidavit dated June 3, 2021, for the record.

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

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

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

Discussion ensued, with input from Mr. Massie and Cathy Lewis, Branch Chief, ZED, DPD, regarding the utilization of Lorton Road as an ingress/egress.

Supervisor Storck moved:

- Approval of Rezoning Application RZ 2021-MV-010 and the associated Conceptual Development Plan, subject to the proffers dated January 13, 2022
- Waiver of Paragraph 2 of Section 11-302 of the Zoning Ordinance to permit a private street to exceed 600 feet in length as shown on the CDP/FDP

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

(NOTE: On January 12, 2022, the Planning Commission approved Final Development Plan Application FDP 2021-MV-010.)

56. **3:30 P.M. – PUBLIC HEARING ON PCA 2003-PR-022-02/CDPA 2003-PR-022 (PULTE HOME COMPANY, LLC) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLAN FOR RZ 2003-PR-022, PREVIOUSLY APPROVED FOR MIXED-USE, TO PERMIT MIXED-USE AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN AT AN INTENSITY/FLOOR AREA RATIO OF 2.13, LOCATED ON APPROXIMATELY 7.46 ACRES OF LAND ZONED PRM (PROVIDENCE DISTRICT) (3:57 p.m.)**

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

The application property is located on the south side of Sprague Avenue, west of Bleeker Street, north of Bastille Street and east of Hammersmith Lane, Tax Map 48-3 ((49)) 2B (pt.).

Antonio J. Calabrese, Agent, DLA Piper LLP reaffirmed the validity of the affidavit dated December 27, 2021, for the record.

Kelly Atkinson, Branch Chief, Environment and Development Review Branch, Department of Planning and Development, gave a presentation depicting the application and site location.

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

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

Chairman McKay relinquished the Chair to Vice-Chairman Gross and, on behalf of Supervisor Palchik, moved:

- Approval of Proffered Condition Amendment Application PCA 2003-PR-022-02 and the Associated Conceptual Development Plan Amendment CDPA 2003-PR-022, subject to the proffers dated January 4, 2022
- Reaffirmation of all waivers and modifications approved with RZ 2003-PR-022
- Waiver of Paragraph 3 of Section 13-203 of the Zoning Ordinance requiring peripheral parking lot landscaping

Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk,

Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, Vice-Chairman Gross and Chairman McKay voting “AYE,” Supervisor Palchik being absent.

Vice-Chairman Gross returned the gavel to Chairman McKay.

(NOTE: On December 8, 2021, the Planning Commission approved Final Development Plan Amendment Application FDPA 2003-PR-022-02, subject to the development conditions dated October 19, 2021.)

57. **3:30 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT PA 2020-IV-MV2, LEE DISTRICT COMMUNITY CENTER LOCATED AT 7950 AND 7960 AUDUBON AVENUE (LEE DISTRICT COMMUNITY CENTER) (LEE DISTRICT)**

AND

PUBLIC HEARING ON PCA 2003-LE-006 (FAIRFAX COUNTY BOARD OF SUPERVISORS – LEE DISTRICT COMMUNITY CENTER) TO AMEND THE PROFFERS FOR RZ 2003-LE-006, PREVIOUSLY APPROVED FOR A REZONING, TO PERMIT PUBLIC FACILITIES AND ASSOCIATED MODIFICATIONS TO PROFFERS, LOCATED ON APPROXIMATELY 5.33 ACRES OF LAND ZONED C-8 (LEE DISTRICT)

(4:08 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

The application property is located at 7950 and 7960 Audubon Avenue, Alexandria, 22306, Tax Map 101-2 ((1)) 14 and 15.

Christopher Lyon, Project Manager, Building Design and Construction Division, Capital Facilities, reaffirmed the validity of the affidavit dated December 16, 2021, for the record.

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

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

Discussion ensued, with input from Mr. Lyon, regarding the potential uses of the building.

