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[00:00:10] Good morning, everyone, and welcome to our board meeting of March 19th, 2024, and we are going to begin this morning, as we always do, with a moment of silence to be followed by the Pledge of Allegiance, and before we rise for that, let me ask my colleagues if they have anyone in particular that they would like to keep in their thoughts and prayers this morning.

[00:00:30] Supervisor Jimenez. Mr. Chairman, I want to take a moment to recognize the passing of two community leaders in Mason District, Donald Dispirito and Everett Kipp, Grant, Jermaine III. Mr. Jermaine spent the last 18 years as president of the Annandale Boys and Girls Club.

[00:00:50] He was a soccer fanatic who drafted early from Willie and Mary by the Washington Diplomats. Mr. Jermaine was a longtime coach and was known to be a tireless advocate for opportunities for the girls in sports, especially at the collegiate level. When he wasn't at the Boys and Girls Club, Mr. Jermaine was with his family.

[00:01:08] He loved coaching his grandkids to use their left foot from the time they could walk. Mr. Jermaine will be greatly missed. Don Dispirito was a well-known community volunteer and advocate. Many Fairfax County employees got to know him through his work with the Annandale Christian Community for Action, ACCA.

[00:01:29] Mr. Dispirito led the ACCA furniture program, which collected donations and delivered furniture to community members in need. This necessary resource was one of the few like it in the county that offered delivery and worked with Health and Human Services Department in this capacity.

[00:01:48] As one county employee put it, Don was a really kind and caring man who deeply cared about his community. The dedication and commitment shown by Mr. Germain and Mr. Dispirito to Fairfax County will be missed and long remembered. We in the Mason District greatly appreciate all they have done for their community.

[00:02:06] Thank you very much, Supervisor Jimenez. Anyone else who would like to be recognized? Supervisor Smith. Thank you, Mr. Chairman. Dennis Hogue was a longtime resident of Centerville, and he passed away recently. Dennis was a real estate agent, but his real passion was history, and particularly Centerville history.

[00:02:26] I remember when I first got elected, Michael Fry had Dennis show me around Centerville Historic District. He worked with other advocates of historical preservation to help establish the Centerville Historic Overlay District in 1986. Personally, Dennis went to great lengths to preserve Centerville's history, including saving a small stone gas station from demolition by moving it from Route 29 to its present location on Braddock Road.

[00:02:51] In 2011, he worked with a non-profit company that opened a civil war museum in that building. The Centerville Planning Day Committee and the Friends of Historic Centerville recognized Dennis in 2019 as its Centerville Day Citizen of the Year and honored community historian.

[00:03:07] He will be missed in his passion for Cedarville. Thank you. Thank you very much, Supervisor Smith. Anyone else who would like to be recognized? Seeing and hearing no one, at this time, if all who were able could please rise for a moment of silence to be followed by the Pledge of Allegiance.

[00:03:31] Face the flag. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

[00:04:01] This morning, we have four presentations, and for each presentation, I will announce the proclamation and invite our speaker down to the podium in front of me.

[00:04:17] We will then read the proclamation, and after our speaker's remarks, we will all pose for a photo from the dais. And first up this morning, we have a proclamation to designate March 31, 2024, as Transgender Visibility Day.

[00:04:32] And this was requested by a lot of people, which is great. Myself, Supervisor Beerman, Supervisor Alcorn, Supervisor Lusk, Supervisor Jimenez, Supervisor Palchik, Supervisor Smith, Supervisor Stork, and Supervisor Walkinshaw.

[00:04:57] And at this time, our speaker is Reverend Emma Chatton. If you could come on down, she's the Executive Director of Transgender Education Association. And certainly those who are here with you for this are welcome to come down and join you as well. And at this time, let me ask if Supervisor Bierman has a proclamation.

[00:05:21] Thank you very much, Mr. Chairman. Happy to read this proclamation today. Whereas Transgender Day of Visibility was created 15 years ago to celebrate the representation and accomplishments of transgender people, and whereas despite many ongoing challenges, including the

continuing struggle against marginalization and discrimination, this community is resilient and continues to contribute to the betterment of society, and whereas Fairfax County is home to the Transgender Education Association, whose mission is to support transgender and gender non-conforming people and their friends, family, and partners,

[00:05:57] and to provide educational resources and information to all interested parties. And whereas in celebration of the county's richly diverse population and our one Fairfax policy, we affirm and restate our commitment to building a culture of inclusion and acceptance of transgender individuals.

[00:06:15] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all the residents of Fairfax County, does hereby proclaim March 31st, 2024, as Transgender Day of Visibility in Fairfax County, and urges all residents to support the transgender community.

[00:06:33] Thank you. Chair is happy to second that motion. Discussion on the motion, Supervisor Beerman. I'm just very happy that we're recognizing a community that has too often been pushed into the shadows and celebrating yet another community within our diverse tapestry here in Fairfax County.

[00:06:57] We really are one Fairfax, and we want to make sure that everybody who's a part of our community feels welcome, feels loved, and feels empowered. So I was very happy that I'm very happy that we have this proclamation and I'll defer my time to everybody else.

[00:07:14] Thank you. Thank you, Supervisor Beerman, Supervisor Palchik. Thank you, Mr. Chairman. Thank you, Emma. Thank you, all of you who've been here today and have been doing this work for many, many years. I think to me, what really stands out more than anything is that leadership matters.

[00:07:33] What we say at this dais matters, what you say in the community, what our leaders say, and the outcome of that really matters. And so to me, if we look at data, regardless of how you feel in your value system, in your religious beliefs and other, there's nothing that stands out more to me as to why this is important than the information that we've known is out there that is now in our youth survey.

[00:08:01] More than half of our transgender students are depressed. Nearly half have considered suicide, and you see it across the board in our LGBT community. It is the one community that stands out higher than any other demographic in our students of depression, attempting suicide, and considering suicide.

[00:08:25] To me, it is a moral imperative, also a public health imperative, that we band together. We talk about the power of three, having three positive factors to support our kids. And every single one of you here in our classrooms, in our community, in our sports, in our athletics, who stands up for and is a positive factor for those kids who really need that, especially those who may not have that at home, are the reason that many of these kids have a chance and a fighting chance.

[00:08:59] So thank you for what you do, and thank you for letting us be here today. and support that work. Thank you, Supervisor Palachuk. Supervisor Lusk. Thank you, Mr. Chairman. I just want to acknowledge the importance of the proclamation and just say how important the transgender community is to Fairfax County. And we value and appreciate all members of our community. And I think it's important that we acknowledge that diversity. So I appreciate this motion today.

[00:09:31] What I'd like to do is give a little shout out to the young members, the school age members in our community. I've been so impressed by the way that they have embraced and shown support and

understanding for those that are transgender. And I can give a lot of kudos to my own daughters for helping me understand how things are changing.

[00:09:54] And I just want to acknowledge them for the leadership and the example that they are setting. And I just want to say, this is contrasted to when I was in college, and it's almost difficult for me to say this, but when I was in college, I was on a committee, which was the Appropriations Committee, and I was assigned to work with the then Gay and Lesbian Student Union, and I called the person who was the president and asked if he would meet me on Central Grounds, and the answer he gave me was shocking.

[00:10:25] He basically told me, I cannot meet you on central grounds during the day. And I said, why not? And he said that there were members of our student community who were chasing him and throwing bricks and rocks at him. And that was enlightening to me personally.

[00:10:43] And I'll say that it made me understand the trials and tribulations for those in that situation. So I've seen this firsthand and understand it. So I just want to say how important this proclamation is, and I just want to say we are here with you.

[00:11:01] We acknowledge the difficulty of your experience, and we're going to stand in solidarity. Thank you, Mr. Chairman. Thank you. Supervisor Walkinshaw. Thank you, Mr. Chairman. I want to thank Supervisor Bierman for his leadership on this.

[00:11:17] I also want to thank former Supervisor Faust, who is not here today, but led this effort courageously for many years and helped put us on this path. And thank all of you for being here, but maybe more importantly, for the work you're doing out in the community.

[00:11:33] And I'm looking forward to the day when we have a full dais for this proclamation. And that day will come, one way or the other. That day will come. And I hope to see you all there when it does. So thank you for being here. Thank you, Supervisor Walkinshaw. And let me let me just add a few thoughts. First, I agree with you. I'm looking forward to that day, too, because as an elected official, it should be our moral responsibility to stand up for all people that we represent, not just the people we like or the people we agree with, but stand up for all people in our community, especially those who are persecuted relentlessly by people who think that that shows strength.

[00:12:12] when in reality it shows a tremendous amount of weakness to walk out on people and not stand up for them. You know, just yesterday, the Washington Post had a cover story. And the cover story was about statistics that were showing a quadrupling of reported incidents of hate crimes against K through 12 students who go to schools in states that have anti-LGBTQ laws. And so the effect that some of these state houses are having, sadly, is the effect that some of those elected officials

[00:12:47] want, which is to persecute people without regard for human life and without regard for dignity. And the statistics speak volumes. For the poor kids that have to live in those states, that have elected officials who won't stand up and protect them, is egregious. And the results show. Thankfully, as Supervisor Lusk mentioned, I'm going back in time a little bit to when so many of our high school students in FCPS, in a nonviolent way, walked out of school in protest

[00:13:24] over the anti-LGBTQ laws that were being pushed in our own state, in Richmond, and it made a difference. They jammed the inbox of comments about why this was wrong. They told people who have not lived these experiences what it's like. They humanized what was happening in Richmond, and I was so

proud of our kids. My daughter came home with a giant weight off of her shoulders to be able to walk out of school and to look out and see all of her classmates out there. It shows you

[00:14:02] the type of county that we live in and gives us hope for the future and one of the reasons why we have such a strong equity policy in Fairfax County and one Fairfax policy. We lose too many kids for too many reasons and too many adults for too many reasons we've talked about mental health and the stresses on all of our population and we know how much worse that is for people in lgbtq plus community and we have an obligation to do everything we can not just to protect them but to use our voices to stand up and support them and make sure that the rest of our community

[00:14:40] sees that that's what their government is doing regardless of what happens in richmond And we will always stand up and fight to protect every single person in this county. And I also want to thank the Transgender Education Association of Greater Washington, which, of course, is housed here in Fairfax County, for all of their work.

[00:15:02] And I know that when I've gone out and around to the county to the various pride events, and I've said this before, that I can remember when, if you wanted to attend a pride event, you had to go down to the district. because that was where those events were, and now they are everywhere in Fairfax County.

[00:15:20] Our business and corporate community is involved and recognizes the importance of protecting all people and look forward to the day where all of us can say that. We know that's coming, but until that comes, we keep up the fight. So thank you all for being here, for showing up, and for being part of this journey with us that really comes down to just basic humanity at the end of the day.

[00:15:44] With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion passes 9-0, Supervisor Herity not being in the room. And at this time, I am happy that we have with us Reverend Chatton once again, and a whole lot of other folks.

[00:16:06] Welcome. The microphone is yours. Wonderful. Thank you, Chairman. On behalf of the Transgender Education Association and the community at large, I want to thank you, the Fairfax County Board of Supervisors, for designating March 31st the Transgender Day of Visibility.

[00:16:25] Now, you would think, with all the laws proposed and passed in many states impinging on our constitutional rights of life, liberty, and the pursuit of happiness, that we would be the biggest threat ever. You would think that there are vast numbers of us.

[00:16:43] Well, there are not. We are a small sliver of the population, and we are often left wondering and scratching our heads, trying to figure out why suddenly everyone is so frightened and threatened by us, sometimes even to the point of, I don't know, leaving the room whenever we enter.

[00:17:01] In states proposing and enacting such laws, hate crimes and crimes and incidents in schools have quadrupled. The human impact and consequence of anti-trans rhetoric and policy must be acknowledged.

[00:17:20] As such, each and every act of visibility, even in Northern Virginia, carries with it a risk of life and livelihood. Visibility for some of our members has meant being filmed and photographed with their likeness, bearing ugly and false accusations and statements spread over social media and used for anti-trans fundraising, fear-mongering, and conservative political gain.

[00:17:47] And that's wrong. As such, visibility can even be a heroic thing. Especially for our trans women of color in our community who face additional intersectional obstacles of prejudice regarding safety, housing, employment, and health care.

[00:18:08] That is why this proclamation is so important. It means that you see us. You see this community. And this is a visible declaration of solidarity and the leadership necessary to help build a better world.

[00:18:25] Leadership matters. It is also a measure of how votes matter because if different seats were sitting in your seats, we're under no illusions that this would not be happening. We also have to remember that with visibility all too often, some people will see only the label.

[00:18:46] I've always said that transgender is more the journey than the person. More the journey than the person. We are people. There is a person attached to the label, a person who is on an amazing journey, a journey of change, challenge, strength, pain, and vulnerability, a journey of truth within the face of great opposition, one which could be a benefit and inspiration to anyone, anyone who would take the time and the courage to listen and to see.

[00:19:16] in closing the world is not created binary yes we have day we have night but also right from the beginning we have the beauty of their companions dawn and dusk the glorious colorful beauty of the moments and spaces that are in between and yes we have the sea and we have the land but have you ever seen a beach that wonderful magical space that is similar to both but unlike either now

[00:19:48] whether you look at those places or not, you cannot deny their existence, nor can anyone deny ours. The world is not either or. It is a wonderful universe of possibilities, wonderful miracles that

[00:20:07] are made visible just like us. Thank you. Thank you so much, Reverend Chatton, for your inspiring

[00:20:47] words and for joining us once again this year. And before we have you come forward and pose for a photo, I think it's also a good time to remind everyone in Fairfax County of our Municipal Equality Index scorecard. Because for those of you who don't know this, this is what rates municipalities in terms of their friendliness, openness, and acceptance of all people, most importantly people in the LGBTQ community. And I can remember four years ago when our score was in the 60s and in the 60s in the classroom that doesn't get you very far and we are now entering

[00:21:25] our third consecutive year now as a result of policy changes in this county where we can say that Fairfax County scores 100 percent and there aren't many counties that do that so I think that's a tribute to the work you do but once again an example of the community that we are happy to live in and to raise our own kids in, so it's an important time to recognize that.

[00:21:48] With that, I think we're ready for a photo, and if all of you could come forward and face the camera, we will have the board rise for a photo, and Supervisor Behrman, if you'll

[00:21:56] join me.

[00:23:42] Thank you so much.

[00:23:43] And guess what, I'm leaving on the like turn.

[00:24:43] And next up, we have a proclamation to designate April 2024 as Child Abuse Prevention Month, And this was requested by myself, Supervisor Lusk, and Supervisor Palchek. And our speaker this morning is Joy Williams, a grandmother in Fairfax County.

[00:25:01] If you could come on down and anyone else who's here with you. Anyone else who's here with you, I see a lot of blue shirts. You all are welcome to come down and join as well at this time if you would like, or you can wait for the photo.

[00:25:17] It's up to you. But we do have a proclamation, and I know that Supervisor Palczyk has it to read. Thank you, Mr. Chairman. Whereas the Federal Administration for Children and Families reports that nearly 3.1 million children were involved with Child Protective Services, CPS, in the U.S. in FY 2022, and whereas over 52,400 children in the Commonwealth of Virginia were involved with CPS in-state in FY 2023,

[00:25:50] Over 259,000 children live in Fairfax County, and more than 3,700 of those children were involved with CPS at FY 2023. And whereas the Fairfax County Department of Family Services, other county human services agencies, Fairfax County Public Schools, and community partners work together to strengthen and support families and protect children from abuse and neglect.

[00:26:17] And whereas assisting children and families early makes common sense and fiscal sense and all Fairfax County residents, community partners, faith groups, and businesses are encouraged to renew their commitment to preventing child abuse, supporting families, and promoting the safety and well-being of children.

[00:26:39] And whereas we proudly honor the local women, past and present, advocating for change and establishing firmer safeguards, practices, and legislation reflecting the values of inclusion, equality, and fairness.

[00:26:56] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim April 2024 as Child Abuse Prevention Month. in fairfax county and urges residents to wear blue support families and plant pinwheel gardens to support our commitment to keep children in our communities safe i'm happy to second that motion is there discussion on the motion supervisor palchick thank you mr chairman um i want to let

[00:27:31] our speaker um have the main word but there's one line that really stands out to me you aren't raising children you are raising adults and now all of us on this board and a few of us some very very young future adults know just how challenging that can be and that there are always reasons to remember that and to provide the supports and the safeguards for families and for our children and to help ensure that we raise the best adults in the world right here in Fairbanks County Thank you.

[00:28:05] Thank you, Supervisor Palchuk. Any further discussions? Supervisor Lusk. Thank you, Mr. Chairman. I'll just say this issue is one that I've had the opportunity to be connected to only because my wife works in social services.

[00:28:22] She was in foster care and adoptions for many years. And I know the importance of the work that's being done by the staff in family services, CPS, and others, but then the teachers the medical professionals those who help identify this abuse are so critical in this community and then also those in the general population who might recognize and see signs and to be able to share those with the appropriate members here in Fairfax County is important and I'll just say you know our youth are a future and everything needs to be done to

[00:28:58] ensure their safety and just admire the commitment and dedication of all of you who are working in this area. So thank you very much. Thank you, Supervisor Lusk. And I too want to thank our network of partners. I mean, we live in a resource-rich county and we have a lot of opportunities for people. But even with that, awareness is so important, especially in the areas of child abuse and neglect. And, you know, I think one of the things as we were living through the pandemic that was most disturbing was that school is many times the place where some of these things get

[00:29:38] early identified. And when our kids were out of school, I know for me, among the many worries that we had during the pandemic was a worry that children were falling into abusive situations and there were not responsible adults that could could take action and weren't seeing the signs and that was one of the many things that you know we all were concerned about during the pandemic and so I think it speaks to what Supervisor Luss said about this network of folks that we have in the county DFS all our human service agencies are non-profit and community partners who work in this

[00:30:15] space, our law enforcement partners who play a role. It's important that we all do our part and advocate and make sure that people understand if you are in this situation in Fairfax County, there are resources for you, and we do have ways to help you. And I know we're going to hear more about that in a moment, but this is an important awareness proclamation for our entire community to play a role. With that, all those in favor of the motion, please say aye. Aye. Any opposed?

[00:30:45] any abstentions and that motion carries and as i mentioned earlier we have joy williams who is a proud grandmother in fairfax county who is with us to share some words welcome the floor is yours um good morning chairman mckay supervisor palchak and lust and other members of the distinguished board of supervisors my name is joy williams i am mima to five-year-old erie Six-year-old Bella, three-year-old Ramir, and a mom to Q.

[00:31:16] My journey started as a full-time grandmother when Bella and Airy parents passed away. My son died in 2020, and their mother passed in 2021. I've had full custody since the girls were born and received custody of my grandson Ramir in October.

[00:31:36] Sadly, all three parents had substance abuse problems, and all three kids were diagnosed with autism. In 2023, my granddaughter, Bella, was attending Dogwood Elementary and was referred to Neighborhood Networks program.

[00:31:52] I was very reluctant to join the program, but later realized it was the best choice I've ever made. It changed my life. I was able to receive support to get the girls in the right programs to help them. Neighborhood Network provided me with so much support, such as summer programs for autistic children, connected me to VPS programs that provided clothes, food, holiday gifts, and the CC Plus program that helped me to receive respite care, and so much more.

[00:32:27] I don't have much time to say. My family and I are coming to the end of the journey with Neighborhood Networks. I wish I had more time with this wonderful program. but I'm happy to know other families will get the help that they need. I also want to take this opportunity to encourage the Board of Supervisors and others to support these prevention programs, like neighborhood networks.

[00:32:51] There are families who are in desperate need of this help and know where to turn. Thank you for this opportunity to share my story. Thank you very much, Joy. Thank you very much, Joy.

[00:33:12] Thank you for telling your story. And if all of you could come on down for a photo, we would appreciate that. And Supervisor Paucek will join me.

[00:35:07] Dog.

[00:36:04] I have two dogs, yeah. Two mutts. One's a lab mix and the other's a hound mix. I'll find a picture for you.

[00:36:15] Next up, we have a presentation to designate April 1st through the 7th, 2024, as Public Health Week.

[00:37:12] And this was requested by myself. Our speaker today, of course, is Dr. Gloria Adua-Yensu, director of the Health Department for Fairfax County, and I see a whole lot of folks with her making their way down, which is great. I am going to hand the gavel to Supervisor Kathy Smith so that I can read the following proclamation.

[00:37:33] Whereas April 1 through 7 is Public Health Week, an annual observance to recognize that strong public health systems are critical for sustaining and improving community health for all and whereas this year's theme protecting connecting and thriving we are all public health focuses on how communities can become healthier safer and stronger by building sustainable relationships dedicated to protecting our health and enriching our lives and whereas there remain significant differences in health status and outcomes among individuals within our community

[00:38:08] based on race, ethnicity, education, income, and where they live, including significant differences in life expectancy. And whereas the Fairfax County Health Department strives to leverage lessons learned from the pandemic and a greater understanding of the complex and evolving needs of our diverse community to cultivate vibrant and sustainable partnerships to promote healthier communities and advance health equity.

[00:38:35] And whereas the Fairfax County Health Department seeks to bring new perspective and innovative strategies to tackle root causes of poor health and build resiliency against urgent issues impacting our community, including communicable and chronic conditions, climate change, emergency preparedness, health literacy, mental health and substance use disorder.

[00:38:58] now therefore be it resolved that the fairfax county board of supervisors on behalf of all residents of fairfax county does hereby proclaim april 1 through 7 2024 as public health week in fairfax county and urges all residents to educate themselves about ongoing community efforts to promote safer healthier and thriving neighborhoods and how to get involved i'll be glad to second that along with Supervisor Pelichek. Any discussion? Yes, Madam Vice Chair, briefly first I want to thank Dr. Gloria, of course, and her team of amazing folks at the

[00:39:37] Health Department for being with us this morning. And this was an important morning, if you think about the proclamations that we've had this morning thus far, have all been dealing with public health, you know, protecting the most vulnerable in our community, of course, and protecting our young people are all a part of public health. But I would also say that what I like most about this proclamation is how much it recognizes our One Fairfax mission here in the county. And we know, because we've seen the maps that show life expectancy in the county, and we

[00:40:12] know that there's a difference based on what zip code you live in. And that's at the heart and soul of our equity policies is that we have built environments that contribute to longevity in some parts of the county, and we have built environments in some parts of the county that don't have those opportunities to healthy air, clean food, medical visits, the types of things that sometimes we in this county can take for granted.

[00:40:40] And so having gone through the pandemic with many of the people here in front of us, I think we're, you know, we know who our heroes are here and our partners, but I think the new renewed focus on public health is important, and public health is not defined simply as vaccinations or testing.

[00:41:01] Public health is defined by lifestyle. Public health is defined by equity and access to opportunity, and we have a health department proudly that understands those connections, and so there's a clinical element, but there's just a quality of life element that has to be on our minds at all times and so happy to you know pronounce this public health week in Fairfax County but most importantly to have our community think about ways that they can help with public health both in their own homes but then also in their neighborhoods as well and to lead healthy lifestyles that help everyone in Fairfax County

[00:41:38] and so this is an important awareness proclamation but most importantly want to thank the work of our health department and and your partners uh all over the county and and you didn't know how many you had until what we've been through the last couple years there's a lot of them and and we thank all of them because this is a community effort not just a health department effort thank you supervisor poucher thank you um the chairman said it so well and i only want to add a couple of words of thank you to all of you here um but i know you are representing that front line of our

[00:42:11] entire health department of our community network of our entire network of the health healthy equity in action that I know you are focused on I want to thank Dr. Ado Ayensu for leading this work I think we realized during a pandemic that when things are going well you don't hear anything and then when there's a crisis that we realized that our whole networking community came quickly into action and that the lessons learned were there, but the infrastructure was in place and the ability to focus on health and all policies, to think of the entire public health

[00:42:51] network and everything we do in the county from a health-first perspective and to continue to improve how we engage, who we reach out to, how we empower the leaders in our very diverse community, especially those who may not know that we are here as a resource.

[00:43:09] So I want to thank you, your communications team, your outreach team, your epidemiologists, and everyone doing the incredible work every day behind the scenes for what you do to help keep us healthy, but help us work together to even improve that for everyone in Fairfax County.

[00:43:26] Thank you. Seeing no further discussion, all those in favor of the motion say aye. Aye. Anyone opposed? Any abstentions? That motion passes. Mr. Chairman. Thank you very much, Vice Chair. And with that, Dr. Gloria and her team are here.

[00:43:41] Welcome. The floor is yours. Thank you. Thank you, Chairman McKay and members of the board for recognizing National Public Health Week. I am joined at the podium by members of the Health Department's executive management team, and we are honored to accept this proclamation on behalf of the men and women of our dedicated health department team who work tirelessly behind the scenes to

protect, promote, and improve health and well-being for all in our community. While our nation has moved on from the pandemic and public

[00:44:17] health is no longer in the spotlight, our team continues to take action 24-7 to protect our community and especially at-risk and vulnerable groups such as older adults, children, and those with underlying medical conditions from a wide range of communicable diseases, including COVID, sexually transmitted infections such as syphilis, and vaccine-preventable diseases such as measles and meningococcal disease. As the department emerges from the continuous response of the

[00:44:53] pandemic, we are carefully navigating our collective new normal of burnout and turnover and are trying to balance the urgent need to strengthen and improve our internal capacity and capabilities to address valuable lessons learned from the pandemic with the necessary steps we need to take to support individual wellness and resilience while delivering on increasing demand on public health services.

[00:45:27] This is critical for the department's future growth and success in addressing emerging and re-emerging public health threats and challenges. After years of working towards being a values-driven, high-performing organization with a goal of becoming the best health department and the best place to work, our department has emerged as a national leader on the cutting edge of public health practice.

[00:45:56] We are committed to building on the successes of our pandemic response over the next five years in four priority areas, embedding equity in all aspects of our work, strengthening our community relationships, and being more intentional about our engagement to ensure they are grounded in mutual trust and shared decision-making, ensuring our workforce is empowered, inspired, and equipped with the resources they need to excel,

[00:46:29] and that our organization is innovative, responsive, and adaptive in meeting public health needs now and in the future. While we celebrate our successes, we recognize the tremendous contributions of our community partners and the unwavering support received by the Board of Supervisors over the years.

[00:46:54] We are truly grateful and receive this recognition on behalf of all individuals and entities within our local public health system dedicated to protecting the health and safety of our diverse neighborhoods and communities. Thank you.

[00:47:09] Thank you so much, Dr. Gloria. Appreciate that. And I think we're ready for a photo.

