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# Fairfax County Board of Supervisors, Tuesday, May 21, 2024

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**[00:00:05]** Good morning, and welcome everyone to our board meeting of May 21st, 2024, and we will begin our meeting, as we always do, with a moment of silence to be followed by the Pledge of Allegiance, and before we rise for that, I do want to recognize my colleagues for anyone they would like to have us keep in our thoughts and prayers, and I'm going to just mention two individuals.

**[00:00:28]** First, Dr. Robert Mansker passed away on May 7th, and he had been in hospice at Goodwin House and Bailey's Crossroads. But more importantly, we know Bob as being very actively engaged in his community, serve multiple terms as a member of the Fairfax County Board of Equalization, and memorial services for Bob are scheduled for June 19th. So if we can keep Bob and the Mansker family in our thoughts and prayers. And then secondly, sadly, Dave Pellegrino, who is our Department of Tax Administration's Commercial Assistant Director.

**[00:01:05]** I think all of us know Dave really well. He was headed home from work last Thursday, May 16th, and was hit from behind in Warrington by a vehicle traveling at a very, very high speed. He was airlifted to Inova Fairfax Hospital and underwent a long, complicated surgery last Friday.

**[00:01:27]** And he knows and wants us to know he has a very long road to recovery. And so if we could keep Dave in our thoughts and prayers, his family, his co-workers at DTA, Dave, the board is praying for you and for a full recovery.

[00:01:44] With that, if there are other members of the board who would like to be recognized, let me start with Supervisor Palchik. Thank you, Mr. Chairman. First of all, let me add a few words for Bob Mansker, who was for a long time a very beloved member of our Providence District community.

[00:02:02] I had a chance to speak with his widower, Randy, yesterday and a few times, and I know it's a difficult time. But I know that Bob did so much, not just here, but nationally, so I got a little bit more of his career from Randy as he's working through the obituary.

[00:02:21] They were most recently at Goodwin House, having retired out of Greenway Downs, where Bob and Randy had lived after they were married in Rock Spring, UCC, and Arlington in December of 2021.

[00:02:39] Well, they lived there long before that, in the 1990s. They met the love of their life and had a long-distance relationship. Bob's career actually began working for Congressman Martin Frost of Texas. Randy believes he was the first Jewish congressman to have served, Democratic congressman in Texas.

[00:02:58] He was the staff director for the Joint Committee on Printing, and then he became the deputy public printer to the government printing office. That was his official career. We here in Fairfax knew him as a longtime election official chief during the Democratic years at Graham-Greenway Precinct, and he served that role for over 30 years.

[00:03:20] He also served on the Board of Equalization for over 17 years in Fairfax County. And finally, he served with Penny Gross for many years on the U.S. Federal Senate Credit Union Board. And when I came on board, he was a parliamentarian for the Fairfax County Democratic Committee.

[00:03:40] Many of us knew him as a gentle giant, very thoughtful, very caring, and very detail-oriented. And as the chairman said, on the 19th at 10 a.m. will be the memorial followed by a reception at Rock Spring Memorial Church. And before that will be the viewing and burial on June 18th, time to be determined.

[00:04:01] And then today we are joined here by the family of Matt Rice, his wife, his brother, his family, extended family, his sister-in-law. It is with such sadness that we share the passing of Matthew Rice.

[00:04:18] On Saturday, May 18, 2024, Matthew has been a cherished member of the Waples Mill SAC team since 2007. He's also been a valuable member of the Kilmer SAC team for the winter, spring, and the summer camp programs, changing the lives of so many kids and families there.

[00:04:38] Matthew always enjoyed sharing his passion for creativity with the children and families through the annual cardboard boat regatta. He cared deeply about his NCS colleagues and the Waples Mill community. He will be missed.

[00:04:53] Our heartfelt condolences are with his many friends throughout SAC, with his wife, with his son, Clayton, and his beloved school community and all who knew and loved him. Matt's wife, Christina Rice, is here with us today.

[00:05:12] The family asks for donations to either be made to, sorry, there is a GoFundMe page has been prepared and we will share that out. There's also a celebration of life and memorial service that will take place on Saturday, May 25th, with visitations at the McLean Bible Church from 10 to noon and the service following that.

[00:05:38] I know that all of us here at this board and all of us in the community want to thank Christina and the entire family and know that our thoughts, prayers are with you, with all who are struggling today.

And I know it's a roller coaster of emotions.

[00:05:55] And we will continue to be here and support you, your community, and your family. And I know that there is a tribute page that has also been prepared for Matt Rice. So thank you for being here and for supporting Christina and Clayton in this very difficult time.

[00:06:11] I know that Fairfax County is grateful for you. The SAC families are grateful for you. And we are so honored to have you with us here this morning. Thank you. Thank you, Supervisor Palchuk. Anyone else who would like to be recognized? Seeing and hearing no one, if all who were able could rise for a moment of silence to be followed by the Pledge of Allegiance.

[00:06:49] Let's 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.

[00:07:14] This morning we have five presentations, and for each presentation I will announce the proclamation invite our speaker down to the podium in front of me we will then read the proclamation and after our speakers remarks we'll pose for a picture from the dais and first we have a resolution to recognize the efforts of those involved in fire safety day and this was requested by myself and supervisor lusk and supervisor lusk i believe has the proclamation i do mr chairman

[00:07:48] thank you very much um i'll read it now whereas fairfix county is home to approximately 1 750 mobile or manufactured homes 800 of which are located in the franconia district's audubon estates and harmony place communities whereas the close proximity of homes creates a potentially catastrophic scenario in the event of a fire in one of these communities and whereas with the the support of the American Red Cross of Northern Virginia and the Fairfax County Fire Department, last summer the first fire safety day was planned and launched at Harmony Place.

[00:08:28] And whereas during the first fire safety day event, 150 smoke alarms were installed at no cost to 46 homes in Harmony Place and celebrated by the residents with a surprise barbecue to thank all those who assisted with the effort.

[00:08:45] And whereas a subsequent fire safety day was held in Audubon Estates, and to date the program has installed 603 smoke alarms in 189 homes, making Audubon Estates and Harmony Place safer for the families who live there.

[00:09:04] And whereas this initiative also provides fire safety tips, evacuation plans for residents, and containers from the Solid Waste Management Division for community cleanup of debris, now therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby commend and thank the American Red Cross of Northern Virginia, the Fairfax County Fire and Rescue Department, and the residents of Audubon Estates and Harmony Place for helping to make these communities safer places for all.

[00:09:43] So move, Mr. Chairman. Heard the motion. I'm happy to second the motion. Discussion on the motion. Yes, Mr. Chairman. If I could go quickly, I'll make just a couple more comments. First, with the success of the first day, and I just really appreciated all the work that was done specifically and our partners to move forward with that initiative we moved it as I said earlier to the Audubon Estates and having the 603 smoke alarms installed in 189 homes does make Harmony and Audubon Estates safer for the families that live there. This initiative also provides fire

[00:10:22] safety tips evacuation plans for residents and as I said containers from solid waste and there are plans to do at least one more installation in Audubon Estates to ensure that as many homes as possible receive this no-cost smoke detector for fire safety education. The American Red Cross of Northern Virginia and our fire department plans to implement this program across all of our manufactured housing communities. So this was a start and a launch in our district in Franconia and I'm delighted that it's going to go into the other districts as well. This would not be possible

[00:10:59] Again, without the assistance from the American Red Cross and the sound, the alarm program, and the dedication and commitment of the community volunteers, CERT volunteers, and there's some key staff that I'd also like to recognize who were involved with this, including the former director of the American Red Cross of Northern Virginia, and that's Courtney Bolger, who's here in the audience, David Chesler, and Jackie Rivera, also from the Red Cross, the fire chief, John Butler.

[00:11:30] Our assistant fire chief, John Walzer, our assistant fire chief, Tracy Reed, Marlon Murphy, Kat Dye, Italian chief, Todd Barb, all from Fairfax County's fire department, as well as Josie Velez, manager of the Audubon Estates, Marianela Rinaldo from Tenants and Workers United, and Susan Davidson from the Solid Waste Management Division.

[00:11:56] To all of these individuals, to all the participants who helped in this effort, I just want to say, job well done. Thank you for making these communities safer, and thank you for the commitment that you've made. Thank you, Mr. Chairman. Thank you, Supervisor Lusk. Supervisor Walkinshaw.

[00:12:13] I just want to echo the comments that Supervisor Lusk made and thank the Red Cross. We had a great Sound the Alarm event at the Waples Mill mobile home community in April, and I got to see. This is clearly a program that they've done many times because they really have it down, And Jackie runs a very tight ship when you show up to volunteer at these programs.

[00:12:36] But just want to thank you all. I was really struck by how many of the homes we entered, the vast majority of which needed some kind of smoke alarm. And a lot of it is a simple code change over time where you have homes or mobile homes that are from an era when it wasn't required to have a smoke alarm in every bedroom.

[00:13:00] So the vast majority of them did not have smoke alarms in the bedroom. And that simple step can and will save lives. And, you know, for me, that event was an important reminder. And talking to some of our firefighters who were there, many of whom have been doing this kind of fire prevention outreach and work in the county for many years, sometimes decades, a reminder for the community that that work takes place 365 days a year.

[00:13:28] So we're not just responding when an event occurs. The real important work is the prevention work, and the American Red Cross is a great partner in that. So thank you all for what you do. Thank you, Supervisor Walkinshaw. And I'll add my thanks as well. You stole my thunder.

[00:13:44] I was just going to mention that, you know, this particular program is outstanding at what it's doing and reaching into a very vulnerable community. But I also wanted to thank our Fire and Rescue Department, our partnership with american red cross and others making sure that fire prevention is an everyday activity and and i know having gone door to door with some of our officials after a fire in a community the opportunity that fire and rescue has after an event like that occurs to make sure everyone

in the community who knows that event occurred and know what they can do to prevent the same thing from happening at their home and so they have aggressively been at this fire

[00:14:24] prevention stuff for a very very long time but this calculated effort to go door to door in the manufactured housing communities will undoubtedly save lives and so we thank you for your partnership and our personnel at fire and rescue who do such a great job very much appreciated with that I think we're ready for a vote all those in favor of the motion please say aye aye any opposed any abstentions that motion carries and welcome Mr. Garcia the floor is yours thank you thank you so much so my name is Juan Garcia I'm the executive director of

[00:15:01] the Northern Virginia chapter for the American Red Cross and my heart is just so overwhelmed right now with these kind words I'll start with just a reflection this morning as I was going you know just looking at my house I have five smoke alarms i have five smoke alarms uh one of them is carbon monoxide um and right one of them is related to my you know security system and then you go into a home where there's no smoke alarms there's no plan of action there's no knowledge of what would i do if a fire would happen and you

[00:15:35] think to yourself what if that were me what if that were a family member and so that's why i think this program is really important. As you said, it is saving lives and it's prevention. We may not hear about the life that was saved, right? Maybe it'll be mentioned in the media, maybe someone in the fire department will tell us, but we may not hear it, but we do know that it's important. And so with that, I just want to share a few more things, a few of the names Supervisor Rodney Luss already mentioned, but I'll mention here again, you know, thank you to Community Risk Reduction

[00:16:10] section, John Walser, Assistant Fire Fire Chief, Marlon Murphy, Policy Advisor, Todd Barb, Battalion Chief, Kat Dye, Technician, of course, Jackie Rivera, who you'll hear from in a little bit, Linda Klein, who is also one of our core coordinators for Sound the Alarm, and she's absolutely amazing and a volunteer for the American Red Cross. We have David Chesler, who's our Senior disaster program manager who manages any type of disaster type work and prevention within Northern Virginia. And of course, none of this would have started without my predecessor,

[00:16:47] Courtney Bolger, who's right behind me as well too. And, you know, just again, thank you. Thank you for having us. So I'm just going to be here to go over some of the numbers that we hit. It was There's an amazing amount of alarms put in and people helped.

[00:17:06] So in the three mobile home parks that we hit, Harmony Church, Audubon, and Waples Mobile Home Park, we were able to install a total of 1,570 alarms. So that's amazing.

[00:17:29] We were able to hit over 490 of the homes in the three parks. It comes out to a percentage of 55% of the homes, which is unheard of in the Red Cross. So we typically only were able to get into 25%, but with the help of Plus and Walkinshaw and the fire department and everybody else, we hit 55%, which I am super, super proud of.

[00:17:57] And you'll never believe how many people we saved. So the Red Cross tracks how many people live in each one of these homes. Therefore, there's that many number of people that will be saved in case a fire comes out. So we saved over 1,765 folks that are now safe through having an alarm in their house, which is also amazing.

[00:18:23] And thank you for all the help you gave us and all the help that the fire department loan gave us. And one last note, we just wanted to end with an action item. Let's continue this collaboration as, you know, Supervisor Rodney Lester says this is only the beginning.

[00:18:40] We want to continue working all across Fairfax County to make it safer. But let's also expand to the rest of Northern Virginia. If you could connect us with your peers, share the story, let them know of the success, and hopefully we can continue working to make homes safer all across Northern Virginia.

[00:18:56] So thank you for this action item. Thank you very much. Thank you for all your efforts. They are much appreciated. I think we're ready for a photo, and please, if the other folks who are here with you can come on down for the photo, that would be appreciated, and the board could rise.

[00:19:57] Thank you.

[00:20:32] And our next resolution is to recognize the 40th anniversary of Viva Vienna, and this was presented by myself and Supervisor Alcorn, and I think Supervisor Alcorn has a resolution. I do. Thank you very much, Mr. Chairman.

[00:20:49] Yeah, the Vienna folks, come on down while I read this. Okay, whereas the first Viva Vienna Town Festival was held on Sunday, May 27th, 1984, along Historic Church Street. And whereas Viva Vienna began with an idea to create a hometown celebration showcasing Vienna businesses and service organizations, offering an enjoyable day of food, rides, music, and vendor booths, and including a commemorative Memorial Day ceremony.

[00:21:21] That all sounds familiar, by the way. And whereas the first Viva Vienna became a reality through the partnership of the Vienna Chamber of Commerce, the Town of Vienna and the Vienna Jaycees, supported by many dedicated volunteers and chaired by Bob Dix, then president of the Vienna Chamber of Commerce, who committed all proceeds from the festival to benefit community organizations.

[00:21:44] And whereas the first Viva Vienna was attended by more than 15,000 people and raised over $2,000, which was donated to send children with disabilities to Camp Virginia J.C., and whereas the Rotary Club of Virginia assumed sponsorship of Viva Vienna in 1997, and over the years, the festival has grown to include the entire Memorial Day weekend with more than double the attendees of its early years while still adhering to the core tenets of its original family.

[00:22:15] founding, and has returned over $3 million to the community in support of community-based organizations. Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby congratulate the organizers of Viva Vienna on the 40th anniversary of this outstanding celebration and for its significant contribution to the community.

[00:22:38] Happy to second that motion. Discussion on the motion, Supervisor Alcorn. Thank you very much, Mr. Chairman. this is great love this um and i just got to do a plug it's coming up this weekend so uh be there be square um you know we uh the resolution says says much of this but many of us uh in local government roles we we share a common goal of creating community uh and i don't have to worry about that in Vienna. And one of the reasons I don't have to worry about that is events like

[00:23:18] Viva Vienna bring people together, give people an opportunity to not just interact, but to help the community and to be truly a part of the community. And this really was a milestone 40 years ago that

continues, I wouldn't say to this day, but to this weekend, but to this very weekend day um you know it is it's such a joy to uh have you be here and recognize you and um let's see another 40 years so thank you very much thank you supervisor alcorn and and thank you uh mayor

[00:23:54] colbert for being here and bob dix who was a hundred mil district supervisor uh for a long time always good to see you back in the board auditorium many of us uh did not realize that Even Vienna had been around for 40 years, and I always thought the biggest event in Vienna was the Vienna Halloween Parade, but this is pretty much on par.

[00:24:19] I don't know what the numbers show. I don't know how long the Vienna Halloween Parade has been going on, but those big events in Vienna really stick out in your mind and cement what Supervisor Alcorn said, which is the sense of community that is in Vienna is second to none.

[00:24:34] And so we're happy to celebrate 40 years with you, partner with you, and most importantly, I want to commend you for all the donations that have been made as a result of this event, because while we get together and have fun and build community, there's a lot of funds being raised for a lot of causes in the community, too, and that is much appreciated.

[00:24:56] With that, I think we're ready for a vote. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? Any abstentions? Mayor Colbert, welcome. Well, good morning, everyone, and thank you so much, supervisors, for recognizing Viva Vienna and Chairman McKay, and a special thank you to our Hunter Mills supervisor, Walter Alcorn, for working with us on this.

[00:25:21] So, 40 years ago, I was about ready to graduate James Madison High School, and I do remember Viva Vienna, and it was such a fun event. Everybody was excited about it, and every year since, it has brought our community together just as Supervisor Alcorn mentioned.

[00:25:38] It's such a great community event. And then, of course, that money goes right back into our community, which is just such a positive thing. And as a Rotarian myself and also as Mayor of Vienna, I'm just so proud of the partnership that the town and Rotary has. They work so well together because they know it's such a positive event for our community.

[00:25:59] And I will just say we have two people here today that I'm so honored that could be here. The first person is the president of our Rotary Club in Vienna. And the second person that's going to speak is the famous Bob Dix, who was also a town council member before he was supervisor.

[00:26:16] But I just want to say also that the work that Rotary puts into this, I know that the day after we finish Memorial Day, on that Tuesday, they start working on Viva Vienna 2025. So it's a year-long event, but we have a lot of fun doing it.

[00:26:33] So I'd like to introduce the president of the Vienna Rotary, Mark Rokoff. Good morning, all. Thank you for this special recognition. It's a pleasure to be here today. Allow me to remind everyone that Viva Vienna is this weekend, from the 25th through the 27th.

[00:26:55] The location is along Church Street, from Dominion Road to Lawyer's Road. The hours are Saturday and Sunday, 10 a.m. to 10 p.m., and Monday, 10 a.m. to 6 p.m. We have a special Memorial Day ceremony, as the mayor mentioned.

[00:27:15] One of our guests of honor this year will be the Lieutenant Governor of Virginia. So thank you again for this recognition. Good morning, Chairman McKay, members of the board.

[00:27:31] A special thanks to Supervisor Rockhorn for facilitating this recognition this morning. And I think that the testimony here is that this event, while 40 years old, is 40 years of volunteer work. I think that's so important to recognize that people within the community, the Rotary Club, and many others that come together to volunteer their time, energy, and love for the community in Vienna.

[00:27:58] The fact that we have maintained the core tenets of the foundation of when we launched this event 40 years ago is amazing. And to be able to put those number of dollars back into the community and support a community-based organizations is what it's all about.

[00:28:18] I don't think you find this kind of collaboration and partnership between government, service organizations, business, citizens, the county, many places in America. So it's truly a day to celebrate. We thank you for bringing us here today to do that and hope to see you out there sometime over the weekend.

[00:28:36] Thank you very much. Thank you very much, all of you, for being here and for the work that you put into this important event. I think we're ready for a photo. Supervisor Alcorn and I will join you, and if the board could rise.

[00:30:08] And next up, we have a proclamation to designate May 2024 as Lyme Disease Awareness Month. And if the folks who are here can come on down, I believe we have Monty Skull, Executive Director of the National Capital Lyme and Tick-Borne Disease Association, and folks who are with her joining her.

[00:30:26] And while you're making your way down, I would recognize Supervisor Herity. Yes, Mr. Chairman, I have a proclamation to approve. Whereas May marks the start of tick season in Northern Virginia and Lyme disease is the fastest spreading vector-borne disease in the United States.

[00:30:43] And whereas Lyme and other tick-borne diseases can be difficult to diagnose and can take many forms from muscle pain to arthritis to heart disease and Bell's palsy and can cause flu-like symptoms as well as chronic fatigue. And whereas each year approximately 476,000 cases of Lyme disease are reported by the CDC, with several hundred cases reported in Virginia in the last few years and many cases going unreported.

[00:31:10] And whereas the National Capital Lyme and Tick-Borne Disease Association is among the organizations working to increase awareness and education about the threat, And thanks to the association's efforts through the Virginia legislature, a working group of state agencies and partners have developed recommendations to help further expand awareness and prevention efforts.

[00:31:32] And whereas individuals can protect themselves by wearing EPA-register repellents such as DEET, performing tick checks after outdoor activities, and properly removing attached ticks when properly diagnosing potential cases of Lyme disease.

[00:31:50] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim May 2024 as Lyme Disease Awareness Month in Fairfax County and urges all residents to take action to protect and prevent against tick-borne illnesses.

[00:32:09] So moved. I'm happy to second that motion. Discussion on the motion? Supervisor Herdy. Yeah, I'm happy we're here doing this again today, especially with the rain that we've had over the last month has produced a bumper crop of ticks.

[00:32:25] They like the heat. They like the warmth and the moisture. Lyme is a debilitating disease that's become more prevalent in Virginia, especially northern Virginia, where more and more people I meet have been personally infected by either the disease themselves or by family members.

[00:32:42] It's especially important that we educate our kids because kids make up 30% of the cases. In some cases, you know, tick-borne diseases can be lifetime diseases. National Capital Lime has developed great material to help educate our students and led the way for tick prevention education to be included in curriculums throughout the state.

[00:33:07] They recently contributed to a working group that submitted its findings to Governor Youngkin and the Virginia Department of Health with recommendations at the K-12 level and just for education overall. And I really want to thank National NETCAP Lyman and all of you for all the work you do. It's important that we get the word out about this. I know the county does a great education series for the folks that we have that go out and work in the woods. I've already found one tick on me so far this year and was walking through South Run Park, came back to the office and there it was.

[00:33:44] So they're out there. We need to be especially vigilant and encourage everybody to perform tick checks and make sure they're aware of Lyme disease. And again, thank you, Monty and Nat Capiline for all you do. Thank you.

[00:34:00] Any other discussion? Let me also thank you for all your work. And as Supervisor Herity mentioned, also our health department, just as we had a presentation earlier with Fire and Rescue and American Red Cross, It's these partnerships with government, our nonprofit agencies that really help move the needle on these things.

[00:34:18] And so certainly I want to thank Nat Kev Lyme. And I'm looking at the brochure that you have here. And, you know, one of the things that is a challenge is when you look at the frequently reported symptoms sections, those are frequently reported symptoms for a lot of things.

[00:34:34] And so this is why it's important to check, clearly check yourself when you come in from outdoors and look for ticks because these symptoms may be, you know, a lot of people look at this list of symptoms and think it's allergies or something else that's in the air, but these are very common symptoms.

[00:34:50] And as Supervisor Herity mentioned, this is ever more prevalent. I can remember a time where it was rare that you would meet somebody who had Lyme disease, and now it's rare if you don't know someone who has Lyme disease and because of a tick bite. And so this is a very serious health issue, and really appreciate all the work that's being done on educating people, and particularly our youth, but everyone in Fairfax County has a role to play.

[00:35:16] With that, I think we're ready for a vote. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries, and Monty, welcome back. Thank you. I said I wouldn't be here, I think, last year when I'm back, but I've got my colleagues with me, and they're starting to take over a little bit, so that's good.

[00:35:37] Before I start, I want to ask Supervisor Herity, when he took that tick off, what did he do with it? Yeah, what did you do with that, Supervisor Herity? I don't know what I was supposed to do with it, but I flushed it. Oh, you did flush it. Well, we have worked for, since 19, since, oh my gosh, I'm going back to the 90s, 1990, about don't flush that tick down the toilet.

[00:36:02] But put it in a plastic baggie and save it. This is why we educate. And the reason why, you can learn so much from that tick, and that tick is tested with DNA. It's the tick's DNA, and it's a lot different than when they test a human's blood and they're testing an antibody or an immune response.

[00:36:23] So save your ticks, folks. Don't flush them. Don't burn them, and don't smother them. So, Monty, Supervisor Smith said she just took one off her dog and put it in a Ziploc bag. Is that the correct thing to do? Yes. And if you go to our website, you'll see the labs where you can get the ticks tested, okay?

[00:36:40] There's about six of them up there. So before I begin, I want to say how grateful I am to be back here this year, and I have my colleagues with me. And I would like to say that all of my colleagues that came this morning are Lyme patients or have somebody in their family that is a Lyme patient.

[00:37:02] And so they're very well versed in knowing about tick-borne diseases. And they're here out of the passion that they have to let others know so that they don't have to go through the same problems that we all did. So I've got with me on my right Laura Granata, who is here on behalf of her son, who you all met last year, an Eagle Scout.

[00:37:28] i also have almost ethikari over here one of our board members i have jake browden and i have melissa lubin and she's gone they're all going to talk to you this morning and tell you a little bit we're going to keep it short though we won't drag it out what we are so happy to be here once again to tell the Fairfax County Board of Supervisors that proclaiming May 2024 does so much to enlighten our community here about the devastations

[00:38:05] that ticks can cause if the disease is not properly diagnosed and treatment started in time. So what you all do here with this proclamation today is very, very important.

[00:38:21] The continued support that you have given this issue over the years, and it's been 13 years, I think, is now more important than ever before. And I'm going to let Laura tell you why.

[00:38:37] So this year, we're experiencing a steady and alarming increase in CDC reportable cases, not only in Virginia, but nationwide. The CDC has called for greater public awareness of tick-borne diseases to foster better prevention and early detection.

[00:38:56] To illustrate this right here in our county, George Mason University just received $1.2 million from the U.S. Department of the Army to revolutionize Lyme disease detection and diagnosis with urine testing.

[00:39:13] So the current standard of care for potential Lyme disease is an antibody test, which measures the immune response to the bacteria that causes the Lyme disease. In contrast, at George Mason, the test detects molecules derived from the bacteria themselves.

[00:39:33] So the advantage is a higher accuracy and an early detection so that treatment can begin right away. So it's very exciting. I'm going to turn it over now to Alma. Another tick-borne complication that can arise from a tick bite that we're seeing at truly alarming rates in Virginia is something called Alpha-Gal syndrome.

[00:39:56] And that's not a bacteria transmitted. It's actually an allergy to the saliva of the tick. It's commonly known as the red meat allergy, and it can cause a broad spectrum of symptoms ranging from hives or a rash to a life-threatening anaphylactic shock. NACAP Lyme has helped pass legislation that makes it mandatory for providers to report all positive Alpha-Gal tests to the CDC.

[00:40:18] And for more information on Alpha-Gal, we've included a brochure for you guys to refer to. Pass it on to you. As Monty mentioned, for the past 13 years, Supervisor Herity and the Fairfax Board of supervisors have been a leading partner to the National Capital Lyme Disease Association and the public at large in the effort to bring awareness of Lyme and tick-borne diseases to Fairfax County.

[00:40:45] This proclamation today is of great benefit to the citizens of Fairfax County. It creates official recognition of the problem, encourages Virginians to learn and take tick-borne diseases seriously, to take aggressive prevention measures, and to seek early treatment.

[00:41:05] Thank you. Bring it back to Monty. So, y'all, you can see we're making great strides here in Virginia. Virginia's becoming a model state for other states when it comes to Lyme and tick-borne diseases.

[00:41:21] I want to thank you especially that you recognized, Pat Harity did, 13 years ago, the importance of bringing this knowledge and awareness about tick-borne diseases to our community here in Fairfax. We've worked very hard, as Pat was saying, with the schools, coming up with education programs for children, and it's because of this partnership that I think we have with you and the Fairfax Department of Health and the Virginia Department of Health that we've been

[00:41:56] able to do so much so thank you because partnering is so important like other groups have said and Helen Keller said it best when she mentioned that alone we can do so little together we can do so much so thank you all for helping us and every Lyme patient in this state appreciates it and every person that hasn't gotten Lyme disease yet appreciates it so we work to make sure they don't

[00:42:30] get sick from the bite of a tick so thank you all very much thank you all for being here as you always are Monty for a lot of years of being here I don't know if this will be our last or not after last year but we always are glad to see you come before the board and advocate with that I I think we're ready for a photo.

[00:42:49] And if Supervisor Herity would join me, the board could rise.

[00:43:29] No more flushing ticks.

[00:44:10] With that, we're going to move on to our next proclamation, which is to designate May 2024 as Fight the Bite Month. And this was, again, requested by myself and Supervisor Herity. And with us, and he is with us, is Peter Sheehan, the director of the Fairfax County Health Department Environmental Health Division.

[00:44:30] And Supervisor Herity, I believe you have the proclamation. Yes, Mr. Chairman, move a proclamation. Whereas mosquito and tick season is underway in northern Virginia, making this an opportune time to remind residents about the impact of mosquitoes and ticks, the diseases they transmit, and the effective means of protection.

[00:44:49] Whereas West Nile virus, Lyme disease, and other vector-borne diseases continue to impact the lives in our community. And with more residents spending time outdoors during the pandemic, and among other factors, case numbers have been trending up.

[00:45:07] And whereas mosquito and tick bites can be prevented by using personal protective measures, such as the use of repellents recommended by the Center for Disease Control and Prevention, dressing to prevent mosquito and tick bites, and performing tick checks.

[00:45:23] And whereas the Fairfax County Health Department helps to increase awareness and education about bite prevention, sharing resources with our community ranging from mosquito and repellent wipes to mosquito dunks, and whereas residents can help prevent mosquitoes in their yards and neighborhoods by eliminating standing water in their yards, emptying containers that may hold standing water, or requesting a yard inspection from the Fairfax County Health Department.

[00:45:50] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim May 2024's Fight the Bite Awareness Month in Fairfax County and urges all residents to take actions to prevent mosquito and tick-borne illnesses.

[00:46:07] So moved. I'm happy to second that motion along with Supervisor Palchik. Discussion on the motion, Supervisor Herity. Yeah, and I'll be brief. I flush ticks when they don't bite me. When they bite me, I put them in the bag, but I put them in the freezer so they stay cold, and they definitely don't.

[00:46:26] But I am grateful that we are here doing the fight the bite because, as we heard before, vector-borne diseases are very, very impactful to our population, things like West Nile and Lyme disease.

[00:46:45] But they're simple things we can do to protect ourselves if we know we're aware, and I appreciate all the work the health department does. I know the mosquito wipes and the dunks are very, very popular items at our summer concert series. We've got the tent out there, and people literally, I'm going to say they eat them up, but, yeah, they are there to get them in the educational materials that you're able to provide and spread the word.

[00:47:13] And I very, very much appreciate everything the health department does to get the word out about these illnesses and how we can take simple steps to protect them. Thank you, Supervisor Herity. And let me also add my appreciation to our health department, Peter, you and your team do an amazing job.

[00:47:33] And, you know, I think as we heard in our last presentation, I also want to thank you for your work with the schools because many years ago, you know, our staff took it upon themselves to make this very serious issue somewhat entertaining to help our kids learn and understand a very complex thing and put it in very simple terms for people to understand.

[00:47:56] And so I do appreciate that. Also, the emphasis on what people can do in their own yards was mentioned earlier about the rain that we've had. And unfortunately, we're living in times where climate change is real and we have significant storm events in the county that are dropping rain at a rate we've never seen in this area before.

[00:48:17] And, of course, that can create standing water for many, many days in places that are normally dry. And so I think raising awareness to that point right now is really important because this is one of those things that we've talked about earlier that everybody could play a role in helping with.

[00:48:35] And it is a very serious issue. So I appreciate all the work that you and your team at the health department do to raise awareness of this and the cooperation of schools and making sure that our youngest folks are learning about these challenges as well. With that, I think we're ready to vote.

[00:48:52] All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Peter, welcome. Thank you. Good morning, Chairman McKay and members of the board. Thank you for this opportunity for shining a spotlight on mosquito and tick bite prevention.

[00:49:13] As you know, the bite of an infected mosquito and tick can lead to life-changing illnesses. West Nile virus and Lyme diseases are two of the vector-borne diseases that are transmitted through mosquitoes and ticks, respectively, in our region.

[00:49:29] Simple prevention measures, such as washing your hands and getting immunized, can make an impact on individuals in public health every day. The same is true in vector-borne disease prevention by a few of the following.

[00:49:48] Avoiding times and places where these vectors may be present and most out and about. using repellents that contain EPA-registered and CDC-recommended active ingredient DEET, wear clothing that's been protected, periferin-treated clothing and gear so the ticks will stay off you, performing tick checks when you come back into the house from the outdoor activities and showering soon after these activities,

[00:50:23] And then putting your clothes into the dryer for about 10 minutes on a high heat will also help and prevent these actions, the ticks from getting on you. All of these important actions that can be taken to prevent bites, especially when they are combined together, are very effective.

