



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 13, 2021**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, July 13, 2021, at 9:37 a.m., there were present:

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

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

BOARD MATTER1. **MOMENT OF SILENCE** (9:38 a.m.)

Chairman McKay stated that:

- The statewide Declaration of Emergency for the pandemic has ended and the County has raised its flags to full staff. They have been at half-staff throughout the pandemic to recognize the lives lost and the impacts to the community and to support the frontline workers who have sacrificed so much through the pandemic. We are not through the pandemic and its effects still rage in the County and have impacted many. We will continue to keep them in thoughts and prayers as we move forward
- Champlain Towers South condo building collapse on June 24, 2021, has left 90 people deceased and 31 still unaccounted for. Families from all over the country have been impacted by this terrible tragedy. Fairfax County sent four members of Virginia Task Force 1 to respond to the operations in Miami. We would like to thank them for their service and keep their families in thoughts and prayers

The Board asked everyone to keep in thoughts the family and friends of the following people who died recently:

- Gary Nakamoto, a local businessman who was very involved in his community and a strong supporter of the military and first responders
- Ellen Posner, a former County employee who retired from the Fairfax County Attorney's Office; she served as lead council for the County before the Virginia Supreme Court in Landmark litigation from 1990-1991
- Michael Klein, the father of Dean Klein, Chief Strategist for Health, Housing and Human Services
- Robert Henry Lydick, Braddock District environmentalist, community volunteer, and Navy veteran
- Ranel Marshall, a two year recipient of the Neighborhood and Community Services Citizen of the Year. She worked at the James Lee Community Center and was studying to become an interior designer

AGENDA ITEMS

2. **RESOLUTION OF RECOGNITION PRESENTED TO LORRIE KIRST, ASSISTANT ZONING ADMINISTRATOR, DEPARTMENT OF PLANNING AND DEVELOPMENT (DPD)** (9:46 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to Lorrie Kirst, Assistant Zoning Administrator, DPD, following 32 years of outstanding service to the County. The motion was multiply seconded, and it carried by unanimous vote.

3. **RESOLUTION OF RECOGNITION PRESENTED TO THE FALLS CHURCH NEWS-PRESS AND NICHOLAS BENTON, FOUNDER, OWNER AND EDITOR** (9:57 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to the Falls Church News-Press for 30 years of service to the community, and Nicholas Benton, founder, owner, and editor, for his work in keeping Falls Church and the Fairfax County community informed. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

4. **9:30 A.M. – PRESENTATION BY THE WORK GROUP OF THE SEMIQUINCENTENNIAL ANNIVERSARY OF THE AMERICAN REVOLUTION, THE REVOLUTIONARY WAR, AND THE INDEPENDENCE OF THE UNITED STATES OF AMERICA (USA)** (10:14 a.m.)

Scott Muir Stroh III, Executive Director, George Mason's Gunston Hall, and Chair, Fairfax County Semiquincentennial Work Group gave a presentation on the Semiquincentennial Anniversary of the American Revolution, the Revolutions War, and the Independence of the USA.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board accept the report of the Semiquincentennial Anniversary Task Force, understanding that a Board Matter will be presented at the next Board Meeting with proposed actions to be taken. Supervisor Storck seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

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ADDITIONAL BOARD MATTERS

5. **VOLUNTEER AND COMBINATION OFFICERS SECTION (VCOS) 2021 TRAINING OFFICER RECOGNITION AWARD** (10:36 a.m.)

Chairman McKay announced that James Hedrick, Volunteer Training Coordinator, Fire and Rescue, has been named the 2021 recipient of the award. On behalf of the Board, the Chairman congratulated Mr. Hedrick for receiving this award.

6. **FORMER COUNTY STUDENTS COMPETING IN THE TOKYO OLYMPICS** (10:37 a.m.)

Chairman McKay announced that the following former students will be competing in the Tokyo Olympics:

- Andrew Seliskar
- Chioma “CiCi” Onyekwere
- Trevor Stewart

On behalf of the Board, he wished them luck.

7. **EVALUATION OF INTERNET ACCESS AND CONNECTIVITY** (10:38 a.m.)

Chairman McKay stated that the One Fairfax Policy requires that the County use an equity lens in every policy decision that is made. This is also true in how to best serve the residents and provide them with the resources they need to have an equal opportunity to succeed. When the COVID-19 pandemic hit, individuals found themselves working and learning from home. It became clearer than ever that having internet connectivity is not a luxury, but a necessity.

The Board has had extensive discussions on this front through the Information Technology Committee and has been briefed thoroughly. This included a study to identify where limits and gaps in connectivity exist around the County. While the County is fortunate that over 90 percent of households in the County have internet access it is estimated that 4.2 percent of County households do not. Moreover, while some may have internet access, it may not be sufficient to meet the needs of the household. To ensure that the Board continue to create a more equitable and competitive community, it is imperative that there is universal internet access in the County.

Therefore, Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board direct the Office of the County Executive, Chief Equity

Officer, Department of Information Technology, and the Fairfax County Public Library system to develop, implement, and provide the Board with a schedule of detailed outreach efforts to areas where internet connectivity remains an issue and a schedule that outlines when the County can anticipate reaching universal coverage, in addition to leveraging all federal, state, and local resources available to assist. Recognizing that the County is exploring several reasons, beyond affordability and awareness that contribute to lack of broadband connectivity, the Board wants to ensure that these factors are no longer barriers to internet access. These efforts should take place as soon as possible with a status report presented to the Board by January 2022. Supervisor Lusk seconded the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION FOR AKSHITA BALAJI** (10:42 a.m.)

Chairman McKay stated that for the first time in a decade, a County student made it to the final top 30 spellers in the Scripps National Spelling Bee. To even qualify is an incredible accomplishment. In fact, not having to rely on spellcheck is equally as incredible.

Joking aside, Akshita Balaji, a Merrifield resident and rising freshman, tied for 21st place in June after competing against 209 national qualifiers in the celebrated competition.

Ms. Balaji is a 14-year-old who attended Carson Middle School, won the County Bee, and tied for 51st in the 2019 National Bee, which was the last time the event was held.

Clearly spelling has always been a passion of Ms. Balaji. Incredibly, she won her first spelling bee in India at the age of six.

Therefore, jointly with Supervisor Palchik, Chairman McKay moved that the Board direct staff to prepare a Certificate of Recognition for Akshita Balaji, for her amazing accomplishment and for being a role model to aspiring spellers of all ages, to be presented at a future Board meeting when it is appropriate to do so. Supervisor Smith seconded the motion and it carried by unanimous vote.

9. **COMPREHENSIVE REVIEW OF THE COUNTY'S RESPONSE TO THE COVID-19 PANDEMIC** (10:43 a.m.)

Chairman McKay stated that in March 2020, the COVID-19 pandemic changed every facet of everyone's lives and required the County to quickly pivot and adapt to a new normal. As a County government, the task before the Board was to ensure that the services the County provides to its residents remained available, that staff were safe, and that government continued to function, especially with the increased need for many of the services it provides.

Chairman McKay stated that he is grateful and proud of the job that staff did and continues to do during this unprecedented situation. With their hard work, over 75 percent of the adult population has at least one vaccine dose, over \$75 million has gone or will be going to small businesses, over 10,000 households have been assisted in meeting their basic needs of rent, food, and utilities, 400 individuals who began the pandemic without a home have been provided permanent housing, and much more. That said, Chairman McKay stated that he is sure there is much to be learned about the County's response and how to improve upon that in the future, should the County find itself again in a largescale crisis or emergency.

Therefore, to ensure the County maintains the level of service and functionality the community expects, Chairman McKay moved that the Board direct the County Executive to conduct a comprehensive review of the County's response to the COVID-19 pandemic to include, but not be limited to, each County agency's COVID response, how the pandemic affected operations, how those changes impacted the community, as well as internal and external communications. Considering the pandemic is not over, this review will need to take place in two parts and should result in a report delivered to the Board outlining any areas of improvement and a list of recommendations to remedy those issues. This report should be presented to the Board by the beginning of February 2022. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

10. **RESOURCES FOR ENHANCING THE SAFETY OF AGING BUILDINGS**
(10:48 a.m.)

