CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

TUESDAY
February 4, 2025

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02-25

EBE:ebe

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, February 4, 2025, at 9:33 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter Alcorn, Hunter Mill District
- Supervisor James N. Bierman, Jr., Dranesville District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Andres F. Jimenez, Mason District
- Supervisor Rodney Lusk, Franconia 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; Jacob Caporaletti, Management Analyst; Ekua Brew-Ewool and Sameera Awan, Deputy Clerks, Department of Clerk Services.

BOARD MATTER

1. **MOMENT OF SILENCE** (9:34 a.m.)

The Board asked everyone to keep in thoughts the family, friends, and/or colleagues of:

- The 67 victims of a recent midair collision between a plane and a military helicopter in Washington, D.C.; members of United Association of Steamfitters Local 602; members of the Skate Quest community in Reston, and the skating community in Ashburn; Fort Belvoir Army Service Members; and first responders across the D.C. Metro area. Three Fairfax County Public School (FCPS) students and six FCPS parents were among the victims, including Roger and Stephanie Heynos, and their son Cory, of Annandale, as well as Ilia Malinin, a figure skater who was recently honored by the Board, and other young figure skaters. The Board remains committed to supporting the victims' families, first responders, and all in the community who have been affected. Several relief efforts are underway including the donation site: www.thecommunityfoundation.org. The Office of Public Affairs was asked to help publicize the various relief efforts

- Former Mount Vernon District Supervisor Gerald "Gerry" Hyland, who died recently. He served on the Board from 1988-2015; was passionate about his constituents; served on countless regional, statewide, and national organizations; loved his community and spent decades working to improve the lives of everyone he served; was a leader in every sense, but particularly when it came to providing services to the most vulnerable residents and promoting the revitalization of the Richmond Highway Corridor; was especially proud of his work protecting the many historical properties in his district. He always advocated for those who had no voice and those who needed county services and support. In 2019, the South County Center was renamed the "Gerry Hyland Government Center" to honor the decades of service he provided to the residents

  A video tribute was shared in his honor. A community celebration of life is scheduled for Friday, March 28, 2025, at 10:30 a.m., at the Good Shepherd Catholic Church, 8710 Mount Vernon Highway. More details will be announced later.

- Pastor William McCarty, who died recently. He was the former Chairman of the Isle of Wight County Board of Supervisors and a member of the Virginia Association of Counties . A celebration of life was held yesterday in Newport News, Virginia

- Joseph Briggs, who died recently. He was a County employee with the Department of Neighborhood and Community Services, Therapeutic and Recreation Services, located in the Pennino Building. He had a love for helping others and always had a smile for everyone; he had tremendous pride for his career and his friends, helping break down barriers for other individuals with disabilities

- The victim of a recent tragic house fire in Reston and another fire in Reston back in December, as well as the recent fire deaths in Washington, D.C.

- Ruth Scott, who died recently. She was a longtime resident of Lake Barcroft, before moving to Fairfax, and was the beloved mother of United States Army Major General Bruce Scott, a Mason Neck resident

- The victim of another pedestrian fatality, Erica Tibbs, who was struck while crossing Richmond Highway with her five-year-old child. The child survived and is in stable condition. The Rising Hope Mission Church in Alexandria and the community are helping the family

- A Fairfax County Police officer who was stabbed last night while working. He was treated and released from the hospital

- Marc Eugene Bettius, who died recently. He was an Attorney focusing much of his career on the area of zoning and land use. He helped shape the Northern Virginia landscape and was one of the lead counsel in the Occoquan downzoning case

- Ty Lovitt, who died recently. He was the spouse of Ginny Atwood, the Co-Founder of the Christopher Atwood Foundation

- Dimitri Sotis, who died recently. He was the heart and soul of drive time radio on the WTOP News Station for many years, and was among the scholars honored with the 2012 National Edward R. Murrow Award for best large-market radio newscast

AGENDA ITEMS

2. **PRESENTATION OF THE BEST WORKPLACES FOR COMMUTER AWARDS** (10:12 a.m.)

Julie Bond, Program Manager, Best Workplaces for Commuters, Center for Urban Transportation Research, recognized Fairfax County employers as "Best Workplaces for Commuters." The 2024 honorees are as follows:

- ASTI – Advanced Simulation Technology Inc.
- Brookfield Properties, Operated by CBRE
- Groundswell
- Inova Center for Personalized Health
- The Northern Virginia Transportation Authority
- RTC West, Operated by JBG Smith
- Scout Space
- Silverline Center
- Silverstone Senior Living
- Systematic
- Transurban North America
- Tysons Community Alliance

SA:sa

3. **RESOLUTION OF RECOGNITION PRESENTED TO TOWN OF HERNDON MAYOR SHEILA OLEM** (10:18 a.m.)

Supervisor Bierman moved approval of the Resolution of Recognition presented to the Town of Herndon Mayor Sheila Olem, honoring her for outstanding service to the Town of Herndon and the County. The motion was multiply seconded and carried by unanimous vote.

4. **RESOLUTION OF RECOGNITION PRESENTED TO MARK PEMBLETON** (10:27 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved approval of the Resolution of Recognition presented to Mark Pembleton, honoring him for his heroic act of service in saving a fellow citizen from a highway fire. Vice-Chairman Smith and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

Fatima Malik, a representative from Congressman Gerry Connolly's Office, also presented Mr. Pembleton with an entry to the Congressional record made in honor of his selfless service to the community.

5. **RESOLUTION OF RECOGNITION PRESENTED TO SCOTT STROH** (10:38 a.m.)

Supervisor Storck moved approval of the Resolution of Recognition presented to Scott Stroh, honoring him for his many contributions and positive impact on Gunston Hall, the historical sites community, the Mount Vernon District, and the Commonwealth of Virginia. Chairman McKay seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING FEBRUARY 2025 AS *"BLACK HISTORY MONTH"* IN FAIRFAX COUNTY** (10:50 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and moved approval of the Proclamation designating February 2025 as "*Black History Month"* in Fairfax County. The motion was multiply seconded and carried by unanimous vote.

Vice-Chairman Smith returned the gavel to Chairman McKay.

EBE:ebe

7. **REPORT ON GENERAL ASSEMBLY (GA) ACTIVITIES** (11:18 a.m.)

