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Fairfax County Board of Supervisors Meeting, Tuesday, September 24, 2024

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[00:00:03] Good morning, everyone, and welcome to our board meeting of September 24th, 2024, and we are going to begin our meeting as we always do, which is with a moment of silence to be followed by the Pledge of Allegiance, but before those are able to rise to do that, let me ask my colleagues if they have anyone they would like to keep in our thoughts and prayers this morning.

[00:00:26] Supervisor Lusk. Thank you, Mr. Chairman. Please keep in your thoughts and prayers of the family of Julio Cesar Passassi, a Franconia District resident who was walking along Franconia District Road near Elder Avenue when he was struck and killed by a car.

[00:00:44] He was loved by his family and friends, and especially his daughter who lives nearby. A GoFundMe account has been set up to help the family pay for funeral costs if anyone watching is interested in helping them through this very difficult time. Thank you, Mr. Chairman. Thank you, Supervisor Lusk.

[00:01:00] And as we know, in the past two weeks, we've lost a number of people, sadly, due to pedestrian accidents. And one of the items in our carryover budget today is increased funding for bicycle and pedestrian safety, consistent with the board's goal of achieving $100 million towards bicycle and pedestrian safety initiatives.

[00:01:21] And this is just another example of why that's so important, as is continued education, both to our driving public and to our pedestrians about the rules of the road. It's going to take more than infrastructure. It's going to take all of us to prevent these deaths from occurring that are needless and preventable in most cases.

[00:01:42] If people would just take a moment, as our county campaign for pedestrian safety says, take a moment to be more aware of your surroundings, both if you're a pedestrian and a motorist, particularly if you're traveling in high concentrations areas of pedestrian activity, school zones, some of the areas that are very sensitive in the county.

[00:02:02] And so one death is too many, but this past two weeks has been particularly tough for us in the county, especially since we were making so much good progress in preventing pedestrian fatalities in the county up until two weeks ago.

[00:02:18] Supervisor Walkinshaw. Thank you, Mr. Chairman. Unfortunately, continuing with that theme, I want to share the passing of Oscar Daniel Martinez Granados of Woodbridge, who was killed on Old Keen Mill Road near the intersection of Ainsworth Avenue.

[00:02:39] This one was particularly difficult to learn about because that intersection of Old Keen Mill and Ainsworth is one that we have been, That crosswalk, rather, is one that we've been working with VDOT on to make some improvements for some time now.

[00:02:55] We're actually in the process of acquiring some right-of-way to do that. I don't know that those improvements would have prevented this incident, given the circumstances, but it's a reminder of the urgency of those safety improvements, as well as all of us pedestrians and drivers being careful and cautious on the roads, especially as now it's getting dark earlier.

[00:03:17] And we know that increases the risk. So thank you, Mr. Chairman. Thank you, Supervisor Walkinshaw. Supervisor Smith. You know, this is not an announcement that you want to join with your colleagues, but we had a fatal on Route 29 in Centerville where Tracy Rowan, a male of 56 of Centerville, was struck.

[00:03:38] It was dark. There's not lights on that part of 29. So, you know, thoughts and prayers for his family. Thank you. Thank you, Supervisor Smith. Supervisor Palchik. Mr. Chairman, unfortunately, I'm joining with my colleagues on September 21st, and this was in the morning at 8.42 a.m.

[00:03:58] June Cook 80 of Vienna was struck entering the crosswalk, a lighted intersection, a car going to Oakton shopping center. And so, as the chairman said, it really does tick all of us, the engineering, the enforcement, the education, but just remembering that we share the roads, especially for our more vulnerable pedestrians.

[00:04:22] I know many of us had conversations with some of our visitors here this morning about the work to help improve all of our intersections and safety for our pedestrians. Thank you, Supervisor Palczyk. Supervisor Stork. Well, thank you, Mr. Chairman.

[00:04:37] I also want to remember the family and really the huge number of friends of John Francis Murray. John, while he lived on the other side of the Aquapon River, was very, very involved with Mount Vernon District and really Fairfax County in general.

[00:04:56] He's a graduate of the University of Notre Dame in its law school. He finished second in his class. He was also, his final rank, he worked for the Justice Department for decades. His final rank was as Deputy Assistant Attorney General. He also served as Acting Assistant Attorney General for the Tax Department Division.

[00:05:15] And then a couple of things, and this is where us older folks, we get to kind of acknowledge some of that history, is that he received the Attorney General's Award from Robert F. Kennedy, as well as he received the Distinguished Executive Award presented to him by President Ronald Reagan in a White House ceremony.

[00:05:37] He was a frequent speaker and lecturer, but the core of it is that he was deeply involved in Virginia, certified Virginia mediator and very, very involved with the Good Shepherd Catholic Church. For over 53 years, he served in various ministries, including lector and president of the parish council. Where I got to know John, and truly, John, his infectious sense of humor and just teasing that just was constant with him, was on the Good Shepherd Housing Board. I was president

[00:06:12] the board and chair and as well as he was very involved for a long long time he very much enjoyed his role of auctioneer for the Good Shepherd housing annual gala and he raised truly raised personally because of his style and ability to bring the best out in people he raised hundreds of thousands of dollars for something that we all deeply cared about Good Shepherd housing affordable housing but John will very much be lift and very much be missed he He will have a Mass of Christian burial at 2.30 on Thursday, September 26th.

[00:06:46] That's this coming Thursday at 2.30, Good Shepherd Catholic Church. And they would welcome all to honor this amazing life and life of great contribution and dedication to all of us. Thank you. Thank you very much. Supervisor Stork, Supervisor Walkinshaw.

[00:07:04] Apologies. One more. I just want to acknowledge the passing of Mrs. Sally Wild. And Mrs. Sally was a longtime resident of the Little River Glen Senior Residences. She was kind of an unofficial mayor of Little River Glen.

[00:07:20] She helped other residents with their paperwork so they could be recertified to live there. She took folks for their grocery shopping. She decorated the property every holiday. And I can tell you, having seen some of those, she did an amazing job. She organized social events.

[00:07:36] She was 80 years old and was still working two jobs, one at the Center of Dermatology and also one at Target. She was just enthusiastic to experience everything that life had to offer right up to the end. And I know that her family, the Weil family, as well as the entire Little River Glen residences and senior center family will be missing Mrs. Weil.

[00:07:58] Thank you, Mr. Chairman. Thank you very much, Supervisor Walkinshaw. And if no others are looking to be recognized, if all who are able, I'm sorry, if all who are able could rise for a moment of silence to be followed by the Pledge of Allegiance. Let's face the flag.

[00:08:34] 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. And we have two presentations this morning, and for each presentation, I will first announce the presentation and invite our designated speaker down to the podium in front of me.

[00:09:07] We will then read the proclamation, and after our speaker's remarks and vote, we will pose for a picture from the dais. And first up, this morning, we have a proclamation to designate September as Sickle Cell Awareness Month in Fairfax County, and I am going to hand the gavel to Vice Chairman Smith. This was requested by myself and I'm going to read the following proclamation. And our speaker is Valerie Bay and a whole lot of other folks who are here with her this morning, which is wonderful. If you all could come down to the podium and I will read

[00:09:43] the following proclamation. Whereas sickle cell disease, SCD, is an inherited blood disorder resulting from the transmission of the sickle cell gene by both parents to their child, disproportionately impacting various communities, including African American, Hispanic, Middle Eastern, Asian, and Mediterranean populations, and whereas up to 100,000 individuals in the United States are affected by SCD, with approximately 4,000 cases in Virginia, and over 2 million people nationwide carry the sickle cell trait, including an estimated 155,000 people here in Virginia.

[00:10:24] And whereas advancements in medical research offer promise for enhanced treatments and a potential cure, there is an urgent need for increased awareness, support, and equitable access to care, particularly within underserved communities where health disparities persist.

[00:10:41] And whereas Fairfax County recognizes the importance of collaborating with health care providers, community organizations and advocacy groups to ensure those living with sickle cell disease receive the care, education and support necessary to manage their condition and lead fulfilling lives.

[00:11:01] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby proclaim September 2024 as Sickle Cell Awareness Month in Fairfax County and urges affected patients, their families, and the community to learn more about the disease and focus attention on prevention, research, and treatment.

[00:11:25] I'll second that, along with Supervisor Palchek and Lusk. Any discussion on the motion? Very briefly, first, I really appreciate our folks who are here with us today to mark this, because I do think this is one of those health conditions that most people don't understand.

[00:11:45] It's been around for a long time, and yet a lot of people don't understand what it is and what's being done about it. And so the purpose of us making this proclamation is to help educate folks about it, particularly those who are affected by it, but all of us, to understand it and to understand the work that still needs to be done to develop a cure and help for prevention.

[00:12:10] I remember sitting on this board the first time this proclamation came to the board, and it was then Supervisor Kathy Hudgens, who was sitting right next to me, who brought it up. And I had to admit to Kathy that there were things in this proclamation that I didn't know.

[00:12:28] And so that tells me we have a lot of work to do in educating the public and certainly appreciate her bringing this forward. Lastly, I want to thank particularly Inova Health Systems as well. I was there last year when they did an event around this issue to try to raise awareness, not only with the general public, but even, frankly, raising awareness with medical professionals and physicians who also, in many cases, are not as familiar as they need to be about this condition.

[00:13:00] And so this is really an opportunity for us to educate and to advocate. And, again, I thank the folks who are here with us this morning to help with that. Supervisor Lusk. Thank you, Madam Vice Chairman, and thank you, Mr. Chairman, for bringing the motion forward.

[00:13:17] I'll say personally, thinking about the impacts of this project, disease are pretty significant. This is a very painful, debilitating condition for people to have. And I've got a couple of friends, one who's unfortunately passed away as a result of sickle cell. And usually those who have this condition will not live beyond their 40s. And it can be really tough even for those who have the trait. So I think it's really important for people to be

[00:13:52] aware that there are some health-related issues that can occur for those who have the trait as well, particularly in high physical intensity and exercise. And I think making sure that folks are aware of that as well, making sure they get tested because they might not even know that they have the trait. So I just appreciate the work that's being done here and acknowledge its importance.

[00:14:18] And thank you again, Mr. Chairman, for bringing it forward. Seeing no further discussion, all those in favor of the motion say aye. Aye. Anyone opposed? Any abstentions? That motion carries. Mr. Chairman. Thank you, Vice Chairman Smith. And as I mentioned, we have with us Valerie Bay, and I want to get this right, a board member of the Heart of Gold Sickle Cell Foundation of Northern Virginia.

[00:14:39] That's correct. Welcome. We are glad to have you and a lot of your friends here with us this morning. And at this time, we'll turn the microphone over to you. Great. Thank you. Good morning. Thank you, members of the board and Chairman McKay, for your unwavering support in recognizing sickle cell awareness.

[00:14:56] I'm happy to be joined by some of our esteemed community partners this morning, the ANOVA Schar Adult Sickle Cell Center, Jack and Jill of America, Northern Virginia, the Alpha Kappa Alpha Sorority Incorporated Northwestern Virginia Cluster, and top ladies of distinction national representation.

[00:15:18] I want to extend my heartfelt gratitude to each of you for your commitment in improving the lives of patients with sickle cell. Your support underscores the critical importance of education, advocacy, and access to quality care. We had a sickle cell meeting earlier this month.

[00:15:34] Thank you, Supervisor Palchek, for helping us to promote that. It was a great turnout. We had over 200 attendees. And I was very happy to see from Fairfax County Government, Dr. Gloria Du Iensu in the Health Department, Fairfax Community Services Board, and Benny Heron from the Fatherhood Initiative was there.

[00:15:57] As we acknowledge this important month, I encourage all Fairfax County departments and agencies to collaborate with the Inova-Shar Adult Sickle Cell Center in Northern Virginia and local sickle cell advocates. It's crucial that all public-serving agencies are aware of the support and quality specialized care they can receive in their own community.

[00:16:17] Before the center was built, people were either having to wait hours in emergency rooms or go to Johns Hopkins or go to Howard. Now they can receive care in their own backyard, and it's just very crucial that all public-serving agencies are aware of this center and they can direct patients to go there.

[00:16:38] In closing, I just want to leave you two thoughts about sickle cell disease. One is to know your sickle cell trait if you're of childbearing age. And second, we want to diversify our blood supply. It's very important for sickle cell patients to have a close genetic match in order to manage their disease.

[00:16:58] Again, thank you for this proclamation and for bringing sickle cell awareness. Thank you very much, Valerie, and thank all of you for your work in this space. It is important and makes a difference, and

as you mentioned, we have come a long way thanks to a lot of help from ANOVA, but a ways to go still, so thank you for your advocacy.

[00:17:19] With that, I think we're ready for a photo, and if you all could come forward and face the audience, and if the board could rise.

[00:18:46] And our next proclamation today is to designate September 15th to October 15th, 2024, as Hispanic Heritage Month, and this was requested by myself and Supervisors Jimenez and Palchik, Our speaker today is Alida Mata, Board President of Hispanics Against Child Abuse and Neglect.

[00:19:07] And if you could come on down, and actually, if all the folks who are here for this proclamation could come on down. We had a reception before the board meeting and got to see a lot of folks come out for this and share some good food. And with that, I am going to turn to Supervisor Jimenez to read the proclamation.

[00:19:32] And why don't we give our folks a moment to come down here. Let folks make it down here. Yeah. And then I will have Supervisor Jimenez read the proclamation.

[00:19:51] It is going to be a great picture. What a great turnout. We do have a little bit of space over here.

[00:20:17] Some folks want to come on. We want to make sure everyone can be seen and be in the photo. when we take it as well. Yeah, wonderful turnout. Supervisor Jimenez. Thank you, Mr. Chairman, and I have one proclamation to read. Whereas Americans celebrate National Hispanic Heritage Month from September 15th to October 15th by honoring the history's culture and contributions of Hispanic Americans and whereas Hispanic Americans have played a

[00:20:53] pivotal role in our country's prosperity and have shaped and strengthened the fabric of our unions and whereas this month commemorates the independent anniversaries of several latin american countries including costa rica el salvador guatemala honduras nicaragua mexico and chile further emphasizing the significance of hispanic heritage and whereas fairfax county is home to nearly 200,000 Hispanic Americans, representing more than 16% of the county's population, enhancing our

[00:21:28] diversity, strengthening our workforce, fostering economic growth, and building bridges across cultures. Now, therefore, let it be resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim September 15th through October 15, 2024, is Hispanic Heritage Month in Fairfax County and urges all residents to recognize and thank the Hispanic American community here in our county and throughout the United States for their outstanding contributions. I'm happy to second that motion with Supervisor Paucik. Discussion,

[00:22:06] Supervisor Jimenez. Thank you, Mr. Chairman. I'd like to welcome our proclamation recipient, Alida Mota, board president of the nonprofit Hakan, Hispanics Against Child Abuse and Neglect. And before I move forward, quiero decir buenas maneras, como están todos, muchas gracias por estar acá.

[00:22:24] Gracias. I want to recognize some of the individuals and organizations who are here to accept this proclamation today. Many, many friends here in the audience, so it's great to see so many. The Council General of Guatemala, Jessica Mendoza. Council General of El Salvador, Rudy Chavez.

[00:22:41] Council General of Honduras, Guillermo Matuti. Casa, Virginia. the Centerville Immigration Forum, Second Story, Edu Futuro, the SAMU Foundation, Northern Virginia Family Services, Health Workers for Northern Virginia, New Virginia Majority, and the Kaiser Permanente Place-Based Initiative,

PBI, Meyer Foundation, the Women's Center, Medical Care for Children's Partnership Foundation, Fairfax County Public Schools, Fairfax Circuit Court Clerk's office and the fairfax county government latino staff i want to circle back to the last group and

[00:23:21] draw particular attention to them and if you didn't hear is the fairfax county government latino staff i often say that the hispanic culture is one that gives back and that's evident from the fairfax county government latino staff people live in fairfax county because of the quality of life that we offer and that wouldn't be possible without our tremendous generous and diverse staff. So I want us all to take a moment and recognize these folks and the folks who can't be here today because they're out getting the job done. Thank you so much for that.

[00:23:56] Mr. Chairman, there's a reason I'm spearheading this proclamation. It's not because my last name is Jimenez. It's a bit deeper than that. When I first took office just about 10 months ago, I heard someone ask what Mason District is known for, and that answer was really obvious to me, And my colleagues have heard me say it a thousand times over, and I won't make you repeat it, but it is the cultural hub of Fairfax County.

[00:24:24] Mason District is the cultural hub of Fairfax County and is the home to the largest share of minority residents, more than 60 percent. And Hispanics represent the largest share of that population. We have the most kids who speak a language other than English at home, and the majority of them speak Spanish.

[00:24:43] In Mason, we don't shy away from diversity. We lean into it. It's there where we draw our strength, our resiliency, and our creativity, and our vibrance. It's not enough to have a seat at the table to make change. You also have to have a voice at that table.

[00:24:59] Each organization here today and many more out there are making sure that folks have a voice. Thank you again for being here, and thank you for all you do. Thank you, Mr. Chairman. Thank you, Supervisor Jimenez. Supervisor Palchik. Thank you, Mr. Chairman.

[00:25:15] Buenos dias. Good morning. Como estas? So wonderful to see you and so wonderful to know that not only are we representing and seeing a huge part, we're so diverse, I think probably a couple of groups missing, but a huge part of our diversity here in Fairfax County, but also that you now have not one but two representatives because it's not enough to be in the community, to have a voice, to raise a family, but to really be represented and to see that from our little ones to our county employees, our public members, our private members, I saw neighborhood community

[00:25:52] services is here, that you know that you have representation and a voice here at the seat of government, too. I especially, I know that Supervisor Jimenez mentioned many people. There are a couple of others that I know have been critical, and hopefully I catch a few of them.