Chairman McKay stated that on June 24, 2021, the nation watched a tragedy unfold in Surfside, Florida, as the 40-year-old Champlain Towers South building collapsed in the early hours of the morning. Dozens of residents have been confirmed dead, with even more still missing and presumed to not have survived.

While it is still too early to determine the exact cause of the collapse, a 2018 inspection and report revealed major structural errors. The report was prepared by a structural engineering consultant hired by the condo association in preparation of Miami-Dade County's 40-year recertification program. Understandably, this discovery has raised concerns about aging buildings here in the County.

The County, under the Virginia Uniform Statewide Building Code, does not currently have a recertification program for older buildings. During construction and prior to occupancy, the inspections process is thorough and conducted with the utmost caution. After occupancy, in accordance with the Virginia Maintenance Code, buildings must be proactively maintained by the property owners to ensure continued safety for the residents.

With a nationwide turn to the importance of well-maintained infrastructure, the County has an opportunity to highlight the importance of routine building maintenance and verification of the structural integrity of its aging buildings.

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

- Investigate what current resources and capabilities exist for voluntary inspections of aging buildings to enhance safety
- Identify possibilities for the County to utilize, should more resources in the future be identified
 - This should also include a review of best practices in other jurisdictions
- Evaluate, under the existing Virginia Maintenance Code, what options exist, including at the State level, to ensure buildings are proactively maintained under State Code
- Report at a Land Use Policy Committee meeting in the last quarter of 2021

Supervisor Smith seconded the motion.

Following discussion regarding including this in the County's Legislative Program, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

11. **20TH ANNIVERSARY OF THE 9-11 ATTACKS** (11 a.m.)

Supervisor Gross stated that most can remember where we were when we first learned of the 9-11 attacks on the World Trade Center and the Pentagon in 2001. While it does not seem possible that 20 years have passed since that terrible day, for many of the County's professional and volunteer fire and rescue personnel and other first responders, the events of that day are forever sealed in their memories. Residents and workers in Mason District could see the smoke rising from the Pentagon, as units from Bailey's Station 10 were barely ten minutes from the fire ground.

When American Airlines Flight 77 crashed into the Pentagon at 9:37 a.m., killing 189 people on the plane and on the ground, County Fire and Emergency Medical Services units were dispatched immediately to support the Arlington County Fire Department who had command and control.

There was a corresponding call to have all volunteers report to their respective stations to put additional units into service and to up-staff on-duty apparatus. All reserve vehicles were made ready to be put into service and deployed as needed, and many volunteers were used as supplemental staff. The County also backfilled regular emergency calls for Arlington and Alexandria crews while units were

engaged at the Pentagon. Virginia Task Force One was activated for search and rescue at the Pentagon, and remained on-site for an extended period.

Additionally, the International Association of Fire Fighters (IAFF) Local 2068 was instrumental in providing counselors and personnel to New York City's police and fire departments for months afterward. Dozens of the County's Fire and Rescue Department employees were part of the IAFF Peer Behavioral Health Support Team to assist and support the New York Fire Department family, and the program has expanded nationally to assist firefighters with behavioral health issues.

The County honors 9-11 victims and first responders every year with individual observances across the county. County families still are mourning the loss of their loved ones on that grim day, and it is appropriate that, on the 20th anniversary, the County undertake a formal remembrance of those losses. Therefore, jointly with Chairman McKay, Supervisor Gross asked unanimous consent that the Board direct the County Executive to work with the County's public safety agencies, including volunteer fire companies, and the Board to plan and present an appropriate ceremony and program, preferably at Bailey's Station 10, on Saturday, September 11, 2021, the actual anniversary of the attack. Without objection, it was so ordered.

12. **2021 GENERAL ASSEMBLY SPECIAL SESSION II** (11:05 a.m.)

Supervisor Walkinshaw stated that the COVID-19 global pandemic has created economic and revenue challenges for government at all levels. As a result, for the second summer in a row the Virginia General Assembly (GA) has been planning for a special session to address revisions to the state budget, including the allocation of federal funding from the American Rescue Plan Act (ARPA).

Governor Northam has called the GA into session beginning on August 2, 2021, technically the 2021 Special Session II, as the 2021 Special Session I occurred in conjunction with the regular 2021 session last February. Virginia will receive more than \$4.3 billion in federal funds from ARPA. Though not all of that funding is expected to be allocated in the 2021 Special Session II, there will likely be substantial funding allocated at that time. As the Board has discussed in relation to the ARPA funding the County will receive directly, it is important to understand that it is one of the largest economic recovery efforts ever enacted. In fact, it is one-third larger than the \$3.2 billion CARES Act funding Virginia received last spring.

Additionally, Virginia is unique in that this federal relief comes at a time when State revenues are rising, more people are working, and unemployment is declining. Few states are in a similar position, but that presents an opportunity for investments in Virginia's long-term future. As is the case with the County's federal funding, Governor Northam and the GA leadership have indicated an interest in focusing ARPA funding on one-time or short-term items. However, because of the current

state surplus and improved state revenue outlook, the Commonwealth is in a position to use federal funding to significantly improve its investment in core programs and services while using state funding for ongoing program support.

The special session is likely to consider a wide variety of funding issues next month – sharing information with the County’s delegation on issues of particular interest to the County as they prepare for the session will allow them to use this information as they make determinations about priorities. Supervisor Walkinshaw stated that the issues highlighted in the letter attached to his Board Matter are longstanding County priorities, which are also areas of shared state and local partnership – from funding for K-12 public education and affordable housing to mental health, transportation, and the environment, among others.

Therefore, jointly with Chairman McKay, Supervisor Walkinshaw moved that the Board direct staff to send the letter attached to his Board Matter, under the Chairman’s signature, to the County’s General Assembly delegation outlining the County’s priorities for funding items in advance of the 2021 General Assembly Special Session II. Chairman McKay seconded the motion.

Supervisor Herrity requested that additional priorities regarding workforce and childcare and ways to get people back to work be added to the letter. Chairman McKay stated that they would be included in the letter.

Following discussion regarding the current employment issue, the question was called on the motion and it carried by unanimous vote.

13. **PLASTIC BAG TAX ORDINANCE** (11:11 a.m.)

Supervisor Walkinshaw stated that during the 2020 General Assembly Session, the Board supported HB 534/SB 11, which authorizes localities to adopt a plastic bag ordinance.

The County, alongside the Northern Virginia Regional Commission, led the effort to request guidelines from the Virginia Department of Taxation (TAX) on how to effectively develop a County Disposable Plastic Bag Tax Ordinance. Recently, TAX notified interested parties that it has developed draft guidelines which provide needed clarity. With the guidelines being finalized, now is an opportune time to begin drafting a Disposable Plastic Bag Tax Ordinance. Time is of the essence as the Virginia Disposable Plastic Bag Tax Dealer Discount allows dealers the ability to retain two cents from tax collected on each disposable plastic bag until January 1, 2023, at which point it drops to one cent.

Therefore, jointly with Chairman McKay and Supervisor Storck, Supervisor Walkinshaw moved that the Board direct staff to:

- Prepare a County Plastic Bag Tax Ordinance for consideration in September 2021, provided that the Virginia Department of Taxation

will have finalized their guidelines for such an ordinance by that time

- Conduct outreach, between now and September, to other Northern Virginia jurisdictions to let them know the County is preparing a draft ordinance and welcomes their input, in the hopes of having a relatively consistent ordinance across the region
- Develop a public outreach campaign to solicit input and educate local businesses and residents on this ordinance

Chairman McKay seconded the motion.

Discussion ensued regarding:

- Informing the Board on the process
- The tax commissioners three-month review process
- Public engagement
- Litter discussion at the upcoming Environmental Committee Meeting

Following a request from Supervisor Herrity regarding an update from staff on plastic bag recycling, the question was called on the motion and it carried by a vote of nine, with Supervisor Herrity voting “NAY.”

14. **ECONOMIC OPPORTUNITY RESERVE (EOR) NOMINATION - FAIRFAX FOUNDERS FUND** (11:25 a.m.)