[00:50:43] Additionally, eliminating standing water around your yard keeps mosquitoes from growing in those environments. Education and awareness are also an important way to help prevent disease. The Environmental Health continues to collaborate with other divisions within the health department, the county, and the community and community partners to provide prevention information to our residents.

[00:51:11] To help spread the prevention word, our staff are at community events such as Earth Day Festival and the Colmore Multicultural Day. and the 20th Fight the Bite calendar will be distributed this year to the fourth graders throughout FCPS in June.

[00:51:32] Thank you again for the proclamation and helping us fight the bite in Fairfax County. Thank you very much, Peter, and I know we're all looking forward to seeing the calendars that get distributed, as I mentioned earlier, a really lighthearted way to address a really serious issue, especially with our FCPS students, so appreciate that.

[00:51:52] Normally, we have a life-size mosquito or tick come into the room. So maybe next year, return of. I think it's probably got biting someone out there. There you go. I think he's in the freezer, Mr. Turner.

[00:52:08] That's right. He's in a baggie somewhere. All right. Oh, look. Oh, look. See, he's not in a baggie. It wouldn't be a picture without you. So I think as they make their way down, we are ready for a photo.

[00:52:30] Supervisor Herity, if you would join me, and the board could rise.

[00:52:44] That's going to be hard to top.

[00:53:59] But finally, we do have a proclamation to designate May 2024 as Older Adults and Adult Abuse Prevention Month. And this was requested by myself and Supervisor Alcorn. And Supervisor Alcorn has a proclamation. Thank you very much, Mr. Chairman.

[00:54:16] Whereas May is National Older Americans Month, and this year's theme, Powered by Connection, emphasizes that meaningful interactions and social connections are important for the well-being and health of older adults in our community. And whereas May is also Adult Abuse Prevention Month in the Commonwealth of Virginia, and we recognize that vulnerable adults need protection from physical, mental, and financial abuse, neglect, and exploitation.

[00:54:46] And whereas, more than one-third of respondents to the 2022 Community Assessment Survey for Older Adults reported feelings of loneliness and isolation, and more than 3,500 reports of adult abuse, neglect, and exploitation were received in 2023.

[00:55:03] And whereas, Fairfax County is committed to creating a more age-friendly county through the Shape the Future of Aging plan to ensure that older adult community members have the resources and support needed to age in place with dignity and stay involved and connected in their communities.

[00:55:20] and protected through the Adult Protective Services Program, the Northern Virginia Long-Term Care Ombudsman Program, the Silver Shield Anti-Scan Campaign, and now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim May 2024 as Older Americans and Adult Abuse Prevention month in fairfax county and urges all residents to recognize the contributions of our older adults and promote programs and activities that foster connection inclusion protection and support for

[00:55:58] older adults good feeling this one's going to pass uh discussion on the motion supervisor alcorn thank you mr chairman um this one is wonderful it's a twofer uh you know may is uh older americans Month, also Adult Abuse Prevention Month. You know, we heard a lot at our Older Adults Committee meeting recently. Shape Plan implementation goes forward. There's so much going on. Kathy, I want

[00:56:31] to thank you and the Commission on Aging, all the great work that you do. I know you've got some others. Hopefully they'll come down for the photo here in a little bit. You know, we also had this morning we had the shark tank challenge awards presentation uh where we heard uh or actually saw awards given to several high school teams uh for innovative assistance technology products that they have developed um and these you know ran the range of improving mobility and uh monitoring

[00:57:07] health issues accessing critical information uh but the one that got the top prize and this this does relate to the Adult Abuse Prevention Month, was an anti-scam system that a group of Fairfax high school students put together. And that is new. That is an emerging challenge as technology becomes more advanced and used by perpetrators of scams, particularly on our older adult

[00:57:40] community and population it's something that we all have to really stay aware of and also work to try to stay ahead of of those activities so raising awareness like this does and all the work that you are doing in the area agency on aging and and so many others is such a critical part so thank you very much for being here and happy to to do this proclamation thank you uh Supervisor Herity to both followed by Supervisor Palchuk. Yeah, and I'll be brief I want to thank the Commission on Aging for all their your continued work on the shape plan

[00:58:18] We can't do too much when it comes to abuse prevention and helping our older adults age in place with dignity I enjoyed talking to the Fairfax high school team this morning incredible technology I know they've reached out to one of my favorite places Virginia Tech to to see what where they can take that forward But I was amazed that we had actually five high schools that participated this year, which is a growth in that program, the Shark Tank program.

[00:58:46] And, you know, it's one of those great intergenerational things that we do with Grant Involve and Haralink on one side and this on the other. So thank you for your continued work and look forward to the rest of the initiatives. Supervisor Palchuk. Thank you, Chairman.

[00:59:02] I also want to thank Kathy, her entire team. I want to shout out to Joe Husty, the Providence representative, who's here with us today, and also to the incredible staff. I know led by Trina Mayhem Webb and Tara Turner and the whole team wearing purple here and the audience, I have to say, you know, the shape, the future of aging is really one of the best reports I've seen.

[00:59:25] And I know that as you work through the implementation, I especially appreciate the work that was done to help understand the needs of our community and how a diverse community is now aging in a diverse manner and helping to understand where there are similarities that we see such as cost of living access to information services and support and mobility services those are some of the big ones that we see across the board and then helping to understand some sort of the minutia as

[00:59:58] we do with our youth survey right this is our our adult survey um 50 plus aging not really very older adults all of our adults um but as we look at how we help ensure access to those services and how we make it easier we know if we make it easier for our older adults to age in place and to be included in the community as we do with so many of our vulnerable populations it makes it a better place for all of us to live and to feel that sense of community that we were talking about vienna so thank you to incredible team really happy to see all the purple in the audience

[01:00:33] um and i know that we are all delighted to help ensure that we're able to implement um and improve the ability to not just live but retire and be part of the community here so thank you kathy thank you thank you uh supervisor paucic and i want to thank katherine and the commission as well we did have a great meeting last week and and one of the takeaways was this flyer that will be in everyone's personal property tax bill this fall and I was just the other day meeting with folks at the Shepherd Center in Fairfax County and was telling them about this flyer and the relief they

[01:01:09] had that we were finally putting something out specifically for older residents of Fairfax County and access to services and so we have all these amazing county staffers and and non-profit organizations that work on these issues on a daily basis but we have a good portion of our population as the survey shows, that still feels isolated and doesn't know about these opportunities that are out there.

[01:01:33] And so they were delighted to hear that information was coming out, that they could share that in their communities, and I think that's really important. Secondly, I think most of us at the board were recently at the Volunteer Fairfax Awards, and if you had been there, you would have seen the vast majority of award winners in the Volunteer Awards we're older residents of Fairfax County people who are volunteering and still have a passion for our community and want to be engaged and involved in giving back to our community so it is so important that we protect and foster

[01:02:11] them in our community and make sure that in volunteering is a great way to deal with the isolation challenges that are out there and so I want to thank our staff and the Commission for all the work that they do on this none of us is getting any younger so this becomes a really important thing for our community moving forward with that all those in favor of the motion please say aye aye any opposed any abstentions that motion carries and as we mentioned Catherine Cole the chair of the Fairfax County Commission on Aging is with us this morning as well as a whole lot of other people and so after Catherine's remarks

[01:02:50] We're going to put together one heck of a good photo down here. Catherine, welcome. Thank you. Good morning. Thank you, Supervisor Alcorn, Supervisor Palachuk, Chairman McKay, Supervisor Herity. I appreciate your mentioning Shark Tank this morning.

[01:03:07] It was a wonderful event. I'd also like to express my gratitude to Super McKay for his leadership in providing me this opportunity to serve the 50-plus community. I did not have anything purple but I did come dressed as an older adult. Okay so recently I was speaking with a neighbor about retirement. I was taken aback when my neighbor responded with I'm not ready to become an observer. It was so very sad that my neighbor looked upon this next phase

[01:03:43] of life as one of being sidelined, benched, a spectator while others continued with the play the next game of life. The theme of this year's Older Americans Month is powered by connection, and I feel like I'm speaking to the choir here. The recent pandemic made it clear that older adults feel isolated, disconnected, and alone, but what is the connection that they crave?

[01:04:09] The subsequent community assessment survey for older adults reconfirmed what we were coming to realize. One-third of the respondents said that feelings of loneliness and isolation are a problem for them. This is not a new revelation. These feelings did not start with the pandemic. So what is the connection we are lacking? Why did my neighbor feel that to retire was to become an observer? She has a lively local family who gets together frequently. It appears that the tentacles of ageism might actually break those connections to the outside world. At some arbitrary point,

[01:04:46] you are officially aging. It is so ingrained in our society. Is it so ingrained in our society that even older adults themselves believe these stereotypes of diminished status, diminished ability to control one's life. What happens to older adults when we have journeyed through the phases of life upon which society has placed great value both monetarily and psychologically but are still in need of similar supports to continue's life journey to the finish line?

[01:05:18] When you can't get to the store, the movie theater, or the library because public transportation is focused on commuter convenience? When your aches are attributed to just growing old, are you now just an aging observer to the rest of life's game? Disconnected. We have our work cut out for us in applying the One Fairfax Equity Lens to all policies, programs, and communications to assure that these policies, programs, and communications include older adults from all walks of life.

[01:05:51] We must break down the silos of youth, working families, older adults, which only act to separate us into preconceived sets of unique problems. Access to health, to housing, to transportation, to friends and support are not unique to any one set of people.

[01:06:10] Interaction between people, young and old, busy or not, only strengthens the support and appreciation of all, inclusion and mutual respect. Let's call it connection. Let's help our older adults connect to their world, living their best life in the manner in which they wish to do so.

[01:06:37] If I can borrow our previous presenter's quote from Helen Keller, together, connected, we can make a difference. As federally mandated advisory board for the Fairfax Area Agency on Aging, the Fairfax Area Commission on Aging recognizes your year-round support of older adults and their family caregivers and heartily thanks you.

[01:07:00] Your attention to and support of our work to shape the future of aging is much appreciated. Hopefully, this is only the beginning of more collaborations to connect people, placing value and express and respect on their common concern. On behalf of the Fairfax Area Commission on Aging, I thank you for honoring the older members of our community with your proclamation, recognizing Older Americans Month and Adult Abuse Prevention Month. Thank you.

[01:07:27] Thank you very much, Catherine, and to all of our commission members who are here for your good work. And with that, I think we're ready for a photo, a large photo. If everyone could come on down, face the audience, and Supervisor Alcorn, I will join you. The board could rise.

[01:08:33] next up we have appointments to boards authorities commissions and advisory groups and at this time

[01:10:50] i would recognize supervisor smith for a motion i move approval of the agenda item for boards authority appointments to uh bacs and i'm happy to second that along with supervisor palchek and we are moving the final copy uh that is dated may 21st 2024 that should be at everyone's places uh is there any discussion any discussion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries and that takes us to

[01:11:25] board matters and we are going to do these as we always do which is the clerk has compiled these digitally and will go alphabetically by district following myself and vice chairman smith and i'm going to turn the gavel to vice chairman smith so that i can make a couple of one motion i move without objection that the proclamation requested listed in this document to be presented inside or outside of the boardroom as appropriate and that is a resolution jointly with supervisor Stork, Lusk, and Herity to recognize Fort Belvoir Garrison Commander Colonel Joseph Messina for his

[01:12:01] years of service as he transitions to a new military assignment, a resolution commemorating Bright Path's 40th anniversary, and a proclamation to recognize bereaved parents of the USA as they celebrate 29 years of supporting grieving families. Without objection, it's so ordered.

[01:12:18] Thank you, Vice Chair Smith. And secondly, I just have an announcement to share some good news with my colleagues. As you will remember on May 7th, 2024 at the board meeting I had the pleasure of announcing that the Department of Planning and the Department of Housing and Community Development had been awarded the Jamestown Award Locality of the Year by the Virginia Chapter of the American Planning Association and we certainly congratulated them on that award on May 7th. I now have the pleasure of announcing that another major work of ours has been similarly honored by VAPA.

[01:12:57] The Department of Planning and Development and Land Development Services are winners of the Old Dominion Innovative Approaches Award for Parking Reimagined. This is a prestigious honor that recognizes and promotes the best in planning throughout the Commonwealth. The award committee commended the hard work and dedication that our planning effort has shown in achieving VAPA's mission of making great communities happen in Virginia. And I want to congratulate and thank all of those whose efforts resulted in this excellent work being recognized by the award.

[01:13:29] And I know that for those of us on the board who lived through that whole process, we know it wasn't always the smoothest process, but to be recognized for such a high achievement is remarkable, especially given the complexity, all the competing viewpoints that were present, but the professionalism of staff throughout the process in helping us develop a new standard for parking in Fairfax County that recognizes environmental issues, ADA issues, community concerns that came up through the process.

[01:14:06] We ended up with a great product, and it would not have happened without the work of our staff. And so I want to congratulate them on this big award and make sure they know how proud the Board of Supervisors is for all of their hard work on that initiative. And that is the end of my board matters.

[01:14:26] Next up is Supervisor Smith. No board matters. No board matters. Supervisor Walkinshaw. Thank you, Mr. Chairman. I have one written board matter and a couple of announcements. The written board matter is a joint board matter with you and with Supervisor Stork, Chesapeake Bay Awareness Week.

[01:14:43] Mr. Chairman, the Chesapeake Bay is the largest and most productive estuary in the U.S., boasting a watershed that spans six states and D.C. and covering 64,000 square miles. It's an extraordinary and vital natural resource harboring some of our most fertile farm and forest lands, fed by 50 major tributaries, including the Susquehanna, the Potomac, the Rappahannock, the York, and James Rivers.

[01:15:07] It stretches 200 miles from Maryland to Norfolk, Virginia. Within its watershed reside more than 18 million people, including the 1.1 million people of Fairfax County, many of whom depend on its resources for sustenance, employment, and recreation.

[01:15:24] It yields more than 500 million pounds of seafood annually, serving as a crucial food source for Virginia and the entire eastern seaboard. The 83,000 farms within the watershed contribute more than $10 billion to the regional economy, and its tributaries supply vital drinking water that's essential for public health.

[01:15:45] The rich history, economic significance, and breathtaking beauty of the Chesapeake Bay watershed continually captivate residents and visitors alike. Within Fairfax County, its 30 watersheds play a pivotal role in shaping the community's character, enhancing its quality of life, and ultimately influencing the health of the bay.

[01:16:03] Chesapeake Bay Awareness Week will begin on Saturday, June 1st with Clean the Bay Day. Volunteers throughout our region will do their part on that day to clean up the many watersheds that feed the Chesapeake Bay, including volunteers with the Fairfax County Restoration Project.

[01:16:20] They'll join forces with the Chesapeake Bay Foundation to clean up Americana Drive in Annandale from 10 a.m. to 1 p.m. It's a great opportunity for students to earn community service hours and for community members to contribute to a great project.

[01:16:37] You can sign up at www.fcrpp3.org. Therefore, Mr. Chairman, we ask that the Board of Supervisors designate June 1st through 9th, 2024 as Chesapeake Bay Awareness Week and that the Office of Public Affairs be directed to disseminate information to residents highlighting the significance of this observance and promote public engagement in watershed cleanup activities and educational programs that foster awareness of the Bay Watershed's importance to our communities.

[01:17:09] You've heard the motion. I'm happy to second that, along with Supervisor Jimenez, Supervisor Lusk. Any discussion on the motion? And Supervisor Stork is a seconder as well as this was a joint board matter with Supervisor Walkinshaw, myself, and Supervisor Stork.

[01:17:25] Any discussion on the motion? Supervisor Stork. I just want to take this moment to acknowledge former vice chair and supervisor that did a lot, I mean a lot, for decades to improve our water quality and particularly to protect the Chesapeake Bay.

[01:17:42] That's Supervisor, former Vice Chairman Gross, Supervisor Gross. I cannot think of this and not think of her advocacy and all the, I would say, thousands of meetings that she spent and engaged in to try to make sure we, in fact, have a Chesapeake Bay that is truly getting better.

[01:18:01] And I know we're on that path. It's a slow one, but we're on that path as a result of hers and so many other people's dedicated time and efforts. Thank you. Thank you, Supervisor Stork. And thank you for acknowledging Supervisor Gross. She was with us last week at the chairman's reception.

[01:18:19] It was great to see her. And she's still very engaged in these issues at COG and other places. And so her legacy continues to live on and certainly shaped all of our work in this area. so thank you for acknowledging that. Further discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries.

[01:18:44] Supervisor Walkinshaw. Thank you, Mr. Chairman. I now would like to introduce, we have two new Braddock District summer interns who are here with us today. They started on Sunday at our Braddock Bark Festival, so they were thrown right into the mix, and they did a great job.

[01:19:02] First, we have, go ahead and stand up, Mariana Oriana Juarez, who is a student at, I'll say, one of the two best educational institutions in the country, the Northern Virginia Community College Annadale Campus, where she's a double major in political science and cinema.

[01:19:18] She was born in El Salvador and came here to Fairfax County when she was 14 years old. She aspires to be an attorney to help her community. She has proudly served as a language tutor to local elementary and high school students. She's passionate about learning other languages so she can help folks with language barriers.

[01:19:38] She also enjoys teaching theater to young children, directing and choreographing small productions during the summer and winter semester. And she plans to transfer to a four-year institution to pursue her interest in political science and film and potentially ultimately work in entertainment law.

[01:19:55] So she's going to do a great job for us this summer. Please give a round of applause to Mariana. And next, we have John Dressel. John was born and raised in Alabama, but came here to Fairfax County to attend the other of the top two educational institutions in the country, George Mason University, where he just finished his third year.

[01:20:21] He's studying government and international relations. Aside from his studies, he's been the communications director for the College Democrats at Mason and their public affairs director. Last fall, he interned in Congressman Connolly's Capitol Hill office, so he's been promoted from there.

[01:20:40] You said it. And he's looking forward to learning about local government. He's a big sports fan. He enjoys graphic design and enjoys listening to music. So give it up for John. And finally, Mr. Chairman, I just wanted to share at our last meeting, we congratulated Mr. Amos from the Springfield office for his graduation.

[01:21:04] We had a recent graduation in the Braddock District Office. Our communications aide, Milena Llanos, graduated from the Fairfax County Fire and Rescue Department's Community Fire and Rescue Academy, which is, I know some of my board colleagues know, is an eight-week program that introduces citizens to aspects of the Fire and Rescue Department and increases fire safety awareness.

[01:21:25] Good topic today, given our earlier presentation. That program is led by a young man by the name of Deputy Chief Willie Bailey. Some folks know and Lieutenant Sean Green, and she has shared with me just what a wonderful program it was. And we're going to be really trying to promote it in the community to encourage more to participate.

[01:21:44] She also organized a few months ago the CPR certification class that a number of folks in your offices participated in. So all of us are safer because of the work that she's doing to to promote those issues. So thank you, Mr. Chairman. That's all I have.

[01:21:59] Thank you, Supervisor Walkinshaw. And next is Supervisor Behrman. Thank you, Mr. Chairman. For my first board matter, I want to call out the 2024 VHSL Debate Championship. The Langley High School debate team won first place at the Virginia High School League's Class 6 State Debate Championship in late April.

[01:22:23] Langley High School students competed in three categories with great success, including a first-place win in the Lincoln-Douglas debate category by junior Vishwa Rikasi, and a second-place win in the public forum debate category by juniors Ahan Shah and Sahil Gubi.

[01:22:41] The Langley High School debate team qualified for the state championship by strong performances in regional and super-regional debate tournaments earlier in the spring. The members of the Langley High School state champion team are Laura Day, Sahil Gubi, Vishwa Rikasi, and Ahan Shah.

[01:22:58] The team is coached by Gifford Krivak and Ellie Orlando. Therefore, Mr. Chairman, I ask that the board direct staff to prepare a resolution to recognize the 2023-2024 Langley High School debate team for their state championship to be presented at a future meeting of the Board of Supervisors or out of the boardroom if necessary.

[01:23:18] Thank you. And I would second that motion. All those in favor of the motion. Wait, wait, are we not going to have debate on it? I'll allow you. Just kidding. I think you have the votes. Let's go. Let's go. All those in favor of the motion, please say aye.

[01:23:36] Aye. Any opposed? That motion carries. Supervisor Bierman. Good to hear. For my next board matter, I'd like to call out the McLean Community Center election. Mr. Chairman, the McLean Community Center, MCC, recently concluded open voting for six positions on the MCC's Governing Board of Directors, including three adult three-year terms, one adult one-year unexpired term, and one youth one-year term for the Langley High School area, and one youth one-year term for the McLean High School area.

[01:24:11] Attached to this board matter is a copy of the letter sent by the MCC Executive Director, providing certification of the results of the election. Pursuant to the Memorandum of Understanding between the Fairfax County Board of Supervisors and the Governing Board of the McLean Community Center, the Board of Supervisors, after determining that it is in the public interest to do so, shall appoint those persons receiving the highest number of votes to the McLean Community Center Governing Board.

[01:24:37] Mr. Chairman, based on the results of the election as certified by the MCC's Elections and Nominations Committee, I move that the Board of Supervisors find that it is in public interest to appoint those persons receiving the highest number of votes in this election of governing board members, and that the following individuals be appointed to the McLean Community Center Governing Board.

[01:24:58] Adults with three-year terms, Doug Jeffrey, Michael Monroe, and Peter Pinn. Adult one-year term, Ronald Keesing. Youth one-year term, Langley High School area, Sonia Thott. Youth one-year term, McLean High area, Aaron Stark.

[01:25:14] We've heard the motion. I'm happy to second that along with Supervisor Lusk. Discussion on the motion? 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 Beerman.

[01:25:30] Just one quick announcement of something great that's happening in my district tomorrow. Chairman McKay will be there as well as Supervisor Alcorn. It's a ribbon-cutting ceremony for the expansion of lanes on Route 7, all the way from the Loudoun County border to Tyson's.

[01:25:52] And piggybacking on what Supervisor Stork said about a former member of the board, I'm very excited that John Faust is going to be there because no one worked harder on that project to make sure that it happened than John. I can't say enough about his advocacy for the project, and I'm really excited that it's finally done and that we have all those lanes open.

[01:26:17] So thank you. Thank you very much, Supervisor Beerman. I had an opportunity at our NVTC last meeting to acknowledge also the phenomenal work of VDOT on that project. You know, we live through the construction and doing what they did on Route 7 while still maintaining traffic flow was remarkable.

[01:26:39] But probably the most remarkable thing is having driven down it just the other day, seeing how many pedestrians were out using finally the trails that connect neighborhoods along Route 7. So a major, major improvement for your district and for Fairfax County. So thank you for mentioning that.

[01:26:56] We next have Supervisor Lusk. No board items, Mr. Chairman. No board items. Thank you, Supervisor Lusk. Supervisor Alcorn. No board matters. Thank you, Supervisor Alcorn. Supervisor Jimenez. Thank you, Mr. Chairman.

[01:27:13] I have one board matter. Mr. Chairman, at the Board of Supervisors meeting on September 12, 2023, Supervisor Gross brought forth a board matter requesting the History Commission compile a report on the potential renaming of the Bailey's Community Center.

[01:27:30] As the board matter then stated, the Springdale community in Bailey's Crossroad. at its beginning as home to the freedmen following the Civil War, and has nurtured hundreds, perhaps thousands, of families in the last century and a half. As with many traditional black communities, the residents erected a church and built a small elementary school to educate their children, but the neighborhood received few local services.

[01:27:55] No paved roads, no sidewalks, no public drinking water or wastewater infrastructure. It then goes on to state that around 1953, the community advocated for a community center to serve children and adults who otherwise were denied access to public playgrounds, sports fields, and gymnasiums, and at a modern gathering space for community events. According to county tax records, the Lillian Carey Elementary School and the Bailey's Community Center were constructed in 1956 on land owned by Minnie Payton. The History Commission has since completed and submitted their findings on the historical roots of the site and the potential name change to honor Minnie Payton.

[01:28:35] Therefore, I ask without objection that the Department of Neighborhood and Community Services begin the process of broader inclusive engagement for the community to collectively contribute recommendations that inform the name decision. You've heard the motion. I'm happy to second that along with Supervisor Palchuk.

[01:28:54] 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 Supervisor Jimenez that is all thank

you sir thank you very much Supervisor Stork thank you Mr. Chairman I have just one really thank you this past week we had our senior safety summit it was our sixth annual one on May 15th it was held at the Lorton Community Center Library and Park we had over I'd say over 250 attendees it was a huge turnout excellent program obviously my staff did an amazing job

[01:29:33] putting this all together in addition to NPS Office of Emergency Management Health Department DFS the Department of Family Services volunteer solutions the park authority please fire and service source they really were all key parts of this resources I'm sorry retirement unlimited provided the food which I think was a key part of the draw and we had over 32 exhibitors so all that really work together to create just an amazing program i think our best ever for sure in our given our six times that we've done it also we had a presentations by aarp on information that seniors may need to know the department of family services talked about really all the information

[01:30:12] resources available from the county to seniors farm rescue spoke of smoke smoke detector and in the file of life programs and then we had k consulting talk about senior driver safety and how to keep seniors driving longer but hopefully just as safely again this is part of celebrate May's older American month and I think we did a great job and I really truly thank my staff and really all the other resources that came together to make this to make this a great event our best ever thank you thank you very much supervisor Stork supervisor Palachuk thank you mr.

[01:30:47] chairman I do have three board matters and then one announcement the first board matter is on early childhood education roundtable. Members of the board, I'm thrilled to invite the community and all of you to join an early childhood education roundtable on Thursday, May 30th from 7 to 8 30 p.m. This important conversation will spotlight access to resources, gaps in services, and educational opportunities available for families with children from birth to five-year-olds. Joining as panelists are school board member Marcia St. John Cunningham,

[01:31:19] Child Care Provider Monica Jackson of Jackson Child Care, Keisha Dotson of Neighborhood and Community Services, and Lisa Pilsen of Fairfax County Public Schools. During the discussion, we'll discuss the challenges our residents face, such as access to affordable quality child care, awareness of available services, and the ability of early childhood programs to meet families' unique needs.

[01:31:43] We will also explore Fairfax County's early childhood goals for the coming years. The roundtable will be streamed live on Channel 16 and on my Facebook page. I encourage the community to participate by submitting questions via email, Facebook Live, or by calling during the program.

[01:31:59] I move without objection that the Office of Public Affairs share this information on its channels, and we do have a beautiful flyer prepared by my staff. I know our staff play many roles, and one of them is learning how to do a lot of graphics for us as well.

[01:32:16] Without objection that is so ordered. Supervisor Palachuk. Thank you, Mr. Chairman. The next one is a joint board matter with Supervisors Jimenez and Walkinshaw celebrating the 60th anniversary of Congregation Olam Tikva. Members of the board, we are fortunate to have houses of worship in the Providence District and across Fairfax County that provide vital community outreach and support, significantly enhancing the lives of our residents. Among these, Congregation Olam Tikva has been a cornerstone cornerstone of community service in fairfax county and the surrounding areas for the

[01:32:49] past 60 years established on may 24th 1964 congregation olam tikva was founded through the efforts of 100 charter member families who joined the original six families in fairfax county together they recognized the need for a synagogue to serve the communities of kings park springfield fairfax and annandale laying the groundwork for a new place of worship in its first decade the synagogue not only established a thriving preschool for children ages two to five independent of synagogue membership but also secured a permanent location hired staff and

[01:33:26] permanent clergy and established religious education programs and worship opportunities throughout the decades congregation olam tikva known as ot members have increasingly reached out to support other members of the fairfax community ot social action program is committed to tikkun alum repairing the world and projects are done throughout the year to benefit the larger community they have partnered with existing organizations and projects dedicated to various community needs providing aid to children and families facing food insecurity organizing blood food and clothing

[01:34:00] drives and offering christmas and winter outreach for unhoused persons their efforts also include supplying christmas toys and hygiene care boxes for the unhoused and others in need and in addition to visiting Fairfax County shelters to provide meals, activities, and gifts.

[01:34:17] Congregants have assisted newly arrived Afghan families in settling into Fairfax County by partnering with a regional older adult facilities mental health support team. They also participate in social, educational, and philanthropic events with interfaith communities for dialogue.

[01:34:33] Currently, under the leadership of Rabbi David Callender and Assistant Rabbi Victoria Beto, Olum Tikva's first permanent rabbi was Itzhak M. Kliers, who led the congregation from 1967 to 1994. Guided by strong rabbinic leadership and supported by a highly engaged social action committee, as well as the synagogue's men's club, sisterhood, religious school, and congregants, Congregation Olum Tikva has consistently responded to community needs, finding new ways to strengthen and supplement existing programs.

[01:35:06] Therefore, I move, I believe without objection, that a proclamation be prepared in recognition of the 60th anniversary of Congregation Alam Tikva and its invaluable service to the Fairfax County community to be presented during its annual congregation meeting on June 9, 2024.

[01:35:24] And without objection, that is so ordered. Supervisor Palczyk. Thank you, Mr. Chairman. And so the last one, I just want to add, when my family moved here in 1989 into the Mantua community, so much of what I'm able to do today was that community support, and that included Alam Tegva, the community there, remember, Rabbi Clears very well, as well as the Jay and others who really do help our communities transition and be able to live and thrive here in Fairfax County.

[01:35:53] all right mr chairman um the next one is a joint board matter uh with yourself and with our vice chairman smith on revenue diversification members of the board as part of the adoption of the fy 2025 budget the board of supervisors approved budget guidance for fy 2026 that included direction to the county executive to review all existing taxing authority and to come back to the board with recommendations for strategies to diversify our revenue base and reduce the over-reliance on the real estate tax.

[01:36:28] The FY2025 budget presented a challenging year, as do the projections for the FY26 budget. Over the past 10 years, real estate tax revenue has increased from 63.5% to 66% of the county's entire

general fund revenue.

[01:36:44] This is creating an affordability challenge for all Fairfax County residents, particularly those on fixed incomes and those who are already struggling to make ends meet in a high cost-of-living region. Ongoing actions by staff to streamline, innovate, and identify savings have helped the county curb costs and allowed the board to shift resources to higher priorities.

[01:37:08] This has also helped to minimize operating costs increases in recent years across the county. The FI 2025 budget included a decrease of $34.35 million and the elimination of 85 FTE positions, the latest example in what staff has been able to accomplish to rein in cost increases.

[01:37:27] However, it is clear that it is not sufficient to cover the cost of continuing to deliver high-quality core county services, and that we must look at available options beyond real estate taxes. Furthermore, we continue to be challenged by chronic inadequate state support for schools as identified in the 2023 Joint Legislative Audit and Review Commission, known as JLARC study, which found that the state uses a complex and unreasonable funding formula that results in the underfunding of schools by $1900 per student when compared to the national average. FCPS estimates

[01:38:06] that if all JLARC recommendations were implemented, FCPS would have received an additional $568.7 million this year alone. The cost of supporting our schools and all of our services continues to fall disproportionately in our local homeowners. As we look for additional tools to diversify our tax base we cannot leave any in the toolbox we therefore as the chair and the vice chairs of the budget committee as the county executive to come back to the board at the september 17th budget committee meeting with all options for revenue diversification including the implementation of

[01:38:45] a meals tax options for the meals tax should include a range of one to six percent and subsequent revenue projections for each compared comparisons with local meals taxes implemented in the region, the timeline and cost for implementation, including estimates for industry, and any restrictions on the use of revenue generated by the meals tax.

[01:39:09] Furthermore, we ask the county executive to provide a draft community outreach strategy for potentially implementing the meals tax. As part of the timeline for implementation includes work with our businesses, we expect restaurants and other local businesses to be substantially included in the outreach process.

[01:39:30] You've heard the motion. It's been multiply seconded by Supervisor Bierman, Smith, Jimenez. Discussion on the motion. Supervisor Palchik. Thank you, Mr. Chairman. I want to add a few quick things, and I know we'll have more opportunity to discuss at the September 17th meeting.

[01:39:48] I know we've all come from a very, very challenging budget cycle, and not only is education mentioned here, but as we know, things like transportation, which were not approved, we felt a little bit honestly held hostage to our Metro and WMATA and transportation funding until after our budget was finalized when the state finally agreed on that.