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, stated that the regular 2025 Session of the Virginia General Assembly (GA) convened on January 8, 2025, and is scheduled to adjourn on February 22, 2025. The Legislative Committee met on January 17, January 24, and January 31, 2025, to consider hundreds of bills important to the County. He presented the report on the General Assembly activities, noting the following:

- As of Monday, January 23, approximately 2,118 bills and resolutions had been introduced in the 2025 GA session. The Committee's positions on specific bills are outlined in the memo and tracking chart included in the Committee's report. A wide variety of bills have been introduced this session, including numerous bills that would reduce County revenue, restrict the ability to provide County services, and restrict the County's land use authorities

- The Legislative Committee also received a status update on the Board's County Initiatives this year. The first, HB 2036 (Bulova) addresses street takeover and expands reckless driving to include exhibition driving and prohibits increasingly dangerous behaviors on the Commonwealth's roads. Penalties for violations include a process for impounding motor vehicles driven by anyone arrested for exhibition driving. The legislation is on the House floor for action today. The second, HB 2550 (Sullivan), authorizes localities in Planning Districts 8 and 16 (including Northern Virginia) to place

and operate noise abatement monitoring systems for the purpose of recording and enforcing exhaust system violations. The operator of such a vehicle would be liable for a civil penalty up to $100, paid to the locality in which the violation occurs, and has an expiration date of July 1, 2027, as it is a pilot program. The legislation is also on the House floor for action today

- Today is the "crossover" date, which is one of the most significant for the conduct of legislative activities, as the House and Senate are required to consider and act on their respective non-budget legislative initiatives by midnight tonight. From that point forward, the House will only be considering Senate bills, and the Senate will only be considering House bills

- The House Appropriations and Senate Finance and Appropriations Committees presented their budget bills on February 2, which now must be passed by each chamber. As in previous years, it is anticipated that each chamber will reject the other's budget and appoint members to a conference committee to resolve these differences

- 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 legislative staff as the budget and legislative process progresses

Supervisor Walkinshaw noted that the annual reception will be held on Wednesday, February 5, 2025, at 5:30 p.m., at the Virginia Association of Counties (VACo) building, in Richmond.

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number One. The motion was multiply seconded and carried by a vote of nine, Supervisor Herrity voting "NAY."

DMS:dms

ADDITIONAL BOARD MATTERS

8. **PROCLAMATION REQUEST TO DESIGNATE MARCH 2025 AS *"DEVELOPMENTAL DISABILITY INCLUSION MONTH"* IN FAIRFAX COUNTY** (11:24 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Smith and asked unanimous consent that the Board direct staff to prepare a Proclamation designating

March 2025 as *"Developmental Disability Inclusion Month*" in the County. Without objection, it was so ordered.

9. **PROCLAMATION REQUEST TO DESIGNATE APRIL 7 – 13, 2025, AS *"PUBLIC HEALTH WEEK"* IN FAIRFAX COUNTY** (11:24 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 7 - 13, 2025, as *"Public Health Week"* in the County. Without objection, it was so ordered.

10. **PROCLAMATION REQUEST TO DESIGNATE APRIL 21 – 28, 2025, AS *"INTERNATIONAL DARK SKIES WEEK"* IN FAIRFAX COUNTY** (11:24 a.m.)

Jointly with Supervisor Alcorn, Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating April 21 - 28, 2025, as *"International Dark Skies Week"* in the County. Without objection, it was so ordered.

11. **PROCLAMATION REQUEST FOR THE EASTERN PROVINCE POLEMARCH OF KAPPA ALPHA PSI FRATERNITY, INC.** (11:24 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation for the Eastern Province Polemarch of Kappa Alpha Psi Fraternity, Inc., in recognition of its 100 years of service to the region. The fraternity's Alexandria-Fairfax Alumni Chapter will host this year's Centennial Province Council. Without objection, it was so ordered.

Vice-Chairman Smith returned the gavel to Chairman McKay.

12. **EXPEDITE SCHEDULING REQUEST FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2005-SU-007-04 - KOREAN CENTRAL PRESBYTERIAN CHURCH (SULLY DISTRICT)** (11:24 a.m.)

Supervisor Smith stated that Korean Central Presbyterian Church filed a Special Exception Amendment Application, SEA 2005-SU-007-04, to amend the previously approved private school and childcare center on the site and expand the grade levels of the private school to include Kindergarten – 12th grade. The applicant also seeks to increase the enrollment in the childcare center from 100 children to 200 children, and to increase the enrollment in the private school from 100 students to 300 students. No physical changes are proposed to the site. The Planning Commission hearing is scheduled for February 12, 2025, and this case should move forward as soon as possible to allow the changes to take place before the new school year starts in September 2025.

Therefore, Supervisor Smith moved that the Board direct staff to expedite the scheduling of the Board's public hearing for Special Exception Amendment Application SEA 2005-SU-007-04. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in anyway. Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

13. **REQUEST TO INCREASE INTENSITY IN DISCOVERY SQUARE PLAN AMENDMENT 2023-III-4UP (SULLY DISTRICT)** (11:26 a.m.)

Supervisor Smith stated that on April 11, 2023, the Board authorized the consideration of a Plan Amendment for Tax Map Parcel 24-4 ((1)) 6C1, as part of the 2023 Comprehensive Plan Amendment Work Program. Staff was directed to consider revising the Comprehensive Plan options for the Dulles Suburban Center Land Unit D-3, Option B, to allow approximately, but not limited to, 29,000 square feet of retail as well as 50 townhouses and four live/work units at an approximate floor area ratio (FAR) of 0.2. The eight-acre property is undeveloped and is located near multifamily housing, a community center and recreational park space. Discussions between the nominator and staff have identified an additional mix of residential uses that could be considered for this site. Specifically, allowing multi-family housing to be studied, as a part of the Plan Amendment, may result in a better opportunity to provide for improved public park and open space on-site that can serve as an amenity for the community at large.

Therefore, Supervisor Smith moved that the Board direct staff to evaluate multi-family housing, as a part of the mix of retail and residential uses considered for Plan Amendment 2023-111-4UP, with flexibility to consider up to 0.8 FAR on Tax Map Parcel 24-4 ((1)) 6C1. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in anyway. Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

14. **PROMOTION IN THE SULLY DISTRICT SUPERVISOR'S OFFICE** (11:28 a.m.)

Supervisor Smith announced that Poonam Ramgopal, previously her Land Use Aide, has been promoted to Chief of Staff. On behalf of the Board, Supervisor Smith congratulated her on her promotion.

15. **REQUEST TO REFER THE JANUARY 15, 2025, ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) MEMO TO THE COUNTY EXECUTIVE** (11:28 a.m.)

Supervisor Walkinshaw stated that the Board received the January 15, 2025, memo from the EQAC with recommendations to address illegal dumping in the County.