[00:26:08] Caro Escalante, who's hiding there in the back, but a huge round of applause for Caro for helping. Paddle has taken on the difficult, challenging, but exciting role of supporting our immigrant community here at the seat of county government, through the county, and I know that also her predecessor, Grelia Steele, is also here, and so we're very excited to know that not only are we represented in the community, but that the work continues to happen.

[00:26:41] I especially also want to thank all of you who've been doing this work for many, many years as someone who moved here when I was only a little bit older than that little guy in the front I know how

important it is to feel not just welcome but to feel that your presence and you and your family's part of the community are valued important and that we are here to ensure that we are all able to thrive whether we are opening a business working for a nonprofit working to build our own community or raise our own family, that you have a place to belong and to be valued

[00:27:20] here in Fairfax County. And to me, that is the exciting thing that we are able to see you here today. And fashion. I know we have a fashion artist, and I would love for you all to see the beautiful work she does, because I know that through our culture, as Supervisor Jimenez said, comes our food, our food, our community, and really the diversity of what we mean by Hispanic or Latino, Latinas in our community.

[00:27:47] We are not one, but together we are a very, very strong and united community. So thank you, muchas gracias, y mucho amor y placer para todos. Thank you. Thank you very much, Supervisor Pelchik.

[00:28:03] And you have spoken enough Spanish this morning that I can understand, thanks to my high school kids who speak it way better than I do. So I'm following along. I've got it all. But I do want to thank all the folks who are here.

[00:28:20] And I particularly want to remind everyone they have a card here who was given to us this morning. Thank you, Alita, for giving this to us. But I want to read something on it that I think speaks to the real importance of what we're doing here, which is it talks about services, but at the end it says, through culturally competent education, intervention, and community advocacy.

[00:28:47] And so as others have spoken, it's one to educate, intervene, to advocate, but if we're not doing this in a culturally competent way, we're not reaching the audiences that we need to reach. And that is embodied in our One Fairfax equity policy in Fairfax County to make sure that we are reaching everybody in a way that makes sense to them and making sure that service and advocacy and opportunities are available to people everywhere in Fairfax County.

[00:29:18] And I just want to share one statistic because I think we all know it, but it's important to mention, Supervisor Jimenez was talking about the diversity of Fairfax County, But there are nearly 200,000 Hispanic Americans in Fairfax County that call Fairfax County home, nearly 200,000.

[00:29:39] It is a remarkable number. It is the fastest growing demographic in Fairfax County and making sure that this community has the representation, has the voice, has the advocacy, see that our government is working with our nonprofit partners in culturally competent ways to make sure that we uplift all of our communities and make sure access and opportunity are there for all of them is so important and integral to our One Fairfax policy.

[00:30:07] And I want to mention, finally, Supervisor Palczyk beat me to the punch, mentioning our youngest member who's here today. I look at this young man, and I think all of us are reminded why the work we're doing is so important. it's generations to come of people who won't face a lot of the challenges that current generations, previous generations have faced because of the work and advocacy that we're doing right now.

[00:30:34] And that's so important that we maintain that focus on our young people and that future generations and ways their lives can be even better than ours. And so I thank all of you for your work in this space because this group has grown so much since we first started doing this, and it's wonderful, wonderful to see.

[00:30:55] Supervisor Bierman. Thank you, Mr. Chairman. I just wanted to make some quick comments on the way the Drainsville District has kicked off Hispanic Heritage Month, obviously with some fun things, but also a thank you to your community for the advocacy that you're doing on behalf of the community.

[00:31:13] We had the Que Pasa Festival just last week, about nine days ago, in Herndon with the Hispanic Chamber of Commerce. It was great. There were a bunch of people came out. We need even more to come out next year. And then this past Friday, along with the Fairfax County Park Authority, we did salsa in the park, which was actually the idea of my chief of staff, Lynn Wiles, who isn't in the room.

[00:31:40] But, you know, it was an opportunity to eat salsa, to dance salsa, as I said at the time. You know, as I said at the time, puedo comer salsa, pero no puedo bailar salsa, porque tengo dos pies izquierdas.

[00:32:00] Mi español es muy poquito y hablo como gringo, porque soy gringo, pero puedo torturar. But what is actually, you know, those were some fun things happening in Drainsville, but actually the most important thing that happened in Drainsville this last week, last Thursday, the Herndon Town Council held a work session talking about updating its comprehensive plan and its ordinances to focus on affordable housing.

[00:32:30] And if you looked out in the audience that night, who was there? It was the folks from New Virginia Majority who had advocated on behalf of their community and, frankly, on behalf of all communities in the Herndon area who need affordable housing as well, who helped pressure the town council to take this step.

[00:32:50] And I think they were working with Tom Fleetwood from the Fairfax County Housing Authority. I think we're going to do some great stuff, but it starts with local community action and activism. And for that, I just very much want to thank you as we celebrate Hispanic Heritage Month.

[00:33:08] Thank you. Thank you. Muchas gracias. Supervisor Luss. Thank you, Mr. Sherman. I just want to join in and acknowledge this really important proclamation and this celebration of Hispanic Heritage Month.

[00:33:24] In my district, which is pretty much adjacent to Mason District, we do have some similarities. So if you look at the population in Franconia District, 22% of it is Hispanic. So it's the largest minority group in our district. And I want to acknowledge, I see in the audience, Counselate Chavez, thank you very much for being a part of our program that we held at the Haiba Valley Community Center about a week and a half ago.

[00:33:51] We had a really nice turnout and just appreciate your engagement and involvement. We also had the consulate from Mexico who participated as well. So we are just excited about the opportunity to kind of collectively think about the contributions of the members of our Hispanic community and think about their history and culture.

[00:34:12] And the thing that I absolutely, absolutely loved the most was the beautiful colors and the dresses and the dance. We had dancers from Bolivia who just did an exceptional job at the event. And we had some folks from Guatemala as well, some kids playing instruments and singing.

[00:34:33] Again, just an amazing opportunity for our community to see the breadth and the extent of the culture here in our community. So, again, I want to thank Supervisor Jimenez, Supervisor Palchak, and the

chairman for bringing this award.

[00:34:51] Thank you. Thank you. Supervisor Jimenez and then Supervisor Walkinshaw. Thank you. And I'll be very brief. I just looked up, and there's so many friends in the audience, but I absolutely needed to make sure that we recognized a great advocate, Carla Bustillos, with Juntos for Virginia. So thank you, Mr. Chairman.

[00:35:09] So we're entering a danger zone of not mentioning someone. And forgetting to mention one event, I will just say that I look at the events all over the county.

[00:35:25] Literally every corner of this county has had some type of an event to celebrate Hispanic Heritage Month, which has been amazing to see every community coming together in a different way. And I do want to, before I turn to Supervisor Walkinshaw, I do want to thank Supervisor Palchik, Jimenez, and Stork's offices for working with mine.

[00:35:46] and with Celebrate Fairfax for the event that we're going to be doing on October 5th from 10 to 2 at the Colmore Community Library. And I've been to this event many times before. And what is amazing is the location is so perfect because there are just people walking from every direction coming to this event to be able to celebrate, obviously celebrate Hispanic Heritage Month, but also to learn about all the resources that the county has and our nonprofits have right in that Colmore community.

[00:36:20] And so a lot of supervisors' offices working with Celebrate Fairfax and, of course, Hakan and a lot of other agencies to make sure that that event is successful. So I want to particularly mention that one and just say there's a lot of them all over the county so I don't miss any of them.

[00:36:37] Supervisor Walkinshaw. Thank you, Mr. Chairman. I'll be quick. I won't try to outdo anyone's intermediate Spanish. More like the getter, but that's okay. I was reading Mateo, a book he loves, Paletero Man, last night.

[00:36:54] And both my wife and my four-year-old son were correcting my pronunciation of paleta. So I'm still working on it. But I do want to thank all of you for coming and share that. In the Braddock District, we're hosting a Hispanic Heritage Month Business Roundtable on October 10th at 10 a.m.

[00:37:13] So 10 a.m. on October 10th, easy to remember. But thank you all so much for being here, for the incredible contributions you and your organizations make to our community. Thank you, Supervisor Walkinshaw. And with that, I think we're ready to vote. I think this might pass.

[00:37:30] All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries, and as I mentioned earlier, we have Alida Mata, who is the Board President of Hispanics Against Child Abuse and Neglect. Hakan, with us, please welcome. The floor is yours.

[00:37:48] Thank you so much for all your kind words. Thank you, Supervisor Jimenez, for presenting the proclamation today, and for all of you that voted yes. It's a great honor and a responsibility to participate in today's ceremonies.

[00:38:04] As we gather for the proclamation of Hispanic Heritage Month, we honor the spirit of La Familia, the resilience, and the determination that define the Hispanic community here in Fairfax County and across the United States. This month is a celebration of the countless contributions of Hispanic Americans, contributions that enrich the cultural fabric of our nation and a strengthened economic foundation.

[00:38:31] Here in Fairfax County, we witnessed firsthand the incredible impact of the Hispanic community with over 200,000 Latinos making up nearly 16% of the county's population. We see the profound influence that Hispanics have in our local economy, culture, and society.

[00:38:52] Hispanics come to this country and specifically to our county with a strong desire to become the best version of ourselves. We arrive with hopes, dreams, and an unwavering belief in the promise of opportunity.

[00:39:10] But it is not just the individual who grows and prospers. It's the entire society. When Hispanics thrive, our community thrives. Perfus County thrives. The growth in opportunities for Hispanics is evident.

[00:39:28] When we look at the changing landscape of employment, When I first arrived in the United States in 1983, most of the Latinos were employed in service jobs. Today, the story is much more diverse.

[00:39:47] While many Hispanics continue to hold essential manual and skilled trade jobs, we have seen a dramatic increase in the percentage of Hispanics in scientific, engineering, executive academia, sports, political, military, and entrepreneurial roles.

[00:40:05] The shift reflects not only the hard work and determination of our community, but also the expanding access to education and professional development, which organizations like HACAN are proud to support. One of the most significant contributions our community brings is the gift of multilingualism.

[00:40:28] Took me a while to pronounce that word. Being fluent in English and either Spanish, Portuguese, or any indigenous language serves as a bridge between cultures, fostering better communication, understanding, and collaboration. It allows us to navigate and connect two worlds, enriching the cultural landscape, and strengthening the social fabric of our diverse county.

[00:40:53] Beyond language, Latino culture has deeply influenced the arts here in Fairfax County, a vibrant hub of artistic expression. Latino artists have added their voices and perspectives to the rich tapestry of our local art scene.

[00:41:09] These contributions not only reflect the diversity of our community, but also inspire and connect people from all walks of life, enhancing the cultural vitality of our region. In addition to the arts, the vibrant Latino cuisine and music also have woven itself into everyday life of Fairfax County.

[00:41:31] From the savory flavors of our traditional dishes to the rhythmic beats of Latin music, these cultural expressions have blended seamlessly into the broader society, creating shared experiences that bring people together and celebrate our collective heritage.

[00:41:51] Organizations like HACAN play a crucial role in this journey by providing resources, support, and guidance. HACAN helps unlock the human potential within every individual that participates in our programs. We understand that when we invest in people, we're investing in the future of our county and our country.

[00:42:14] As Hispanics flourish, our success ripples outwards, benefiting everyone around us. Let us use this month as a reminder of the power of unity, diversity, and inclusion. Let us celebrate the rich cultural heritage that Hispanics bring to the nation and to Fairfax County.

[00:42:36] But most importantly, let us continue to support and uplift one another so that together we can build a brighter future for all of us as one Fairfax. Gracias.

[00:42:57] That was perfect. With that, I think we're ready for a photo. This will be interesting. But if everyone can come forward and then turn and face the audience almost in the same configuration you're in now, if the board could rise, Supervisor Jimenez and Palchuk will join me for the photo.

[00:43:28] They'll do it. So, they'll pretend like they're doing this.

[00:45:18] Okay. I always forget to put it back up.

[00:49:06] We're going to move on. Again, thank you for such a wonderful turnout.

[00:50:52] And next on our agenda today is appointments to boards, authorities, commissions, and advisory groups. And at this time, I'm going to recognize Supervisor Smith for a motion. I move approval of the appointments to citizen boards, authorities, commissions, and advisory groups.

[00:51:11] Second. It's been moved and multiply seconded. Is there any discussion? Any discussion. Any items to be pulled for a separate vote? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Aye. any opposed any abstentions that motion carries and that brings us up next to board matters and as we always do these have been compiled digitally and we will go alphabetically by district after myself and vice chairman smith so i'm going to hand the gavel to her for a moment because i have one board matter and that is i move to approve without objection the proclamation requested

[00:51:50] listed in this document to be presented inside or outside of the boardroom as appropriate. And these are proclamation recognizing William A. Hazel, Inc., 60th anniversary to recognize kimchi day on November 22nd, a resolution to recognize Fairfax court appointed special services, special advocates CASA for their 35th anniversary, and a resolution to recognize Lisa Wetzel for her 19 years of service with Bright Pass.

[00:52:19] She'll be retiring at the end of this year. And then finally, a resolution jointly with Supervisor Alcorn to recognize James Madison high school students who led an initiative with six friends to raise money to support purchasing a vehicle for their school custodian.

[00:52:36] I think a story all of us saw in the news and looking forward to making sure we can recognize those students for their efforts. Thank you, Mr. Chairman. That story was on CBS Sunday morning on Sunday. It was. Without objection, it is so ordered. Thank you, Mr. Chairman. Thank you very much, Vice Chairman Smith.

[00:52:53] And with that, next up is you. Thank you. So the first one is a board matter for contractors, office, shop, and construction vehicle zoning ordinance amendment.

[00:53:11] Following the board's endorsement of the 2022-2023 zoning ordinance work program, County staff initiated a review of the zoning ordinance provisions related to contractors' offices and shops and the storage of parking of associated contractor vehicles and equipment.

[00:53:28] This topic was added to the work program in response to a March 23, 2021 follow-on motion with the adoption of ZMOD that directed staff to conduct research and outreach on the regulatory standards impacting contractors. Concerns identified during the outreach include a dwindling supply of industrial zone properties and current zoning ordinance provisions resulting in a lack of adequate legal and secure locations for contractors an initial discussion on this topic was presented towards land use policy committee on may 15 2022 the board subsequently directed staff to proceed with additional public outreach and drafting of the

[00:54:07] zoning ordinance amendment a white paper outlining staff's analysis outreach efforts and recommendations regarding this topic was presented to the board's land use committee on july 23 2024. staff's presentation included several options and recommendations including the development of objective definitions for light and heavy construction vehicles and equipment consideration of more permissive use specific standards and special exception options for contractors in certain commercial and industrial districts staff also recommended allowing storage

[00:54:40] yards by right subject to size limitations in i3 and i4 districts and allowing larger storage yards with special exception approval in those districts following this presentation the board directed staff to move forward with this zoning ordinance amendment draft zoning ordinance text was released for community review and input on september 3rd and is posted on the zoning ordinance proposed amendments webpage staff held community meetings during the month of september to discuss and obtain feedback on the proposed changes therefore i move that the board adopt the attached resolution dated

[00:55:16] september 24 2024 authorizing advertisement of public hearings on the proposed zoning ordinance amendment before the planning commission on october 30 2024 and the board on december 3 2024. a full staff report with text will be available by october 9 2024 and will include options for consideration by the board including but not limited to the inclusion of additional standards for contractors offices and shops and storage yards and options for buy right and special exception permissions of these uses second you've heard the motion it's been multiply multiply seconded any

[00:55:56] 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 Smith. The next one is a joint board matter with you, Mr. Chairman. It's about accessible parking zoning ordinance amendment.

[00:56:13] With adoption of parking reimagined, which lowered the minimum parking requirements for many land uses, the county's Disability Services Board raised concerns regarding the potential impact lower parking requirements could have on the number of accessible spaces that are required. Requirements associated with the number of accessible spaces to be provided in a development are derived from the Federal Americans with Disabilities Act requirements and are enforced through the Virginia Uniform Statewide Building Code.

[00:56:41] Specifically, there was concern that the lower parking requirements could result in less parking supply and potentially reduce the number of accessible parking spaces that would be required, since the number of accessible parking spaces is based on the total parking supply for the specific site.

[00:56:58] In response to this concern, the Board adopted the attached Board matter dated September 26, 2023, and directed staff to work with stakeholders, including the Disability Services Board, to consider modifications to the minimum accessible parking supply requirements and report back to the Board by July 2024.

[00:57:18] The Board noted that while the Parking Reimagined Amendment proposed measures to ensure stability in the supply of accessible parking, even with proposed lower general parking requirements, The county needs to continue to be an inclusive community that provides for the amount of accessible parking that meets the needs of the community.