[01:40:13] Another big thing that we're seeing that we just have to get ahead of, not holding our breath for adequate state funding, is that our region continues to grow, which is wonderful. It also brings great challenges here in Fairfax.

[01:40:28] We used to be the largest, the wealthiest, able to hire the best and retain the best staff, and the growing competition in the region, as well as the cost of living challenges, as we've heard, whether it's our seniors, our employees, or families trying to make a living here, is that being able to live and work here in Fairfax County has become more and more difficult over the years.

[01:40:52] As we've seen from the budget questions that we asked throughout the process this year, there are many areas that we do not have the ability to use in our local tax revenue that some other jurisdictions do but there are ones that we are not currently using that we have to consider at this point we also need to be able to work with our school system to ensure as many of us has mentioned that we do yearly or regular market salary studies to ensure that the funds that do go to our employees that are so critical like our teachers or counselors

[01:41:28] or public safety are looking at appropriate ways to target where there is the most need that is one thing that is not mentioned here that I know many of us are focused on is ensuring yes we know we are challenged with hiring and retaining the best staff but my understanding is the schools have not done that since the 2014 study the county continues to regularly study our market rates for all of our positions in order to be able to hire and retain the best employees that we know we deserve here in Fairfax County so there are many

[01:42:06] issues ahead this is just one of those tools that I believe at this time we need to consider to understand the cost the benefits and to know that as we go into continued struggles as was mentioned we cannot continue to rely so heavily on our real estate taxes we do expect and hope and we'll continue to advocate for additional funding at the state and at the federal levels but in the meantime we need to find ways that are beyond just our real estate taxes to be able to fund our very important county services

[01:42:44] Supervisor Palchek other discussions Supervisor Harity yeah I don't think the board will find it any surprise that I'm not going to be very supportive of this I'm disappointed that this is focused on revenue and we still have yet to do anything that focuses on spending as a board is as I proposed a deep dive on the on the budget to look at efficiencies and outside groups and yes I know we've got the county executive doing that and he did a a job a good job last time but those are decisions that are really for us um i i certainly agree we need to look at

[01:43:23] continue to advocate for additional state funding uh from the state i mean it's one virginia but you know we've got to get our fair share back at least um revenue residents have pretty strongly said this isn't a is in a way that they want to see us go in 1992 it was 58 to 42 in 2016.

[01:43:45] it was 56 percent the 44. now this board minus the previous members strongly advocated for us to be able to go around the uh the voters and do this ourselves without their input um but but you know i take that input from the voters as is they don't want to see a meals tax um on the meals tax specifically it's it's a single industry tax the only time i've supported the single industry taxes when I helped get the hospitality tax so we could set up visit Fairfax as a senior member of the Fairfax County Chamber of Commerce you know and again this we've got

[01:44:25] affordability issues this impacts our our poorest residents low-income residents harder than it impacts ours and I don't want to go into the whole discussion now but I won't be supporting this for a whole host of reasons I listed in ones that I didn't I just before I call on the next person, I just want to make something crystal clear. This is a request for information, and this chairman always supports information. If we want to be transparent with the voters and residents, we need to get this data and information that is

in this. So this is not new. Our budget guidance that was adopted asked the county executive to do this. This is setting that

[01:45:02] date for September 17th for us to get data. No decision is being made here. The immediate lobbying is is already occurring and we expect that but can the board have time to get adequate information and data before ourselves before we start being out there talking about our opinion and all these other things related to it this board matter if you read it very carefully it says potentially it asks for data it asks for comparisons in the region it asks for any restrictions on the use of the revenue nowhere in here does it say the board is approving a meals

[01:45:37] tax in this resolution the only thing this does is ask us to get data and if we're opposed to getting data presented to us we can vote against this item but i've made it a rule throughout my tenure that request for information should not be controversial but apparently sometimes i guess that is supervisor alcorn thank you mr if i could on that no you've already spoken we'll circle back after everyone else has had a chance to speak supervisor alcorn thank you mr chairman i fully support the motion uh just a couple clarifications um in the motion uh come back september 17th

[01:46:14] to the budget committee with all options for revenue diversification i i presume that means that are currently allowed by the state uh is that is that is that right if i may yes i'm very glad you brought that up i know some of the questions showed that there are areas that are not currently allowed by the state i'm okay with bring those forward so we understand what those are but at this point and continue to advocate for additional ones but at this point we can only use what what is allowed to us and that's why this and others are considered okay very good thank you and then

[01:46:49] i would presume as well we've talked a lot in the legislative committee about the ongoing statewide campaign to basically get our state to fund per pupil at least as much as Kentucky and West Virginia do. And I presume that would continue as well in our legislative committee. Is that right?

[01:47:10] Absolutely. And well outside of that, too. I mean, I literally mention it everywhere I go. And I think it's incumbent upon us to do that. People are shocked to hear it. Yes. Thank you. And then just lastly, the Senate, we asked the county executive to provide a draft community outreach strategy for potentially implementing the meals tax is that just so i understand that's for a strat an outreach strategy for options for potentially implementing the tax because i wasn't sure there i wasn't sure there may be a word missing there um what would that

[01:47:43] strategy be i mean my mind is is if this board decides after the information we receive um that that we would like to move forward with a meals tax. It's important that the right information and that outreach be done to the community as we do.

[01:47:59] I'm the outreach lover here of make sure that there's outreach done so that correct information is sent out so that our businesses, especially who are going to feel the most need for support or impact are able to gather information.

[01:48:15] And so that all residents know, I think as the chairman said, Everything we're doing is to be completely transparent through this process, right? And so even though it was already mentioned in the follow-on motion as a request for this to be considered, since we do have a date and time, we want to be perfectly clear that this is being done with appropriate outreach, that there will be information shared, both out and inward, as we move through this potential process.

[01:48:47] i think i wanted to be clear here that there's no vote happening today as the chairman said no thank you and so and so that the outreach strategy would be for uh an approach for potentially implementing the meals tax uh not okay that's that's helpful so yeah i just wanted to make sure that we make that vote right right okay not not options but but an approach that ultimately we would have to make that call yes okay all right thank you okay uh supervisor beerman I'm supportive of this.

[01:49:17] I'm always supportive of getting more information, and I'm supportive of looking into revenue diversification. As I said when we adopted the budget, question 134 with all of our revenue diversification options was really important. I'm glad you walked back in, Supervisor Herity, because my hand shot up, though, and I want to correct the record on something.

[01:49:36] You keep talking about how no one up here cares about spending, and that is just complete hogwash. in fact when you put in that motion to create a group of outside experts to look into spending we didn't vote for it because we are the people who are supposed to be looking into spending we are the people who are supposed to be the fiduciaries of this county we have experts sitting up there i'm looking at our budget staff is in the room right here raise your hand if you're on the budget staff thank you thank you they are going to be looking at spending brian hill's going to be looking at spending. Everyone on this board is looking at spending as well because everyone on

[01:50:14] this board wants to make sure that the people of this county get what they pay for. And I'm proud that in this budget, we found a way to pass a budget that did not cut any essential services for our residents. It was a responsible balanced budget, but are we going to be looking at spending next year as well? Yes, we are, but we also should be looking at the revenue side. We should be looking at revenue diversification. The counties that surround us, every single one, except for Loudoun County, has a meals tax. We've got a meals tax in Falls Church City, and guess what?

[01:50:46] They got a meals tax in Herndon, and plenty of people come from Sterling to Herndon to eat their food. You know, Arlington, D.C. Okay, Montgomery County and PG County don't have it. They also have a 3.2% income tax, but I'm assuming Supervisor Herity is not in favor of that. So I think this is exactly what we should be doing to get more information thank you supervisor walk and show thank you mr chairman um i'll be supporting the the motion um i'll note not not only is it a request for information it's a request for information that was also included in the budget

[01:51:22] guidance so um we're getting more specific here but this is not a new request for information But since we are getting specific, I do want to suggest a friendly amendment in the second sentence of the motion where there is the list that follows the colon meals tax should include.

[01:51:47] There's then a list of items for staff to bring back to us. I'd like to recommend that we add to that options for targeted specific tax relief for homeowners and residents as among the information that can come back to us.

[01:52:04] I do think it's important for us to pursue that this time. That was not really part of the conversation during the referendum in 2016 in a specific targeted way. And I think it's important that we get that information. We have existing tax relief programs. There may be opportunities to expand those. Are there additional opportunities for tax relief programs that we're allowed to implement under Virginia law that perhaps we aren't? I'd like to see some creative ideas from our staff along those lines as part of this process. Thank you, Mr. Chairman.

[01:52:40] thank you um let me ask the maker if that's a friendly yeah absolutely um just to clarify i think as it was clarified earlier if i heard correctly you want both what we currently do have authority and understand where there's not authority i know that's always a question as we as we expanded our senior tax relief that we are there are not all the options that we would sometimes like to be able to expand i think um what supervisor walkinshaw is saying is actually partly captured under any restrictions on the use because I know as one vote on this board I would

[01:53:16] never vote to implement a meals tax unless it had a dedicated portion going to real estate tax relief and so I think what we want to do is make sure that that's a restriction that we could put on the use of the money and that there's not some other state code section or other reason why that couldn't happen. But I mean, I think what's clear here is that we want to add in explicit information about whether this can be used for tax relief for real estate and how that mechanism might be supported. Yes, I would say yes. And I'd like to see options for real estate tax relief and

[01:53:53] other forms of tax relief to the extent that they exist. I think my focus would probably be on what we can do under existing virginia law but part of that conversation obviously is there are things that we can't do right okay no i'm happy to include uh looking at what tax relief i would say we currently do and where we could expand those options okay yeah so that's been accepted as a friendly amendment on that point yeah just uh i'll second the friendly amendment or i guess supervisor palchick seconded it accepted it sorry um but question 137 about senior tax relief

[01:54:30] I would love to look into other tax relief options as well. Thanks. Okay Supervisor walk-in show where you finished. Okay, Supervisor Lusk. Okay. Thank you. Mr. Chairman I'm supportive of the motion and also of the amendments as well on this all options for Revenue diversification. I just want to lift up this point again Which I made when we had our discussion on the budget looking for ways to expand the commercial tax base and really being kind of thoughtful in how we might Again look at some of the lessons from the past thinking about the World Congress on information technology, which I think

[01:55:09] When Chairman Hanley was chair, that was an initiative that she led and we saw the benefits of doing that So I'm gonna lift this up again. Are there ways for us to look at? expanding our outreach to specific sectors leveraging What I think the economic development authority president CEO Victor Hoskins has basically articulated quantum AI in space So looking at those and really coming back with some ideas as to how we could you know Expand in those areas and I think ultimately, you know

[01:55:47] This issue we've got to grapple with it because I think it's a combination of looking at new taxation But it's also a combination of looking at ways to to grow the base of companies that we have and expanding the way that we, you know, support innovation, emerging technology, and job creation, and ultimately space being utilized by those companies.

[01:56:15] So I'm of the impression that that is part of this, and I hope that can be considered as well. I just want to be cautious. This is for a budget committee meeting. So I think those are all things that I 100% agree. I mean, part of this is offices change probably forever, right?

[01:56:32] I have 90% of Tysons. We're trying to understand how to move forward on that. But I think we all agree with that. I'm not sure if that's part of the specific budget committee conversation on revenue diversification. I do think that's for our EAC and all of our economic development and land use conversations.

[01:56:51] Okay, if it's okay, Mr. Chairman, and the maker of the motion, if I could just ask that the staff look at the items that we just articulated, because I think they are a part of expanding our options for revenue generation, I think ultimately in diversification.

[01:57:07] The idea here, I know this is different on the budget, but I'll just make the point that these items should also be reviewed and considered at a future discussion. Absolutely no objection to that. For people watching, I just want to make sure that all the items that Supervisor Lush just mentioned are items worked on every single day by the EDA by Rebecca Mowdry by her staff I mean we we are doing everything we possibly can to grow our commercial tax base as I go to ribbon cuttings all over the county every week and so I just want to I mean that's an ongoing thing I don't think the board needs to direct the county

[01:57:46] executive to increase our commercial tax base my understanding is you're working very clearly under that direction and the EDA is coming and meeting with all of us to talk about or already has our goals for the year, and I know their goal, among many goals, is to do exactly what you just said, which is looking at expanding in areas like AI and other emerging technologies that they presented to us the last time they met with us. And so I think what would make sense is to get an update on those efforts at an EAC meeting, but I just want to make sure that people watching know that these are things they're working on consistently, completely, all the time. They've heard our

[01:58:25] message loud and clear. We've heard their message loud and clear, the EDAs on the work that's being done in that space. And I don't know if the county executive wanted to add to that or not, but this is something that I know you and your staff and director, you know, the Office of Economic Initiatives and the EDA are working in partnership with constantly. Thank you, Chairman McKay, Supervisor Lusk. Yes, we are working with the EDA. And to even be more specific, we're looking at magisterial districts to see how we can help boost our commercial interest in those districts it's not an easy process I guess we're anywhere looking from

[01:59:05] three to five years out obviously we can't just turn on the switch and then commercials back on on so we're looking at so many different things and we have been in discussion with Victor and supervisor Lusk and I have been in conversation and Rebecca Maudry and team as well as everybody in the budget staff trying to work towards trying to figure out how the best deal with our commercial situation so thank you okay surprised our loss were you finished yeah if I can yeah I'll just say I appreciate that additional comment from the county

[01:59:43] executive and we'll just make the point that if there are new initiatives or new things that we need to undertake in these areas that's the only point from making is that there could be opportunities for the board obviously to weigh in on those types of activities and to advance and move forward some of these concepts. Thank you Mr. Schultz. Supervisor Jimenez. Okay Supervisor Herity we're going to come back around round two. Supervisor Herity. All right well I'll go in the order that they were okay I'm not sure why if we're requesting information we're also getting an implementation

[02:00:22] implementation strategy but I'll I'll leave that alone for now and with all due respect to supervisor bearman i know you haven't been on the board for the last 10 years when the budget's grown more than 56 percent but the need for revenue diversification grows out of spending because without an increase in spending greater than inflation and population growth you don't have the need for revenue diversification so i think we need to look at spending and with all due respect the outside groups that have

come in in the past under passports and have looked at spending had been very valuable. They came up with things like, and I'm going to transition

[02:00:58] to thank Supervisor Luss for his thoughts on investments in terms of diversifying revenue because I fully support those. And there are a couple of simple things in our history. Supervisor Luss mentions the World Information, War Congress on Information Technology. That brought a lot of attention and focus on the region. When we made an additional investment in the eda in tight budget times that was an incredible statement to you know the country in the world that we were open for business um i support that kind of revenue diversification we

[02:01:33] should be looking at tourism we have on the board and and we need to fully look at uh visit fairfax's proposal at the hospital on the hospitality tax and what we can do there we need to look at sports tourism some of those aren't big things they're not easy things they're hard things but investments in sports tourism what will that lead to in terms of revenue diversification so it is there is a lot of work to be done and uh we need to it can't just be a meal saxophone supervisor harry have you read the board item okay it mentions uh all options for revenue diversification you just spoke to a

[02:02:12] number of ones that you're in favor of but you're voting against getting the information on those i'm voting against the meals tax because that's not what this board item is that's what i read it as Mr. Chairman. That's what typically happens. Supervisor Stork. Thank you, Mr. Chairman.

[02:02:30] And I don't know how anybody could look at our budget and tax rate and even whether it's 10 years ago or today and not recognize the impact on housing costs is one of our number one issues. And there's no doubt that real estate taxes have a major impact on that. Whether you are owning a home or you're renting a home, that only gets translated into the cost of housing. And I think all of us as a board have recognized that we need to do more to reduce those costs whenever possible this clearly is a way of looking at those all other revenue options diversification i think those are all key parts of that of course i strongly support looking at tourism and how we

[02:03:10] generate revenue from that there's no doubt that the meals tax can tie very much into that because the studies that we've seen before show that about half the meals tax revenue is raised from with from people that are out of the area so i'm very much supportive of of education not ignorance learning more not less and this is a key way to do that where i end up i think like most of the board is going to depend upon the kind of balance that we're trying to achieve and where those revenues come from and i know my colleagues will also know that i'm going to absolutely go to the next issue which is how do we how does the state fund education which this addresses but the other

[02:03:48] part of this is if the state just returned one percent one percent of the income tax revenue that we send to richmond one percent of that we could reduce people's properties tax property tax rates by about 20 percent it's it's that simple so we know that we are not getting a fair deal from the state absolutely not and if we just got back some of the revenue some of the the taxes that we already send to the state it would make a huge difference in the cost of living in our area as well as how we fund the programs that I think are essential to having a quality of life that we all

[02:04:24] deeply appreciate and value here. So comments. Thank you. Thank you, Supervisor Stork, Supervisor Beerman. Supervisor Herity, you're right. I haven't been on the board for the past 10 years. I've only watched as Fairfax County has grown into the economic engine of the Commonwealth, of the

Commonwealth. It is past other jurisdictions in the DMV. It is doing great and thriving during the exact time period where you're saying that we're somehow losing steam then you pivoted

[02:04:58] to several things that you thought were better investments which by the way is more spending so look we need we need information on what this will look like we need information on revenue diversification this is budget committee number one meeting number one if we can want a budget committee meeting talking about spending as well I'm sure we will have them and we did look at spending this year we did reduce spending this year we did a reduction exercise and we have information from that reduction exercise for what we may consider next year as well but going back

[02:05:33] to what's actually on the table providing us with more information about revenue diversification will help this county balance its budget in the future and reduce the reliance on the real estate tax that's a good thing that's the kind of information we should ask for thank you thank you supervisor beerman um any other discussion let me just add that i am supporting this as i always do as a request for information i would just i do want to point out a few things though that that are disturbing uh first a you know any suggestion that a task force is the answer to our

[02:06:10] budget ignores a lot of good work that we have been doing as others have said and the county staff has been doing. I would remind Supervisor Herity that our Department of Economic Initiatives was created by this board working with this county executive and staff. Never before have we had a department in this county dedicated to helping small businesses, helping grow our commercial tax base, and doing a phenomenal job at it. We saw that during COVID. We were the only government that had such an instrument working on behalf of our businesses. I also want to emphasize something that Supervisor Stork said, which is with regard specifically to the meals tax,

[02:06:49] when the information comes back to us, I hope we can see a projection of how much revenue we're losing to people who come into the county for meals that we're collecting zero dollars on right now. They're using our roads, they're using our system, they probably work in Fairfax County, and we don't get a penny from them. And so that's leaving a lot of revenue on the table that can be used for some of the priorities that were mentioned as well as tax relief. I would just also add that I think most economists would tell you that real estate taxes are among, if not the most regressive

[02:07:24] tax instrument available to us. And we see every year that some of the lowest valued properties go up by the highest percentage in terms of value, hurting the lowest income people in the county more than any other tax that's out there. They pay a higher percentage of real estate taxes out of their salary than most people do. And you were chair of our older adults committee. Housing affordability was a big issue. The only way to make housing more affordable in Fairfax County, besides building more of it and addressing the supply issue, which most people on this board

[02:07:59] have been doing, the only other way is to bring in revenue from other sources besides real estate, unless we were to do something like Supervisor Herity has proposed in past budgets, which is to gut our Fairfax County public schools budget which also in tandem with the things that we do in this county are why people come here including businesses and so there is no free lunch here I think we need to be truthful with people about the order of magnitude problem the state presents us it's in this board matter it's going to be mentioned in every document coming out of the county that relates to the budget but when the state owes you 568.7 million dollars for your

[02:08:38] school system to put our school system at the national average in terms of states that support public schools that's a gigantic hole we had a huge debate in the last budget over one penny one penny the equivalent of 26 million dollars while sitting there is an invoice due from the state of 568.7 million and so you know our options as a board are limited do we want to maintain a first-class public school system. The General Assembly has given us authority in very narrow

[02:09:13] lanes for taxes, and we owe it to our constituents to have a conversation about those to, one, hopefully control real estate taxes, but the General Assembly is not doing their job funding public education. And we sit here and we are doing our job every year when we passed our balanced budget. And when members of the General Assembly say to you, we're not going to give any more money for schools until you exercise all of your taxing authority. Not only is that, in my opinion, walking away from the responsibility and job that they have, but it's also pointing to the fact that when we talk about real estate taxes and we talk about revenue and we talk about diversification,

[02:09:51] we need to look at every tool in our toolbox. Look, if a meals tax was implemented tomorrow, it would generate way below the $568 million that the state owes us. And so that tells us we have a revenue problem potentially for years to come until the state reports and does their job and frankly elects a governor who believes in public education because it's clear that that's what's going to take to fill a 568 million dollar hole in our budget brought to us by the commonwealth of virginia and so we have to continue to do our jobs and part of those jobs is to get the data the information from our professional staff to do the community engagement have a conversation with

[02:10:31] our community, not to lobby them, but to have a conversation with our community about what the facts are. What is the real budget circumstance that we're dealing with? What are the revenue options that are available to us? And we might be attacked for asking for additional information, but I don't think there's a constituent of ours out there that doesn't want the whole menu of options before this board, before we make any important decisions. And I am amazed that anyone would vote against collecting the data that this board matter asked for so it's easy to reword it how you would like it to read but what's actually on the paper is what we're voting on which is to

[02:11:09] ask the staff to come back to us with data options regional comparisons potential uses for the revenue and an outreach strategy with the community and and it's a shame that we can't all agree that that's an important thing to do as fiduciaries of a aaa bond rated county that is well respected across the country for how it's governed so with that all those in favor of the motion please say aye aye any opposed parity nay and that motion to request information from staff is approved

[02:11:42] nine to one supervisor pouchek thank you mr chairman just one slightly more uplifting matter but uh cost of living uh also leads to uh costs uh both for young families and for older adults my office is once again you all have a copy hosting a diaper drive at the jim scott community center happy to share out more information but happening may 6th to june 29th all diapers will be donated to both fairfax diapers and higher horizons two of our local fairfax county um nonprofits working to help support the needs of our low-income families

[02:12:23] So that is all, Mr. Chairman. Thank you, Supervisor Powchick. Next up, Supervisor Herdy. Yes, Mr. Chairman, I've got one board matter to recognize Bill Curran, FCPS Director of Student Activities and Athletics on his retirement.

[02:12:40] Bill Curran will be retiring in July after serving Fairfax County Public Schools and our sports community for decades. Curran served as the Director of Student Activities and Athletics since 2007. In this role, he's done everything from leading the flawless organization of countless high school graduation ceremonies to managing the myriad of school and community use requests for sports.

[02:13:03] Curran successfully managed the contentious use of our school turf fields and gymnasiums, navigating a balance that has allowed school community and tournament use of covenant fields. As a member of the Sports Tourism Task Force, he was instrumental in working with our local youth organizations and visit Fairfax to allow tournament hosting on holiday weekends when facilities were underutilized.

[02:13:26] This has increased Fairfax County's capacity to attract sports tourism, which benefits our residents and local businesses. Prior to serving as the FCPS Director of Student Activity and Athletics, he served as Director of Student Activities at Marshall High School.

[02:13:42] Over the course of his career with FCPS, he's also served as a teacher, assistant principal, and coach. He's always been a strong advocate for the value of student sport and is widely known as a friend of our youth clubs. He's contributed to several VHSL committees and has coordinated several Fairfax County-based state championship tournaments.

[02:14:04] He also is currently a member of the High School Steering Committee with USA Football. Curran's dedication to Fairfax County Public Schools and our sports community has improved the quality of life for many of our residents. Therefore, Mr. Chairman, I ask without objection that we prepare a resolution recognizing bill curran for decades of service to fairfax county public schools and our athletic community be presented on a date coordinated with opa and without objection that is so ordered and is that all that's all that's okay uh we now are going to move on to admin items there are eight admin items and i'm going to turn to supervisor kathy smith for a motion but i'm

[02:14:43] I'm going to note that Admin 8 needs to be deferred, as it is in the recommendation, until after our public hearing this afternoon. So we would be approving Admin Items 1 through 7. At this time, Supervisor Smith.

[02:15:01] I move approval of Admin Items 1 through 7. Second. I'm happy to second that, along with Supervisor Palchuk. All those in favor of Admin Items 1 through 7, please say aye. Aye. Aye. Any opposed? Any abstentions? Admin 8, Supervisor Palchuk, you have a motion.

[02:15:18] Thank you, Mr. Chairman. I move that the Board of Supervisors defer the authorization to apply for the U.S. Department of Housing and Urban Development HUD Preservation and Reinvestment Initiative for Community Enhancement Maine Competition, Prize Maine, as outlined in Administrative Item 8 until after the public hearing on the Price Main grant application scheduled for this afternoon, May 21st, 2024, at 4.30 p.m.

[02:15:45] I'm happy to second that motion along with Supervisor Lusk. 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 will take us to our action items.

[02:16:01] We only have three. I'm going to call Action Item 1, approval of the Memorandum of Understanding MOU as entered into by and between the Bureau of Alcohol, Tobacco, Firearms, and

Explosives, ATF, and the Fairfax County Police Department, FCPD, as it relates to the Northern Virginia Violent Crime Task Force.

[02:16:20] And let me recognize Supervisor Lusk, the chair of our Public Safety Committee. Thank you, Mr. Chairman. very quickly i move approval of action item one which establishes a memorandum of understanding between the bureau of alcohol tobacco and firearms and the fairfax county police department purpose of this memorandum is to create a task force that will investigate violent crimes associated with firearms and narcotics trafficking in fairfax county this cooperative effort will be advantageous in disrupting illicit activities so moved mr chairman happy to second that motion is there discussion. Any discussion on the motion? Action one. Seeing and hearing none, all those in favor,

[02:16:59] please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action two is authorization to execute an amendment to a project administration agreement with the Virginia Department of Transportation for implementation of the Columbia Pike Complete Streets Phase One Project in the Mason District. Supervisor Jimenez. Thank you, Mr. Chairman. Mr. Chairman, I move that the Board of supervisors approve a resolution authorizing the director of fairfax county department of transportation to execute an amendment to the project administration agreement with the virginia department of transportation for implementation of the columbia pike complete streets phase one

[02:17:38] project and the chair will second that along with supervisor 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. Action item number three is approval of a resolution approving amendments to the sewer 1985 general bond resolution. Supervisor Smith. I move approval of the county executive's recommendation. The chair will second that motion. Is there any discussion or questions from staff? Any discussion? Seeing and hearing

[02:18:15] none. All those in favor of action three, please say aye. Aye. Any opposed? Any abstentions? That motion carries. And that moves us to our consideration item. We have one today, and that is a appeal of a notice of violation of the Chesapeake Bay Preservation Ordinance for 3141 Trenholm Drive, Oakton, Virginia, 22124, tax map number 46-2-18-double-circle-15 in the Sully District.

[02:18:47] And this is the first time we've seen an issue exactly like this come to the board before. And I know that the scope of this appeal is very narrow, which was the notice of violation issued in a way that is technically correct.

[02:19:03] And the appellants have a remedy in that they could go the exception board, but have chosen not to do so yet. And so I know there's a history on this. And at this time, I'm going to recognize county staff for a staff presentation. Mr. Chairman and members of the board, my name is Steve Strackbein, and I'm the Compliance Administrator for Land Development Services.

[02:19:33] Today's consideration item is an appeal by the owners of 3141 Trenholm Drive contesting the validity of the April 4, 2023 Notice of Violation issued by Land Development Services for violations of the Chesapeake Bay Preservation Ordinance. The written appeal sets forth no reason why the notice of violation was improper.

[02:19:53] Therefore, Land Development Services asked that the board affirm the notice of violation because it was properly issued after an inspection of the property confirmed that improvements were

made in the resource protection area without any approvals required by the Chesapeake Bay Preservation Ordinance.

[02:20:10] I will refer to the owners of the property, Christopher and Jamie Harrison, as the appellants. The appellants purchased the property in late December 2022, and Land Development Services received a complaint of encroachment into the resource protection area on February 27, 2023.

[02:20:29] The responding inspector observed unpermitted construction within the resource protection area, including a minor addition and several accessory structures. The inspector issued a notice of violation of the Chesapeake Bay Preservation Ordinance on April 4, 2023, and the appellants filed their appeal on April 19, 2023.

[02:20:53] This aerial image illustrates the boundaries of the resource protection area as adopted by the board in 2003, as shown by the green hatched shading. As you can see, the rear portion of the property is entirely encumbered by the resource protection area. The red highlighted area shows the unpermitted resource protection area encroachment observed by the inspector and cited in the notice of violation.

[02:21:19] On the left of this image, you can see that the construction started in 2011. The right side shows the finished construction in 2015 with colored highlights overlaid. In green, three minor additions were approved and permitted for construction.

[02:21:36] The orange and red were not permitted for construction. The difference in the orange and red coloring is to depict the difference between unpermitted accessory structures and an unpermitted minor addition. To be clear, the notice of violation was not issued for any of the construction that was performed with permits.

[02:21:56] The general provisions for issuing a notice of violation of the Chesapeake Bay Preservation Ordinance include the following. Any building erected or improvements constructed contrary to any of the provisions of this chapter is hereby declared unlawful. and the director shall serve a notice of violation on the property owner.

[02:22:17] Such notice shall specify, one, the provisions of the chapter which have been violated, two, the measures needed to remedy the violation, and three, a reasonable time in which to remedy these violations. In the notice of violation shown here, you can see the notice of violation was issued to the appellants.

[02:22:41] It identifies the chapters that were violated. It lists the measures needed to remedy the violations, and it provides a reasonable time in which to remedy the violations. In this case, Chapter 118, Article 4, Section 2 was violated because a water quality impact assessment for the improvements in the RPA was not submitted to the county for approval.

[02:23:06] A water quality impact assessment is a document detailing the plans for development within the resource protection area and showing how water quality will not be impacted. Additionally, Chapter 118, Article 3, Section 2A and B were violated, which require that the land and vegetation be disturbed as little as necessary within the scope of an approved plan.

[02:23:30] In this case, plans were not submitted to or approved by Land Development Services. This concludes my presentation. Thank you. Thank you very much for that presentation. Any questions for staff? Supervisor Smith. I appreciate the detailed information.

[02:23:49] could you just tell us when the last time you've had any contact with the homeowners once the appeal was issued and sent to the county the only contact with the homeowners has been through the county attorney's office thank you okay any additional questions of staff okay seeing and hearing none this is in the sully district and so i would ask supervisor smith if she has a motion i do mr chairman as identified in the notice of violation dated april 4 2023 county

[02:24:25] staff inspected 3141 trenholm drive sully district on march 28 2023 and found that accessory structures in a minor addition were constructed in the resource protection area without county approvals required by the chesapeake bay preservation ordinance the appellants have not presented evidence that those improvements were approved by the county or are otherwise permitted under the chesapeake bay preservation ordinance therefore i move that the board of supervisors deny the appeal and uphold the notice of violation of the chesapeake bay preservation ordinance you've heard the motion has been multiply seconded myself supervisor alcorn

[02:25:04] supervisor palachick 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 thank you staff for your work on this and Kirsten in particular it's good to see you back in the boardroom so thank you with that I am going to look to the county attorney before we go into closed session to ask how long we need in closed session Mr. Chairman I estimate

[02:25:38] approximately 45 minutes 45 minutes and let me ask if there are any known deferrals that we know of known deferrals if we can announce intent to defer now so that we can make sure we look at the agenda supervisor Beerman I intend to defer Virginia restaurants LLC which is SEA - 91 - D - 016 - 02 and is on the 3:30 timeframe I also intend to defer Dulles Center LLC which is our Z

[02:26:18] - 2022 - dr - quadruple 07 which is also in the 3:30 timeframe okay and I know we have two more deferrals and just to be care just to be clear these four deferrals at least four of these deferrals are just because of a notice Issue with the sign board that was not posted and so supervisor Alcorn. Yeah, thank you Notice of intent to defer at 4:00 p.m. Scheduled PRC 80 - C - 1 1 1 - 0 2 From the Fairfax County School Board and that is the first four o'clock item. That's

[02:26:56] Supervisor Stork. Thank you, mr. Chairman. I notice a deferral on Sorry, last week, please. SCA 2015-MV-003.

[02:27:11] It's a 330 item. Okay. Claudia Tramontana and First Years Learning Center, LLC, in the Mount Vernon District. So that is also slated for deferral. Any others that are slated for deferral? Okay.