[00:47:15] if all of you could come forward and face the audience and the board would rise and finally we

[00:48:36] have a resolution to recognize the fairfax county police department crime prevention communities program for its recertification and our speaker today is deanna weaned lieutenant at the fairfax county police department and i see a lot of folks here which is great if you could come on down and this was requested by myself so i'm going to hand the gavel to vice chair smith so that i can read the following resolution whereas the virginia certified crime prevention community program

[00:49:09] one of the first of its kind in the nation was created in 1998 by a director directive from the governor's commission on community safety to recognize policies and practices used by safe low-crime communities, and whereas the program requires communities that receive this designation to implement 12 core community safety programs and standards, along with a minimum of seven additional optional

programs and standards to promote community safety, and whereas the Fairfax County Police Department's Crime Prevention Unit works to keep residents engaged, informed, and safe

[00:49:48] by connecting with business, educational, and residential community groups through programs, presentations, and materials on crime prevention strategies and trends in Fairfax County. And whereas programs and events like Neighborhood Watch, National Night Out, and Citizens Advisory Committees help build connections between FCPD and the community.

[00:50:10] And whereas Fairfax County first achieved certified crime prevention community status in 2001, among the first to do so and has successfully completed the recertification process since now therefore be it resolved that the fairfax county board of supervisors on behalf of all fairfax county residents does hereby congratulate and thank the fairfax county police department and its crime prevention unit for their efforts in achieving designation as a certified crime prevention community i'll be glad to second that with supervisors harrity panel check and lusk

[00:50:48] discussion yes uh thank you uh vice chair smith and thank you all uh for being here and for your service uh this is an important recognition and while we you know might be easy to take it for granted because we've gotten this certification every year for so long um we don't take it for granted and we thank the folks you all who are behind the work to make sure that we get that recertification you know the county has a lot of great statistics when it comes to the work of our police department including of course the designation of the safest community of our size in the nation

[00:51:23] and that happens because the community is involved and trust our police department and that involvement and trust can be seen in so many of the events that i mentioned in the proclamation And including, of course, the one we all know well, National Night Out, but also the citizen advisory groups, Neighborhood Watch, all the partnerships that exist in our community that help prevent crime.

[00:51:48] And so when we look at our statistics and we see good numbers in our statistics compared to our peer jurisdictions and compared to most in our region, what we don't ever see are the statistics on the crimes that didn't happen. And that's a testament to the work that you all are doing, the awareness in the community, the partnerships with the community, making sure that residents in our community and businesses play a role in preventing crime, that they don't have to make the 911 call because we've equipped them with the tools and resources to build awareness and resiliency and to protect their property and to protect their neighbors.

[00:52:27] And so we don't have statistics on crimes that don't happen. We do know that crimes do happen, and when they do in Fairfax County, we know that people are held accountable. But what we don't know is the crimes that don't happen, and I think that is what we're really celebrating here today and the continued partnership and trust that all of you have built in our communities.

[00:52:48] And I know this program has been around for a long time, but it's one that is valued so much, not just by this board, but by our residents as well. And we thank you for everything you do to contribute to this recertification every single solitary year.

[00:53:06] Thank you. Thank you, Mr. Chairman. Any further discussions? Supervisor Lesk. Thank you very much, Madam Vice Chairman. I'll start by saying, align myself with all the comments that were made by the chairman. and I'll add I've seen in my own community the work that's been done specifically within the community and specifically with businesses and I want to just uplift the work at the Springfield Town

Center and in the neighboring areas as it relates to getting out talking to the businesses and really reinforcing the importance of having collaboration with the police department we've

[00:53:42] seeing how that has been so effective in addressing some of the crime in that area. I want to also acknowledge and uplift the work that's being done on the Hyla Valley community as well, just looking at how we can support communities that have had significant issues and how we can engage neighbor watch and then also looking at self-defense and other methods.

[00:54:08] So just appreciate all the things that you're doing in the community all year round and appreciate your ability to get recertified and to get this recognition here today. It's so well-deserved. Thank you, Madam Vice Chairman.

[00:54:24] Supervisor Herity. Yeah, and I'll associate myself with all the comments that were made before and not try to repeat any of them. But, you know, it's the relationships that you all build that are so critical, and that was on display last night at Orange Hunt when you've got the respect of our business leaders and community leaders, and that's important, which is why I'm glad to see this program's getting back to full staffing so that we can have that prevention force out there, because prevention is the best alternative if we can stop crime before it happens.

[00:54:56] So thank you for everything you do. Thank you. Seeing no further discussion, all those in favor of the motion say aye. Aye. Anyone opposed? Any abstentions? That motion passes. Mr. Chairman. Thank you, Vice Chairman Smith. And with that, Lieutenant, welcome. The floor is yours.

[00:55:13] Good morning. Thank you for having us back once again. Every morning as thousands of commuters travel into Fairfax County from adjoining counties, they pass signs that say, welcome to Fairfax County. And then shortly thereafter, some people might notice they pass a bright blue sign that says a certified crime prevention community.

[00:55:30] Until I took this position, I didn't truly comprehend what that meant and what went into that and how important it is. And so I just want to share with you guys a little bit of what went into that certification and how important it is and what it gives the residents and the commuters who come into Fairfax County every single day.

[00:55:49] In 1998, an executive order was created for the new Partnership Commission for Community Safety, charged with the responsibility of advising the governor on new initiatives to promote community safety, particularly youth and family safety. The commission asked the Department of Criminal Justice Services to recommend programs that foster the development of community safety initiatives at the local level.

[00:56:10] DCJS proposed and the Commission approved the Certified Crime Prevention Program. The goal of the program is to publicly recognize and certify localities that have implemented a defined set of community safety strategies as part of a comprehensive community safety and crime prevention effort.

[00:56:26] We first became certified in 2001 and have continually been recertified every three years Despite the challenges of COVID during our last recertification cycle, we were able to meet the goals of 12 required core elements and seven optional elements that we chose on our own.

[00:56:44] Some of the highlights of these goals include annually maintaining over 1,000 participants in the community advisory committee meetings across our district stations, maintaining at least one

certified crime prevention specialist at every district station, providing Neighborhood Watch training and assistance in the creation of Neighborhood Watch teams, conducting over 200 free security surveys to residences, businesses, churches, and schools, participating in thousands thousands of community events including child safety seat inspections

[00:57:18] scout tours public safety days preschool and elementary school visits faith in blue events and of course the very popular national night out just to name a few our department offered over a thousand free educational presentations to include craze the civilian response to active shooter events, opioid and other drug educational seminars for parents, senior scams, personal safety, women's self-defense, and stop the bleed.

[00:57:48] Even with Fairfax County Public Schools ranking 10th as the largest school system in the nation, SROs maintained 100% compliance with providing annual crisis training for all students and staff, as well as participation by FCPD and monthly tabletop exercises.

[00:58:04] All this sounds nice, but what does the certification give us? It gives our community preference in state criminal justice grant application processes. It factors into reducing insurance premiums for policyholders living in a certified community. The designation enhances the professionalism of county management and FCPD by showing that we can meet rigorous standards related to community safety.

[00:58:26] It can also be used as a marketing tool to attract families, tourists, businesses, conference planners, and other interested individuals in finding a safe location to live, work, or play. We are just one of 12 certified crime prevention communities at the moment in the Commonwealth of Virginia, and we're the only certified crime prevention community currently in northern Virginia.

[00:58:49] Not only does our county boast the lowest crime rate for a jurisdiction of its size, but it also has a certification that verifies our commitment to community engagement, security, and safety. Thank you. Excellent. Well done. IE to all of that is this affects everyone in the county.

[00:59:06] So well said, continued appreciation for all the work that you do. And with that, I think we're ready for a photo. And if you all could come forward and face the audience and Supervisor Lusk as public safety chair.

[00:59:18] And now we are going to move on to appointments to boards, authorities, commissions, and advisory groups.

[01:01:10] And let me ask Supervisor Vice Chair Smith if she has a motion. I move approval of the appointments to our boards, authorities, and commissions. Second. And we're moving appointment of the final copy, dated March 19, 2024, that is at all of our places.

[01:01:30] Any discussion on the motion? Moved and seconded. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Next up is report on General Assembly activities. And at this time, I will turn to our legislative chair, Supervisor Walkinshaw.

[01:01:48] Thank you, Mr. Chairman. As the board is aware, the regular session of the 2024 General Assembly adjourned on March 9th. Board members received a copy of the draft final report by email yesterday when it was also posted on the county's website. Looking at the session by the numbers underscores the sheer volume of bills that were considered this year by both the General Assembly and by our board.

[01:02:11] 3,594 bills and resolutions were introduced. 1,443 of those bills were reviewed by county operational and legal staff, and the board took formal positions on 147 bills. The board originally opposed or sought to amend 21 bills.

[01:02:30] By the end of the session, just one bill remained in that category, which was fixed in the final week of the session. But looking at the numbers only tells part of the story. First, the General Assembly passed its budget before adjourning on time for the first time since 2017.

[01:02:47] The budget conference report contains a number of Fairfax County priorities, including funding for school divisions to fill the gap created by the elimination of the state sales tax on food, funding to help address the looming budget shortfall facing WMATA, increased HB 599 funding for localities with police departments without a linkage to crime rates.

[01:03:14] And this is important to note, in the governor's budget, that funding was restricted to jurisdictions that have a high crime rate. The governor said Fairfax County's crime rate is too low to qualify for that additional funding. And we worked hard and successfully to change that funding to fully eliminate the priority one wait list for developmental disability waiver slots.

[01:03:37] The conference did not, however, include one of the governor's top priorities, a deal to bring the Washington Capitals and the Washington Wizards to a new arena in the city of Alexandria. In the days since the adjournment, there's been a lot of discussion about how the omission of this project will impact, will influence the governor's actions on the budget, as well as the many bills that are on his desk awaiting his action.

[01:04:03] Perhaps the greatest disappointment of the session was the lack of significant action on recommendations from a watershed report on state K-12 funding completed in 2023 by the Joint Legislative Audit and Review Commission, or JLARC.

[01:04:21] That study outlines both the inadequacy of state funding and the substantial flaws in current state funding formulas, determining that the Commonwealth dramatically underestimates the actual costs of public education by $6.6 billion per year.

[01:04:38] The budget adopted by the GA in September of 2023 includes funding for a study of the JLARC recommendations, but unfortunately there has been limited action to implement the recommendations. There's been substantial interest locally about the impact of the budget agreement on Fairfax County public schools.

[01:05:01] When compared to the governor's introduced budget, the conference report provides additional revenue of $55.5 million. And when compared to the FY 2025 FCPS advertised budget, the conference report provides a net increase in funding to FCPS of $28.9 million.

[01:05:24] This is a step in the right direction, but it's a small step, and it's past time for the Commonwealth to take bold action on education funding to address the shortfalls identified by JLARC. The county's legislative initiatives were very successful.

[01:05:42] The first, which would extend the deadline for certifying election results from seven days to ten days, passed both the House and Senate and awaits action by the governor. The second expands the authority of localities that do not maintain their own roads to reduce the speed limit to less than 25 miles

per hour, but not less than 15 miles per hour on roads within its boundaries that are located in a business district or residence district.

[01:06:09] In 2021, as board members will recall, the General Assembly passed legislation authorizing local governments to reduce speed limits in this way. However, following enactment of that bill, VDOT made a determination that the legislation does not apply to streets in the state highway system.

[01:06:27] So this initiative would expand that authority to localities that do not maintain their own roads, like Fairfax County as well. The initiative passed both the Senate and the House and awaits action by the governor. Finally, Mr. Chairman, I want to thank our legislative staff for their hard work and dedication to the county.

[01:06:46] Claudia Arco, Jennifer Van E., Noel Dominguez, Kristen Kanasky, Ariel McAloon, Chris Sigler, and Alexa Tellez-Mancy. The crazy pace of the General Assembly session is demanding and exhausting, and maybe the 10 of us are demanding and exhausting as well.

[01:07:04] But the work they do is really important. And I know I speak for all of us when I say how much we value and appreciate their efforts on the county's behalf, as well as all of the county staff who have helped to analyze legislation and their impacts on the county throughout the session.

[01:07:21] So let's give them a round of applause. Thank you all. And with that, Mr. Chairman, I move that the board adopt the 2024 General Assembly final legislative report. I'm happy to second that motion along with Supervisor Lusk.

[01:07:37] Discussion on the motion? Supervisor Walkinshaw. Yeah, just one thing I want to add with respect to the budget and FCPS funding, just to put the situation in context. And over the last several years, we've talked a lot about and tried to communicate to the delegation and the community what it means when the General Assembly passes a pay raise for teachers in Fairfax County.

[01:08:01] We know that it's a down payment, a small down payment on what it actually takes to accomplish a pay raise. The 3% salary increase that the General Assembly budget included, worth noting, you know, the governor has said he thinks that's too much.

[01:08:20] He doesn't think teachers should have a 3% pay raise this year. His budget had, I think, a 1% bonus. But assuming that that were to move forward and the governor were to sign that, it would cost Fairfax County Public Schools $85.4 million.

[01:08:37] The state share, I won't use the word state match because it's not a match, the state share would be $12.5 million of that, so 14.6% of the total cost. As the board knows, the superintendent's budget and the FCPS budget request calls for a 6% salary increase for teachers, which would cost FCPS $170.8 million.

[01:09:07] Under the General Assembly of past budget, the state share of that would be $12.5 million, roughly 7%, so as we continue to go through our budget process, if anyone is wondering why we struggle and have challenges in providing teachers the pay increases that we would like to, you just have to look at these numbers.

[01:09:32] A 3% salary increase from the General Assembly, A, we all know is not enough for teachers in Fairfax County, and B, they're only funding a minuscule percentage of it. And that is really the fundamental challenge we're facing this year in our budget process, and I just wanted to highlight that.

[01:09:50] But I want to thank the board and all my colleagues for their help throughout the legislative process this year in the session. We got a lot of great ideas and contributions from each and every one of you, so thank you for that. Thank you, Supervisor Walkinshaw, and before I say something, Supervisor Palchik.

[01:10:10] Thank you, Mr. Chairman. I again want to echo the thanks to our staff. Welcome back. We hope you get a little bit more sleep these days and appreciate that you are down there day in and day out so that we can be up here. And thank you to Chairman Walkinshaw for leading this work.

[01:10:27] The one thing, in addition to what you shared, that really stood out to me, and I know I was in one of those committee meetings as it was shared how well Favrex County has implemented our accessory living units, HE or accessory dwelling units, as we sometimes call them, is that the constant battle and imposition on local land use authority.

[01:10:52] We appreciate and we invest and continue to invest in housing and affordable housing and workforce housing but sometimes people go down to Richmond and propose bills that sound really helpful on that issue and we care deeply about it but what would help more in that issue is to continue to invest more especially to the level some of us and localities are trying to invest in knowing that housing is right now when it comes to human services and even our workforce one of the biggest issues we face if not the biggest and so I was really

[01:11:29] surprised and you report to see I thought the the bills were done and that we were protected it looks like we're not a hundred percent of the way there and that we know that being able to protect our ability and every locality's ability to have land use authority to protect authority from issues that aren't weren't as well known in Richmond and the General Assembly and that some of our own delegation are sometimes going down there without that conversation with us.

[01:12:02] I think I appreciate your work and I know and your speaking at those committee meetings and trying to improve those bills, if not make those better understood. And again, if we can be helpful there, I think that's the one big, big fear I continue to have looking at this report and it looks like uh senate bill 304 did pass narrowly um but will likely come back next year um i don't know if you want to add more to that but i'm trying to understand um the outcome of those those bills down in richmond um hi mr chairman supervisor palchek i'm claudia arco with government relations um yeah so there were bills this

[01:12:40] year dealing with this issue of the state calls them adus we call them alu accessory living units that bill didn't pass the general assembly in its original form but it was sent to study in the off session so by the virginia housing commission um so obviously we'll want to actively participate in that um i think the points that you made to a reservoir check are right um you know that there's been a lot of interest in terms of the land use side of this equation not always as much on the funding side i think we would encourage the state to do more on the

[01:13:14] funding side and not um try to use land use tools to create a particular outcome particularly given the fact that um i mean the state isn't in the best position um to make those decisions and um and also i think sometimes these bills and this one in particular are described as providing local flexibility um we already have the flexibility to do a lot of these things and so um really some of of these bills are directed at requiring us to do things that we you know aren't already doing and so that's been a little bit of the challenge so our staff will be following those and participating

[01:13:51] um in the off session but obviously if the board is happy to participate sometimes too that would be helpful to our efforts and we'll kind of see where that goes but okay uh supervisor alcorn yeah thank you just to follow up on that i know uh certainly in fairfax county we have land use responsibility for all but our towns so i would just suggest that uh that um that you that we be sure to work with our town folks particularly on this sb304 study because they would be impacted in some cases probably more so than than we would even thank you thank you supervisor alcorn and

[01:14:31] let me just uh wrap up by again thanking our team and and supervisor walkenshaw for your work on this and your most impactful comments on the education funding piece. Having watched the General Assembly for a lot of years, they'll be the first to tell you that if they don't want to act on something, the best thing to do is to send it to study.

[01:14:54] What I've never seen, and maybe it's happened before, but here you have a landmark study, JLARC study, that tells us what we already knew, which is we dramatically underfund education as a commonwealth and leave it to localities to make up the difference?

[01:15:11] And the answer was an unprecedented study the study. I mean, I don't know how much clearer it could be. I get that there's formulas to look at, other things, but we have teachers and kids suffering across the Commonwealth because Virginia has allowed itself to create a very uneven system of public education and to dramatically underfund localities who have very limited tools to raise the revenue to pay the bills for the schools that generate the strong community and economy that we rely on

[01:15:49] in Fairfax County. And if nothing else, the lack of understanding of the economic development components of education funding is pretty stunning. So in conversations with some members of our delegation and senior members of our delegation, they did suggest to me, horrifically, that there were a lot of members of the General Assembly, especially new ones, who had absolutely no understanding of the impact of the three budget proposals, the governors, the House, and the Senate, on Fairfax County. They were getting statewide talking points and putting out

[01:16:28] the statewide talking points, and only leaving it up to us to remind them, actually, the story is entirely different in Fairfax County, that that at-risk funding money that was in the House recommendation would cost Fairfax County money. And of course, their assumption, like everyone's would be, we have a lot of at-risk children in Fairfax County. You would just presume that we would be beneficiaries of that unless you understood how the formula worked and learned that it actually cost us money.

[01:16:58] It was shifting revenue from FCPS to other school districts in Virginia to pay for kids who were at risk at the expense of our own at-risk population. And so one of the things that was suggested is an off-season orientation, education, presentation that we can do jointly with schools on how the school funding formulas work, how the pay increases work, how the at-risk elements work, So that next year, when hopefully we're done studying the study, we're ready to take action.

[01:17:32] Our delegation is armed with exactly the formulas and things that work for us, work in our favor, and the things that don't. And my question on public education funding is, we know from our last legislative committee meeting that the House budget and the governor's budget not only ignored JLARC largely, but they amounted to net cuts, reductions in money coming to Fairfax County Public Schools and that the Senate budget marginally moved the needle in our favor.

[01:18:07] And what we know that was adopted was closer to the Senate version of that, which marginally improves a number for FCPS. But I think the fact that two out of the three budgets harmed Fairfax County Public Schools needs to sink in with our delegation.

[01:18:26] And I don't know that any of them realized that until we brought that forward and started barking about it. The other thing I will say is that Supervisor Pouchik mentioned a bill that, you know, is still alive. There's a number of core county initiatives that are on the governor's desk, things we have institutionally supported for a long, long time.

[01:18:52] Gun safety bills, banning of assault weapons, sitting there waiting for action from the governor. Climate change, environmental bills that we core have supported as a board waiting to see what the governor is going to sign. Bills related to the LGBTQ community who was here before us waiting to see what the governor will do. And so I think all of us also have a continued responsibility to be weighing in on those core values of Fairfax County to the governor's office because we expect there's going to be a lot of vetoes coming.

[01:19:28] We expect they might be of some of the core principles that we as a county stand for, and we need to make sure that we are re-communicating some of those key things to the governor's office while those bills are sitting there waiting to be decided. And so our work continues.

[01:19:45] One thing is our team is back here, but the legislative work that they do is a year-round activity, And now we move to the next phase of making sure we're weighing in with the governor's office. And I do think an opportunity for better education with our delegation sometime, really not when we're going in the next session, but sometime between now and the winter or the fall would probably be the best time to do that and hope that we can get attendance.

[01:20:14] And my office, happy to work with you and Supervisor Walkinshaw and I think our FCPS team to be involved in that as well as we move forward. But thank you for all you do, and sometimes the best offense is a good defense. I think we're ready to vote.

[01:20:33] All those in favor of the motion, please say aye. Aye. Any opposed? Herity, nay. Any abstentions? And that motion carries 9 to 1. Supervisor Herity voting no. Thank you again, and we'll continue to be in touch. Thank you, Mr. Chairman.

[01:20:49] And that brings us to board matters. And as we have done in the past, those have been distributed electronically. To my colleagues, we will go in order by district, following myself and Vice Chairman Smith. And I'm going to hand the gavel to Vice Chairman Smith.

[01:21:06] I have just one board matter, and that is I move without objection for the proclamation request listed below, a resolution to recognize Patricia Matthews for 19 years of service as the president and ceo of the northern virginia health foundation a proclamation to recognize april as community development month a proclamation to recognize asian american native hawaiian and pacific islander heritage month in may a proclamation to recognize teacher appreciation week which is may 6 through 10th 2024 and a joint proclamation with supervisor smith to recognize

[01:21:41] police week may 9th to may 18th without objection so ordered uh thank you vice chairman smith and And next up on board matters is you. I shouldn't have turned that mic off. Mr. Chairman, Tyson and Friends LLC doing business as the dog stop, the applicant, currently operates an indoor kennel on

property identified among the Fairfax County tax map records as 54-4 double circle 1, 117 part, the subject property.

[01:22:14] The applicant is currently processing a special exception identified as SC2023-SU-00030 to allow for the construction of outdoor components associated with an indoor kennel use. The applicant is operating a small business, and the outdoor components are an integral part of the Dog Stops business plan.

[01:22:35] The Planning Commission public hearing for the special exception is scheduled on April 24, 2024, and the applicant is asking for the scheduling of a board hearing in order to more quickly implement this use. Therefore, Mr. Chairman, I move that the Board of Supervisors direct the Director of Planning and Development to expeditiously schedule SE 2023-SU-00030 for a hearing before the board.

[01:23:00] This motion should not be construed as a favorable recommendation on this 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. Chair is happy to second that motion. Is there any discussion? Seeing and hearing none all those in favor of the motion please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Smith. Thank you, Mr. Chairman. This board matter is a follow-up from our discussion about data centers and it's a joint that board matter with you and Supervisor Jimenez.

[01:23:39] The increasing demand for data centers and the increased understanding of their potential impacts reveal a need to consider strengthening our current regulations. In response to our previous board matter of May 9, 2023, staff prepared a research report on data centers that identified potential topics and approaches.

[01:23:59] Building on that research and as discussed at the Board's March 12, 2024 Land Use Policy Committee meeting, it is important to move forward without delay to amend the zoning ordinance to strengthen the current provisions for data centers while recognizing that data centers provide an economic benefit to the county.

[01:24:18] The amendment should include options for consideration by the Board, including, but not limited to, the inclusion of additional standards and the provision of options for buy, write, and special exception permissions in certain districts and over certain size thresholds.

[01:24:34] It may also be appropriate at a later date to include new permissions and standards in the zoning ordinance for electrical substations to the extent permitted by law. Therefore, I move that the board adopt the attached resolution dated March 19, 2024, and direct staff to prepare a zoning ordinance amendment to strengthen the current provisions for data centers.

[01:24:56] The amendment should include options for consideration by the board, including, but not limited to, options for buy right and special exception permissions in certain districts and over certain size thresholds, as well as additional standards for data centers. This amendment should be advertised for a public hearing before the Board in July.

[01:25:17] To expedite the amendment process, this Board matter includes the resolution required by statute for the Board to initiate amendments to the zoning ordinance. With the expedited time frame, it is recognized that community engagement efforts must largely be centralized with the virtual meeting options to maximize opportunities for citizen involvement.

[01:25:39] Staff should coordinate with the board offices to advertise the community meetings. Further, to facilitate community feedback, draft text options should be available for discussion at the meetings. In addition, staff should provide an update to the board before recess on a potential amendment to the zoning ordinance related to how substations are entitled.

[01:26:02] I'm happy to second that motion along with Supervisor Jimenez, Bierman, and Palczyk. Discussion on the motion? Just briefly, I think it's laid out well in the board matter. There is an urgency that the board wants to move forward, and I think this timeline will be very helpful and is a good start for us in this process.

[01:26:20] Thank you, Supervisor Smith. Supervisor Jimenez. I completely agree with the comments and the resolution. I think that we need to be looking at data centers, understanding a lot of different things around this. One, the jobs and revenue they bring to Fairfax County, but also making sure that our communities come first, that we're putting data centers where they belong, that we're making sure that the community has a quality of life that they came to Fairfax County to have.

[01:26:47] So I'm happy to second that. Thank you. Thank you very much. And I, too, support this. I want to thank our staff and Supervisor Smith for the work that they've, significant work that they've put in this as well as Barbara Byron in my office to get us to this point.

[01:27:04] And, you know, when we first authorized the analysis to be done, it was almost a year ago. But to get to this point and be ready to move forward with public hearing and to do it in an expedited way, I think, is a testament to the urgency of making sure we get ahead of as many of these as we can.

[01:27:23] We have very few in the county. We have very few on the horizon that we know of, but it's important that we get the protections right and the guidelines right. And the quickest way to do that is to get these zoning ordinance amendments approved. We know that there will be some other actions companion actions that have to come later including the work that the planning commission is doing updating the policy plan the environmental components of that but it is really important that we get these zoning ordinance hearings moving forward get the input from our community and hopefully adopt a set of restrictions and guidelines that can better address some of

[01:28:01] the concerns we've heard that are out there and the concerns that our neighboring localities are are grappling with as well we have an opportunity here uh to get ahead of that and and we should be doing that so thank you for your work to get us to this point uh with that all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries supervisor smith all right uh supervisor walkinshaw thank you mr chairman uh i have just one written board matter and one item that i want to share verbally uh the written board matter is a joint board matter

[01:28:38] with you and with Supervisor Stork. Mr. Chairman, Fairfax County is in the midst of a major effort to reduce its greenhouse gas emissions as outlined in our community-wide energy and climate action plan, our CCAP, and our operational energy strategy. Implementation of these plans is projected to help improve energy efficiency for county facilities and the private sector, as well as improve public health outcomes and economic sustainability. The widespread use of renewable energy, such as solar photovoltaics, will contribute to our carbon neutrality goals.