Supervisor Foust stated that the July 7, 2021, meeting of the Economic Advisory Commission Innovation Committee included discussion of the lack of start-up and venture capital attracted to the region and how that constrains entrepreneurs’ ability to build and grow their business. This inhibits the County’s economic growth and competitiveness in key emerging sectors.

Despite a large cluster of technology companies, the region continually ranks well below competitor regions for venture capital funds. According to a recent report the DC region received only about 2.8 percent of all U.S. Venture Capital (VC) deal activity and only 1.6 percent of total funding in 2019 and 2020. Additionally, female and minority owned businesses have less access to capital, and these founders have traditionally been underrepresented in VC funding. For example, new black-owned businesses start with almost three times less in terms of overall capital compared with new white-owned businesses.

Several recent reports and studies have underscored the need to enhance start-up capital for local businesses. The County Economic Recovery Framework, finalized

earlier this year, recommends supporting the start-up ecosystem, including through access to capital for start-ups. Additionally, the Northern Virginia Minority-Owned Businesses Working Group report recommends helping residents of color access and secure capital – especially Black-owned businesses. And a 2019 entrepreneurial assessment report commissioned for the region by *GoVirginia* recommends prioritizing programs to address the need for more risk capital for startup companies.

All of these trends, findings and recommendations demonstrate a clear need for targeted support and resources for start-ups in the County’s most promising sectors, such as a ‘Fairfax Founders Fund.’ The core goals of a ‘Fairfax Founders Fund’ should include growing businesses and jobs internally, developing competitive technology clusters, and promoting economic mobility.

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

- The County Executive to develop a program scope for a “Fairfax Founders Fund”
- The County Executive to prepare an Initial Project Evaluation of a potential investment to pilot such a fund under the guidelines adopted for the Economic Opportunity Reserve for review by the Economic Initiatives Committee on July 20, 2021
- That no investment from the Economic Opportunity Reserve will be made until the Board has approved the use of the funds for that purpose

Chairman McKay, Supervisor Lusk, and Supervisor Storck jointly seconded the motion and it carried by unanimous vote.

15. **CERTIFICATE OF RECOGNITION REQUEST FOR THE JAMES MADISON HIGH SCHOOL BOYS’ BASEBALL TEAM** (11:38 a.m.)

Supervisor Alcorn stated that he is proud to announce that once again this year James Madison High School has a State championship team. This time it is the boys’ Baseball Team who defeated Colgan 2-1 on Saturday, June 26, 2021, to clinch the championship. It is the baseball team’s first title since 2015 and the fifth in program history. This remarkable team was led by coach Mark Gjormand and it is the third Madison team he has led to a state championship.

Therefore, jointly with Supervisor Palchik and Supervisor Smith, Supervisor Alcorn asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition for the team and Coach Mark Gjormand to be presented at an upcoming Board meeting. Without objection, it was so ordered.

16. **CONCURRENT SITE PLAN PROCESSING REQUEST FOR ISAAC NEWTON SQUARE (INS) DEVELOPMENT, PHASE 1 (HUNTER MILL DISTRICT)** (11:39 a.m.)

Supervisor Alcorn stated that APA Properties No. 6, LP submitted a Final Development Plan (FDP) application for the roadways and related infrastructure in northern half of the INS Development (Phase 1) in the Wiehle Transit Station Area (TSA).

APA Properties would like to submit a site plan for review for the INS Phase 1 area sooner rather than later. The FDP application is rather straightforward, and the applicant has been working with staff to address staff comments during the FDP review.

A Planning Commission public hearing is scheduled for September 22, 2021, for FDP 2018-HM-020, and the applicant is requesting concurrent site plan processing.

Therefore, Supervisor Alcorn moved that the Board approve concurrent site plan processing for FDP 2018-HM-020. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the Applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way. Chairman McKay seconded the motion and it carried by unanimous vote.

17. **RECOGNITION OF FAIRFAX COUNTY PUBLIC SCHOOL (FCPS) EXCEPTIONAL EMPLOYEES ASSOCIATED WITH THE LEE DISTRICT** (11:40 a.m.)

Supervisor Lusk stated that on June 9, 2021, FCPS recognized exceptional employees from across the school division at an FCPS Honors event. Supervisor Lusk stated that he is exceptionally proud that winners in three of the county-wide categories recognized, either teach or live in the Lee District—including the County's Outstanding Elementary School Teacher, Outstanding New Elementary School Teacher, as well as Outstanding New Principal.

Supervisor Lusk recognized the following three awards and designees:

- 2021 Outstanding Elementary School Teacher: David L. Worst, Physical Education Teacher, Rose Hill Elementary School
- 2021 Outstanding New Elementary School Teacher: Amelia Kirsten Carr, Lee District resident and Kindergarten Teacher, Bucknell Elementary School
- 2021 Outstanding New Principal: Alfonso G. Smith, Principal, Lewis High School

Supervisor Lusk thanked the Board for the opportunity to recognize these incredible educators, and said he looks forward to welcoming them to a future event in Lee District to formally celebrate their achievements.

18. **RESOLUTION OF RECOGNITION REQUEST FOR MARVIN H. WAGNER** (11:43 a.m.)

- (R) Supervisor Lusk stated that on May 23, 2020, Lee District lost one of its most active and accomplished residents. Marvin H. Wagner, who passed away at the age of 90 as a result of COVID-19, was a longtime pillar of the Greenspring community, and the Lee District as a whole.

Supervisor Lusk stated that he knew that Mr. Wagner was a friend of Chairman McKay and that he was fortunate to extend that same friendship and willingness to serve him during his first year in office. Mr. Wagner lived an exceptional life, impacting the lives of millions through his work in public safety and juvenile justice.

Supervisor Lusk stated that he was pleased to learn that Mr. Wagner is due to be recognized through a resolution read into the Congressional Record, an honor that is well-deserved.

Similarly, based on his years of service and residency in the County, Supervisor Lusk stated that it would be appropriate for this Board to adopt a similar resolution to be presented to Mr. Wagner's family at a celebration of life next week.

Therefore, Supervisor Lusk moved that the Board adopt the resolution attached to his Board Matter and direct the Office of Public Affairs to prepare it for the Board to sign. Chairman McKay seconded the motion and it carried by unanimous vote.

19. **CERTIFICATE OF RECOGNITION REQUEST FOR THE SOUTH COUNTY HIGH SCHOOL GIRLS' VARSITY SOCCER TEAM** (11:49 a.m.)

Supervisor Storck stated that the South County High School Girls' Soccer team defeated McLean High School 2-0 in the state semifinals and found themselves with their first shot at winning and competing at the Class 6C State Championship. The Stallions had an amazing run this year with 60 goals being scored in just 17 games, and were undefeated only conceding 4 goals all season.

The Stallion girls balanced a changing schedule while following Covid guidelines, which created many unforeseen issues. Even with all these challenges, they found themselves on the doorstep of Patriot High School beating them 2-1, and securing their first ever State championship. They were led by their amazing coach and leader Nina Pannoni, also with the support from their Captain Danielle Shahin (who scored the last second goal for the win), and a very-tight knit and dedicated 27-person squad.

Therefore, jointly with Supervisor Herrity, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a proclamation, to be signed by the Chairman, Supervisor Herrity, and himself, to be presented to the South County Girls Varsity Soccer team and coaches in recognition of them being Class 6C Virginia State Champions, to be presented outside of the Board Room. Without objection, it was so ordered.

20. **CARBON NEUTRAL COUNTIES DECLARATION** (11:51 a.m.)

Supervisor Storck stated that with this Board Matter, he is introducing a Carbon Neutral Counties Declaration to commit Fairfax County Government to be carbon neutral by 2040, to work with state and federal lawmakers to advance this goal and to ensure it is implemented equitably.

Furthermore, the Declaration provides an opportunity for the County and other counties across the U.S. to announce their support for significantly reducing carbon emissions by transforming government operations. While carbon neutrality alliances have been established for U.S. cities, there is no organized alliance for counties. By adopting this commitment today, the County can work with and encourage fellow local governments at the regional, state and national levels to tackle the carbon emissions driving climate change.

The Carbon Neutral Counties Declaration builds on previous actions by the Board, including the 2007 adoption of the Cool Counties Climate Stabilization Declaration, the goals of which have been met, as well as Board action regarding the Joint Environmental Task Force, or JET, which in October 2020 issued emissions- reduction goals for County government and schools' operations.