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

Supervisor Lusk moved:

- Adoption of Plan Amendment PA 2020-IV-MV2
- Approval of Proffered Condition Amendment Application PCA 2003-LE-006, subject to the proffers dated January 11, 2022
- Reaffirmation of the modification for the southern portion of northeastern boundary adjacent to Audubon Estates to allow existing vegetation and supplemental plantings as shown on the GDP to satisfy the transitional screening requirements
- Reaffirmation of the modification of the transitional screening along the southern property line to allow existing vegetation and supplemental plantings as shown on the GDP to satisfy the transitional screening requirements
- Reaffirmation of the modification for the transitional screen requirement along the eastern property line to permit existing vegetation and supplemental plantings as shown on the GDP to satisfy the transitional screening requirements
- Reaffirmation of the modification of the transitional screening along the western property line to allow existing vegetation to satisfy the transitional screening requirements
- Reaffirmation of the modification of the barrier requirement along the eastern property line and the southern portion of the northeastern property line to allow the existing board on board wood fence to satisfy the barrier requirement
- Reaffirmation of the waiver of the barrier requirement along the southern property line

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

58. **3:30 P.M. – PUBLIC HEARING ON AFR-2021-00006 (AR 01-H-001-03) (HIU NEWCOMB FAMILY LLC: MARIETTE H., HANA, LANI, ANNA, SARAH, AND CHARLES NEWCOMB) TO PERMIT RENEWAL OF A PREVIOUSLY APPROVED AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 27.19 ACRES OF LAND ZONED PDH-1/R-A (HUNTER MILL DISTRICT) (4:35 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

The application property is located in the northwest quadrant of the intersection of Leesburg Pike and Beulah Road, Tax Map 19-1 ((14)) Z, 20Z, 20Z2 21Z, 21Z2, 22Z, 22Z2, 23Z, 23Z2 and 19-3 ((1)) 42Z2.

Kelly Atkinson, Branch Chief, Environment and Development Review Branch, Department of Planning and Development, presented the staff report.

Mariette Hiu Newcomb, the applicant, presented her case.

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

Following a query by Supervisor Alcorn, Ms. Newcomb, confirmed for the record, acceptance of Ordinance provisions dated December 17, 2021.

Supervisor Alcorn moved approval of Agricultural Renewal Application AFR-2021-00006 (AR 01-H-001-03), and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Potomac Vegetable Farm II Local Agricultural and Forestal District, subject to the Ordinance provisions dated December 17, 2021. The motion was multiply seconded, and it carried by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, and Chairman McKay voting “AYE,” Supervisor Walkinshaw being out of the room and Supervisor Palchik being absent.

59. **4 P.M. – PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE ESTABLISHING THE INNOVATION RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 49 (DRANESVILLE DISTRICT) (4:48 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, discussion ensued regarding how the time was determined for this RPPD.

Supervisor Foust moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, establishing the Innovation RPPD, District 49. The district expansion includes the following streets:

- Farougi Court (Route 5718), from Maleady Drive to the end, east side; and to Whisonant Court, west side
- Herman Court (Route 5721), from Maleady Drive to the cul-de-sac inclusive
- Maleady Drive (Route 5715), from Hamer Court to the end, north side; from Hamer Court to Farougi Court and from Herman Court to the end, south side
- Seaman Court (Route 5722), from Maleady Drive to the cul-de-sac inclusive
- Veenendaal Court (Route 5720), from Maleady Drive to the cul-de-sac inclusive
- Whisonant Court (Route 5719), from Farougi Court to the cul-de-sac inclusive

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

60. **4 P.M. – PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE EXPANDING THE BROYHILL PARK RESIDENTIAL PERMIT PARKING DISTRICT, DISTRICT 28 (MASON DISTRICT)**
(5 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Broyhill Park RPPD, District 28. The district expansion includes the following streets:

- Marc Drive (Route 2338), from Falls Church High School boundary to Nealon Drive
- Holly Hill Drive (Route 2860), from the north end to Camp Alger Avenue
- Parkwood Terrace (Route 2495), from Holly Hill Drive to the northern property boundaries of 3135 and 3150 Parkwood Terrace
- Carol Lane (Route 2439):
 - From Holly Hill Drive to Kenney Drive and from Norfolk Lane to Nealon Drive, north side
 - From Holly Hill Drive to Norfolk Lane, south side
- Jacks Lane (Route 2886), from Falls Church High School to Holly Hill Drive
- Zenith Court (Route 2861), from Parkwood Terrace to the end
- Kenney Drive (Route 2445), from Holly Hill Drive to Marc Drive
- Norfolk Lane (Route 2441), from Carol Lane to the north end

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

61. **4 P.M. – PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF WESTFAX DRIVE (SULLY DISTRICT)** (5:10 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 24, 2021, and January 14, 2022.