[02:27:27] So we still have a pretty full agenda this afternoon. If the motion to go into closed session is made, or to take a break and then go into closed session is made, we will report to closed session at, let's do 2.30, and that will allow us the 45 minutes and a few extra minutes if we need it.

[02:27:50] So if this motion is approved, we will go in, we will take a lunch break, we will report back to closed session at 2.30 p.m. Supervisor Smith. Mr. Chairman, I move that the Board of Supervisors recess and go into closed session for discussion and consideration of items enumerated in Virginia Code Section 2.2-3711 and listed in the attached agenda for this meeting.

[02:28:16] And in addition, number one is 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.

[02:28:33] And two, as permitted by Virginia Code Section 2.2-3711A7 and 8, Audrey Glisson v. County of Fairfax, Fairfax County Circuit Court Case Number CL-2024-0006183 and EEOC Charge Number 570-2023-04059.

[02:28:59] And the Chair will second that motion. Is there any discussion? Again, we will report to closed session at exactly 2.30 p.m. All those in favor of the motion, please say aye. Aye. Any opposed? That motion carries.

[02:29:15] We will see everyone after lunch at 2.30.

[02:29:18] It is back from closed session, and let me ask first Vice Chair Smith for a motion to bring us out of closed session.

[02:31:15] 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.

[02:31:40] Madam Chair, we'll second that motion along with Supervisor Palczyk. Any discussion on the motion? 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 we do have an action coming out of closed session.

[02:31:57] Let me recognize Supervisor Jimenez. Mr. Chairman, I move that the Board of Supervisors authorize the settlement in Audrey Glisson v. County of Fairfax. case number CL-2024-006183, Fairfax County Circuit Court, and EEOC charge number 570-2023-04059, according to the terms and conditions outlined by the county attorney in closed session.

[02:32:27] And Chair, we'll second that motion. Is there 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, and that brings us to our public hearings.

[02:32:44] Mr. Chairman, I have a motion. Ah, you have a motion, too. I'm sorry. That's right. Supervisor Alcorn has a motion. Thank you, Mr. Chairman. I move that the Board of Supervisors authorize the county executive and the Department of Public Works and Environmental Services to purchase real property in the Hunter Mill District for a public purpose upon the terms and conditions outlined by the county attorney in closed session.

[02:33:03] You've heard the motion. Supervisor Pouchek has seconded that motion. 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 that is the end of our motions coming out of closed session.

[02:33:21] And we will begin our afternoon public hearings. Just as a reminder, individuals wishing to provide testimony have a number of options. They can testify here in person or they can provide testimony by phone or by YouTube video. At the designated point in the public hearing, I will call for any speakers from the speakers list and they will either come forward or their video will be shown or they will be connected by telephone.

[02:33:44] There will then be an opportunity for anyone else here present to speak and they may speak to that application by coming down to the podium or for those at home may call in at 703-324-1020. And just a reminder, speakers testifying by video must have signed up and submitted their video no later than 9 a.m. on the day prior to the hearing.

[02:34:07] For all testimony, you are given three minutes to speak as an individual. If you're a spokesperson for a group, you are given five minutes. That being said, our first public hearing is not really a public hearing, so everything that I just read pertains to all the other cases after this.

[02:34:23] But our first scheduled agenda item is a decision only on the validation and conveyance of property at the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority in Franconia District. And at this time, we'll turn to Supervisor Lusk for a motion.

[02:34:41] Thank you, Mr. Chairman. The decision we have before us today is a decision on the validation and conveyance of property at the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority, F-C-R-H-A.

[02:34:56] Since the public hearing held before the board on January 23rd, 2024, my office has worked very closely with staff in the Department of Housing and Community Development, H-C-D, and the Department of Neighborhood and Community Services, N-C-S.

[02:35:13] engage a consultant and develop an online input portal and hold a series of three community engagements that concluded on may 6 2024 these meetings were in addition to those held before the public hearing as a result of these sessions and community input provided in all forms it is clear that there are diverse opinions about the prospect of affordable housing at the site and there are many people who support continuing the evaluation process and there are many who oppose

[02:35:52] considering the property for residential use the decision before us today is a very narrow one in that it is simply whether to validate the conveyance of the site to the redevelopment and housing authority i have come to the conclusion that proceeding with the validation of the concurrence the redevelopment housing authority is the right next step to take in the process the need for new housing that is affordable to our workforce is too important i'm also confident that each step

[02:36:27] during the upcoming review processes including our comprehensive plan amendment and zoning processes that our county staff will continue to ensure multiple opportunities for ongoing community engagement. There will be reviews by the Franconia District Land Use Committee and public hearings by the Redevelopment Housing Authority Planning Commission and ultimately this board. With that, Mr. Chairman, I make the following motion. I move that the Board of Supervisors adopt the resolution

[02:37:01] identified as attachment to the item presented to the board at its May 21st, 24, 2024 meeting regarding the validation of the conveyance of the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority.

[02:37:19] So moved, Mr. Chairman. Second. It's been moved and multiply seconded. Any discussion on the motion? Yes, Mr. Chair. Discussion on the motion, Supervisor Alcorn. Yeah, thank you. That evening of the public hearing, January 23, 2024, I left the board meeting early because I was just getting over the flu.

[02:37:38] And so, therefore, I will be abstaining on the motion if I had been there. I did actually go back and watch the video of the public hearing. I would vote for this, but because I was not in attendance, I will have to abstain. Thank you, Supervisor Alcorn. Any further discussion? Supervisor Herity.

[02:37:54] Let me just start off by reading kind of the last sentence from attachment two. Now, therefore, upon public hearing duly advertised according to law, it is resolved. to supervise supervisors finds the march 9 2021 conveyance in the best interest of the residents of fairfax county and here is hereby validated um i i don't think since zmod i've seen this much opposition to a project in in fairfax county um i uh we you missed you missed the wonderful night

[02:38:30] Supervisor, I know you watched it, but it was a long night, and I know that the community still feels unengaged. I know there were several public meetings, but I'm not going to be supporting it at this time. Supervisor Palchik.

[02:38:47] Thank you, Mr. Chairman. First of all, I want to thank Supervisor Lusk, the Housing Department, and all who helped with this project. clearly it is not without contention but a supervisor last mentioned clearly it is absolutely of great need I believe that as the supervisor for this district he heard the need for additional community outreach and has worked with that and I am fully supportive of his recommendation and motion to move this forward as he mentioned this is one small step in what

[02:39:24] is a long process as many know we the county and the housing authority and the schools all must go through the same land use process as any other development that comes forward yes not all are as contentious it does not mean that not all have the same merits or different merits but clearly it is important to the community so I want to thank supervisor Lusk fully support the difficult work of knowing that um perhaps half of this room will be supportive and half will not but know that we here and i on this dais are are thankful that you are um taking what i think is a

[02:40:03] very uh necessary and courageous decision to help bring what we know is the the biggest issue to our county at this time which is the need for housing as we discussed earlier this morning affordability and housing affordability in this county are the biggest issues we and our residents face and so every little bit helps and I appreciate that we are considering every bit of property owned by the county for consideration and very happy to support this and appreciate your work and continued work both with the community and with the staff to ensure the best possible outcome so

[02:40:43] happy to support your motion thank you supervisor palchek supervisor bierman i want to concur with everything supervisor palchek just said very eloquently i also wanted to comment on uh essentially the notion that there is there i want to make sure and make clear that there can be and often is community benefits in these types of projects not only in providing more housing to people But often these types of projects throughout the next phase end up including some sort of community benefit.

[02:41:18] In fact, the largest affordable housing place in the Drainsville District now hosts eight free outdoor concerts with the Park Authority. Now, I'm not suggesting you need to put on concerts, Rodney, but the point is that not only can you fulfill a very key and important need for this county with a project like this, but there are other opportunities in this next phase, and I fully am supportive of Supervisor Lusk's motion here.

[02:41:51] Thank you, Supervisor Beerman, and let me finally say I support the motion as well. I will say that I think the path to getting to this point had some challenges along the way, and I do think that more

outreach and more community engagement is always a better thing, but I do want the community to understand that there's a lot of steps, as others have acknowledged here, that we still have to go through before we get to final approval, And Supervisor Lusk and I were just talking about this the other day, having gone through a similar circumstance with Oakwood in the Franconia district that I'm very familiar with.

[02:42:31] We were able to take a lot of folks who were very much opposed to the construction of affordable units on Oakwood Road right around the corner from this site through a very good dialogue, a task force opportunity that existed for people to get a better understanding of what it is we're actually talking about here.

[02:42:51] And while, you know, the outreach fell short, I think, of what all of us would have hoped would have happened, I will tell you that I am challenged with some of the blatant misinformation that's out there about what it is we're looking at here. And having dealt with that on Oakwood, I know this community well.

[02:43:10] I worked in this building for 24 years, 24 years. I'm very familiar with the area around it. i'm very familiar with the concerns that people have and i'm very confident that we can put together a plan that accommodates many of the concerns that are in the community as well as do the right thing to grow our affordable housing and then finally for a long time and i know this is a challenge that supervisor stork and i and others have have had for a long time is that you know it felt like in the county when it came to affordable housing there were only a few sites that were okay for affordable housing.

[02:43:49] And for too long, the Route 1 corridor instinctively became the absorption of affordable housing needs for the county. And I might not be supporting this motion if this motion had been made many years ago. But what we have seen since then is this board's commitment to building affordable housing everywhere in Fairfax County, in every magisterial district, everywhere in Fairfax County.

[02:44:13] And so I feel like for the first time in a long time, This county is addressing affordable housing in a very holistic, county-wide way, which makes me feel a lot more comfortable about this as well. But there is, as others have said, plenty of work still to be done.

[02:44:29] I do want to thank the Department of Housing for the work and time and effort. I know that you have put into this site, and I know that as we move forward, we will come up with something that can accommodate as many reasonable concerns as possible, but recognize at the end of the day, sometimes we have to make decisions that do not have uniform support but are in fact in the best interest of the county and we can see some of the people who have turned out here today there's a lot of support also for this and and there's support for doing it right and that's one thing our board will be committed to so that before additional actions come before this board we will have done a lot more community outreach and

[02:45:08] engagement along the way and for those reasons i support the motion that supervisor lusk has put on the table. Final comment, Supervisor Stork. Thank you, Mr. Chairman, and I thank you for your comments. I thank you, Supervisor Lusk, for your comments, and most importantly, bringing forward what I think is absolutely an essential part of how we grow our affordable housing, particularly in what I would consider more urban corridors. And this is an area that clearly is an urbanizing corridor, if it's not already an urban corridor, because of the busyness of the streets and the traffic etc that's here the mass transit that's available those are all the

[02:45:47] elements that we all recognize are key parts of of how housing can be more affordable even when you know we're building affordable housing and you need to have access to it and need to have access to jobs you know just not too far from Metro stop actually two Metro stops as well as lots of bus transportation along the corridor so and I know that this is the beginning of the process as as supervisor luskas said so i know that that this process can coolly engage the community on a broader way and address some of the other concerns that people might have about but i'm all in i think it's a great move forward and look forward to to seeing this uh move forward as

[02:46:24] well thank you supervisor stork uh with that all in favor of the motion please say aye aye any opposed parity nay any abstentions and that vote is approved eight to one to one and that brings us to our next item Supervisor Lusk yeah mr. Sherman I just want to just take a moment and thank the community for their time and participation in this whole process the community meetings I want to thank them for the letters I want to thank them for the emails the phone calls and all the other forms of public input I also want to thank the many members of the county staff who

[02:47:02] collaborated with our consultant you facilitate to develop and support our community conversations and I'd like to acknowledge staff from the Department of Neighbor and Community Development NCS Department of Housing and Community Development HCD the Virginia Department of Environmental Quality the Office of Public Affairs the Fairfax County Fire and Rescue Department the Department of Planning and Development and the plant and the Department of Land Development Services all of them were instrumental in in helping us to hold those public engagement sessions and all the folks that are here in the room today I want

[02:47:40] to thank you as well as being part of the process and really helping us get the input the feedback that allowed us to come to the decision that we have and I just hope that those who are on the other side understand that this is just the beginning we're going to continue to engage the community in this question and get their feedback and input.

[02:48:06] So with that, I'll say thank you all for this opportunity, and thank you to the board members for their support this evening. Thank you. Thank you, Supervisor Lusk. Our next public hearing, I understand, is being deferred, but that is a public hearing on SCA 91-D-016-02, Virginia Restaurants, LLC, in the Drainville District.

[02:48:33] Supervisor Beerman. I move to defer the public hearing for SEA 91D 016-02 to a date certain of June 25th, 2024 at 3.30 p.m.

[02:48:48] And the chair will second that motion. Is there any discussion? Supervisor Herity? A quick question for staff, and I apologize for not thinking of this before. Was the Planning Commission hearing adequately billboarded? Yes, it was Suzanne Wright, Department of Planning and Development.

[02:49:05] It was just these applications for this board date. Just for the board date. Thank you very much. I just wanted to confirm that. I asked that question yesterday, Supervisor Herity, and my understanding is that they were properly placed and then they were brought back in to be updated and didn't make it back out for the board hearing.

[02:49:26] Is that accurate? Correct. These needed separate postings for the board hearings, and that was not done. Okay. All right. You've heard the motion. I've seconded it. Any further discussion? Seeing and hearing none, all those in favor of the motion, please say aye.

[02:49:43] Aye. Any opposed? Any abstention? And that motion carries. Our next public hearing is a public hearing on PCA 79-P-038-03, rzpa 2023-pr-00082 juniper place llc in the providence district and could we please have the applicant reaffirm the affidavit planner with walsh koluchy and on behalf of the applicant i

[02:50:22] reaffirmed the affidavit dated may 3rd 2024. thank you thank you very much are there any disclosures from board members? Any disclosures from board members? Seeing and hearing none, I will now recognize county staff for a staff presentation. Hi, my name is Andrew Stone. I'm with the Department of Planning and Development. The subject site is located in the Providence District on the west side of Juniper Street, approximately 700 feet north of Route 29 within the Merrifield commercial revitalization area. The property contains an approximately 2,500 square foot

[02:50:56] former residents, which has been previously used as an office. It is owned to the I-5, HC, and HC districts. The application seeks to amend the approved proffers associated with PCA 79P03802 in order to allow the previously approved alternate interim development plan for a second 10-year period. A complete list of these uses can be found in the staff report, but include contractors' offices and shops, vehicle storage or impoundment yard, and new vehicle storage.

[02:51:31] The proposed layout is similar to that previously approved under PCA 79P03802. Access is from Juniper Street. A total of three parking spaces are proposed. Because no land-disturbing activity is proposed with the Alternate Interim Development Plan, no stormwater management controls are proposed.

[02:51:51] According to the applicant, required stormwater management controls will be provided with subsequent development of the property as shown on the interim and ultimate development plan. This concludes my presentation. Thank you very much. At this time, we'd welcome an applicant's presentation.

[02:52:08] Good afternoon again. As staff has pointed out in their presentation, this is a rather straightforward application requesting to permit a 10-year continuation of previously approved alternate interim condition for the application property with minor updates to the development plan.

[02:52:27] I'm available to respond to any questions that you may have at this time. Thank you. Thank you very much. Are there any questions of 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.

[02:52:43] Is there anyone here present in the auditorium that would like to testify on this matter? This is a public hearing. Is there anyone 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. I assume the applicant waives rebuttal. Okay.

[02:53:00] Closing comments and a recommendation from county staff. On May 1, 2024, the Planning Commission recommended approval of PCA 79P03803, subject to the executed proffers dated April 15, 2024.

[02:53:16] Staff concurs with this recommendation. Thank you. Are there any final questions from board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Palczyk for a motion. Thank you, Mr. Chairman. Before I read the motion, first of all, I want to thank Andrew Stone and Kathy and all staff who've worked on this, as well as the applicant and the community.

[02:53:40] This is a pretty straightforward application. As was mentioned, passed unanimously on the Planning Commission. It really is just maintaining the site pretty much as it is for another period of 10 years behind the Home Depot. People are always wondering where exactly Merrilee and Merrifield it is.

[02:53:59] It's a little bit of a hidden area that's not quite developed yet or redeveloped yet. And so I do appreciate that a couple of issues have been addressed, including restoring the planting areas to satisfy the horticultural requirements of trees, shrubs, and ground covers, specified I know there are only three total parking spaces and I believe one of those three is handicapped so even though they are not adding EV charging at this site knowing that really there's very little disturbance happening and there are those only three spaces we were comfortable and I felt comfortable

[02:54:38] moving forward I know that the applicant did reach out to their neighboring adjacent owners and businesses and we heard no concerns were raised and so satisfied with the proffer commitments and there was I believe no threshold for denial concerns from staff so the neighbors seemed satisfied we are comfortable with this application and therefore I am happy to move with an

[02:55:09] approval i move that the board of supervisors approve pca 79-p-038-03 subject to the executed proffers dated april 15 2024 i've heard the motion it's been seconded by supervisor smith is there 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 very much our next public

[02:55:40] hearing is a public hearing on se 2023-su-00030 tyson and friends llc doing business as the dog stop in the sully district and could we please have the applicant reaffirm the affidavit thank you mr chairman members of the board of supervisors my name is lynn strobel i represent the applicant i reaffirm the affidavit that is dated march 19th 2024 thank you thank you very much for that are

[02:56:14] there disclosures from board members disclosures from board members um oh yes i'm sorry here i go centerville square project limited partnership donated shared commercial office space with a value in excess of 100 in the centerville square shopping center to kathy smith for supervisor thank you supervisor smith are there any other disclosures seeing and hearing none i would now recognize county staff for a presentation hi my name is andrew stone and i'm with the department

[02:56:52] of Planning and Development. The approximately one-acre site is located in the Sully District just southwest of the Route 2928 interchange in the eastern corner of the 18.25-acre Centerville Square 2 Shopping Center and is zoned to the C7 District and the HC, WS, and SC Overlay Districts. Centerville Square 2 Shopping Center is developed as a retail center with several commercial uses, including a grocery store and a vehicle fueling station. The portion of the shopping center subject to the proposed special exception includes an octagonal 8,620 square foot

[02:57:29] two-story pet boarding facility called the dog stop. The lower level of the building, which is not part of the proposed kennel use, will remain as maintenance storage for the shopping center. The applicant requests approval of special exception to permit the use of outdoor components associated with the dog stop. The proposed outdoor area is approximately 7,600 square feet and it is a U-shaped area that wraps around most of the existing octagonal building.

[02:57:59] All the outdoor areas are currently enclosed by 6-foot tall wooden fencing, which are proposed to be replaced with new 8-foot tall fences. The outdoor component would be comprised of both exercise and elimination areas. Each exercise area would be used by a maximum of three dogs at a time.

[02:58:18] The elimination area is proposed to be fenced into two areas to separate the dogs by size, and each area would be designed to accommodate multiple dogs at one time. In both the elimination and exercise areas, the dogs would always be monitored by handlers.

[02:58:38] This concludes my presentation. Thank you very much. We now recognize the applicant for a presentation. Thank you very much, Mr. Chairman, members of the board. I will keep this brief. again like the last application I think this is straightforward this is a special exception for outdoor components associated with an existing indoor kennel as was mentioned there will be two areas there'll be an elimination area and an exercise training area for dogs these uses will complement the existing pet care facility that does specialize in dogs and the artificial turf

[02:59:17] That will be used has been designed for pet use and is connected to the sanitary sewer I think we've learned a lot about this type of use over the years and this is in compliance With all the recommendations of staff. I'm pleased to say that this has the support or at least no objection from the Sully district land use and Transportation committee it enjoys the support of staff as well as the Planning Commission. I ask your favorable consideration today. Thank you Thank you very much. Are there any questions of staff or the applicant?

[02:59:51] Any questions? Thank you. Thank you very much. This is a public hearing. I have no one signed up to testify on this matter. Is there anyone present who would like to speak on this matter? This is a public hearing. Anyone who would like to testify? Seeing and hearing no one, let me ask the clerk if anyone's called in.

[03:00:07] There are no callers. No one has called in. I assume the applicant waives rebuttal. Closing comments and a recommendation from county staff. On April 24, 2024, the Planning Commission recommended approval of the application and the requested waivers and modifications subject to the proposed development conditions dated April 11, 2024.

[03:00:27] Staff concurs with the recommendation of approval. Thank you very much. Any final questions from Board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Smith for a motion. Thank you, Mr. Chairman. I request that the applicant confirm for the record their agreement to the development conditions dated April 11, 2024.

[03:00:47] Yes, on behalf of the applicant, I will agree with those conditions. Thank you. Thank you. I move that the Board of Supervisors approve SE 2023-SU-00030, subject to the development conditions dated April 11, 2024.

[03:01:04] I also move that the Board of Supervisors approve the modification of the zoning ordinance off-street parking setback requirement from an enjoining property in a residential district from 50 feet to 44.1 feet as shown on the SE plat. And I also move that the Board of Supervisors approve the modification of the zoning ordinance fence height requirement in the front yard from 4 feet tall to 8 feet tall as shown on the SE plat.

[03:01:28] You've heard the motion. I'm happy to second that along with Supervisor Palczyk. Any discussion on the motion? Supervisor Smith. Just briefly, the dog stop opened with the inside without having the use for the outside because we had to go through this process. It is a great reuse of what used to be a child care center, very clean, very welcoming to people and pets, so I'm very excited for this.

[03:01:51] Thank you. Thank you very much, Supervisor Smith, for that. 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. Thank you. Thank you. Our next two cases are being deferred for the same reason that was mentioned earlier related to notice and the first one was a public hearing on SCA 2015-MV-003 Claudia C. Tramontana and First Year's Learning Center LLC in the Mount Vernon

[03:02:27] District Supervisor Stork. Thank you Mr. Chairman. I move to defer the public hearing for SCA 2015-MV-003 to 3 30 p.m. on June 25th, 2024. You've heard the motion. It's been seconded by Supervisor Lusk. 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. Next up is another one to be deferred. Public hearing on RZ 2022-DR-00007 Dulles Center LLC in the

[03:03:05] Dranesville District Supervisor Behrman. I move that the Board of Supervisors defer the public hearing for RZ-2022-DR-0007 to a date certain of June 25th, 2024 at 3.30 p.m.

[03:03:24] You've heard the motion. I'm happy to second that along with Supervisor Smith. Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstention?

[03:03:37] As that motion carries, that brings us to our next case, which is a public hearing on PCA 2011-PR-023-04, CDPA 2011-PR-023-03, RZPA 2022-PR-00115, City Line Partners, LLC, in the Providence District, and can we please reaffirm the affidavit?

[03:04:06] Thank you, Mr. Chairman, members of the board. My name is John McGranahan. I'm the attorney for the applicant. I reaffirmed the affidavit dated May 1, 2024. Thank you very much. Disclosures from board members. Supervisor Beerman. Albert H. Small Jr. has donated in excess of $100 to Jimmy Beerman for supervisor.

[03:04:27] Thank you. Supervisor Beerman, are there any other disclosures? Seeing and hearing none, I will now recognize county staff for a presentation. Thank you, Mr. Chairman. I'm sending in with the Department of Planning and Development. I'm joined by Tom Fleetwood, Anna Shapiro with the Department of Housing and Community Development, and Susan Timona with the Office of the County Attorney.

[03:04:50] The 2.92 subject property, identified as Arbor Road Block C2, is part of the larger Arbor Road development in Tyson's. The site is located between the Mather, a continuing care facility, and the Monarch, a high-rise condo building.

[03:05:08] The surrounding uses are shown on the slide. The applicant is proposing to change the approved office use to permit a 23-story residential building containing approximately 269,000 square feet of residential use with up to 240 dwelling units and 8,500 square feet of ground floor retail.

[03:05:29] The site design also includes 1.76 acres of urban parkland at the rear of the building. The park spaces within the Arbor Road development are designed to connect with each adjacent park space to create a cohesive park system.

[03:05:48] This is a prospective view showing the proposed building and the surrounding development. While reviewing this application and as described in the staff report, the most prominent issue remaining unresolved in this application is the provision of workforce dwelling units for this site.

[03:06:08] With the residential development in Tysons, there is an expectation for applicants to provide WDUs, and the preference is for those units to be provided on site. While cash contributions in lieu of providing WDUs are not preferred, the comprehensive plan does allow for a cash contribution to be provided instead of on-site WDUs or for WDUs to be provided off-site but within Tysons.

[03:06:38] The applicant is proposing flexibility to be able to provide WDUs off-site and or a cash contribution. With the off-site proposal, the WDUs are proffered to be within the Tyson's Urban Center with the county's discretion to approve and accept the units.

[03:06:57] However, staff has several concerns with the applicant's off-site WDU proffer on how the proffer will be administered since there is still a lack of clarification and there are gaps in the process of providing off-site units. Also, the cash contribution does not fully meet WDU policy.

[03:07:17] The applicant has proffered to a fixed contribution, which is approximately $4.5 million in two installments to the Housing Trust Fund with an escrow and totals not to exceed $4.88 million. The applicant's proffer is artificially kept at a value that staff does not believe matches the policy.

[03:07:38] And the staff continues to maintain that the contribution should be based on 3% of the total contract sales price for each market rate unit within the building, as stated in the WDU policy, to fully address the affordable housing need generated by this development.

[03:07:56] That concludes my presentation. Thank you. Thank you very much. At this time we'd welcome an applicant's presentation. Thank you, Mr. Chairman and members of the board. My name is Lynn Strobel. I represent the contract purchaser in this application. And as staff continues to recommend denial, I do have a brief presentation I would like to share with you.

[03:08:20] So the proposal that is before you this afternoon is on block C of Arbor Row. And you may recall that Arbor Row was rezoned to the PTC district in 2012. A lot has happened since 2012, especially with regard to the office market.

[03:08:39] We've had some different evolutions on this site. The building that you see here that's referred to as the Monarch was originally a hotel. That became a residential building. The property on the other side of this parcel is the Mather, and you may recall that that became a continuing care facility.

[03:08:58] So this has evolved over time. The site we're discussing is right between those two uses. And what we're talking about today primarily is a change in use from office, retail, unused retail, to residential and retail.

[03:09:14] and I just want to note that I think maybe one of the more impressive parts of this application is the open space and I'll just go back for a moment we are providing a very significant park space that connects to both of the adjacent properties and it's really going to you know complete this block it's really going to implement the Tyson's vision and this is what the site looks like today we've got some existing conditions and what you're looking at almost is kind of a no-man's land between those two existing

[03:09:53] buildings now and this is what it will transform into and again this is an amenitized urban park that will benefit not only the residents of this building but it will benefit Tyson's as a whole much of it will be public and it will be an opportunity for all people to be able to use it. We have stairs. We also have an elevator to make it accessible. So we do believe that this is going to be a great amenity to Tyson's.

[03:10:25] The architecture is also of the quality that you would expect in Tyson's. It is a well-designed building. It fits in with the other buildings next to it and also throughout Tyson's. We also have retail that's going to activate the street and i think that if i don't want to put words into staff's mouth but i think that with regard to these aspects of the proposal including the use and you know the open space that exceeds all requirements i believe that staff has no objection

[03:10:58] to the proposal in that regard so really what it comes down to is the proposal for workforce dwelling units and i do want to spend a minute on this and i'd be happy to answer any questions because i know this is a unique proposal um we propose a cash contribution and the reason that we're doing that is because we need to make sure that the people who are able to live in this building can continue to live in this building there will be condominium fees we think that

[03:11:31] that might result in unaffordability and so really our challenge was well what can we do looking at the comprehensive plan to provide a cash contribution because that is allowed that is something that not favored but is allowed in accordance with the plan the first hurdle that we had is that we had to work with staff and they had to acknowledge that this was a unique circumstance that warranted consideration of a cash payment and we cleared that hurdle so we began a lot of discussions with staff with members of hcd you know trying to work on something that would make

[03:12:09] both sides happy if you will and i think that we've come close um in the work that we've done clearly we're not a hundred percent there but i think we do have a workable solution that makes economic sense um so the issue i believe that staff has is that it states in the plan that three percent of the total contract sales price for each market unit in the building would be payable at settlement to the housing to the housing trust fund the reason we are unable to do that is because the developer of this building has to go out and get a loan and be able to finance this building

[03:12:48] in order to get financing he needs to have an outside number of what this is going to cost he has to be able to tell his lender that this is my maximum exposure and so in doing that we started to work with staff to see what is a reasonable number we came up with a possible total payment at the end of the day of over 4.8 million dollars and that represents 1025 dollars per square foot so the question becomes how did we get there ultimately we looked at the sales prices at

[03:13:24] monarch because that is the most recent sale that is a you know a luxury building if you will very nice and so we determined that the average sales price per square foot was 849 dollars we then increased that by cpi for four years and we came up with about 950 dollars per foot and that became the proposed escrow of about 4.5 million dollars the housing authority said well what if the cost or the price of the units goes up you know we've been in a good market maybe it goes up more than

[03:14:01] cpi it could also go down and they acknowledge that we've got very high interest rates we've got high cost of construction maybe the ultimate sales price is less so what we did is we said well we will establish an escrow that will take it from 950 to 1025. That escrow will be held by the county. So in the interim, when 50% of the market units are sold on this property, we will take a look at that average sales price and determine what I've called the actual contribution. So at

[03:14:40] end of the day we will be able to pay the nine hundred and fifty dollars per unit or if the price is more we can go up to a thousand twenty five and that would be we believe consistent with the wdu policy we have come a long way with this proffer i will say that we started off looking at possible off-site

units not in tyson's we have limited at that to only off-site units in tyson's if the developer is able to find off-site units in Tyson's they can propose those in

[03:15:15] lieu of a cash contribution that's a way to address the desire for actual units instead of cash and those units would have to have the approval of the how of the housing and community development so it would have to be approved by Fairfax County for those off-site units to be accepted so with that I will just sum up by saying that we have a very complete proper package I will note that you did get some proffers today there are it's a very small change what was proffer 84 g has been broken up

[03:15:51] into g and h and we have done that to hopefully clarify it a bit we added the words off-site and we changed a may to will so not a lot of change but i do want to point that out the rest of the proffers i think you'll be very familiar with it includes green building practices electric vehicle charging bird friendly design noise attenuation all those things that you would expect we've got contributions to parks and schools as i mentioned we've got 1.78 acres of

[03:16:23] urban park when only 0.74 acre is required we also have you know what you would expect with regard to transportation and landscaping and amenities on site so in conclusion i would say that that we believe this proposal completes arbor row including a significant park it results in a vibrant block that will meet the goals and objectives of tyson's if this residential building is not developed if this does not get approved unfortunately this site will remain vacant it is approved for office it

[03:16:58] probably won't be developed for a while it's not very attractive today it's visually unattractive and of course it will not be generating the optimal tax revenue for fairfax county what we're proposing is a cash contribution that could go as high as almost five million dollars which i think would be the highest contribution made to date to the housing trust fund and will really replenish their coffers after the housing trust fund has made investments in tyson's so we really think that this is an opportunity to address a real concern regarding condominium fee increases and the possible imposition of special assessments of the condominium regime.