[01:29:15] We're making progress toward our goal to be a carbon neutral community by 2050. Community carbon emissions in Fairfax County are down 30% since 2005. But we recognize that the long-term success

of our climate and greenhouse gas policies relies in part on the broader transition of the Commonwealth to a renewable energy economy and decisions made in Richmond. Over the next five years alone, Fairfax County plans to install dozens of rooftop solar projects at government

[01:29:48] sites. However, due to new requirements and exorbitant costs imposed by Dominion for connecting distributed energy resources, or DERs, to the electric grid, about one-fourth of our county solar projects are encountering barriers to becoming operational. The estimated cost from Dominion's direct trip transfer, or DTT, requirement will amount to an additional $3.5 million cost on our county solar projects. To our knowledge, no other utility requires its customers

[01:30:25] to incur such costs for upgrading the grid before complying with a request for interconnection. It's important to note that these solar projects strengthen the resilience of the grid, helping everybody. In summation, the new DTT requirements from Dominion are preventing the county from achieving its renewable energy goals, jeopardizing the viability of the county's solar investments, which will save taxpayer dollars, and threatening the associated jobs.

[01:30:57] The requirements are being imposed unilaterally without full consideration by the State Corporation Commission. In addition, the utility's failure to comply with existing rules and timelines will make many solar projects in Fairfax County economically unfeasible.

[01:31:14] Therefore, we urge the SEC to take immediate action to incentivize rather than inhibit the interconnection of DERs in Fairfax County and across the Commonwealth. In particular, we urge the Commission to suspend the unilateral interconnection requirements instituted by Dominion, ensure that Dominion complies with existing established timelines, initiate an evidentiary process to investigate burdensome DTT requirements, and commence rulemaking on outstanding interconnection issues.

[01:31:48] Mr. Chairman, without objection, I ask that we submit—why don't I go ahead and make a motion? Mr. Chairman, I move that we submit the attached letter under the chairman's signature to the State Corporation Commission requesting that they take the actions described above and the letter as attached.

[01:32:03] I'm happy to second that. A lot of people, Supervisor Stork, Alcorn, Palachuk, Supervisor Smith, a lot of people seconding. Discussion on the motion, Supervisor Walkinshaw. Yeah, and this was an issue that was debated heavily in the General Assembly, and I think there was a consensus, and the consensus was that the SEC should be making this determination.

[01:32:33] They are supposed to be a neutral arbiter on these issues, and it's appropriate for them to make this decision. It is really important for us, not mentioned in the board matter as the impact on schools, But but similar impact. And and look, I think the important thing here is that these are new costs and new requirements for years.

[01:32:57] Folks have been standing up these solar projects and Dominion has been complying with with the law and allowing them to connect to the grid without these new costs and the extended timeline that that they're now asking for.

[01:33:13] So, you know, the letter highlights the impact on county operations and says that we basically should go back to the way Dominion was operating just a year ago. And a lot of these projects can move forward. Thank you, Mr. Chairman. Thank you, Supervisor Walkinshaw.

[01:33:29] Supervisor Palchuk. Thank you, Mr. Chairman. And I want to thank Supervisor Walkinshaw for his work on this. I think what's frustrating, and you bring up the schools, is that while there is maybe more authority in some ways than there was, dominion isn't blocking the movement in some of these projects they have become prohibitively expensive um and so there's a new sort of block to being able to do that and what we there was some hope that that wasn't no longer there so i thank you for for your work and very um not happy but very supportive of this effort and what we can do to to have that changed thank you

[01:34:08] thank you supervisor alcorn yeah thank you mr chairman yeah just to build on supervisor paulchick's comment um So in the Hunter Mill District, I have an elementary school renewal that is being complicated by this requirement. It's going to be coming to the Board of Supervisors here the next couple of months.

[01:34:23] But this is real. This is creating a real impediment to doing what we need to do. You know, we've got renewals coming through all the time. You know, this is really important, and I hope they see the light. But thank you for your leadership on this, both Chairman McKay and Supervisor Walkenstrom.

[01:34:44] Supervisor Stork and then Supervisor Herity. I mean, just to put it to add to that, we have a high school. We've been working with FCPS as part of the Joint Environmental Task Force. They committed to a number of buildings, and that's kind of been winnowed down. We finally had a high school that they were moved forward with.

[01:35:01] Everyone was ready, and then we get advised of this fee, which is millions of dollars to connect to this high school. So that's a real consequence and a real impact on our reduction in global warming emissions. So this is real. Thank you, Supervisor Walshaw, for bringing this forward.

[01:35:18] I'm happy to support it, and hopefully we can get an expeditious decision from the State Corporation Commission. Thank you. Supervisor Herdy. Yeah, so these costs are necessary. I assume nobody's arguing that the costs are necessary. Yeah, we are arguing that they aren't necessary.

[01:35:37] Supervisor Walshaw. So some of these DTT things are not necessary. They're just Dominion's just saying put them up. They're not required to connect to the grid? - Yeah, I'm happy to answer that. So one, even before these new requirements, there were interconnection fees and costs for anyone who connects to the grid.

[01:35:58] The question is, or two things. Are these extensive and new requirements necessary? And as the board matter noted, our staff has gone and looked. We couldn't find any other utilities in the region that require this level of cost and expense.

[01:36:16] and so so are they necessary other utilities have determined that they aren't and two who bears the cost given that there are benefits both to the new interconnection and the owner of that interconnection and everyone else who utilizes the grid so so we would not accept that they're that they're all necessary that's highly technical obviously but we wouldn't accept it yeah way beyond my technological skills there when it comes to to electricity to me the question here is who pays the 3.5 million or whatever it is, whether it's our taxpayers that pay it as we connect to the grid or whether the rate payers pay it because Dominion's clearly going to take

[01:36:55] that expense. If they're not going to charge it to us, it's going to go on the electric bill because Dominion's not a charity. They're not getting donations from people. So I believe the correct forum to handle that is the SEC. So I 100% support that. I can't say I support the conclusion that our ratepayers

should be paying it instead of our taxpayers. And it is beyond me to know whether they are all necessary or not necessary for the grid. So I'm going to abstain on this one. Well, hold on a minute. Wouldn't you want the SCC to investigate and answer your

[01:37:30] questions? That's primarily what this is asking for. I mean, it's fine. It's fine. We're taking a position that we should not be paying the fees in this letter. And we're taking a position that we think the fees that are being posed are unreasonable, and that we're asking the SCC to review those because, frankly, Supervisor Herity, I don't compartmentalize people the way you did.

[01:37:52] Our ratepayers are taxpayers. They're the same. And what our taxpayers in Fairfax County want to do is save money on utilities and save the planet. They've overwhelmingly told us that. They also are customers of Dominion, and they are taxpayers.

[01:38:10] They are the same people. And what we are saying is you have a public utility that's not a charity, but an extraordinarily profitable public utility who's doing something so far outside of the norm of what other public utilities are doing that, frankly, Supervisor Herity, what we're trying to do is protect our taxpayers and the ratepayers of Dominion.

[01:38:29] The presumption somehow that there's not a profit element of this for the electricity company, I'd challenge that conversation in a public forum any day. I think what we're saying here is these are stopping important solar projects in the county that will build a more sustainable county.

[01:38:50] As we have heard from our environmental experts, we'll save the county a tremendous amount of utility expense money in the future. as our projects that have been deployed have already proven to do in Fairfax County. And we have a utility who is doing something outside of the norm.

[01:39:05] And we are saying we want the State Corporation Commission to get involved and make sure that our taxpayers are not being overcharged for their local government to do the right sustainable thing. That's the bottom line here. So with that, all those in favor of the motion, please say aye.

[01:39:22] Aye. Any opposed? Any abstentions? Parity abstained. And that vote is 9-0-1 with Supervisor Herity abstaining. Supervisor Walkinshaw. Thank you, Mr. Chairman. Just wanted to share a personal experience that I had Sunday evening, or rather early Monday morning, about 3.30 a.m.

[01:39:42] I was blissfully asleep dreaming of this board meeting. And I heard an explosion that actually rattled the windows in my bedroom. I thought maybe it was a transformer, something along those lines.

[01:39:58] And then I heard, I started to hear the sirens, which sounded pretty close. So I opened the blinds and I could see outside of my bedroom window the flames from a pretty significant house fire on Ann Fitzhugh Lane, which is in my neighborhood, maybe 200 yards from my house.

[01:40:21] So I got dressed and went over there, and from 4 a.m. to about 6 a.m., watched the incredible men and women of our fire department battle a tricky and complex house fire that took them really two hours to get it under control.

[01:40:42] But it was amazing to see their work. Obviously, I think in the back of everyone's mind, including mine, was the incident not too long ago with the tragic death in Loudoun County, something we never want anyone to experience and certainly don't want to experience here in Fairfax County.

[01:40:59] But they did an amazing job, and I know for my neighbors, some of whom live right next door to that explosion, which obviously was some kind of natural gas or propane-fueled explosion, they were

pretty shaken up but felt a lot better in seeing the response from our fire department.

[01:41:18] And so I just want to thank all of those who were there. Deputy Chief Hunter was on the scene and in command and had things well under control. But I want to thank all of the firefighters who were involved in that response and did such an amazing job. Thankfully, nobody was home. No one was in the home at the time.

[01:41:34] They didn't know that, but that turned out to be the case. So as far as we know, nobody was injured thanks to the great work that they did. Thank you, Supervisor Walkinshaw. having looked at the photo is obviously a scary moment uh so thank you for sharing that um next up is supervisor beerman no board matters this month or this meeting thank you thank you supervisor uh beerman supervisor lusk uh thank you mr chairman i have two board matters the first um mr chairman i was honored to be invited to a special event for the women's club of springfield

[01:42:12] the women's club of springfield will be celebrating their 70th anniversary this year this is 70 years of service donating time and money to great causes in the district the women's club of springfield was chartered in 1954 by the virginia federation of women's clubs to serve the springfield area especially those in need of a helping hand springfield women's club holds three objectives to study topics of general interest to the members to carry out charitable projects of civic and social improvement and to promote good fellowship amongst its members club has done

[01:42:47] amazing work throughout their history club was an early supporter promoter and founding partner of the richard bird library in 1955 and has provided continuous and substantial financial and volunteer support to the library since that time in 2023 they donated pajamas and items for care for kids collected stuffed animals for the teddy bear brigade supported richard bird library semi-annual book sale donated emergency clothing for both garfield elementary school and crestwoods elementary school other important initiatives that the women's club of springfield has

[01:43:25] known for include their pink elephant thrift store their post-secondary education scholarship program and their annual spring fair a craft and vendor show the pink elephant thrift store was was created in 1964 and is run by all volunteer staff 100% of proceeds are donated to local philanthropic projects projects include the scholarship program awards local high school graduating students who are enrolling in post secondary education with financial assistance and finally their annual spring fair brings in local vendors and the proceeds are shared with Bethany

[01:44:02] house so with that said mr. chairman I move that a proclamation be prepared to honor the accomplishments and contributions of the women's club of springfield in their 70 years of service i move this proclamation be prepared in time to present to the organization at their 70th anniversary event which will be held on april 14 2024 and look forward to celebrating with them the long-lasting contributions and work they have performed in our community so moved mr chairman and i'm happy to second that motion along with supervisor harry discussion on the motion just Just very briefly.

[01:44:36] Okay. This was actually my mom's club, so this one's personal to me. But anyway, great organization, great club. I'd like to attend on the 14th if you can let me know the details. Number one. Number two, I'll just make the announcement.

[01:44:52] I'm sure you know Pink Elephant Store is going to have to move, and they are looking for a new home. So anybody who's got some inexpensive place to lease, that was one of my mom's favorite places to

work. But they are looking for a new spot. Thanks. So we will circulate the information on April 14th and make sure that as a result of that, the proper public meeting notice also occurs.

[01:45:17] Further discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Lusk. Okay, Mr. Chairman, before I read the next board matter, I just want to let everyone know I provided an updated version after conversations with supervisor pal check I realize I made a little error I had a other agencies included but it wasn't in the final version so you'll see in the final version when I read it includes that and then I'll just make a point here when we originally talked about this board matter it was going to be connected to a

[01:45:53] consideration item but after talking with the chairman staff we pulled out that consideration item and just put the board matter up front because there's some information that we needed before we could do that. So with that, Mr. Chairman, access to justice is not always equal for Fairfax County residents.

[01:46:11] In 2017, the National Center for State Courts published a study entitled Virginia Self-Represented Litigant Study, Outcomes of Civil Cases in General District Court, Juvenile and Domestic Relations Court, and Circuit Court. The study revealed that the traditional adversarial model, where both parties are represented by counsel occurred in only 1 percent of general district court cases, 6 percent of juvenile and domestic relations cases, and 38 percent of circuit court cases. Poverty was the reason

[01:46:46] most often associated with not being represented by counsel. The barriers faced by self-represented litigants include cultural and language barriers, procedural hurdles, and generally difficulty navigating the court processes and understanding legal terminology from what forms to file to where and when to appear and what to say in court. In 2023, Fairfax County funded the first self-help resource center in Virginia, and this was a consideration item supported by the chairman

[01:47:20] and myself in the last budget. The self-help resource center provides legal information, Referrals forums and resource materials on topics related to various court matters as an extension of the self-help resource center We have the option of implementing a kiosk and web-based AI program to increase access to justice the kiosk and web-based AI program Will be a logical expansion of the self-help resource center with the capability of providing access to more information

[01:47:54] This information will be available at different locations, potentially throughout Fairfax County, available in different languages, available with ADA accessibility, and available possibly 24 hours a day. The courts receive thousands of requests a year for interpreter services in 42 different languages.

[01:48:15] These kiosks will help residents with localized and immediate language access to the courts and allow them to work with the court without having to come to the court. This technology is an access to justice solution for people with transportation and child care issues.

[01:48:30] A virtual clerk would be available to assist at the kiosk and online as well, providing access to the courts potentially at all hours. Regarding ADA accessibility, the kiosk has a button on it that changes the screen layout for those in wheelchairs making it ADA accessible.

[01:48:49] for hard of hearing. They can interact with the screen via text and touch and do not need to speak or listen to the avatar that's included. For the web-based AI program, if the person has hearing problems, they too can communicate with the avatar through all text or they do not have to talk or listen to the avatar. The kiosks in the future could also be utilized for virtual hearings. Kiosks web-based AI are

being used across the country in courthouses, public libraries, other public facilities to further provide access to justice. Fairfax County is the largest jurisdiction in our

[01:49:28] Commonwealth with a diverse population it needs. This technology will expand services provided by the Self-Help Resource Center and further access to justice by providing information for all residents to participate in the legal system in a meaningful way. This project falls directly in line with our One Fairfax policy to ensure all residents have the same and equal access to justice. So, Mr. Chairman, I appreciate the county staff and the court have begun a review of the kiosk and AI option, keeping in line with our One Fairfax policy and understanding the great need for increased access to justice for all residents. I move that the county executive,

[01:50:06] direct staff from DIT, the Fairfax County courts, and other appropriate county agencies to finalize review of this kiosk and web-based AI program, as well as others, to make a determination and report back to the board on how we may be able to incorporate this type of technology to assist our residents. So move, Mr. Chairman. Second. You've heard the motion. It's been seconded by Supervisor Palachuk. Discussion on the motion? So, Mr. Chairman, just so I'm clear here again, looking at this as a tool to make government services more accessible to communities and

[01:50:45] Making it so that you can have both the government Services say even here in this county government center as well as the court services potentially in one kiosk Which again could be offered in a location separate from here because as I look at my own community It is difficult for the residents to be able to get from South County all the way here They have difficulty getting from South County all the way to the courts and being able to offer Accessibility on a 24-hour basis giving them access to forms

[01:51:21] Information and services would be extraordinarily helpful and then thinking about the need on the languages being able to meet Those residents where they are with their particular language having access to the kiosk would be

[01:51:37] exceptionally helpful. So, Mr. Chairman, with those remarks, thank you. Okay. Supervisor, let me start with Supervisor Stork and then Supervisor Palchik. Thank you, Mr. Chairman. I had the pleasure of seeing a demonstration of a device like this a couple weeks ago, and it was really remarkable what it can do. And it's consistent with, frankly, the core I know that I've had, and I know, I know Supervisor Lusk and I, I know the chairman and I have talked about this many, many times, of getting and having more services available in the southern part of the county one of the first board matters i ever

[01:52:14] did when i joined the board back in 2016 was to look for ways to provide those services frankly more conveniently and and make it easier for people to access the justice system this particular kiosk i think would enable that process to be improved over what it is i don't know that it fully negates the still need in my mind to have some sort of court services at South County but I think it does move us to the next step of providing those services easily and accessibly to folks whom frankly at this point in time if

[01:52:50] they want to use the court services will have to take two or three different buses a trip of at least an hour and a half to two hours to get there or Or alternatively, have a vehicle and drive 45 minutes or, in turn, pay for Uber and other fees that are over $50.

[01:53:09] So these are real consequences without these kinds of support systems, and I think this will take us one step forward to providing that. So I strongly support this. Thank you. Supervisor Palachuk. Thank you, Mr. Chairman. And thank you, Supervisor Luss, for bringing this forward.

[01:53:25] And I appreciate you making that minor change after our conversation yesterday. And I know and fully agree that your heart is in the right place on this one and that some had the opportunity to look at the kiosk. My concern, and I shared it with you yesterday, is the process, right?

[01:53:45] When I first heard about the kiosk, I asked if our heads of NCS or Health and Human Services or even our chief equity officer had an opportunity or our non-profits to review this device, to understand how it would be used, to have our peer testing or non-profits.

[01:54:04] Here in your board matter, you talk about places where it's used in courthouses and public libraries. And so to really understand how in Fairfax County, a county of our size, we can ensure that it's not just throwing technology out there, but that we've got the systems in place and the people who are on the ground every day, whether there are county agencies or non-profits know how they will be used and how to make sure that they are effective that we've engaged the community and as someone who's worked as a language interpreter I know that interpreting is a lot more than just language right and so

[01:54:40] that includes advocacy that includes intending understanding that the client is understood by the provider and back and forth. So I fully support this, but would amend the motion.

[01:54:55] I think it's a friendly amendment that this, in my mind, isn't quite ready for prime time to just say, let's fund this. We haven't really tested it and we haven't seen it. And so I would say that those agencies, Health and Human Services, our Chief Equity Officer, NCS, And these are the conversations that our staff are having and looking at before we just come forward and say, let's go forward and tell them what to do, is ensure that they have the opportunity to include the agencies that need to be involved, that they, this was just brought to them a week ago, that they have the opportunity to do that and to bring it back to our whole board.

[01:55:34] Sure. Likely through HHS or an agency for us to see it as a committee. I think a couple of you, and it was not a public meeting, had the opportunity to see it tested. I'm just concerned about saying without having it be reviewed, fully vetted and reviewed and figure out is the best way this technology or is there a better way with our DAT and with our services to look at this.

[01:55:57] I'm concerned, more concerned about that than I am about the funding. Once we've got it right, we'll fund it. Sorry, Brian, but I'm not concerned about that piece. I just want to make sure that programmatically and through the equity piece that you've talked about, that this has been vetted in the best possible way to implement this is in place.

[01:56:16] So I think we're all on the same page there. It's just a process that I want to make sure we're not jumping ahead of getting it right. Mr. Chairman? Yes, please. So I appreciate the comments from my colleague, and I'll be very specific in saying my intention was to do that very thing. That's not what it says.

[01:56:32] But that was my intention. So obviously having the county executive review it and have it looked at to determine cost options for how it can be deployed. I'm not making any determinations other than asking it to be reviewed and then asking for it to come back to the board with some sort of recommendation.

[01:56:54] So from my standpoint, what you've said was my intention in this board matter completely. There's no option here where I would circumvent the process of this board and to do something that we don't normally do, just so I'm clear.

[01:57:12] But I appreciate your comments and happy to accept the changes that you've recommended as a friendly amendment. Thank you, Mr. Chairman. And I appreciate that. I think my concern, again, is the process and how we do things.

[01:57:29] And our staff are already doing this. So I have a concern that we are saying here that we are directing staff to do something they're already doing, which is doing their due diligence and doing the work and coming forward to all of us when they are ready to make a formal proposal.

[01:57:47] And so to me, that's really important, not just the intent, but the way we carry through that business. Because I don't think anyone doing county policy via board matter and creating that way of moving forward on these projects. I appreciate you accepting that I do appreciate that I want to make sure that we are relying on our experts Across our county agencies even CSB should be incorporated because I think we all have the intent of improving How to reach our community and how we provide services And I just want to make sure those who are doing that have the ability to do it the right way and bring us their proposal rather than us

[01:58:25] Directing them perfectly understood and just if I can just make one last place mr. Chairman that is i think i said at the top of this it was originally thought to be a consideration item but after we kind of understood that there was additional information that needed to be brought to the table we took the consideration item off so it was linked originally separated to allow this additional discussion and review just so we're clear on that thank you mr chairman yeah no i appreciate that and and a lot of us are are working on this um county staff a couple of our offices

[01:58:59] are working on this as well um you know and and i support this um i think the concern is the process is is a concern but but my concern is um you just roll a kiosk out and further frustrate people if it's not done right and these are the very vulnerable populations that don't need to be further frustrated they need help and so one of the things i suggested working with the agency Supervisor Palchuk mentioned, is doing some peer testing. I mean, we have a lot of community-based nonprofits provide language support services, legal support services for people who can't afford them.

[01:59:37] Instead of us looking at the kiosk and saying, that looks great, let's have the people who are actually going to use the kiosk look at it and tell us if it's great. Because what we don't want to do is just rush in and further complicate and frustrate people where there's a misinterpretation and they're getting the wrong documents that they need to help their case.

[01:59:56] And so I do think there's a considerable amount of testing and work to be done by our staff to make sure that we don't just put a device in place that's going to make it harder when what our effort is and what Supervisor Lusk's effort is, is clearly make this easier for people to access services.

[02:00:15] But anyone who doesn't have a language barrier and gets an electronic device put in front of them may further complicate their ability to get done what they need to get done as opposed to getting a person who can actually help them. And so we do want to make sure that these are tested before we spend money on them.

[02:00:34] They're tested with the actual people who are going to use them. And I would also suggest that, as Supervisor Palczyk mentioned, because I ran into this challenge as well, is there was a public meeting notice problem with this. And so each board member should have an opportunity to see these.

[02:00:51] And several of us did not because it was not publicly noticed, the meeting. And then finally, when this comes back to us, I would hope as a part of the review is we would reach out to the court system and the state to find out if the state is going to help support this because they should be.

[02:01:09] They are the principal operators of our judicial system, and they should be playing a role in supporting this, if nothing else, as a pilot that maybe could be used in other parts of the state. So we want to get the state's ownership of this as well. This is not just a county initiative.

[02:01:24] And so that's a really important part of the vetting of this before it comes back to us in committee for further discussion. And so support the motion, support the thorough look, and look forward to getting complete feedback on the proposal before we need to take any further action on it.

[02:01:45] If there's no further up, Supervisor Beerman. So, I just want to make sure I understand exactly what we're voting on. I hear the concerns about the process. I don't read the sentence, the last sentence as written, as saying anything really but.

[02:02:07] We're asking the county executive, well, I'll just read it. I move that the county executive direct staff from DIT, the Fairfax County Circuit Court, and other appropriate agencies to finalize review of this kiosk and web-based AI program, as well as others to make a determination report back to the Board of Supervisors on how we may, may, again, not a final, be able to incorporate this type of technology to assist our residents.

[02:02:35] I read that as very open-ended. However, I understand that Supervisor Palczyk wanted to offer a friendly amendment. So, if we were to amend that to hopefully take into account the fact that this is in no way a final determination, I would suggest that we amend it to say, rather than to say to finalize review, we just say to create a plan to fully review this kiosk and web-based AI program, as well as others to, rather than make a determination report back, just say

[02:03:13] provide a report and recommendations for consideration by the Board of Supervisors on how we may be able to incorporate this type of technology to it. Yeah I think what we're saying Jimmy is bring this back to the Health and Human Services Committee with all the questions that we've asked here answered including including I think that I'm hoping that's the new motion it incorporates the comments of the board that we need answers to some of the questions we would like this opportunity to be extended to the rest of the board to see these kiosks we would like our nonprofits to be reached out to so that real users can operate these and not board members and we would like our

[02:03:52] chief equity officer and the other departments besides DIT and the county courts to be involved in that process and we would like to engage our state partners and understanding what role they may play in this those are the types of things that we were going to ask in committee and we're saying ahead of time when you come to committee be prepared to answer those questions okay Well, I support that.

[02:04:15] I mean, I will say that AI is not a substitute for a good lawyer. Just have to throw that out there. So I share your concerns about this. I very much share your concerns about this.

[02:04:30] And I also want to be clear. I also don't want us to think that, you know, we bring back kiosks and then we take away from other funding for other access to justice initiatives. uh i think that's absolutely an important concern um i'm sorry to try to edit on the fly that's just i guess my nature sorry but uh i will agree with uh everything that's been said and i'm i i hope county executive hill was taking notes on what

he needs to do when he comes back to us well the good news is it's all on video yes thank you so i think we we've captured it all probably haven't

[02:05:09] capture it all. There's probably things our staff that are working on this know that we don't even know sitting here, but these are the things at least that concern us we want to have answered when they come back and so that we can get a complete review. Okay, so the motion was made. It was seconded by Supervisor Palchuk. If there's no further discussion, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Lusk.

[02:05:35] Thank you, Mr. Chairman. That concludes my board matters for today. Thank you, Supervisor Lusk. Supervisor Alcorn. Thank you, Mr. Chairman. I do have a few board matters, but I'll try to go quickly. The first is a budget consideration item. The Fairfax County Public Library operates 23 library locations with more than 500,000 active cardholders who utilize a collection of approximately 2 million items, including books, e-books, and audio books.

[02:06:02] Library users visit local branches or the digital library collection to pick out items to meet their educational and recreational needs. Many times, they place items on hold because the titles they want have a long waiting list. For popular items, wait times can be weeks, months, and in some instances, longer than a year.

[02:06:22] The library continues to be one of the most popular services provided by the county, and our library branches are a vital hub of community information. The Fairfax Library Foundation and the Friends of the Library groups continue to provide supplemental support to the collection budget, but are not in place to supplant the support from the county.

[02:06:40] We continue to face issues with meeting the demand for library materials, even with the digital formats. Funding for the collection budget has not been robust enough to meet the needs of all of our residents. With increased demand for popular and new materials, the library must balance a proper allocation of limited resources for those items with the needs for materials in support of K-12 students and ensuring that materials are updated, available in print, large print, audio, and digital copies, and in multiple languages.

[02:07:09] Additional funds to the collection budget will ensure that we are providing the resources our community demands from our library and decrease the wait time so that people can access those resources in a timely fashion. So, Mr. Chairman, I'm putting forward a one-time funding consideration item to provide an additional $500,000 to the library's book collection budget.