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

- Refer the January 15, 2025, EQAC memo to the County Executive for review and consideration

- Direct the County Executive report by the end of Fiscal Year 2025 to the Board with an outline of existing efforts and programs to address illegal dumping, an analysis of the recommendations contained in the EQAC memo, and any new strategies that could help in mitigating the issue

Chairman McKay and Supervisor Palchik jointly seconded the motion. Following discussion regarding the scope not being restrictive and examining what is being done to address this in Augusta, the question was called on the motion and it carried by unanimous vote.

(*NOTE: Supervisor Jimenez was added as a co-sponsor following the presentation of this item.)

16. **COMMUTER SERVICES AWARENESS CAMPAIGN FOR FEDERAL WORKERS** (11:30 a.m.)

Supervisor Lusk stated that the County is home to more than 50,000 federal employees, many of whom have worked remotely since the COVID-19 pandemic. Recently, the President signed an executive action requiring federal workers to return to in-person work on a full-time basis with few exceptions. Additionally, the administration announced that federal employees must agree by February 6, 2025, to end their remote-work arrangement. While the County is not aware of how this policy could be implemented, if there are federal workers who end up being required to return to the office, the County wants to be ready to assist.

As a result, Supervisor Lusk stated that he has heard from federal employees in the Franconia District that they are quickly evaluating their options to commute to and from their offices throughout the region. To support these residents, Supervisor Lusk stated his belief that the County has an opportunity to enhance awareness of the County's robust commuter services and encourage residents to choose alternatives to single-occupancy vehicles. For instance, the new Springfield Garage has several commuting options available for residents, such as Connector bus stops and carpool slugging.

Therefore, jointly with Chairman McKay and Supervisor Bierman, Supervisor Lusk asked unanimous consent that the Board direct the County Executive to assign the appropriate staff, to include the Fairfax County Department of Transportation and the Office of Public Affairs, to initiate a public

awareness campaign aimed at informing federal workers of the various commuter transit options available in the County. Without objection, it was so ordered.

17. **ELECTRIFYING THE FUTURE: CLIMATE POLLUTION REDUCTION – A METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) EVENT** (11:32 a.m.)

Supervisor Lusk stated that the 2025 D.C. Auto Show is happening now at the Walter E. Washington Convention Center until February 9, 2025. The D.C. Auto Show is the region's largest indoor event and one of the top auto shows in the country. Attendees at this year's car show are shown the latest innovations in cars, including electric vehicles and autonomous driving.

Supervisor Lusk stated that on January 30, 2025, he was able to join members of the COG for a forum at the Washington Auto Show. The forum was called "Electrifying the Future: Strategies for Climate Pollution Reduction." This forum focused on pollution reduction, bringing together the public and private sector. There were several different panels over a span of a few hours, focusing on a range of issues around electric vehicles, vehicle charging and the reduction of greenhouse gas emissions to achieve regional targets.

As noted by the Office of Environmental and Energy Coordination, "the transportation sector is the second-largest source of greenhouse gas (GHG) emissions in the County, accounting for about 43 percent of total GHGs." While there are serious challenges ahead regarding climate change, Supervisor Lusk stated that he was energized after seeing all of the state-of-the-art technology at the D.C. Auto Show. Supervisor Lusk stated that he is eager to see how the County can implement these new technologies, useful additions to all the efforts in the County to reduce greenhouse gas emissions.

18. **PROCLAMATION REQUEST FOR HUNTLEY MEADOWS PARK (FRANCONIA DISTRICT)** (11:34 a.m.)

Supervisor Lusk stated that on February 2, 2025, he had the opportunity to visit Huntley Meadows Park to commemorate World Wetlands Day. Huntley Meadows Park is in Franconia District and encompasses over 1500 acres of wetlands, meadows, and forests. Its wetlands provide much needed breeding habitats for birds, mammals reptiles and other wildlife. Friends of Huntley Meadows Park is a nonprofit organization dedicated to connecting visitors to the treasures of Huntley Meadows through education, conservation and resource funding. The Friends of Huntley Meadows Park assist with funding volunteer development, staff training and resource management projects. Each year the Friends of Huntley Meadows Park sponsor a photo contest and exhibition that support photographers of all ages in the community. The current exhibition will be on display at the Huntley Meadows Park Visitors Center until the end of February. After receiving a tour of this year's exhibition, Supervisor Lusk stated that he spent the afternoon working with volunteers to cut back invasive species at Huntley Meadows Park.

The Friends of Huntley Meadows Park are important stewards who work in partnership with the Park Authority staff to support the Park and are deserving of special recognition for their important contributions to the environment and to the Franconia community on the occasion of the 50th Anniversary of Huntley Meadows Park.

Therefore, jointly with Chairman McKay, Supervisor Lusk asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Proclamation to acknowledge the contributions of the Friends of Huntley Meadows Park on the occasion of the 50th anniversary of Huntley Meadows Park. Without objection, it was so ordered.

19. **PROCLAMATION REQUEST FOR JOHNA GOOD GAGNON** (11:36 a.m.)

Supervisor Lusk stated that this Board Matter acknowledges the service of the Franconia District Representative to the Environmental Quality Advisory Council (EQAC), Johna Good Gagnon. Ms. Gagnon has served on EQAC since 1993, having been first appointed by Lee District Supervisor Joe Alexander. She is the longest serving appointee on EQAC.

For most of this time, Ms. Gagnon was the EQAC appointee to the Fairfax Joint Local Emergency Planning Committee FJEPC. Additionally, she authored the "Hazardous Materials" Chapter of EQAC's Annual Report on the Environment.

In addition to serving on EQAC, Ms. Gagnon concurrently served 17 years as Director of the Northern Virginia Soil and Water Conservation District and has worked with the Franconia District Land Use Committee.

Therefore, Supervisor Lusk asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Proclamation for Johna Good Gagnon, in recognition of her dedicated service to the community, the EQAC, and the Franconia District. Without objection, it was so ordered.

20. **ANNOUNCEMENT FOR ANNUAL FRANCONIA DISTRICT OFFICE OPEN HOUSE** (11:39 a.m.)

Supervisor Lusk reminded the Board and public that he will be hosting his annual Franconia District Open House on Saturday, February 8, 2025, from 11a.m. – 1 p.m. at the Franconia District Governmental Center, located at 6121 Franconia Road. This event will be special as it is the last open house that will be held in the current building, before the relocation to the new building sometime this summer.

Supervisor Lusk invited all Franconia District residents to attend. Refreshments will be provided. Residents will have the chance to speak with Board, Authority, and Commission appointees members, the Franconia District Supervisor and staff,

as well as the Franconia District and Mount Vernon District Police Station Commanders. The Franconia Museum will be open and the Springfield Art Guild will have an exhibit on display at the Franconia District Governmental Center from February - April.