[03:17:36] I will just note that at Monarch, they've already gone up. At Monarch, the condominium voted that they would like to have valet service, and they also wanted the pool to be open later. That costs money, and they've already increased their condominium fees by about 18%. So I think that's our concern, and that's how we believe we're addressing the concern, is to be able to provide a meaningful contribution so I would be happy to answer any questions I will say that this does enjoy the recommendation of approval from the Planning Commission and I would ask for your favorable consideration thank you for your time I know it was a little lengthy but I think it's an important issue

[03:18:15] thank you thank you very much at this time are there questions of staff or the applicant Supervisor Palachuk thank you mr. thank you mr. chairman yes I appreciate the applicant's explanation of why they are providing proffers that are not fully in compliance with the with the current policy the WD policy if we could hear from our staff the housing office of I think some of the points that were made so number one on why they are not able to meet the policy

[03:18:55] number one is it why there are concerns with the amount that's being included and then should they choose to go with a cash proffer I know that that would use there about 20 points just on the WDU policy so this is just on the if they choose to off-site and to provide a cash contribution in lieu of the units if staff could just describe their concerns with what is being proposed

[03:19:25] mr chairman tom fleetwood with the department of housing community development um there are a number of concerns that we uh that we do in fact have um i will you know i do wish to start by acknowledging that progress has been made with respect to the structural aspects of the wdu proffers in this respect uh but we are concerned uh you know first and foremost we are not having it does not appear we'll have units delivered on site which is as you know always our preference

[03:20:03] in this particular case we came to the conclusion that there were that there were unique circumstances that would allow us to consider a cash contribution we remain concerned about the about how the cash contribution is calculated and whether or not it is sufficient to what we anticipate will be values out in the future when this project is delivered I will at this point turn to my colleague Anna Shapiro to add on to my comments Anna Shapiro the Department of Housing our main concern was that the the policy

[03:20:42] is written in such a way to really take advantage of the full value of the units that are delivered so that the actual value is understood when the payments are made to the housing trust fund that has always been the case and the idea of the escrow was made so that it had some of that spirit but we do believe that there is still value in the project that will not be captured and and that the both the time as well as the the potential value of a of a luxury development thank you thank you and if I could do just a follow on it I'm having a hard time hearing I don't know if we could raise their volume a little bit

[03:21:17] might just be me in the day if having heard that and I know we I think I have gray hairs just from this application could you share with us a little bit with the latest proffers while I know Mr. Will shared that they're very minor the very lot the last ones we received now but I know we've gone through quite a few iterations of both the on-site and the off-site proffers and if housing could share with us a little bit of what are some of those guess on the on the positive the improvements that have been made while you may not be a hundred percent comfortable and I'll be clear there's a very unique situation and we're

[03:21:53] not talking about the full policy but for this application if you could share was at some of those improvements that have been made to the WDU policy especially since the Planning Commission hearing and how hopefully those will will help with the implementation of this project let's say principally supervisor politic that the the work that was done on the proffer with respect to the development of agree of an agreement relative to administration for for the units additionally since the Planning Commission heard the case the

[03:22:30] ability for the Department of Housing to review and assess the the the off-site units in a whole depend no matter what the year is was an improvement thank you I appreciate that sorry and I'm trying to read my other is more of a question to something that that you mentioned miss strobel I'm looking at an email we received from a resident of the monarch so you alluded to your concern being

[03:23:06] over possible increases in condominium fees and alluded to the fact that the monarch fees have gone up because they're looking for services such as valet parking and keeping the pool open longer. That is not what the residents are saying. Because I want to see if you have more information. No, I was not aware that they weren't saying that. This is what I've heard uh from someone who is on the board so okay so so i hear that i would say it will be important as

[03:23:41] the condominium is created and built out um that there is adequate staffing that the architecture um is appropriate and that there are no no outstanding issues so i just want to you said that i know i was wondering where you got that information because we've been hearing a few different things

from some of the residents there I know that a representative of my client remains on the board is my and it was my understanding from him that that's what the board had approved so I apologize if that information is not accurate we'll look into that okay so yeah it seems

[03:24:19] making sure that there is the expectation management that it's clear what is being provided with this condominiums and the services in addition to the amenities I would ask that that be very much attended to by by your client absolutely okay thank you I think for now that's my final question I know quite if you came up with the PC and I think my my colleagues may have additional questions other questions for staff or the applicant supervisor Alcorn thank you very much mr. chairman so Lynn as you know I was involved in the development of this policy and in 2016 as a private citizen not as a planning

[03:24:57] commissioner, not as a board of supervisors member, I was asked to help deal, help come up with a solution to for sale condos in Tyson's specifically. And at the time we did assemble a group of folks from various stakeholder groups, including industry representative, housing advocate, you know, sort of the range of folks. And we understood that there was a concern that

[03:25:31] the existing policy was not a good fit for for sale WDUs in Tyson's. So we brought down the percentage expectation. We provided flexibility on whether they could be rental or whether they would have to be for sale WDUs. And we also, and this was the most controversial, was that buyout. And ultimately, the task force recommended and the Board of Supervisors approved a 3%

[03:26:07] buyout. And I believe, if I remember correctly, it was because Montgomery County used a system that way, although their system is different in many ways. In that situation, that was the analogy, but there is language, and it's been referenced several times, that the buyout cash contributions are not desired, and that they talk about cash contributions as a rare

[03:26:39] event, but there is that 3% cash contribution when conditions are met, consistent with what's When do you plan on moving to construction, or does your client plan on moving to construction for this project?

[03:27:00] I think they would like to move forward as soon as they can. They would have to get a site plan approved and go through that process. But I think their hope is that they would be able to, you know, commence construction. And I'll use a ballpark figure, because we don't know, by about 18 months or so.

[03:27:18] So it would be in the foreseeable future. Has your client proffered to any date for moving forward five years? I mean, 18 months would be, sounds great. You've not proffered to that, though, right? Have not, because, as you know, unexpected things happen, and we are dealing with issues today of interest rates and cost of construction that may influence when we're able to start.

[03:27:46] Yeah, I guess that's my concern with the cap on the 3%, because in 2016, when I did this task force, the price per square foot was assumed about $650 per square foot.

[03:28:02] You mentioned with the Monarch, it went up to $849, and counting CPI, you're assuming $950. But your cap is basically $1,025. Your client has other projects I know they have not moved forward with, including one in Hunter Mill District that was approved six years ago and hasn't even, you know, there is no site plan that's been submitted.

[03:28:30] Basically, this cap is not part of our, it's not anticipated in the comprehensive plan. And it sets up a situation, if your client doesn't move forward, the value of that contribution will likely, assuming we

continue to see escalation in housing prices, will likely decline over time.

[03:28:50] So is that anything you considered? It is but I mean, I think that we were trying to be realistic in what we believe at this time My understanding and I appreciate I know the building you're referring to in your district that has WD use in the building And my understanding is it that he has not been able to get that finance because of some of the issues Associated with that and I don't know all the specifics but with a real Limited amount that you can sell units for and with the expense of this type of construction I will give you an example. I am familiar with and that's at monarch

[03:29:29] We do have eight WD use in the monarch it is interestingly enough the only for sale WD use and Tyson's all the other buildings as you may recall Like for example with verse they put their WD use into the for sale into the for rent buildings So the WDUs at verse are embolden and rise.

[03:29:50] So my client has provided the only for-sale WDUs in Tyson's. We worked really hard on that proffer, which was before your task force. In fact, that application resulted in the task force. But when going through that project, one thing we discovered, it was difficult to find off-site WDUs, but also it's the cost.

[03:30:14] And, in fact, when we offered these units to the housing authority, we had in the proffers that parking was excluded, that that would be extra. The housing authority pointed to their policy that said, no, it is a part of the sales price. And my client ended up agreeing with that, saying, okay, but that cost him another $340,000 because of the cost of the parking space that he didn't anticipate and wasn't in his pro forma.

[03:30:41] So, I mean, I think that this is, you know, a situation where we have done the best we can, given the parameters of the policy and what our knowledge is today as to when we expect that we can construct this project.

[03:30:59] The monarch has been successful, and the Mather has been successful, and I think for those reasons, we believe that this will go forward in a timely manner. Okay, well, thank you, Ms. Droble. I guess perhaps it's that description that you said about the monarch.

[03:31:16] Maybe that's why. I'm sorry, the description of? Of the monarch. Maybe that's why we only got eight WDUs instead of 12, as we anticipated when it came to this board of supervisors. There's not a good history here, frankly, on WDUs.

[03:31:31] I know this is hard. It's hard. It's very hard. I know this is hard, but, well, I'll just say this is not going to sneak up on me again. No, but I. This is on my radar. Okay. But I think that the other thing we're very concerned about is condominium fees.

[03:31:47] And that's one I don't know how we solve because condominium fees go up, and there can also be special assessments. And what happens when you have someone who can afford to get into a unit, but as condominium fees go up, it becomes unaffordable. And then they haven't built up a lot of equity.

[03:32:04] They have to sell the unit. They only get half. It just is a tough situation that I don't know how to solve. It is tough, but that has nothing to do with the 3% cap. That's a completely separate situation. But I appreciate what you're saying. Thank you. Other questions? Supervisor Stork.

[03:32:23] And I want to drill down a little bit more on the 3% cap because I really didn't follow the logic of that. So first off, I want to ask staff, are we familiar with any other situation like this where the 3% cap

was going to be done through essentially a cash ceiling?

[03:32:49] Supervisor Stork, I'm going to try to answer your question. In Fairfax County, I'm not aware of a residential situation. I will just, taking a step back, note that the 3% was derived from Montgomery County's policy originally and was modeled after their policy.

[03:33:05] I will turn to my colleagues here to ask if they have any other comments. I'll just add that we, this is Megan Van Dam from the Department of Housing and Community Development. We have spoken with Montgomery County planners, and they have been able to implement that 3% and move forward residential developments with that contribution amount.

[03:33:30] You may not know, but I'll ask the question regardless, and that would include any financing that's related to those particular projects? I mean, I assume if the project went forward, they somehow or other found financing organization that permitted that 3% as part of the calculation.

[03:33:49] supervisor stork we can't speak to that specifically i do apologize that may be somewhat rhetorical but still that i guess the point i'm making is that somehow or other the projects went forward so and so with this i'm trying to understand the same thing is is mr w you talked about that they could not put the financing together yet we all know the the unit costs very dramatically i mean the expectation that we've had really and i don't know of anything that's that's likely to change that regrettably is that housing prices are going to continue to go up and obviously the value of those units will continue to go up there's there's associated

[03:34:27] costs with that whether it's you know fees to to transact it or fees to pay somebody to market broker it etc i guess i'm still trying to figure out how is that why is that a limiting factor i mean i that's what you asserted but i don't i don't understand it i i just i just don't imagine that it can be true i guess so i am not a finance individual but i will tell you that in working with my client who does work with banks to build buildings like this in fairfax my understanding

[03:35:01] is that when you're working with a lender that you have to provide the maximum amount of exposure because that's going to be the maximum amount of the loan they have to have some comfort with that supervisor harry is not nodding he probably knows more than i do about financing but um so that's why we had to have some certainty in this process and i think that we try to do the best we can i will note that you know i appreciate that there's a cap but we have you know increased the amount of what monarch has sold for which has just been in the last probably year and a half two years

[03:35:40] very recent and we've increased that by cpi for four years that we think hopefully all things being equal we certainly will start by then and provided an escrow to take it up to a thousand twenty five looking at what the actual sales prices will be in this building so i think that we have done the best we can to give comfort on the amount but also providing that cap that we need to get financing for the building all right I have a finance background too and it's I I have a hard time understanding how that couldn't have been worked out in some way given all the other variables that your client is

[03:36:19] in the lender are facing particularly in a market that we have where the prices have not been going down they've been going up and the net present value of what we're talking about is probably you know fairly low compared to when it black these units will actually be so that's my concern is that we're really not achieving what the policy set out to achieve so thank you thank you uh supervisor harry i was

just gonna echo on that that's the problem prices keep going up if there's no upper limit there is no upper limit to the financial uh requirements that they're gonna have i mean you're right if

[03:36:54] they were going down it would be easy but anyway mr chairman uh yes mr fleawood thank you mr Mr. Chairman, two points, if I may. Number one, I neglected to mention in talking about sort of the genesis of the 3% that as part of the process that we went through in identifying that as an option under Mr. Alcorn's leadership, at the time we did have our consultants working on it and it was vetted and it did work in our analysis at that time.

[03:37:30] With respect to Mr. Stork's question, I think we'd like to speak to it briefly from the perspective of the FCRHA as the local housing finance agency. And I'll turn to my colleague, Ms. Shapiro. Thank you.

[03:37:45] Anna Shapiro, Department of Housing. The important thing to remember is that any development has a number of unknowns. And those are, you know, basically estimated to the best of any developer's ability through their performa modeling. And every bank is going to look at them all very critically.

[03:38:01] And so what we had expected was, and that we'd expect from this 3% policy, is that the development team would estimate that, give it a conservative view, and the bank would be able to compare the value of the units as presented to them in the final financing so they can make the construction loan in order to then say that is the appropriate contribution that they think will be the case and then potentially give it a cushion if necessary.

[03:38:25] Thank you. I would note, and I had talked to staff about that, if we try to put something up that's a lot higher than the loan we actually need, well, you say, well, you can get that money back, but you're paying interest on that for as long as you've got that loan.

[03:38:42] So it really would be a financial issue to try to increase the amount of the loan beyond which you think you need to address this issue. So I think that there are you know, some issues with that approach as well Okay, any further questions at this point? It will be another round. Okay. Thank you Supervisor Patrick and I and I know and we we will continue to push on the need to provide these units But just because I want to make sure we do have this balanced approach I was hoping that the housing staff could share with us one of the other

[03:39:21] issues we have in Tyson's is that so many of the units are being proposed in in rentals Correct, and I don't know if this has been fully decided whether it'll be rental or for sale But because we're discussing the for sale policy if you could if someone has for us the Information of do we have the total number of for sale WD use that have been proffered and or provided to date Are you so excuse me? Are you saying are you talking about in Tyson's in the Tyson's yes urban center?

[03:39:59] We'll have to we'll have to get back to you on that. There are eight I can I can assure you that we looked at that and I don't have it. I didn't put it as a part of my presentation, but we did look at that Statistic as we put together our presentation. Okay, I guess on a separate note We're not talking about exact numbers. I appreciate that from the applicant from staff if you could just share with us I guess maybe more anecdotally the need for for sale versus knowing we need all of it but that we've received I assume quite a bit more of that in rentals and we have it in for sale at

[03:40:35] this time can you elaborate a little bit I just want accurate information if I understand the question you know what what we're looking for here is sort of a comparison between what we think the

need is for ownership relative to to the need for rental. And what I can say about that is that based on the work we did in our housing strategic plan several years ago, we didn't really differentiate between rental and

[03:41:08] for sale. That being said, clearly we would like to see substantially more for sale affordable in the Tyson's Urban Center. So we can try and get more information for you relative to numbers of what's been proffered as opposed to delivered uh but we uh we'd like to get back to you on that okay and i believe at least the 800 that are currently under construction um in our two large projects are all rentals correct that's that's correct i think that currently in tyson's there

[03:41:42] are existing i think about over 800 828 rental units um that have been provided rental but very few for sale because it's hard to do and that's unfortunate but we have to find a solution i don't disagree with that. Appreciate that. Thank you. Okay. Uh, at this time, uh, we are going to, uh, have our public hearing and I have no speakers who have signed up in advance to testify on this matter. Is there anyone present who would like to speak on this subject? Anyone present who would like to testify? This is a public hearing seeing and hearing no one. Let me ask the clerk if we

[03:42:17] have anyone who has called in. There are no callers. Okay. Um, applicant waives rebuttal. Um, At this time, closing comments and a recommendation from county staff.

[03:42:37] On May 15, 2024, the Planning Commission recommended approval of the applications. As stated in the presentation, staff does not support the applications because the WDU proposal is not in conformance with the WDU policy and does not fully address the WDU need generated by the application.

[03:42:55] Thank you. Thank you very much. Further questions from board members? Any further questions from board members? Supervisor Lusk. i apologize mr chairman i'm just thinking out loud um i know the borough has a for sale component how did it get handled what was the process by which they dealt with their contribution or did they actually provide individual units megan van dam with the housing department there there is a rental component within the borough as well and so they were able to transfer their

[03:43:33] for sale their for sale commitments into the rental product thank you very much okay any other questions supervisor beerman so we've heard a lot about the challenges of wd for sale wdus and obviously this is taking us outside of the the policy but one thing that i heard a big discussion about was the 3% cap on off-site contributions. So the question is, is that

[03:44:12] something that we should be considering as a change to the policy, and is that among the considerations in changing the policy? Because I know that we've talked about three weeks ago about, you know, how the WDU policy may be updated at some point in the near future.

[03:44:32] Is that something that's under consideration? Mr. Fleetwood. Supervisor Bierman, the amendments related to the WDU program that will be coming through are aimed in the main at addressing the incomes that are served under the program.

[03:44:54] The current recommendations coming forward do not contemplate a change to the tyson's policy that was developed in 2016 can we add that as a consideration? At some point, so that is something that is being looked at by ourselves and my staff one of the things We'll be tracking this this was made clear sure this isn't that I'm gonna discuss it a little bit more later But this is one application before us sure

sorry be very no no no. I just want to be very clear that this is does not impact the policy this is this one specific application

[03:45:32] which we look at as we do any other application in the balance they have complied with the majority of the proffers that are within the the Tyson's urban center area the WD one as you heard it has been difficult and it's in a challenge especially for for sale so yes okay absolutely something tracking monitoring uh i want to i guess clarify that's gonna be my follow-up question from staff that this um uh should we approve the proffers with this one that they do not impact future applications

[03:46:07] or the policy the wdu policy here supervisor palachick our view is that this should be non-precedent setting because of its very unique nature particularly with respect to it being essentially a change from an office use to a residential use, number one, as well as the extremely high-end construction that we understand will be delivered.

[03:46:37] Okay. Any further questions? I appreciate that last one because we are not changing our policy here. Staff recommended denial. Based on the policy, what we're being asked is this is a nuanced situation.

[03:46:53] In this one instance, do we want to approve this application with the commitments that have been made? But no one should be construing the action of this board on this particular case as a precursor for what would happen on the next case. So I appreciate that being presented the way that it was.

[03:47:12] Any other questions? Yes, Supervisor Belcher. I apologize. I know because I watched this be answered at the Planning Commission. But if staff could please address for us how the, I believe there were some outstanding issues regarding the connection of the Linear Park, which is a major asset of this.

[03:47:29] Could you please express to us what efforts have been made to help address those concerns in the application? This is Sunny. I'm with the Department of Planning and Development. So for the trail connection, the applicant has proffered to secure the necessary easements and complete any improvements necessary on the adjacent property to facilitate this connection.

[03:47:57] However, in case the easement cannot be obtained or for some reason, the applicant will not be able to construct the trail connection, so staff would like to see the applicant to commit for escrow in that case.

[03:48:13] and also staff is trying to see if they can provide a commitment on the timing of delivery of that trail, which is still lax in the proper. That's the primary concerns, but they already agreed to provide that, to obtain that easement and make that construction.

[03:48:34] Thank you. - Excellent, so if I heard you correctly, the concerns have been appropriately addressed from the applicant's side. while they have agreed to obtain the easement, but in case it's not, it cannot be obtained.

[03:48:52] So it's preferably to have a escrow being held so that the others may be able to construct it. And also it still lacks a timing on when this trail connection will be delivered.

[03:49:08] Thank you. - Does the applicant have further response to that? I know this was a large part of the planning commission conversation. would just note that there are two trail connections and for one of them we do in fact have an escrow that is the one to the property that is behind tyson's tube if you will and then the other connection we believe that we have provided a sufficient easement for that we were just trying to you know make sure that if there's anything that does come up that we wouldn't be

[03:49:45] be held to that we've shown an alternative in our plan but clearly this area will be open to the public and accessible to the public and I don't think that whether that particular connection is made or not will change that so we've we've I think done a good job as best we can on that issue could you address the timing issue as well what is the current timing for the park excuse me those connections will be made with the

[03:50:24] construction of the building in the park at time of site plan we'll make sure that we've got that squared away and they'll be provided at time of building construction that's it okay thank you thank you okay if there's no other questions at this time I will close the public hearing and I would recognize supervisor Palchuk for a motion thank you mr. chairman but first of all very much want to thank Sonny and Marianne and Suzanne and the entire staff for the HCD staff many many hours on this one many months on this one and I want to

[03:51:00] thank the applicant for their work on we're trying to improve the proffers even to the last minute today so I this has been a tough one it's I try to be brief because we've had so many questions today but I want to make sure we understood the complexity of the issues while this is not a well I will call this slightly imperfect application I do believe that it brings a balanced approach as was mentioned to the Arbor Road development it is a very complex and I want to reiterate unique application it is the condition of sale

[03:51:38] between the buyer and the seller on this site has made it complex they're repurposing and creating a high-end luxury product with the interconnected development and the both, I think, benefits, but also the challenges that that brings for the community and for the development. I do believe that there is a great amenity being provided on site with the urban linear park, which is something we do not often get in the urban area, especially in Tyson's, and that will be an amenity not just for the residents of that one building,

[03:52:15] but for the whole community along here. It also creates a very interconnected space, which is something we hear often about pedestrian connectivity between all the different sites and neighborhoods that are popping up.

[03:52:31] I think there was a recent conversation about this. We have the borough here. You have Arbor Row, Scott's Run, the Mall, Capital One, and how do we start to see more connections between those in the intermediate conditions? before the conditions are finalized um as was mentioned this was approved by the planning commission eight to one to one um and there are still as was mentioned outstanding questions and i appreciate supervisor bierman bringing up something that we will continue to work on decided not to make it a follow-up motion but rather that we continue to study this with staff

[03:53:08] number one to follow how units are created and how the wd policy is implemented how this is a non-president setting application we have again an imperfect policy but one that it was created in good faith and to try to address the many challenges both of the county and the community end of the developers who are the ones building the sites here in Tyson's and so we will continue very much to monitor that and as we see necessary to look at possible improvements I will mention

[03:53:47] one of those is understanding the impact of these proffers and as we create very individual proffers I know that there are 92 proffers and probably at least 20 of those related to the WDU policy here. I want to understand the burden on the county staff who need to track that and ensure the implementation

of those proffers, which is time taken away from creating new and additional housing. There have been numerous meetings and discussions, I think dating back to last

[03:54:20] November, right up to today, with two parties in addition to the county. And while it again is not perfect. It will be providing on the affordable workforce unit site approximately 22 to 32 units within the urban center. And if they are turned into cash, a $4.5 to $4.8 million cash contribution that the housing authority will be able to leverage for additional units.

[03:54:53] And very much increasing the availability of housing. We know this area of Tyson's, especially as office has very much changed even before the pandemic is turning into a beautiful mixed-use community, both for all ages as well as for seniors with the Mather being delivered and the connections to the existing malls and to other areas of Tyson's. So to that, again, very much want to thank all who've been involved. I want to thank everyone for their

[03:55:27] patience I apologize I'm trying to find my motion now and definitely want to say that it has been a challenging process but one that I believe in the end has brought us to the best possible outcomes give me one minute we have so many proffers in front of me that my motion is no longer here. Okay. Hopefully this is the right one. All right. So Mr. Chairman, I move that

[03:56:06] the Board of Supervisors approve the right one PCA 2011-PR-023-04 and CDPA 2011-PR-023-03 subject to the executed proffers dated May 21st or 20th 20th 2024 I move that the Board of Supervisors approve a modification of subsection 5100.2.c5 of

[03:56:44] the zoning ordinance to allow a parapet wall cornice or similar projection to exceed the height limit established by more than three feet you've heard the motion and the second discussion on the motion any discussion on the motion supervisor store I greatly appreciate the work that's kind of this and the difficulty of putting this together and particularly Supervisor Palachuk I know all the different elements that come together to try to put something like this together I can't get past the 3% and I don't buy the logic I don't think

[03:57:20] it's sound I think it's I think we're it's an opportunity for us to honor the policy that we set i think those dollars are needed i think we need to continue to hold people accountable and expect that they will meet that and therefore i cannot support this as it's currently done thank you any further discussion supervisor harry yeah interest rates and rising material costs have dramatically changed the market and uh and what we're able to get done i mean it's it is it's been a big change i hear it from the the projects moving forward in my

[03:57:57] district. I think everybody on this board can agree that one of the ways to solve the affordability of housing crisis is to build more housing. Ironically, but not a surprise, that our affordable housing and workforce housing policies and requirements are getting in the way of actually building more housing. I want to thank the applicant for their persistence in pushing through and trying to get the additional housing built. I think we need to go past this and look

[03:58:33] at all of the the wonderful requirements because they are but we can't get everything all the requirements that we're putting on our on our our projects as they move through everything from urban parks which i'm having trouble with a couple of my uh my uh and there's a beautiful urban park in this that i'm sure wasn't cheap um but uh but we need to look at all of those if we're going to solve the

affordability of housing uh in in our county uh i'm obviously i second the motion so be supporting the motion supervisor alcorn thank you these are going to be uh high-end high-end

[03:59:10] condos these are not going to bring down the price of housing in fairfax county i'm afraid supervisor harry that's not going to happen but because of the wdu problems i will be abstaining on this vote thank you supervisor alcorn and i'm going to recognize some others but i do want to respond to one thing because clearly this isn't in the way of building housing we have an application before is to build very high density housing in Tyson's Corner. There's a lot of housing in this county being built, not in all districts and not in all parts of all districts, but there's a lot of housing being built in this county. So I think it's disingenuous to suggest that our affordable

[03:59:48] housing policy is preventing housing from being built. Maybe it's the way we zone some properties in the county that prevents that. Supervisor Walkinshaw. Thank you, Mr. Chairman. You know, Part of the irony in Supervisor Herity's comments, one of the reasons there's such demand to build this high-density housing in Tyson's is because of a policy that this board supported, the construction of the Silver Line, that you opposed, Supervisor Herity.

[04:00:20] That's why this housing is being built here at the density that it is. Mr. Walkenstall has the floor. This is a difficult case, obviously. I think we've surfaced some challenges with the for sale WDU policy in Tyson's.

[04:00:40] I think the question for me is, are we getting as much as we possibly can while bringing new housing online? And I know that Supervisor Palczyk, I don't know that there's anyone on this board who's as passionate about delivering affordable housing as she is.

[04:01:00] I know the work that has gone into this, the difficult negotiations that have taken place. On this one, I'm going to trust that we've gotten as much as we possibly can. I don't want to risk this housing not getting built and our not getting the $4 to $5 million into the Affordable Housing Trust Fund because that is a real risk here, so I'm going to support the motion.

[04:01:23] Any further discussions? Supervisor Herity. I want to correct a complete misstatement that Supervisor Walkinshaw made. I never voted against the silver line. What I did do with the silver line was push that it be competitively procured because there was never a competitive procurement on it.

[04:01:40] Yeah, you tried to block the project. No, I did not. There wasn't a single vote. We're going to stay on subject. I asked that it be competitively competed, period. We're going to stay on subject. At some point in time, it would be interesting to see how many housing units have been built in each magisterial district in the last 10 years.

[04:02:00] Just a point of information I'm going to be seeking after this Supervisor Behrman I'm going to concur with a lot of the comments of my colleagues, especially Supervisor Walkinshaw talking about trying to get as much as we possibly can out of a project And I'm going to also defer to Supervisor Palchek that she worked very hard on this

[04:02:27] I will comment also that, again, our WDU policy didn't stop us from not approving the McLean Professional Park redevelopment just several weeks ago in my district. It hasn't stopped us from approving lots of development all over the place.

[04:02:46] Our affordable housing policy has us delivering on we're trying to get to 10,000 units by 2034. And yes, there are other factors as well that will allow us to provide more housing in this county. So I am going to support this.

[04:03:04] I'm also going to ask that, you know, this isn't precedent setting. This is a unique situation. It's a high end, high rise, which comes with certain construction costs. That being said, you know, I think if anything precedent that this sets is that we should continue looking into these things.

[04:03:26] including the 3% cap, including our income levels for WDU for sale units, including everything that staff is already doing, and I appreciate that as well, and I will be supporting this application. Thank you.

[04:03:42] Thank you, Supervisor Bierman. I, too, am going to support the application. I appreciate a lot of the comments that have been made. I do want to make it clear, though, that staff is right to recommend denial of this case because measured against the policy, it's not meeting it to the exact letter of the law.

[04:04:03] What this board is responsible for doing is something larger than that, which is recognizing that in the real world at this time, given the nuances of this application, does it meet the spirit of what the recommendations are? And I feel like it does, and I feel like it does because not only of what I've heard today, but also the confidence that I've placed and the passion that Supervisor Palachuk has for delivering affordable housing.

[04:04:29] I think this is an illustration of not only how difficult land use is, but how difficult land use policy is. And in particular, this is a very complicated affordable housing strategy that we have specific to the Tysons area, and not every application is exactly the same.

[04:04:48] And so what we have to do is maintain a level of flexibility that we are doing the best we can for affordable housing at this moment in time and take what we've learned from these applications to continue to refine and shape the policy moving forward. So I think staff is right to recommend denial.

[04:05:05] I think the board is right to interpret that in the totality of the case that is before us. And as has been mentioned by myself and others repetitively here today, that our policy remains in place and we expect people to adhere to it. And this is not a precedent setting opportunity where people can think that the policy was changed because it was not.

[04:05:26] And staff recommended denial of this case. That should tell anyone else that this is a very nuanced situation by which the board may elect to approve this case but should not be taken as any change in direction from this board on its commitment to affordable housing by any means.

[04:05:45] And so with that, Supervisor Palcic. This has been a long, long, long process, and so I appreciate the patience with me on this. First of all, the reason I made sure that we discussed and asked so many questions today around the workforce housing on this project is because it is so important.

[04:06:10] And to me, I fully agree with the chairman. Absolutely reasonable and appropriate that staff recommend denial mainly because of this. and we did do everything we could to get the best possible and the most amount of housing as was made clear it's complex there are three different options for how that will be delivered and each one is very nuanced but staff have worked very very hard and I definitely have to thank Devin and Mike in my office and Commissioner Hancock who was handed this as one of his first

[04:06:46] cases to ensure the protection of the county not only in the delivery but also in the administration and management of how those those units are delivered which is very critical and I know something we need to discuss I did want to say that in addition to the housing arising as the main issue in this complication in this application there were other smaller issues that continue to be looked at as were more than 10 years into the the Tyson's plan that was very well chaired by supervisor Al Comer and it was created but we are in a new situation and there are small things that have risen here and in other

[04:07:24] applications whether it be the WDU policy the urban parks and how we expect those to be delivered to be useful and the office and residential mix so I do think in the overall while there are some minor outstanding issues and this is not president sending for the most part I do believe that this application does address especially the needs for additional residential options for the urban parks to be delivered in a way that will be very much useful and connected and so I just want to explain that the housing is an important part of

[04:08:02] it but there are other issues and for the most part I believe in the end this application does meet those thank you supervisor Palchuk with all that it's time to vote all those in favor of the application please say aye aye any opposed any abstentions and that motion carries eight to one to one thank you very much we are now going to move on to our next public hearing which is the last of the four that are to be deferred because of a notice complication and that is a public

[04:08:39] hearing on prc 80-c-111-02 fairfax county school board a body corporate in the hunter mill district supervisor alcorn thank you mr chairman i move that the board of supervisors defer the may 21 2024 public hearing for prc-80-c-111-02 to a date certain of june 25th 2024 at 3 30 p.m you've heard the motion it's been multiply seconded any discussion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries

[04:09:19] and that moves us on to our next public hearing which is a public hearing on the acquisition of certain land rights necessary for the construction of Burke Road realignment from Applamato Drive to Parakeet Drive in the Springfield District and as soon as staff is ready we would welcome a staff

[04:09:37] presentation. Good afternoon Mr. Chairman and members of the board. My name is Sarah Guy and

[04:10:14] I am with the Land Acquisition Division of the Department of Public Works Environmental Services. I am the agent that has been handling the land acquisition for the land rights needed for Burke Road realignment project. This project consists of the realignment of Burke Road to eliminate a sharp substandard curve between Heritage Square Drive and Mill Cove Court and includes the replacement of the existing storm drainage pipe at the East Stream Crossing, improving both safety and site distance while minimizing roadway flooding.

[04:10:52] The project also includes the installation of ADA-compliant ramps, a pedestrian sidewalk, and a connection to the existing Liberty Bell Trail along the project length of Burke Road from Aplomato Drive to Parakeet Drive.

[04:11:08] The project impacts 13 parcels, of which the land rates for 10 have been obtained by the county. The project impacts parcel 3 at the eastern edge of the property where it adjoins Burke Road.

[04:11:24] Here, we need a dedication for public street purposes as well as a grading agreement and temporary construction easement. Parcels 6 and 7 have the same owner. At these parcels, we require a

grading agreement and temporary construction easement as well as utility easements for Cox, Dominion, Verizon, and a dedication for public street purposes on the vacant lot, parcel 7.

[04:11:49] The current property owners purchased parcels 6 and 7 in September of 2023. They were aware of the proposed project at the time of the purchase. The property owners have expressed concerns about the appraisals upon which the county's offer was made as well as the tax assessments for the vacant lot.

[04:12:08] Land acquisition staff have encouraged the property owners to have the property independently appraised and submit their appraisal to the county as a counteroffer. We have also advised that the property owners explore the history of their tax assessment and if they decide necessary to appeal the value of the vacant lot.

[04:12:30] Despite the public hearing, land acquisition will continue to try to come to an acceptable resolution with property owners. 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.