[02:07:29] You've heard the motion. It's been multiply seconded. Discussion. Let me just remind everyone, it's our annual disclaimer, that consideration items are just that. We're adding this to the consideration list. You do not have to bring these to a board meeting.

[02:07:47] If you have a consideration item, you can just email the whole board to be added to the consideration list. Consideration items for third quarter, one-time funding, consideration items for the budget likely could be one time, but also is where any recurring consideration item requests should be put on the consideration items list.

[02:08:07] And so county staff collects all these inventories them. And when it's time for us to take action on our budget and on third quarter is when we will decide which of those, any of those we want to fund. And so we're approving it being added to the list, but not approving the item, the financial item here today.

[02:08:27] And just we all know that but I just want to make sure the the public watching understands how the process works Further discussion on on this motion supervisor Hardy. Sorry about that. I was looking on doing the same thing I Did have one question that I sent back to my trustee with the piece that they sent out It says the library can only allocate a little more than 10% of its total budget of around 34 million or 3 million to purchase materials and I was just curious maybe that's a budget question on is who sets that guidance is

[02:09:04] that the trustees is that us is that state but why are they limited to only 10% of their budget to purchase materials so if we could just ask that as a budget question to come back but I think we do need to get our clearly invest in our library collections it's it's something our citizens like it's a basic public service we need to provide and we're gonna we're gonna have an opportunity to vote on that when it comes budget time that's the good news supervisor okay so again anyone else has these can be submitted electronically at any time doesn't have to come through this process can come through this

[02:09:41] process but doesn't have to and all those in favor of the motion please say aye aye any opposed any abstentions that motion carries supervisor Alcorn thank you mr. chairman my next relates to inventory of rest and community level services and infrastructure. As Reston approaches the 60th anniversary of its founding, the time is right to take stock of community infrastructure that by many, if not all accounts, including a recent article in The Economist, has created a very successful community within Fairfax County.

[02:10:14] Reston currently has several important community organizations that are dedicated to creating a cohesive community experience. These organizations perform essential community level services such as maintaining the trails and open space providing camps for our kids operating operating recreation facilities of all types and hosting places for the community to gather and in some cases these organizations have assumed additional responsibility responsibilities as the commonwealth has devolved some of their responsibilities such as keeping the grass cut in and along vdot rights away which i know we've done as a county as well these organizations now

[02:10:50] form a veritable alphabet soup in Reston. Nonprofits like RA, RTCA, the YMCA, and county operations like RCC, FCPA, and NCS. And this doesn't even include the advocacy and advisory groups like RCA, Reston P&Z, and my favorite acronym, the CHC, CAC. As you can imagine, roles and responsibilities of these organizations are not intuitive to many residents, even for residents who have lived in Reston for decades, myself amongst them. For Reston to be the success the next 60 years it has been for the first 60, these community-level services and infrastructures

[02:11:28] must be sustainable, including financially. Last year, the Board of Supervisors approved the Reston Comprehensive Plan Amendment update that will help guide our community and is helping to guide our community into the future. With that process now completed, the next step is plan implementation and a review of Reston's community-level services and infrastructure is an important step in plan implementation.

[02:11:52] Therefore, Mr. Chairman, I move that the Board of Supervisors direct the County Executive's Office to coordinate with the Hunter Mill District Office to develop an inventory of Reston community-level services and infrastructure, including those noted above, and to include who is responsible for those services and infrastructure and how they are funded.

[02:12:10] And I would so move. Seconded by Supervisor Lusk. discussion on the motion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions that motion carries supervisor Alcorn thank you mr. chairman this one is co-sponsored with you it's to designate May as older Americans and adult abuse prevention month the 2024 theme for older adults month is powered by connection which recognizes the profound impact that meaningful relationships and social connections

[02:12:45] have on the health and well-being of older adults, actually of all of us. Fairfax County has made the ability for our residents to age in place a priority. There are a number of resources available to connect and engage our older adults, including community events and volunteer opportunities, as well as providing local services such as transportation that can help them overcome obstacles to achieving or maintaining meaningful relationships. Older Americans Month is an opportunity to celebrate the strength of older adults and the aging network in Fairfax County to ensure residents can plan to stay in their homes and live independently in their communities

[02:13:24] for as long as possible. May is also Adult Abuse Prevention Month in the Commonwealth. While recognizing the vitality of the county's older adults, we also recognize that vulnerable older adults need protection from abuse, neglect, and exploitation. Therefore, Mr. Chairman, I would ask without objection that we designate may as older americans and adult abuse prevention month in fairfax county and invite a representative from the commission on aging to receive a proclamation from the board at a may board meeting and without objection that is so ordered supervisor outcome

[02:13:59] thank you they're getting shorter i promise um so um south lakes high school boys basketball team so mr chairman uh i was proud to witness history in the making two weeks ago as the Southlake's high school boys basketball team won its first ever state championship.

[02:14:17] The Seahawks took home the boys' Virginia Class 6 state championship in what the Washington Post called was an unlikely blowout. The team won despite having their star junior guard Jordan Scott having a broken thumb on a shooting hand. It was wrapped up, I understand. And while this is the first state championship for the boys' team, The 1986 Southlake's girls won the state with a star player named Christy Winters on the team.

[02:14:43] Now Christy Winters Scott and, among other hats, the mother of Jordan Scott, who was on the team that won two weeks ago. So Southlake's sports fans have been proud of their great basketball tradition in Ruston over the years and can now be proud of this exciting state boys championship team.

[02:15:00] So, Mr. Chairman, I ask that the Office of Public Affairs prepare a certificate of recognition for the team to be presented at the Board of Supervisors meeting on May 7th. And I'm happy to second that motion. Let me ask, Mr. Castrilli, is that our, is May 7th our state tournament schools day?

[02:15:19] Tony Castrilli, Director of Public Affairs. That is correct. We are currently coordinating with FCPS on a pilot program to bring all FCPS state champions honored by board matter requests in at one time. We still have some work to do, but that is the plan, and we are aware of that request for that date for that team.

[02:15:38] Thank you, Mr. Castrilli. We're trying to make sure we get these kids in before the school year ends, so happy to second that motion. If there's no further discussion, all those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Alcorn. Thank you. Recognition of

the 40th anniversary of Viva Vienna is my next board matter. This coming Memorial Day weekend will mark the 40th anniversary of Viva Vienna. Hosted by the Rotary Club of Vienna, this popular annual festival celebrates the unity and strength of the Vienna community and honors Memorial Day. Viva Vienna has grown

[02:16:15] over the years to become a major fundraiser for the Rotary Club, which each year supports more than 70 local charitable educational and community groups. Working in concert with the town of Vienna, the Rotary Club puts on a first-class event that draws thousands to the historic areas of Vienna, which include the Freeman House, Old Vienna Railroad Station, the Caboose, W&OD Trail, and Church Street. Viva Vienna is truly a model of a community event. It's a model community event providing a fun family weekend for residents and visitors and providing much-needed funds to support the community throughout the year. So therefore, Mr. Chairman, I would ask without objection that we invite representatives of the Rotary Club of Vienna along with the Town

[02:16:55] of Vienna Mayor Linda Colbert to receive a proclamation recognizing the 40th anniversary of Viva Vienna at the May 21st Board of Supervisors meeting. And that's been seconded by Supervisor Paucek, myself. Any further discussion on the motion? Mr. Castrilli, you have that date, That slot, just want to make sure because it's a precise date.

[02:17:18] Chairman K. Tony Cotrilli, Director of Public Affairs, I was just checking, and that is correct. We do have that date as well. Excellent. Well done. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Alcorn. Thank you. Just a quick announcement, actually a couple.

[02:17:36] First of all, I have a new communications manager in my office. Some of you do know him, communications director, I should say. it's brian worthy brian is here uh before journeying my office he served in the office of public affairs for nearly 20 years and he's worked with many county agencies i know many of you know him uh tony i want to thank you for your understanding uh and welcome brian um there's there's a reason why brian is is joining because there's a vacancy and i do want to let everybody know that Lisa Connors, who's been communications director in the Hunter Mill office for the last

[02:18:14] four years, is retiring. This is her last week, so Friday's her last day. She's also been with the county for a total of 18 years, so I know many of you have worked with her in different roles there as well. So, you know, she's been such an invaluable member of my team for the last four years but she's probably best known in the 100 mil district as um as the creator the the author the editor the coordinator of my weekly newsletter uh and i i still you know every week somebody's coming up to me and saying oh i love your newsletter uh so i i always make sure to give

[02:18:53] credit for where credit is due uh so thank you uh lisa for that but you know it's it's very difficult to to have her leave but i know her husband john her son jack and her daughter mac will will really appreciate having her uh more undivided attention so thank you lisa for your service so throughout that lisa was smiling ear to ear and because of your new staff edition before you told me that i thought there was a problem there's something going on in hunter mill that

[02:19:30] needs a lot of public affairs attention so i'm relieved now so very good thank you thank you for that uh announcement supervisor alcorn and uh next up is supervisor Jimenez i have nothing this thank you very much thank you supervisor Jimenez uh supervisor stork uh thank you mr chairman and um i've

got uh one written in two verbal the first one is our sixth annual uh environmental expo It starts or is on Saturday, April 27th.

[02:20:04] It will run from 11 a.m. to 3 p.m. at Fort Hunt Park. We are co-hosting that with the National Park Service. Once again, they're a great partner for us. It's a great place to have it. Additionally, a number of county agencies, a lot of not-for-profits are also going to be there. There's a lot of free fun, family-friendly festival.

[02:20:23] It will include activities, exhibitions, sharing information about climate action, environmental challenges we face, how we can take action to make Fairfax County and the world at large a healthier, more sustainable place. Attendees will also be able to enjoy live music, reptile and raptor demonstrations, electric vehicle and electric bike showcase, giveaways, solar cooking, face painting, food, junior ranger activities, the purple glass monster, of course, will be their CCTV robot camera demos and more.

[02:20:56] So please visit my website, favoriscounty.gov forward slash Mount Vernon, to learn more about the event. Also, join us to learn, engage, and act to save our environment. Therefore, Mr. Chairman, I ask with unanimous consent that the Board of Supervisors direct the Office of Public Affairs to promote the Environmental Expo through its various communication channels.

[02:21:16] And without objection, that is so ordered. Supervisor Stork. Thank you, Mr. Chairman. I have last meeting I recognized as some of our really are significant women in the history of Fairfax County and in particular Mount Vernon. I also wanted to recognize my staff.

[02:21:34] I did an article this week on our newsletter. We have five members of my staff that have been very involved, very active women that are making a difference in our community. And that's really got a lot of positive feedback from folks on that as well. And then finally, I wanted to recognize Ella Fitzgerald.

[02:21:50] She's known as the First Lady of Song and Queen of Jazz. In 1959, while performing in a D.C. nightclub, she was first invited to sing at the Summer Jazz Festival held at Lorton Prison, and held exclusively for prisoners and prison staff. As early as 1955, the prison was described really as over 500 incarcerated residents above the safe operations, and it got only worse after that.

[02:22:16] Chaplains serving at the reformatory believed in a redemptive and connective power of music. They organized summer concerts held on the prison ball field, including D.C. nightclubs, to invite musicians to participate.

[02:22:31] Fitzgerald was there to sing four more times between 1961 and 1968. Over the years, the annual Lorton Jazz Festival drew other big names, including Louis Armstrong, Count Basie, Frank Sinatra, during the same period. but Fitzgerald was the first and most frequent famous performer.

[02:22:48] So I wanted to recognize all those folks for their contributions. And then last was a sad note, but ultimately I think is indicative of the Fairfax County community and especially this particular neighborhood. There was a massive house fire in Lorton last week, and neighbors next door and around saw the fire and alerted the residents inside because they were unaware.

[02:23:09] They knocked on the doors, they used the cameras, they called 911. They basically, the house fire alarms had not gone off yet. Everyone, two adults and the small daughter as well as their dog, all got out safely. But by the time they got out, the smoke was just pouring into the house.

[02:23:25] So the family credits the neighbors with saving them. If they hadn't gotten out when they did, it could have been far, far worse. In the aftermath, though, the family in particular was deeply just amazed and just appreciative of the neighborhood support, not only coming together to help them get out of the house safely, but also to help in work and buying groceries and looking after their daughter and helping really throughout in this transition, as you might know, from a disaster like this.

[02:23:50] So the family says they will rebuild in the neighborhood because how could you ever leave a neighborhood like this where people care so much and are so committed to each other? So thank you. And thank you to our firefighters who, as usual, did an amazing job. Thank you. Thank you, Supervisor Stork.

[02:24:06] I think we all saw the aftermath of that, and it was a big fire. So, thank you. Next up is Supervisor Palchuk. Thank you, Mr. Chairman. And I want to say I'm so excited about your Expo Fest.

[02:24:22] I was a junior ranger three times in the National Park Service, and definitely it's an incredible program. I'm happy that they're partnering with you on that. To that, I have my first three board matters jointly with Chairman McKay and Supervisor Lusk to request designating April 2024 as Fair Housing Month.

[02:24:43] And we do have the flyers attached in French and Spanish, and all credit of this goes to the staff who's worked on this, especially Alicia Seard-McCord and her team. Members of the board, housing choice and equal housing serve as a transformative vehicle that gives families and residents access to quality education opportunities, safe neighborhoods, and a better future.

[02:25:05] Equal housing opportunities and housing choices enhance the quality of life for the entire community and our highest ideals of diversity, community, and freedom. April 11, 2024 marks the 56th anniversary of the Federal Fair Housing Act, whose purpose and mission was to put an end to inequality in housing and to eliminate racial segregation in neighborhoods and communities throughout the country.

[02:25:28] In addition, the Fair Housing Act was to guarantee that all people have the right to obtain housing of their choice, free from discrimination. April celebrated throughout the nation its Fair Housing Month to recognize and extol the value and virtue of equal housing opportunities and fair treatment. This year marks the 50th anniversary of the Fairfax County Human Rights Ordinance, which provides equal housing opportunities for all Fairfax County residents, regardless of race, color, national origin, sex, religion, disability, family status, age,

[02:26:05] marital status, military status, source of funds, sexual orientation, and gender identity. Fairbricks County Office of Human Rights and Equity Programs is hosting a fair housing event on April 25th from 10 a.m. to 12.30 p.m. in partnership with the Equal Rights Center and the Northern Virginia Association of Realtors. The event program includes a keynote address affirmatively furthering fair housing by leading civil rights attorney and former HUD Deputy Assistant Secretary Sarah Pratt additional details can be found on the attached website

[02:26:41] therefore I move that the board designate April 2024 as Fair Housing Month in Fairfax County and the Office of Public Affairs prepare a proclamation to be presented at the fair housing event on April 25th 2024 you've heard the motion I'm happy to second that along with Supervisor Lusk discussion on the motion seeing and hearing none all those in favor please say aye Aye. Any opposed? Any abstentions? That motion carries. Supervisor Palcic.

[02:27:11] Thank you, Mr. Chairman. Next as a joint matter, again with yourself and your Supervisor Jimenez, a request to designate June 2024 as Immigrant Heritage Month. Members of the board, Immigrant Heritage Month is a special time to honor and celebrate the courage, culture, and countless contributions of immigrants who have lived and continue to live in our community.

[02:27:33] Generations of immigrants from different parts of the world have helped shape Fairfax County's history and continue to define our future. In line with the One Fairfax policy, we welcome all who wish to live in, work in, and enjoy our community, including those of us who immigrated from other countries who choose to make Fairfax home.

[02:27:53] Fairfax County's diversity makes our community strong and vibrant, and our immigrant population is no exception. In 2021, 29.5% of Fairfax's total population were immigrants. and 71.3% of immigrants aged 16 and over were in the labor force.

[02:28:11] Representing the full diversity of FFX's race, color, nationality, sex, gender identity, sexual orientation, religion, disability, and income, our immigrant community is truly representative of the richness of our cultures and experiences. Our community is rich in diversity, with 38.7% of our residents ages 5 and over speaking a language other than English at home.

[02:28:34] We embrace and celebrate one another's differences and backgrounds. While we work every day to ensure that all residents deserve an equitable opportunity to succeed, Fairfax County values and celebrates our community as a place where all are welcome.

[02:28:51] Therefore, I move that the board designate June 2024 as Immigrant Heritage Month in Fairfax County and that the Office of Public Affairs prepare a proclamation to be presented in the boardroom at a future meeting. I'm happy to second that along with Supervisor Jimenez.

[02:29:07] Discussion on the motion? Supervisor Jimenez. Thank you, Mr. Chairman, and thank you, Supervisor Palachuk, for this. I am extremely supportive as an immigrant myself, being born in Bogota, Colombia. This proclamation is so important. Living in Mason District, the cultural hub of Fairfax County, we see so many immigrants, the values, as you discussed, Supervisor Palachuk, the values, the culture, the backgrounds, And the beautiful richness that they bring to all Fairfax County is exactly what we're made up of.

[02:29:39] That's why we're here. We're here to serve our community, the richness of our community. And so I'm very supportive of this proclamation. Thank you, Supervisor Palachuk and Chairman Mkay. Thank you, Supervisor Jimenez. Any other discussion? Supervisor Palachuk. I just want to add, I'm so glad there are two of us here now, but also this morning listening to one of my heroines, the late Madeleine Albright, who left us almost two years ago this month and reminding us that we are a country of immigrants, that we all here are here to serve, to belong, and that everyone wants to be able to live in a community

[02:30:17] where they understand the rules, where they can speak the language, and where they feel included. And so I know that as we strive, there's always work ahead. But we have certainly come a long way in our focus and appreciate the leadership in our county, especially with the chairman and our chairs of the school board as well, that we are focused on continuing to be that integrative community that has built and continues to build a great country now and in the future.

[02:30:46] So thank you to all who have joined in on this. Thank you, Supervisor Palchuk. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries.

Supervisor Palchuk. thank you mr chairman my final board matter um is cell and i believe we have the other commissioners of mvtc i'm sorry that you're not listed on my paper here celebrating the northern virginia transportation commission's 60th anniversary a lot of anniversaries this year members of the board of the northern virginia transportation commission was created by the virginia general assembly in 1964

[02:31:23] it began as initial district of 11 elected officials from five jurisdictions, Arlington County, Fairfax County, and the cities of Alexandria, Fairfax, and Falls Church, along with the chair of the State Highway Commission. 60 years later, NVTC membership now includes Loudoun County, six members of the Virginia General Assembly, and though soon they will be, right now they're not there, but soon we'll have six members of the Virginia General Assembly, and a designee of the Virginia Secretary of Transportation. The NVTC district includes a population of approximately 2 million people in a territory covering a thousand square miles

[02:32:02] connected by a robust transit network providing residents with 1.5 million transit trips each week the public transit network serving the mvtc district generates more than 1.5 billion dollars in annual sales and income tax revenue for the state in 2017 mvtc launched the commuter choice program, which invested in the I-66 and I-95 corridors, while also reducing the vehicle emissions by 69% and saving 1.1 million hours of travel, whoosh, we'd all love that, and

[02:32:40] $14.5 million in fuel costs. Throughout NVTC's 60 years of leadership in transit system development, expansion, and funding, current and former board members and staff have played an integral role in building and operating the transit network that sustains our regional economy. Therefore, I move without objection that a resolution be prepared in acknowledgement of NVTC's 60th anniversary and its contribution to Fairfax County and the region to be presented at the July 19th Board of

[02:33:13] Supervisors meeting. And just want to confirm with Mr. Castrilli that that's correct. Tony Castrilli, Director of Public Affairs, that should be fine in July. Okay, thank you. And I do want to add here it is i have jointly with supervisors alcorn beerman stork and walkenshaw the other current commissioners used to be with mr chairman mckay the longest serving 16 year commissioner you left us and it broke our hearts so i couldn't include you they gave me your seat

[02:33:45] i've heard i've heard um and and without objection uh that is so ordered and looking forward to having the staff hopefully from NVTC be able to join us because the the one thing here listing all the things they've done is amazing but of the organizations I've worked with the staff at NVTC is just top shelf and the amount of things they do the amount of time and effort we spend those board members who have been on NVTC it's a it's a heavy lift their responsibilities get larger every single year the revenue that they're collecting and distributing is

[02:34:24] significant and the staff that works there is exceptional so hopefully we can get some of the staff members to join us that day as well and I just want to put a plug I forgot to include it here I believe September 5th will be the official celebration by MVTC including a documentary of current and former and some past who have left us commissioners over the past 60 years and I hope all of of us here will be available to join in and learn through that celebration looking forward to it without objection that is so ordered Supervisor Palchuk that is all at this moment thank you

[02:35:02] Mr. Chairman thank you very much Supervisor Herdy yes Mr. Chairman I have three written board matters and one unwritten one the first one is to recognize Insight Memory Care's 40th anniversary

Insight Memory Care was founded by Lynn Noyes Simon in 1984 after realizing the lack of community resources and support available for individuals with Alzheimer's disease.

[02:35:25] At the time, it was a highly innovative start to an Alzheimer's-specific adult day center, and over the first year of operation, they offered full day center services. From 82 to 92, INSIGHT took part in the Dementia Care and Respite Services Program, one of only 17 national grantees.

[02:35:44] The lessons learned from this program helped the partners in caregiving, the Dementia Services Program publication disseminating lessons learned to adult daycare centers across the United States. In 2004, they moved to a dedicated facility in Fairfax, Virginia.

[02:36:01] This location provided a safe, secure, and therapeutic environment for those affected by memory impairment as well as additional space for support group meetings and educational classes. Insight was named one of the best overall small charities in the Washington region by the Catalog for Philanthropy for the first time in 2006, an honor they've continued to receive every four years.

[02:36:25] In January 2015, the center was relocated to property in Fair Oaks. This 15,000-square-foot new center allowed the expansion of all services, including new programs such as a Memory Cafe that offers support for families with a recent diagnosis to plan for future care.

[02:36:44] Most recently, they partnered with Encore Creativity for Older Adults to offer Sentimental Journey Singers choral program. In addition to the COVID-19 pandemic, Insight began offering, I'm sorry, in response to the COVID-19 pandemic, Insight began offering almost all of its programming virtually to keep participants and families connected and was able to safely reopen in June 2020.

[02:37:11] Insight Memory Care celebrated a milestone event with the opening of their second location in 2022, an early stage center in Sterling, Virginia. The organization has grown significantly since its beginnings, and this new center in Sterling will represent the first time programs have expanded beyond partnerships and shared space to dedicated centers.

[02:37:33] Therefore, Mr. Chairman, I ask without objection that a resolution be prepared for Insight Memory Care, recognizing its 40th anniversary and decades of service to our community. The resolution would be presented outside of the boardroom on July 18th. And without objection, it is so ordered, and I know this came up earlier, but we'll circulate the information about July 18th, and Supervisor Herity will ensure it's on the public meeting calendar, especially since, obviously, Insight serves all of Fairfax County.

[02:38:05] So I know we say this when these come up. Let's just get to a point where we don't have to say it. And if there's an outside-the-board room proclamation being presented, that the board gets circulated the information about when that will be, where that will be, and that the supervisor who sponsors it makes sure it gets on the public meeting notice calendar so that all of us who want to attend have the option of attending.

[02:38:28] And without objection, that is so ordered, Supervisor Herdy. The next one is to recognize another great anniversary, and that's Great American Restaurant's 50th anniversary. Great American Restaurants is celebrating its 50th anniversary this September. Since 1974, Great American Restaurants have set the bar for casual dining in Northern Virginia and Maryland, offering fantastic cuisine and plenty of fun.

[02:38:53] In 1974, Randy Norton and Jim Farley opened Pico's, a 16-table pizza place in Fairfax City, Virginia, followed by the opening of Fantastic Frisbee's Flying Food Factory in Annadale, which is now Silverado's, along with Mike Rainey.

[02:39:12] From the beginning, the founders Randy, Jim, and Mike set out with the mission of hiring and developing the best service professionals in the industry. Over the past 50 years, great American restaurants have thrived as a result of their entrepreneurial spirit, enthusiasm for hospitality, and a ton of hard work by thousands of the best team players in the industry.

[02:39:32] Now Great American Restaurants has created 14 dining destinations and three artisan bakeries, which are the Washington area's top destinations for family and friends in search of classic American cuisine and good times. Great American Restaurant also supports the community pretty heavily with their organization Great American Community Kitchen, which prepares and distributes meals for those who are food insecure throughout our communities.

[02:39:59] The proceeds from every community breadbasket purchase at GAR contributed to this cause. By their 50th anniversary in September, they will have donated over 2 million meals to the Great American Community Kitchen through the program.

[02:40:15] Great American has also donated $2.5 million to local charities since implementing their dessert program, making donations of 25 for every dessert sold and 5% of bakery bread sales. Great American Restaurants has participated in many initiatives in the Fairfax County community over the years, including Celebrate Fairfax Fair, Fairfax Lord and Ladies, and the Springfield Nights Summer Entertainment Series through my office with Fairfax County Parks.

[02:40:43] Great American Restaurants include Artie's Best Buns and Burgers, Carlisle Coastal Flats, Jackson's Mighty Fine Food and Lucky Lounge, Mike's American, Aussie Good Eats, Randy's Prime, Patsy's American, Silverado, and Sweetwater Tavern.

[02:41:01] Therefore, Mr. Chairman, without objection, I ask that we prepare a resolution recognizing Great American Restaurants for its 50 years of excellent service to the community and partnership in our region. We are in the process of coordinating a date for representatives, a great American, to come before the board this year.

[02:41:19] And without objection, that is so ordered, Supervisor Herity. The next one, Mr. Chairman, is done jointly with yourself, Supervisor Stork, and Supervisor Lusk. Mr. Chairman, Fairfax County is home to 69 Purple Star schools and more than 14,500 FCPS students are connected to the military.

[02:41:43] With one of the largest concentrations of military men and women in the world, the unique experiences and challenges faced by military youth is prevalent here at home. It is difficult to leave friends and to start over in new places. In previous youth surveys conducted by the Department of Health and Human Services, we learned that a majority of military children in Fairfax County moved at least three times since kindergarten, upwards of seven times for some, and they are more likely to experience bullying and depressive symptoms.

[02:42:16] This extends to the stresses of a parent's deployment and especially the loss of a loved one. As shared by the board on previous occasions, the annual Military Family Lifestyle Survey by Blue Star Families indicates that only 30% of active duty families felt a sense of belonging in their local communities.

[02:42:35] Because of this, every year the Department of Defense recognizes the month of April as the month of the military child. This year's theme is Military Youth and Children Brave, Fearless, and Resilient, reiterating both the Army's commitment and ours to providing quality care and positive youth development for the more than 1.6 million military children in the world and the sacrifices they and their families make for us each day.