[00:57:37] In coordination with the DSB, staff conducted analysis and undertook surveys to assess accessible parking supply and user perspectives within the county. At the Board's July 23, 2024 Land Use Policy Committee meeting, staff presented their findings and recommended that the Board consider adopting a new rate for accessible parking in excess of that required by the Uniform Statewide Building Code. The Board concurred and directed staff to prepare an amendment to the zoning ordinance in a manner that maintains the supply of accessible parking when applying the new baseline parking requirements. This topic was identified as a priority one item

[00:58:15] on the fy 25 2026 zoning ordinance work program that the board just recently endorsed therefore i move that the board adopt the attached resolution dated september 24 2024 to authorize the advertisement of public hearings before the planning commission on october 30 2024 and the board on december 3 2024 to consider a zoning ordinance amendment establishing minimum requirements for accessible parking. We've heard the motion. It's been multiply seconded. Any discussion on the motion? Seeing and hearing none. All those in favor, please say aye. Aye. Any

[00:58:53] opposed? Any abstentions? That motion carries. Supervisor Smith. Thank you. This next one is about the repeal of Chapter 112.1, the zoning ordinance. In March 2021, the board, culminating a multi-year public process voted to adopt a modernized zoning ordinance known as ZMOD and designated as Chapter 112.1 of the County Code. Due to the COVID-19 pandemic, the Board held its public hearing and vote during electronic meetings, relying on legislation passed by the General Assembly in response to the pandemic. Those meetings were properly noticed, they were

[00:59:32] broadcast and streamed to the public in real time, and the public had opportunity to speak via telephone and pre-recorded video, and in fact, 70 persons actually testified. The Fairfax County Circuit Court had rejected an effort to stop the public hearing and vote, and Chapter 112.1 took effect on July 1, 2021. But on March 23, 2023, the Supreme Court, the Virginia Supreme Court, in Barry v. Board of Supervisors, declared Chapter 112.1 void because it was adopted

[01:00:08] via electronic means. On May 9, 2023, the Board readopted ZMOD as Chapter 112.2, inclusive of all amendments adopted through March 22, 2023, and including a few minor changes for clarity. As part of the adoption of ZMOD 112.2, the Board also included a clause that for any period when chapters 112.1 and 112.2 are both in effect, chapter 112.1 would supersede chapter

[01:00:41] 112.2. That so-called supersession clause anticipated the possibility that chapter 112.1 might ultimately be validated. At the time, the board's petition for rehearing was still pending in the Supreme Court whose decision wasn't final. In April, the governor signed HB 816 and SB 244, both passed unanimously by the General Assembly during the 2024 session. These bills, which took effect July 1, 2024, provide relief to public bodies that used electronic communications

[01:01:20] to hold public meetings and public hearings during the COVID emergency. In response to the new legislation, and in light of the supersession clause, the Board amended Chapter 112.1, effective July 1, to align it with Chapter 112.2, which had been amended several times since its adoption.

[01:01:41] As a result, Chapters 112.1 and 112.2 now essentially mirror one another. It was never my intention, nor I believe the Board's, to maintain parallel zoning ordinance in perpetuity. Even with the alignment of Chapters 112.1 and 112.2, having two ordinances can be confusing and create uncertainty.

[01:02:03] Some of the uncertainty stems from ongoing disputes over Chapter 112.1 and the effect of the 2024 state legislation. For a period, there were good reasons for having parallel ordinances, but I believe the time has come to return the county to a single ordinance.

[01:02:21] To accomplish this, I move that the Board adopt the resolution attached as Attachment 1, authorizing advertisement of public hearings before the Planning Commission on October 16, 2024, and before the Board on October 22, 2024, to consider repealing Chapter 112.1 in its entirety and repealing the supersession clause that was included in the adoption of Chapter 112.2.

[01:02:51] I will 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 was that all Supervisor Smith?

[01:03:06] I have an exciting announcement. Yes. I would like to reintroduce Megan Kiefer, who has joined my office as Chief of Staff, effective yesterday. We got her running already. Megan is a lifelong county resident who has served in several capacities in Fairfax County, most recently as a division manager for small and local business development within Fairfax County Department of Economic Initiatives.

[01:03:32] So please join me in welcoming Megan. Thank you very much, Supervisor Smith, and welcome back, Megan. So glad to see you.

[01:03:48] With that, next up is Supervisor Walkinshaw. Thank you, Mr. Chairman. have one written board matter and one update. The first written board matter, Mr. Chairman, is a joint board matter with you regarding our letter on budget priorities to Governor Yunkin, and we discussed this at some length at our legislative committee meeting on Friday.

[01:04:11] Mr. Chairman, it's the time of year when the board works on our draft legislative program, highlighting our legislative priorities for the upcoming 2025 General Assembly session, which begins in January. It's also the time of year that the governor is working on his budget amendments to the General Assembly. As a result, we typically share some of the county's budget priorities with the governor as he begins crafting his agenda in advance of the session. This year, the governor will be crafting amendments to the 2024 to 2026 biennium budget, and it's the last budget that Governor Youngkin will be able to amend and implement. Mr. Chairman, a wide range

[01:04:51] of programs and services in our Commonwealth require a strong partnership between the state and localities. That partnership is strained, quite frankly, because the Commonwealth continues to underfund, significantly underfund, core services, leaving local governments and local taxpayers to fill funding gaps with local revenues to maintain essential services. Even now, the state's revenues are being described as in surplus but until the state has fully met its funding commitment to those core services including shared state and local services there cannot be a state

[01:05:31] surplus because the commonwealth's bills especially the commonwealth's bills to our local schools have not been paid at this critical time it's important that we highlight our state budget priorities. As always, K-12 funding is at the top of that list, but the 2023 study by the Joint Legislative Audit and Review Commission has truly brought that issue to the forefront, making clear the dramatic and ongoing state underfunding of public education. The report emphasizes the substantial and permanent structural changes are needed to ensure the state's standards of quality

[01:06:09] reflect the actual costs of funding public education, including ensuring that the local ability to pay is fairly and equitably represented, combined with a substantial and ongoing increase in state funding. This is essential to providing the education our students need to be successful in a global community and economy.

[01:06:30] The attached letter highlights a wide range of other county priorities, including increased state funding for transportation, behavioral health, public safety, affordable housing, energy and the environment, and car tax relief. Therefore, Mr. Chairman, I move that the board send the attached letter under the chairman's signature to Governor Youngkin, requesting his consideration of the county's budget priorities.

[01:06:54] I'm happy to second that motion. It's been multiply seconded. Discussion on the motion. Thank you, Mr. Chairman. I'll just note from my colleagues, the letter does include, you know, several tweaks and changes based on your contributions to the discussion in our meeting on Friday.

[01:07:13] I won't go through all of them and I won't go through every issue. I'll just reiterate the importance of the Governor and the General Assembly making meaningful progress to closing the JLARC funding gap, which is $3.5 billion statewide.

[01:07:30] We know in excess of $500 million each year in Fairfax County that the Commonwealth should be providing, pursuant to the Constitution of Virginia, their own standards of quality that they are not providing. And we're going to have a public hearing in a few minutes on our carryover package.

[01:07:49] And as we continue our conversations around our budget moving into the next fiscal year, there is no more important issue than this. We cannot continue to ask local taxpayers to fill the gap in funding created by the JLARC funding shortfall.

[01:08:09] And we have to have tangible progress from the governor and the General Assembly in this session. Chairman McKay and I met two weeks ago with Senator Boisco and Delegate Bulova, who are on the joint subcommittee that will be looking at the scope of JLARC recommendations.

[01:08:26] I think they are now very well versed in the impacts, the potential positive impacts for FCPS. And I'm cautiously optimistic that progress will be made, especially given at least what we have been reading about the state's revenue projections coming in more favorable than maybe had been anticipated.

[01:08:44] But that money is owed. That money is owed to kids in schools in Fairfax County. They have been shorted for a long time, and that money belongs to them to help them compete, as the letter says, in the global economy. So thank you, Mr. Chairman. Thank you very much, Supervisor Walkinshaw.

[01:09:01] And I'll just add that not only did they deserve that money, but that money was generated here by our taxpayers. So we're trying to get a little better return on the 23 cents on the dollar we get back from Richmond for money raised here.

[01:09:19] Remember, local governments don't tax income. The state does. So they collect taxes from high-income people in northern Virginia and send us $0.23 back on every dollar you pay in income taxes. So the money that we're asking for from the state that the state's own study showed they owed us is money that was generated here first, which makes it doubly bad that we're not able to move the needle on that.

[01:09:44] And upwards of $600 million is a lot of money. Frankly, the transfer to the schools, because we're constantly picking up the state's slack on the transfer to the schools, is the driver in our budget

conversation every year.

[01:10:01] And the driver starts in Richmond. And we've said this repeatedly. We now have a professional analysis done by JLARC, not by Fairfax County, that proves that that's not only a problem in Fairfax County, but a problem statewide. And just to remind folks, the bottom line of that study showed that Virginia is funding public education at a lower amount per pupil than West Virginia and Kentucky.

[01:10:26] And so it's time for the governor and the General Assembly to decide we should be beating West Virginia and Kentucky in public education funding. And as soon as we start doing that, the budget pressures on this board and on our residents in Fairfax County will see some relief.

[01:10:44] I will also add the last paragraph, and I appreciate this being added to the letter about car tax. Just to remind folks, you know, we reduced the ratio on car taxes for a couple of years when used vehicle prices were going through the roof.

[01:11:01] But I think it's important to note that when the state provided partial tax relief, they capped the amount at $950 million statewide in 1998. And so that $950 today has declined in value dramatically because it's not indexed.

[01:11:23] It was a fixed amount set at one point in time, statewide $950 million. So what does that mean in Fairfax County when combined with increased car assessment bases over the years? That funding to Fairfax County taxpayers receive in relief for car taxes from the state has declined from 70% in FY 2007 to 57.5% in FY 2022 to 50% in FY 2025.

[01:11:54] So car tax bills are rising because the state has not changed the amount of money it puts in car tax relief to the residents of Fairfax County. And so I appreciate that being pointed out in this letter as well. I don't think many people understand these challenges, and the letter is clear in outlining them.

[01:12:13] Any further discussion? Supervisor Stork. Just to add to the point, Mr. Chairman, that you were making, and I appreciate your leadership, Supervisor Walkinshaw, on this. We are undergoing an intensive discussion.

[01:12:30] We had a presentation at our meeting, our committee meeting a week ago about other ways to diversify our revenue. Those discussions would not be necessary, I mean, if we had truly the dollars that, in my mind, we're entitled to from the state.

[01:12:47] And $600 million goes a long way to covering the costs of what we, in essence, have to charge our residents through property taxes, the major vehicle, but in other ways, too. And we would not be talking and having our deeper conversations about that but for the fact that we are consistently and have been underfunded by the state for decades.

[01:13:12] This is finally getting the light of day, which I think is a powerful way of hopefully addressing the problem, but the JLARC study needs to be addressed. And just to, again, on Supervisor Rockshaw's point, the state does not have a surplus until they've paid their bills.

[01:13:29] And this is a bill that is unpaid, that needs to be paid, that will make a true difference, make a major impact on our community in terms of the costs of our housing and the costs that we incur for other expenditures that the board funds through local taxes.

[01:13:45] So thank you. Thank you, Supervisor Stork. Supervisor Palczyk. Thank you, Mr. Chairman. I wasn't going to speak, but I really appreciate, first of all, both chairmen for bringing this forward and our

staff and the comments. I mean, and I would say we're trying to do, I think for us, a better job, too, of communicating what this means, right?

[01:14:06] There's a lot of jargon here. What's JLARC? JLARC is from the General Assembly. It means a Joint Legislative Audit and Review Commission. General Assembly commissioned this nonpartisan, nonpolitical report in 2023, as they do to help understand how what they call the standards of quality, if we were to just fund the standards of quality, I call them the standards of dis-equality, terrible quality, because it would be woefully underfunding.

[01:14:38] The school system that we have here in Fairfax County, that we have in Virginia, despite the lack of state funding of the taxes that we as a community send down to Richmond, still continue to outperform many because of that local investment.

[01:14:54] Pretty much every single person we talked to, and I thought you were going to mention that, Supervisor Stork, the things that come up when we have conversations with CEOs of our Fortune 500s that are here, of our local businesses, of businesses that locate here.

[01:15:10] Number one, it's the workforce and the education that helps create such an important workforce. And it doesn't pay for itself. And as you know, it's become more and more difficult. Number two issue is housing and being able to have housing for people who want to or work here to be able to live here.

[01:15:29] And those are huge issues that without the adequate support from the state money that we sent down to Richmond, having the economic engine of the county right here in Northern Virginia and don't receive back. That's what we here on this board have to figure out how to fund adequately, because I don't think anyone on this board or in the county would be comfortable making the kinds of cuts that Mr. Hill and his staff are having to look at in order to make ends meet with the status quo and without that funding. So I'm sorry, I wasn't going to speak up, but I know

[01:16:06] we are so passionate about it because we understand at the end of the day, we have to balance that budget, and we have limited resources. As was mentioned, there's no local income tax here. There's only state income tax. So even though people move here and say there's so much wealth in this county that is not captured at the local level, that's why we have to look at the few options that are legally authorized to us here in Fairbanks County. So I know it's going to be a tough year ahead, and as we move forward, trying to understand how do we fund the schools, public

[01:16:41] safety, housing, and services that we know make this a very good, while not always affordable place to live, that continue to attract these large businesses. So I really appreciate all of our colleagues, and especially Chairman McKay and Chair Walkinshaw for helping us continue to not just write the letter, but communicate to our community how critical and dire it is that we receive that support for our kids that is woefully behind the majority of the country.

[01:17:18] Thank you, Supervisor Palczyk. And finally, I'll just add that the other reason why we're talking about this besides educating the community on the challenges we face is because every day that goes by between the day the study is completed and the General Assembly taking action is a lost opportunity.

[01:17:36] And so we have to keep this narrative alive. What we can't do is let the General Assembly get away with walking away from this study and doing nothing. And that's what concerns me. The study came out. We worked for years with our legislators to get the study done.

[01:17:54] We've known this problem has existed for decades. But we wanted to make sure that JLARC could study it and confirm what we already knew. And it took a long time to get a bill passed to do the study. It took a long time to do the study, and when the study came out, the first reaction from Richmond was, we need to study the study.

[01:18:13] No, the study is clear. We're losing to West Virginia and Kentucky. Do something about it. If we were sitting here losing to our peers, and a study pointed that out, we would be taking immediate action to rectify that, especially when kids are in school today trying to learn and get by with an antiquated taxing system that we have in Fairfax County.

[01:18:36] And so every day that goes by that action is not taken on this is a missed opportunity, is a challenge for our taxpayers, and presents Richmond an opportunity to ignore their own study. And we have to make sure we don't let that happen. And I think that's an underpinning of the letter, which is appropriate.

[01:18:54] All those in favor of the motion, please say aye. Aye. Any opposed? Parity, nay. Any abstentions? And that motion carries, 9 to 1. Supervisor Walkinshaw. Thank you, Mr. Chairman. I don't have any additional written board matters, but I did just want to share an update on a topic I know all my colleagues care about, and that's Lake Akatink.

[01:19:18] And you'll recall in January of this year, we approved a joint board matter regarding the preservation of Lake Akatink that built on the work of our task force on the future of Lake Akatink, which found, among other things, that a smaller 20 to 40 acre Lake Akatink would, quote, present significant environmental benefit and meet significant community and social goals.

[01:19:43] Since then, DPWES has been moving forward with the three efforts that were identified in that board matter. The sedimentation rate study, and the board will recall the agreement we approved with the U.S. Geological Survey to install stream gauges and do sedimentation analysis of the creeks and the lake.

[01:20:08] And that work is ongoing. There's a gauge in place that's taking measurements. Their team has been out collecting samples, so that work is taking place. The second is the dam assessment. If we're going to preserve Lake Akatink for the future, we need to make sure that the dam is safe and strong.

[01:20:28] And at some point soon this month, I think when the rain stops, we'll be lowering the water level in Lake Akatink for that assessment to take place. It's always an exciting time in our office when the water level at Lake Akatink is lowered because we get a lot of confused calls about it, but that will be happening as part of that dam assessment.

[01:20:48] And then the big piece of it is the preservation feasibility study, which will analyze the possibilities and the ways in which we could preserve that smaller lake. And we've reached a critical point in that process where we are asking the community to engage and give us feedback on the draft scope of work.

[01:21:14] So we have a team of county staff and consultant experts that have developed a scope of work to determine what the feasibility study should consist of. But before we start that work, we want to get the community's input in terms of what exactly should be in there and what they should be looking at, because I wanted to avoid a situation where we do all of this expensive and time-consuming work, and then the community says, well, why didn't you look at X or why didn't you look at Y?

[01:21:41] So we are now accepting that feedback on the scope of work, and we have a survey that is open now and will be open through October 20th. So I want to just make a request of my colleagues to share the link to that survey in your newsletter.

[01:22:00] Lake Akatink is in the Braddock district. The park is in the Braddock and Franconia districts. But this is a county asset that people from every corner of the county visit and benefit from and should have the opportunity to to provide input. So we'll circulate that link. And I just ask that everybody share it in your newsletters.

[01:22:19] Thank you, Mr. Chairman. Thank you very much, Supervisor Walkinshaw. And next up is Supervisor Beerman. Thank you, Mr. Chairman. one board matter. This is a joint board matter that I'm very glad to say is joined by all 10 members of the board. This is a board matter recognizing October as Pedestrian Safety Month.

[01:22:42] During October, the National Highway Traffic Safety Administration NHTSA recognizes the National Pedestrian Safety Month with the goal of increasing awareness about pedestrian safety and sharing safety reminders for pedestrians and drivers.

[01:23:00] In the United States in 2022, there were an estimated 67,336 pedestrians injured and 7,522 pedestrians killed in vehicle crashes, the highest number since 1981. In Fairfax County in 2022, there were 153 pedestrians involved in crashes and 24 pedestrian fatalities.

[01:23:22] There were 134 fatal pedestrian crashes in Fairfax County from January 2015 through June 2023. While pedestrian crashes occurred throughout Fairfax County, Annandale, Reston, West Falls Church, Seven Corners, and the Route 1 Corridor all had much higher than average fatality rates during this time period.