[04:12:48] We have representatives from OCA, FC DOT, and Land Acquisition 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, and I do have one speaker who has signed up in advance, Vu Doan.

[04:13:09] Vu is here. If you could come on down. If there's anyone else here present who would like to testify on this matter, please come down and sign in with the clerk on the far end of the dais. if you're here to testify on this specific matter. Mr. Doan, welcome. Good afternoon, Mr. Chairman and board member.

[04:13:31] My name is Vu Doan. I'm Mike Grayson, firstly, the father of two new kids that we purchased a house on September last year. I'm sorry if my English is not that proper, but Frank speaking that I'm supporting the Cavalier Ironman, But the whole process that I'm dealing with, I have a lot of pressure because I just bought the house on September.

[04:13:57] I actually move in on the end, right before the 10 giving time. So I'm not sitting there that long. And we know about project, but when we sign the contract, the project, the seller told that the project here really for a long time.

[04:14:17] that means it's more than 10 years something that one when we know that one around that point i don't know that one and the previous house owner is kind of go again on this one for a really long time that's what we know then we don't expect i mean we we the thing the first thing that we this one will come with us like pressure i feel the pressure that i need to sign to get the one done the second one that i have several questions related to my property for example like something that right now the road and actually on the parcel of some one of my parcel right now I want to explain that

[04:14:55] is that include within the offer that I got from the carry or not but that is I think that is not yes answer I also have a concern about attack that for some reason the tax amount of the land the parcel the empty parcel actually dropped on 2009 i'm sorry 18 18 to from 100 something to 44 and keep the same until this year and for all these things and then when i read the appraisal

[04:15:32] they use they're not using the the land that sell really nearby my house a month or a month or a month and a half after I bought the land, my property. It's not included in that appraisal.

[04:15:47] I already read the same concern. And that is the second point in here that I feel there is something in the kayak of not really transparent on the offer I received. My understanding is that the county wants to get the right way to set up the road alignment.

[04:16:05] But put me in the kayak, I have to be a willing seller. I don't have my right to adjust that if the offer is fair or not, what will be the detail of the offer I'm giving. I have a lump sum to give to me on that one.

[04:16:21] I have to keep asking on that one based on assessment that I do believe that does not reflect the fair market price for me. Thank you very much, Mr. Doan, for your testimony.

[04:16:37] And so you are in communication with our county staff regularly on this, correct? Yes. Okay, great. Thank you for your testimony. appreciate it um if there's any is there anyone else here present who would like to testify on this matter seeing and hearing no one let me ask the clerk if anyone has called in there are no callers there are no callers uh closing comments and a recommendation from county staff the county executive recommends that the board of supervisors adopt the resolution authorizing the acquisition of land necessary land rights for this important transportation project thank you very much

[04:17:12] are there any questions from board members supervisor harry let me just ask one um when this uh the width of the sidewalk currently on that side do we know what that is it's eight feet eight feet and it originally started at 10 feet yes and that's as low as we can go based on what vdot allow us to go tennis marsh i'm the project manager for the department of transportation and that is uh recommended stat uh from the uh active transportation group the pet bike people is to do

[04:17:50] an eight-foot asphalt trail on this side of the road uh for the connectivity with the other uh and what's on the other facilities what's on the other side of the road i believe that is a five-foot sidewalk on the other side thought we had gotten that down to lower than eight feet um all right you know i'll leave it at that because you haven't asked for a motion yet go ahead um well i was going to close the public hearing and recognize you for a motion i just want want to make sure nobody else had any questions first okay I will close the public hearing and recognize you for a motion mr. chairman I moved the county executive's recommendation you've heard the motion it's been

[04:18:29] multiply seconded discussion on the motion yes Supervisor Herity you know I don't take condemnation lately I don't like doing this the the the property owner in this case was aware of the project and aware of the the need to take that land before it was acquired I think we've asked for an independent appraisal I hope he continues and I want to get assurance from staff that they're going to continue to work with him if he gets an independent appraisal we'll work

[04:19:05] that work through that yes absolutely the goal is to continue to work with the homeowner for a successful resolution and that's what I hope happens here but I think this this project if you for those that were on the board back then And we delayed this project for Mr. Marshall because of the impact on his wife.

[04:19:24] And this project, we currently have people walking in the street around a dangerous curve where they should not be walking in the street around a dangerous curve. We have an area that floods on a regular basis. So it is a project that needs to move forward for both public safety reasons as well as safety reasons in general.

[04:19:44] So with that, I'll be supporting. Obviously, I made a motion. I'll be supporting. Thank you, Supervisor. harry any further discussion i'll just acknowledge and and agree with that this was first included in the board's transportation priorities plan on january 28th of 2014 so it's been a long journey to get here and we must continue to do everything we can particularly to protect protect the pedestrians in this area and so i will be supporting this as well all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries

[04:20:20] And that brings us to our next public hearing, which is a public hearing to convey a deed of easement for fiber optic lines on board-owned property at 6900 Newington Road in the Mount Vernon District. And as soon as staff is ready, we would recognize them for a presentation.

[04:20:51] Thank you, Mr. Chairman. My name is Natalie Knight. I'm the property manager of real estate development services for the facilities management department. The Board of Supervisors is the owner of two parcels near the intersection of newington road and cinder bed road one parcel is a vacant lot of approximately two acres identified as fairfax county tax map 99 4 subdivision 1 parcel

[04:21:24] 15 the other parcel is the site of a motor vehicle repair facility and it's located at 6900 newington road it's identified as fairfax county tax map 99-4 subdivision 1 parcel 17. the department of vehicle services DVS operates the facility on parcel 17 which includes an auto body shop, tire shop, fueling site, fire apparatus facility which is managed by the fire and rescue department and a parking area for school buses. Metro Duct Systems Virginia LLC is a for-profit telecommunications

[04:22:00] company that services public and private sector clients in northern Virginia. They approach the county about obtaining a non-exclusive easement to install fiber lines along Newington Road. The easement area on Parcel 15 is proposed to be 1,134 square feet and will be located along the south side of Newington Road.

[04:22:20] The easement area on Parcel 17 will encumber 2,237 square feet along the north side of Newington Road. DVS has confirmed that the utility lines will not interfere with operations at their vehicle repair facility. Metroduct has offered $15,439 for the total 3,371 square foot easement as consideration for the board's grant of the easement.

[04:22:46] This figure was based on tax assessed value of the land. Staff recommends that the board authorize staff to execute all necessary documents to convey the fiber line easement to Metroduct Systems Virginia LLC. This concludes the staff report. Thank you.

[04:23:02] Thank you very much. Are there any questions of staff? Let me ask one question. I think I know the answer to it, but I just want to confirm this, and Supervisor Stork and I have been in contact with the community near there about the need for a sidewalk on Newington Road. If you could point to the area again and just clarify for us that I believe with the Cinderbed Road intersection work that was done, there are trails and sidewalks in the areas where these easements are.

[04:23:31] Can you confirm that and confirm that granting these easements does not increase the difficulty of making the pedestrian connections in that area? I don't believe that it would make any connections more difficult.

[04:23:51] Okay, and can you confirm, can you put up the aerial again just for a moment? I just want to see, because I'm not 100% sure exactly where. I know the sidewalk request is way down the road from

here, but obviously it appears to me like there's an existing sidewalk that runs down Newington Road through this entire area.

[04:24:11] Is that correct, on the south side of this graphic? Yes, on the south side. Okay, and on the north side there is a trail, I believe, along Cinderbed Road. Does it terminate at Newington Road? I believe it terminates before Newington Road.

[04:24:32] Before Newington Road. And so this easement that is being proposed on the board's property associated with the DVS facility would not preclude in the future a pedestrian connection in that corner of Newington Road and Cinder Bed Road. No, Metro-Duck assured us that it wouldn't.

[04:24:50] Okay, thank you. Any further questions? 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 present who would like to speak? Anyone present who would like to testify on this subject, this is a public hearing.

[04:25:08] Seeing and hearing no one, let me ask the clerk if anyone has called in. There are no callers. No callers. We have heard the recommendation from county staff recommending we move forward with approval. Any final questions from board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Stork for a motion.

[04:25:27] Well, thank you, Mr. Chairman. I move that the board authorized county staff to prepare and execute all documentation necessary to convey fiber optic line easement on board-owned property located at 6900 Newington Road and identified as tax map partial numbers 0994010015 and 0994010017 to Metro Duct Systems Virginia LLC for the consideration outlined in the staff report.

[04:25:59] I will second that motion, along with Supervisor Herity. 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 that brings us to our next public hearing, which is a public hearing on a proposal to abandon portions of Cannonball Road in the Braddock District.

[04:26:22] And if we could please get a staff presentation.

[04:26:35] Good evening, Chairman and members of the board. my name is jeff edmondson i'm with the fairfax county department of transportation in the site analysis section i'm here to present a proposal to abandon portions of cannonball road in the braddock district the applicant walsh colucci lubley and walsh on behalf of their client dr horton a delaware company is proposing to abandon portions of cannonball road under section 33

[04:27:13] 2 909 of the virginia code the applicant is seeking this request following the extension of the existing Cannonball Road to support their subdivision the subject portions of Cannonball Road north of Singing Pines Road are constructed the subject portions of Cannonball Road are in the Virginia Department of Transportation secondary system of highways as part of this extension Cannonball Road extended beyond the cul-de-sac therefore the ears of the cul-de-sac are no longer necessary for the public road system as part of this abandonment the applicant will also

[04:27:48] be raising the asphalt in the area. That concludes my presentation. 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 signed up to speak in advance on this matter. Is there anyone present who would like to testify on this subject? This is a public hearing. Anyone who would like to testify on this subject? If you could

please come on down. Is there anyone else here who would like to testify? If you are here to testify on a matter and haven't signed up for any matter later today please make sure you sign in with the clerk sir welcome if you could state your name and address for the record mr

[04:28:26] chairman my name is mark de mateo and i'm one of the neighbors in the neighborhood where this building project has taken place first of all i just like to thank you sir and all the board members for all your hard work just sitting here listening to this it's pretty amazing what y'all do. Just a comment. This development is kind of unique in a sense that there's a total of seven houses, but there's a division. Two come in off of the main road, Pheasant Ridge, and the other five come through our neighborhood and come off this cul-de-sac. I was never given, I'm assuming that

[04:29:02] there were appropriate reasons why that was the case, but forcing all the construction and everything for those five homes to come through the existing neighborhood was extremely disruptive when it was going on and it seems like that and again I don't know who's responsible for the final decisions knowing in retrospect how that all went out I would have certainly been a little more active in just trying to find out what the rationale was because it certainly seems like it would have been very feasible for the entire neighborhood to come in through one entrance on Pheasant Ridge Road which would have alleviated all the disruption for the community that we had

[04:29:37] But having said that now, I just want to make certain that that extension, and I believe the gentleman was saying that in the presentation he just gave, that that is going to be a VDOT maintained road because otherwise that community, it was originally our understanding that that was a private pipe stem.

[04:29:57] And that was one of the reasons why they said that the developments had to be split, because the maximum number of homes on a cul-de-sac could be five, because otherwise they could have had, like I said, seven in there, and that those driveways were going to be privately held.

[04:30:14] If, in fact, VDOT is going to maintain those roads or that extension, then that's going to be fine because what's going to happen now is all the traffic that would turn around in the trash trucks and delivery trucks that turn around in the existing cul-de-sac are going to be forced into that cul-de-sac in the new neighborhood.

[04:30:34] So I just want to make sure that that A is the case, that it is going to be a V-dot maintained road, which it sounds like it is, and that that asphalt raising is, I'm not exactly clear where that is, but I'm assuming that they're going to raise it where the extension moves off of the existing cul-de-sac.

[04:30:53] And I guess they're going to be doing some other grading and drainage and things like that. But that was the main reason I just wanted to come up. Number one, to applaud all of you all for the hard work. But number two, to just say it just seemed like it was a little bit of a convoluted development the whole time. And it's all water under the bridge now.

[04:31:10] But anyway, just to make sure that that is indeed going to be a VDOT. The extension is not a private driveway anymore. Thank you, sir. Thank you very much, Mark. And Mark, if you could just sign in on your way out, we'd appreciate it. And while you're doing that, let me ask staff to confirm the question of VDOT ownership for the record.

[04:31:29] That is correct. I should have added that to my presentation. This extension will be a VDOT-maintained road, which is why the cul-de-sac is being removed on the southern portion. Okay. Thank you

very much. I'm not seeing or hearing anyone else who is here to testify on this matter. Let me make sure this is a public hearing.

[04:31:46] No one else wishes to testify on this matter. Seeing and hearing none, let me ask the clerk if anyone has called in. There are no callers. No callers. Closing comments and a recommendation from staff. Staff recommends board adoption of the order of abandonment for the subject portion of the road. Thank you.

[04:32:02] Thank you very much. Last check, questions from board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Walkinshaw for a motion. Thank you, Mr. Chairman. And Mark, thank you for coming down and appreciate all of the neighbors enduring this process.

[04:32:19] This was a challenging one. It was a by-right development, and so we had, you know, kind of limited opportunities for the neighbors to be involved. But I think all has worked out well and appreciate the applicant and their work throughout and communication with my office and with the neighbors.

[04:32:36] Mr. Chairman, I move that the Board of Supervisors adopt the order of abandonment of portions of Cannonball Road, attachment three in the board hearing package, which will take effect immediately. Happy to second that motion. Is there 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 uh thank you very much uh our next public hearing is a public hearing on a proposal to vacate james place in the mount vernon district and at this time i

[04:33:08] would recognize uh county staff for a staff presentation evening mr chairman and members of the board jeff edinson fairfax county department transportation site analysis section i'm here to present a proposal to vacate james place in the mount burning district the applicant rich hearts development group llc on behalf of their client is requesting that james place be vacated under section 152272 parentheses 2 of the virginia code the applicant is seeking this request to support the consolidation of their lots the applicant plans on the consolidation

[04:33:46] of their 11 lots along with the proposed vacation area of james place to create new four new residential lots the subject portion of james place southwest of the intersection of gunston drive and belmont boulevard is unconstructed the subject portion of james place was dedicated as part of the gunston heights subdivision on a plat dated august 28 1950 the subject portion of james place is on the periphery of the 1950 subdivision plat and is not in the virginia department of transportation secondary system highways that ends my presentation thank you very much are there any questions of staff any questions of staff seeing and hearing none this is a public

[04:34:25] hearing and i have no one signed up in advance to testify on this matter is there anyone present who would like to speak on this subject anyone present who would like to testify on this matter seeing and hearing no one let me ask the clerk if anyone has called in there are no callers no callers uh any closing comments and a recommendation from county staff staff recommends board adoption of the vacation ordinance for the subject right away thank you very much i will now close the public hearing and recognize supervisor stork for a motion thank you mr chairman the applicant rich hearts development group llc on behalf of their client is requesting the vacation of an

[04:35:00] unbuilt road known as james place the subject road currently abuts their clients parcels and the vacation of james place would allow for consolidation of their land therefore i move the board of supervisors adopt attachment adopt the ordinance of vacation which will take effect immediately of the right of the subject right away you've heard the motion i'm happy to second that is there 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 thank you very much next we have a public hearing to consider proposed amendments to the police officers and uniform

[04:35:39] retirement systems ordinances and we're going to take a moment for staff to get organized and when

[04:35:45] they are ready we would appreciate a staff presentation thank you sorry for the delay

[04:36:53] jeff weiler executive director fairfax county retirement systems first i want to acknowledge at least two of our board members from the uniform retirement system border here deputy chief brian edmonston and major david o'neill the sheriff's department and i don't know if we have any other board members i didn't see any but i did want to acknowledge them first so we're here to present an item about military and other public safety experience credit service purchase and it's based on, per the collective bargaining agreements adopted with the IAFF Local 2068 and the Southern

[04:37:31] States Police Benevolent Association, which take effect July 1st, 2024, the action in these recommendations ensures that we're in compliance with this effective date. What is it is the ability for members of those two systems, the uniformed and the police officers retirement system, to purchase prior service credit, up to four years of military services service, and up to four years of service as a full-time sworn employee for police officers and animal protective police. As a note, this is consistent with what the Virginia Retirement

[04:38:07] System has, and they had, since 2018, have had about 0.12% of their membership have taken advantage of, so fairly a small portion of membership. Here, the cost calculation was provided by the systems actuary chiron using assumptions that are also used for their annual actuarial valuations that determine the county's contributions things like when that employees will retire and first eligible at 25 years pay increases will average 2.25 percent per year interest in investment returns will be at 6.75 percent a year and cost of living for retirees

[04:38:46] will be 2.1%. So those are the basic assumptions, which also underlie the valuations for our retirement systems. And basically, the cost is calculated by taking the projected retirement benefit for the member with the service purchase, subtracting it from what the benefit would have been without the service purchase, and that is the cost that the employee must pay. And it is fully paid by the employee, either in full or over time up to 48 months with interest.

[04:39:23] And the PORS and URS systems will neither benefit or adversely be impacted by member services purchases. And just a final note, again, these are calculated based on assumptions, and the actual cost of future retirement benefits for any single employee will vary from what is assumed but across the whole population and our retirement systems it all averages out and again are re-evaluated every five years as part of actual experience study and also reviewed every

[04:39:56] year by the retirement boards as part of the actuaries actual evaluation report that's our presentation thank you very much mr weiler and before we go to questions from staff i do want to point

out something you said at the beginning, which is this is provoked by the elements of the collective bargaining agreement. And so these provisions must be adopted by July 1 in order to have an ordinance in place and be in compliance with the collective bargaining agreement. Is that correct? Yes, sir. Okay. And subsequent to that time, it's come to our attention that obviously

[04:40:31] there are people within these retirement systems who are not in the collective bargaining agreement. And so in order to include, should the board decide to do that, a separate action and separate public hearing would be necessary because it's a separate act from that which is compelled by the collective bargaining agreement.

[04:40:51] Is that correct? Yes, sir. Okay. And so to that end, before we go to questions, I am going to recognize Supervisor Jimenez, our personnel committee chair. All right. We've been waiting patiently. Thank you, Mr. Chairman. Mr. Chairman, I want to take a moment to acknowledge what we're about to vote on.

[04:41:11] This item is a product of the collective bargaining process, and it is important to respect that process and those who negotiated in good faith to get us to this point. Collective bargaining can influence policy for the better. It will be worth our time to explore and discuss the potential of policies like this and how they could help our efforts as we look to fill positions across the board.

[04:41:34] I want to be clear, the intent here is not to encroach on the hard-fought negotiations between the bargaining groups or to extend every benefit to those not party to the CBA. Rather, this is an exception given the minimal impact to the county.

[04:41:51] It is my intention to move this item on today's agenda as it is written and announce that we will be looking at and discussing in further detail at the next personnel committee extending these types of incentives to help retain and attract the best talent of Fairfax County.

[04:42:12] And with that, Mr. Chairman, I thank you for that explanation, Andres. And I think it's important for us to state that because we do have a lot of worthy testimony to hear and we will hear that. But I just want to make sure for particularly folks in our sheriff's office or employees at P-Stock that this board is committed to reviewing an extension of this benefit for those employees that are in these two retirement systems as well.

[04:42:40] and we will be doing that in short order, but in order to comply with the collective bargaining ordinance or collective bargaining agreement, I should say, we do need to have the public hearing and act on this piece of it tonight just so that we can try to stay on schedule with that July 1 deadline. So thank you for that explanation. Mr. Chairman, if I can just add, the date of that personnel committee is June 18th. June 18th. So this will be coming to the board. What will be coming to the board on June 18th is whether or not to extend the provisions that we're voting on today to other employees that are in these retirement systems, and so we will be having

[04:43:17] that discussion on June 18th. Okay, with that, let me ask if there are other questions, and let me start with Supervisor Herity. Yeah, we approved collective bargaining, what, six months ago or something along those lines. I'm just a little surprised we didn't include the other groups in this was that a conscious decision or who made the decision not to bring the whole thing forward and just the two look at staff for an explanation on that I think what they were directed to do was bring forward an ordinance to be consistent with the collective bargaining agreement correct that

[04:43:56] is correct sir and so I guess following up on that obviously that's what their focus was we now obviously very clearly know that there are employees that were not in the collective bargaining agreement that coincidentally are also in the retirement systems for which this benefit is administered. And that's what we were talking about, whether or not we should extend that for the purposes of benefiting those employees that were not in collective bargaining with the same benefit who find themselves in the same retirement systems. And so that's what we will be discussing on June 18th. Did I misconstrued anything? Let me just make sure that's accurate.

[04:44:35] Yes, sir. That's accurate. Okay. Questions? Yes. Supervisor Alcorn. Thank you, Mr. Chairman. I want to thank staff for the request I made at the last board meeting responding. I'd asked about physical impact, and I appreciate the letters from the consulting actuaries that basically says no, there's no physical impact.

[04:44:56] And the amount of any buy-in would be reviewed yearly and adjusted so that there would be at least, based on best actuarial calculations, no fiscal impact.

[04:45:14] That is, there are other things I know that are in play in terms of the success of the system. You know, returns comes to mind. I know the board's received some information about that. but that's a topic for another day. So, thank you. Thank you, Supervisor Alcorner. Are there any other questions of staff? Seeing and hearing none, this is a public hearing, and I do have six speakers who have signed up in advance. If you were here to testify on this item and you are not on the speakers list, be sure to make sure, come down and see the clerk, get put on the speakers list here in the corner. Our first speaker is David O'Neill, a representative of the

[04:45:53] Fairfax County Uniform Retirement Board of Trustees. He will be followed by Megan Diotalavi and Derek Ledford. If I called your name, please be down here close to provide your testimony. Mr. O'Neill, welcome. The floor is yours. Thank you. Good afternoon, Chairman McKay, members of the Board of Supervisors. My name is David O'Neill. I'm currently the trustee of the Uniform Retirement System that represents Deputy Sheriffs, Public Safety Dispatchers,

[04:46:28] and fairfax county helicopter pilots as of now you have made the decision to not include the fairfax county employees from these three groups that make up the uniform retirement system and the military service law enforcement buyback benefit the uniformed retirement system board of trustees in our april 24th meeting moved to request a change to the county code provide the option for all members of the URS to purchase up to four years of prior military service credit, not just

[04:47:04] the firefighter members included in the C and the collective bargaining agreement. Number two, provide the option for all members of the URS to purchase up to four years of prior service as a full-time public safety employee on another federal, state, or local government agency like the police officer's retirement system, CBA. I'm requesting on behalf of all members of the uniform retirement system that the Board of Supervisors consider making these changes to

[04:47:37] the county code to include all members. Also, I'm advocating today for our veterans who served honorably in the National Guard. Their service currently is not included or recognized by the negotiations. The amendment currently requires the DD-214 form and makes no provision for the NGB-22.

[04:48:02] Many current URS members who have served in the National Guard also may find themselves on the wrong side. Please include the NGB-22 form as another valid means of proving length of service

with an honorable discharge. Please consider including all members of the Uniform Retirement system, Fairfax County Fire and Rescue, Fairfax County Sheriff's Office, Fairfax County Public Safety Dispatchers, Fairfax County Police Department Helicopter Pilots, and the Fairfax

**[04:48:39]** County Animal Protection Police. Excluding the veterans of certain agencies certainly does not appear to be fair, nor does it seem to be consistent with one Fairfax or equitable. I'd like to take a moment now to recognize all the veterans who are in attendance today. If you could please stand.

**[04:49:04]** Thank you for your service, and thank you for your time. Thank you for your testimony, Mr. O'Neill. Speaker number two is Megan Diatalabi, to be followed by Derek Ledford and Sheriff Stacey Kincaid.

**[04:49:27]** Welcome. The floor is yours. Good afternoon, Chairman McKay, Vice Chairman Smith, and members of the board. My name is Lieutenant Megan Diatalabi, and I stand before you today as a United States Marine Corps veteran. I am also a county resident residing in the Springfield District, and I've been a Fairfax County Sheriff's Deputy for 22 years.

**[04:49:47]** In 2002, I was sitting at Marine Corps Base Quantico contemplating a few things, whether or not to re-enlist, to follow my dream, which is to work in law enforcement, and if I should stay in Virginia or return home to Massachusetts. I started applying to numerous agencies both here in Northern Virginia and back home in Massachusetts.

**[04:50:05]** I got offers to the agencies I applied to, but ultimately, I chose Fairfax County Sheriff's Office as my forever home. I did it because I felt at home. It was the camaraderie, and on top of that, the benefits.

**[04:50:21]** The benefits are what, in the end, I was really seeking that stood out. Fast forward 22 years later, I'm a mother of two children, my daughter, MJ, who's three, my son, Leo, who's two. My son Leo was born with profound sensorineural hearing loss, and he is deaf, and he will experience vision loss as he ages.

**[04:50:40]** At two years old, my son can sing, talk, and enjoy the sound the same as his peers. He can do this aided with the ability through cochlear implants, something he was a candidate for so young in the life, because of the benefits I have through the county, which I am very grateful for.

**[04:50:56]** I share this with you because of how lucky I know I am to have these benefits for my family. I also share this story with our applicants so they know the value of these benefits. As a former Marine, I can directly relate with potential service members considering a career with the Sheriff's Office.

**[04:51:14]** By sharing my story and my own considerations as a young Marine and now a seasoned Deputy Sheriff, I'm able to provide perspective to these applicants when making a choice for their future, knowing firsthand that they are considering benefits. Pay and benefits are primary considerations for those seeking employment with the Sheriff's Office, and now as we fall behind in pay, the decision to limit our agency's participation and the option to buy back time is going to negatively impact the Sheriff's Office's appeal to service members and law enforcement officers seeking to come to Northern Virginia, especially given the fact that our competitors in the county will be able to recruit advertising this very benefit.

**[04:51:55]** Again, I speak to you as a Marine today. This will drive people away from considering our agency as these prospective applicants are afforded an option to begin their careers with four years of

service. That is an incredible opportunity which the Sheriff's Office, as it stands right now, will be deprived of.

[04:52:14] Members of the Board, I implore you to reconsider including the Sheriff's Office for military buyback option today. Thank you for your time. Thank you very much for your testimony. Derek Ledford to be followed by Sheriff Stacey Kincaid and Jason Travis Mr.

[04:52:33] Ledford welcome thank you good afternoon my name is Captain Derek Ledford what I'm showing here hopefully this can get out there this is a picture of me and let's see in the Marine Corps boot camp my second picture is actually me being hired by the Fairfax County Sheriff's Office again first picture trust me that that's me But I stand here before you representing all veterans of public safety.

[04:53:04] We're all crucial to public safety in Fairfax County. I've shared with you two pictures, one as a 17-year-old man enlisting in the United States Marine Corps, the other a 33-year-old man hired by the Fairfax County Sheriff's Office.

[04:53:20] Both pictures are historic for me and my family. What is most important is what is behind the pictures. It is the moment of me promising to protect and serve the country and this county with my life, and not only mine, my family's life, without reservation.

[04:53:43] When this country recognizes veterans, they recognize all veterans. Never have I seen this country recognize just some, but not all. Not to have the opportunity to buy back a portion of my military time while my other fellow first responders are offered that.

[04:54:05] For the first time as a veteran, I have a feeling that's been created by the statement, some but not all. I have heard, participated, seen, and believe in Fairfax. I'm sorry, believe in one Fairfax.

[04:54:22] The county's commitment to consider equality when making policies or delivering programs and services is honorable. It's fair. It's progressive. I believe in giving Fairfax County, the sheriff's office, the opportunity to buy back military time.

[04:54:40] We're further that and show the country and first responders that one Fairfax truly means one Fairfax. And what better time to do that than committing that to that today? Thank you. Thank you very much.

[04:54:56] Our next speaker is Sheriff Stacy Kincaid to be followed by Jason Travis and Melissa Hoyer. That is not Sheriff Stacy Kincaid. It is not, sir. It is not. Chairman, if I could, could I make a logistical request?

[04:55:12] You absolutely may. Can we do Melissa Hoyer next? Yes. Myself, Jason Travis, fifth. We will do speaker number six to be followed by Jason Travis to be followed by the sheriff. Thank you, sir. No problem. Ms. Hoyer, welcome. Hello.

[04:55:33] I'm Sergeant Melissa Hoyer. I'm a proud member of the United States Air Force. I served my country once upon a time without question or fail, without asking of anything of anybody. as many of our other veterans have. We have several within our agency.

[04:55:50] Unfortunately, we're not able to be here today as they are working. What we're asking for is a two-prong system. Nothing is required of the board. The employee will pay this. This will serve as a retention.

[04:56:06] I came from San Antonio, Texas. I had an opportunity to come up here, and I chose to come up here. I was also given the opportunity of a military buyback in San Antonio. It was a great benefit to have.

[04:56:23] A lot of people took part of it. Now we're asking that you give us that same opportunity, not just for me, but for my deputies that I work for, that I work with. I hear you all speak of inclusion, progress, and accountability.

[04:56:39] We're asking you to include us, to progress us forward, and take accountability as we have. I'm also a member of the Honor Guard, and I take great pride in that. I take great pride in the fact that I have Sheriff Kincaid as my boss, and I ask that you give her what she's asking for.

[04:57:02] It's not for me. It's for our deputies. It shows Fairfax backs us as we back y'all. Every veteran has given up holidays, has given up time from their family with very few benefits in the overall spectrum.

[04:57:20] Again, we ask that we get these benefits. What will it take to get us to yes today? Nothing else matters. So at this time, thank you, and we'll have our next speaker. Thank you.

[04:57:36] Speaker number five will be Jason Travis. Welcome back. Thank you, sir. Good evening, Chairman McKay, members of the board. I'm Jason Travis.

[04:57:52] I have 25 years at the Sheriff's Office. Prior to that, four years in the United States Marine Corps. I was in the infantry, served as a machine gun section leader for Bravo Company, 1st Battalion, 3rd Marine Division. I come to you today with the utmost respect to speak on the decision to exclude the sheriff's office and others from military and prior law enforcement by back benefit.

[04:58:11] After being stationed in this area, I selected Fairfax County as a location to start my career in law enforcement for many reasons. One of them being competitive pay that was commensurate with the cost of living in this area, the top-notch and nationally recognized public safety organizations, and excellent benefits.

[04:58:31] Military veteran camaraderie is a unique bond that transcends time, duty, and service. By choosing to give military buyback benefit to some, but not all, it goes against our fundamental principle and fabric of our tight-knit bond. Recently, the sheriff asked the board to support a raise that would drastically improve hiring and retention efforts within our sheriff's office.

[04:58:51] It will only compound the issues by not approving this buyback benefit. After much thought on recent decisions, I'm left to wonder, is there a belief with a difference in value, specifically with the military buyback benefit? Do you believe my service does not meet the standard or quality of the benefit?

[04:59:08] Or is there a lesser value placed on the job and critical functions we provide as deputy sheriffs? If that's the case, let me clarify. Fairfax County is recognized as the safest jurisdiction of its size in the U.S. This benchmark is achieved through all phases of the public safety process.

[04:59:26] While we are not always the first to encounter the community members, we are the ones providing services for the longest amount of time, which has a large impact in the quality and outcome as they enter back into the community. We are the ones that pour our blood and sweat into leading by example and being role models.

[04:59:44] We leave positive, professional, lasting impressions, which set them up for success. Being able to maintain our staffing has a direct impact on these valuable services. We lower recidivism rates. That's our value. I am proud to work for this county and my agency.

[05:00:02] How am I supposed to recruit veterans with less pay and different benefits than our other public safety counterparts? The decision to segregate the sheriff's office from other public safety agencies not only undermines our efforts to increase our staffing numbers so we can continue to provide our vital services that keep our community safe, but also does not align with the idea of one Fairfax.

[05:00:21] You have the choice to lead by example and send a clear message to your veterans that have sacrificed so much. Please approve adding all of us today. Thank you for your time. Thank you, Mr. Travis. Speaker number six will be Sheriff Stacy Kincaid. Welcome.

[05:00:37] Good afternoon, Chair McKay and members of the Board of Supervisors and County Executive Hill. I'm here today to request that you include the sworn staff of the Fairfax County Sheriff's Office and the entirety of the Uniform Retirement System in your proposed changes to the retirement ordinances.

[05:01:00] I ask that you allow all members of the URS the opportunity to buy back up to four years of military or law enforcement service. Allowing this benefit to all members of the Fairfax County Public Safety Team is a simple acknowledgement by the county that it stands with all uniform personnel and military veterans.