[02:43:05] We have taken great steps to support our military families, and I know we will continue to do so. Therefore, Madam Chairman, without objection, I ask that we prepare a proclamation to recognize April as the month of the military child, recognizing the unique struggles and circumstances faced by military children, both locally and internationally.

[02:43:41] This is to be presented at the Fort Belvoir's Child and Youth Services Program at a future date to be termed in coordination with Fort Belvoir, CYS, and OPA. And I will make sure, certainly those on the board matter, but also the entire board are aware of the date.

[02:43:59] And if we can coordinate it with some calendars, we'll do that as well. Okay. Thank you very much. And, of course, for Belvoir, they have a tendency to forget the public meeting notice because they're not used to that. So without objection, that is so ordered. Supervisor Herity. Yeah, just a quick recap on the Teen Job Fair.

[02:44:17] We had over two fairs. We had over 1,000 students participating in this year's Teen Job Fair. Record attendance at the West Springfield Teen Job Fair with more than 600 students, about 100 employers. We had showcased their business and organizations.

[02:44:32] We had several branches in the military, representatives from Fairfax County government, the Park Authority, actually Loudon Park showed up. We had the Electrical Workers Union offering apprenticeships, which was kind of unique and interesting, which was a very good thing.

[02:44:49] And I need to, if I haven't hooked them up with you, I need to do that, Supervisor Luss, for WISH. They might be interested in doing something with WISH if you're not. You have them. You have them, okay. Special thanks to our county partners, DFS Public Assistance and Employment Services Division, that advertised employment opportunities geared towards individuals with disabilities, which was something new this year.

[02:45:12] Just thanks to all our sponsors, Fairfax County Public Schools, The Times Newspapers, DFS Public Assistance and Employment Services Division, school board member Sandy Anderson, along with our local chambers that provided the resume and job interviewing workshops.

[02:45:30] So I look forward to doing next year's, and that's all I got. Thank you, Supervisor Herity. And that takes us to administrative items. Is there a motion, Supervisor Smith, for admin items 1 through 9? Thank you. I move approval of admin items 1 through 9.

[02:45:47] I'm happy to second that, along with Supervisor Palchuk. Are there any admin items that board members have questions about or would like to have voted on separately? Any to ask questions or vote separately? Seeing and hearing none. All those in favor of Admin Items 1 through 9, please say aye.

[02:46:04] Aye. Any opposed? Any abstentions? And that motion carries and takes us to action items. We only have two. Our first action item is approval of the reciprocal agreement between the Virginia Department of State Police and Fairfax County during the Police Unity Tour.

[02:46:23] Supervisor Lusk. Thank you, Mr. Chairman. I move approval of the reciprocal agreement between the Virginia State Police and the Fairfax County during the police unity tour. You've heard the motion. I'm happy to second that. Is there discussion on the motion?

[02:46:39] Any discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action item number two is approval of the Fairfax Connector Summer 2024 service changes. Supervisor Bierman.

[02:46:56] I move approval of action item number two, which is Fairfax Connector Summer 2024 service changes. Heard the motion. I'm happy to second that with Supervisor Pouchek. I think I heard Supervisor Lusk. Any discussion on the motion? Any discussion on the motion?

[02:47:12] Seeing and hearing none, all those in favor of action item two, please say aye. Aye. Any opposed? Any abstentions? That motion carries. We do have one consideration item today in its approval of resolution and bylaws. stating the purposes, membership, and procedures for the Veterans and Military Families Commission.

[02:47:33] And I will hand the gavel to, oh, I'm sorry, I will recognize Supervisor Walkinshaw for a motion. Thank you, Mr. Chairman. Just a couple comments, and I'll make a motion. As the board will recall, this consideration item is a result of our board matter from January 23rd of this year.

[02:47:52] And we had all 10 board members on that board matter to create the Veterans and Military Families Commission in Fairfax County. As I know Supervisor Smith knows, we have, I think, 84 boards, authorities, and commissions, and she's going to work hard on that.

[02:48:09] And I promised myself I would never add to it. But I think this is one, and I know the board agrees, that really merits a new commission. We here in Fairfax County are home to more than 45,000 active-duty military selected reserve members and an estimated 65,000 veterans.

[02:48:30] 14,500 students in our schools are connected to the military. We have, obviously, Fort Belvoir as our largest employer. The Military Family Lifestyle Survey by Blue Star Families said that only 30% of active-duty family respondents felt a sense of belonging to their local communities.

[02:48:50] And I hope we're doing better than that here in Fairfax County. But I think this commission can help us do even better than we already are, making sure all of those folks feel welcome and connected to our county. I want to just thank a lot of people who helped pull this off in record time.

[02:49:11] We've been working hard to get this done quickly. Chairman McKay and his staff and the chairman's office for working very closely with us on it. Christopher Pulley, our veterans coordinator at NCS, who's doing an amazing job across the county serving our veterans.

[02:49:30] Patricia Ariadza, also with NCS, who worked very closely with us on establishing the membership and the bylaws. Vance Civella, our liaison to Fort Belvoir and DEI, Martin Desjardins from the county attorney's office.

[02:49:48] We reached out across the region to other jurisdictions that had established similar commissions and got their ideas and input and learned from their experience, and especially all of the folks in the community who have shared their enthusiasm for this commission and this idea.

[02:50:07] And I'll just say we did, and Chairman McKay and I especially, put a lot of thought into the membership and the makeup. We wanted to make sure that we got it right. It's a 20-member commission.

You can see some groups that are highlighted to have standing members.

[02:50:25] There are also six at-large positions that will be appointed by the chairman. And we want to do that because there are so many organizations and entities working with and serving veterans and military families. in the county. We wanted to make sure those at-large positions give us the opportunity to give them the opportunity to serve as well as ensure we reflect the diversity of Fairfax County in every way. So I'm excited about this. I thank the board in advance for their support and their participation in this process. And with that, Mr. Chairman, I move approval of the resolution and

[02:51:00] bylaws stating the purposes, membership, and procedures for the Veterans and Military Families commission i'm happy to second that along with supervisor jimenez and lusk uh discussion on the motion any discussion on the motion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions that motion carries and if anyone's thinking about new boards authorities and commissions the new rule will be you select one or two to eliminate So that we're net not making Kathy's job harder.

[02:51:33] And, Mr. Chairman, I've got one or two, so I'm going to count that. Yeah, there you go. Who wants to talk to me? There you go. Very good. Well, with that, that brings us to the end of our county executive items. Before we break, for closed session, I know our first public hearing is at 3.30.

[02:51:51] Let me ask the county attorney how long we need for closed session. Mr. Chairman, I estimate approximately 45 minutes. 45 minutes, so that's 2.45. So should Supervisor Smith's motion pass, we will report back to closed session at 2.45.

[02:52:09] And I have not heard any announcements for deferrals. Let me just make sure that no one has any intentions to defer any of the afternoon cases. I'm not seeing or hearing any. Okay, Supervisor Smith. Thank you, Mr. Chairman. I move that the Board of Supervisors recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711 and listed in the attached agenda for this meeting.

[02:52:37] In addition, one, as permitted by Virginia Code Section 2.2-3711A3, potential acquisition of real property in the Hunter Mill District for a public purpose, where open discussion would adversely affect bargaining position or negotiating strategy, and two, as permitted by Virginia Code Section 2.2-3711A1, appointment of the Director of the Office of Human Rights and Equity Programs.

[02:53:03] Heard the motion. I'm happy to second that, along with Supervisor Palczyk. Any discussion on the motion? Discussion. Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. We will break for lunch and report to closed session at 2.45.

[02:57:28] Great. The board is back from closed session, and I am going to turn to Supervisor Kathy Smith for a motion.

[03:01:49] Thank you, Mr. Chairman. I move that the Board of Supervisors certify that, to the best of each member's knowledge, only public business matters lawfully exempted from the 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 of Supervisors during the closed session.

[03:02:13] Second. Motion's been made and seconded by Supervisor Palchuk. Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries, and I know we have one motion coming out of closed session.

[03:02:29] I'm going to turn to Supervisor Jimenez. Mr. Chairman, I move that the Board of Supervisors appoint Michael Sims as Director of the Office of Human Rights and Equity Programs, effective immediately at a starting salary of $182,000 annually.

[03:02:45] You've heard the motion. I'm happy to second that motion along with Supervisor Lusk. Any discussion on the motion? Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries.

[03:03:01] Thank you very much. That brings us to... Is he sitting there? Yes. Are you here? You are here. I didn't see you there. Congratulations. Congratulations. Look forward to working with you in your new capacity, and thank you for all your years of county service.

[03:03:22] With that, we are going to move on to our public hearings, and just as a few reminders for folks, individuals wishing to provide testimony have had a number of options. They can testify here in person, or they can provide testimony by phone or by YouTube video.

[03:03:39] At the designated point in the public hearing, I will call for any speakers from the speakers list, and they will come forward, or their video will be shown, or they will be connected by telephone. There will then be an opportunity for anyone else here present who would like to speak to the application to come down to the podium, or for those watching at home to call in at 703-324-1020.

[03:04:04] Speakers testifying via video must have signed up and submitted their video no later than 9 a.m. on the day before the hearings today. For all testimony, you're given three minutes to speak as an individual. If you're a spokesperson for a group, you are given five minutes. And our first public hearing today is a public hearing on SEA 81-P-025-02 Compass Coffee LLC in the Providence District.

[03:04:32] And could we have the applicant please come down and reaffirm the affidavit?

[03:04:48] Good afternoon. Richard L. Flather and reaffirmed that the affidavit has been unchanged since October 26 2023 thank you very much with that are there any disclosures any disclosures from board members seeing and hearing none I will now recognize staff for a staff presentation thank you mr. chairman members of the board my name is Curtis roulette and I'm of the Department of Planning and Development

[03:05:21] The subject property is located at 7393 Lee Highway 3.27 acre subject site is located south of Route 29 and is developed with an existing shopping center and associated parking the site which is a shown in the red square shows a features a former financial institution with a drive-through use the former financial institution had three drive-through lanes the applicant seeks to use the existing structure as a restaurant with drive-through through with a drive-through facility the drive-through will have stacking for

[03:06:00] up to 14 vehicles and we'll have two drive-through lanes one for mobile orders and another for in-person drive-in orders the baristas will utilize the middle drive-through lane as a staging area for order delivery in order to accommodate the proposed stacking for the drive-through facility the applicant

proposes to convert the travel aisle to the north into a one way travel aisle for westbound traffic only. The applicant has proposed to install landscape

[03:06:34] islands, bollards, and associated signage to deter eastbound drivers and to recognize this area as a do not drive area. This concludes my presentation. Thank you so much. Thank you very much. At this time, if the applicant would like to make a presentation, we welcome that. You do not have to, but if you have one, we would welcome that. I just wanted to introduce myself and say hi and thank you to the board for your consideration and again to staff for all their hard work.

[03:07:08] We've learned a lot and we're really excited to be opening in Fairfax and hope you all come by for coffee. Excellent. Thank you very much. Are there any questions for staff or the applicant? Any questions for staff or the applicant seeing and hearing none? This is a public hearing and I have no speakers who have signed up in advance to testify on this matter. Is there anyone here present who would like to speak on this subject anyone who would like to testify this is a public hearing seeing no one let me ask if anyone has called in there are no callers there are no callers

[03:07:43] at this time i will now assume the applicant waves rebuttal there is no rebuttal closing comments and recommendation from county staff thank you mr chairman on february 7th 2024 the planning Commission recommended that the board approve SEA 81-P-025-02, subject to the development conditions dated January 16th, 2024.

[03:08:09] Staff concurs with this recommendation. Thank you so much. Thank you very much. Last call. Questions from board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Palchuk for a motion. Well, thank you very much, Mr. Chairman. A big thank you to staff.

[03:08:26] I know Curtis and Kathy and Mike and Devin in my office in the Planning Commission have been helping through this learning process. And I, for one, this will be on my way to the office, so plan on stopping by pretty much daily. But I know that this is a very much needed amenity in the area.

[03:08:48] I was there yesterday across the street for my daughter's haircut, and I see that you already have put most of what you agreed to in place. and it looks wonderful and ready to go. Before I make the motions, just a little background from my colleagues. I always flip these back and forth, and I hope I'm saying this correctly, that you were founded in the Shaw neighborhood in D.C. in 2014.

[03:09:11] Michael Hafton Harrison-Twarres, former U.S. Marine infantry officer who served in Afghanistan together and began this local, now almost regional, business here. Over the next few years, the stores were open in D.C., Arlington, and Virginia, and I know those well.

[03:09:28] And this will be the 17th shop Compass has in the greater D.C. area, but the first in Fairfax County. So we are delighted. I know it's been a learning process for you and for us and for staff on supporting some of our local businesses as they work to expand and turn what used to be a bank that's been an empty building for some time now to what I think would be a very useful community amenity, especially for the parents who go to the shopping center for swim lessons or haircuts or the gym.

[03:10:01] And so I appreciate, I know it's probably been a little bit more difficult than you imagined going into it, and I know that you have resolved the problems from the drive aisles. I know it looks a little funny right now with the two aisles, people are probably wondering, but that was, I think, a creative

solution to help reconfigure how to address the drive-through, and I want to thank Curtis and the staff who helped on that, and I'm sure DOT was also involved.

[03:10:29] I also appreciate that the dumpsters and the screenings were committed to and the screening, and I know part of the issue was that this is part of a larger shopping center that already had zoning requirements and that you have done everything you've been asked to do for the replanting and for getting up to speed, including thinking about the drive lanes and how they will work for the larger shopping center.

[03:10:56] I'm not concerned. I know there's a lot of space in the shopping center, and I appreciate that the staff have looked out to make sure that we avoid any possible issues or concerns there. And again, I really want to thank you all for helping them navigate this. I think now you've got one under the books.

[03:11:14] Hopefully not as hard as being an infantry officer, but it can be challenging to do this for the first time so to that I have three motions on this I move that the Board of Supervisors approve SCA 81-P-025-02 subject to the development conditions dated January 16th 2024 I further move that the Board of Supervisors approve the waiver for major paved trail requirement along Route 29 and finally I move that the Board of Supervisors approve the modification of transitional screening and a waiver of the barrier

[03:11:53] requirement along the northern property lines in favor of the existing landscaping and the chair will second that motion is there any discussion on the motion I don't think I want to add I know I very much am interested in this quarter and how we ensure that we have bike and pedestrian access and trails we We are in conversations with DOT about this entire section of 29.

[03:12:19] It's very tricky, especially with the cemetery across the street. But I just want to be clear that here you are one little shop inside of an existing area, and there is an access road, and so there's no feasible way for you to be able to do this paved trail requirement.

[03:12:36] So that is why we are comfortable with the waiver on that piece. Okay. Any further discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries.

[03:12:52] Thank you very much. Congratulations. Thank you all. Yep, thank you. Our next public hearing is a public hearing on RZ 2023-PR-00005, concurrent with PCA 1997-PR-007, 8221 Old Courthouse Road, LC, in the Providence District, and can we please have the affidavit reaffirmed?

[03:13:19] Good afternoon, Mr. Chairman, members of the board. Bob Brandt with the law firm of Walsh Colucci on behalf of the applicant. I'm able to reaffirm the affidavits. There's two affidavits here. The first associated with RZ-FDP 2023 PR-00005.

[03:13:34] The second one associated with PCA 1997-PR-007, both dated March 4, 2024. Thank you. Thank you very much. And disclosures from board members. Disclosures from Supervisor Herity.

[03:13:50] Yes, Mr. Chairman. I disclosed it on both applications. Nancy Albritt and Brite donated in excess of $100 to Friends of Pat Herity. Okay. Supervisor Herity's disclosures. Are there any others? Seeing and hearing on this time would recognize county staff for a staff presentation. Good afternoon, Mr Chairman and members of the board. I'm Karen Yee from the Department of Planning and Development The subject property is located on a 2.0 acre parcel in Tyson zone C 3 The site is bounded by old courthouse Road to the north extended stay America to the east

[03:14:27] Freedom Hill Elementary School to the south and Lord Fairfax Road to the west The site is currently developed with a three-story office building built in 1986 The applicant is proposing to repurpose the existing office building as residential. As shown on the slide, since this site is part of a previously approved rezoning area, the PCA is to remove the office parcel from the rezoning area.

[03:14:50] With the rezoning and FDP applications, the applicant is proposing to rezone the office parcel from the C3 to the PRM district to permit the repurposing of the existing office building with 55 residential units. A 7,840-square-foot pocket public park will be provided along Old Courthouse Road and a private amenity space on the eastern boundary of the property.

[03:15:13] As a part of the proposal, the applicant will be opting into the PTC parking rates and will remove existing 90 parking spaces and provide 66 parking spaces. This concludes staff presentation. Thank you. Thank you very much. At this time, we'd recognize the applicant for an applicant's presentation.

[03:15:31] Thank you again, Mr. Chairman. again members of the board bob brant with walsh collucci on behalf of the applicant i do have a brief presentation i'd like to share but before i do let me just thank ms yee miss tye and all of all of staff for working with us on this application it was a very collaborative process i think it came a very very long way from when we first walked it in the door with the pre-application meeting but i'd like to thank them for their efforts because i think that at the end of the day their input their feedback their comments have made this a better application So just first, and again, as Ms. E mentioned already, this site's approximately two acres,

[03:16:06] and it's located right at the intersection of Old Courthouse Road and Lord Fairfax Road on the west side of Tyson's. The site itself is developed with a three-story office building that was constructed in the 1980s. And as many, many owners of office buildings are doing these days, this applicant is planning for the next chapter in the life cycle of this building.

[03:16:27] And so we have brought forward this proposal, which seeks to convert the building from office to residential use. If we go to the next slide, just an excerpt of the zoning map, you can see here, as Ms. E already mentioned, the property is zoned to the C3 district, and it was rezoned to that along with the adjacent hotel building on the right side on Old Courthouse Road.

[03:16:48] And so in addition to rezoning this property to the PRM district, we've requested the pca partial pca to delete that office building the land area from the original rezoning to allow the two the two buildings to stand on their own from a zoning standpoint the next slide just an overhead aerial view of the existing conditions the site itself is developed primarily with the office building it's about 45 000 square feet and it's surrounded by by a surface parking area today on the bottom left side so the southwest side of the property there's a a single point of access to lord fairfax road that we are retaining and repurposing as we move

[03:17:24] forward with this conversion the next slide just a rendered version of the landscape plan just want to point out a couple of the features here one of the focal points one of the most significant kind of areas of focus as part of this application was the urban park space along the frontage along old courthouse road there's a total of 0.1 acres of urban park space that's going to be publicly accessible and that's in excess of what the urban parks framework would require in addition to that on the right side of the building so the east side of the building there there will be a private amenity space with seating areas grills outdoor grills things like that for the future residents

[03:18:00] the building itself will include up to 55 dwelling units one and two bedrooms but the majority of those approximately 70 percent of the dwelling units will be one bedrooms as msie mentioned we are opting into the ptc parking requirements there will be a total of 66 parking spaces provided on the site that's consistent with what the zoning ordinance requires and again we've really worked hard along with staff to maximize the open space maximize the publicly accessible urban park space as part of this application in addition to those open space features there was going to be streetscape improvements new sidewalks new landscaping along both old for old courthouse

[03:18:39] Road and Lord Fairfax Road with new intersection improvements. There's crosswalks that are going to be added across Old Courthouse Road and Lord Fairfax Road, resulting in a pretty significant improvement to the pedestrian experience today. The next slide, just a closer up view. I won't go into a whole lot of detail here, but again, this urban park space was a big focal point of the application. In addition to the open space features, we're going to be building a new bus shelter along the Old Courthouse Road frontage, and so these residents and other residents and other employees in the surrounding area will have access to an improved bus shelter. Finally, just going to the last slide here, I'm not going to read through

[03:19:16] all of these. There's a number of application benefits that are going to be provided with this application. I just want to briefly touch on some of the questions, some of the concerns we heard from the community during this process. There's been some concerns expressed about the reduction in parking. As the staff report discusses, we are reducing the amount of parking on site today, but we are right-sizing the parking for the new use. The zoning ordinance requires 66 spaces for this use we are providing that we've worked with staff to balance the parking demands the parking needs for the site with the need for urban park space in tyson's that's another one of the county's huge objectives and so we think we've achieved that balance in addition the conversion

[03:19:55] of this building from office to residential use not only results in a lower parking demand it's going to result in some pretty significant reduction in trips in the morning peak hour there's going to be a 75 percent reduction in trips when compared to the office use in the evening peak hour a 77 percent reduction and over the course of the day an overall reduction of 40 percent reduction in the number of trips so there's going to be a pretty significant de-intensification of parking demands and traffic generated by the site and then finally one of the changes that we've made between the planning commission hearing and the board hearing was we included a construction management proffer we've committed to reaching out to the local

[03:20:34] community reaching out to the adjacent elementary school freedom hill elementary school prior to construction to provide them with a detailed construction management plan to mitigate impacts on the surrounding area and the surrounding communities during construction i actually had a conversation earlier today with the principal at freedom hill elementary we had a very good conversation and i think i addressed the few questions that he had about this and so ditmar my client is committed to working with the community we're working with the neighbors as as it moves forward with construction here so in conclusion very pleased to be here with the recommendation of approval from staff recommendation of approval from the planning commission and i

[03:21:11] would request the board's favorable consideration today thank you thank you very much are there questions of staff or the applicant yes supervisor stork i noticed the um the plug-in ability the at least two percent what are you using as your broader estimate and then i in turn i was going gonna ask staff I

can't remember where we are with our our requirements on on that like double charging station the two percent charging stations two percent was what we agreed to in our proffers there's a there's a possibility that we may do more as we get down the road once we get into the construction phase of

[03:21:48] this but for now anyway supervisor store we have committed to provide at the two percent seems low okay other questions supervisor Palachate one additional I know you mentioned the 66 parking spaces I my understanding is the minimum correct so uh what's the highest it could go with parking uh the maximum would be let me look at my plan real quick supervisor palchick do you have that number 80 86 thank you missy 86 maximum thank you thank you appreciate that and um related to that i just want to ask a question

[03:22:28] about parking too because i'm sure you're familiar with this uh february 21st 2024 letter from the Tyson's Place HOA that raised concerns about parking. So can you reiterate again what has been done in the way of parking since the Planning Commission public hearing? Because the suggestion in the letter is that during that hearing, the only thing that was done was increasing the off-street parking for this building, which in essence would take away parking spaces used by school parents at the school.

[03:23:00] So can you reiterate to me at least what has been done since the Planning Commission to address the party. Thank you, Chairman McKay. Good question. We haven't made any substantive changes to the plan since the Planning Commission, but just to clarify, there is currently publicly accessible on-street parking along this entire stretch of Old Courthouse Road that's currently accessible to members of the public, including community members, including parents dropping off and picking up school students there. We are striping eight new spaces that aren't striped today on the east side of Old Courthouse, I'm sorry, of Lord Fairfax Road is part of this but those parking spaces will remain they will

[03:23:36] remain publicly accessible as they are today so they're there today they are parking but they're not stripe right okay so we're not we're not removing any parking spaces from from Lord Fairfax Road okay well we haven't added any on the site either since the planning Commission hearing okay other questions yes supervisor Beerman so you said 66 to 88 parking spaces 66 is the minimum required by the ordinance and 86 is the maximum permitted by the ordinance 66 to 86 correct two

[03:24:12] two percent electric vehicle charging stations so 1.32 if they're 66 spaces that would be rounded up to two yeah two percent seems really really low on this and uh um i mean especially when we don't even have a hundred spaces so we get two full spaces uh i think uh i think you would You would do well by your residents to provide more spaces in this plan.

[03:24:42] Thanks. Okay. And just to follow up on that, has there been consideration of doing more than that minimum? And what would be the challenge with doing that? I think Supervisor Behrman's point is well taken.

[03:24:58] And I think that the market is certainly moving in that direction. And the proffers, again, it's a minimum. It's a minimum of 2%. And, you know, we've had some discussions internally about how, you know, more and more electric vehicles are on the road these days. Residents more and more want that as an amenity. And so there is a chance that once we get into the construction phase of this, there would be an opportunity to provide more.

[03:25:18] And so that's something that the applicant will consider moving forward. Yeah, Supervisor Behrman. Just one note. I mean, I literally got sent an article yesterday about how electric vehicles and

gas-powered cars are starting to level out in cost.

[03:25:36] Um, you know, if you want this, this building to be good for your residents, you know, 10 years down the line, you're going to need more than again, 1.32, uh, spaces. So, uh, please, uh, provide more.

[03:25:53] I think that's certainly something the applicant will consider. Yeah, I, I would, I would agree with that. I mean, I, you know, I think in most of these cases, we're getting in excess of that, not just being, you know, the minimum, but, but exceeding that, um, other quick, yeah, supervisor if I could and I know on this application I believe it's one in the recent white paper from staff on repurposing of office buildings that we're looking at and this is in an area where I understand there are a lot of needs and things that we want to highlight right and priorities that we have on this board I think one of the ones that really stands out that I hope you can

[03:26:30] highlight a little bit I was going to speak to it is we have asked that you maximize the open space in that public park and reduce some of that existing concrete parking and turn it into green space i don't know if you could focus on that a little bit more this is not a new build this is a repurpose of an existing building that's right if you can maybe pull that up a little bit and show us i think part of the challenge has been we really pushed on the the green space and the public space knowing that it's next to a school and wanting that bike and pedestrian access and

[03:27:06] the safety there as well so if you could pull that up and show us a little bit on there sure yeah i think missy just just just pulled up the rendered landscape plan so again you know the the existing site is virtually all pavement it's virtually all surface parking 360 degrees around that building as you saw in the aerial earlier um the one point i'm sorry the 0.18 acre urban park publicly publicly accessible urban park space that's what's identified there in red we've programmed that with walkways coverings of pergola some seating areas things like that we've focused on as you said supervisor apology the connections the pedestrian connections

[03:27:41] both in the way of the streetscape improvements around the perimeter of the property connections to points south connections to points east and those crosswalks over old courthouse road in north fairfax road so there really has been as i said earlier a big focus on that as part of this process and we think as i said at the very beginning that staff's input staff's feedback has resulted in a pretty exceptional application there.

[03:28:04] And to follow up on the questions that came up, I 100% agree that we want to focus on ensuring that it's both affordable and meeting our green standards and EV charging being part of that, right? Here we really focused on getting rid of that concrete. But understand that EV charging, I know we're sort of near the end of this process and we've worked through a few issues.

[03:28:25] If you could ask your client to please consider, And I think it's been made a point that the market will probably ask that they consider additional parking. We've worked on reducing the parking to reduce the impact, but also to consider looking for ways to increase, whether it's those shared EV parking stations or to look above the 2% minimum.