[01:23:41] But again, this is a problem everywhere in our county that we must tackle. In the past week alone, there have been pedestrian fatalities in Oakton, Centerville, and Springfield. Pedestrian safety is a shared responsibility. Pedestrians are encouraged to walk on sidewalks or facing traffic if no sidewalk is present.

[01:23:58] Wait for a safe gap in traffic and make eye contact with drivers before crossing. Drivers are reminded to always watch for pedestrians, slow down, and stop for pedestrians in the street. Safe behaviors for both pedestrians and drivers that may cost a few extra seconds or minutes must take precedent over unsafe actions that can cost a life.

[01:24:18] Fairfax County has devoted considerable efforts to improving pedestrian safety, among many other initiatives, setting a goal of $100 million to advance pedestrian and bicycle infrastructure, preparing the active Fairfax Transportation Plan to create a framework for safe, comfortable, and convenient active transportation routes, and implementing additional measures of effectiveness to ensure the pedestrian measures, Not just vehicular ones are included when engaging in zoning actions, comprehensive planning, and corridor studies.

[01:24:49] Therefore, I move that the Board of Supervisors recognize October as Pedestrian Safety Month in Fairfax County and support the NHTSA initiative. I also move that the Office of Public Affairs publicize pedestrian safety reminders for drivers and pedestrians throughout the month of October as shared by NHTSA and Fairfax County departments.

[01:25:10] You've heard the motion. I'm happy to second that, along with Supervisor Palchik. Any discussion on the motion? Supervisor Beerman. Sure. I think this one's a pretty obvious one. We started out this morning talking about three pedestrian fatalities in the last week.

[01:25:29] I think it's really also telling and instructive that these are happening everywhere in the county. They're happening in Centerville, they're happening in Oakton, they're happening in Springfield, they're happening on Route 1. There was a kid who was crossing Georgetown Pike in Drainsville to try and get to Langley High School, who was hit several weeks ago up in my district.

[01:25:55] There was a pedestrian fatality last month crossing Route 7, I think it was from the Hunter Mill District to the Drainsville District. This is happening everywhere. And, you know, we all have a part to play. It's it's I don't want to sound like I'm scolding because, in fact, I'm scolding myself. We all have driven too fast at times. We all have been distracted. We all have crossed the street probably when we shouldn't have because we just needed to get somewhere.

[01:26:27] But it's really important for us all to try to slow down a little, be safer. The consequences are way too high. And I also want to just point out, it was my predecessor who years ago made this commitment to $100 million over six years to work on pedestrian safety.

[01:26:50] I believe he was actually joined by every single member of the board making that commitment as well, everyone. So this is something where we are doing our best to put our money where our mouth is, where we are trying to take extra steps to improve these problems.

[01:27:08] But it's going to take a shared commitment from all of us. And I'm glad that during the month of October, we'll be publicizing this as an issue and an area of focus. Thank you, Supervisor Bierman. And in a moment, in our carryover package, there is an additional $25,426,590 being allocated to our bicycle and pedestrian $100 million goal that you just mentioned, which will take us up to 82% of that goal, or we'll have funded the program at a little over $82 million.

[01:27:45] So we're going to get a chance in a moment to vote on how important this issue, among others, are to us. And I would just add that, you know, the county launched a public information campaign called Take a Minute, Take a Moment, and take a moment to put down your phone, take a moment to look around, look for pedestrians, pedestrians take a moment to put down your phone and look around for cars.

[01:28:09] You know, the tragedy of what happened over the last week in the county, at least looking at the three incidents that were mentioned earlier, two of the individuals were not in a crosswalk and one was. So these accidents occur, people walking down the sidewalk, minding their own business.

[01:28:28] We've seen that happen. They occur in the crosswalk. They occur when people are walking not in the crosswalk. And so when we say this takes everyone, that's what we mean, because we can put $100 million into infrastructure, but if people are not using the facilities that that infrastructure is in place to facilitate, then we are failing.

[01:28:52] If drivers are not obeying the laws, we are failing. And so it takes drivers, it takes pedestrians, it takes education, it takes infrastructure, it takes all of these things to solve this problem. And so there is no magic bullet. But the beauty of this motion is that, you know, we're making this a high priority this month in terms of education and communications.

[01:29:14] But we do that year-round in this county. And until we get to zero, we're not going to be successful. Finally, I will just say when we kicked off the Take a Moment campaign, we had a press conference. Some of you were there. And one of the most memorable moments of that press conference was talking to, of course, an individual whose life changed dramatically by being hit by a vehicle.

[01:29:40] Everything in their life changed and what they could do. But also after that press conference, talking to the driver of a vehicle who hit a pedestrian, whose life also changed forever because they can't get that image out of their mind. And so while physically one on the receiving end is dramatically harmed and life's changed, the driver of that vehicle, life changes forever, too.

[01:30:03] And imagine the guilt one has to live with after hitting a pedestrian in a crosswalk simply because you weren't paying attention. So this takes all of us, and that's why this motion, I know, was universally supported, why our bicycle and pedestrian fund is so important, but also why we need to continue to do education.

[01:30:23] Supervisor Alcorn. Yeah, thank you very much, Mr. Chairman, and thank you for bringing up the Take a Moment campaign in the press conference. I was going to mention something about that. It really does underscore, you are exactly right, there is no magic bullet for this. But frankly, I think this motion kind of indicates how we need to double down on a lot of the things that we've been doing.

[01:30:47] It is a long-term thing. And it reminds me something, too, that, you know, a few years ago, the term Vision Zero was very popular in the region, but also around the country. And I know we had conversations with staff about, you know, should we jump on that bandwagon?

[01:31:08] and say vision zero. And it's very interesting because, um, at the time staff basically pointed out, you know, we don't have a pathway to get to zero because there's so many different moving parts and, and we need to have, uh, we need to be closer and further along in addressing all these issues, uh, that the chairman raised. So we're, we're on that path, but I think it is a reflection of sort of how we do things in Fairfax County.

[01:31:39] You know, when we commit to things, we commit to things. But we also want to make sure that it's realistic and that we incorporate all the pieces that need to be incorporated. And certainly the publicity, you know, the infrastructure, the public safety elements of it, I mean, it all comes together to reduce the number of fatalities and significant injuries.

[01:32:04] So let's keep it going. We're on the right path, but it's not a straight line, and it's going to take a long time for us to get there. So thank you, Mr. Chairman. Thank you, Supervisor Alcorn. Supervisor Walkinshaw.

[01:32:19] Thank you, Mr. Chairman. I'll share this now and stay quiet during the carryover public hearing on this topic, but I did want to share, you know, I got a notification over the weekend about a pedestrian collision that took place at the intersection of Guinea Road and Pierpont Street, which is on the way to Bunny Man Brewing, right where Guinea Road goes from two lanes to one lane.

[01:32:49] And this individual who was struck was in the crosswalk doing everything right, following all of the rules. The car couldn't see her because a car in front was obstructing, couldn't see them because the car was obstructing the view. And those are always terrible notifications to get. This one was particularly bad because that intersection is one of those that we have approved for funding to have a significant design improvement out of the previous round of the $100 million.

[01:33:18] And thank God this individual survived, but it drove home for me the importance of sticking with that funding commitment and getting those projects done as quickly as we responsibly can, which we all know is challenging and frustrating, because in this instance, it's impossible to say for sure, but I think in looking at the design improvements that we are going to put in place there, this is an incident that would have been prevented.

[01:33:49] It was entirely preventable because of the work and the funding that we're trying to do. So I wanted to share that as we think about the carryover package that we're going to discuss in a few minutes. Thank you, Mr. Chairman. Thank you, Supervisor Walkinshaw, Supervisor Palczyk. thank you mr chairman um and i know many of us have been focused on this for for many years and and clearly it was brought up right um engineering which is a lot of these projects that are costly and unfortunately um back when there was funding they were less desirable and now we are having to retrofit roads um enforcement which we know that the new camera program is

[01:34:29] extremely effective and we are looking to continue that as well as the education piece which is helpful though we know at times not as helpful as the enforcement and the engineering piece I also want to thank I think many of us received the report from Northern Virginia families for safe streets they do their own studies they have looked at three roads that they have deemed to be the most problematic. One of them is the Blake Lane Quarter that we have been working on for many, many years. It was essentially designed to be kind of a beltway around the city of Fairfax,

[01:35:06] the 90s. Unfathomable these days, but that's how it was constructed. And I know that we've mentioned many things. We've talked about the state in our last conversations, but this year, I know we're just so used to saying it, is that it does require that partnership. We do not own our roads for the most part vida owns our roads and it does take that that that work with them I think probably a little bit of why it's been so frustrating to move along with some of these projects and improvements and ensuring that those are accommodated but I we are certainly at the

[01:35:43] point where education is great but we know it's not enough and being able to continue to expand that camera program, the enforcement pieces, and make those engineering and structural changes. And hopefully have a voice in Richmond, many voices in Richmond, to help us move that forward.

[01:36:06] Because I know our staff work really, really hard to try to get support from VEDA on some improvements, and some we do, and some it continues to be a challenge. So just as our funding structures um are impeded in many ways by what is um done uh at the decision making in enrichment this is a big one and i know we bring it up over and over again um and i know it's maybe a little bit easier to um lobby us on that but know that we are definitely trying to work forward because

[01:36:44] it's a million dollars a mile and so i appreciate the um the funding that we are putting forward and And I hope that we continue to be able to move more quickly on those projects. We are able to do more. But it definitely is not something that we can do alone as a county.

[01:37:00] So I hope we continue to advocate for that from our partners in VDOT and in Richmond as we move forward. Okay. I think we're ready to vote. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions?

[01:37:17] That motion carries. And Jimmy, was that all? Just one quick announcement. I wanted to make an announcement for our Drainsville Celebrates Trees event on Sunday, October 20th at Lewinsville Park. There will be a nature walk, face painting, local arborists, tree planting, urban forestry resources.

[01:37:40] I will say that in the Drainsville district, just coming off, admittedly coming off a campaign, There's so much bipartisan support for tree canopy and tree preservation. You know, back in the day, I think tree hugger used to be a bit of an epithet, but just about everybody in Drainsville loves their trees.

[01:37:58] I often love to tell the story about how my scheduler, Patty Dinkelmeyer, her favorite appointment ever with John Faust was when Dick and Lynn Cheney came by so Lynn could talk about a tree that might come down. So we find that everybody in Drainsville really loves their trees, and I know that's true throughout the county.

[01:38:17] So if you want to come out to Lewinsville Park on Sunday, October 20th, to talk about trees, we'll have a great time, and I hope to see you there. Thank you. Thank you very much. Next up is Supervisor Lusk. Thank you, Mr. Chairman. I have one board matter.

[01:38:34] It involves revisions to the authorization for two SSPA nominations. And to the background, Mr. Chairman, the Springfield Boulevard and Amherst Avenue comprehensive plan amendments are tier one items on the work plan that propose residential mixed use development in downtown Springfield.

[01:38:54] The plan amendments are scheduled for public hearings this fall. With these studies largely completed, a few minor housekeeping items need to be addressed with the original plan amendment authorizations ahead of those hearings. items include adding a remnant parcel inadvertently omitted consideration of area-wide and design guideline figures related to land unit recommendations and editorial updates to reflect name changes and recommendations that have been have been implemented therefore mr chairman i move that

[01:39:30] the board of supervisors revise the conference of plan amendment work plan authorization for the springfield boulevard and amherst avenue plan amendments to allow consideration for related and editorial updates to the franconia springfield area recommendations and to include tax map parcel 80-4 double circle 1 parcel 14b in the authorization for the amherst avenue plan amendment which was inadvertently excluded from the original authorization this motion should not be be constituted as a favorable recommendation for these applications by the board and does not relieve the applicant from compliance with the provisions of any applicable ordinances,

[01:40:08] regulations, or adopted standards. This application in no way prejudices the substantive review of these applications. Chair, we second that motion along with Supervisor Herity. 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 Lusk. That completes my item. Thank you, Mr. Chairman. Thank you very much. Supervisor Alcorn. No board matters. Thank you, Supervisor Alcorn. Supervisor Jimenez. Thank you, Mr. Chairman. Just one quick announcement. It seems

[01:40:44] like a very timely announcement, but on Saturday, September 28th, this Saturday, from 10 to 12 at the Mason Government Center, we are having a town hall. The issue will be transportation. So we hope to see Mason residents there to learn more about not only what VDOT's doing, what FCDOT is doing, and Capital Bikeshare. So it'll be a great opportunity to ask questions and learn more about what's happening in the community. Thank you, Mr. Chairman. Thank you very much.

[01:41:11] Supervisor Stork. Thank you, Mr. Chairman. I have just one written item, and I have two verbal ones. This is the adoption of the performance auditor of the Board's September 2024 quarterly report, and this is being brought forward by myself as chair as well as the other members of the audit committee supervisors beerman jimenez and herity performance auditor to the board draft reports for the first quarter of fiscal year 2024 were presented at the september 17th 2024 audit committee meeting the two reports include one purchase card or p card detailed data study with

[01:41:49] recommendations to perform periodic monitoring of merchant category code restrictions and consider regular review of level 3 which is detailed data the second item was FC dot or favorites County Department of Transportation cash proffers follow-up study to complete implementation of cash proffers tracking and monitoring and complete implementation of proper statements not available the audit committee concurred with all recommendations and provided dates for implementing recommendations the performance auditor to the board will follow up to ensure recommendations are implemented reports can be found at

[01:42:26] committee meeting link below and therefore we move that the board of supervisors approve the performance order to the board september 2024 report heard the motion it's been seconded 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 supervisor stork Yes, and just two verbal matters.

[01:42:55] First and foremost, we had our kickoff of the Council for Economic Opportunity, or what we're calling CEO. CEO was launched to strengthen our position as an economic powerhouse. And we heard earlier today how we are an economic powerhouse, providing vast riches, frankly, to the rest of the state in tax revenue and not always getting as much of that back.

[01:43:17] But that launch was critical because, and as the chairman said, to recognize the brightest minds in business, government, and academia so we can develop creative and innovative strategies to drive our long-term and sustainable growth.

[01:43:33] So it's a crucial part of what we're doing. I'm looking forward to having many more meetings on this. I specifically wanted to thank not only the kind of executive who was instrumental in getting some of the business leaders to be part of the group, but also the chairman and Rebecca Madre and the whole Department of Economic Initiatives team for launching a very successful CEO last week.

[01:43:59] They spent hundreds of hours of planning and coordination to get the meeting together. While this is a new format for the board, I hope it provided rich dialogue for each of you at your tables. And I guess the other key element of this is I wanted to make sure that we all got your feedback, me in particular, but others, about the meeting and future meetings.

[01:44:20] Particularly, we'd like to know and like to get your support in identifying some additional business leaders, which should be part of the CEO, as well as future themes and topics that we should consider. So I look for your comments today. Please seek me out. If not today, then sometime in the next couple weeks.

[01:44:37] This is how we build on something that we started. a little bit different. I'm sure there's some pros and cons of that, but we look forward to your comments about how we can improve it further. And

then the second verbal item I wanted to mention to you is that under the Virginia Freedom of Information Act, we will have a public meeting at the Bunnyman Brewery and Cafe in Lorton.

[01:45:02] I'm teasing someone. We have to notice it as a public meeting. But we will have at Bunnyman Brewery and Cafe in Lorton A ribbon cutting on Friday, September 27th at 5 o'clock. This celebration marks the official welcome to the historic Workhouse Campus, which this board has been so deeply involved and supportive of.

[01:45:25] Bunnymen actually opened on July 4th, and this is their second location. It features two floors of seating, a full kitchen, coffee bar, and two self-poured tap walls offering a variety of craft brews, wine, and more. So we had a great kind of soft opening, if you will.

[01:45:45] I know many of us were there at different times. But this will be our formal official opening. And, again, because there's likely to be more than two of us here, it will be advertised as a Virginia FOIA public meeting. So anybody and all of you are welcome to come.

[01:46:03] Again, that's Friday, September 27th at 5 o'clock. Thank you. Thank you very much. Supervisor Stork, and next up is Supervisor Palczyk. Thank you, Mr. Chairman. I have three board matters. The first one jointly with you, Chairman, and with Supervisor Walkinshaw, who also serves on the Domestic Violence, Council to End Domestic Violence.

[01:46:27] Members of the board, domestic violence is a pervasive issue that affects individuals across all communities, regardless of age, gender, race, or socioeconomic status. It not only impacts the physical and mental health of victims, but also leaves a lasting impact on families, children, and the larger community.

[01:46:45] In FY24, 21.4% of homicides in Fairfax County were domestic-related, a 15% increase from the previous year. In addition, the Fairfax County Police Department received 3,939 domestic violence calls, a 5.4% increase from the prior year.

[01:47:06] There were 277 arrest charges due to strangulation, 5.7 percent increase from FY23, and annual calls to the 24-7 hotline increase 8.4 percent from FY23. These and other measures indicate that we need to work together to end domestic violence.

[01:47:26] Agencies and organizations across Fairfax County continue to adapt their work to meet the evolving needs of those impacted by domestic violence. While community partners and agencies rise to meet these challenges, they struggle to maintain funding and retain qualified staff to deliver services. Awareness is key to significantly reducing interpersonal violence and creating safer communities in Fairfax County. In recognition of the importance of bringing awareness to this critical issue, October has been designated a Domestic Violence Awareness Month nationwide.