Supervisor Storck stated that later today, the Board will consider the updated Operational Energy Strategy and the specific goals, targets, and actions that will help meet the carbon neutrality goal.

Setting these operational goals allows the County to do its part to address climate change and encourage stakeholders and partners both within and outside of the County to do the same. Climate change is here. It is imperative that we all, Fairfax County Government included, take bold and immediate steps to address it.

Therefore, jointly with Chairman McKay and Supervisor Gross, Supervisor Storck moved that the Board:

- Support and sign the Carbon Neutral Counties Declaration
- Direct the County Executive to charge the Office of Environmental and Energy Coordination (OEEC) with hosting and managing information relevant to the Declaration on its webpage

Supervisor Palchik seconded the motion and it carried by a vote of nine, with Supervisor Herrity voting “NAY.”

21. **CERTIFICATE OF RECOGNITION REQUEST FOR DR. LAURENCE J. MURPHY** (12:04 p.m.)

Supervisor Palchik stated that Inova’s award winning Children’s Hospital recently announced it was changing its name to honor a local pediatrician who has made a very generous donation to the hospital as he prepares to retire. Dr. Laurence J. Murphy has spent more than four decades caring for youngsters in the County. His practice with Dr. Stacey Staats in Burke is located just down the street from Supervisor Walkinshaw’s office. As he nears retirement, Dr. Murphy said he and his wife, Candace, began to think of the legacy they wished to leave for their three daughters and the community he has cared for his entire career.

“Inova has been a part of our family for more than 45 years,” Dr. Murphy said. Dr. Murphy went on to say, *“I’ve spent many days and nights caring for my patients at Inova. My children were born at Inova Fairfax Hospital, and my wife and I have received superb healthcare there over the years. We are thrilled to be able to give back to my colleagues and the community in such a meaningful way.”*

Dr. Steve Narang, President of the Inova Fairfax Medical Campus, who is a pediatrician and the interim president of the Inova Pediatric Service Line, described Dr. Murphy’s gift as transformational, saying it will *“elevate, differentiate, and multiply”* the care and services for the County’s next generation of children.

Dr. J. Stephen Jones, Inova President and Chief Executive Officer, said the generosity of Dr. Murphy and his family *“will enable Inova to continue to provide our smallest patients with the highest quality specialized care.”* Dr. Jones said the donation will be used to recruit and retain talent, expand Inova’s research capabilities, and grow its award-winning Child Life program.

During his career, Dr. Murphy has watched Inova grow from a two-building hospital to the nationally recognized regional medical center we know today. Its iconic pediatric tower will now be known as the Inova L.J. Murphy Children’s Hospital. It is Northern Virginia’s only dedicated children’s hospital with more than 40 pediatric subspecialties, including one of the area’s largest pediatric cardiology programs. It is home to the region’s only Pediatric Level I Trauma Center, Pediatric Intensive Care Unit, and Level IV Neonatal Intensive Care Unit. In fact, the L.J. Murphy Children’s Hospital just received another national accolade in being named one of the Best Children’s Hospitals for Neonatology by U.S. News and World Report.

Therefore, jointly with Supervisor Gross and Supervisor Walkinshaw, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to prepare a certificate of recognition, recognizing and commending Dr. Murphy on his many contributions to the community and expressing the Board’s

appreciation for the legacy that will carry on in his name, to be presented outside the Board Room. Without objection, it was so ordered.

22. **HISTORICAL MARKER CONTEST** (12:07 p.m.)

Supervisor Palchik stated that today, Chairman McKay, Supervisor Lusk, Supervisor Smith, and herself are proposing launching a Historical Markers Contest for the County. The County's Historical Marker Program began in January 1998 when the County's History Commission approved a design and agreed to fund a distinctive marker for the County.

There are currently 53 historical markers that commemorate people, places, or events of regional, statewide, or national significance in the County. Of those markers, the following currently represent the African American community: Bethlehem Baptist Church, Carrolltown, Cartersville Baptist Church, David R. Pinn Community Center, Laurel Grove Colored School and Church, Luther P. Jackson High School, Mount Pleasant Baptist Church, Odrick's Corner, The Pines, and Shiloh Baptist Church.

The Inaugural Historical Marker Contest will focus on the African American history of the County, and allow new stories to be shared with the community. It will help ensure a more comprehensive and inclusive retelling of the diverse and rich stories that helped created the County of today. The program will focus on narratives and oral histories of African American communities, whose history, culture, and accomplishments in the County are under-represented in history books, lessons, and markers. The hope is that the program can be expanded in future years to focus on other under-represented stories of the County.

In 2020, Governor Northam initiated an African American Historical Markers contest for the State markers program. The Governor's office provided teachers with resources to guide history discussions, promoted Black History Month events around the Commonwealth, and initiated the competition for students to submit ideas for new historical markers to the Department of Historic Resources.

With Board support, the plan to launch a similar Historical Marker contest for students in the County. Together with representatives from Fairfax County Public Schools (FCPS), Fairfax County History Commission Historical Markers Committee, Neighborhood and Community Services (NCS), Office of Public Affairs (OPA), the County's Chief Equity Officer, and with community input, a Historical Markers Contest will be developed, focusing on the County's African American history.

Embracing the One Fairfax Policy, this contest will focus on using primary sources, secondary research, and the oral history of the community to select markers that tell untold stories of the richness of the County community.

While this project, open to all County students, will be incorporated into the FCPS social studies K-12 curriculum, the contest will be open to all students who currently reside in the County. Inviting students to engage in this process will allow for a deeper understanding of history, and a chance to participate in and engage with their local government.

The contest for the nine Magisterial Districts will be built into the FCPS social studies curriculum by coordinators and teachers to facilitate learning Virginia and U.S. History as a Project Based Learning Initiative (PBLI).

Therefore, jointly with Chairman McKay, Supervisor Lusk, and Supervisor Smith, Supervisor Palchik moved that the Board:

- Direct the Fairfax County History Commission, with support from the OPA, Department of Management and Budget, Facilities Management Department, and the Fairfax County Equity Office, to work together with FCPS, and the County School Board to administer a Historical Marker Contest for the students of Fairfax County
- Receive a formal plan for the contest including the following:
 - A formation of a committee, to include representatives appointed by each member of the Board (10), as well as representatives from FCPS Student Equity Leads (3), George Mason University (1), NAACP Youth Council (1), and the Black Chamber of Commerce (1), to help outline the rules of the contest, and to vote on the historical markers to be placed in each district next year
 - A consideration item for funding of the contest where up to nine historical markers at \$2,700 are included in the Fiscal Year 2023 budget
- That this be completed by November 1, 2021, in preparation for the beginning of the contest in January 2022

Chairman McKay seconded the motion. Discussion ensued regarding:

- The cost being per marker
- The number of markers representing the Asian community
- Expanding the program in the future

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

23. **ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) STUDENT MEMBER APPOINTMENT** (12:25 p.m.)

(BAC) Supervisor Herrity stated that the EQAC has recommended that the Board appoint Mackenzie Nordai as the student representative on the EQAC for a one-year term beginning July 1, 2021. Ms. Nordai is a resident of the Springfield District and is entering her senior year at West Springfield High School.

EQAC's student member search process was a competitive one, with 26 applications received for the student member position. In making its recommendation, EQAC considered each applicant's grades and extracurricular activities as well as the applicant's essay on an environmental topic. After reviewing the applications, EQAC identified Ms. Nordai as its preferred candidate.

Supervisor Herrity stated that he is seeking this appointment be made today so that Ms. Nordai can attend the July 14, 2021, EQAC meeting as a participating member.

Therefore, Supervisor Herrity moved that the Board appoint Mackenzie Nordai as the Student Member on the EQAC, for a term to run from July 1, 2021, through June 30, 2022. Chairman McKay seconded the motion and it carried by unanimous vote.

24. **CERTIFICATE OF RECOGNITION REQUEST FOR THE NATIONAL CYBER SCHOLARS** (12:27 p.m.)