[03:28:49] We'll certainly look at that. Thank you. And just to add to that, you know, there is an opportunity, too, to pre-wire some spaces through the retrofit that's much more affordable and then add the charging stations in the future if the demand is there.

[03:29:05] But it's a lot harder to go back and do all that wiring after. So I think another thing I would strongly ask the applicant to consider. Okay. Yes, Supervisor Alcorn. Thank you. Could I just ask staff to follow up on this conversation? If they do go back and put charging stations in, say, a bunch more parking spaces, they wouldn't have to come back in for a PCA, correct?

[03:29:30] Supervisor Alcorn-Mariantai, Department of Planning and Development, correct. Okay, thank you. Good clarification. Okay. If there's no other questions at this time, this is a public hearing, and I have one individual who has signed up to speak, and that is Dennis Alloy.

[03:29:50] Mr. Alloy here. Dennis Aloy, who was signed up to speak. Are you speaking for Dennis Aloy? I don't have a Daniels.

[03:30:11] Yeah, I don't have, I mean, that's okay. I don't have that individual signed up, but let me just make sure. Dennis Aloy is not present, correct? Speaker number one? Okay. So if you can come down and state your name and address for the record, When you're done testifying, if you can just please sign in over here with the clerk when you're finished.

[03:30:33] But please just state your name and address and welcome. Good afternoon to all. My name is Claudia Stein, and I live right across from this property at 1932 Lower Fairfax Road. I'm going to read something that I write.

[03:30:50] The existing proposal will eliminate most of the parking spot on the lot. There is always more demand for parking than anticipated. The apartment residents and guests will be forced to park on the street in the neighborhood, which will take away parking from existing residents.

[03:31:08] The proposal needs to retain at least 30 more parking spaces in the property. Also, I live across the street, we have put a gravel sidewalk because we have been requesting the county to finish that part of the sidewalk because students that go to Freedom Hill walk there every morning.

[03:31:34] And since there is not a proper sidewalk, people park on the gravel, and by parking on the gravel, the students cannot walk safely. Also, I have seen the building that is proposing this to put a sign, no school parking in their building, which I think is very, not very nice.

[03:31:55] And also, I think that sidewalk, building that sidewalk will help a lot to keep the students safe, keep the, you know, people walking there safe, and also keeping the 30 extra parking that they are, that's necessary.

[03:32:18] I live right in front and all the water from that building coming to my property, too. So if we're going to consider all these things, let's think about the human element, too, that walks every morning on those unfinished sidewalks.

[03:32:35] Thank you. Thank you very much, Ms. Stein. Is there anyone else present who would like to testify on this matter? This is a public hearing. Is there anyone else here present who would like to speak? Seeing and hearing no one, let me ask if Mr. Aloy is here again.

[03:32:51] Speaker number one, I don't see a Mr. Aloy. Let me ask the clerk if anyone has called in. We do have one caller, Elizabeth Pollan, speaking as an individual. Elizabeth Pollan. Can you hear me, Elizabeth? Yes, I can. Can you hear me okay? We can hear you great.

[03:33:06] Welcome. The floor is yours. Okay. Thank you so much for your time this afternoon. I live pretty close by, within two blocks, and my daughter goes to school at Freedom Hill and is a walker.

[03:33:22] And so I am concerned about the entry and exit areas and walkways, you know, proposed near that intersection. It's a very busy intersection of Lord Fairfax and Old Court House, currently right by the street.

[03:33:41] There's no, I've never seen any cars that park along Lord Fairfax, like right by that exit and entryway. But if parking for the dwelling unit is proposed right there, I'm just concerned with the, I don't know, increase of traffic and pedestrians, the safety of that intersection as a whole, and what's the thought process and the safety assessment from that perspective.

[03:34:17] Okay. Thank you for your testimony. Do we have any other callers? No other callers. No other callers? Okay. This time, I'd welcome the applicant, maybe could help respond to some of the concerns that were just raised.

[03:34:33] Thank you, Mr. Chairman. Just briefly to respond, so I'll start with Ms. Pollin's comments at the end, and it sounds like she's primarily concerned about potential conflicts, potential safety situations with students walking to and from school at that intersection. Again, this is an existing access point for the office building today, and circling back to some of the numbers I gave the board previously, This conversion will result in a pretty significant reduction, both in terms of the parking numbers, number of people parking in this parking lot, and especially the amount of traffic going in and out of that office building throughout the day and during the morning and during the evening peak hours.

[03:35:08] And so just by virtue of converting the use from office to residential, there will, I think, naturally be a mitigation of whatever concerns that there are today. I'm talking a little bit about that on-street parking once again that I think Ms. Pollan and also Ms. Stein mentioned again there's existing public parking along that entire stretch of Lord Fairfax Road and while it's true that we are we are going to be the applicant is going to be striping and improving that streetscape there's existing parking that's there today that's available to people going to and from the office building people parking in the neighborhoods going to visit people in the neighborhoods and things like that and so again the streetscape improvements

[03:35:46] the sidewalk improvements the on-street parking improvements will be enhancements to what to what is out there today um again as i said earlier we've included a proffer to notify the nearby residents to notify the school in advance of construction that's something that will be provided before any construction activities commence and so there will be future opportunities to work with the community work with the neighbors as we get into the construction phase of this and and that's a commitment that the applicant will certainly continue to honor as we move forward Supervisor Patrick. Could you speak as well? I think Ms. Stein also brought up a couple of points one of them being

[03:36:25] of a gravel sidewalk that's been put in. I know there have been some conversations and concerns about the way drop-off currently happens with the school right and I know I believe you've been in some of those conversations with the community and with the principal. If you could speak a little bit to those improvements and impact of what you're doing versus what's existing or approved?

[03:36:48] Supervisor, I can't really speak in a lot of detail as to the comings and goings of the school, the daily operations of the school. I did speak with the principal, and I understand that the concern has been conveyed to him about activities happening during drop-off and pickup, and so I know that that's something that the school is going to look at, but this property owner and this applicant really, and I was trying, I was on my phone looking at where this gravel pathway might be i wasn't able to find it this quickly but um again what the property that we do control this property at the corner of the intersection there will

be improved with new sidewalk new streetscape around the entire perimeter of the property and again we'll continue to work with

[03:37:25] the school we'll continue to work with the community as we move forward are we able to find are we able to locate the gravel sidewalk on an aerial i mean mr chairman maritai department planning and development karen and i were just talking about that both of us have been out to the site and walk the site we don't recall seeing a gravel sidewalk out there but i mean we're not saying that there isn't one but we just didn't observe it when we've done our site visits out there and let me it's unusual for me to do this but i'm going to for just a moment because um

[03:37:58] miss stein is still here is the gravel sidewalk on your property 1932 lord fairfax road is that where it is okay so is there a way for us to yeah that's what we're looking okay yeah okay so it's across the street off-site it's across the street we do see it now it is across the street okay okay i just want to make sure we're talking about the same thing and understood where it was

[03:38:36] okay um any additional i'm sorry i assume i mean there's no impact i think there was a question about the impact to that correct and looking on the screen with staff right now that's a that's across the street across lord fairfax road and and off-site so i don't think there would be any impact on that existing condition with this and just just looking at it um i know supervisor palchek's office will will work with miss stein about this but there might be an opportunity to improve that i mean i know not with his applicant and this application off-site but it just strikes

[03:39:14] me that you know given all the pedestrian activity in that area appears there's sidewalks on both sides of that property it just seems like a great opportunity for our dot to be potentially working with him on making working with them property owner to look at maybe an improvement there in the future my chief of staff is sitting next to her right now so i know we'll be following up on that okay great thank you thank you very much um at this time i'd recognize county staff for any closing comments or recommendation on december 6 2023 the planning commission approved recommended

[03:39:50] oh no sorry the planning commission approved fdp 2023 pr 0005 and recommended approval of rz 2023 pr 0005 and pca 1997-007 staff concurs with the recommendations of approval thank you very much are there any additional questions from board members at this stage supervisor stork I just I don't recall what the county minimum standards are for charging stations in a multi-family like this

[03:40:26] It's two percent two percent. So they're they're just adhering to the minimum county standard. Yes, correct Okay. Well, I think as you've heard that's we all believe deeply believe that's an adequate in the end if Obviously if the developer doesn't address that I would think that would affect the delivery But that does affect my how I'm going to support this. Thank you. Okay Additional questions. Okay Seeing and hearing none. I will now close the public hearing and recognize Supervisor Palchuk for a motion

[03:41:02] Thank you, Mr. Chairman and to the previous comment as my request was to the applicant We were very focused on the green space, but we have asked them and I believe their future Homeowners or renters will will want that as well to consider going higher than just the minimum The focus has been on the repurposing of this property is repurposing an existing office building in the southern part of Tyson's to a residential building with 55 units and six on-site workforce dwelling units.

[03:41:36] It will include a public 7,840 square foot pocket park that will feature six foot wide walkways a pergola benches bike racks bollard and pull lights a bus shelter we have asked them and they have agreed

to proffer to maintain pedestrian and bicycle access we will continue to work through that and to minimize any conflicts with the school traffic and we know it's always

[03:42:09] tricky these days with school traffic but to help ensure that we minimize and hopefully improve some of that in addition to the pocket park the private outdoor space includes 8400 square feet to include movable seating tables grill stations fire features in addition it does include rain gardens stormwater planters nine permeable pavement parking spots there's a fun one to say at the southern end of the office building and a potential underground stormwater detention

[03:42:45] facility as with other things that have been built or repurposed or rebuilt in tyson since the plan that's we are always looking to improve on the existing impact of the stormwater in this current surface lot area it will also retain 66 of the off-street parking spaces there's also I believe looking at the off-street those I believe are part of that and it is rezoning a c3 to a planned residential mixed-use district as was

[03:43:21] mentioned concerns have been raised to our office and discussed regarding access to the elementary school from the residents and thank you to miss Stein miss pollen who spoke today I know we've been in conversation with many residents and others who have spoken up or written letters ahead of the Planning Commission meeting we have asked in addition to the the trails that there be construction management and community coordination and will identify ways to minimize conflicts with school traffic as was mentioned this commercial will substantially reduce the number of vehicle trips from this location which

[03:43:59] is currently higher due to the office use and should be should see reduction with the residential approval here and it Lord Fairfax frontage will also be improved with the new sidewalks parking and street trees I hope that is all accurate okay so to that and could I just get a confirmation that what I mentioned in the improvements on this are correct and accurate everything you mentioned supervisor is accurate correct thank you very much again I want to

[03:44:35] thank the applicant the staff my staff and the community for your your work on this I think it's really is showing of how we can convert some of these empty underutilized office buildings to help address the needs for housing and for open space and bike and pedestrian access across our community and if you could just state again the question that was asked a few times about looking while it hasn't been done yet with your applicant to look to go above the 2% EV charging station commitment and as you might have seen me whispering over my

[03:45:12] shoulder with our with our team here that is something that the applicant is willing to do so we're going to look into that as we move forward okay I really appreciate that I don't want to I know we've already delayed this I want to make sure we're able to to build appropriately and thank the applicant for that commitment. Thank you. Mr. Chairman I therefore have two motions for the Board of

[03:45:34] Supervisors. I move approval of PCA-1997-PR-007 and I further move approval of RZ-2023-PR-00005 and the associated conceptual development plan subject to the executed proffers dated January 18th, 2024, and the requested waivers and modifications contained in the handout dated December 1st, 2023.

[03:46:08] For the motion, it's been seconded by Supervisor Herity, Supervisor Bierman. Discussion on the motion? Any discussion on the motion? Seeing and hearing none, all those in favor of the motion,

please say aye. Aye. Any opposed?

[03:46:24] any abstentions and that motion carries uh thank you very much thank you our next public hearing understand is being deferred and that is public hearing on rz 2022-dr-00007 dullest center llc in the drainsville district uh supervisor beerman all right yes uh yes i move that the board of Supervisors, defer the public hearing of RZ-2022-DR-00007 to a date certain of May 21st, 2024 at 3.30 p.m.

[03:47:03] Chair, we'll second that motion. Is there any discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Thank you. And brings us to a public hearing, our next public hearing, which is public hearing on PCA 79-C.

[03:47:21] 089-02 rz 2022-su-00013 se 2022-su-00030 and sea00-y-017-02 agape property management llc in the sully district and could we please have the applicant reaffirm the affidavit good afternoon

[03:47:59] chairman mckay members of the board i'm mike venada land use planner with the law firm mcguire woods located in tyson's virginia we actually have a few affidavits for this so bear with me but on behalf of the applicant i reaffirm the affidavits for rz 2022-su-0013 sc-2022-su-00030 and sea-00-y-017-02 dated March 1st, 2024, and the affidavit for PCA 79-C-089-02 dated March 4th, 2024.

[03:48:33] Thank you very much. Are there any disclosures from board members? Supervisor Smith. For all those listed, Agape Property Management LLC made a contribution in excess of $100 to Kathy Smith for Supervisor. Thank you, Supervisor Smith. Any other disclosures?

[03:48:53] Seeing and hearing none, I would now recognize county staff for a presentation. Thank you, Mr. Chairman. This is Emma Estes from the Department of Planning and Development. The applicant, Agape Property Management, LLC, requests approval of a rezoning of 3.79 acres of land from the I-5 to C-4 zoning district, as well as a special exception to develop an independent living facility containing 228 affordable multifamily units offered in an area median income of 60% or less, as well as an adult daycare facility at an overall floor area ratio of 1.08.

[03:49:27] The application also includes a proper condition amendment to remove the application land area from the governing rezoning approval and a special exception amendment to remove the area from the governing special exception approval in order to permit the new approvals. The application site consists of one vacant parcel containing about 3.8 acres located at 3870 Center View Drive in Chantilly, Virginia, inland unit E1 of the Dulles Suburban Center.

[03:49:53] And the site and surrounding properties are zoned I-5 and located in the airport noise, highway corridor, and water supply protection overlay districts. The property is located in the Dulles Business Park, which is east of the intersection of Route 50 and Route 28, and north of the intersection of Route 50 and Centerville Road.

[03:50:12] The property is located along the east side of Thunderbolt Place, and the Dulles Business Park area is planned for and developed with campus-style office and industrial flex uses, and also includes hotel, commercial, and institutional uses. Commercial and retail are located to the south and east along Centerville Road and Route 50.

[03:50:28] The property is currently undeveloped with approximately 45% of the site forested area, 45% open maintained turf, and the remaining 10% landscaping. The site location is just east of Washington

Dulles Airport flight path. The DNL 65 to 70 DBA area covers the west portion of the site, while the remaining bulk of the site area is within the DNL 60 to 65 DBA area.

[03:50:51] The applicant's GDP SE Plat depicts a 228-unit independent living facility with up to five stories and a maximum height of 70 feet. The design includes an interior private open space as well as a public urban park that connects into the pond open space and trail.

[03:51:08] A sidewalk and landscape amenity panel is also proposed along the site frontage. Two vehicular access points are proposed from Thunderbolt Drive, leading to two building entrances, each designed to provide ADA-compliant pedestrian access, parking, and vehicle pickup and drop-off.

[03:51:25] The building footprint is placed fully within the DNL 60 to 65 DBA area, less impacted by aircraft noise, outside of the 65 to 70 DBA contours. The proposed five-story building's architecture incorporates brick masonry and architectural techniques designed to provide a residential-style building that is coherent with the surrounding hotel office context.

[03:51:49] The applicant has addressed needs for pedestrian improvements and connectivity to the surrounding area through on-site pedestrian and accessibility design measures, as well as several off-site improvements, including a crosswalk across Thunderbolt Drive, a road diet for Thunderbolt Drive, a crosswalk across center view drive equipped with rapid flashing beacon pedestrian signs and repair of the pond trail the board recently approved a comprehensive plan amendment allowing the proposed independent living use including certain conditions for pedestrian and multimodal connectivity urban parks and access to services and the applicant the application implements these

[03:52:23] recommendations and has addressed needs for pedestrian improvement parks and access to services and retail in the area. Notably, while the property is within an area technically under industrial zoning, the Dulles Business Park is actually an office and hotel park, which provides an appropriate context for the proposed use. Since the staff report, proffer updates have been made to meet all park-related policies. And in addition, the application meets or exceeds noise and environmental policies through the proffers and design measures. At this time, all staff comments are addressed, and that concludes my presentation. Thank you. Thank you very much. Are there any

[03:53:03] questions of staff or the applicant? Okay. At this time, I recognize the applicant for the applicant's presentation. Yes. Good afternoon again, Chairman McKay, members of the board. I'll keep my remarks brief. As staff reminded us, we were here earlier this winter with the concurrent plan amendment to discuss this opportunity to develop affordable senior living uses for the property. And since the adoption of that plan amendment, we have been working through the final details of the zoning applications that are before you today. And improving these zoning applications will really memorialize the opportunity at hand as to, again, to develop a fully

[03:53:41] affordable, independent living facility with all units reserved at 60% AMI or lower, as well as a range of supporting services and amenities, including a new state-of-the-art adult daycare center despite being a vacant property the site is benefited by close proximity to shopping medical care transit and recreation opportunities and a number of on and off-site commitments are being made to promote safety connectivity and to thoughtfully integrate with the surrounding uses of neighborhood amenities so really to take advantage of the site context and to build off of it so this includes a range of on and off-site pedestrian improvements connections assess in

[03:54:20] accessibility improvements as well as new active park spaces on site to pair with the existing recreational facilities that exist off-site architecturally the development will be designed with high quality building materials and in a conformance with the established county policies related to aircraft noise and so the site-specific noise study and proposed building design that we that we have have confirmed that there are no issues with meeting the acceptable noise levels on the property and so notwithstanding we are making robust proffer commitments in accordance with the county policy and precedents including performance objectives for noise mitigation post-development noise

[03:54:59] testing to ensure compliance with those standards and record a navigation easement over the property running to MWA but perhaps more importantly we are also committing to adequate disclosure in all rental marketing materials providing potential residents with a clear understanding of the site's conditions when making the locational choice to live in the facility just to summarize we are excited to realize the opportunity to develop this vacant property with meaningful affordable housing options for seniors and again complemented by a package of supporting building amenities pedestrian

[03:55:34] improvements and recreational opportunities so we would like to thank staff and miss estes in particular for her hard work and her team's hard work on this application it's been very impressive And we're also delighted to have their recommendation for approval, as well as a unanimous recommendation of approval from the Planning Commission.

[03:55:51] And so with that, I will pause my remarks and respectfully ask for your approval as well, but happy to take any questions. Thank you. Thank you very much. Any questions? I'm seeing any. This is a public hearing. I do have one speaker who has signed up in advance to testify, and that is David Mould, who is Vice President of Communications and Government Affairs for EMWA.

[03:56:15] And let me ask, after Mr. Mould's testimony, is there anyone present, anyone else present for this case who would like to testify? Okay. Welcome. Thank you. So thank you again for the opportunity to comment once again on this proposal.

[03:56:40] It's certainly a worthy project, but it's in a very bad location. As we've noted before, the Airports Authority has strong concerns about constructing any new homes in such a highly noise-sensitive location, so close to the end of a busy runway.

[03:56:58] Proponents of the project note that the homes would be just outside a noise contour line on a map that's used by the county planning staff. But just as important as the lines on the map is the proximity to flight paths, especially when they're so close to the end of the runway.

[03:57:16] And this project is very, very close to the flight paths and the end of the runway, especially when planes are coming in for landing. They're at their lowest and loudest at that point right before they get onto the runway.

[03:57:33] And this runway is in heavy use around the clock. It's one of Dulles' major runways, and it will be a fairly constant quality of life issue for people living here. The best way to avoid airplane noise problems is to keep housing away from high noise zones, especially near flight paths and the end of runways.

[03:57:52] This is where aircraft noise is the loudest and has the greatest impact and causes the most problems and generates the most complaints. So to help illustrate the impact, here's a very brief video,

which some of you may have missed last time I was here, showing what people in this area would hear and see frequently every day from morning through night.

[03:58:13] If it comes up, here it comes. Sound. Well, it's actually much louder than that. Okay.

[03:58:35] It is louder than that, I promise you.

[03:58:54] Okay. In addition to that, here's how low the planes would be flying over the area when they're coming in for a landing. They're really low at this point because they're almost to the runway. That would be about 500 feet overhead at the point of this project.

[03:59:12] That's about the height of the Washington Monument. These are really big planes flying low and loud on flight paths that have been in use since the airport opened in 1962. And the flight paths cannot be changed here because of their proximity to the runway. In addition to landings, flights also depart along this same path, and they're much louder when they're taking off.

[03:59:35] So departing planes would be an even bigger noise problem for people living here, especially when they're trying to sleep, because this goes on 24-7. Now, the red lines on the map you see here are the departure paths, and the gray circle next to the arrow near the bottom is the proposed location of this project.

[03:59:53] Very large planes are either landing or taking off from this runway several hundred times a day, 400 times plus, actually. And that number will only grow as air traffic increases in the years ahead. So, for these reasons, the airport's authority believes this is a bad location for new homes.

[04:00:11] If homes are built here, there will be complaints about noise to the airport as well as to the county. It's already happening in other places where new housing was built under flight paths despite concerns raised by the airport. One community not far from here was built just a few years ago near the end of another Dulles runway.

[04:00:31] It was approved and built despite the airport's repeated cautions about noise. It was approved after the developers and their lawyers and consultants insisted that there really would not be a noise problem. But the people who moved into the houses disagreed.

[04:00:47] And last year, more than 70% of all the noise complaints we received around Dulles Airport were from this one community. So the airport's authority respectfully requests that this project not be approved at this particular location to avoid having the same kind of problem here.

[04:01:05] And I thank you for your attention. Thank you, Mr. Mould. I have another speaker who is spined up. Speaker number two is Sojit Gokhale. I hope I'm pronouncing that right. Ah, okay, excellent.

[04:01:24] Thank you very much. Welcome, the floor is yours. Thank you, sir. I just have one quick question, and that was not mentioned in the document I received. Apparently, the construction or building that is being built is for senior living, and the word senior was omitted in what was received.

[04:01:47] At least I didn't see that. So I sort of have a question. how is that going to be enforced is there a minimum age requirement for those people who will be living in this facility also the other thing is the income requirement and how will that be enforced and governed based on who's going to be staying there and the hours for the adult daycare center also the document did not specify how many units that will be built so those things

[04:02:27] were just mentioned here that would bring the question about the uh traffic that's going to be increased in the vicinity i do not i live about half a mile away from this uh location that's that's being discussed here so those are the questions and concerns i have uh i'm glad that you mentioned the adults so that elevates the concern a little bit that's that is less actually because if it was adult between 18 and 25 or 35 or 45 is different than somebody's older than 50 55 or 65 so one

[04:03:06] request going forward when these kind of documents are sent out please be considerate to include all the details that that should be available thank you thank you very much um let me ask uh we will get answers to those questions in just a moment uh let me ask if there's anyone else present who would like to speak on this matter this is a public hearing anyone else present who would like to testify okay let me ask the clerk if anyone has called in there are no callers no one has called in so at this time I would ask the applicant have an opportunity to be able to answer some of the questions I

[04:03:45] respond to some of the concerns that were raised yes thank you Mike been at again with Mike McGuire woods let me start with some of the responses to the to the speaker that we just heard, and then I'll go back and talk a little bit about the noise mitigation.

[04:04:08] The application is, I'll just say, actually mentioned straight up in the proffers, proffer three, we're proposing the facility as an independent living facility, and so that, by definition, is age-restricted. And so that's a function of the zoning ordinance, and so that's in our proffers, that's on the development plan.

[04:04:25] So we will not be able to construct a sort of conventional, non-age-restricted housing on this property. And so independent living was what was in the ads that went out. And so that's, I think, some good assurances there that this is a senior living development.

[04:04:42] And with the adult daycare center, that's going to be integrated into the ground floor of that. We certainly expect and hope that the tenants of the independent living facility will also become members of the adult daycare center. I think that's a really good natural fit and really why we're co-locating these uses.

[04:04:58] But that being said, you know, other folks from outside the community can also take advantage of the adult daycare center. And so that's sort of a better way to integrate this facility with the surrounding community as well. Quickly on, I think there was a question about traffic and how this proposal would impact just vehicle trips on the site.

[04:05:19] And so I think the short answer is that there is actually a governing approval for a hotel on this property. The comprehensive plan calls for office use, and so those are actually uses that have higher vehicle trips compared to what we are proposing with the residential.

[04:05:35] And so, in fact, I believe compared to what you could do under the existing comprehensive plan, at least in terms of the base office development, this development would have actually a reduction of over 400 daily trips compared to that, including over 100 peak hour AM and peak hour PM trips.

[04:05:53] So you'd actually see a reduction in those peak hour trips compared to office development. So we think that's a positive with this application and in line with the Dulles Suburban Center comprehensive plan as well. And then I guess I hope I hit all of those, but to circle back on the other testimony we saw with respect to the location of the property relative to the noise contours and the flight paths and how noise mitigation can occur on this property, I'm happy to speak to that.

[04:06:22] And so, you know, a few years ago, I think it was a few years ago now, when the board was looking at some of these policy questions with respect to airport noise and really looking at a policy plan update, not just for what was being looked at in Dulles Suburban Center.

[04:06:38] And at that time, the board made the decision to reaffirm that land use decisions are generally made based off of the contours, not individual flight paths, with the idea being that the contours really are an aggregate of flight paths over time. That being said, we also, you know, have the tools to really hone in on a property and better understand what's going on on the ground.

[04:07:01] And that's really why the staff relies so heavily on these noise studies to sort of help inform the land use decisions. So you've got the contours as a platform, but then you've got these individual noise studies that can really get to the bottom of it. In our instance, we had a noise study for the property that came out to a 54 DBA DNL average.

[04:07:20] And so that was actually below the contours, which the site is split from the 60 to 65, and then a sliver of the site from the 65 to the 70. That average on-site for our property was a little bit lower than what the contours suggested. That being said, we are certainly designing the site accordingly and have the same level of proper commitments that we would be necessary to implement a project that conforms with the policy.

[04:07:47] And so what you're seeing is any of the building and recreational areas are within that 60 to 65 and not in the 65 plus. The only thing you'll part of the design that you're seeing in a 65 plus is surface parking. And so, you know, we designed it accordingly.