The community is encouraged to bring nonperishable food items to the event. Supervisor Lusk stated that his office will take the donations to a variety of non-profit organizations.

Supervisor Lusk stated that the invitation is open to the Board and that the flyer for the event is attached to his written Board Matter. He stated that he looks forward to seeing everyone there.

21. **DRANESVILLE DISTRICT BUDGET TOWN HALLS** (11:39 a.m.)

Supervisor Bierman announced that his budget town halls will be held on:

- March 28, 2025, at 6 p.m. at the McClean Government Center
- April 2, 2025, at 7 p.m. at Herndon High School

Supervisor Bierman stated that he will be joined by the Dranesville District School Board Member, County staff, and School Board staff. He invited the community to attend the events.

22. **BOARD COMMENTS ON THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) PROPOSED FISCAL YEAR (FY) 2026 OPERATING BUDGET AND FY 2026 – 2031 CAPITAL IMPROVEMENT PROGRAM (CIP)** (11:41 a.m.)

Supervisor Alcorn stated that on January 11, 2025, WMATA announced the public comment period for the General Manager's proposed FY 2026 operating budget. Comments will be received through February 10, 2025.

The proposed budget totals $2.6 billion, a seven percent overall increase from FY 2025. The proposed six-year CIP equals $12.5 billion, including a proposed $2.4 billion Capital Budget for FY 2026. The proposed operating budget offers improved or static services across all modes – Metrorail, Metrobus, and MetroAccess. Of note is the implementation of the Better Bus Network, which aims to streamline and enhance Metrobus service without extra cost. The CIP continues on-going investments and focuses heavily on State of Good Repair, like track and bridge maintenance. Other important capital initiatives include the purchase of 8000-Series railcars, bus replacements, and the conversion to battery electric buses and facilities.

The FY 2026 proposed operating budget seeks $95 million above the three percent subsidy cap. To pay for the proposed services and avoid cuts in FY 2026, as well as FY 2025, the Commonwealth of Virginia, Northern Virginia jurisdictions, and

the other partners in the WMATA compact came together to provide the funding needed for two years. However, funding to support the operating budget beyond FY 2026 and the CIP beyond FY 2028 is not certain.

Last year, the Board's comments to the WMATA Board expressed a strong sense of urgency about future operating and capital budgets and the need to work with jurisdictional partners, Commonwealth elected leaders, and regional stakeholders to address the long-term financial viability of the system. Two efforts have been initiated to address these concerns: DMVMoves and SJ 28. Collectively, these initiatives aim to address cost-containment controls and strategies, along with securing long-term, sustainable, and predictable funding to support WMATA's operations and capital needs. The County is taking an active role in both efforts.

The Board usually provides comments on the WMATA budget via a Board Item. However, given the limited amount of time before the public comment period ends, Supervisor Alcorn stated that staff has worked with his office to prepare the letter, attached to his written Board Matter, which outlines in more detail the Board's perspective on the proposed budgets and the long-term viability of WMATA's operating and capital budgets.

Therefore, Supervisor Alcorn moved that the Board approved the letter attached to his written Board Matter, which provides comments on WMATA's proposed FY 2026 Operating Budget and FY 2026 – FY 2031 Capital Improvement Program. Chairman McKay seconded the motion.

Following discussion on incentivize ridership, potential opportunities, the future of Metro and implications related to the federal workforce, and the funding sources, the question was called on the motion and it carried by a vote of nine, Supervisor Herrity abstaining.

23. **TRANSIT EQUITY DAY** (11:54 a.m.)

Supervisor Alcorn announced that NOVA Parks, Virginia National Association for the Advancement of Colored People (NAACP), and the Fairfax County Chapter of the NAACP will be commemorating Black History Month, Transit Equity Day, and an inspiring story of Civil Rights struggles in 1944 at Meadowlark Botanical Gardens on February 5, 2025, from 2 – 3 p.m. He invited the community to attend the event.

24. **VIENNA RESTAURANT WEEK** (11:56 a.m.)

Supervisor Alcorn announced that Vienna Restaurant Week will be held March 7 – 16, 2025, and invited the community to visit the participating restaurants.

25. **INTRODUCTION OF A NEW STAFF AIDE IN THE MASON DISTRICT SUPERVISOR'S OFFICE** (11:58 a.m.)

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

26. **ADOPTION OF THE PERFORMANCE AUDITOR TO THE BOARD'S JANUARY 2025 QUARTERLY REPORTS** (11:59 a.m.)

Supervisor Storck stated that the Performance Auditor to the Board's draft report for the second quarter of Fiscal Year 2025 was presented at the January 28, 2025, Audit Committee meeting. The report entitled "Volunteer Management Study" included recommendations to address gaps in County-wide support for agencies with volunteers and to enhance oversight and management of the County's relationship with Volunteer Fairfax.

The Audit Committee concurred with all recommendations for implementing recommendations. The Performance Auditor to the Board will follow up to ensure recommendations are implemented. The reports can be found at the following Committee Meeting link: Board of Supervisors Audit Committee Meeting: Jan. 28, 2025 | Board Of Supervisors and have been distributed to the Board electronically.

Therefore, jointly with Supervisor Bierman, Supervisor Jimenez, and Supervisor Herrity, Supervisor Storck moved that the Board approve the Performance Auditor to the Board's January 2025 report. The motion was multiply seconded and carried by unanimous vote.

27. **PENN DAW LAND UNIT C STUDY COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM (MOUNT VERNON DISTRICT)** (12:01 p.m.)

Supervisor Storck stated that Plan Amendment 2023-IV-1MV, otherwise known as the Penn Daw Land Unit C study, was authorized by the Board on April 11, 2023. As part of the 2022 Site-Specific Plan Amendment (SSPA) cycle, two nominations were submitted for properties on northern Richmond Highway and were included in this study. Nomination CPN22-MV-007, proposed multifamily residential development where the existing Hawaiian Pool Company and Days Inn is located, and nomination CPN22-MV-009, proposed multifamily residential development where the existing Moon Inn is located. The screening meetings resulted in positive community feedback, and staff and a task force began working on the Plan Amendment following the adoption to the Work Program as a Tier 1 item.

The study was deferred at the request of the nominators in early 2024 and was re-tiered to Tier 3 on May 7, 2024, however, there are new contract purchasers for each property who are ready to proceed with the planning review for each of the

items. Supervisor Storck stated that he has spoken with staff and there are resources available to begin work on this amendment.