[01:48:01] This month provides an opportunity for communities to come together to support victims, promote prevention efforts, and educate the public about the far-reaching effects of domestic violence. Recognizing Domestic Violence Awareness Month in Fairfax County will provide an opportunity to honor service providers while increasing public awareness of interpersonal violence and its impacts on victims and survivors, their families, and our community.

[01:48:26] In recognition of Domestic Violence Awareness Month, county residents are encouraged to wear purple on October 17th for Purple Out Day to show support for domestic violence survivors and their

families. In addition, the K9 Crawl 5K on Saturday, October 12th at the Fairfax County Public Safety Headquarters is a unique opportunity for all dog lovers to come together and bring awareness to the co-occurrence between domestic violence and animal cruelty.

[01:48:55] Therefore, I move without objection that the Board proclaim October as Domestic Violence Awareness Month in Fairfax County and ask the Office of Public Affairs to prepare a proclamation to be presented in the boardroom at a future meeting. Without objection, that is so ordered. Supervisor Palchuk.

[01:49:11] Thank you, Mr. Chairman. Next is a board matter on the 5th Annual Providence District Winter Gear Drive. Members of the board, in preparation for this year's winter season, my office is hosting our 5th Annual Winter Gear Donation Drive, and we invite our county and community members to be part of this vital effort.

[01:49:30] With the cold weather coming, many of our residents need warm winter gear. We seek donations of gently used or new coats, jackets, scarves, gloves, hats, and new thermal socks and underwear for adults and children of all sizes. Donations can be dropped off at the Jim Scott Community Center, 3001 Vaden Drive, and the Dunloring Volunteer Fire Department, No. 13, at 2148 Gallows Road, through December 31, 2024.

[01:49:55] The park at Tyson's at 8508 Leesburg Pike will also accept donations from October 19th through December 15th, thanks to Celebrate Fairfax. This year, donations will benefit the Committee for Helping Others, Fairfax Fish, Second Story, Northern Virginia Family Services, and the Lamb Center.

[01:50:15] More information can be found on the Providence District website, fairfaxcounty.gov slash providence. This year's partners include, and we are grateful to, the Tyson's Community Alliance, Celebrate Fairfax Institute, Mosaic District, Neighborhood and Community Services, Miller Heights Community Association, and the Dunloring Volunteer Fire Station No. 13.

[01:50:38] If your organization is interested in helping collect donations, please email providence at fairfaxcounty.gov and we'll be happy to coordinate with you. Therefore, I ask that the Office of Public Affairs and the Department of Neighborhood and Community Services share this information on their channels.

[01:50:53] And without objection, that is so ordered. Thank you, Mr. Chandler. And I do have a flyer. And last year, our office, my office was packed with coats. So we're hoping for the same this year and happy to coordinate with any other offices who may be interested. Finally, a joint board matter with yourself, Chairman McKay, Supervisors Bierman and Stork, recognizing the winners of the 2024 Ordinary Awards.

[01:51:17] Members of the Board, the Ordinary Awards presented by the Virginia Restaurant, Lodging, and Travel Association, VRLTA, celebrate the honor of the best in Virginia's hospitality and tourism industries. From restaurants and hotels to destination management organizations and attractions, these awards will highlight the dedication and excellence that drive the Commonwealth's vibrant tourism sector.

[01:51:41] This year, out of nearly 300 nominees, 26 individuals and businesses are recognized. Far from ordinary, the winners of these prestigious awards exemplify exceptional service and leadership in their fields, and I'm proud to spotlight the Fairfax County honorees.

[01:51:57] Nancy Longstreet of Hyatt Regency Tysons Corner Center, who earned Hotelier of the Year, the Watermark Hotel in Tysons, named Hotel of the Year, and LaBerge Francois in Great Falls, which received the President's Award. Their unparalleled expertise and commitment to providing exceptional experiences for both residents, and visitors, and to give back to the community, set high standards for the hospitality and tourism industry across Virginia and here in Fairfax. We're proud of our outstanding awardees for their contributions to elevate Virginia's hospitality and tourism as they reflect the very best of Fairfax County and the Commonwealth. Therefore, we ask that the Office of Public

[01:52:37] Affairs prepare resolutions to recognize the Ordinary Awards winners from Fairfax County to be presented in or outside the boardroom. And without objection, that is so ordered, Supervisor Palachuk. That is all, Mr. Chairman. The only two things I'll mention this Thursday as we continue to celebrate Hispanic Heritage Month. You're all invited. We'll be having an art exhibition and opening after a call for artists brought back many nominations in my office. I believe we'll also have some delicious treats and music. So please come and join us this Thursday from four to six at the Jim Scott Community Center. And there's a lot happening on

[01:53:13] On October 5th, one of the additional events is that we'll be hosting our first ever Providence Community Day and back-to-school event with School Board Chair Carl Frisch at Marshall High School. If you're able to stop by, Mr. Chairman, I know you'll be running around the whole county, but everyone is welcome to join us.

[01:53:33] We will have all kinds of touch-a-truck, including, I believe, the boat from the police department. So a lot for families of all ages. And that is all, Mr. Chairman. Thank you, Supervisor Palachuk. Supervisor Herity. Yes, Mr. Chairman, in the light of the fact that we've got a number of people here who look like they took the morning off to come testify on carryover, I'm going to summarize my board matters.

[01:53:55] The first one is to recognize the 50th anniversary of Orange Hunt. Mr. Chairman, I ask without objection, staff prepare a resolution to recognize Orange Hunt Elementary School's 50th anniversary for its contributions to the surrounding community. The resolution will be presented outside the boardroom at the Orange Hunt Elementary's anniversary celebration on September 30th.

[01:54:19] That was not in the package? That was not in the package, but it was circulated afterwards. Okay. Without objection, that is so ordered. The second one is to advertise Drug Take-Back Day. This is one that we do every year.

[01:54:36] It is October 26th from 10 to 2 at many sites. Unfortunately, West Springfield Police Station, which usually is the largest recipient because we've got early voting there and the parking lot's so small, we're going to have to move that to Kings Park Library.

[01:54:54] And also some new news, late-breaking news. Some of the sites will have these mail-in drug take-back envelopes available for folks so that they don't even have to go to our police stations and other sites where they can drop off their unused prescriptions.

[01:55:11] But, therefore, Mr. Chairman, I ask that we direct the Office of Public Affairs to continue to work with the FCPD to advertise the upcoming National Drug Take-Back Day, including the alternative West Springfield High School site, which is Kings Park Library.

[01:55:27] I also ask we declare October 26 as Drug Take-Back Day in Fairfax County. And without objection, that is so ordered. My next one is, I thought it was a simple board matter recognizing three or more organizations for the efforts at keeping Fairfax County's roadways and facilities well maintained, but I think I need to take the time to read this one.

[01:55:50] So this is improving the appearance of roadways and facilities. For the last several years, residents shared with me that they've noticed a decline in the appearance of our public land and facilities, both county and state-owned. The board and county agencies have received numerous complaints from residents and organizations about the state of these facilities.

[01:56:12] The level of maintenance in our land and facilities not only affects the functionality of these public assets, but also the quality of life of our residents and the pride they take in living in Fairfax County. My efforts to address this situation have included working with our facilities maintenance division and the Laurel Garden Club on the West Springfield Government Center building and grounds, having discussions with our park authority director regarding the conditions of some of FCPA's facilities, removal of garbage cans from others, and mowing concerns, working with the Department of Public Works and Environmental Services to

[01:56:49] address litter on the Parkway and also meeting with VDOT leadership regarding the condition of our roads shoulders and medians and the focus of this is the last of those which is I want to thank well first I want to thank FMD for their efforts to improve the appearance of the facilities in the district in public works for their proactive steps they have taken to prevent trash from blowing off transfer trucks leaving the I-66 transfer station and for their now less frequently required roadside cleanups along that route.

[01:57:18] I'm grateful this board has allocated additional funding to the park authority to address their aging maintenance equipment and increasing need for dead and dangerous tree removal. Regarding our roads, I met with VDOT's district director in January and the deputy director in August regarding the conditions of gutter pans, concrete curbs, and other VDOT facilities.

[01:57:43] And it's interesting if you, and this is great staff work by Pate in my office, she dug out the contract that all the contractors sign that states that, and I'm just going to read one of the two paragraphs, but the contractor's personnel shall remove vegetation debris from the travel roadways, gutter pans, sidewalks, pavement, walkways, and drainage structures adjacent to the mowed areas during each mow cycle and after each mowing and non-tractor mowing operation. Contractors shall trim all curb and gutter back to the edge, curbing during each

[01:58:18] mowing cycle. It also says that everything shall be picked up, removed, and disposed of from the site. And we all know that really isn't happening in much of Fairfax County. And I shared this picture, which I hope you can see. It's in your package, but it shows what it should look like versus what much of our roadways look like. And I'm very pleased to, I got to get back to my spot.

[01:58:51] I'm pleased that they have recently promoted a new leader to the maintenance director position in Northern Virginia. I met with him earlier this month to hear his plans to be more proactive versus reactive with maintenance, changed the culture of the maintenance division, trained set and set expectations, and oversee contractors and improved the appearance of the roadways.

[01:59:14] He also shared that there are some funding issues and increasing costs of the contractors. He has set a realistic goal of improving 25% of the county's roadways by spring, and will move forward from there. We've worked with Terry before, and I have confidence that we're going to see improvement.

[01:59:33] He also wants us to encourage residents to use 1-800-4-ROAD to report issues. VDOT and county have received help in maintaining our roadways from a number of community partners. In addition to our community groups who participate in the state's Adopt the Highway Program and organizations like Clean Fairfax, there are local organizations doing more than their part to address roadside appearances.

[01:59:59] The Burke Center Conservancy, the Fair Lakes League, the Reston Association and others have long-standing arrangements and agreements with VDOT that allow them to maintain the right-of-way, including the shoulders and medians and other community amenities in their respective areas.

[02:00:15] The visual disparity between these areas and those adjacent to them can be quite stark. I believe their efforts are worthy of recognition. Therefore, Mr. Chairman, in an effort to recognize both these community organizations for their valuable work, as well as spread the word regarding the availability of the options open to other individuals and community groups, I request without objection that the Board direct our Office of Public Affairs to advertise information regarding these VDOT land use and landscaping agreements, the Adopt-a-Highway program, and the use of 1-800-4-ROAD to report maintenance issues.

[02:00:55] I further request without objection that we invite the three associations mentioned above and any others my colleagues believe should be included before the board at a date to be determined with the Office of Public Affairs. Okay, let's make that a motion.

[02:01:13] I will second it because I know there's some discussion that board members want to have. So I will second that motion. Discussion on the motion. Any discussion on the motion? Supervisor Walkinshaw. Yeah, thank you, Mr. Chairman. And I do appreciate this board matter, and I appreciate Supervisor Herity circulating it ahead of time so folks could take a look at it.

[02:01:34] And we've had, you know, I think a constructive dialogue between our staffs on some of the thoughts that I have. And I appreciate some of the adjustments that have been made. Obviously, for me, talking about this issue, the appearance of our roadways and public spaces, it's a glaring omission to not mention the success of our plastic bag tax.

[02:01:57] And I respect and appreciate that's not a policy that you support. However, we do have the data now from Clean Fairfax that demonstrated a 50% reduction in plastic bags from their designated cleanup sites. And this was an interesting thing for me to learn.

[02:02:14] we actually have five designated sites around the county that are representative of the different land uses, and we go out and count the types of trash and litter that are found there. Since the plastic bag tax, we've seen a 50% reduction in plastic bags. Still too many, and still a lot of other types of trash and litter there, but we're making progress on plastic bags.

[02:02:36] Similarly, that tax has also put, as of December of 2023, almost $5 million into these very efforts that are described in the board matter support for operation stream shield support for all of the community organizations volunteer organizations that are doing cleanups around the county support for our zero waste goals to reduce the amount of waste and potential litter and trash that we produce here

operationally so for me it's hard to swallow talking about this issue without talking about that success which is a board's policy and one that that is working

[02:03:15] That said, I want to support the board matter and will. I would just suggest, and you mentioned Clean Fairfax in the background. I would just suggest, in the motion, adding Clean Fairfax to the list of groups to come before us.

[02:03:34] Clean Fairfax can speak, they choose, to the success of the plastic bag tax. But they also are our point of contact for community organizations that want to organize cleanups. They helped to distribute the funds and the tools and equipment that we have used from the plastic bag tax to help those volunteer organizations.

[02:03:54] So if that's a friendly amendment to add to the motion to the three associations, and love those three associations, but I think Clean Fairfax could speak to some other elements as well as all the volunteer groups out there that are doing that work. Supervisor Herity.

[02:04:12] If I could on that, I mean, I don't have any objection to Brian. They're not doing the same thing as Fair Lakes League or Burke Center Conservancy or Reston Association. They haven't adopted areas that they keep clean. They go out and keep areas clean, but I don't know that they do any mowing and trimming and edging and maintenance.

[02:04:33] Yes, they do. They do. No, they do, but Clean Fairfax does? I'm asking about Clean Fairfax. I know Reston Association does. I know Burke Center Conservancy does. I know Fair Lakes League does. but i think it's an apple and oranges kind of thing but if you insist well i just know i mean the board matter mentions trash and litter in a number of places so it it didn't seem to me limited to just to just mowing um it does mention trash from the transfer station trash blowing around so my impression of it was that your intention was to be broader than just than just

[02:05:10] mowing and gutter pan maintenance. I recognized our Department of Public Works for the great work they did in stopping trash coming out of the I-66 transfer station. But, I mean, this was a simple board matter, recognizing three or more organizations for their efforts to keep Fairfax County roadways and facilities well maintained. Had the support of three board members until you, Supervisor Walkinshaw, felt it necessary to make it political by requesting that it include a statement that the bag tax has reduced plastic bag litter in the county. I made it more political

[02:05:45] by recommending that my colleagues drop off the board matter. Respectfully, I shared with Supervisor Walkinshaw that this board matter was about roadway maintenance, not litter, and asked Supervisor Walkinshaw for the data. What I got back was a paper that had one sentence from an advocacy group called Clean Fairfax that does great work in the county addressing litter, mentioning their quarterly reviews of five locations.

[02:06:11] He did not have or provide any hard data. I've followed up with Stormwater, and I've asked Stormwater Department to have a closer look at the data that they might have. But what's in the Clean Fairfax report is not enough for me to say that the bag tax dropped plastic bags by 50%.

[02:06:28] I don't think it has from what I've seen, but I'm willing to wait for the data. But if we want to add Clean Fairfax to this board matter, I'm fine. accept that as a as a friendly amendment and we'll move on and that's merrily on our way that that is what was asked for to include them I would just say I think the other challenge here is Burke Center Conservancy Fair Lakes and Reston Association great to recognize

those but King's Town the other one corridor is maintained by by our bond program the there's a there's a ton of these all over the place all over the county and and certainly a lot of people in the

[02:07:08] commercial business community who take care of their own property, people in the residential community associations to do that at all great expense to them to maintain this and take responsibility for something that VDOT should be doing. And so I think what would be useful for us will include clean Fairfax when recognition happens. But if we could somehow get a list from VDOT countywide of the organizations that have these agreements in place and have signed them and then recognize that there are a lot of groups that don't have these formal documents in place that are doing a lot to clean up on our roadways, too. I know I've met with a lot of

[02:07:48] groups who can't cross the barrier that VDOT has in place of the liability, and so they voluntarily are out there doing this stuff, and it's taken a lot of effort for a lot of people to do this, and then so I think having Clean Fairfax come, maybe they can update us. Let's get a list of the county-wide organizations that have these agreements in place. And then, you know, lastly, I would just point out that it is great that these private entities are taking this over because they're relieving VDOT from an expense, but you also mentioned the county properties in here, and

[02:08:23] of course, their maintenance takes money. In a few minutes, there's millions and millions of dollars in carryover to go towards maintenance, to facilities and equipment to handle maintenance, money to the park authority, a capital sinking fund of millions and millions of dollars going in to make the investments on these county-owned properties.

[02:08:44] So in a minute, when we're wrapping this conversation up and going to carry over, we'll get an opportunity potentially to vote to send millions of more dollars towards maintenance of these county facilities. And I'm going to try to wrap this up because I know it was, as you said, a simple request.

[02:09:00] Yeah, very quickly, it was my intent, and the board matter asked my colleagues to provide other organizations, but going to BDOT is a good idea, and we will do that. And I appreciate you bringing up the hurdle of the bond that's required for companies to do that, and that's something we need to work, and I don't know whether that's something we can include in the legislative program or not, but I had to get involved in negotiating the one at Fair Lakes League, and it was ridiculous.

[02:09:26] And think how much harder that is for residential groups to do it. I mean, you mentioned how hard it is for the businesses, which it is, but it's even harder for a lot of our community groups. And they're out there doing it in a lot of cases anyway. We'd rather do it the right way and have an agreement with VDOT that makes practical sense.

[02:09:46] I agree. Thank you, Mr. Chairman. Okay, so you've heard the motion. I've seconded it. You've heard the amendment, Supervisor Bierman? That's okay. I'm going to vote for it. Well, actually, I'll just say one thing. There was one line that Supervisor Herodes had when he was describing it with, I think he said, some funding issues.

[02:10:07] And to me, I mean, this is all about funding issues. And it's not just, I mean, there's nothing against, I mean, it's great what Berks Center Conservancy does, what Fair Lakes does, Reston Association. I wish that VDOT were doing more of this to begin with. Sometimes I feel like 50% of my job is fighting with VDOT.

[02:10:26] So, you know, I fully support your board matter and support recognizing the great community organizations for the good work that they've done. I hope that we continue to have more success with working with VDOT to make these roadways prettier all around the county.