Jeffrey Edmondson, Sight Analysis Section, Department of Transportation, presented the staff report.

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

Supervisor Smith moved adoption of the Ordinance vacating a portion of Westfax Drive. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity,

Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik being absent.

62. **4 P.M. – PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON PORTIONS OF MCWHORTER PLACE AND MARKHAM STREET (MASON DISTRICT)** (5:14 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 24, 2021, and January 14, 2022.

Jeffrey Edmondson, Sight Analysis Section, Department of Transportation, presented the staff report.

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

Discussion ensued, with input from Mr. Edmondson, regarding property maintenance.

Supervisor Gross moved adoption of the Ordinance and Order vacating and abandoning portions of McWhorter Place and Markham Street, noting a typo in Attachment 5 of the Board Agenda Item. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik being absent.

63. **4 P.M. – PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF OAKWOOD ROAD (LEE DISTRICT)** (5:18 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of December 24, 2021, and January 14, 2022.

Jeffrey Edmondson, Sight Analysis Section, Department of Transportation, presented the staff report.

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

Supervisor Lusk moved adoption of the Ordinance and Order vacating and abandoning a portion of Oakwood Road. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik being absent.

64. **4 P.M. – PUBLIC HEARING TO RE-PURPOSE PROFFERED DEVELOPER CONTRIBUTIONS TO FAIRFAX COUNTY FOR TRANSPORTATION PROJECTS** (5:22 p.m.)

Supervisor Alcorn moved to defer the public hearing to Re-Purpose Developer Contributions to Fairfax County for Transportation Projects until **March 8, 2022, at 4 p.m.** Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Palchik being absent.

65. **4 P.M. – PUBLIC HEARING ON AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA, PROPERTY UNDER COUNTY CONTROL, BY ADDING ARTICLE 3, PAYMENT OF PREVAILING WAGE FOR WORK PERFORMED ON CONSTRUCTION CONTRACTS, SECTIONS 2-3-1 AND 2-3-2** (5:23 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 7 and January 14, 2022.

Cathy Muse, Director, Department of Procurement and Material Management presented the staff report.

Following the public hearing, which included testimony by three speakers, Ms. Muse presented the staff recommendation.

Supervisor Walkinshaw moved adoption of the Prevailing Wage Ordinance dated December 8, 2021, amending Chapter 2 of the Fairfax County Code by adding Article 3, Payment of Prevailing Wage for Work Performed on County Construction Contracts, Sections 2-3-1 and 2-3-2 and accept only the redline edits to the definition of County Construction Contract at Section 2-3-1(c). The December 8, 2021, Ordinance is Attachment 1 to the Agenda Item for today's public hearing and appears at pages 322-324 of the Board Agenda. The motion was multiply seconded.

Supervisor Walkinshaw asked unanimous consent that the Board direct staff to report to the Board regularly with the progress of the contract renewals to ensure compliance. Without objection, it was so ordered.

Discussion ensued, with input from Carey Needham, Deputy Director, Building Design and Construction Division, Department of Public Works and Environmental Services, and Ms. Muse, regarding the contracts and expectations.

Discussion continued, regarding the contract renewals, and with Board Members expressing their views/concerns and support/non-support of the motion.

Following further discussion, with input from Patty McCay, Assistant County Attorney, who noted, for the record, that the Ordinance appears on pages 324-326, instead of pages 322-324, of the Board Agenda, Supervisor Walkinshaw restated the correction in his motion.

The question was called on the motion, as restated, and it carried by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," Supervisor Herrity voting "NAY," and Supervisor Palchik being absent.

66. **BOARD ADJOURNMENT** (5:58 p.m.)

At 5:58 p.m. the Board adjourned.