Therefore, Supervisor Storck moved that the Comprehensive Plan Amendment Work Program be re-tiered to include Plan Amendment 2023-IV-1MV, as an active Tier 1 item. This motion should not be construed as a favorable recommendation on any application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of the application. Chairman McKay seconded the motion and it carried by unanimous vote.

28. **DEPARTMENT OF ECONOMIC INITIATIVES (DEI) FIVE YEAR ANNIVERSARY AND ECONOMIC INITIATIVES 2024 ANNUAL HIGHLIGHTS REPORT** (12:03 p.m.)

Supervisor Storck stated that DEI, established by County Executive Bryan Hill and led by Director Rebecca Moudry, recently celebrated its fifth year in the County as a department. DEI was established to foster local economic development and enhance the County's economic competitiveness and prosperity, cultivate a diverse and thriving local business base, and build on economic assets to foster an entrepreneurial and innovative ecosystem. Launched on the cusp of the COVID-19 pandemic, DEI swiftly became a vital lifeline for local businesses, managing $81 million in economic recovery investments to provide crucial support to thousands of small businesses weathering unprecedented challenges. DEI continues to position the County as an economically competitive and prosperous community for all residents and businesses. In addition, their collaboration with the globally recognized Fairfax County Economic Development Authority (FCEDA), strengthens the local economy through complementary programs and joint initiatives that support businesses and foster innovation. This partnership effectively combines FCEDA's focus on business attraction and retention with DEI's mission to cultivate the local economic assets and entrepreneurial ecosystem.

The recently published Economic Initiatives 2024 Annual Highlights Report outlines their key 2024 accomplishments, including:

- Fairfax CORE: Connected with more than 8,000 visitors interested in business assistance and facilitated more than 150 resource partner referrals

- Fairfax Founders Fund: Celebrated its second successful cohort, receiving nearly 70 applications and awarding 13 total grants to promising start-ups. Approximately 70 percent of applicants identify that the founding team includes a person of color, indicating the program is achieving the objective to reach underrepresented founders. Grantee milestones include obtaining follow-on funding, increased customer relationships, and advancement in product trials

- Talent Up: Connected with more than 250 employers, resulting in 125 internships and 42 permanent job placements. Talent Up addresses employers' need for talent and provides workers with new career opportunities

Therefore, jointly with Chairman McKay, Supervisor Storck congratulated DEI on its many successes and moved that the Board direct the Office of Public Affairs work with the DEI to educate and promote the report to County residents and businesses. Chairman McKay seconded the motion and it carried by unanimous vote.

29. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 2025 AS *"CAREER AND TECHNICAL EDUCATION (CTE) MONTH"* IN FAIRFAX COUNTY** (12:08 p.m.)

Supervisor Strock stated that CTE month is a public awareness campaign held every February to celebrate the achievements and accomplishments of programs nationwide. Its programs are aimed at preparing students for high-skill, high-wage and in-demand careers. In these programs, students develop critical thinking, time management and problem-solving skills. Currently, there are 12.5 million students enrolled in CTE courses across the nation. The average high school graduation rate for students concentrating in CTE programs is 94 percent, compared to an average national freshman graduation rate of 87 percent.

Fairfax County Public Schools (FCPS) offers CTE programs in every middle and high school. The programs include Business and Information Technology, Family and Consumer Sciences, Health and Medical Sciences, Technology Education and Engineering and Trade and Industrial Education. Within these programs, students also receive industry credentials and learn the technical skills of many occupations while preparing for higher education or entry-level employment. All FCPS CTE programs incorporate workplace readiness and set students up to be confident and professional in their chosen field.

Career and Technical Student Organizations (CTSOs) also play a role in enhancing student's learning through leadership, personal development and real-world application. Through competitive events and programs hosted, students get the opportunity to gain the skills necessary to succeed in those careers as well as network with business and industry partners. FCPS offers many CTSOs so students can join and grow in careers.

CTE in FCPS serves as a launching pad for ongoing skill development and education, offering a foundation for a career-long learning journey through programs like the International Brotherhood of Electrical Workers, continuing education, adult co-op opportunities, the Foundation for Applied Technical Education, and Northern Virginia Community College.

Therefore, jointly with Supervisor Palchik and Supervisor Smith, Supervisor Storck asked unanimous consent that the Board recognize February 2025 as *"Career and Technical Education Month"* in the County. Without objection, it was so ordered. Discussion ensued regarding other possible partnerships.

30. **37TH MOUNT VERNON TOWN MEETING** (12:12 p.m.)

Supervisor Storck announced that his 37th Mount Vernon Town Meeting will be held on February 10, 2025, from 7:45 a.m. – 1:30 p.m. at Mount Vernon High School. He invited the community to attend the event, either in-person or virtually.

31. **CELEBRATING WOMEN'S HISTORY MONTH WITH A MENSTRUAL PRODUCT DRIVE** (12:13 p.m.)

Supervisor Palchik stated that Women's History Month was officially recognized in the U.S. in 1987 to highlight the achievements and contributions of women throughout history. During Women's History Month in March, the importance of addressing the need for menstrual supplies across the county is also recognized. These essential hygiene products are costly and the lack of access to safe and clean menstrual products can negatively impact someone's overall physical and emotional well-being.

Supervisor Palchik stated that she has partnered with the Board, Neighborhood and Community Services (NCS), the Library, the Community Services Board, and the Commission for Women to host the second annual donation drive in March to collect essential menstrual products for vulnerable community members. New and sealed packages of tampons, pads, liners, and menstrual cups will be accepted to support local shelters and nonprofits in the County. Hosting this drive will help reduce barriers for residents for whom access to menstrual supplies can pose a financial burden.

Donations will be collected at 53 sites across the County, including the Fairfax County Government Center, numerous Board offices and at the NCS centers, all Fairfax County Public Library branches, and the Sharon Bulova Center for Community Health. A list of drop-off locations and nonprofit beneficiaries can be found on https://www.fairfaxcounty.gov/providence/menstrual-product-drive.

Therefore, jointly with Chairman McKay and Supervisor Smith, Supervisor Palchik asked unanimous consent that the Board direct staff to prepare a Proclamation to be presented on March 4, 2025, in the Board Room and share this information through the County's channels. Without objection, it was so ordered.

32. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 2025 AS *"CHILDREN'S DENTAL HEALTH MONTH"* IN FAIRFAX COUNTY** (12:15 p.m.)

Supervisor Palchik stated that each February, the American Dental Association sponsors National Children's Dental Health Month to raise awareness about the importance of oral hygiene, regular dental visits, and access to preventative care. Good oral health is essential to a child's overall well-being and impacts their ability to eat, speak, and learn. Dental decay is one of the most chronic childhood diseases, yet it is largely preventable with proper care and early intervention.