[05:01:22] Our deputy sheriffs participate in the URS, and it's my understanding that at this time, these buyback benefits will be given to the police department, animal protection police, and the fire department, but not to the remaining participants in the URS. This action denies benefits to veterans and long-serving public safety personnel within the sheriff's office and other county agencies.

[05:01:46] It also impacts our recruiting and retention efforts as participants in both the police officers retirement system and the Virginia retirement system all have access to this benefit. The May 8, 2024 letter from Chiron to the Retirement Board concerning the impact of these changes makes it clear that allowing these benefits will not cause any further deficit within the three county retirement systems.

[05:02:11] Additionally, in the board agenda item released ahead of today's meeting, the Retirement Board reaffirmed that the financial impact of these changes will fall on the individual employee and not the county. I disagree wholeheartedly with the board agenda where it states that the equity impact of these amendments is none.

[05:02:32] This policy takes a group of veterans and public safety officials and excludes them from benefits being offered to similarly situated veterans and public safety personnel within our own county. This policy is, on its face, inequitable.

[05:02:47] This decision is particularly surprising because the URS's representative on the Retirement Board was repeatedly told throughout the process that the sheriff's office was expected to be included in these amended ordinances. It was only until recently that a URS representative was informed it would have some of its members excluded for this benefit.

[05:03:09] While no reason was given, it was suggested that the county's collective bargaining agreement has somehow affected our ability to take advantage of these benefits. Collective bargaining plays no role in your decision to exclude or include us. My agency's inability to participate in collective bargaining does not stop the Board from including the Sheriff's Office in the amendments to this retirement ordinance.

[05:03:33] And collective bargaining certainly does not relieve the Board of its obligation to treat all county employees, and veterans in particular, equitably. Amending the ordinance to include the entire

URS in military and prior law enforcement service buyback benefits has no financial impact on the county, as you have heard.

[05:03:53] Given this fact, it is frankly disheartening that I must stand here and ask you to recognize that those who currently serve Fairfax County as uniform public safety officials who have honorably served their country and their communities should be treated equally and be given equal benefit access.

[05:04:10] For these reasons, I ask you to include the sheriff's office in your amendments to the county ordinance and to allow all public safety officers and deputies to buy back their four years of prior military and law enforcement service. service and just on an added note um supervisor jimenez um thank you for you know um your you know recommendation and thank you for putting forward a personnel and certainly you uh chairman mckay to um give us the opportunity because um i think everyone up here that i'm presenting this

[05:04:45] to understands it and gets it so again thank you for your time thank you very much uh sheriff Kincaid. I'm told we have a seventh speaker, Steve Monaghan. Steve, welcome. Thank you.

[05:05:05] Chair McKay, members of the board, my name is Steve Monaghan, and I'm the president of the Fairfax County Chapter of the Southern States Police Benevolent Association. Before I begin, I do want to thank you all for funding our very first collective bargaining contract. I am here before you for two reasons today, and the first reason is to ask you to approve today the proposed amendments to the police officer's retirement system and the uniform retirement system so that our veterans and officers with prior law enforcement can buy back some of their prior service time.

[05:05:37] As for the second reason, you all know that our chapter of the SSPBA represents the officers within the police department as the exclusive bargaining agent. However, you may not know is that our chapter represents over 13 different agencies in northern Virginia.

[05:05:54] One of those is the Fairfax County Sheriff's Office. The Fairfax County Sheriff's Office is in a position where the state does not allow them to engage in collective bargaining. Because of this, they were not able to advocate like we were regarding law enforcement and military buyback. The Sheriff's Office currently has a 26% vacancy rate, and the rate is projected to hit 30% by the end of this year.

[05:06:18] They were granted the 10-year longevity to mirror the one that we negotiated, and while this was much needed, however, I'm afraid that it's not going to be enough to help retention and recruitment for the sheriff's office.

[05:06:34] We stand with Sheriff Kincaid and her deputies. This is a benefit that should be little to no cost to the county and has already been approved for other entities of the Uniform Retirement System. I ask you to please consider the future amendments to this ordinance to include them.

[05:06:52] Thank you for your time. Thank you very much, Mr. Monahan. And let me ask if there's anyone else here who would like to testify on this matter. Anyone else present? This is a public hearing. Anyone else present who would like to testify? Not seeing anyone, let me ask the clerk if anyone has called in.

[05:07:08] There are no callers. No one has called in. Closing comments and a recommendation from staff? We recommend approval as submitted, and we'll follow up with the personnel subcommittee. Okay, thank you very much.

[05:07:24] And I just want to be really clear on a couple things here today. First, the personnel subcommittee meeting that's been referenced will be when we will discuss extending this benefit to the Office of the Sheriff and anyone else who might be affected under these two retirement systems.

[05:07:41] But I just want to make it really clear that there's no legal way to include them in today's action because that was not within the scope of the advertisement. So I know we were asked to do it today. Some of us likely would have done it today. But I know that there's a legal requirement that we stay within the scope of the advertisement.

[05:08:01] And I just want to get a confirmation of that. That's correct, Mr. Chairman. Okay. And we're going to ask for I'm going to have a few other things to say. But first, let me ask if there are any questions from board members. This is question time before the motion is made.

[05:08:18] Supervisor Palchuk. Thank you, Mr. Chairman. While I understand we're talking about the June 18th committee meeting, are you able to share with us today or following up potential timing following that committee meeting for getting to a public hearing for if we consider additional employees?

[05:08:39] Hopefully it's not another year. no we have we we're looking for July 20 sorry June 25th the next board meeting June 25th yes ma'am okay thank you Supervisor Herity question yeah and in part of this is just frame of reference and I don't know if it's a part of that meeting on the 18th it's I perceive this is a different benefit than it is but I talked to one of our veterans in his buyback for four years was going to be

[05:09:11] $300,000 and I know some of us know the the magnitude of what that is so when we say this is a benefit this is really a recognition of service more than more than it is it's a it is a benefit but it's a it's a recognition of the a part of the years of service up to four that our veterans have served so but I think it'd be useful to get some actual numbers so the public can understand exactly what, uh, what is, what's going on here and that there truly is no fiscal

[05:09:43] impact. You're talking about a significant investment into our retirement, uh, plan by these, uh, by these veterans and it, for us to recognize their service. So that was the, that was the question. I don't know if you have any examples with you, but if you bring them on the 18th, that's fine. Okay. Again, questions, supervisor Walkinshaw. Yeah. Obviously Those are numbers that will vary widely, very widely dependent on the individual situation.

[05:10:16] I mean, the thing that jumped out at me when I saw this in the board package is just obviously how common sense this is. I think we're all probably in agreement on that. But I guess my question for staff is, is this an issue or a suggestion that the retirement systems, the trustees of those systems have brought to us in the past?

[05:10:41] I mean, can anyone recall the board or staff considering this change in the past? Because we could have done it before collective bargaining. It's come up periodically. In fact, the Board of Supervisors, I believe it's in 2013, considered it at the time.

[05:11:02] But that's been a long time. But yes, it comes up from time to time. And I think in general, the retirement boards do support this. And I can't speak for them, but they would probably be in support for sure. Okay, thanks. Any other questions?

[05:11:19] Okay. Seeing and hearing none, I'm now going to close the public hearing and recognize Supervisor Jimenez for a motion. Well, thank you, Mr. Chairman. And I'd like to say thank you to all who

came out today to speak on this issue. Thank you to our veterans. Thank you to all of you for your service.

[05:11:36] Thank you, Sheriff Kincaid, for your comments and the rest of the folks who came to speak. I do want to let you know that I think that what you've gathered here today is that not only do I hear you, but I believe that we all hear you, and we're looking forward to June 18th to continue this conversation.

[05:11:54] So with that, Mr. Chairman, I move that the board adopt the proposed amendments to the Fairfax County Uniformed Retirement System and Police Officers Retirement System ordinances for the purpose of adding certain provisions with respect to active duty, military service, and law enforcement service purchases.

[05:12:10] I'm happy to second that with a whole lot of other supervisors' discussion on the motion. Supervisor Walkinshaw. Yeah, thank you, Mr. Chairman. So my last question was just getting at the point. I mean, I think this is a good example of the value of the collective bargaining process.

[05:12:29] And when Supervisor Gross and I co-chaired the work group with a lot of our employee associations, this is the kind of issue that we discussed. And we talked about the focus in collective bargaining a lot of times, at least for those who are on the outside of it, are on the big ticket items, right?

[05:12:50] Pay plans, COLAs, pension benefits, and obviously those are important and critical. But for me, a lot of the value is in these seemingly smaller issues that can have a real impact on the quality of our employees' experience working here for Fairfax County.

[05:13:10] in the police department one of the items that was successfully negotiated for was foreign language stipends for more of our officers who want to learn foreign languages so they can better engage with the communities that they protect and serve uh this this is is another i think in that in that category so uh while it's frustrating where we're not able to do everything we would like to do tonight i appreciate that we're going to get there quickly um so that there is is parity and consistency. I think probably what we need to look at in future collective bargaining contracts

[05:13:47] is that after those contracts are negotiated, ratified, funded, probably, we need to have a comprehensive crosswalk of all the policy changes to determine which ones are administrative in nature and make sense, perhaps extending to other parts of the government or all of the government. Um, uh, that's a board decision that will be case by case, but we need to affirmatively, I think, have that discussion maybe in the personnel committee and make those decisions.

[05:14:18] Other thing I'll note, um, uh, it was a long time ago, but this morning, one of our first actions today was to approve, uh, the chairman's at large representatives to our new, uh, veterans and military families commission. Uh, and this is exactly the kind of issue that I think those folks would really be able to dig their teeth into and help guide us moving forward into the future.

[05:14:42] Thank you, Mr. Chairman. Thank you, Supervisor Walkinshaw, and I concur with everything you've just said. I do think it is disappointing this got this far without it being flagged, and so I do think what you're saying, and County Executive, I talked about this, and I saw him nodding his head over there over the issue of the crosswalk, just to make sure if there are benefits that are derived through the collected bargaining agreement but can be enjoyed by people outside of the collective bargaining agreement.

[05:15:10] That's a decision that the board should be making on a case-by-case basis based on fiscal impact and other elements. But I have to point out, the elephant in the room that's here is we wouldn't be having this conversation without a collective bargaining agreement.

[05:15:26] So the members of this board, who strongly supported collective bargaining, make no mistake about it. This issue was raised most recently in the collective bargaining agreement discussion because employees got to sit at the table with management, something I've heard from a lot of people that was something to be feared.

[05:15:46] And in fact, this is a case where a good idea was brought forward, was supported, was put in the collective bargaining agreement, and that's why we're having a public hearing today. And so on one hand, I'm extraordinarily happy that we supported collective bargaining. I'm disappointed that the state doesn't include our sheriff's deputies in collective bargaining.

[05:16:06] I know there's disappointment with our department over that. I'm excited at the opportunity to add other people to this benefit through our personnel committee process, but there would not be a discussion today had we not had collective bargaining approved in this county.

[05:16:22] So people can ask why certain groups aren't in it as much as they want, but the idea that came forward today was because of the collective bargaining agreement. And so these are the good ideas that most of us envision when you allow our employees to sit at the table with management and raise these important issues that we just heard are important to a lot of our men and women in public service.

[05:16:44] And I look forward to completing this journey in particular on this particular benefit. But when you hear negativity about collective bargaining, think back on nights like tonight because it's important. With that being said, you've heard Supervisor Jimenez's motion and a chorus of seconds.

[05:17:04] Before I call the vote, Supervisor Behrman. I would echo everything that's been said so far, and especially the thanks to our veterans and to the members of the Sheriff's Department who came to testify today. I only want to add one small thing.

[05:17:22] It's a point of privilege as a new guy, a new guy on the board, learning these processes, learning the time it takes to put things together, learning how we go through. We don't typically change ordinances on the fly. We do have public hearing rules.

[05:17:40] So, you know, this is not a dodge. We're not saying the fact we can't fix it all like that is it's frustrating for us too. But what you're going to see is the way our process often plays out, which is the use of committee meetings to have these types of discussions and to prepare us for ordinance changes that are properly noticed and are publicly available, and yada, yada.

[05:18:05] Thank you. Thank you, Supervisor Bierman. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? A unanimous vote. Thank you very much. And that takes us to our next item, which is our final public hearing before we go to public comment.

[05:18:28] And this is a public hearing on the Preservation and Reinvestment Initiative for Community Enhancement Grant Application. And we are going to take a moment and allow our staff to organize. And as soon as they are ready, we would welcome a staff presentation.

[05:18:56] Good evening, Mr. Chairman, members of the board.

[05:19:23] My name is Megan Van Dam, and I serve as the director of the Affordable Housing Development Division in the Department of Housing and Community Development. I am joined today by Tom Fleetwood, our agency director, and Sharon Shields from the Grants Management Division, as well as Susan Timoner from the Office of the County Attorney.

[05:19:39] We are very pleased to present to you tonight a unique grant opportunity through the U.S. Department of Housing and Urban Development Preservation and Reinvestment Initiative for Community Enhancement, or Price Main Competition, that, if received, would provide significant resources to support the manufactured housing residents and communities within the county.

[05:20:00] As you are aware, the county has approximately 1,800 manufactured housing units located in eight manufactured housing communities. They are located across the county in the Mount Vernon, Franconia, Sully, and Braddock districts, primarily along the Richmond Highway Corridor.

[05:20:17] All Fairfax County manufactured housing communities would be eligible for assistance through the grant if awarded to the county. HUD has made available, as of yesterday, $210 million for manufactured housing residents and communities. This is a national competition for which the county is eligible to apply as a local government.

[05:20:38] HUD expects to make approximately 25 awards nationally with grants ranging from $5 million to $75 million per awardee. HCD is requesting to apply for a grant of approximately $39.6 million in partnership with the Departments of Public Works and Environmental Services, Planning and Development, Neighborhood and Community Services, and the Office of Energy and Environmental Coordination.

[05:21:02] The funding will primarily support the repair, rehabilitation, and replacement of existing manufactured housing units, infrastructure improvements, planning and resilience activities, resident and community services, and land acquisition by the manufactured housing residents over a period of performance, a six-year period of performance through 2030.

[05:21:23] The range of activities in the grant are broadly written, and there are not specific projects identified in the grant at this time. Any rehabilitation replacement of units or site improvements funded from this grant would need to be coordinated with the manufactured housing property owners and unit owners.

[05:21:47] Engagement of those involved and impacted by the activities is a key part of the grant implementation if awarded. As drafted in the application, approximately $15 million of the grant would be directed toward the replacement of units, including those that were constructed before 1976, $8.75 million would be directed toward repair and rehabilitation, $2.25 million for planning and regulatory activities and correcting non-conformance issues, $3 million for site and infrastructure improvements, $6.5 million for land acquisition, and $3.55 million for resilience activities to attract units.

[05:22:27] such issues related to flooding, severe storm, wind, power outages, and extreme heat resiliency. While the grant does not require any local financial match or leverage, the draft grant proposes to leverage this grant with $8.5 million of federal, state, and local funds, such as Community Development Block Grant and Virginia Housing Reach Funds. Together with these funds, the total budget committed to manufactured housing communities would be over $48 million over the six-year period of performance if awarded.

[05:22:59] The draft application describes the need for the grant, supportive activities that have been completed to date, proposed grant activities, expected benefits and outcomes, and their relationship to county, fair housing, and equity goals. The activities are based on the Manufactured Housing Task Force recommendation convened in 2023, aligned with the countywide strategic plan, community-wide housing strategic plan and FY 2025 RHA strategic plan, one Fairfax and the Metropolitan Washington Council of Governments regional fair housing plan, and resilient Fairfax.

[05:23:36] Community input and feedback is a critical step in the preparation of this highly competitive grant application. The county's draft application was published on May 6th, and the hearing today, as well as comments received through email and additional conversations, are vehicles that have been available together input on the grant thus far we have received suggestions to include additional information about the richmond highway bus the impact of the richmond highway bus rapid transit project and the mobilization efforts of the community since the task force convened including the mobile home resident council and mobile home coalition as potential partners in these efforts

[05:24:16] additional comments speak to strengthening the narrative on the concerns and risks about the the homeownership as separate from the residents, the urgent need for tenant protections and eviction preventions, potential for resident acquisitions and relocation assistance, and the limitations of state code protections, and the availability of rent and other cost assistance for the residents.

[05:24:37] We've also heard about creating flexibility in the planned grant funding allocation in the case that opportunities such as acquisition may need greater assistance than assumed. Consideration of these comments and others from today's hearings in the grant application will help to ensure that the application accurately captures community needs, actions, and priorities correctly, resulting in the most competitive application.

[05:25:01] As of yesterday, HUD has extended the application deadline to July 11, 2024, from the original deadline of June 5, 2024. This extension will provide additional time to refine the grant application and incorporate feedback. Thank you for your time today, and I'm happy to answer questions.

[05:25:20] Thank you very much for that thorough presentation. are there any questions seeing or hearing any uh this is a public hearing i do have a list of speakers who have signed up in advance to testify i have seven of them if you are not on this list and you're here to testify on this matter please come down and sign in with the clerk and at this time i'm going to call our first three speakers if they can be down close to the podium so that they're ready to testify speaker number one is carlos sanchez mr sanchez here mr sanchez carlos

[05:25:54] Sanchez. Okay. Marianela Funes, if you are here, if you could come on down to be followed by Corinne Crowsdale. If you are here, please come down close to the podium and Juan Castillo. If you are here, please come down close to the podium. We have plenty of seats right down here in the front. Marianela, welcome. Thank you. Good evening. My name is Marianela. I am speaking on behalf of Tenants and Workers United.

[05:26:34] For more than 38 years, we have been working with low-income communities of colors across Northern Virginia to improve our quality of life through community organizing and civic engagement.

[05:26:55] In South Fairfax County, along Route Bank Corridor, our work focuses on mobile home communities. We currently have a strong and active mobile home coalition that represents six distinct

mobile home parks. We support the county's decision to apply for the prize main competition grant.

[05:27:16] However, we have suggestions that will help meet the real and serious needs the mobile home residents face. If awarded, we want to ensure the funding will directly help those most vulnerable by supporting dignified, deeply affordable, and subsidized housing in South Fairfax County.

[05:27:41] The following recommendations were identified by community members during our May 14th meeting with the Fairfax County Director of Housing and Community Development. Number one, the county must allocate at least $12 million to land purchases of mobile home parks.

[05:28:05] $6.5 million is not enough, especially considering the recent sales of mobile home parks to out-of-state companies, including the purchase of Rays and Engelside Park for $24.2 million in 2022, and the purchase of Harmony Place for $8 million in 2021.

[05:28:26] For mobile home residents, relocating is not feasible. Preserving is the only way to ensure stability for families and keep people in their homes. Number two, $650,000 for related supportive services, including relocation support, down payment assistance, and eviction preservation services, is inadequate.

[05:28:56] There are over 1,700 mobile homes along one corridor. Most residents have been deeply and disproportionately impacted by high utilities bills, increasing rents, and inflation, and ways to remain low.

[05:29:16] More funds are needed to truly meet the vast and dire need for housing-related services. Number three, park residents must be included as key decision makers in any process or negotiation regarding tenants' protection, long-term affordability requirements, land purchases, and right of refusal.

[05:29:43] Number four, the proposal must include funding for grants for technical assistance and community engagement. The county relies on trusted community partners with deep ties and strong relationships with the impacted communities in order to meanfully include historically marginalized communities.

[05:30:08] This outreach and community development efforts should be fairly compensated. Number five, any issues or needs regarding planning and zoning should be addressed in the county's regular budget.

[05:30:25] This grant, indeed for communities and enhancement, must be utilized to address the community's immediate needs. Mobile home residents want safe, healthy, and comfortable homes, But making improvements to housing conditions without ensuring protection for families and adequate funding for land acquisition creates a very real risk of increased housing costs, push-out, and mass displacement of low-income communities of color.

[05:31:01] Thank you for your attention and consideration. Thank you very much for your testimony. Speaker number three is Corinne Crowsdale, to be followed by Juan Castillo and Jill Norcross. If I called your name, you can come down here and have a seat. There are some empty seats right here in the front.

[05:31:17] Welcome. The floor is yours. Hello. Thank you for having me. My name is Karen Crowsdale. I've lived my adolescence in Pendon, mobile home community with my mother, my stepfather, and my pet. It is my home. The sense of housing instability I experienced in my childhood was very stressful growing up.

[05:31:34] It was difficult to live with the fear of the rug being pulled from under our feet. By the time I was reaching my adolescence, my parents saved enough to purchase a moving home and own a home for the first time. This was a very big step for us. When my parents moved to Pendon, this was the first time I had truly felt a sense of stability in terms of housing.

[05:31:56] These homes are accessible to many who struggle not only with housing insecurity, but also financial instability. It is important that we protect affordable housing. Our recommendations for the price application are, number one, private equity purchases and super high land prices.

[05:32:16] The proposal doesn't say how Rays and Ingleside was bought by private equity, and this is happening all over the country. I believe Pendon is the next community to be sold, and we are afraid of that. Saying how the parks are at risk of being bought by out-of-state investors can show how urgent it is.

[05:32:37] More funds for land acquisition is needed. Number two, the proposal doesn't reference the Mobile Home Resident Council. It's not good when the county checks the box of talking to the community, but we think that talking about the Mobile Home Resident Council would make the proposal stronger.

[05:32:53] By showing that there is a strong community that is organized with Tenants and Workers United, fighting to stay in their homes. Mentioning our efforts to make state law better might also show how there is a strong effort to preserve mobile home parts, and the funding is critical to make that happen.

[05:33:12] The proposal should name the resident council as a group that Fairfax will work with when deciding how to implement the funding. I myself testified many times in Richmond supporting the HB 1397 bill, whose main goal was to establish the right of first refusal in the state to protect our communities.

[05:33:31] Thank you for having me, and we hope our comments are taken into consideration. Thank you, Karen. Appreciate your testimony. Speaker number four is Juan Castillo. Juan Castillo is here. Okay. To be followed by, or Jill Norcross is a caller, is Ulysses Ramirez here?

[05:33:49] Yes. And Mary Payden, I know, is here. If you're testifying on this matter and you have not signed up in advance, please see the clerk over here to my right. Mr. Castillo, welcome. The floor is yours. Good afternoon. Thank you for the opportunity to talk to you.

[05:34:10] Most of the problems has been told, but I'm going to talk on behalf of our community because we are very, very worried about our situation, which has been explained.

[05:34:29] one of the most concerns we have is is this if we are trying to apply for this fund but does it has any sense to apply for if we don't have any legal backup i mean suppose we take uh some money from the county as a loan what about if we take take it and then two three days later the owner

[05:35:06] give us a notice telling us you have to leave right now three days one day we don't have any chance no legal chance any law is in our favor so in our condition it doesn't make any sense to participate about this money until this situation is corrected in any way possible of

[05:35:45] course. So it's one of the biggest concerns we have right now. Thank you. Thank you, Mr. Castillo. Appreciate your testimony. Speaker number five is Jill Norcross. Is Ms. Norcross on the line?

[05:36:06] Yes, I am. Can you hear me? We can. Welcome, Jill. The floor is yours. Thank you. Thank you for this opportunity to speak in support of the submission of the Price Main Grant application. As the

Executive Director of the Northern Virginia Affordable Housing Alliance and a member of the Manufactured Housing Preservation Task Force, I am glad to see this unique opportunity before us.

[05:36:26] In addition, my organization, Navaja, was instrumental in conducting a survey of the Harmony Place residents mentioned in the application. We support the application for additional federal assistance in the amount of approximately $40 million to preserve long-term housing affordability for residents of manufactured housing or a manufactured housing community, known as a MHC, to redevelop MHCs and to primarily benefit low and moderate income residents. It's important to remember the task force made the following recommendations with the following goals. To preserve approximately 1,750 housing opportunities that exist in the eight MHCs, recognizing the uniqueness of each community's

[05:37:04] needs, to provide opportunities for residents to fully participate in and benefit from civic life in the county, and to provide residents and MHC owners with opportunities to learn about their rights and responsibilities. The task force purposely included a diverse array of MHC residents, community owners, housing advocates, and representatives of the development community, among others. The inclusion of MHC residents in the task force was an important improvement in this process. While we are fully supportive of the county's interest in applying, we do want to support the recognition of the current Mobile Home Resident Council in the application.

[05:37:39] Including the Resident Council would make the proposal stronger by showing that there is a strong community that is organized and fighting to stay in their homes. They have been an important constituency. In addition, in the application, we suggest that the county include consulting with residents and the resident council in the development of the tenant protections and affordability requirements. The proposal references the park owners, but it should also include residents in these discussions. Finally, the proposal should clarify more details around the improved community outreach engagement and how residents of MHCs and non-profit organizations working with MHCs will be integrated and engaged in the process. The preservation of MHCs is an

[05:38:17] important component of the One Fairfax equity policy. As we know, our MH, and as you've heard tonight, MHC residents are the members of our community who have the least amount of protections with regard to their living situation, as they own their units but do not loan the land underneath them, nor benefit from state protections that renters and single-family homeowners enjoy.

[05:38:36] Thank you for this opportunity to support the application with these important changes. Thank you, Joe. Our next speaker is Ulysses Ramirez. Good afternoon, members of the board.

[05:38:52] My name is Ulysses Ramirez. I come here today as a lifelong resident of Fairfax County on behalf of Legal Aid Justice Center, LAJC. We're a nonprofit organization that provides no-cost civil legal aid and advocacy on behalf of low-income Virginians, including Fairfax County.

[05:39:13] Today, my comment is in support of all the people we represent at LAJC, the families in their mobile home parks, and our community partners, including the Mobile Home Coalition and Tencent Workers United, TWU. We applaud Fairfax County for its efforts to support manufactured home residents as they fight for their homes to be meaningful and permanent homeownership opportunities.

[05:39:39] I'm here to join in TWU's recommendation and to share ours to ensure that the county's prize grant application best reflects the needs and vision of the community. In addition to other points raised in our written public comment, I submit the following.

[05:39:58] Fairfax County should increase funding to at least $10 to $12 million to prioritize land acquisition for resident ownership or resident-led ownership in partnership with a nonprofit. as improvements to individual mobile homes are not meaningful if a park owner develops the land.

[05:40:18] Number two, legal protections are essential for long-term park preservations. The application should state clearly that legal protections will be conditions for mobile home communities receiving any kind of financial assistance available under this grant. These protections include rent stabilization provisions and rights to renew leases for residents, permanent affordability requirements, and a right of first refusal for residents.

[05:40:47] Third, for preservation to be effective, park residents must be decision makers when negotiating any tenant protections, as I just described. The proposal should explicitly commit to and describe how residents will determine the appropriate protections.

[05:41:05] Additionally, the proposal should reference the organizing work of the Mobile Home Coalition of Manufactured Homeowners along Route 1, Formed as part of TWU, representing six of Fairfax County's eight mobile home parks.

[05:41:22] The application is strengthened by showing the investment, commitment, and dedication of mobile home park residents, as well as showing the coalition work with local, statewide, and national advocates. Finally, the application should allocate funding for subgrants that can support existing organizations that are working with manufactured home communities to build capacity to support community engagement and participation, preservation, and resident-led ownership.

[05:41:52] We have provided written comment to elaborate on the points raised here and to discuss additional recommendations to strengthen the price application by reflecting manufactured home residents' needs. We look forward to working together to build a better Fairfax County for our manufacturer home residents.

[05:42:08] Lastly, I just want to thank you all for listening and for the work that you do for our communities. Thank you for your testimony. Our next speaker is Mary Payton.

[05:42:28] Hi, good evening, Supervisors. Yeah, I'm speaking on behalf of the Fairfax NACP Housing Committee tonight. I'm also the chair of the South County Task Force.

[05:42:46] And in those two capacities, I've been working with the mobile home communities along Route 1 for about six years now. And people have made some very good recommendations, and you'll find some similar and good recommendations in my written comments, which I hope you have the corrected copy of, because the first copy was actually about the Franconia land transfer, but never mind.

[05:43:17] So I want to back up a little bit and just give kind of a big picture of this situation. And I hope this grant, I endorse the grant, we support the grant, we need more money. But I just want to back up a little bit and I hope some of these things can be incorporated into the grant proposal because they're crucial to success of this.

[05:43:40] When we developed the Embark project, one of Fairfax was also being developed. Those two things came along in parallel. And there was no one Fairfax applied to Embark. The mobile homeowners learned about Embark a year or so after it was approved by this board at one of our community meetings.

[05:44:01] And they were astonished. They said, you're going to do what? Wait a minute. And they were never involved in that whole process. The One Fairfax concept, and I'm so happy this is going to be applied now maybe to the comp plan as being revised to incorporate One Fairfax, and in land use decisions, this has got to involve asking these questions, who benefits from this development, who is harmed by it, and who is at the table.

[05:44:35] And if those questions have been asked about Embark in 2017, 2016, I think we might have had a little bit different of a configuration of a plan, because clearly the mobile home owners are harmed.

[05:44:51] They're very much in danger of losing their land, their security. It's not their land. I mean, the reason they can lose it is because it's not their land. But they need land security. That's what they want the most. There's a lot of this going on around the country.

[05:45:09] There's a lot of very innovative things happening to get land stabilized through nonprofits, through cooperatives. It's a very exciting field that's going on right now. And there's a link in the comments I gave you to a summary of state laws that are looking into these new things.

[05:45:28] These tenants and workers and others work a testify. We tried to get a law passed this year that would give the county right of first refusal. Didn't work, but I think two years from now it might work. But in the meantime, we've got a park, especially Pendaw, which is very, very endangered.

[05:45:47] I mean, that thing could blow up any minute as far as I can see. It's right next to a big developer by a very deep-pocketed national developer behind it. And if they want to complete the plan that's been drawn out in the one Fairfax concept, that park is standing right there in the way of it.

[05:46:08] So I think this has to be addressed. This is our elephant in the room. We're talking about fixing the heaters and the roofs and the shingles and the plumbing and all the stuff in the mobile home park, and that's all necessary. But it's nothing if the trailer is bulldozed and chopped up by a developer, and that's what would happen.

[05:46:32] There's no compensation for a mobile home that can't be moved. There's nothing. If you put $80,000 into that dwelling, it's gone. You've got nothing. You have no right to anything if that land is sold out from under you and you can't move that thing.

[05:46:48] In fact, they may be able to go after you to force you to move it, to pay for moving it or disposing of it somehow. That's not real clear to me in the law. But this is the existential problem that the mobile home community has.

[05:47:06] Also, they are a community. They support each other. You can see how they've become united. They want to stay together. There's kind of three things that can happen to the PennDL. One is it can be bought. It can be turned into a co-op or a nonprofit.

[05:47:22] It can be fixed up. It can have lots of nice things happen to it. But the problem is it's still right there in the middle of the BRT station. That may not happen. Another thing that could happen is it could get some other land, some other place, and work with a nonprofit and move the community.

[05:47:41] And the third thing is the thing we're headed towards, unless we address these things in the creative way, which is that the developer buys the land, pushes all the tenants off. They get nothing. they get like $5,000 a piece, a trailer, relocation fees.

[05:47:57] Otherwise, they're scraped. They're just scraped off the land, and they get nothing for their home, for their investment. And we need to avoid that. So we need to think creatively. We need to use some of this money to bring in other people, think creatively, and try to figure out the right thing that would happen under one Fairfax for this community.

[05:48:17] Thank you very much. Thank you very much, Mary, for your testimony. Speaker number eight is Alicia Valente. Is Alicia Valente here? Alicia Valente, are you here? Okay. Is anyone else here to testify after Ms. Valente?

[05:48:34] Anyone else here to testify after Ms. Valente? Okay, I'm not seeing anyone. If anyone is, please come down here and sign in with the clerk for me. Ms. Valente, welcome. You will be speaker number eight. Hola, buenas tardes.

[05:48:51] Gracias por su atención. Yo quería dar mi testimonio de lo que he escuchado y he leído, lo que nos han traducido en español. Pienso que creo en el desarrollo, creo en el desarrollo, en que tenemos que ir evolucionando, mejorar nuestras vidas.