[04:08:04] But that being said, of course, we have the same proper commitments to make sure that the building is constructed to a certain degree that does not exceed that 45 DBA for interior noise. um standard building construction gets you down about 20 to 25 dba anyway so with our noise study are actually looking pretty good but we've got all the tools that we can use in terms of thicker windows additional insulation and all that um but of course i'll point back to the other proper commitments in terms of the navigation easement the post-development testing compliance and frankly the disclosure i think is important up front is to make sure that all of our marketing materials

[04:08:41] all of the lease documents it's very clear that you are near the airport and it's your right to choose to live somewhere different if this is not appropriate for you um the final point on that on i guess all things noise is um well they weren't brought up that i know that the board has not adopted the 2019 emma contours i think it's important to note that on this property those don't change in in terms of um you know the 1993 versus the 2019 contour so so those contours aren't getting worse over time and so i think that was another positive thing and then finally with regard to that video testimony i know we didn't get to hear the plane which which you know does have noise associated with it in that video because i've seen it um i would point out that

[04:09:20] our existing residential use is two properties over and less than a quarter mile away so if you turn that camera to the east you would you would see those residents from the property so i think that i just talked for a little bit uh probably too long there but um you know we've spent a lot of time looking at this issue and staff has as well i think we're comfortable that we're putting forth a development that um you know does create a good quality of life that is a good location for affordable housing and we think our commitments reinforce that okay thank you very much are there any questions at this point supervisor Smith mr. van at a you you addressed a bunch of this but I just

[04:09:56] want to reiterate so you did do the noise study and there are three proffers proffer 25 is labeled noise study proffer 26 is navigation easement and proffer 27 is airport noise disclosure statement if you could just repeat an overview of what's in those proffers and the purpose of them absolutely I'd be happy to and I'd also mention that these proffers have been crafted identically to what we've seen in some of the other similar developments in I think mostly Western Fairfax and so I think the proper language here isn't a lesson of first

[04:10:35] impression but it's sort of best practices that staff and the development community has adopted and they frankly have evolved over time to get a little bit tighter but pro proffer 25 um it it confirms that all of the independent living units on the property must be constructed to make sure that we are hitting those policy levels uh for interior noise and so that we cannot be exceeding that dnl 45 for the building itself and so um it actually has it's it's multiple paragraphs long but we will have not only the noise study we've already done There's another noise study that gets done at the time of site plan that's a little more involved.

[04:11:13] And then we actually have some post-development noise testing that we do as well to confirm that once the building is constructed, you have some test units you can actually go in and measure. And if they go in and measure and the levels are consistently at 60 DBA or something, then we have to go back in and retrofit the building to get it quiet.

[04:11:28] And so that's something that happens before folks, before the occupancy permits are granted. So that's proper 25. 26 is an navigation easement that runs to the Metropolitan Washington Airports Authority, or MOA.

[04:11:44] And that's really just that we will dedicate and record that easement in a form approved by the county attorney. But it indicates the right of aircraft flight to pass over the subject property. Frankly, you know, as belts and suspenders, the planes are going to fly over the property, you know, one way or another.

[04:12:00] But that's just another way of, you know, everyone sort of being on awareness that that's the, you know, the legal right. And then airport noise disclosure statement. Again, this is one that I think is very important because it says prior to signing a lease, the residents will be notified in writing of the proximity to Dulles International Airport, distances to the airport, and that, you know, living in that facility, you may be impacted by overflights and associated noise.

[04:12:27] And so that needs to be in all the marketing materials and the leases. And it talks about things like the fact that flights may increase over time. They're going to get a map of the contours and all of that. And so that's something we've done as a part of all of these developments and their proffers is to make sure that the documentation downstream is, and it's not buried somewhere in some document you can't find, but that it's very obvious to those who are looking to live in this facility that this is a set of facts that they are making their decisions based off of.

[04:12:59] So I hope that helps. Thank you. Thank you very much. Questions? Yeah, Supervisor Alcorn. Yeah, Mr. Van Ack, just a couple things. So the noise study that you're talking about in Proffert 25, I guess, that's a one-time noise study prior to getting your RUP right or your down RUP here.

[04:13:20] Is that correct? There is no requirement for, there's no mitigation 10 years from now, 20 years from now, following construction, correct? The only caveat to that, Supervisor Alcorn, is that the county

has the right to come out and request additional tests if they've got a hunch that we're not meeting yet.

[04:13:43] And I think that's, I don't know if you've had to do that with anything else, with any other properties at this point, but there's always that sort of, you know, I guess what I would say is the way the proffer is worded is we have to be meeting that 45 DBA. And so we'll be doing the noise testing up front when the unit or when the building is being constructed.

[04:14:01] Once it's occupied, we're not going to be doing any more noise testing, but there still needs to be that compliance with the proffer and that noise mitigation. Okay. So maybe it's a question for staff. If it turns out later on somebody tests and it's above 45 inside, would they be out of nonconforming?

[04:14:21] Unfortunately, no. I believe that there was an interpretation that was previously done by someone sitting behind Chairman McKay where the same question came up and the interior was to be mitigated to 45 decibels, and it was.

[04:14:39] But over time, traffic increased and it got noisier. But, you know, at that point, they met the study at the time. Okay. All right. Okay, thank you. Mr. Bennett, I have one other question. So you're leasing these units, correct?

[04:14:55] Correct. Okay. So your disclosure will, not just for the first time you go out and lease them, but it will be an ongoing basis. Is that correct? For anyone who's entering a lease to live in this property, not just that first one, but whoever that next tenant might be.

[04:15:11] It's going to have to be in all of the lease materials. Okay. And so in order for you to come back and have some other type of arrangement, you would have to come back for a PCA. Like, I mean, I know you're already at 60%, but you couldn't come back, for example, and go condo convert, correct?

[04:15:30] Or could you? I would say interpretive question as to whether we could come back for condos. We have no intention to do that. We probably could not. It's an independent living facility, so I'm not sure how that would work, actually. Well, the reason I'm just asking is on disclosure. We would probably need to come back if we wanted to do that.

[04:15:47] So I'll ask staff, would disclosure, I mean, how would disclosure work if they did come back after, or if they went condo? We definitely have condos that are restricted. Yeah, I mean, in terms of what we've done for some of the for-sale units that have been in, you know, had similar locational considerations to the airport and all that disclosure, it's been a very similar commitment.

[04:16:10] It's just rather than in a rental lease, it's in all the for-sale, you know, documents. So the market materials, obviously, but then also, you know, as you're purchasing the home, that disclosure is there up front as well. And so I would imagine that would extend to any condos and that your actual, you know, homeowners documents are, you know, those contractual documents have that same disclosure in there.

[04:16:31] Okay, but you haven't proffered to that contingency, is that correct, for noise disclosure? We have only proffered for, I mean, I can check the wording here. I mean, it says, it does say lease because this will be a rental development and, again, independent living facility.

[04:16:47] So I don't think there's any chance we're going to be for sale on this. but I think if we wanted to do something different, we would still need to abide by that disclosure commitment. Okay, all right, thank you. Okay, at this point, there'll be another opportunity if people have questions, but let me recognize county staff for closing comments and a recommendation.

[04:17:12] Thank you, Mr. Chairman. Staff recommends approval of the proposed rezoning, PCA, special exception, and SEA applications. Staff recommends the proposed rezoning be subject to proffers dated February 20th, 2024, and the special exception be subject to development conditions dated January 25th, 2024.

[04:17:32] Thank you. Thank you very much. Let me ask again if there are any further questions from board members. Any further questions? Seeing and hearing, yes, Supervisor Beerman. So I have a historic question for staff. Right next to this site, on one side, in the lower noise contours, is a Staybridge Suites, which is a long-term hotel, and directly across the site in the higher noise contours.

[04:18:02] And actually, on this picture provided by the Airports Authority, there's an extended stay America, which is, again, a long-term stay hotel. My historic question is, did the airport oppose the building of those buildings?

[04:18:24] Did they complain that people wouldn't stay there or that they would go out of business? That's question one. And question two, were there any noise-related requirements when those hotels were put in? I would have to go back to look at the conditions to figure out if there were.

[04:18:45] But the noise policy, it's in the environmental element of the policy plan, and that has been there for a very, very long time. And so we would have asked that the interior noise levels be mitigated to 45 decibels.

[04:19:01] So I would have to go back to specifically see that, but it has been in the policy plan for a very long time. As to whether or not the airport's authority testified against that, I cannot say. I'm going to say I highly doubt it.

[04:19:19] I highly doubt that when there were hotels that benefited an airport, that they came in and said they were all concerned about noise. Here we have a project that very, very much benefits the county and fulfills a need that we have for senior living, for affordable living, and yet they are opposing it. So I just thought that was something worth noting for the record.

[04:19:43] Thanks. Thank you, Supervisor Bierman. And this probably is a question our county staff can't answer, but following up on that line of thought, have we gotten complaints, have there been noise complaints filed by those hotels uh this is billy o'donnell from department planning and development not that we're aware of okay thank you any further questions uh seeing and hearing none we'll now close the public hearing and recognize supervisor smith for a motion thank you mr chairman i'll make my motion and then make comments please can the applicant confirm for the record their

[04:20:22] agreement to the proposed development conditions dated january 25 2024 yes on behalf of the applicant, we are in agreement with the development conditions dated January 25th, 2024. Thank you very much. I move that the Board of Supervisors approve RZ 2022-SU-0013, subject to the signed proffers dated February 20th, 2024.

[04:20:44] I further move that the Board of Supervisors approve PCA 79-C-089-02 and approve SE 2022-SU-00030. zero subject to the development conditions dated January 25 2024. I also move that the Board of Supervisors approve SEA 00-Y-017-02 and I move that the Board of Supervisors approve a modification to the zoning ordinance to allow a reduction in loading spaces from three to one. Second. You've

[04:21:21] heard the motion. It's been seconded by Supervisor Bierman. Discussion on the motion? Supervisor Smith. Thank you. First, I want to thank you. Did I say something wrong? Just one correction on the first motion on the rezoning. It should be RZ 2022-SU-00013. I was afraid I wouldn't say enough zero. Let me say RZ 2022-SU-00013. Thank you. Yes, and that is what Supervisor Beerman heard

[04:21:53] and seconded absolutely oh those darn zeros um this is such an important need for our community to have senior living at 60 or below of area median income and i think it shows us our process can work where we have the site-specific plan amendment we go through staff does the analysis if we if we should change the comp plan and then we have the rezoning following that the applicant has answered all of staff's questions and concerns they have really worked

[04:22:29] very hard on this project it is in a good location the people that live there will be able to get to businesses they have bus routes around our community center isn't very far away and so i am really very supportive of this process project i know that the planning commission approved the joint sully land use committee approved it and i agree that the proposed independent living facility meets the expectations of the zoning ordinance and comprehensive plan and i ask for my colleague's support thank you supervisor smith is there any other discussion

[04:23:05] any other discussion supervisor alcorn yeah thank you mr chairman um i'm going to support the motion but i do ask staff uh in future cases like this you know there are a couple things going on relating to disclosures the general assembly just through any possibility of us requiring disclosures in a airport noise overlay area generally from requiring that so i think we're going to have to be a little more uh creative in thinking through where uh where we get proffers

[04:23:42] in anticipating uh changes to condominiums in the future so i think you know for future cases we might want to look at that a little bit more closely and the other the other piece is i do want to make sure um and again this is separate from this case that we do have the ability uh or at least look for the ability uh to ensure compliance with the 45 dba interior requirement I do expect we're going to get more traffic at Dallas.

[04:24:11] I hope we do, and it continues to grow. But for the reasons stated by Supervisor Smith, I will be supporting the motion. Thank you, Supervisor Alcorn. And just for clarification, the bill that Supervisor Alcorn is speaking to dealt with disclosure on sales, other transactions, but would not prohibit us from still getting a proffered commitment from an applicant to still require the disclosures.

[04:24:40] And so we're talking about transactions that don't come before the board, but nothing that would prohibit us from still having that requirement on future rezoning applications. Is that correct? That's correct. Okay, good. I just wanted to make sure we understood that part.

[04:24:58] Supervisor Herity. Yeah, I will echo the concern shared by Supervisor Alcorn I don't think it'll be a surprise to the board that I won't be supporting this I think it's a great use and a in a bad location I've got a senior affordable housing development going up in my district and they are they are needed It's I don't support residential and flight paths the future Dulles Airport's too important and hopefully it is going to grow and continue to grow

[04:25:28] We certainly all hope that, as was mentioned here, this is in conformance with the comp plan and it's certainly not the first and won't be the last residential. And I do want to support Supervisor Smith's motion because these areas that we're talking about absolutely have noise.

[04:25:51] We have noise everywhere. I'm recalling a land use application from many years ago. And it was then the Lee District, the Franconia District, that's right along the railroad tracks and the metro tracks. And it is very loud. But it is hard to explain that anyone who bought a home there did not see the railroad tracks that had been there for over 100 years behind the houses.

[04:26:17] And what this video shows is you can't be in this area and miss the planes coming over. It's impossible to be in this area and miss the planes coming over. And so, you know, this application meets all the criteria that the county has.

[04:26:33] From a legal perspective, that's important to this supervisor. And as Supervisor Beerman and Smith said, from an affordable housing standpoint, that is also a critical need in Fairfax County. And so not every one of these applications is in the exact right position or location that we want it to be in.

[04:26:53] But ultimately, that doesn't mean that we can't support a good application that meets all of the zoning ordinance and comprehensive plan criteria that the county lives by when making the recommendation that both the Sully District Land Use Committee and our county staff just recommended approval of.

[04:27:11] So with that, all those in favor of the application, please say aye. Aye. Any opposed? Any abstentions? And that motion carries 9 to 1. Thank you. our next uh public hearing is a public hearing on a proposed zoning ordinance amendment regarding minor and editorial revisions and changes to reflect virginia code updates and as soon as staff is situated we would welcome a staff presentation there is no affidavit for this

[04:27:47] item thank you my name is janan cato with the zoning administration division i'm joined by Carmen Bishop, also with the Zoning Administration Division, and Sherrod Regni with the Department

[04:28:22] of Public Works and Environmental Services. Over time, staff has compiled a list of changes to the zoning ordinance that are needed to correct errors, resolve inconsistencies, provide clarification of certain provisions, codify existing practices, and make other minor revisions. These edits, along with the changes necessary to address recent Virginia Code amendments, are the subject of this proposed amendment this amendment is in accordance with item number seven of the priority one work program which specifies changes regarding the timing of published notices an update to bza

[04:28:58] membership and adding sanitary sewer submission requirements other revisions are typographical or editorial in nature or are limited in scope and more administrative in nature we also addressed several items included in the priority two work program which are limited in scope and administrative in nature items dressed in in this amendment from the priority to work program include revising the fence height standards for wireless facilities approved with a special exception revising the personal service establishment permissions in the C1 through C4 districts from associated

[04:29:35] service use to buy right allowing accessory retail and warehouses approved by special exception in the i3 district revising the definition of shopping center and adding short-term lodging to the types of violations requiring a 10-day time period for filing an appeal application. This revision is regarding the required advertising for public hearings and proposes to state that public notice requirements must at least be in accordance with state law. This item was added to the priority one work program after the state changed the notice

[04:30:11] requirements and caused the zoning ordinance to be out of date. Instead of needing to update the zoning ordinance any time the state updated the notice provisions the amendment refers to the applicable Virginia code section and other state law provisions that may apply no changes are proposed to the provisions requiring posted notices on the property and abutting streets or for the provisions related to written notices to adjacent property owners including minimum sanitary sewer information in the submission requirements for rezoning special exception special permit and development plan applications is in

[04:30:49] coordinates with item number 7c in the zoning ordinance work program the proposed revisions have been coordinated with the Department of Public Works and Environmental Services and would codify a sanitary sewer checklist this checklist is currently being used voluntarily as part of the zoning application review process and was developed as a result of extensive outreach with the development community by the wastewater planning and monitoring division of the Department of Public Works and Environmental services. Focusing on sanitary sewer issues only during site plan submission has shown to at times result in negative financial and scheduling impacts on the development community when the

[04:31:27] existing wastewater system does not have capacity to serve the proposed development. Discovering sanitary sewer capacity issues earlier in the development process would allow developers to plan accordingly and coordinate the public improvement plan submission with the site plan.

[04:31:45] And that concludes my presentation. Thank you very much. Are there any questions of staff? Any questions of staff? Seeing and hearing none. I do not have any speakers who have signed up in advance to testify on this matter. This is a public hearing. Is there anyone present who would like to speak on this subject? This is a public hearing. Seeing and hearing no one. Let me verify no one has called in. There are no callers. No one has called in. Any closing comments and recommendation from county staff? Overall, the proposed amendment corrects errors, resolves inconsistencies, provides additional clarification, and reflects updates to state law. The Planning

[04:32:24] Commission held a public hearing on February 28th and recommended approval of the amendment with additional clarifications. Staff concurs with the Planning Commission recommendation. Thank you. Last check. Questions from board members? Seeing and hearing none, I will now close the public hearing and turn to Supervisor Smith for a motion. Thank you, Mr. Chairman. I move that the Board of Supervisors adopt the proposed zoning ordinance amendment for minor and editorial revisions and changes to reflect Virginia code updates as set forth in the staff report dated february 6 2024 with the additional changes as recommended by the planning commission

[04:33:01] and that the amendment become effective at 1201 a.m march 20 2024 and the chair will second that motion any discussion on the motion just briefly yes supervisor smith i want to thank staff and i want to tell ms johnson it was really nice to uh cross out things on the work program so i'm sure that's a really good feeling so thank you until we add more things all right uh any further discussion seeing and hearing none all those in favor of the motion please say aye aye any opposed

[04:33:32] any abstentions and that motion carries thank you next we have a public hearing on af 2023-sp-00005 AR2006-SP-003, Shoals Local A&F Renewal in the Springfield District.

[04:33:54] There is no affidavit for this type of application, so when they are ready, I would recognize county staff for a staff presentation. Thank you, Mr. Chairman. Good afternoon. My name is Sophia Fisher

with the Department of Planning and Development.

[04:34:14] This application requests to renew the Schultz Local Agricultural and Forestry District for an eight-year term. The 23-acre property has been in the Schultz family for over 40 years and has been in the ANF program since 2007.

[04:34:32] The property is zoned residential conservation and is in the water supply protection overlay district. It is planned for low-density residential as well as private open space. The property is undeveloped and primarily forested.

[04:34:49] It is also in the Ryan's Dam watershed and contains significant amounts of EQC, RPA, and floodplain. The Northern Virginia Soil and Water Conservation District did not prepare a conservation plan for this property because there is no agricultural use.

[04:35:07] However, the report noted several invasive species and recommended that the applicant consider managing them to encourage a healthy ecosystem. The area forester inspected the property and noted that the guidance in the land use forest management plan originally drafted for the property in 2006 should continue to be followed.

[04:35:29] Recommendations were included to remove some invasive species, as well as to further reduce the size of the deer herd on the property. The proposed district renewal satisfies the applicable Group A criteria and two of the applicable criteria in Group B, and meets the minimum district acreage and other requirements of the code. Thank you. Thank you very much, and I know the applicant is here if the applicant would like to say anything they can if not that's

[04:35:59] fine as well okay excellent excellent well thank you for being here are there any questions of staff seeing and hearing none this is a public hearing and I have no speakers who have signed up in advance to testify is there anyone here present who would like to speak on this matter this is a public hearing anyone present who would like to testify seeing and hearing no one let me ask if anyone has called in. There are no callers. There are no callers. No no no reason for rebuttal. Closing comments and a recommendation from

[04:36:37] county staff. The Planning Commission and the Agricultural and Forestal District Committee both recommended approval. Staff concurs with their recommendation and I would be happy to answer any questions. Thank you. Thank you very much. Last call. Any questions from board members? Seeing and hearing none I will now close the public hearing. This is in the Springfield District so I'd recognize Supervisor Herity. Yes Mr. Chairman I would ask that the applicant state for the record their acceptance of the ordinance provisions dated January 31st 2024. All right with that Mr. Chairman I move the Board of Supervisors

[04:37:15] approve AF 2023-SP-00005 and amend appendix F of the county code to renew the Schultz local agricultural and forestal district subject to the ordinance provisions dated January 31st, 2024, which were confirmed in the staff, contained in the staff report. So moved. And the chair will second that motion. Is there any discussion on the motion? Any discussion? Let me just thank the applicant for taking care of such a beautiful property. We're grateful. With that, all those in favor of the motion, please say aye. Aye. Any

[04:37:54] opposed? Any abstentions? That motion carries. Thank you very much. And our next public hearing is a public hearing on the draft one-year action plan for FY 2025. And as soon as staff is ready, we

would recognize county staff for a staff presentation.

[04:38:15] Good afternoon, Chairman McKay, members of the board, Laura Lasso, Associate Director, Grants Management, Department of Housing and Community Development, and I'm joined by my colleague Sharon Craig with the grants management as well.

[04:38:48] This is a public hearing on the draft one-year action plan for fiscal year 2025. The draft plan complies with HUD regulations and describes how the county will use CDBG, home, and ESG funds to address affordable housing and community development needs and priorities.

[04:39:06] The plan incorporates previous public input, is consistent with the community-wide, county-wide, and RHA strategic plans, and also supports the county's One Fairfax policy. CCFAC authorized the release of the draft plan at their January 16th meeting, and the public comment period will end at the conclusion of this afternoon's public hearing.

[04:39:27] Funding estimates used in the draft plan are based on the county's fiscal year 2024 actual HUD grant awards and will be adjusted according to the approved contingency plan after HUD notification of the actual fiscal year 2025 awards. The draft plan includes a total of $8.6 million in grant funding, as well as estimated program income and unallocated anticipated carryover funds.

[04:39:54] CCFAC will consider all comments received during the public comment period and at today's board public hearing prior to forwarding the final 25 action plan for approval by the board on May 7th, assuming Fairfax County has received its actual HUD, CDBG, home, and ESG grant allocations if not we'll seek board approval of the final plan at a later date thank you thank you are there any questions of staff okay seeing none this is a public hearing i don't have any speakers

[04:40:28] signed up does anyone want to is anyone present who would like to testify on the matter anyone present who would like to testify this is a public hearing uh seeing and hearing none let me ask the clerk if anyone has called in there are no callers no one has called in any closing comments and recommendation from county staff uh thank you uh staff recommends that following the public hearing the board forward comments received on the draft fiscal year 25 one year action plan to cc fact for its consideration before cc fact makes its final recommendation to the board for

[04:41:04] action on may 7th thank you very much last check questions from board members seeing and hearing none i will now close the public hearing and recognize our hhs chair supervisor palchuk for motion thank you mr. chairman and first of all I want to thank the staff and everyone who's worked on this the CC fact I saw in the report that they received testimony at the public hearing from or on behalf of 17 I believe at least 17 organizations within the county a testament to the outreach and

[04:41:40] engagement plan. I also want to point out, as is stated, that we know cost burden, especially for housing, is very large in our community and especially disproportionately impacts our minority non-white households who pay more than 30 percent of their household income for housing. And this disproportionality is greatest among our Black, African-American, and Hispanic households with approximately 44% of Hispanic households being cost burdened right now. So we know how critical

[04:42:16] this work is, the many types of funds and funding opportunities that are used and braided and acted upon and maximized, I believe, in the work that you do. And this action plan, I believe, is the final of the series of action plans one-year plans for the Consolidated Community Funding Advisory Committee on

this on this process and for the various federal funding options that are used so I appreciate the work that's gone into

[04:42:51] it if you have not had a chance to review the one-year action plan I highly recommend it it really does break down to even the executive summary breaks down what the issue is how this is such an important area for us to prioritize and the 15-year affordable housing production preservation and financing goals it really is quite a bit that we try to do and while I generally do not like abbreviations the evaluation of past performance is called the CAPER the consolidated annual performance and evaluation report so not only is it

[04:43:29] forward facing and looking but also evaluating past performance um so excellent work and just want to commend the entire team who has worked on this um so to that mr chairman i move approval of the county executive's recommendation on the draft of the one-year action plan for fy 2025 as issued by the consolidated community funding advisory committee also known as the ccfac and And the chair will second that motion along with Supervisor Lusk.

[04:44:04] Any discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Thank you very much. Next, we have a public hearing to consider an ordinance establishing the O'Day Community Parking District in the Sully District.

[04:44:26] And as soon as staff is ready, we would welcome a staff presentation. Good afternoon, Chairman Mankais and members of the Board, Amir Farshi, the Department of Transportation.

[04:44:47] This is a public hearing to consider establishing the O'Day Community Parking District on O'Day Drive and Barrows Drive in the Sule District as shown on Attachment 2. A community parking district is established to prohibit the parking of watercraft, recreational vehicles, and all trailers on designated public roads in residential areas within the county.

[04:45:16] The requirements for the CPD, including submission of a verified petition and associated fee, have been satisfied, and staff recommends approval as proposed. Thank you. Thank you very much.

[04:45:33] for that presentation are there any questions of staff any questions of staff seeing and hearing none this is a public hearing and i do have two speakers who have signed up in advance to testify speaker number one is raymond bingham is mr bingham here okay and speaker number two paul taylor paul taylor here if you could come on down closer to the podium that would be appreciated speaker number one is the president of victoria's landing homeowners association has five minutes to testify welcome. Thank you. Thank you, Mr. McKay and Board of Supervisors. Thank you for your time and thank

[04:46:11] you for your service to Fairfax County. As he said, I am Ray Bingham. I live at 6179 Daring Street in Centerville, Virginia. I am the president of Victoria's Landing HOA. We have been there in the Homeowners Association and the community has been there since 2005. Victoria's Landing is a small community. It's only 17 units. And for many of our residents, this property is our largest investment. Our challenges in the summer and the winter are, in fact, commercial vehicles and oversized vehicles and trailers. They're not only an eyesore, but they take away the parking on the

[04:46:48] street for all in our community. We emphasize with the folks who have trailers, as we know, and it's not just a Sully problem, but in the area, folks with these oversized vehicles have few places to park. We know of many of the folks we talk to the people as they park leave their trailers or the business

vehicles or the recreational vehicles or their oversized boats on our street they say we have no place else to park but the reality is for our community

[04:47:21] it's a strain at any given time we would have some so what happens is the word gets out that we don't have a restriction and we don't have a limitation and so all the trailers in the area in the region get parked there the other thing that the community that those owners do is you can park for a period of time without a ticket i think it's 30 days and so at day 29 they will pick them up they'll move them for 24 hours they'll bring them all back it's a challenge that

[04:47:58] we just ask the board to consider thank you for your time thank you very much and thank you for your service on the homeowners association our next speaker similarly paul taylor is representing the Briarton Homeowners Association has five minutes. Welcome. Thank you, Supervisor McKay and staff, supervisors. Appreciate your service. I'd like to correct something on the overview for this application. This is not an application to establish a CPD, but one to extend an existing

[04:48:34] CPD. O'Day Road connects Sully on the north end and Route 29 Lee Highway on the south end. The northern half of O'Day Road already has this CPD in effect.

[04:48:51] So we would just like to extend that down for the remaining quarter mile and include Barrows Road as an addition to that because Barrows is also a Fairfax County public road in this neighborhood. And as Mr. Bingham alluded to, parking is our primary justification for submitting our request for establishing or extending the CPD.