Access to dental care is not always easy for families. Many children from underserved communities lack access to routine dental visits and preventative care. The County is committed to ensuring that children and families have the resources and education to maintain healthy smiles. The County's health department, school-based programs, and community and nonprofit organizations work tirelessly to provide dental screenings, fluoride treatments, and outreach efforts to support underserved communities. Developing good habits at an early age and scheduling regular dental visits helps children get a good start on a lifetime of healthy teeth and gums.

Therefore, Supervisor Palchik asked unanimous consent that the Board direct staff to:

- Encourage all residents to promote good oral health habits among their youngest community members

- Prepare a Proclamation designating February 2025 as *"Children's Dental Health Month"* in the County, to be presented out of the Board Room

Without objection, it was so ordered.

33. **LUNAR NEW YEAR OPEN HOUSE** (12:18 p.m.)

Supervisor Palchik announced that the Lunar New Year Open House, held January 23, 2025, at the Jim Scott Community Center, was a huge success. She thanked the Board and the community for attending the event.

34. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (12:20 p.m.)

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

JLC:jlc

AGENDA ITEMS

35. **ADMINISTRATIVE ITEMS** (12:20 p.m.)

Supervisor Smith moved approval of the Administrative Items. Chairman McKay seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF CINDER BED ROAD BIKEWAY (FROM NEWINGTON ROAD TO BARRY ROAD) (FRANCONIA DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **March 4, 2025, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Cinder Bed Road Bikeway (grant 1400137-2015) in Fund 50000, Federal-State Grant Fund.

ADMIN 2 – AUTHORIZATION TO SCHEDULE AND ADVERTISE A PUBLIC HEARING ON THE PROPOSED ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2026

(A) Authorized the advertisement of a public hearing to be held before the Board on **March 18, 2025, at 4 p.m.**, on the proposed One-Year Action Plan for FY 2026.

ADMIN 3 – APPROVAL OF "$200 ADDITIONAL FINE FOR SPEEDING" SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – ADAMS CHASE CIRCLE (MOUNT VERNON DISTRICT)

(R)

- Adopted the Resolution authorizing the installation of "$200 Additional Fine for Speeding" signs on Adams Chase Circle from Weatherly Way to Hooes Road (Mount Vernon District)

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

ADMIN 4 – APPROVAL OF "$200 ADDITIONAL FINE FOR SPEEDING" SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – WOODED GLEN AVENUE (SPRINGFIELD DISTRICT)

(R)

- Adopted the Resolution authorizing the installation of "$200 Additional Fine for Speeding" signs on Wooded Glen Avenue from Lee Chapel Road to Mainsail Drive (Springfield District)

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

ADMIN 5 – AUTHORIZATION FOR THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S (USDOT) FISCAL YEAR (FY) 2025 BETTER UTILIZING INVESTMENTS TO LEVERAGE DEVELOPMENT (BUILD) DISCRETIONARY GRANT PROGRAM (BRADDOCK, DRANESVILLE, FRANCONIA, HUNTER MILL, AND MOUNT VERNON DISTRICTS)

(R)

- Authorized the DOT to apply for $68.2 million in grant funding from the USDOT FY 2025 BUILD Discretionary Grant Program for three projects. There is a local match requirement of $17.05 million that will be met with Northern Virginia Transportation Authority 30 percent funds from Fund 40010, County and Regional Transportation Projects

- Adopted the project endorsement resolution for all three projects, in substantial form, as shown in Attachment One of the Board Agenda Item

36. **C-1 – AMENDMENTS TO THE FAIRFAX COUNTY CRIMINAL JUSTICE ADVISORY BOARD (CJAB) BYLAWS AND RESOLUTION** (12:21 p.m.)

(R) The Board next considered an item contained in the Board's Agenda regarding amendments to the CJAB bylaws.

Supervisor Smith moved approval of the updated Resolution and Bylaws for the CJAB. Chairman McKay seconded the motion.

Discussion ensued, with input from Thomas Arnold, Deputy County Executive, regarding the CJAB membership.

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

DMS:dms

37. **RECESS/CLOSED SESSION** (12:23 p.m.)

Following a query to Elizabeth Teare, County Attorney, regarding the amount of time needed for closed session, Supervisor Smith moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711 and listed in the agenda for this meeting as follows:

(a) Discussion or consideration of personnel matters pursuant to Virginia Code Section 2.2-3711(A) (1).

(b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2-3711(A) (3).

(c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, as identified below, where discussion in an open session would adversely affect the negotiating or litigating posture of the public body, as well as consultation with legal counsel regarding specific legal matters listed below requiring the provision of legal advice by such counsel, all as permitted by Virginia Code Section 2.2-3711(A) (7) and (8).

1. *Adoption of a Combined, Amended Resolution on Delegation of Settlement Authority and Authority to File Suit; Amendment of the Resolution on Indemnification and Representation of Officers and Employees.*

2. *Melissa Johnson, Personal Representative of the Estate of the late Timothy Johnson v. Wesley Shifflett, Supervising Officer of Wesley Shifflett, Michael Conner, Officer M. Blancke, Officer W. Arnest,* Case No. 1:25-cv-80 (E.D. Va.)

3. *Ali Elsher v. Fairfax County Park Authority and Fairfax County Government,* Case No. CL-2024-0006974 (Fx. Co. Cir. Ct.)

4. *Alonso Alfaro-Lopez v. Mark Robey,* Case No. GV24-019364-00 (Fx. Co. Gen. Dist. Ct.)

5. *In re: November 20, 2024, Decision of the Board of Zoning Appeals of Fairfax County, Virginia in the matter*

of Application VC 2021-HM-00020; Case No. CL-2024-17914 (Fx. Co. Cir. Ct.) (Hunter Mill District)

6. *Fairfax County Wetlands Board v. Justin Sand and Liviya Piccione-Sand, and Shoreline Service and Design, LLC,* Case No. CL-2025-0000181 (Fx. Co. Cir. Ct.) (Mount Vernon District)

7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Beverly J. Geraghty (deceased) and Erin Vargas, Successor-In-Interest,* Case No. CL-2013-0004121 (Fx. Co. Cir. Ct.) (Braddock District)

8. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Brent Thomas Burford,* Case No. GV24-024784 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

9. *Jay Riat, Building Official for Fairfax County, Virginia v. Bruno Arone Apaza,* Case No. GV24-026208 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

10. *Jay Riat, Building Official for Fairfax County, Virginia v. Ehsan Naranji and Fran Ali,* Case No. GV24-015869 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

11. *Jay Riat, Building Official for Fairfax County, Virginia v. Santos Hernandez Romero,* Case No. GV24-018632 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

12. *Jay Riat, Building Official for Fairfax County, Virginia v. Philip DeCara Revocable Trust,* Case No. GV24-022631 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

13. *Jay Riat, Building Official for Fairfax County, Virginia v. Nyumba, LLC,* Case No. GV24-027556 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

14. *Jay Riat, Building Official for Fairfax County, Virginia v. Dmitriy O. Minin,* Case No. CL-2022-0011671 (Fx. Co. Cir. Ct.) (Franconia District)

15. *Jay Riat, Building Official for Fairfax County, Virginia v. Pedro Tenorio Pinto,* Case No. CL-2025-0000255 (Fx. Co. Cir. Ct.) (Franconia District)

16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Evelyn O. Euceda and Fermin Bonilla Euceda,* Case No.