[02:10:47] Thank you, Supervisor Beerman. And maybe we can add that to a future transportation committee meeting. Because I will just point out one other elephant in the room here, which is read the places that are here and consider there's a significant inequity in the county that places that have big commercial property owners who can afford to do this get to do it.

[02:11:10] And other parts of the county that don't have a big business presence or large community associations that are well financed are left behind. And so there is a serious equity issue with the road maintenance things that we're talking about as well. And we don't want to go to a place where the private sector and the residents take over VDOT's responsibility for them.

[02:11:30] We want to thank the people who are doing what they're doing, but recognize in those areas that don't have those assets, nothing is getting done. And I think that's something we have to think about. Supervisor Alcorn. Thank you for bringing all that up, Mr. Chairman. And the other thing I would add is it hasn't been too many years since we also had something in the county budget to basically do more mowing because VDOT is not doing it.

[02:11:54] And so that's a fairly new addition. It remains in there. It remains in there. So thank you. And this is not free. It's not cheap. Happy to recognize Reston Association and the others. But thank you for making that point.

[02:12:10] This really is a VDOT responsibility. and they are not doing it. So I'm happy to thank folks that are stepping up. Supervisor Palchuk. Thank you, Mr. Chairman. Also happy to support this. I didn't know we were able to add groups, so I look forward to adding some of the ones that have been doing this work.

[02:12:30] A couple of ones I think I want to note that are a little bit different than the others. One would be in Tyson's, the TCA is working with private funders to improve, someone saw how awful one of those intersections looked and has taken it down and will be replanting it with native species.

[02:12:51] Sustainability Matters, I believe, is about to do meadows along the WNOD trail, and I think they should be noted there. As great as we want more mowing, I also want to thank the groups that are working to bring more sustainable practices that are actually cheaper in the long run and better for our environment so that would be my one request of hopefully friendly addition to this motion okay I think we're ready to vote I was just gonna real quick just clarify when I met and I suggest you go meet with terror we have Terry come talk

[02:13:28] before the board but it was it was more than just the need for money it was a change in culture it's getting his invest his maintenance supervisors out in the field looking at the thing so it's not just throwing more money it's a it's a change in culture and a change in leadership and Supervisor Pouchek and then we're gonna vote yeah and I appreciate that I forgot to say two of those photos you mentioned are my district my staff and I'd say I want to recognize them we call VITA every single time that's actually not tall for what we've seen unfortunately is the case and so I really think all of our staff who reach out and have done all this work looking forward I hope it's

[02:14:06] true that there's an improved culture so it does not rely so much on our offices having to kind of beat down the roads to get those most long those lawns mode thank you okay all those in favor of the

motion please say aye aye any opposed any abstentions that motion carries was that all Supervisor Herity that's it Mr. Chairman okay we are now going to move on to our next item which is a public hearing on the county and schools FY 2024 carryover review to amend the appropriation level in the FY 2025 revised budget plan and let me begin by

[02:14:46] asking our budget staff if they'd like to give us a brief presentation welcome good morning mr. chairman and members of the board Phil Hagan director of the Department of Management and Budget the fiscal year 2024 carryover review outlines balances available as of the end of fiscal year 2024 and includes recommendations for the use of those funds to adjust the fiscal year 2025 budget carryover recommendations were presented at the board meeting on july 30th and were discussed at the budget committee meeting on september 17th recommendations included in the carryover include the carryover the balance of federal stimulus funds as well as significant investments

[02:15:21] in the county's infrastructure sinking fund and for pedestrian and sidewalk improvements per the county's year-end fiscal policies support is also included for information technology projects environmental and energy initiatives, parks and outdoor recreation, fire and rescue department equipment, and capital improvement projects. After adjustments recommended by the county executive, a balance of $1.37 million remains. When combined with the $0.23 million held in reserve as part of the fiscal year 2025 adopted budget plan, a total of $1.6 million is available for board consideration. One consideration item has been submitted by the board, which proposes

[02:15:58] to utilize up to $350,000 to analyze the transportation impacts of any proposed land use changes within the Springfield Transit Station area and Community Business Center area. I would note that this is not the only opportunity that the board has to adjust the fiscal year 2025 budget.

[02:16:15] Our third quarter recommendations will come to the board in March. Thank you. Thank you very much for that presentation. And before we begin the public hearing on this, are there any questions from board members? Any questions from board members? Supervisor Harrity.

[02:16:32] I'd like to start by clearing up some of the confusion from the committee meeting. We've got a very highly educated county. Our residents understand budgeting, and even if they don't know all the county's preferred terms, a surplus, as defined by Merriam-Webster's, is an excess of revenue over expenditures, and that's what this carryover represents.

[02:16:54] Our carryover documents describe where the carryover funds are coming from is primarily the result of higher than expected property tax receipts, other local taxes revenue from the use of money and property, and revenue from the federal government, end quote. We may have our preferred internal terms for the budget surplus, but the state government, the federal government, corporations, and residents all use the term surplus. So I think that's an appropriate term here. So just to go to questions, is there a legal obligation for us to spend the carryover

[02:17:30] or surplus? Legal obligation, no, sir. We could certainly hold that money in reserve for a future quarterly review. Okay. If we don't amend our spending to spend the carryover surplus, will that negatively impact our AAA bond rating? I would say no, it would not negatively impact the bond rating. I would certainly say that within the carryover review, we have some important investments, capital projects, IT projects, things like that. We certainly depend upon one-time funds that carry over to make those investments.

[02:18:10] Supervisor Herity, before you ask your next question, related to that, a follow-up question. Because you mentioned in the committee meeting the percent of our overall budget that this value represents, whether we call it a surplus, whatever we want to call it. Supervisor Herity, you referred to the ARPA surplus, and there's no such thing, because the ARPA money has already been issued to us.

[02:18:31] That's our money to be used to help our residents and to help our budget given to us by the federal government to help get through a very difficult time that we've been smart about how we've been spending that but the question I want to ask you about the bond rating is if we did not have a black figure here in other words we were in the red at this point and we were looking at instead of carryover action we were looking at a deficit that the county that was in the county budget that would in fact dramatically impact our bond rating would it not yes sir it would

[02:19:07] That is something that every year that we go to the bond rating agencies, we do present to them our revenue and expenditure variances. The revenue variance this year is 1.39 percent of our budget. On the expenditure side, excluding the ARPA funds, it's 2.05 percent of our budget.

[02:19:26] So certainly if those were negative variances, we would expect to see an impact with the bond rating agencies. We'd be having a whole different conversation here. So I just want to make sure that people understand that as you you can spend to a margin Certainly people in the business community understand this the county is not allowed to have a deficit number one And number two if we did not have a surplus of funds at this particular budget intersection If we did not have this surplus we would be looking at significant triple a bond rating damage And so I just want to make sure that that question is answered fully on that point supervisor Alcorn. Yeah, thank you I

[02:20:05] You know, thank you for answering that question. And actually, the carryover balance is more due to a change in expenditures, not on revenues, correct? You just gave a 2%, I believe. So it's actually not mostly due to more funds coming in.

[02:20:23] And I've been, is that correct? Yes, yes, certainly. And certainly we saw a variance on both sides. Within the revenue variance, one of the things that we've been seeing is higher investment and earnings as interest rates were higher.

[02:20:41] We're certainly expecting those to come down. On the expenditure side, what we've seen recently would certainly be agencies having pulled in hiring as well as trying to curtail spending following the pandemic. We're starting to see a return to normal as hiring picks up with those. Yeah, and there's a great attachment for those of you that are interested called General Fund Expenditure Variants.

[02:21:01] It's attachment three, and it goes through each agency and identifies how much per agency was not spent um and and i gotta tell you this this idea using the term surplus to me it's a political stunt i've been i've been working on fairfax county budget since 1988 and this is not a term that's used it's always the carryover for these reasons you don't you don't you know this is this is of course you you you miss a little bit you know both on revenues and expenditures

[02:21:35] And you better be coming in in the black because, like the chairman said in the discussion, then we've got real problems. So, you know, at the same time, we've got our county executive asking departments to come back with 10 percent reductions for consideration in the next budget.

[02:21:53] This is not a surplus time. This just isn't. And this is really no different than what I've seen, frankly, for almost 40 years in Fairfax County's process. So thank you, Mr. Chairman. Thank you,

Supervisor Alcorn.

[02:22:08] A lot of people wanting to be recognized. This is not what we were expecting. And Supervisor Herity, you initially were speaking. Let me ask anyone else on the point that we're talking about right here on the question of how you want to call the carryover balance.

[02:22:26] Supervisor Palachuk to be followed by Supervisor Bierman. Thank you, Mr. Chairman. And I think I brought this up at our budget meeting. I believe it's still 10 and maybe 11 now, principles of sound financial management that the county follows in order to maintain our AAA bond rating.

[02:22:44] Is that correct? Yes, the 10 principles, yes. Okay, and I believe number two addresses the annual budget plans and reserves. Is that correct? Yes, ma'am. Okay, and my question, because I believe there are not many localities or even the state that I've been able to find have these principles that help them maintain that work and that commitment to those financial management principles, which I think Supervisor Heritage is maybe trying to address, can you confirm for us that this process and our budgetary adjustments for what are either reserves, one-time funds here,

[02:23:23] They're called Available General Funds Identified at Quarterly Reviews. Are we following our principles of sound financial management? Yes, we are, ma'am. Okay, thank you. Supervisor Behrman.

[02:23:40] You know, as the new guy around here, I'm still learning, but I learned a lot from budget question 198 from Supervisor Herity here, who's been on the board for, what, 16 years? 16 years? So, in fiscal year 2013, did we have a carryover balance?

[02:23:59] Yes, sir. In fiscal year 2014, did we have a carryover balance? Yes, sir. Did we have a fiscal year 2015, did we have a carryover balance? Yes, sir. In fiscal year 2016, did we have a carryover balance? Yes, sir. In fiscal year 2017, did we have a carryover balance? Yes, sir.

[02:24:15] In fiscal year 2018, did we have a carryover balance? Yes, sir. In fiscal year 2019, did we have a carryover balance? Yes, sir. In fiscal year 2020, did we have a carryover balance? Yes, sir. With CARES Act funding. So even in the CARES Act year, we had a carryover balance.

[02:24:31] In fiscal year 2021, did we have a carryover balance? Yes, sir. In fiscal year 2022, did we have a carryover balance? Yes, sir. In fiscal year 2023, did we have a carryover balance? Yes, sir. In all those years, did we come in and talk about it as a surplus? I don't recall all of those meetings, but I don't believe so, sir.

[02:24:49] Yes, exactly. Thank you. No further questions. Yeah, so last question is, all the questions fair to staff, the last one a little unfair, But for those of us who have been here as long as Supervisor Herity, we have never called it a surplus. I have never heard it called that. And frankly, to your question about the carryover balance, Supervisor Beerman, I certainly would hate to be chairman of this board when I meet with the bond rating agencies to be sitting there explaining to them why we ran a deficit and lost our AAA bond rating to them.

[02:25:18] And so I think our Fairfax County taxpayers, our business community, our reputation, our bond rating, A lot of things here at stake, as we've just discussed, really important stuff. Supervisor Herity. Yes, and I appreciate Supervisor Alcorn bringing up the fact that we've got very tough budget times ahead.

[02:25:36] Most of our residents, when they have tough budget times ahead, they put money aside so that they can balance their decisions with things like closing nature centers and parks and stuff like that that

have been put on the table that we hope we won't have to do, but they don't go spend what extra they've got.

[02:25:54] They hold on to it so that they can make smart choices in the future. To go back to my questions, and I understand the need to fund encumbered and unencumbered commitments, which are around, I think, $52 million in this package.

[02:26:11] However, our carryover and surpluses that Supervisor Behrman walked through without giving the amounts have grown. Oh, I'd be happy to give the amounts. No, I know. And thank you for the answer to the question because I'm not going to read every one of them because I don't want to insult anybody's intelligence, but they've grown from around $100 million to around $200 million in each of the last five years, despite a flattening of our population growth.

[02:26:41] Given our reserves are in excess of our self-mandated 10%, what's the smallest margin, plus or minus, of carryover or surplus that you think our rating agencies would accept to keep our AAA bond rating? I know that's a hard question.

[02:26:57] It's a hard question because there's so many other factors like the national economy that go into ratings, but does, I mean, is a $100 million surplus acceptable to our bond rating agencies? So that is a hard question to answer.

[02:27:14] I don't know that we've actually gotten a, do we have a hard number within the bond rating agency criteria? Supervisor Joe Lahate, Budget Office. I think when we have the conversations with them annually, a lot of times what they want to do is tie back what percent. Now, I would say percentage-wise, we've been told in recent years that we may be actually a little bit less than some of our AAA medians. If you look at it in terms of an agri-dollar amount, I mean, we're up there by comparison to any one of the region.

[02:27:42] But I think those are the conversations that we review with our financial advisor every fall in anticipation of these calls to help them and help them help us anticipate what calls or questions we might get during the course of those rating conversations, depending on how the prior year your financials fall out because I think that's the first thing we do once we post those annual financial statements in December at your board meeting. The analysts go right to those documents to determine how did you finish out the final fiscal year. And main, main questions they'll have is, did you use any one-time money, which we have not? And then ultimately, are you refunding all your retirement pieces and then trying to tie back what do your reserves look at year over year? Because if there's decreases, there's definitely going to be questions. Why you use

[02:28:20] them and do you plan on using them again? So those are the things we kind of have to prepare for for context. Thank you. That was very, very helpful, especially the fact that they look at percentages, because I think the percentage, it would be interesting, and I wish I had asked what the percentage is on each of those years, but I'd love to get that eventually. We have those percentages. I'd be happy to read them to you. It's right on there. They're all in there. It's

[02:28:45] So the percentages have grown from 1.76 to as high as 2.91, depending on whether you look at revenue or when they look at the percentages or do they look at the combined carryover to the total budget?

[02:29:02] Which percentage do they look at, just out of curiosity? So what we discussed with them is both. We talked about both the revenue and the expenditure variance. Certainly we saw, again, that expenditure variance spike when the pandemic hit. We certainly put in a hiring freeze or really a slushy at that point.

[02:29:19] We pretty much limited hiring to very critical positions. We also had agencies very much limiting their expenditures to just the critical things in those early days of the pandemic when we didn't really know where things were headed. We have seen that amount come down. Certainly as we look ahead to FY 2025 carryover when we're sitting here next year, My expectation is that the $34 million in expenditure reductions that we put in for the FY 2025 budget, that we'll see a lot of that flexibility gone from those agency budgets at the end of the year.

[02:29:52] On the revenue side, we've certainly seen, again, a lot of this growth in recent years was with the interest rate increases. We've been hesitant to put the full amount of those interest rate increases into the annual budget as they've come about because we always have that question of when are they going to come back down.

[02:30:09] So at this point, certainly we've recognized a good bit of that investment interest, but we still have tried to be cautious with that since, as the Fed has now signaled, we're going to start seeing those coming down. All right. Thank you for that. I think I'm going to hold to my one.

[02:30:28] I had two other questions, but I think I'm just going to go. So we've got $59 million that we're carrying over in ARPA funds. How is that obligated or is it obligated? How much of that is obligated? Currently, the full amount is allocated out to projects.

[02:30:45] Those projects, we do have them underway trying to make sure that we have those funds spent by the federal requirements to make sure that we do spend the full amount that we received. But right now, that is fully allocated out to projects. There's a chance that as we go through and certainly as we work to make sure that we're able to spend all those funds, there may be some recommendations for some changes in allocations, which we'll bring to the board in the memo.

[02:31:08] But those funds are fully allocated right now to projects. Okay. Thank you very much. And those ARPA funds, for those listening, were our federal support dollars that most everyone on this board strongly supported and made a huge difference in helping us get through the pandemic.

[02:31:24] And I might add, those federal dollars were also meant to be used over an extended period of time. So there were some jurisdictions that spent all of that at one time, and then it was gone and they didn't know what to do. and we have been pacing ourselves to make sure we're spending those ARPA funds properly per federal rules and related to things that are permissible under those rules.

[02:31:47] I want to make one other point clear, though, because it may be unclear to people listening to this conversation, because Supervisor Herity started by saying, you know, when you have bad times ahead, you set aside money. And I just want to make sure I give staff an opportunity to explain to us the reserves that we have.

[02:32:05] A lot of the money that goes into these reserves has come at carryover or other intersections of our budget when we've been able to fund them. I also remember a time where the credit agencies told us how important it was to make sure we fully fund those things. And we've been taking major efforts over

multiple years to make sure our reserve accounts are in order and squared away properly with the rating agencies.

[02:32:28] So can you give us a snapshot of those and the amounts that are in those? Because I don't want anyone thinking what Supervisor Herity said, which is, in tough times, you don't put money aside and plan ahead. In fact, we have reserves that anticipate potentially challenges ahead.

[02:32:45] And we had those reserves in place when things like the pandemic hit, which could happen again. And so, can you help us understand those a little bit? Certainly, Chairman. The county does have three main reserves, which we focus on, which total 10% of general fund disbursements.

[02:33:01] We have the Revenue Stabilization Fund, which is targeted at 5% of general fund disbursements. That is intended to be used if there is a drop in revenue during the current fiscal year below what our estimates are. We've only had to tap into that once, and we were able to replenish that reserve in the same year that it was used.

[02:33:20] We have the Managed Reserve, which is 4% of general fund disbursements, which is held in balance in the general fund. That's really intended for, like, a catastrophic occurrence, and we have not tapped into that reserve. And then we have the Economic Opportunity Reserve, which is targeted at 1% of general fund disbursements.