[04:49:19] There are a little over 230 townhomes in our community. This is a petition coming forward from four homeowners associations, Mr. Bingham from Victoria's Landing.

[04:49:36] I'm representing Briarton. In addition to that, there are approximately 25 single-family homes that are on these thoroughfares. So our petition met the minimum requirement for signatures, but I assure you the number of residents in the neighborhood far exceeds the minimum required.

[04:49:59] And our petition was limited just to those addresses that are within 100 feet of the road. My neighborhood, for example, has 175 units, but only 84 community parking places. Parking is atrocious.

[04:50:15] I think Mr. Bingham was giving our parkers the benefit of the doubt. The last 200 yards of O'Day up to Lee Highway, on average, has eight or nine trailers, RVs, boats.

[04:50:32] Occasionally, we'll see vehicles with three axes. But on average, seven or eight are there daily. And these are long-term. I'm not sure people move them every 30 days. I saw a nice 40-foot yacht named Felix that was there for three months.

[04:50:51] So parking is our primary concern. But additionally, from an aesthetic perspective, our neighborhood looks like a long-term storage area with these vehicles. It's really an eyesore, and I think it affects property values.

[04:51:08] I'm not aware of any accidents that have occurred because of these vehicles. But if you've ever backed up a trailer, you know it's a challenge in your parallel parking to double the challenge. And we have a lot of kids running around the neighborhood. So safety is a concern as well.

[04:51:25] So we're petitioning just to ask for your consideration. And if you so merit, please approve our request. Thank you very much for your time. Thank you very much for your service as well and for your testimony. And let me ask if there is anyone else present who would like to testify on this matter.

[04:51:44] Anyone else present who would like to testify, this is a public hearing. Ah, please, come on down. If you're here to testify on this matter, if you could come on down closer to the podium, I'm going to ask our speaker to testify and then to sign in with the clerk over here at the end of the dais after you testify.

[04:52:08] And if there's anyone else here who wants to speak on this matter, please head down closer to the podium. And if you could just state your name and address for the record. My name is Joan Williams, 6134 Walkie Way Court. Barrows drives around at 30 homes there in the community.

[04:52:29] Excellent. Welcome. The other major problem we have are the speeders, especially on the weekends. A lot of hooped up cars with loud mufflers, and they get on all day.

[04:52:46] They come around barrels because it's kind of a U-circle, semi-circle. They come in on one end and go out the other, and sometimes they come through Rocky Way Court. In the mornings between 8, well, I guess I'd say 7.15 and 8.30, the speed on O'Day is 25 miles an hour.

[04:53:14] I watch kids run across the road to avoid the traffic. I watch the cars pass school buses. I also had to make a deep charge across that road, keep from being hit, walking my dog.

[04:53:30] So that's something that I think really, really, the speed limit has been dropped to 25, but no one pays attention to that. Even in the evenings between 2 and 4 o'clock, it's like the Indianapolis 500 Raceway.

[04:53:47] So you take your life in your hands when you're trying to cross that road. And I think that's, you know, because there's a lot of kids in that neighborhood, school buses, and it's totally out of control. So I would appreciate if something could be done.

[04:54:05] Thank you very much. Thank you, Ms. Williams. And do you have a position on this parking restriction? We hear you about speeding, but did you have a position on the parking restriction too? Oh, yes. You are for it. That parking, all those trailers, RVs.

[04:54:20] When I came there 26 years ago, all of that was prohibited, and it's now back again. So, yes, I would like to see all of that gone. It's out of control. Great. Thank you.

[04:54:35] And if you wouldn't mind signing in here at the end, and we thank you for your testimony. Is there anyone else present who would like to speak? Anyone else who would like to speak? Seeing and hearing no one, let me ask the clerk if anyone has called in. There are no callers. There are no callers.

[04:54:50] closing comments and a recommendation from county staff. Staff recommends approval of this item. Thank you. Thank you very much. Any questions from board members before we close the public hearing? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Smith for a motion.

[04:55:08] Thank you, Mr. Chairman. I move that the Board of Supervisors adopt the proposed amendment to Appendix M of the Fairfax County Code to establish the O'Day Community Parking District on parkable areas of O'Day Drive from Riverwine Terrace to Route 29 and on Barrows Drive from the northern intersection of Barrows Drive and O'Day Drive to the southern intersection of Barrows Drive and O'Day Drive.

[04:55:32] The chair will second that along with Supervisor Palchuk. Any discussion on the motion? Yes, Supervisor Smith. Just briefly, I want to thank the community members for coming out. It is a big challenge sometimes, especially with four HOAs, get everybody paying attention and doing this and i will

speak with the sully police station about the speeding on that road so they can look into that thank you very much thank you supervisor smith with that all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries thank you very much appreciate you all right uh next uh we have

[04:56:12] a public hearing on the acquisition of certain land rights necessary for the construction of sunrise valley drive walkway from reston parkway to soapstone drive in the hunter mill district

[04:56:24] and as soon as our staff is ready we would appreciate a county staff presentation good afternoon mr chairman and members of the board my name is sarah guy i am a land acquisition

[04:57:03] agent and i am responsible for handling the sunrise valley drive walkway acquisition this project consists of improving existing walkways and installing missing links of sidewalks I'm not presenting thank you this project consists of improving existing walkways and installing missing links of the sidewalk along the north side of Sunrise Valley Drive from Reston Parkway to Soapstone Drive a length of

[04:57:36] approximately 1,500 feet this project will enhance pedestrian mobility thank you project impacts 12 parcels eight of which we have already acquired the land rights for and one is being donated to the county and the project impacts parcel three in two different locations the first is at the southeast corner of sunrise valley drive and colts neck road at that intersection here we are requesting easements for dominion traffic signal equipment

[04:58:10] a trail and a grading agreement and temporary construction easement further east along sunrise valley drive the project it again impacts parcel three at the southeast corner of sunrise valley drive and its intersection with indian ridge road here the project adds a marked crosswalk over sunrise valley drive and in addition in an effort to minimize pedestrian and bike safe maximize pedestrian and bike safety the project requires the removal of the existing right turn

[04:58:43] lane for parcel nine in front of the bdc sunrise building on parcel nine the sidewalk will be be adjusted to accommodate the new crosswalk and the rest of the existing sidewalk will be brought up to the same standards as the newly installed walkway a trail easement is required for the entire walkway to be covered for future maintenance and repairs the final parcel is that's part of this hearing is parcel five this is originally we we called for the gas station to have one of its entrances closed we received feedback from the property owner that

[04:59:21] this was not going to work for them we revised the property the plans at this particular property to maintain full access for all existing current entrances so this plan now shows the modified plans that impact the property requiring only a trail easement and a grading agreement and temporary construction easement the county executive recommends that the board of supervisors stop the resolution authorizing the necessary land rights for this important transportation project.

[04:59:53] Representatives from OCA, FCDOT, and Land Acquisition are here to answer your questions. Thank you. Thank you very much. Are there any questions of staff? Any questions of staff seeing and hearing none? This is a public hearing. I have no one who has signed up in advance to testify.

[05:00:11] Is there anyone here who would like to testify on this matter? Please come on down. Is there anyone after this gentleman present who would like to speak on this matter? Anyone else who would like to speak on this matter? If anyone else would like to speak, please come on down closer to the podium.

[05:00:28] Sir, if you could state your name and address for the record and then sign in on your way by. Thank you. Welcome. Yes. Yes. Hi. Thank you. My name is Joseph Greasehaber, and I live on Wingfoot Court, which is off of Soapstone Drive. And I do walk around the golf course quite a bit, and it is always disturbing when you have to cross a busy street to get to a sidewalk again.

[05:00:58] So I'm very happy that the board is taking up this issue and making sure that pedestrians are looked after, and I appreciate your time. That's all I have on it. Thank you very much. Thank you very much. Thank you for coming and testifying.

[05:01:14] Is there anyone else who would like to speak on this matter? Anyone else present who would like to testify? Seeing and hearing no one, let me ask the clerk if we have any callers. There are no callers. No callers. Closing comments and a recommendation from county staff. The county executive recommends that the Board of Supervisors adopt the resolution authorizing the acquisition of the necessary land rights for this important transportation project.

[05:01:38] Thank you very much. Final call. Questions from board members. Seeing and hearing none. I will now close the public hearing and recognize Supervisor Alcorn for a motion. Thank you very much, Mr. Chairman. I appreciate Joe coming out tonight and supporting this. One day we'll also maybe get a trail on the south side of Sunrise Valley, but not today.

[05:01:57] I am very happy to move this forward, though, or at least make the motion to move. And I move that the Board of Supervisors adopt the resolution authorizing the acquisition of the necessary land rights, as shown in the board package, as attachment C. And the Chair will second that motion along with Supervisor Palchuk.

[05:02:14] Any discussion on the motion? Any discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. And that brings us to our next public hearing, which is on the acquisition of certain land rights necessary for the construction of Route 28 widening from the Prince William County line to Route 29 in the Sully District.

[05:02:40] If we could get a staff presentation. Thank you. Mr. Chairman members of the board

[05:03:22] I'm Mohammed Najeeb project coordinator with the land acquisition division Department of Public Works and Environmental Services presenting today The county is planning to ride in route 28 Centerville Road from the existing four-lane Divided roadway to a six-lane divided roadway from captain Road throughout 29 Whiting shall begin just north of Route 28 bridge over Bull Run and Price will Prince William Fairfax County line and extended northward to point just north of Route 28, Upper Ridge Drive, Old Centerville Road intersection.

[05:03:56] The project will also include intersections improvement, including turning lane additions and limited widening on the intersecting streets approaching Route 28. Reconstruction of the existing traffic signals.

[05:04:12] Some water management for quality and quantity control will be provided in accordance with Fairfax County, VDOT, and VDEQ criteria. Shared use paths shall be provided on both sides of the roadway. from just north of Bull Run Bridge to the Route 28 intersections of the Upper Ridge Drive, Old Sand River Road.

[05:04:35] Since the public hearing advertisements, two properties have been acquired, leaving land rights and acquisition on one remaining parcel. The final phase of the land acquisition is for dedication, grading agreement, temporary construction easement, and maintenance of free-tailing wall easements. Context has been established with the owner of the remaining property, and every effort is being made to reach an agreement.

[05:04:57] However, in order to keep this project on schedule, It's necessary for the board to utilize quick-taking and domain powers. The county executive recommends that the Board of Supervisors adopt the resolution authorizing the acquisitions of the necessary land rights for this important transportation project.

[05:05:15] Thank you. Staff is here to answer any questions you may have. Thank you very much. Are there any questions of staff? Any questions of staff? Seeing and hearing none, this is a public hearing. I have no speakers who have signed up in advance to testify on this matter. Is there anyone present that would like to speak on this subject?

[05:05:32] Anyone present who would like to testify, this is a public hearing. Seeing and hearing no one, let me ask the clerk if we have any callers. There are no callers. No callers. Closing comments and a recommendation from county staff. County executive recommends that the Board of Supervisors adopt the resolutions authorizing the acquisition of the necessary land rights for this important transportation project.

[05:05:54] Thank you. Thank you very much. Last call, questions from the Board. Seeing and hearing none, I will now close the public hearing and recognize Supervisor Smith for a motion. Thank you, Mr. Chairman. I move that the Board of Supervisors approve the acquisition of those certain land rights necessary for the construction of the Route 28 widening from the Prince William County line to Route 29 project in accordance with the resolution included in the board package as attachment B.

[05:06:19] You've heard the motion. I'm happy to second that with Supervisor Palchuk. Discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. thank you all very much. We next have a public hearing to consider an ordinance to amend and readopt Fairfax County Code Section 7-2-13 and relocate the polling place for the Clifton Town precinct in the Springfield District. And at this time, I would recognize county staff for a staff

[05:06:55] presentation. Welcome. So I'm county staff now, am I? You're a county staff. Let me introduce myself. I'm Keith Hanley, chairman of the electoral board, and I have with me today the entire office, no, not the entire office.

[05:07:15] And Beth, where did you go? John Dorsey from the county attorney's office and Marty Desjardins, we call him Marvin Gardens, from the county attorney's office. As the Board would recall, during redistricting, Clifton Precinct was split, but according to the new rules, the southern part that became Clifton also had to have created a town of Clifton Precinct with fewer than 200 voters.

[05:07:45] We have about 10 of those now. And so the office agreed, when that happened, to try to co-locate in the Clifton Presbyterian Church, both Clifton Town and what was then the rest of Clifton, South Clifton, that hasn't worked.

[05:08:03] There's not enough room in the Clifton Presbyterian Church, although there are fewer voters coming, you have to have two sets of election of precincts. And so the teams that work there let us know that that was gonna be really tight and certainly tight for November, as well as the fact that the town of Clifton, you see in your documents recommends they have endorsed the recommendation to move the polling place and so that's what we're here today to ask you to do and listen to the hundreds of people who are going to come for this public

[05:08:41] hearing because your meeting has been too short to tell you that we need to do that what a wonderful presentation from County staff are there any questions any Any questions from the Board? Any questions? Seeing and hearing none. This is a public hearing and I do not have any speakers signed up in advance to testify. Is there anyone here present who would like to speak on this subject? Anyone who would like to testify? This is a public hearing. Seeing and hearing none. Let me ask the clerk if we have any callers. There are no callers. There are no callers. Any closing comments and recommendations? Oh, I recommend that you do it.

[05:09:24] uh this is a great i'm so glad we're doing this any questions from board members any questions from board members seeing and hearing none i will now close the public hearing and recognize supervisor herity for a motion if you're enjoying it so much you sure you don't want to make them i'll make i'll make them i'll make the motion to anyway um the only comment i'll add we are working on the hvac issue the mayor and fmd are getting together so it's being worked um i moved I recommend the adoption of the proposed ordinance to amend and re-adopt Fairfax County Code Section 7-2-13

[05:10:03] and relocate the polling place for the Clifton Town precinct in the Springfield District. And I'm happy to second that. Discussion on the motion. Just repeating what Supervisor Herity said. He's working on the HVAC problem. Any further discussion? Seeing and hearing none.

[05:10:20] All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? motion carries thank you very much very much all right that brings us to our next public hearing which is a public hearing on a proposed amendment to appendix x land development services fee schedule of the code of the county of fairfax virginia county code reference exemption from building and electrical permit fees for the installation of electric vehicle charging stations evc equipment and at this time we would welcome uh county staff presentation the title kind of

[05:10:59] says it all good afternoon chairman mckay and members of the board for the record my name is john friedman representing the department of land development services on october 11 2022 the board adopted an amendment to the lds fee schedule that eliminated building and electrical permit fees for the installation of evc equipment for a trial period of 18 months which will end on may 1st for the first 12 months of the initial trial period almost 900 permits were issued for installation of evc equipment 95 of which were for single-family residential installations

[05:11:39] the proposed amendment extends the fee exemption for an additional 18 months through october 31st 2025 to collect additional data on the impacts of the exemption staff will conduct a new public information campaign to advertise the fee exemption and return to the board four months prior to the expiration of the extension with metrics regarding lds budget impacts and evc installation that concludes my presentation thank you very much are there any questions of staff any questions of

[05:12:14] I'm not seeing any. This is a public hearing. Is there anyone here present who would like to testify on this matter? I have no one who has signed up in advance. This is a public hearing. Anyone

present who would like to testify? Seeing and hearing no one, let me ask the clerk if anyone has called in. There are no callers. No one has called in. Any closing comments from county staff? Staff recommends the board adopt the proposed amendment to Appendix Q. Thank you very much. Any questions from the board? Seeing and hearing none, I am going to hand the gavel to vice chairman Smith and I am going to move the county executive's

[05:12:52] recommendation that the board approve the amendment to appendix Q of the code of the county of Fairfax Virginia County Code regarding exemption from building and electrical permit fees for installation of electric vehicle charging EVC equipment as set forth and attachment one second by supervisor Palchuk I'll second that any discussion I just want to thank staff for the work that they've done on this and particularly appreciate the agreement to come up with some metrics that we can look at again as we get near the 18 month period of time when we might have to reconsider this but appreciate all

[05:13:31] the work that staff has done including the presentation that we got in committee Thank You Supervisor Harrity yeah as as I expressed in the committee meeting at which time actually staff recommended not continuing this this is a hundred and twenty four thousand in fees that are going to be basically absorbed by other applicants because this is a hundred and twenty four K in cost I think was the proposed number we're looking to significantly raise fees I know we're going to phase them in over a number of years this is not without cost this is

[05:14:10] not this is going to impact other fees and we do have an affordable issue and for affordability issue in Fairfax County I'm going to I'm not going to be supporting this okay supervisor Palachuk thank you madam chair I want to clarify I think what was brought up as the impact that looking at the equity impact the reason I'm very supportive of this right now is that it is an X and a extension of the trial period for an additional 18 months so that more data

[05:14:46] could be collected and analyzed I'm going to argue and say $124,000 in fees is pretty minimal compared to number of fees that come in for construction and other projects that we look at and as the equity impact report says there could be an increase while we've only seen a minimal amount go to those with very high or high or average vulnerability index groups that is a number that for me we need more information to understand other than the fee and and I

[05:15:24] guess it's more of a I guess a question at this point to staff I believe that was shared at the committee meeting but since that was brought up is there also work being done to address additional ways to help ensure that more of the the permits go to those in higher vulnerable vulnerability index groups we know that the fee is just a small part of that there's not really anything specific you know to target low-income or high vulnerability groups but during

[05:16:00] the public information campaign which is going to be more robust than the one that we did the last time we'll we'll be sure to saturate those areas of the county that show up as having high vulnerability and I would just ask and probably recommend that in addition to to saturate that we work with NCS and the offices who can help us target and understand I think there's a an opportunity with this additional 18 months to better understand not just the metrics and the measurements and what the impact is but other things that we

[05:16:37] could be doing it as a county to help increase those numbers I know even at the board we have discussions over the impact and the costs and are they some of the some of them are going down not everyone is aware of that of just being able to purchase the vehicles so I think it's important I support this

knowing that we have those 18 months in addition to metrics I would ask that staff coordinate on how to do the targeted outreach efforts yes we will thank Thank you. Supervisor Walkinshaw.

[05:17:10] Yeah, thank you, Madam Vice-Chair. You know, I think on the cost and affordability issue, you know, we just had a robust conversation during an earlier case about our requirements for installation of EV chargers and encouraging multifamily residential communities to install more now or more in the future.

[05:17:34] And waiving the permitting fees in some cases will offset those costs. I'll also note that as a board, we pretty regularly waive fees for various things, for nonprofits that support our board and county policies, usually coming from a board member.

[05:17:59] So, you know, I think this is kind of in that category. This is a policy that we've decided we want to encourage and incentivize, just as we want to encourage the 4-H club or a nonprofit who wants to build a facility, and we often waive fees for that.

[05:18:15] I think on the equity piece, and I said this in the committee meeting, obviously we want to ensure that folks in underserved parts of Fairfax County have the opportunity to save money on installing EV chargers if they choose to.

[05:18:34] But when anybody in Fairfax County makes that switch from a gas-powered car to an EV, everybody benefits, including probably more those in underserved areas where we know air quality issues are more severe, childhood asthma rates are higher.

[05:18:52] So I think it benefits everybody, maybe especially those in underserved areas, when anyone in Fairfax County makes that switch. I think the question here and what we need to try to figure out over the next 18 months is whether and to what extent this elimination of the fee is incentivizing people to make that switch.

[05:19:14] So I'd like to see, you know, can we conduct a survey or mail a short survey to all of those who had the fees waived over the 30 to 36 month period and try to find out whether this fee waiver was a factor, a significant factor in their decision making process.

[05:19:39] For me, that would give me the information to determine whether it makes sense for us to continue to waive the fee because there is a cost. But there's a cost for every policy that we choose to pursue on this board. The question is, is it achieving the desired goal and end?

[05:19:58] Madam Vice Chair. Mr. Chairman. Just briefly, I would say that I think there's another important element here, which is this is consistent with the board's environmental plan. I mean, this is what a key element of our climate action plan, resilience plan is, to encourage more people to adopt EVs and to reduce greenhouse gases.

[05:20:20] This is probably the least expensive element of that plan. And so not only are we relieving a burden for homeowners and reducing the amount of money that they would have to pay to follow our guidance and advice and to follow Fairfax County's climate action plans.

[05:20:38] And so I think that's an important element. The other piece I would just add on the equity piece, and I think what Supervisor Walkinshaw has just said in terms of benefiting members of our community who may not adopt EVs and the vulnerability indexes that we have in those areas, I think is a poignant point.

[05:20:55] I think the other thing I would add to it is that this recent federal tax benefits that now extend to pre-owned and used vehicles and the reduction in the cost of EVs, even new ones that have taken place over the past couple of years, has put these within reach to more people in our community than ever before.

[05:21:16] And in many cases are a much more economical choice, especially with the federal benefits assigned to pre-owned EV vehicles, and not to mention the ongoing cost, maintenance, gasoline purchase price, all the other elements of this.

[05:21:32] And so I do think this is the most important time to do this, if we're concerned about climate plan, climate action, but also if we're concerned about equity, as we finally are at a place where people can afford to buy EVs. so i would appreciate the board's support for this really important element of our own environmental plan hearing yes we do that okay all right so this is no no we have already done we did that thank you we're just doing them okay all right seeing no further discussion all those in favor

[05:22:07] of the motion please say aye aye anyone opposed parity nay any abstentions that motion passes nine to one thank you thank you very much vice chair smith and with that that brings us to our last agenda item which is public comment and i do have some speakers signed up for public comment before i call those speakers just a few reminders of the rules associated with public comment the board will hear public comment on any issue except issues under litigation issues that have been scheduled for a public hearing before the board and personnel matters and or comments regarding

[05:22:45] specific individuals speakers must register in advance and each speaker is given three minutes for his or her remarks a maximum of 10 speakers may address the board during any public comment period and speakers may address the board once during a six-month period at this time as i acknowledged i have four speakers who have signed up and will be participating in public comment today and our first speaker i know is here uh lynn molston to be followed by len heinrichs is lynn heinrichs here len heinrichs is here erica yalowicz do not see erica yalowicz edward romano

[05:23:23] edward romano don't see edward romano yet uh so speaker number one is lynn molston uh president of the reston citizens association welcome thank you chairman mckay supervisor alcorn supervisors I am Lynn Molston, president of Reston Citizens Association, and I am working with the larger countywide No Casino Coalition.

[05:23:47] Whoops. That started a little early. It's been made evident over the last few months that many residents in Fairfax County do not want a casino. So why put your constituents through this anxiety? You know, I had the honor of attending your inauguration ceremony that took place in the Grand Hall just outside this auditorium last December.

[05:24:13] You were sworn in by the Honorable Penny Azkarati, the Chief Judge of the Circuit Court in Fairfax County, Virginia. Now, while Judge Azkarati is best known for presiding over the defamation case brought by actor Johnny Depp against his ex-wife Amber Heard, she had some specific remarks directed to you.

[05:24:33] short remarks to the people seated behind me now one of the books i read this year was sweetness of water by nathan harris now in that book a character visualizes decisions as a tree and as i said in my state of the judiciary that is how i see being chief judge just as everyone behind me should be

see being a public servant i inherited a tree we inherited a tree it was here long before we got here and it will be here long after we're gone but right now it is our tree and our decisions

[05:25:10] can make it stronger, and our decisions can make it weaker. You see, public service is not a profession. It is a promise, a promise to hold the citizens' needs above your own gains. It is a position we temporarily hold, bestowed upon us by people who have faith and belief in our abilities to govern soundly and with an eye towards the future. By taking this oath tonight, you are taking on the responsibility to be the keeper of the tree and to work every day to make sure it stays healthy and growing. Oaths are not just words to be said and celebrated. They represent a commitment and a challenge for every person on this stage. So whether this is your first oath

[05:25:50] or your 10th oath, remember you have the honor to hold your position in this county and the public has placed you here to lead them, serve them with honor, humility, and humanity. So ladies and gentlemen, on behalf of all your public servants in Fairfax County, I want to thank you for your trust and confidence and I hope all of us live up to your expectations and that we will be mindful keepers of the tree. Thank you. So I just want to say that we have invested in Fairfax County with

[05:26:22] our lives. We have invested in you with our votes. Please be mindful keepers of the tree that we have entrusted to you and deliver on the promise to hold the citizens needs above your own gains. It is up to you to protect us from the ills that would come from a casino in Fairfax County. Tell Senator Marsden and Richmond that Fairfax County is not for sale. Say no to the casino bill before it moves any further into the 2025 session of the legislature. Thank you. Thank you, Ms. Molston.

[05:26:56] I appreciate your testimony. Speaker number two is Len Heinrichs. Welcome. Thank you very much, and thank you all of you for your service to our county. I've been a resident of Fairfax County for 25 years, a small business owner in McLean for 24 years. I'm also a member of the McLean Rotary Club. Rotarians have a moral code called the four-way test. I ask you and our state

[05:27:32] legislators to apply Rotary's four-way test as a guide to determine the impact of a casino in Fairfax County. The first question of the four-way test, is it the truth? The truth is yes.

[05:27:49] Our tax revenues are down from the vacant office spaces, from the office buildings that are vacant. The truth is we are not the only county with this problem. The truth is there are over 3,000 counties in our country, and Fairfax County is ranked among the top 10 for highest educated population.

[05:28:14] The second question of the four-way test, is it fair to all concerned? I know a lot of people in Fairfax County, and over the past few months, I've been asking every Fairfax County resident in my business and my social circles if they're in favor of a casino in Fairfax County.

[05:28:35] And the answers almost always are not a yes, they're not a no. They're a what? Why would we want a casino? Why do we really need a casino in Fairfax County? The third question of the four-way test is, will it build goodwill and better friendships?

[05:28:59] This question is probably the easiest to answer because all you have to do is look at the response coming from your Fairfax County citizens concerning a casino in Fairfax County. They don't want it.

[05:29:15] The last question of the four-way test, will it be beneficial to all concerned? Yes, a casino will bring in additional tax revenue, a lot of it to the state and our county, but it will most certainly bring

decreased property values, increased crime, increased need for social services, and brain drain.

[05:29:42] In closing, sorry, I get very passionate. In closing, I probably should leave now. But again, I want to thank you all for your service. This county is one of the best counties to live in, in our country. And really, having a casino in Fairfax County is not smart. Thank you.

[05:30:06] Thank you, Ms. Heinrichs. Appreciate your testimony. Let me double-check and make sure Erica Yalowitz has not arrived. I do not see Erica Yalowitz. She would have been Speaker No. 3. And Speaker No. 4, I understand, has contacted us and withdrawn, so he will not be testifying this afternoon.

[05:30:23] And so with that, if there's no further discussion, that brings us to the end of our board meeting of March 19, 2024. And with that, our board is adjourned.

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