Supervisor Herrity stated that as the Board is aware, cybersecurity is an ever-growing concern in the country as cyber-attacks continue to strike at government and critical infrastructure at the federal, state, and local level. Earlier this month, five Fairfax County residents: Lauren Delwiche (Thomas Jefferson High School for Science and Technology (TJHSST), Springfield District), Darin Mao (TJHSST, Braddock District), Aryan Chinnala (TJHSST, Providence District), Aarush Sivanesan (TJHSST, Dranesville District), and Gideon Morrow (South Lakes High School, Hunter Mill District) were recognized as Scholars in the National Cyber Scholarship Competition. This competition evaluates the ability of students to combat cyberthreats in a simulated environment.

The National Cyber Scholarship Competition is an annual national competition of high school students where they showcase their ability to counter cyberthreats. To qualify for the challenge, students entered the CyberStartAmerica challenge, which entered the top 20 percent of participants to the National Cyber Scholarship Competition.

Cybercrime is expected to cost the world \$10.5 trillion annually by 2025, according to estimates from Accenture's "Cost of Cybercrime" study in 2019. Furthermore, as small businesses are being targeted by ransomware and data breaches, many of these businesses are not prepared for attacks on this scale. According to CNBC,

cyberattacks cost companies an average of \$200,000 to remedy, putting many of them out of business.

As the world continues to be more connected and more reliant on the internet, the County recognizes the need to continue to foster and encourage students to be interested in cybersecurity and to continue their studies at the university level and beyond.

Therefore, jointly with Supervisor Foust, Supervisor Palchik, and Supervisor Walkinshaw, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a certificate of recognition for the County's National Cyber Scholars, in honor of their achievement, to be presented outside the Board room. Without objection, it was so ordered.

25. **NO BOARD MATTERS FOR SUPERVISOR SMITH (SULLY DISTRICT)**
(12:28 p.m.)

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

KK:kk

AGENDA ITEMS

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

Chairman McKay noted that Supervisor Storck has requested to pull Admin 6 – Approval of a Resolution Authorizing Proposed Zoning Ordinance and Comprehensive Plan Amendments, Including a Board-Initiated Rezoning to Establish Boundaries and Regulations for a Hollin Hills Historic Overlay District (Mount Vernon District) to be considered for a separate vote at a later date.

Therefore, Supervisor Gross moved approval of Admin 1-5. Chairman McKay seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (LEE AND PROVIDENCE DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Hayfield Estates	Lee	Armstrong Court

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Blackstone at Vale Ridge	Providence	Vale Ridge Court

ADMIN 2 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION (HUNTER MILL DISTRICT)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-H21-1	Fairfax County Public Schools Crossfield Elementary School Tax Map Number 36-1 ((10)) G Fox Mill Road Reston, VA Hunter Mill District Accepted May 27, 2021	October 26, 2021

ADMIN 3 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (SPRINGFIELD DISTRICT)

- Endorsed the installation of four “Watch for Children” signs on Hampton Road (Springfield District)
- Directed staff of the Department of Transportation to schedule installation of the approved measures as soon as possible

ADMIN 4 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON DISTRICT)

- (R)
- Adopted the Resolution endorsing the traffic calming plan for Randolph Drive consisting of six speed humps (Mason District)
 - Directed staff of the Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON HAMPTON ROAD (SPRINGFIELD DISTRICT)

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **September 14, 2021, at 4:30 p.m.**, to consider endorsing Hampton Road, between

Ox Road (Route 123) and Henderson Road to be included in the Residential Traffic Administration Program for a through truck traffic restriction.

ADMIN 6 – APPROVAL OF A RESOLUTION AUTHORIZING PROPOSED ZONING ORDINANCE AND COMPREHENSIVE PLAN AMENDMENTS, INCLUDING A BOARD-INITIATED REZONING TO ESTABLISH BOUNDARIES AND REGULATIONS FOR A HOLLIN HILLS HISTORIC OVERLAY DISTRICT (HOD) (MOUNT VERNON DISTRICT)

(NOTE: Earlier in the meeting, the Board pulled this item for consideration at a later date. See page 19.)

27. **A-1 – AMENDMENT OF THE BOARD’S WRITTEN POLICY GOVERNING PARTICIPATION BY ELECTRONIC COMMUNICATION OF BOARD MEMBERS IN PUBLIC MEETINGS** (12:29 p.m.)

(P) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and adopt the Amended Board Policy governing participation by electronic communication of Board Members in public meetings. Supervisor Gross seconded the motion

Discussion ensued with input from Sarah Annear, Assistant County Attorney, regarding whether Committee meetings are included in the 25 percent of the meetings per year requirement.

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

Vice-Chairman Gross returned the gavel to Chairman McKay.

28. **A-2 – APPROVAL OF CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (12:31 p.m.)

(R) On motion of Supervisor Gross, seconded by Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the changes to the Fairfax County Purchasing Resolution, to become effective on July 13, 2021.

29. **A-3 – ADOPTION OF THE UPDATED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS (BOS) AND THE FAIRFAX COUNTY PARK AUTHORITY (FCPA)** (12:31 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and authorize the Chairman to sign the MOU between the BOS and the FCPA updating the responsibilities of both parties for the interactive operations of the Park Authority and the County. The motion was multiply seconded.

Discussion ensued with input from Sarah Baldwin, Acting Director, Fairfax County Park Authority, and Elizabeth Teare, County Attorney regarding:

- The requirement for the Park Authority Board to annually provide the Board with a performance evaluation on the appointed Executive Director of the Park Authority
- The timeframe for review contained in the MOU

Supervisor Gross asked to amend the second sentence in the last paragraph of the MOU to read, “This Memorandum of Agreement **must** be formally reviewed by both parties after five (5) years from the date of this Memorandum of Agreement.” This was accepted.

Ms. Teare stated, for the record, that the MOU itself does not contain a 30-year term. It is a foundational document that establishes how the relationship between the County and the Park Authority will interact and function.

Following further discussion regarding property rights issues, the question was called on the motion and it carried by unanimous vote.

30. **A-4 – ESTABLISHMENT OF A TASK FORCE ON CONFEDERATE ROAD NAMES** (12:44 p.m.)

Supervisor Palchik moved that the Board approve the County Executive’s recommendation, with the following amendments:

- Linda Byrne, Providence District and Dennis Hogge, Sully District be removed from the Task Force list
- Phillip Wilkinson will be representing himself, not George Mason University
- The National Council of Negro Women will be added to the resource list.

Chairman McKay seconded the motion.

Supervisor Alcorn clarified, for the record, that the Task Force will only be reviewing and making recommendations for changing the names of Lee Highway (U.S. Route 29) and Lee-Jackson Memorial Highway (U.S. Route 50).

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

31. **A-5 – ADOPTION OF THE 2021 FAIRFAX COUNTY OPERATIONAL ENERGY STRATEGY** (12:48 p.m.)

Supervisor Storck moved that the Board concur in the recommendation of staff and adopt the 2021 Fairfax County Operational Energy strategy, as contained in Attachment One of the Board Item. The motion was multiply seconded.

Supervisor Storck asked that the Board include an update on the joint efforts with the School Board as part of the agenda at future joint meetings with the School Board, the Park Authority, and Redevelopment and Housing.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

DMS:dms

32. **RECESS/CLOSED SESSION** (12:55 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 § 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 § 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 § 2.2-3711(A) (7).
 1. *City of Eugene, Or, et al. v. Federal Communications Commission, et al.*, Case No. 19-4161 (Sixth Circuit)
 2. *Board of Supervisors of Fairfax County, Virginia v. Hollybrooke II Condominium Unit Owners Association*; Case No. CL-2021-0008585 (Fx. Co. Cir. Ct.) (Mason District)
 3. *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.)