[02:33:37] That reserve is intended to overall contribute to our reserve posture, but then also provide a means for economic investments where we see the need. Since that is also part of our reserve posture, it is required to be replenished whenever we use those funds. It's been the board's policy.

[02:33:53] Once we increase those reserves, our previous target was 5%. We moved up to the 10 percent, and the board put in a policy to use 40 percent of carryover balances to fund those reserves. As a result, we were able to get to that new target of 10 percent much faster than we anticipated, and we've held at that 10 percent for several years now.

[02:34:11] This carryover review, similar to, I think, the past few carryover reviews, we did not have to contribute that 40 percent load into the reserves because they were already at the 10 percent. And certainly going forward, as we've hit every single budget review, we have ensured that we are putting a 10 percent load on any disbursement increases to make sure that we're able to maintain our posture at that target of 10 percent.

[02:34:35] Certainly, the increase in that reserve target from 5 to 10 percent was appreciated by the bond rating agencies, and we certainly got some good credit for that. I appreciate that explanation because it's really important for people to hear that and the way that we do our budgets.

[02:34:50] And just wanted to make sure I'm not, Supervisor Herity is not here right now, but that is a really important takeaway in this. And we have funded these many times over things like carryover to make sure among our highest priorities is, in fact, making sure we have our reserves funded for credit rating and for emergencies and other things.

[02:35:10] and I just wanted to make sure everybody understood that. Supervisor Walkinshaw. Thank you, Mr. Chairman, and I am sorry, Supervisor Herdy left, but I would certainly say this if he was here. I won't do what he routinely does, which is attack the motives of his colleagues.

[02:35:27] I know that he is sincere in his beliefs and philosophy on this. To me, it feels reckless to suggest that we try to manage the budget to within a 1% variance over the course of a fiscal year. I think if you talk to certainly any government, as we're compared to even businesses, to manage to a two to three percent variance over the course of a fiscal year is already very, very, very tight.

[02:35:54] So just speaking as one board member, I think we should continue to be conservative and cautious and not ever run the risk of going in the wrong direction. So I disagree with the directions of Browser Heritage going on that. I do want to just ask, and this is a budget Q&A, so folks probably have read it, C-199, about the recurring obligations.

[02:36:17] Obviously something we are all cognizant of, but can you talk through those $8-ish million of recurring obligations and the portions thereof that are a response to state and federal action and other? Thank you. Certainly.

[02:36:34] So within that $8.6 million that will have a recurring impact on the FY 2026 budget, there is a total of $3 million, which is related to federal and state action. Some of those actions include a change in the way that our fire department has to operate with their pharmaceuticals.

[02:36:58] We're actually having to establish a pharmacy within the fire department based on some of the changes that have happened with regard to the control of those medications. We have some victims of crime grants where funding that had come through from the federal government passing through the state has begun to dry up, and so making sure that those previously grant-funded programs, which are very important, are able to continue.

[02:37:21] We also have some additional staffing within the Office of the Commonwealth Attorney. The state approved five additional positions within that office, And so we're needing to put that in in order to comply with that state action. And then the Community Services Board, we needed some additional support coordination positions there based on the continued increase in the number of Medicaid waivers available.

[02:37:44] So those total about $3 million. We also then had about $5.1 million. That's included for a number of increases in the cost of county operations. A number of those adjustments, a good portion of it is related to some employee recruitment and retention initiatives within the Department of Neighborhood and Community Services, as well as the Department of Family Services.

[02:38:08] We also have some increases in the refuse collection costs at county facilities. And then finally, there is an adjustment of $500,000, which is related to some of the board budget guidance for FY 2025 and 2026 to provide some operational support to the Workhouse Arts Foundation. Thank you. And I'll also respectfully disagree with Supervisor Herdy's suggestion that we should consider rolling over this balance rather than making the modest investments that are outlined here, most of which are dedicated to infrastructure and not building

[02:38:47] new infrastructure, but doing something we've talked a lot about today, maintaining the infrastructure we have. And all of us know, you know, the 30% that goes to the infrastructure sinking reserve, know the kind of things that that is used for. And I would suggest that deferring those infrastructure and really maintenance issues doesn't save anyone a dollar because a maintenance issue or an infrastructure problem deferred is just going to be more expensive next year.

[02:39:17] So for me, I think it is responsible to when we can make those investments in maintaining our infrastructure so they're not more expensive down the road. Thank you. Thank you, Supervisor Walkinshaw. And I was going to ask staff to enumerate all of those for us, but I know that would be a difficult task. But looking at this list, you know, I am curious to hear which things board members might not want to support. But in here is a ton of items related to exactly what you just said, which is maintenance in every form, equipment, facilities, sinking funds

[02:39:54] across the board in here, maintenance obligations that the county has that we have not been able to fulfill during the normal budget process is in this package. And so, you know, certainly looking forward to a conversation of what items in here certain board members might not support, but a lot of maintenance money and a lot of infrastructure money in this package.

[02:40:17] Supervisor Harrity. Yeah, just two comments, and I was in the backlisting. You know, I certainly mentioned the 10% reserves, and that's absolutely critical that we keep that at at least 10%. On the percentages, I don't think I ever said that I wanted to see us managed to a half a percent.

[02:40:36] What I was asking is that the amounts of the carryovers have doubled from $100 million to $200. The percentages have also almost doubled from $100 million to $200 million. That's not true. They were pre-2019, the expenditures were all below 2%, and after 2020, they are all well in excess of 2%.

[02:40:58] If you look at the same thing on the revenue side, they were all under 1%. Between 2013 and 2019, they're all, almost all, there's two exceptions, in excess of 1%. So two last questions, if I can.

[02:41:18] Quickly, we have a public here, and we want to hear from the public. Can this amount be used to reduce our pension liabilities, which are obviously growing in an excess of what we expect they should be? So I would say certainly the board has the ability to direct carryover balance as they see fit, and so certainly there could be a one-time contribution into the retirement funds.

[02:41:46] I would say that that would need to be weighed against, for one, the staff recommendations that we have here because I would say that there are certainly needs within RIT projects or capital projects and the other items that are included in the staff recommendations. And they could also be used to pay down debt, correct? Yes, sir.

[02:42:02] Thank you. And just one other clarifier because, again, these two questions bring up a broader conversation that I think here is important. To be clear, the board can do anything they want with this revenue. That's an unfair question to ask staff because, of course, we could do all the things that you that you just suggested. But I think it's important to point out that this carryover package was assembled by our county staff, our professional county staff who are looking at every single fund, every single expense, every single thing, and listening to every single thing this board says year round as to what our priorities are. And it put together a

[02:42:41] list of things to be funded that are necessary, that they have determined are necessary and are the most important things that we should be funding at this point in time if we are to fund anything. So I think the question is, of course, the board could use this revenue how it sees fit if we want to ignore entirely the recommendations that the staff has made to us, which would be unprecedented and, in my opinion, not appropriate in Fairfax County with an enterprise of this size and all the other factors that we have to think about, including bond rating agencies.

[02:43:17] But more importantly, as I mentioned earlier, it's easy to say not use this revenue. I'm still waiting to hear what things on this list we shouldn't be funding. Because when I look at this list, and I hope everyone has a chance to look at this list, these are necessary things that our community has said to us repeatedly that they want financed, including bicycle and ped facilities that we just talked about this morning, including part maintenance, including money for first responders, including money for construction projects that are long overdue, public safety radios.

[02:43:51] I mean, the things that are in here are fundamental local government things. And so this is what the staff has presented to us as what they feel like is the most responsible thing to do with the carryover balance. And we're going to hear from the public what their thoughts are on this, but this was what their recommendation was.

[02:44:09] And we have had this recommendation just for the public watching. I'm surprised we're having such an in-depth conversation here because the board has had this package for two months, two months, including we've had budget meetings where we could have had a thorough conversation on this. And to hear some of the questioning coming up at this point in time is surprising.

[02:44:28] Supervisor Beerman. Look, I just want to make sure we get things on the record accurately. Question C-198 is the question we've all been talking about when it comes to carryover balances. Now, my colleague said it is doubled. let's go back to 2013. 2013, the percentage of revised budget, because we're focused on the percentages here, that with general fund expenditures was 1.76. In 2024, the percentage left over was 2.05. On the general fund revenue side, the percentage was 0.87. The percentage in

[02:45:06] 2024 was 1.39. That's not doubling. We could go over these numbers one by one. It's not doubling. Yes, yes. In this year, 2.05 plus 1.39 is a little bit more than 1.76 plus 0.87. Though on the 1.39, we talked about interest rates having to do with more general fund revenue coming in. And at the same time, my colleague to my right over here, both physically and otherwise, loves to talk about cutting spending, and we've got actually more balance in our general fund expenditures because

[02:45:44] we actually cut spending more this year than we did in 2013, or by the way, than we did in 2014, 2015, as a percentage by 2014, 2015, 2016, 2017, 2018, 2019. All of those years had lower general fund expenditure balances than the 2.05 percent here. Now, I also, I do have one question for you, which is, do you have a magic eight ball? No, sir. When we are doing this, we are making projections. We are trying to figure it out. Sometimes we overshoot, sometimes we undershoot.

[02:46:22] Sometimes we get it right, sometimes we get it wrong. But the key thing is if you get it wrong, you want to undershoot, you want to overshoot, undershoot, whatever you want to call it, You want to do it in one direction, and that direction is going to leave you with some carryover balance. That's why we've had it every single year.

[02:46:39] So with that, I'll close my comments. Thank you. As I said, Supervisor Beerman early, thank goodness we do, because the county's financial reputation, bond rating, and interest that our taxpayers pay is directly tied to the fact that we have a black number that we're sitting here looking at today.

[02:46:58] So thank God we're at that point. With that being said, we are going to have our public hearing. There may be more questions, more discussion after the public hearing, but I do have a speakers list in front of me. I have nine people who have signed up in advance to testify.

[02:47:16] If you were here to speak on the public hearing on county and schools FY 2024 carryover review to amend the appropriation level in the FY 2025 revised budget plan, specifically, if you are here to testify specifically on that subject and you are not already signed up, I need you to come down to the clerk on the right side of the dais and sign in with your name and address so that we can make sure that we recognize you.

[02:47:41] As I said, I do have nine speakers who have signed up in advance, and I'm going to begin with calling the first three speakers' name. When I call your name, please be down here close to the podium so that when it's your turn to testify, we are ready to receive your testimony. And our first speaker is James Kulikowski, to be followed by Corazon Foley, Arthur Purvis, and I see Robert Whitfield.

[02:48:04] Those are our first four speakers. If I called your name, please be down here close, ready to testify, and we'll begin with Mr. Kulikowski. Welcome. Thank you. Good morning.

[02:48:20] My name is Jim Kulikowski, and I'm appearing solely on behalf of myself as a taxpayer, a senior on a fixed income, and as someone with 38 years of federal budget experience, 23 years on the House Appropriations Committee, 5 with OMB. After painful increases in property assessments topped off by even more painful increases in property taxes, we see the results.

[02:48:43] For the second year in a row, the county is running the highest general fund surpluses in history, $127 million, a number which comes right out of the memo from the county executive, 2% of the overall budget. topped only by last year's surplus of $132 million, sparking some outrage.

[02:49:03] That represents the revenue from almost four cents of property taxes, one cent more than the property tax increase instituted last year. Higher taxes, record surplus. The surplus doesn't need to be that high, and historically it hasn't.

[02:49:19] In the previous decade and a half, from 2004 to 2019, General fund surpluses average less than half of that, around $50 million. Again, coming right out of the memo from the county executive, 1% of the annual budget.

[02:49:36] I would submit to you that getting the surplus down to that historic level of 1% and thereby saving some $60 million can and should be available to the board in its goal of reducing over-reliance on property taxes. Reducing the surplus would mean less extra money to spend, but looking at this year's proposal, There is no shortage of candidates.

[02:49:59] For example, in 14 instances, the surplus would start activities that are ongoing from now to eternity, guaranteeing budget increases in the future. It's a backhanded way to increase future budgets and should be left to the regular budget process to be weighed against other priorities.

[02:50:18] Then there's the aptly named sinking fund. According to quote-unquote county policy, 30% of any surplus is handed out to several departments for capital improvements. $38 million in one fell swoop. As crazy as it is to base capital improvement on the size of your wallet rather than on priorities and needs, if you reduce the size of the surplus to 1%, you automatically save $20 million.

[02:50:44] And then the surplus would provide escalation reserves for inflation of no less than $10 million. I think we just heard last week, the battle against inflation has pretty much been won. Not here, I guess. Those three items alone would get you about halfway to the 1% target surplus funding level.

[02:51:04] So what would I suggest? In this case and in the future, the board should return to the historical average of using no more than 1% of any general fund surplus for extra spending. When the county did that in the last decade, it had no issues with retaining its AAA bond rating of great concern to the board.

[02:51:24] Any additional surplus should be used to provide relief to the taxpayer, the over-squeezed taxpayer, or some would say long-term challenges like pension underfunding. Your constituents would be grateful. Thank you for your testimony. Our next speaker is Corazon Foley, to be followed by Arthur Purvis, Robert Whitfield, Waria Sali.

[02:51:47] Welcome. My name is Corazon Sandoval Foley, founding chairman of the Foley Community Center Project, co-founded in 2007 with my late husband, Vietnam veteran, and son of the American Revolution, Michael Daniel Foley.

[02:52:03] First, with a carryover balance, please remember that senior taxpayers do not have children in school, nor do we drive much, and we are working to reduce social isolation through senior centers, especially in our long-underserved Springfield District hometown.

[02:52:24] Please repeal the tax increase imposed on senior centers and, if necessary, at least the second trench imposed for next year. Secondly, many thanks to the nine supervisors and Delegate Vivian Watts for the diversification project for our county fiscal policy to reduce real estate tax burden on taxpayers, particularly us seniors who want to age in place.

[02:53:01] Thirdly, I submitted the mandated naming petition for which the center now requires public campaign and online voting. Please support the naming petition for the Foley Senior Center and follow precedent of recognizing co-founders as with the naming of the Mott Center, and honor the One Fairfax policy to include American veterans and Asian Americans.

[02:53:29] Fourthly, many thanks to the professional staff, staff with whom I was privileged to work since 2007 to establish the Burke-Springfield Senior Center without walls, particularly Evan Graff and Chris Leonard, the visionary, the best staff, who has been working superbly with our outstanding county executive, Brian Hill. Thank you. Thank you, Ms. Foley. Speaker number three is Arthur Purvis, to be followed by Robert Whitfield, Waria Salli, and Chi Riddell Tabasola. Welcome.

[02:54:09] Mr. Chairman, members of the board, thank you for holding this hearing. I'm Arthur Purvis, president of the Fairfax County Taxpayers Alliance. If the spending items and the carryover were that high priority, why were they not included in the adopted budget? The alliance is nonpartisan and we try to follow the facts rather than political narratives. One narrative is that the supervisors gave themselves 30 percent raises and the chairman 38 percent raise. The fact is is that these were the first raises in eight years and averaged over eight years the raises were three percent and four percent a year. Therefore, these raises would be more accurately characterized as

[02:54:46] 3% and 4% instead of 30% and 38%. However, given soaring real estate taxes, a 30-point drop in SAT scores despite an increase in school funding, a chronic shortage of police officers, no communications apparently between the supervisors and the Commonwealth attorney, corrections departments that don't correct, at least in the opinion of the attorney, increasing unaffordable unaffordable housing, a rail system with a $1 billion operating deficit, and crippling inflation in gas and food, we question whether any raise was warranted.

[02:55:20] The next narrative is why do the supervisors need a meals tax when they have $180 million carryover, I'll use the term balance. That's a good question. In fact, the surplus balance, whatever, is $750 million when you include the managed reserve, the Revenue Stabilization Fund, and the Economic Opportunity Fund, and the COVID funds.

[02:55:46] We asked the chairman, what is driving the tax increases? The reply we got was, quote, you can find trends in spending here, end quote, followed by a link to 30 years of budget archives. The supervisors either do not know what's driving the tax increases, or they're covering it up.

[02:56:07] There are four drivers. First is pensions, whereas a private employer's pension contribution to a 401k retirement plan is about 5% of payroll. The county employee contribution to the non-uniform pension plan is 32% of payroll.

[02:56:27] And despite the stock market being at current highs, the non-uniform pension plan's funded ratio decreased from 81% in 2021 to 67% in 2023. The second driver is raises. At a recent town hall, we asked our supervisor, what was this year's raise for county employees?

[02:56:46] He did not know. County average salaries are not published in the budget. No data has been provided to show that employees are leaving for better pay in the private sector. The third driver is medical insurance premiums. Compared to the world, America has high medical expenses and poor health.

[02:57:05] Part of the problem is the absence of price competition. The other part is an epidemic of chronic disease resulting from the government's politically motivated high-carb, low-fat nutrition guidelines. Eating high carbs, which dominate our grocery store shelves, causes diabetes and many other chronic diseases, including mental illness.

[02:57:25] Fourth is the increasing number of low-income English learner and special ed students, which now comprise almost half of Fairfax County Public Schools enrollment. These students require higher staffing ratios, but nevertheless, their achievement is low.

[02:57:42] Maria Montessori and Siegfried Engelmann's DISTAR reading and math curricula proved that these students can achieve highly. The problem is central office curriculum specialists that feel no consequences when vulnerable students do not learn. These specialists should be returned to the classroom, and curriculum decisions should be made by summer work groups of the best teachers.