GV24-0006046 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

17. *Jay Riat, Building Official for Fairfax County, Virginia v. Lucio Grijalva Hernandez and Jose Grijalva,* Case No. GV24-014959 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

18. *Jay Riat, Building Official for Fairfax County, Virginia v. Elizabeth Carranza Gochez and Jose Gochez,* Case No. GV24-029648 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

19. *Jay Riat, Building Official for Fairfax County, Virginia v. Jose Luis Sanchez Zepeda,* Case No. GV24-029647 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

20. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Gilbert L. Southworth, Jr.,* Case No. GV24-022629 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jouhad Boutros Dagher,* Case No. CL-2025-0000442 (Fx. Co. Cir. Ct.) (Mason District)

22. *Jay Riat, Building Official for Fairfax County, Virginia v. Akram Mohammed Abdulkader and AMBASSADOR GLOBAL, LLC,* Case No. GV24-022632 (Fx. Co. Gen. Dist. Ct.) (Mason District)

23. *Jay Riat, Building Official for Fairfax County, Virginia v. Anthony Miranda and Jasmin Villegas Rogero,* Case No. GV24-026673 (Fx. Co. Gen. Dist. Ct.) (Mason District)

24. *Jay Riat, Building Official for Fairfax County, Virginia v. Josefina Gutierrez Calucho and Talia Gutierrez,* Case No. GV24-026674 (Fx. Co. Gen. Dist. Ct.) (Mason District)

25. *Jay Riat, Building Official for Fairfax County, Virginia v. Amilcar Antonio Coreas and Marlin M. Coreas,* Case No. GV24-027550 (Fx. Co. Gen. Dist. Ct.) (Mason District)

26. *Jay Riat, Building Official for Fairfax County, Virginia v. Nelson Edgardo Tejada, Daniel Enrique Martin Mejia, Benjamin Moran Coto and Lilliana Rosmery Paz Cardona,* Case No. GV24-027558 (Fx. Co. Gen. Dist. Ct.) (Mason District)

27. *Jay Riat, Building Official for Fairfax County, Virginia v. Double Lee Corporation,* Case No. GV24-028980 (Fx. Co. Gen. Dist. Ct.) (Mason District)

28. *Jay Riat, Building Official for Fairfax County, Virginia v. Griselda G. Fernandez,* Case No. GV24-029646 (Fx. Co. Gen. Dist. Ct.) (Mason District)

29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ena Xiomara Martinez, Carlos A. Lopez Martines, and Julio A. Lopez Martinez,* Case No. GV25-001397 (Fx. Co. Gen. Dist. Ct.) (Mason District)

30. *Jay Riat, Building Official for Fairfax County, Virginia v. Strickler Holdings LLC and Virginia Casework Corp.,* Case No. CL-2023-0014780 (Fx. Co. Cir. Ct.) (Mount Vernon District)

31. *Jay Riat, Building Official for Fairfax County, Virginia v.B9 Sequoia NVIP Owner, LLC,* Case No. GV24-001715 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Askari Haima,* Case No. GV24-022630 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

33. *Jay Riat, Building Official for Fairfax County, Virginia v. Rina K. Bodiford and James D. Bodiford,* Case No. GV25-001590 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

34. *Jay Riat, Building Official for Fairfax County, Virginia v. Charbel Charles Makhoul, Trustee, the Charbel Charles Makhoul Revocable Trust and Rita Douaihy, Trustee, the Rita Douaihy Revocable Trust,* Case No. (pending) (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

35. *Jay Riat, Building Official for Fairfax County, Virginia v. Brih Investments LLC,* Case No. GV23-013496 (Fx. Co. Gen. Dist. Ct.) (Providence District)

36. *Jay Riat, Building Official for Fairfax County, Virginia v. Baly Properties LLC and Tobacco King, LLC,* Case No. GV24-023201 (Fx. Co. Gen. Dist. Ct.) (Providence District)

37. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Northern Virginia Investment, LLC,* Case No. CL-2024-0013890 (Fx. Co. Cir. Ct.) (Springfield District)

38. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Birgit Refsing Olesen,* Case No. GV24-010350 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), claims and litigation filed by Filsan Duale, Kareem Bashir, and Moustapha Djama on behalf of four children in connection with a motor vehicle collision in the County on December 27, 2017

- As permitted by Virginia Code Section 2.2-3711(A)(8), legal analysis regarding potential changes to the Board's indemnification and delegation resolutions

- As permitted by Virginia Code Section 2.2-3711(A)(3), potential acquisition of real property for a public purpose in the Sully District

- As permitted by Virginia Code Section 2.2-3711(A)(1), annual evaluation of the County Executive

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

At 3:45 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

38. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:51 p.m.)

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

39. **AUTHORIZATION TO PURCHASE REAL PROPERTY IN THE SULLY DISTRICT** (3:52 p.m.)

Supervisor Smith moved that the Board authorize the County Executive and the Department of Public Works and Environmental Services to purchase real property in the Sully District for a public purpose, upon the terms and conditions outlined by the County Attorney in closed session. Supervisor Bierman seconded the motion and it carried by unanimous vote.

40. **SETTLEMENT OF ALL CLAIMS AND LITIGATION FILED BY FILSAN DUALE, KAREEM BASHIR, AND MOUSTAPHA DJAMA** (3:52 p.m.)

On behalf of the four children in connection with a motor vehicle collision at the intersections of Frying Pan and Centreville Roads on Decembre 27, 2017, Supervisor Lusk moved that the Board approve a settlement of all claims and litigation associated with the incident according to the terms and conditions outlined by the County Attorney in closed session. Chairman McKay seconded the motion and it carried by unanimous vote.