4. *Abrar Omeish v. Sheriff Stacey Ann Kincaid, Officer J. Patrick, and David M. Rohrer*, Case No. 1:21-cv-35 (E.D. Va.)
5. *Marty Matthews v. Fairfax County, Virginia*, Case No. 1:20-cv-01469 (E.D. Va.)
6. *Sophia D. Alford, et al. v. Fairfax County Department of Family Services – Children, Youth and Families, et al.*; Case No. CL-2021-0002095 (Fx. Co. Cir. Ct.)
7. *Board of Supervisors of Fairfax County, Virginia ex rel. Fairfax County Human Rights Commission v. Praveen Kumar Annavarapu and Sudha M. Putla*, Case No. CL-2021- 0008930 (Fx. Co. Cir. Ct.) (Providence District)
8. *Rodger E. Perkins v. Fairfax County Police Dept.*, Case No. GV21-005011 (Fx. Co. Gen. Dist. Ct.); *Rodger E. Perkins v. Government of Fairfax County*, Case No. GV21-007795 (Fx. Co. Gen. Dist. Ct.)
9. *Jacob Nguyen, a minor by his mother and next friend, Jea Shin v. Eddie L. Price*, Case No. GV19-020676 (Fx. Co. Gen. Dist. Ct.)
10. *Jea Shin v. Eddie L. Price*, Case No. GV19-020674 (Fx. Co. Gen. Dist. Ct.)
11. *Ethan Nguyen, a minor by his mother and next friend, Jea Shin v. Eddie L. Price*, Case No. GV19-020675 (Fx. Co. Gen. Dist. Ct.)
12. *April Michelle Marshall, a.k.a. April Norwood v. Alicia A. Adkins and USAA*; Case No. CL-2021-0004405 (Fx. Co. Cir. Ct.)
13. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Charles V. Duran*, Case No. GV21-009782 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
14. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Oanh Kim Tran and Cong Thanh Ngo*, Case No. GV21-009780 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yajun Wang*, Case No. CL- 2020-0011324 (Fx. Co. Cir. Ct.) (Dranesville District)

16. *Elizabeth Perry, Property Maintenance Code Official v. Alidad Arabshahi*, Case No. GV21-001639 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
17. *Hiba Aziz, Building Official v. David Lupton and Pratima P. Lupton*, Case No. GV21-0006743 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
18. *Hiba Aziz, Building Official for Fairfax County, Virginia v. David E. Levanson, Trustee Under the David E. Levanson Trust* Date June 3, 2009, Case No. GV21-009756, *Hiba Aziz, Building Official for Fairfax County, Virginia v. Caitlin B. Levanson, Trustee Under the Caitlin B. Levanson Trust* Date June 3, 2009, Case No. GV21-009761, *Hiba Aziz, Building Official for Fairfax County, Virginia v. Federal Home, LLC*, Case No. GV21-009762 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Uzair Siddiqui and Rubina Siddiqui*, Case No. CL-2021-0006475 (Fx. Co. Cir. Ct.) (Hunter Mill District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Salena Azaad and Zalena Kahn-Ramprashad*, Case No. GV 20-006959 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
21. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Juan F. Hernandez and Thelma A. Ayala*, Case No. GV21-009580 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
22. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Debra A. Padgett and Darcy A. Shepherd*, Case No. GV21- 009581 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lazaro Villatoro and Maria Lazo*, Case No. CL-2021-0005288 (Fx. Co. Cir. Ct.) (Lee District)
24. *Hiba Aziz, Building Code Official for Fairfax County, Virginia v. Fairfax Property Management Corporation*, Case No. GV21-006507 (Fx. Co. Gen. Dist. Ct.) (Lee District)
25. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Rafael Hernandez Damian*, Case No. GV21-007216 (Fx. Co. Gen. Dist. Ct.) (Lee District)

26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. U-Haul Real Estate Company*, Case No. CL-2021-0002114 (Fx. Co. Cir. Ct.) (Mason District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Kurt W. Kruger*, Case No. CL-2021-0008712 (Fx. Co. Cir. Ct.) (Mason District)
28. *In re: March 10, 2021, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Harmony Hills Equestrian Center, Inc., and Terry Abrams v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2021-0004806 (Fx. Co. Cir. Ct.) (Mount Vernon District)
29. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Fahad Razzaq and Ruth Elizabeth Razzaq*, Case No. GV21-006506 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
30. *Hiba Aziz, Building Official v. Sultanewas Nahida*, Case No. GV21-006748 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
31. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Simple Changes Farm LLC*, Case No. GV21-007843 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
32. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Benton Chrea and Siphath Chrea*, Case No. CL-2020-0010911 (Fx. Co. Cir. Ct.) (Providence District)
33. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marisol Ferrel*, Case No. CL-2008-0010799 (Fx. Co. Cir. Ct.) (Providence District)
34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marisol Ferrel*, Case No. CL-2016-0005993 (Fx. Co. Cir. Ct.) (Providence District)
35. *Board of Supervisors of Fairfax County, Virginia v. DSF/Long Metro, LLC, and Westchester Fire Insurance Company*, Case No. CL-2019-0014805 (Fx. Co. Cir. Ct.) (Providence District)
36. *Board of Supervisors of Fairfax County, Virginia v. DSF/Long Metro, LLC, and Lexon Insurance Company*, Case No. CL-2017-0016541 (Fx. Co. Cir. Ct.) (Providence District)

37. *Hiba Aziz, Code Official for Fairfax County, Virginia v. Suffies, LLC*, Case No. GV21-007726 (Fx. Co. Gen. Dist. Ct.) (Providence District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sidney Tobias Harris*, Case No. CL-2021-0008931 (Fx. Co. Cir. Ct.) (Springfield District)
39. *Leslie B. Johnson, Zoning Administrator v. David and Nyaint Morgan*, Case No. GV 21-008076 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
40. *Hiba Aziz, Building Official for Fairfax County, Virginia v. Christie Lynn Kellogg*, Case No. GV21-009777 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
41. *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)
42. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Asrat Betew Lulu*, Case Nos. GV21-005576 and GV21-005577 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(3), consideration of the potential acquisition of real property in the Providence District for a public purpose where open discussion would adversely affect the negotiating strategy
- As permitted by Virginia Code Sections 2.2-3711(A)(7) and (8), legal analysis regarding the following:
 1. *Vienna Metro LLC, et al. v. Fairfax County, et al.*, Fairfax County Circuit Court Case No. CL-2020-0016206
 2. *Elon Wilson v. Fairfax County, et al.*, Case No. 1:21-CV-800 in the U.S. District Court for the Eastern District of Virginia at Alexandria
 3. Monetary claims submitted to the County by Filsan Duale and her four children associated with a motor vehicle accident on December 27, 2017, at Frying Pan and Centreville Roads

4. *Fairfax County v. Purdue Pharma, et al.*, Fairfax County Circuit Court Case No. CL-2019-6025 and *In Re Purdue Pharma, L.P., et al.*, Case No. 19-23649 in the U.S. Bankruptcy Court for the Southern District of New York
5. Voluntary Boundary Adjustment Agreement with the City of Falls Church and the West Falls Church Economic Development Project

Chairman McKay seconded the motion and it carried by unanimous vote.

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

ACTIONS FROM CLOSED SESSION

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

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

34. **ADOPTION OF A RESOLUTION REGARDING THE PURDUE PHARMA BANKRUPTCY PLAN** (3:33 p.m.)

- (R) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board adopt a resolution of the Board authorizing the County’s outside counsel to vote on the County’s behalf to support the proposed Purdue Pharma Bankruptcy Plan. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

35. **POTENTIAL RESOLUTION OF THE PROPOSED WEST FALLS CHURCH ECONOMIC DEVELOPMENT AREA EXPANSION** (3:33 p.m.)

Supervisor Foust stated that on June 22, 2021, the Board authorized the County Attorney to send a letter to the Falls Church City Attorney voicing County staff’s concerns over the City’s proposed expansion of the economic development area at West Falls Church and observing that such expansion would appear to run afoul of the 2013 Voluntary Boundary Adjustment Agreement (VBBA) between the County

and the City. The City Council discussed the Special Exception Entitlement Amendment (SEEA) application and site plan, including the proposed expansion, on June 28 and deferred consideration to an unspecified date to “resolve some outstanding issues.” The City Attorney has also contacted the County Attorney to discuss a possible resolution of this matter. An agreement between the jurisdictions would avoid the need for litigation over the proposed expansion.