[05:49:16] Pero habemos muchos que no podemos ir al mismo ritmo que las grandes compañías, las grandes empresas. Somos familias de bajos recursos, yo soy de la comunidad de Audubon y cuando paso por la Ruta 1 me asusta ver tantos espacios ya, tantos huecos vacíos de cosas que existían y que ya no están.

[05:49:36] Me asusta ese proyecto de la Ruta 1 porque no sé cuántos vamos a ser desplazados de esa comunidad, de las otras comunidades también de Mobile Home que vemos ahí.

[05:49:51] Y pues a mí me gustaría que tomaran conciencia de las decisiones que toman y pensar en nuestras familias porque podemos, nosotros podemos, hemos trabajado, hay adultos de la tercera edad en esas casas que no son condiciones muy buenas y que ellos dieron toda su vida atrás de una cocina de un restaurante, limpiando edificios, baños.

[05:50:16] Son cosas que no avergüenzan, que nos llenan de orgullo como comunidad latina, porque son trabajos, son trabajos que nos dieron de comer, nos dieron nuestro techo y es un orgullo para nosotros.

[05:50:34] Y el que tenga oportunidad de estudiar, que bueno, pero nuestros hijos, nuestros hijos, ¿qué les espera con todos estos cambios? Ellos no tienen la oportunidad de ir a una universidad. Van a estudiar una carrera técnica, electricista, mecánico, cosas que contribuyen a la sociedad, al desarrollo de todos nuestros hogares, de los que están aquí, aquí y acá.

[05:50:56] Todos contribuimos a un desarrollo social y a mí me gustaría que apoyaran la idea de que nos protegieran como inquilinos o de que fuéramos nosotros parte de esas tierras.

[05:51:12] because the same owner, he changes his rules, he doesn't comply with his rules. I would like to be more involved in that if he has permission, that he can also comply with what you demand, because many of us don't know about the problems, and to us, to the people, we're afraid to come and ask.

[05:51:31] And when we close, sometimes there's no disponibility. One day I came to this building, I didn't know it, I wanted to do an addition to my house, porque uno de mis hijos duerme en la sala porque necesita ya un cuarto más.

[05:51:48] Y vine a buscar la ayuda y me dijo la muchacha, muy amablemente me ayudó. Pero dijo, no sé cómo se puede hacer para una adición en un modo home. No sé cómo puedes hacer. A mí me gustaría que

tomaran conciencia de todo eso.

[05:52:05] Gracias por escucharme. Thank you. Thank you very much for your testimony. And let me double check again. Is there anyone else here who wishes to testify on this matter? Anyone else present who wishes to testify on this matter, this is a public hearing.

[05:52:25] I'm seeing and hearing no one. Let me ask the clerk if anyone else has called in. We do have one caller, Jerry Poggi, representing the Universalist Congregation of Fairfax. Okay, Jerry, welcome. Thank you. Can you hear me? We can. Oh, great.

[05:52:41] I want to thank the team for bringing forward this application. And Tom and his team have been very important players in trying to work with the community. And I think this is a model of how we should go forward visiting with people with lived experience to gather their input on what is most needed.

[05:53:05] I don't want to take up too much time this evening. I echo the comments begun by Marianella and the important revisitation of the bigger issues that Mary Payden has raised. You know, this is an extremely important grant application.

[05:53:24] If we get it, it is a significant additional resource for the county. It's in retrospect, you'd hope that we would have done this many, many years ago instead of having to rescue poorly at-risk communities under the current circumstances.

[05:53:44] But we must do the best with this that we can. I think the input given this evening will help inform Megan Van Dam and her team in rewriting a stronger application by July when it's due at HUD.

[05:54:01] And I would just urge us all to embrace the points that have been raised, particularly the importance of land purchases, eviction prevention, seriously stronger provisions for rights of first refusal, technical assistance, and addressing the real risk of lacking the ownership of the land and losing everything.

[05:54:27] So I think it's a terrific effort by Tom and his team. and I'm grateful for the board's approval to push this forward. I think it would be terrific for us. If we are successful, and I hope we are, it would be important to look at the BRT situation and see whether we could multiply additional federal resources through the Department of Transportation, which has grants for bus rapid transit communities to do even more than has been done ever before.

[05:55:04] So thanks to the Biden administration for making much more happen. And thank you all for listening to my comments this evening. Thank you very much, Mr. Poggi. And let me verify there are no other callers on the line. There are no other callers.

[05:55:19] There are no other callers on the line. Again, thank you all for all your testimony. At this time, I would ask for any closing comments and a recommendation from county staff. Yes, this is Megan Van Dam again. Just first, we'd like to, on behalf of HCD and all the other partners within this grant application, we truly appreciate you all giving us the time for this hearing today and for the speakers who came out to speak to the comments on the grant application, and we look forward to incorporating many of the comments into the grant application as we can.

[05:55:59] So with that, as part of the preparation of the draft application, staff recommends that public comments be forwarded to the Department of Housing and Community Development for consideration in

the grant application. Thank you very much. Thank you very much. Are there any questions of board members?

[05:56:16] Any questions? Supervisor Beerman. I just want to confirm again what I think I heard you say. This is a $39 million grant. However, we would be most likely putting in about $9 million or moving around funds from Fairfax County.

[05:56:35] Is that correct? Yes. Well, I'll say that the $8.5 million of leveraging is local money, but it is a combination of funds from the state and the federal funding that we receive as well.

[05:56:52] So if we were to win this thing, we'd put in $8 million, we'd get $39 million. My math's not great, but that'd be a five-time match, and that's really great. So I hope you will take advantage of all of the comments here today and go win this thing.

[05:57:10] Thank you. Are there any other questions? Seeing and hearing none, at this time I'm going to close the public hearing and recognize Supervisor Palchuk for a motion. Thank you, Mr. Chairman. Before I make that motion, first of all, I want to reiterate gratitude.

[05:57:30] to the staff for their work on this grant, to all of the speakers tonight, and all who have sent comments. It's a little bit different tonight because the federal deadline, application deadline was changed.

[05:57:47] And so the comments, as I believe Megan mentioned, staff will have the latitude to incorporate the feedback to the maximum extent feasible prior to the submission, which was changed from a june 5th deadline to a july 15th deadline which even though we have the public hearing tonight will allow staff to have a little bit further time to incorporate the feedback into the final application so to that mr chairman i move that the board of supervisors forward the public comments received on the preservation and reinvestment initiative for

[05:58:23] county enhancement price main grant application to department of housing and community development hcd staff i'm happy to second that motion along with uh supervisor beerman and lusk is there any discussion on the motion any discussion on the motion supervisor lusk uh thank you mr chairman i'll just say as the uh supervisor and whose district has the largest number of mobile home units uh this is a very important item coming before the board and one that i am extremely appreciative of as well i want to acknowledge the importance of it for our mobile home communities

[05:59:01] and appreciate all of those who came out to testify today and to hear kind of your position on this it's very important and thank you for doing that i'll acknowledge too that this grant could provide you know an opportunity for rehabilitation and or replacement of existing manufactured units and i'll say that many in parts of my district are not in the best condition so that would be extraordinary in addition uh providing our residents an improved or new place to call home this grant will also provide i think the infrastructure improvements that we heard about which i think are phenomenal as it relates to water and sewer and road and we've

[05:59:41] seen some of that in harmony and just look forward to that being available to other communities as well um it could also provide wealth building through home ownership which i think is something that's vital and necessary and really at the crux of what we need to try to achieve through this effort I think the biggest thing that we could do is give the residents of these communities the opportunity to own the land on which their structures sit and this is probably going to be our best way to make that happen I think the goal is obviously in helping those in the

[06:00:20] manufactured housing units be better connected to their own neighborhoods and again to be afforded this opportunity to pass on generational wealth to their families which would be exceptional so in conclusion I'll just say I'm supportive of this item and I hope we are successful Tom and actually garnering these funds but just appreciate that this could be transformational for so many of those in these communities. And then last from Marianella, you unfortunately were not here

[06:00:56] this morning when we did the proclamation for the fire safety days. I just want to acknowledge the work that you did. I did mention your name earlier with Tenant Workers United and helping us get connected to all the residents in Harmony and also in Audubon. That effort and the work that you did specifically is going to help us save future lives so i just want you to know and hear that from me here again because you were not here earlier so with that mr chairman i will conclude my remarks thank you okay supervisor smith i just wanted to thank staff for all their work on the application

[06:01:34] and you know there is a mobile home community in sully and but just to read this information about the different communities and the issues they face i think it's valuable to have that awareness for everybody to understand the challenges we face and go get grant supervisor palchuk thank you mr chairman to that i want to add one point and i know that the one fairfax policy was brought up rightfully in this and i appreciate what that comes the equity impact incorporated most of our applications and there's one thing here especially directed to what alicia

[06:02:10] mentioned, which is the focus, in addition to looking at ownership and wealth, it's really the improved community outreach and engagement, the understanding of community needs, the access to resources that support housing stability, code compliance, which has been brought up, safety, land use policies, regulations, and legislation.

[06:02:34] It was mentioned quite often that money will get us so far, but there are other legal and hurdles and legislative hurdles that have made this a very difficult process for many of our communities and so i appreciate the holistic approach and ability to better serve and listen and meet the needs of the community and help empower them as well thank you supervisor stork thank you mr chairman and just a couple couple comments i want to make first and foremost i know uh the pinda a mobile home park was brought up several times i just want to say what i've

[06:03:13] heard in talking with the owner of that multiple times that she has no interest in selling has no plans to sell is not selling but we also recognize like we all do here that that time can change that perspective but i just want to allay any concerns that that residents of that community uh that that's something that's imminent or something that's likely to happen soon because again the The owner of that has consistently said to all of us that she has no intention of doing that and is not moving forward with doing that.

[06:03:50] Having said that, I do want to recognize that this grant can go a long way towards doing what we all, I mean, I know we all, meaning the board, has consistently supported the manufactured housing recommendations. We spend a lot of time with our housing plans to put together a special and a targeted manufactured housing recommendations that we need to implement.

[06:04:11] The challenges of implementing that are, like everything else, we do need additional funds. We do need other organizing. We do need other outreach. This will give us those mechanisms to do that better, and as a result, I strongly support and look forward to being successful in the grant.

[06:04:27] Thank you. Thank you, Supervisor Stork, and I appreciate everyone's comments. truly support this as well. And I do want to thank staff for having the vision to bring this opportunity forward to us. And it is because of those new efforts that are made to recognize the uniqueness of our mobile home communities that allow us to be able to apply for this. And so you're literally seeing one Fairfax as it was envisioned in operation before yourselves today.

[06:04:59] And so that is great. I do want to just clarify one thing for folks who are watching, because we did mention use of funds and all these competing issues for funds. And Supervisor Beerman made the right point that this federal grant has huge financial implications to the county.

[06:05:17] But in the fiscal impact statement, it does mention no local cash matches required. And so while I appreciate what staff has said, I think it's important to point out that, as this says, HUD views external funding as an indicator of support and commitment.

[06:05:34] This is important for people around this dais who support the budget because if you look at the things that are listed there, with the exception of the Amazon Impact Reach Funds, Neighborhood Initiative Program, Opportunity Neighborhoods Program funding administered by our NCS and CDBG funding, All are things we can use to leverage and to show not only the county's commitment, but external funding commitments as well.

[06:05:59] So it's even a better return than was presented a moment ago. And I just want to clarify that because it's important. It's our infrastructure and what we do on an annual basis in our budget presents us with an edge over many jurisdictions in applying for these competitive federal grant funds.

[06:06:18] And it's an element of the budget that is often overlooked. And the importance of having literally that infrastructure, not just in people, but external support and county programming that put us in a position to be competitive to hopefully draw down these federal funds and take advantage of this grant opportunity.

[06:06:37] So, again, I appreciate all the advocacy and work that is done. Supervisor Lusk may represent the district with the most manufactured homes, but Chairman McKay represents every manufactured home in Fairfax County. So I do really appreciate all the work that's being done in these communities because they are important to preserve and they are important to protect, not just now, but very importantly in the future.

[06:07:05] So thank you all for coming out and testifying. And as others have said, let's now go get that grant. And our support will be strongly behind our staff doing that. With that, all those in favor of the motion, please say aye. Aye.

[06:07:20] Any opposed? Any abstentions? And that motion carries. We now have to go back to Admin 8 that was deferred this morning related to this matter. And Admin 8 is authorization for the Department of Housing and Community Development to apply for and accept grant funding from the U.S.

[06:07:42] Department of Housing and Urban Development Preservation and Reinvestment Initiative for County Enhancement Grant. And so we just had the public hearing on this. We deferred this only to bring it back after that public hearing and be able to approve the application for the grant.

[06:07:59] Supervisor Palchuk. Thank you, Mr. Chairman. I do have two motions as chair of our housing committee. Mr. Chairman, this morning the board deferred Administrative Item 8, the authorization to

apply and accept grant funding for preservation and reinvestment initiative for community enhancement grant.

[06:08:17] Now that the public hearing on the price grant has closed, I move that the Board of Supervisors authorize the Department of Housing and Community Development to apply for and accept grant funding if received from the price main competition in the amount of $39,550,000 as outlined in Administrative Item 8.

[06:08:40] And I'm happy to second that, along with Supervisors Lusk and Smith. 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?

[06:08:56] That motion carries. Supervisor Palchuk. Mr. Chairman, I further move that the Board of Supervisors authorize the Chairman of the Board of Supervisors, the County Executive, and or a designee appointed by the County Executive to enter into the grant agreement and any related agreements if received for the HUD preservation and reinvestment initiative for community enhancement main competition on behalf of the county as outlined in administrative item 8. You've heard the motion and second by supervisor Smith and Lusk discussion on the motion seeing and hearing none all those in favor of the

[06:09:34] motion please say aye aye any opposed any abstentions and that motion carries and that completes our action on that item thank you all again for coming out to support it that brings us to our last public agenda item of today and that is public comment and before we call our speakers i do want to remind some folks about the rules for public comment and the board will hear public comment on any issue except issues under litigation issues that have been scheduled for a public

[06:10:11] hearing before the board and personnel matters and or comments regarding specific individuals speakers must register in advance and each speaker is given three minutes for her his 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 we do have 10 speakers who have signed up to testify this morning, and our first speaker is Faith Rashidi. Is Faith here? Faith Rashidi?

[06:10:46] Faith Rashidi? Don't see her? Speaker number two has provided video testimony. If we could play Layla Taymurian's testimony. We're going to have to restart that so we can hear it.

[06:11:14] We can see her shirt, but we can't hear her.

[06:11:19] Hello, my name is Laleh Taymourian. Thank you for allowing me to speak today. I have been a resident of Northern Virginia for 20 years. 10 years of those have been at McLean and Tyson's Corner. I love where I live at Mutunda. It's a beautiful community full of diverse population. There are a lot of children at my community. There are about 700 children at the community that I live at.

[06:12:23] I love where I live. I love Northern Virginia. I ask you officials, our elected politicians, to please listen to your residents. Please listen to the citizens who have elected you.

[06:12:40] Please kill the bill, the Senate Bill 675. We do not want a casino. I don't want a casino. My community doesn't want a casino. Nobody asked the Tysons residents if we wanted this.

[06:12:56] So please do your job. We elected you. We trusted you. Please kill the bill. There are many reasons that a casino does not belong at Tyson's Corner. I am a mother, I'm a wife, and I'm a teacher. I have

a passion for children, and children are important. We have to keep them safe. There are three schools around where a casino will be built, the proposed casino. We need to keep them safe. Please help us by rejecting the bill.

[06:13:33] There are other reasons not just to protect the children from a casino that will affect our community in a negative way. One other reason is the quality of life issues.

[06:13:48] There will be noise and light pollution and increased activity associated with the casino can negatively affect the overall quality of life for the residents. Another reason is social inequities. Casinos may disproportionately impact vulnerable populations, exasperating social inequalities within the community.

[06:14:11] Loss of community identity is another concern. The introduction of a casino can alter the community's character, potentially eroding its original identity and values. This is particularly harmful to the comprehensive plan for Tysons that has been so successful to date.

[06:14:28] Another reason is permanent disturbance to nearby towns and neighborhoods. operate 24 hours a day, seven days a week. The presence of one would exasperate existing traffic challenges in Tysons and adversely impact the quality of life of thousands of residents in the region. Thank you for allowing me to speak. Thank you very much. For your testimony, speaker number three is Linda Walsh. Linda here. Okay, folks, if you're here in person to testify, please, please, please come down close. There's a lot of seats down here. I don't want any falling,

[06:15:04] rushing down to testify. I know we have Adrian Steele, who is here in the front, Tjes Tesfay, Asan Nassar, Margaret Grieshaber, and Arlene Tunan are all people who have signed up in advance to testify in person. If I call your name, please come down close to us so that you're ready. Welcome, Ms. Walsh. Hey, Supervisor Beerman and the full board. I'm Linda Walsh. I'm the president of the McLean Citizens Association, who is also participating in the No Fairfax Casino Coalition.

[06:15:44] I first want to say thanks to all the people who've come this evening in our red shirts to oppose the casino. We were of larger numbers before, but some people had other things to do this evening, and I appreciate them coming out.

[06:16:02] We have an ask of you, the board. We want to ask you to say, tell Richmond, to give them a clear message, Fairfax does not want a casino. Many other concerned citizens have provided statements to this board over the last couple of months.

[06:16:20] The reasons for opposing a casino have been many. Traffic congestion, public safety concerns, impact on property values, addiction, and other risky behaviors. What I want to impress upon you is that no matter the reason, we collectively oppose inviting the casino industry into our community.

[06:16:47] We are united and we are organized. We live throughout the county. We have seen the location change from Reston to Tyson's. Where is the next target? We want to fight this together. Those who have publicly stated their opposition include McLean Citizens Association, Reston, Reston Citizens, Great Falls, Fairfax Federation, and Western Fairfax County Associations, Sully and Mason District Councils, Town of Vienna, Greater Tyson Citizens Coalition,

[06:17:27] and many neighborhood civic and homeowners associations. We are growing. Faith Base and other community groups share our concerns. They are contacting us daily and asking to join our efforts.

[06:17:45] We are talking to Tyson's businesses. They have yet to take public positions, but they privately express their business concerns and their own personal opposition. Legislation was formulated in Richmond to allow economically distressed areas a much-needed tax revenue stream.

[06:18:08] Tyson's and Fairfax County in general does not fit that bill. Fairfax is thriving. We have a robust economy, low unemployment, and a growing mix of businesses and industries.

[06:18:25] Past action by this board have enticed Fortune 500 and other large corporations to locate in Fairfax County, bringing jobs that pay living wages with good benefits. A casino does not fit. You hold the key.

[06:18:42] We believe a strong and emphatic no from the Fairfax County Board of Supervisors will kill the bill. Tell Richmond now, no Fairfax Casino. Thank you. Thank you, Ms. Walsh. Our next testimony is Diane Berkeley Alejandro, who has submitted video testimony.

[06:19:02] Hi, I am Diane Berkeley Alejandro, speaking on behalf of ACLU People Power Fairfax, as well as members of the Police Reform Matrix Working Group. The board appointed this group to develop an action plan based on 300-plus proposals that had poured in from the public.

[06:19:24] The murder of George Floyd set the stage nationally, but the nine shootings and four deaths at the hand of Fairfax police over two years made that concern local. One year ago, the working group submitted its recommendations to the board.

[06:19:44] We are pleased that the board has acted on one of them, setting up a permanent advisory group on equity. One Fairfax initiative is broader, but will address our concerns. The bad news is that 51 recommendations remain unanswered by the board.

[06:20:05] Only about a quarter were partially adopted by the police. What about the rest? Issues like use of force and data transparency have been vetted for years, not just by our group, but by five earlier ones.

[06:20:21] We do not need serial advisory committees rehashing these concerns. We need the board to act. Last week, we gave you a list of the six most pressing recommendations. Adrian Steele and I will each address some.

[06:20:39] First, we asked the board for more community involvement in police policy, not less. But Chief Davis is ending it instead. For years, the department has worked successfully with advocates to ensure that major policing policies meet or exceed national best practices.

[06:21:01] Chief Davis is ending this collaboration because he says the roundtable can do the same thing. Why should it? How will it? Do you really want the roundtable to become expert in best practices on things like food pursuits and probable cause?

[06:21:18] you won't find that listed in its chart. Second, we need to assess whether current reforms are working. If this is the safest jurisdiction in the country, police stops and arrests should be safer too. Performance measures can tell us. UTSA found disparity in use of force through 2018.

[06:21:42] Is it better now or worse? What have we done to try and reduce it? To find out, we need to correct the department's flawed methodology. You cannot assess whether people of color are treated differently if you lump Latino and white people together as the police do.

[06:22:02] This mode of practice has been discarded by researchers everywhere. It is up to the board to implement these changes. Thank you. Thank you very much. Speaker number five is Adrian Steele. Speaker number five is Adrian Steele.

[06:22:21] Mr. Steele, come on down. Thank you very much. And like all of us, we appreciate your long days and hard work, but we didn't all have to do this. You all did. Don't take that off my three minutes.

[06:22:42] As many of you know, I started, this is my 10th year, I'm starting my 10th year on police reform work. And I've been on the ad hoc commission with Clayton and the review were also working at that time. I was on the Chairman's Task Force for Equity and Opportunity on the Reform Matrix Working Group, and as you know, I was the inaugural chair of the civilian review panel.

[06:23:08] I'd like to just mention today three of the things that Diane mentioned. First is civilian oversight. The original intent of the Ad Hoc Commission was to try the program that we had, And we all know we had Virginia law, lack of clarity about what you could and couldn't have.

[06:23:32] So we tried a structure. It's very unique. I think NACO helped us set it up. It's worked fairly well. But everybody intended that we would relook at that after three, five years. It's now been seven years. And so the working group recommended that a study be conducted to look at that and see if we're still doing the best practices.

[06:23:53] We have more authorities, Richmond, Virginia Beach, Arlington, and Alexandria have studied the new law and have made adjustments and all that, and our only thought is to try that. We have a new, Craig Miles is doing a good job, the study will take a year, he can see where we are after a year, but that's one of our first things.

[06:24:15] We think that's important, it's been a while, and if you want to have the best system, we have to actually study it and think about it. Secondly, there are three immediate proposals that we would like to have addressed and have you all act on. One is proportionality in the use of force standard.

[06:24:35] Everybody, including the chief, the chief, perf, the committee, the auditor, everybody agrees that proportionality ought to play a bigger role. The chief proposed a year ago. The department proposed adding proportionality.

[06:24:51] They haven't done anything about it. We don't know why not. Second is a foot pursuit policy. We all know the importance of that from the Tyson situation. That was going on 15 months now. We have no foot pursuit policy. They have drafted a foot pursuit policy.

[06:25:08] They won't show it to us. They won't show it to anybody. They want to send it to the roundtable. The roundtable is off to a good start. But it's not really the time. We need a foot pursuit policy now so it doesn't happen again and to protect the officers so they know what they're supposed to do and not do. And they don't have that policy.

[06:25:24] And we don't understand why it's not put in effect. If it's drafted and they're happy with it, put it into effect. Third is the appointing of a firearm. The chief announced in November that they were changing policies, but we see nothing about what that policy might be.

[06:25:44] Just one quick last thing. So those three things are there. We need all three of them. We've seen evidence in the police's activities that they will help make us a safer place. And then lastly, we think it

would be useful if the department would issue critical incident reports back to you all, telling you what has happened.

[06:26:08] After investigations are done, there's no criminal, whatever, take the McLean incident. That's all done. No more investigations. Discipline's been done if there hasn't been any discipline. But the questions people have raised, the parents have raised, why did they go in the second time without the co-responder unit?

[06:26:26] Why did the officer not have his ECW with him when the officer who shot and killed Mr. Lynch did not have his taser with him? Why was that, and why is that not going to happen again? And then proportionality.

[06:26:44] Was proportionality, was it proportional? I'm not arguing one way or the other. It's just, it seems that that would be something for the board to know and the public to know when the incident is over, what we can learn so that we can avoid those kind of situations happening again.

[06:27:02] Sorry to have taken up more time. Thank you, Mr. Steele. And I sent in to the clerk a more detailed thing that's in there that you all could look at, but I think we'd really like to move some of that forward. Thank you very much. Thank you very much, Mr. Steele.

[06:27:19] Speaker number six is to Jess Tesfaye. Jess Tesfaye here, not seeing anyone. Hassan Nassar, welcome. He is speaker number seven. Welcome.

[06:27:39] Thank you, members of the board. I understand I'm catching you at the end of a long day. My name again is Hassan Nassar, and I would like to comment on the proposed budget and the accompanying real estate tax increase. I've had an opportunity to review the publicly available budget. Put simply, I would encourage the board to scrub the budget for all the efficiencies and savings that it can gain from the use of technology and the proper allocation of existing resources.

[06:28:04] As an employee of the government, former employee of the Government Accountability Office, I'm especially concerned that the board is deferring technology investments when these very investments could bring us efficiencies in budget and save taxpayers money. We can't really talk about affordable housing for police, first responders, teachers, many of whom, I might add, cannot afford to live in Fairfax County if our budget can't support it.

[06:28:28] The board aims to add approximately 10,000 new units, but that's over 10 years and about 2% of total housing units in Fairfax County. The $450 tax, approximately $450 tax increase, is going to pretty much offset any affordable housing units that may go on the market.

[06:28:46] I've talked to people that work in our stores, deliver our mail, and protect us. The consensus is we're on the road to becoming like the Bay Area with many of our unsustainable budget policies. I fail to see, and I may have missed it, in the budget, any mention of Fairfax County more aggressively adopting AI to empower its current workforce to do more and address the unfilled labor positions within the county.

[06:29:11] We can't keep blaming a tight labor market in Richmond for our budgetary challenges, especially since we're one of the richest counties in the nation. We can reach out to our local tech industry and help us find even more efficiencies in the budget. These are steps that we can take right now to control our own future.

[06:29:30] Crime, affordable housing, youth mental health. We can't start to solve these problems until we show the taxpayer that we are efficiently managing and spending money that we already get in revenue. We've gone from 63% and this is in the budget to 63% of the budget relying on real estate to 66% relying on real estate taxes.

[06:29:52] That's going in the wrong direction and we all know that. I would strongly encourage the board to use more creativity in adopting technology and AI to achieve savings that are there. We don't need to create more stealth taxes, open casinos, or open vaping stores to do this, but we do need to leverage our industry partnerships to see if we can deliver some services through private sector partnerships and that we're investing in a workforce that's ready for the jobs of tomorrow.

[06:30:20] I encourage the board to please embrace the technology instead of deferring the $5 million in investments in technology and embrace that technology and recognize the savings that are available for us today. I encourage the board to deliver for the residents of Fairfax County. Thank you.

[06:30:37] Speaker number eight is Kent Holland, who has submitted video testimony. Hello, I'm Kent Holland. I am here to speak in opposition to the proposed casino. I am the president of the McLean Hunt HOA. I am a board member for the McLean Citizens Association, and I'm a member of the Greater Tysons Community Coalition.

[06:30:58] All three groups have written in opposition to a casino. You know, there are some state legislators who are proposing legislation. They suggest that Tyson's is somehow commercially failing and needs a casino to get going again. This could not be further from the truth.

[06:31:15] Right now in Tyson's, there are several apartment buildings and condos being proposed and constructed. There are two or three new hotels proposed and being built. The economy in Tyson's is actually doing well. A casino won't improve the economic situation in Tysons.

[06:31:34] In fact, it will worsen it. Businesses that might have been willing to locate in Tysons will be scared away by the increased crime and traffic that they know will surely come with a casino. Residents that might have come and moved into the new residential towers won't want to move here knowing that a casino is literally next door.

[06:31:53] A report by the National Association of Realtors says that properties next to or near a casino drop in value 4 to 10 percent. There are also reports that say that crime increases by at least 8 percent in the communities where a casino is located. The largest increases in crime are robbery, auto theft, and aggravated assault. The proposal for the casino near Rail 7 and Spring Hill Road is particularly distressing because it's right next to the Vesper

[06:32:28] Bicycle Trail. And on that trail, children and their parents walk from Tyson's over to the West Brook Elementary School. They go through the Raglan Park, which is now called the Tyson's Forest. This is not safe. This is a fundamentally flawed principle, a bad idea. This is wrong.

[06:32:49] Most casinos that are being built around the country today, they're not being built in a literal downtown right next to existing and new buildings. They're being built on Indian reservations and out in the sticks. This is a terrible idea to build something right in the middle of Tyson's. Another bad thing about this is there literally there will be a new affordable housing building built right on the intersection where this casino is proposed. Affordable housing high-rise right there. Some politicians suggest that there's no opposition to a casino but they

[06:33:25] if they believe that then they're not listening to the residents and the business people who are here. We are asking that the board issue a resolution and issue it soon expressing your opposition to a casino. Do that before the state legislatures next year again attempt to pass authorizing legislation and argue again that no one really opposes the casino. Please go on record in opposition to the casino. Thank you. Thank you. Speaker number nine is Margaret Greesaber.

[06:33:58] is margaret here i hope i'm pronouncing your name right uh followed by arlene tunon is arlene here okay great uh margaret welcome good evening to everyone my name is margaret grieshower and i live at 2002 wingfoot court reston and my husband joe and i moved from new jersey to reston in 1977 and since then we've seen a lot of changes a lot of changes and expected

[06:34:30] changes to any community are housing, schools, places of worship, shopping, but a casino. If the idea of a casino was floated back then, I assure you, our reaction would be the same as it is today.

[06:34:49] Why? And no, I won't restate the arguments against the casino that were made already, but for those of you on the Board of Supervisors who feel there may be merit to this casino scheme, ask yourselves how would a casino benefit my district and most importantly do your constituents the people who voted for you want one and if they do do they want a casino in their district or next to their district i think not and with regard to senator marsden's attempt to bring

[06:35:27] tyson's the many benefits that he has that he says would be associated with a casino and who is doing everything in his power to build one there let me tell him as well as you, Tyson's does not want one.

[06:35:47] Joe and I join with Senator Jennifer Boiskal, our Hunter Mill District Supervisor, Walter Alcorn, Drainsville District Supervisor, Jimmy Behrman, Reston Association, the Vienna Town Council, the Great Falls Citizens Association, the Greater Tyson Citizens Coalition, and no Fairfax Casino in Stronley, opposing a casino built anywhere in northern Fairfax County.

[06:36:17] because no family-friendly community wants a casino. Thank you. Thank you. Speaker number 10 is Arlene Tunon. Welcome. Thank you.

[06:36:35] Good afternoon, ladies and gentlemen. My name is Arlene Tunon, and I have been a resident of 3412 Gallows Road, Annandale, Virginia, for over 25 years and a resident of Fairfax County for 35 years. I live across from Woodward Elementary School and Holmes Run Historic District resident area.

[06:36:57] And down the road from Innova Fairfax Hospital on Gallows Road, which is an emergency road for ambulances, fire trucks, etc. I appreciate your attention to the following. I live in a residential zone where there is a house lot sold about two plus years ago on Gallows Road.

[06:37:20] And it is adjacent to my home and in clear view from my home. I bring this to the county attention, however obvious on Gallows Road, not subtle, that there is more than one business being run at this location.

[06:37:40] It has become a satellite business construction office. Clearly now they are breaking the rules for over two plus years and no action from the county. At this time, trucks are coming in and out of this property at all times, of days, weekdays, and weekdays, propend to an accident, as my husband had an accident on Gallows Road because of no signs or anything about five years ago on another construction.

[06:38:13] Two old RVs were recently placed in this property, and people are living in there with electrical cords, hoses hanging from the main house, and connected to these RVs.

[06:38:30] A carport was recently enclosed made for living quarters, fire hazards, safety wires, et cetera. Dumpsters and dump trucks are used to bring trash daily, bringing materials for other projects, not for the property use, and for collecting trash, harboring and habitat from rats and other animals.

[06:38:54] This week, so this week's paving the front and back with the construction one with vehicles obstructing the entrance of my home to use the area for car repairs and for random auto storage.

[06:39:11] I need your collaboration. In this with Fairfax County, I can't do this alone. We have called the Department of Signing and Compliance and the Mason District Office multiple times, yet there has no action been taken.

[06:39:28] I ask, what's the point of this department if there is no enforcement of the rules that are meant to keep our community safe? Thank you. We appreciate that testimony, and that brings us to the end of our speakers list for public comment tonight, and also brings us to the end of our board meeting of May 1st, 2024, and the board is adjourned.