JLC:jlc

ADDITIONAL BOARD MATTERS

41. **INTRODUCTION OF INTERN IN THE SULLY DISTRICT SUPERVISOR'S OFFICE** (3:53 p.m.)

Supervisor Smith introduced Delaney Brooks, a new intern in her office. On behalf of the Board, Supervisor Smith warmly welcomed her to the Board Auditorium.

42. **OPTIONS FOR INDIVIDUALS TO PROVIDE TESTIMONY FOR PUBLIC HEARINGS** (3:53 p.m.)

Chairman McKay stated that individuals have the following options to provide testimony during public hearings:

- Testify before the Board in person
- Provide testimony by telephone (Live)
- Provide testimony by YouTube video

At the designated point in the public hearing, speakers will be called from the Speakers List and they may come forward, or their video will be shown, or they will be connected by telephone. There will then be an opportunity for anyone else who would like to speak regarding the application. If they are present in the Board Auditorium, they may come forward to the podium or call in on a number

that will be provided on the screen (703-324-1020). Speakers testifying via video must have signed up and submitted their video no later than 9 a.m. on the day prior to the public hearing. For all testimony speakers are given three minutes to speak as an individual. If they are the spokesperson for a group they are given five minutes.

AGENDA ITEMS

43. **3:30 P.M. – PUBLIC HEARING ON RZ 2023-PR-00018, FAIRFAX COUNTY SCHOOL BOARD, A BODY CORPORATE TO REZONE FROM R-5 AND R-1 TO R-5 TO PERMIT NEW ELEMENTARY SCHOOL WITH AN OVERALL FLOOR AREA RATIO OF 0.30, LOCATED ON APPROXIMATELY 9.98 ACRES OF LAND (PROVIDENCE DISTRICT)** (3:54 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 14 and January 21, 2025.

The application property is located on the west side of Gallows Road and north side of Idylwood Road. Tax Map 39-4 ((1)) 24.

John McGranahan, attorney for the applicant, reaffirmed the validity of the affidavit dated December 30, 2024, for the record.

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

Mr. McGranahan 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. McGranahan, regarding public outreach efforts and the site selection process.

Following the public hearing, which included testimony by four speakers, Mr. McGranahan presented rebuttal.

Ms. Quinn presented the staff and Planning Commission recommendations.

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

- Traffic mitigation
- Public safety
- Public coordination for school events

- Location of the cafeteria and outdoor play area
- Scope of the application
- Development and review process for school facilities
- Role of the History Commission

Following brief comments, Supervisor Palchik moved that the Board approve:

- Rezoning Application RZ 2023-PR-00018, and the associated General Development Plan (GDP), subject to the proffers dated February 3, 2025
- Modification of the transitional screening and waiver of the barrier requirements in favor of the landscaping shown on the GDP

Supervisor Alcorn seconded the motion. Following discussion on the review process, public outreach efforts, and traffic, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

44. **3:30 P.M. – PUBLIC HEARING ON RZ 2024-HM-00009 (SILVERSTONE RESTON OWNER, LLC) TO REZONE FROM R-1 TO PCC TO PERMIT A CONTINUING CARE FACILITY WITH AN OVERALL FLOOR AREA RATIO OF 0.17 AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 22.49 ACRES OF LAND (HUNTER MILL DISTRICT)** (5:15 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 14 and January 21, 2025.

The application property is located on the south side of Leesburg Pike (Route 7) across from Riva Ridge Drive (Route 6235). Tax Map 12-3 ((1)) 4.

Lynne Strobel, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated January 18, 2025, for the record.

Katie Quinn, 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.

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

Supervisor Alcorn moved that the Board approve:

- Rezoning Application RZ 2024-HM-00009, subject to the execution of proffers consistent with those dated January 13, 2025

- Waivers and modifications contained in the handout distributed, dated December 11, 2024, which will be made part of the record, and are as follows:

    - Modification of subsection 5108.5.B (2) of the Zoning Ordinance for the transitional screening plant material requirements in favor of the tree preservation shown on the Conceptual Development Plan/Final Development Plan

    - Waiver of subsection 5108.5.C of the Zoning Ordinance for a barrier on the west, south, and east boundaries of the subject property

    - Waiver of subsection 8100.7.E(3) of the Zoning Ordinance for the provision of a service drive or travel lane along Route 7

Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE," Supervisor Palchik being out of the room.

(NOTE: On December 11, 2024, the Planning Commission approved Final Development Plan Application FDP 2024-HM-00009.)

45. **4 P.M. – PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT RE: SPECIAL EVENTS AND FOOD TRUCKS** (5:21 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 14 and January 21, 2025.

Lily Yegazu, Principal Planner, Department of Planning and Development (DPD), presented the staff report.

Discussion ensued, with input from Leslie Johnson, Zoning Administrator, DPD, regarding:

- Review process and timeline
- Public outreach efforts
- Permit fees for special events

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

Supervisor Smith moved that the Board:

- Adopt the proposed Zoning Ordinance Amendment regarding special events and food trucks with the staff recommended options, as set forth in staff report dated December 12, 2024, with a delayed effective date March 1, 2025, at 12:01 a.m., with the following changes:
    - Revise the special event definition to read: "A temporary outdoor activity held on private property and open to the general public, including, but not limited to, seasonal sales, the display of goods and merchandise associated with a retail use, community or cultural events, musical or arts events, celebrations, festivals, fairs, carnivals, and circuses"
    - Amend the duration standard in subsection 4102.8.I(11)(a)1 for a Tier-One special event as provided in the options to permit a one-day special event to operate a maximum of 12 hours inclusive of setup and breakdown
    - Amend the hours of operation standard in subsection 4102.8.I(11)(a)4 as provided in the options so no event may occur before 7 a.m. or after 10 p.m. on Sunday through Thursday, and after 11 p.m. Friday, Saturday, and before a federal holiday
    - Amend the standard in subsections 4102.8.E(3)(d) and 4102.8.E(8), as provided in the options, to permit food trucks for 45 days per calendar year per approved location

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

Supervisor Smith moved that the Board direct staff to:

- Examine the feasibility of allowing food trucks to operate for longer periods of time

- Monitor Tier-One administrative permits for a six-month period and report to the Board by December 2025. The report should include the number of Tier-One administrative permits issued and the average time taken to issue

The motion was multiply seconded. Following a brief discussion regarding the follow-on motion, the question was called on the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Bierman, Supervisor Herrity, Supervisor Jimenez, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

46. **BOARD ADJOURNMENT** (5:41 p.m.)

At 5:41 p.m. the Board adjourned.