Therefore, Supervisor Foust moved that the Board direct the:

- County Attorney to negotiate an agreement with the Falls Church City Attorney establishing that the City has no further developable acreage at West Falls Church once the pending SEEA application and related site plan are approved, after a reasonable portion of usage of the three roadways as that site is factored into the calculation. In addition, this agreement must impose a firm acreage limit for the 50-year period, as defined in the VBBA, on the area that can be used for non-school purposes, subject to minor adjustments of the developable area’s footprint to account for final engineering of the project, if those adjustments are mutually agreed upon in writing by the County Executive and the City Manager
- County Executive to sign the agreement, if negotiations are successful and after the agreement is approved as to form by the County Attorney

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

36. **AUTHORIZATION OF FURTHER COUNTY PARTICIPATION IN ANY PROCEEDING OF THE FEDERAL COMMUNICATIONS COMMISSION (FCC)** (3:36 p.m.)

Supervisor Gross moved that the Board authorize further County participation in any proceeding of the FCC related to the May 26, 2021, Order issued by the Sixth Circuit Court of Appeals in the case of *City of Eugene, Or, et al. v. Federal Communications Commission, et al.*, Case No. 19-4161, or the FCC’s August 1, 2019, Third Report and Order in the MB Docket No. 05-311. Chairman McKay seconded the motion and it carried by unanimous vote.

37. **AUTHORIZATION OF SETTLEMENT FOR BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA V. HOLLYBROOKE II CONDOMINIUM UNIT OWNERS ASSOCIATION, ET AL.** (3:37 p.m.)

Supervisor Gross moved that the Board authorize staff to prepare and execute all documentation necessary to settle a pending case in the Fairfax County Circuit Court styled *Board of Supervisors of Fairfax County, Virginia v. Hollybrooke II Condominium Unit Owners Association, et al.*, CL-2021-08585, in accordance with the terms and conditions discussed with the County Attorney in Closed Session. Supervisor Lusk and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

38. **AUTHORIZATION OF SETTLEMENT FOR VIENNA METRO, LLC, V METRO LLC, METRO W LLC, V METRO W LLC, AND CRC PROPERTY MANAGEMENT LLC V. FAIRFAX COUNTY, VIRGINIA, AND BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** (3:38 p.m.)

Supervisor Palchik moved that the Board authorize the settlement of Case No. CL-2020-16206, *Vienna Metro, LLC, V Metro LLC, Metro W LLC, V Metro W LLC, and CRC Property Management LLC v. Fairfax County, Virginia and Board of Supervisors of Fairfax County, Virginia*, as outlined by the County Attorney in Closed Session. Supervisor Lusk seconded the motion and it carried by unanimous vote.

39. **ACQUISITION OF PROPERTY LOCATED IN THE PROVIDENCE DISTRICT** (3:39 p.m.)

Supervisor Palchik moved that the Board authorize staff to prepare and execute all documentation necessary to acquire certain real property located in the Providence District for public improvements in accordance with the terms and conditions discussed with the County Attorney in Closed Session. Supervisor Lusk seconded the motion and it carried by unanimous vote.

EBE:ebe

AGENDA ITEMS

40. **3:30 P.M. – PUBLIC HEARING ON PRC-C-020-02 (TALL OAKS AT RESTON L.C.) TO APPROVE A PRC PLAN ASSOCIATED WITH RZ-C-020 TO PERMIT ADDITIONAL PARKING FOR AN EXISTING ASSISTED LIVING FACILITY, LOCATED ON APPROXIMATELY 2.45 ACRES OF LAND ZONED PRC (HUNTER MILL DISTRICT)** (3:40 p.m.)

(NOTE: On June 22, 2021, the Board deferred this public hearing until July 13, 2021.)

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 June 4 and June 11, 2021.

The application property is located on the north side of North Shore Drive, east of its intersection with Wiehle Avenue, Tax Map 18-1 ((5)) 8B.

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

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

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

Following a query by Supervisor Alcorn, Ms. Mariska confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated May 19, 2021.

Supervisor Alcorn moved approval of:

- Planned Residential Community Application PRC-C-020-02, subject to the development conditions dated May 19, 2021.
- Parking Reduction Study #3823-PKS-001-01, subject to the development conditions dated December 10, 2020.

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

41. **3:30 P.M. – PUBLIC HEARING ON PCA 88-C-119-08/ DPA 86-C-119-04/ PRCA 86-C-119-02 (BOSTON PROPERTIES LIMITED PARTNERSHIP) TO AMEND THE PROFFERS, CONDITIONS, AND DEVELOPMENT PLAN FOR RZ 86-C-119, PREVIOUSLY APPROVED FOR MIXED USE DEVELOPMENT, TO ADD OFFICE AS A PERMITTED USE ON BLOCK D AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN AT AN INTENSITY OF 7.25 FLOOR AREA RATIO FOR BLOCK D AND 3.22 FLOOR AREA RATIO FOR THE OVERALL DEVELOPMENT, LOCATED ON APPROXIMATELY 2.06 ACRES OF LAND ZONED PRC (HUNTER MILL DISTRICT) (3:45 p.m.)**

- (O) (NOTE: On June 22, 2021, the Board deferred this public hearing until July 13, 2021.)

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 June 4 and June 11, 2021.

The application property is located on the east side of Town Center Parkway, north of Sunset Hills Road and south of the Washington and Old Dominion Trail. Tax Map 17-3 ((22)) 5.

Mark Looney, Cooley LLP reaffirmed the validity of the affidavit dated June 29, 2021, for the record.

Supervisor Herrity disclosed that he received a campaign contribution in excess of \$100 from:

- Robert M. McDowell of Cooley LLP

Mary Ann Tsai, 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.

Discussion ensued, with input from Mr. Looney, regarding the pedestrian crossing and long-term solution project and safety issues with pedestrian access to the metro station.

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

Following a query by Supervisor Alcorn, Mr. Looney confirmed, for the record, that the applicant was in agreement with the PRCA development conditions dated May 6, 2021.

Supervisor Alcorn moved:

- Approval of Proffered Condition Amendment Application PCA 86-C-119-08 and Development Plan Amendment Application DPA 86-C-119-04, subject to the executed proffered conditions dated May 5, 2021
- Approval of Planned Residential Community Amendment Application PRCA 86-C-119-02, subject to the development conditions dated May 6, 2021
- Reaffirm the previously approved waivers and modifications contained in the handout distributed to the Board

Chairman McKay and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

Because of the challenge with getting pedestrians efficiently and safely across Sunset Hills Road after the opening of Phase II in the Metrorail Station, Supervisor Alcorn moved that the Board direct staff:

- In coordination with the Virginia Department of Transportation, the Metropolitan Washington Airports Authority, the Washington Metropolitan Area Transit Authority, and Boston Properties, to pursue near-term adjustments to improve pedestrian visibility and access for pedestrians crossing Sunset Hills Road at the Reston Town Center Metrorail Station
- To evaluate options for long term solutions that improve pedestrian access and the pedestrian experience at the Sunset Hills Road at Reston Town Center Metrorail Station intersection

Supervisor Lusk seconded the motion. Following a brief discussion regarding the add-on motion, the question was called on the motion and it carried by unanimous vote.

42. **3:30 P.M. – PUBLIC HEARING ON RZ 2020-BR-016 (TRUSTEES OF ANNANDALE UNITED METHODIST CHURCH) TO REZONE FROM C-5 AND R-20 TO C-5 TO PERMIT A PLACE OF WORSHIP WITH COMMUNITY RESOURCE CENTER WITH AN OVERALL FLOOR AREA RATIO OF 0.22, LOCATED ON APPROXIMATELY 1.77 ACRES OF LAND (BRADDOCK DISTRICT)** (3:59 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 June 25 and July 2, 2021.

The application property is located on the west side of Heritage Drive, south of Patriot Drive. Tax Map 70-2 ((1)) 2.

Lynne Strobel, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated June 7, 2021, for the record.

Brandon McCadden, 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.

Ms. Strobel introduced Jason Micheli, Senior Pastor, Annandale United Methodist Church, who provided brief remarks on behalf of the applicant.

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

Supervisor Walkinshaw moved approval of Rezoning Application RZ 2020-BR-016, subject to the proffers dated June 1, 2021. Supervisor Gross seconded the motion.

Following discussion regarding the application, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

43. **3:30 P.M. – PUBLIC HEARING ON SE 2020-MA-011 (TERRY L. SLACK AND AMNUAY SLACK) TO PERMIT A WAIVER OF MINIMUM LOT SIZE REQUIREMENTS (WIDTH) FROM 80 FEET TO 71.1 FEET, LOCATED ON APPROXIMATELY 28,195 SQUARE FEET OF LAND ZONED R-3 (MASON DISTRICT) (4:11 p.m.)**

A Certificate of Publication was filed from the editor of the Washington Times showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 25 and July 2, 2021.

The application property is located at 6264 Lincolnia Road, Alexandria, VA 22312. Tax Map 72-2 ((1)) 50A and 72-2 ((6)) A2.

Christopher Neifert, ATCS, P.L.C., reaffirmed the validity of the affidavit dated April 23, 2021, for the record.

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

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

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

Following a query by Supervisor Gross, Mr. Neifert confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 16, 2021.

Following remarks regarding the application, Supervisor Gross moved:

- Approval of Special Exception Application SE 2020-MA-011, subject to the proposed development conditions dated June 16, 2021

- Modification of Paragraph Two of Section 17-201 of the Zoning Ordinance for the construction of a major paved trail requirement along Lincolnia Road in favor of the existing sidewalk

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

44. **3:30 P.M. – PUBLIC HEARING ON PCA 74-8-126 (YOSHI HODINGS, LLC) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLAN FOR RZ 74-8-126 (CONCURRENT WITH RZ 74-8-125), PREVIOUSLY APPROVED FOR 212 DWELLING UNITS AT A DENSITY OF 2.5 DWELLING UNITS PER ACRE, TO PERMIT THE DEVELOPMENT OF SIX SINGLE FAMILY DETACHED DWELLINGS AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN AT A DENSITY OF 2.26 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 2.65 ACRES OF LAND ZONED PDH-3 (MOUNT VERNON DISTRICT) (4:17 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the Washington Times showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 25 and July 2, 2021.

The application property is located on the east side of Hooes Road. and south side of Southern Oaks Place. Tax Map 98-3 ((14)) B.

Lori Greenlief, McGuire Woods LLP, reaffirmed the validity of the affidavit dated April 19, 2021, for the record.

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

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

Discussion ensued, with input from Ms. Greenlief, regarding the impacts on the tree canopy, loss of trees, access issues to the site and impacts on neighboring communities.

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

Supervisor Storck moved approval of Proffered Condition Amendment Application PCA 74-8-126, subject to the proffers dated June 16, 2021. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk,

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

45. **4 P.M. – PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 2506 FLEMING STREET, ALEXANDRIA, VA 22306 (MOUNT VERNON DISTRICT)** (4:35 p.m.)

(O) (NOTE: On June 8, 2021, the Board deferred this public hearing until July 13, 2021.)

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 June 25 and July 2, 2021.

Victoria Fitzgerald, Code Compliance Investigator III, Department of Code Compliance, presented the staff report.

Following the public hearing, Ms. Fitzgerald presented staff recommendations.

Following a brief discussion, with input from Jack Wyant, Director, Department of Code Compliance, regarding notification to the property owner, and confirmation that staff will continue to work with the property owner and/or her representatives as long as progress is being made to accomplish sale of the property, as well as allowing the property owner to enter the property to remove any items of value.

Supervisor Storck moved:

- Adoption of the Ordinance declaring 2506 Fleming Street blighted, constituting a nuisance
- Approval of the blight abatement plan for 2506 Fleming Street
- That the property must be sold within 60 days of adoption of this Ordinance, and all structures on the property must be demolished within 60 days of the purchase date. Failure to accomplish the property abatement within these timeframes will result in the County accomplishing abatement

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

46. **4 P.M. – PUBLIC HEARING ON THE CONTINUATION OF THE FAIRFAX COUNTY PARK AUTHORITY FOR A PERIOD OF 30 YEARS, UNTIL OCTOBER 28, 2051** (4:42 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 June 25 and July 2, 2021.

Sara Baldwin, Acting Director, Park Authority, presented the staff report.

Following the public hearing, which included testimony by 16 speakers, Ms. Baldwin stated that no decision has been made on Justice Park.

Supervisor Gross moved adoption of the Ordinance as contained in Attachment One of the Board Agenda Item. Chairman McKay seconded the motion.

Following discussion regarding the motion, Supervisor Gross asked that the new Executive Director review the public hearing to help undertake the proposed changes and to have discussions with the Board and Park Authority members.

Discussion continued, with input from Ms. Baldwin, regarding community outreach and engagement, processes, and framework implementation.

The question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

(NOTE: Earlier in the meeting, the Board approved a Memorandum of Understanding regarding the Park Authority. See Clerk’s Summary Item #29.)

47. **4 P.M. – PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT TO NEW CHAPTER 112.1, REGARDING SPECIAL PERMIT FEES AND OTHER MINOR REVISIONS** (6:13 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 June 25 and July 2, 2021.

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

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

Supervisor Smith moved:

- Adoption of the proposed Zoning Ordinance amendment to new Chapter 112.1, regarding special permit fees and other minor revisions, as set forth in the Staff Report dated May 18, 2021, including the following advertised options:
 - A special permit fee of \$435 for an Increase in Flagpole Height
 - A special permit fee of \$910 for Accessory Structures on Through Lots, Increase in the Cumulative Square Footage of Freestanding Accessory Structures, and an Increase in the Height of a Freestanding Accessory Structure
- That the amendment become effective at 12:01 a.m., July 14, 2021

Supervisor Lusk seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Vice-Chairman Gross voting “AYE,” Chairman McKay being out of the room.

(NOTE: Later in the meeting, Chairman McKay asked to have his vote recorded in the affirmative. See Clerk’s Summary Item #49.)

48.

4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2018-II-1M WEST FALLS CHURCH TRANSIT STATION AREA (TSA) STUDY, LOCATED AT THE WEST FALLS CHURCH METRORAIL STATION, WEST OF HAYCOCK ROAD, AND NORTH OF ROUTE 7 (DRANESVILLE DISTRICT) (6:20 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 25 and July 2, 2021.

Bryan Botello, Planner II, Public Facilities and Plan Development Branch, Planning Division, Department of Planning and Development, presented the staff report.

Following the public hearing, which included testimony by 15 speakers, Mr. Botello presented the staff and Planning Commission recommendations.

Following lengthy remarks regarding the application, Supervisor Foust moved:

- Approval of Plan Amendment 2018-II-1M, as recommended by the Planning Commission.
- That the Countywide Transportation Plan Map and Community Planning Sector Maps be updated as shown in the Staff Report

Chairman McKay and Supervisor Lusk jointly seconded the motion.

Following discussion regarding the application, the question was called on the motion and it carried by unanimous vote.

Jointly with Supervisor Palchik, Supervisor Foust moved that the Board direct staff to develop an active Transportation Plan for the West Falls Church TSA and surrounding area. This plan should include an existing conditions assessment to be performed within the pedestrian and bicycle access sheds of the Metro rail station and should identify barriers to access inadequate facilities and other areas for improvement. Following this assessment, staff should conduct outreach to solicit community feedback on proposed recommendations and develop priorities, including short-term and long-term projects. The plan should identify potential opportunities for public and private funding sources for the proposed improvements. Development of the plan will be performed by County staff and does not require dedicated County funds. Chairman McKay and Supervisor Palchik jointly seconded the motion.

Supervisor Palchik clarified that this study will also be able to address existing concerns in the community, as well as take into consideration the recommendations that have already been jointly provided with the Virginia Department of Transportation of the Shreve Road study.

Following discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

49. **CHAIRMAN MCKAY'S VOTE ON THE 4 P.M. PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT TO NEW CHAPTER 112.1, REGARDING SPECIAL PERMIT FEES AND OTHER MINOR REVISIONS** (6:51 p.m.)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item #47.)

Chairman McKay asked the Clerk to record him as voting "AYE" for the 4 p.m. Public Hearing on a Proposed Zoning Ordinance Amendment to New Chapter 112.1, Regarding Special Permit Fees and Other Minor Revisions.

50. **BOARD ADJOURNMENT** (7:52 p.m.)

At 7:52 p.m. the Board adjourned.