[02:58:03] To continue this spending spree, you need about $300 million of new revenue each year. So $600 million more from the state would cover you for two years. We've estimated that after its introduction, the meals tax will increase revenue by $3 million a year, where you need $300 million a year.

[02:58:23] So we agree with the statement that the chairman made to Kojo Namani in an interview of WAMU, where he said, the meals tax, and I quote, is not the solution. End of quote. At a budget meeting last Tuesday, a supervisor pointed out that many neighboring jurisdictions have a meals tax.

[02:58:44] Why would you give up your competitive advantage and raise taxes like everybody else? And then we constantly hear about the $600 million. To get $600 million more from the state, we'd have to send down $2.4 billion more of taxes.

[02:59:01] The better approach is to end state control of public schools and fund schools locally. Manage your expenditures and return the funding to the citizens. They need the money for gas and food. Thank

you. Thank you, Arthur. Our next speaker is Robert Whitfield, to be followed by Waria Salli, Chi Riddell Sabasola, and Timmy Norton.

[02:59:23] Welcome, Robert. To meet me. Chairman and Supervisors, thank you for the opportunity. I've been going to county meetings for 30 years now, and budget meetings for over 10 years, when the days of, oh gosh, I just forgot his name now, Phil, the 10 principals, just forgot his name, that's what happens when you're old.

[02:59:58] Anyway, I've tried to understand county budgeting processes. I've been to many meetings, and honestly, this is very tough for the average member of your county. And one of the things that there used to be were budget committees for the supervisors to help us provide input.

[03:00:19] All I can say is we're facing as a nation a $35 trillion deficit adding at $7 trillion a year. There is some point in the next decade, whether it comes next year or five years from now, that the money spigot is going to stop.

[03:00:37] And we in Fairfax County are going to have to prepare ourselves for belt tightening. And nowhere else is it more evident than in the overspending on the metro system. The chair was at a meeting yesterday in Prince George's County, and I heard him suggest that we should tax people in other parts of Northern Virginia to help pay for the deficits that we're running.

[03:01:03] This is not the way to go. We have to get a more fiscally constrained approach to our government. As to the proposal for spending $25 million or so on bike and pedestrian trails, where was the money spent last year?

[03:01:19] Show us a map, and some things are certainly supportable, safe trails to schools, but the bikers in this county have been arrogant and over-demanding in what they want.

[03:01:38] Most of their demands are for recreational bike use. They're not for essential commuting. And as to the safety issues, I used to walk many times to the metro board meetings last decade and using the W&OD trail to go to the station in East Falls Church.

[03:01:56] Most bikers are courteous, but some young Turks would see how close they could get to me. And I want to propose to Jennifer Boisco and Kerry Delaney that we have a biker speed limit within 10 feet of bikers because it's amazing to me that more pedestrians are not killed.

[03:02:17] Coming back to the business of automobile tax issues, two weeks ago after coming into this board meeting, I went up to the tax office and had a good conversation with, I don't know what his name was, but the automobile property tax rate has been 457 for many years.

[03:02:43] I asked him, how did it get to be 457? He said, I don't know. It was like that when I got here. So one of the things I would ask is, how are you going to cooperate with the community better? My suggestion is you create some kind of committee, whether it's an extension of your budget policy committee, to bring people who want to help you.

[03:03:05] I don't know all the answers. I don't even know some of the questions. Thank you, Rob. Thank you. Thank you for your testimony. Speaker number five is Waria Saleh, to be followed by Che Riddell Tabasola. And I now have 13 speakers signed up.

[03:03:27] Again, if you're here to testify on this matter, be sure to sign in. Welcome. Chairman McKay and esteemed board members, my name is Waria Saleh. I am often also called Whitty. I have been a

resident of Fairfax County for 20 years.

[03:03:42] I got married here, and I have all three of my children who were born and raised in this wonderful community. I am both homeowner and business owner in Fairfax. Fairfax has been a great place to live, raise a family, and do business.

[03:03:58] However, it's saddened me to see our county changes toward worse. People are burdened with more taxes, it seems like, every other year. Small businesses are the backbone of our community, our economy.

[03:04:13] We have nearly 1,200 restaurants in Fairfax County. The restaurant business is particularly challenging, often operating on low margins. Yet, these establishments provide many jobs for our community, help the economy as well.

[03:04:32] The proposed meal tax will burden our restaurants tremendously, which has now fully recovered from the pandemics and COVID-19. Inflation is taking its toll, with skyrocketing costs for rent, labor, utility, and food.

[03:04:52] Now, on top of these challenges, we are faced with additional food tax. Your board has proposed this meal tax twice in referendums. The last proposal was in 2016, and both times residents of the county voted it down.

[03:05:12] Now, once again, you are proposing the same food tax while seemingly ignoring the will of the people. The justification for this tax is to diversify counties' revenue and reduce real estate taxes. However, I respectfully disagree that imposing the meal tax will not lead toward lower real estate taxes.

[03:05:35] To truly minimize the burden on residents, we need to focus on controlling spending and running the efficient government. And spending surplus is not going to help at all.

[03:05:53] I listened to the discussion from last committee meeting, I think it was last week. I was surprised by some of the reasoning presented by the board member. For example, Mr. Bierman here compared Fairfax to neighboring cities and counties who have meal taxes.

[03:06:13] What he failed to mention is that those counties and cities that he compared to, for example, Washington, D.C., they have very low real estate tax compared to Fairfax. For example, Prince William County, they have $0.92 on $100 real estate tax.

[03:06:32] Fairfax is $1.13, I understand, the real estate tax. Loudoun County, which serves a good comparison, and Mr. Berman did not mention that at all, they have no meal tax, and yet their real estate tax is, I think, $0.86 per hundred dollars, where Fairfax is $1.13.

[03:06:50] Thank you for your testimony. If there are pieces that we didn't get to, you're welcome to leave copies of that or to email us those copies so that we can get your full testimony. My recommendation would be just a final thought on this. I appreciate it.

[03:07:06] I think the good idea is to postpone this meal tax for a couple of years while people are recovering from inflation and high food costs. And maybe back then you could start again with this question. Thank you. Speaker number six is Che Riddell-Tabasola.

[03:07:22] Let's be followed by Timmy Norton and Henry Howe. If I called your name, you will be next on deck. Welcome. Good afternoon. Good morning. Good afternoon. My name is Jerry Del Tabasola. I'm the

Vice President of Government Affairs at the Restaurant Association of Metropolitan Washington.

[03:07:40] We have over 1,500 members, many of whom are Fairfax County businesses and residents. We count among our membership, homegrown restaurant groups, neighborhood spots, mom and pop independents, a number of my colleagues and friends who are joining us here today. Not surprisingly, I'm here to also comment on the proposed meals tax.

[03:07:58] You know, I want to also open with my thanks to you, Chairman McKay, and the county supervisors for your longstanding support for our local restaurants and small businesses. Being business owners ourselves, we very much know firsthand the challenges of generating revenue, right, and trying to make ends meet.

[03:08:17] And listening to the discussion today, I really want to express an appreciation and a recognition that you have a difficult task, right, to strike that delicate balance between funding essential community services and fostering economic growth. It's clear you're not taking that lightly.

[03:08:32] Again, I appreciate the insight I can share today, and especially I'm going to speak from our experience here in the District of Columbia. The challenges of dining and the dining scene in the District of Columbia are really well documented. We're suffering from inflation and increasing payrolls, to put just a couple of them out here on the table.

[03:08:50] The very real impact of a meals tax is to increase the overall cost of dining, and there's a lot of what the money may be used for, but that's the real-world impact that gets more expensive to dine out. I think we can use the case study and really a cautionary tale of what we've seen in the District of Columbia.

[03:09:06] The real-world impact when dining becomes more expensive is, one, diners go out less. They visit their neighborhood restaurants less frequently. Dining out becomes a special occasion. The other thing then is that sales decrease and the revenues decrease, which we need for the meals tax to work immediately objectives.

[03:09:23] The third impact is that staffing levels decrease, and we've seen that a lot in Washington, D.C. We've seen layoffs, we've seen pausing hiring new staff, we've seen a combination of roles where previously a restaurant may have had a host and a runner and a busser, and now those are all won because of how expensive it has become to operate a restaurant.

[03:09:43] an interesting phenomenon with meals taxes in that frequently it's the restaurant owner who absorbs that cost, right? Because there's such a sensitivity about being price competitive in the market and real hesitancy to put that forward onto the consumer. In Washington, D.C., just looking at 2003 to 2022, what we saw there is that as dining got more expensive, customer traffic shrunk 46% From the previous year, these are not like the pre-COVID numbers, right?

[03:10:15] What we also saw is that restaurant sales declined an average of 28%. And then talking about the reductions in staffing, we've seen 64% of restaurants do that. In addition to combining positions, what we're also seeing is increasing use of technology, right? So these are the self-serve kiosks, QR codes, which may be efficient, but they're not great for job creation.

[03:10:36] You know, the restaurant industry plays a really important role, right? We are job training centers, we are community centers, and a number of us got our first job in a restaurant where we learned really soft skills. You could come into this country with English as a second language, you could be a

returning citizen, and you know what? You have a home in the hospitality industry, and it's really important that we preserve those opportunities and the promise of upward economic and social mobility that come with that. It's been well documented that this meals tax would disproportionately affect Fairfax County residents, right? Approximately just over a third of meals are consumed by out of Fairfax County

[03:11:13] residents. And it's also documented well that it's going to affect lower income communities the most, right? So in the lower income brackets, you're spending upwards of 3% over or more, right, on food. And if you're in an upper income bracket, you're maybe spending 8 to 10% of that on food.

[03:11:32] It clearly has a disproportionate effect. I think in conclusion for my comments, dining out is already more expensive than it has ever been. Running a restaurant is more expensive than it's ever been. Now is not the time to further drive up those prices with meals tax.

[03:11:50] I really appreciate the time today and appreciate the discussion. And please be in touch with any questions. Thank you. Thank you very much. And I do want to just clarify for those watching at home that there's nothing, there's not a thing in our carryover package that deals with the meals tax.

[03:12:08] So we appreciate the input. Obviously, it relates to our overall budget, but if anyone's watching, we are not voting today to take a position on the meals tax. It is absolutely not in our carryover package. So I just wanted to make sure folks understood that.

[03:12:24] Speaker number seven is Timmy Norton, to be followed by Henry Howe. and Brendan Reif. Again, if I call your name, please be down here close so that you're ready to testify when it's your turn. Henry Howe and Brendan Reif. Welcome. Good afternoon, board.

[03:12:43] Thank you for allowing me to speak today. My name is Timmy Norton. We have a carryover budget from 2024 again. And once again, you're looking to increase our taxes and even add additional taxes like a meals tax. You have increased our property taxes every year for the past 10 years while carrying over surplus every year. Why do you feel it's appropriate to add a meals tax? This has been brought up and voted on twice by the citizens that you represent. Both times the voters have demonstrated they are clearly against the meals tax. You are actively going against the constituents

[03:13:18] of Fairfax County and what they want. The last time we were actually allowed to vote on this was 2016 and there was a long list of items and services that supposedly could not have been added without a meals tax. Every one of those services was admitted the next year contrary to supervisors claims otherwise. That year Chairman McKay shared during an open meeting that the county didn't have to give any more money or additional funds to the schools but that if the board presented the meals tax to fund the schools it would be easier way to pass the bill. There's actually a video of that online if anyone wants to see it. A meals tax will impact the most

[03:13:55] vulnerable people in our county or low-income earners the most. I helped contribute to the distribution of 2,500 free meals a day, six days a week. I can tell you from the bottom of my heart that the need for these meals are great and the meals tax will increase the food insecurity in Fairfax County. Also, restaurant employees will be dramatically affected negatively by meals tax.

[03:14:18] Guests leave lower tips and servers make lower incomes in jurisdictions to have a meals tax. You don't think restaurant industry has been through enough over the past five years with COVID and tax and inflation. Honestly, it feels like the goal is to close more of the mom and pop and individual restaurants. The big chains survive. And guys, we're supposed to be a team here where it's not you versus

us. We're supposed to work together. And honestly, I don't think you guys are representing us at all. You don't hear constituents talking to you. And honestly, I don't understand how difficult it is. Like we need to work together. You guys need to understand what your constituents want. And if not, we're going to primary in the best way and work as hard

[03:14:57] as we can to get people on this board that are going to support us because you guys are running us in the ground. It's not fair. Thank you. Speaker number eight is Henry Howe. Okay. Let's go down the speaker's list, folks. The longer this takes, the longer we're all here. Henry Howe, are you here? Okay. I'm going to say it one more time. If I call your name, come down here close so that it is when your time to testify, we are ready to hear from you. Henry Howe to be followed by Brendan Reif, Gary Cohen, Charles McAndrew.

[03:15:37] I'm just going to speak as a long-time county resident and server who works in the county on the meal stats, of course. I'm opposed to it because it will negatively affect the industry I work in, which will negatively affect my income and will negatively affect my ability to eat out as well.

[03:16:04] The county has a substantial budgetary surplus or carryover budget or whatever term you guys use. and that's all I have to say. Okay, thank you very much. Speaker number nine is Brendan Reif to be followed by Gary Cohen, Charles McAndrew, and Dave Lyons. Welcome. Thank you, board. My name is Brendan Reif. I'm a resident of Reston, Virginia, and I currently work in Tyson's Corner.

[03:16:38] I'm a restaurant manager, and I've lived in the county for four years now, and every term that we have, taxes seem to go up, and it seems to be less affordable for me to live in this county. As it pertains to the meals tax that the board is looking to implement in the physical year 2025 or further in the future, it's just going to make it more and more unaffordable for all of our residents to live in this.

[03:17:06] The people of Fairfax have voted, and they've adamantly shot down this meals tax. I've stopped going to the District of Columbia because I don't want to spend the money. I don't want to eat out there. I want to eat in Fairfax.

[03:17:22] And I feel as a resident that the implementation of this meals tax will make me go to Loudoun, will make me go south, into Prince William and other counties. I love this county, and I love the surrounding counties that we're around, but the implementation of this will just make it more and more likely that I will move out.

[03:17:44] I'm not a business owner. I'm just a resident. Thank you for my time. Thank you very much. We are now on speaker number 10, Gary Cohen, followed by Charles McAndrews, speaker 11, speaker 12 is Dave Lyons, speaker 13 is Fouad Quatil. I'm not sure I'm reading the written name here appropriately. Mr. Cohen, welcome.

[03:18:11] Mr. Chairman, members of the board, thank you so much for hearing us today. I'm Executive Vice President for Glory Days Grill. We have seven restaurants in the county. We have about 1,700 employees here around the Beltway. I also have the unique position of being on the Executive Board of VRLTA, who thank you, Ms. Palachuk, for recognizing the awards that we gave out this year.

[03:18:36] So I feel like I'm here not representing only my company, but restaurants and hospitality in general, including hotels. And we are here today to talk against the meals tax for obvious reasons. I realize fully that we're not here to vote on the meals tax today.

[03:18:54] I understand that fully. There's probably 50 or so people behind me that took their time today to come out because they understand the latitude of what we're talking about here today, even if it's in the future.

[03:19:12] We realize this may or may not happen in the future. We're just here today to ask your support in not allowing it to happen. You know, we do have, I've heard many testimony about, excuse my cold, about other counties that do it, and they're still in business.

[03:19:31] I've heard that argument many, many times. We have restaurants in other counties. I'm here to tell you today that their business does go down significantly when a meal's tax goes in. Business goes down, as one of my predecessors, Che, from the Restaurant Association, quoted so eloquently, business does go down when prices go up.

[03:19:50] There's no question about it. We have seen time and time again, every time. We don't want to raise prices. We hate raising prices. But economic factors have made us raise prices. It's called stay in business. Really, since the pandemic times, our industry has really been reeling from just trying to put out one fire after another in terms of labor cost increases and food cost increases and rent increases and utility increases.

[03:20:18] It's just been one thing after another. So we have to raise our prices to stay in business. And I can give you as many statistics as you want about how our sales are. They may be even with last year, for example, but we're getting it the wrong way.

[03:20:33] We still have, excuse my language, the quote in the restaurant business, we still have butts in seats, clearly. However, people are dining out less. I think if you even ask yourself, if you're honest with yourself, a lot of people that used to go out to eat six or eight times a month are now going out four or five times a month.

[03:20:52] And we're just worried that this extra potential 6% could just be a death nail for so many of our, especially the smaller chains and the smaller independent restaurants. You know, I read just this morning, nationally, there's another three major companies that have declared bankruptcy.

[03:21:11] And unfortunately, there's 13 major companies that have declared bankruptcy in the hospitality industry just this year alone because of economic factors alone. So if we can avoid, we can't avoid the economic factors. I think that's something that we have to have.

[03:21:27] But the meals tax, I think, is something that's an option. It's an option for you, but I think it's unfair because it's really on a single industry. And the single industry is the hospitality industry, and it's the largest employer in the county. So it's kind of, you know, we want to reduce the real estate tax is what I'm hearing here today.

[03:21:50] I heard a lot of you say we don't want to tax our local citizens. We want to go to Richmond and get money from them so we don't have to tax our local citizens. But here it's come up again that maybe we need to tax our local citizens so that we can, you know, have the revenue we need. I'm not a budget expert.

[03:22:06] I understand the problems that you have. I've lived in Fairfax County for 45 years. I want the goods and services that you provide. I want great parks and recreation as well. I just don't think it's fair to put it on the back of a single industry. Thank you. Thank you. Speaker number 11 is Charles McAndrew to be followed by Dave Lyons.

[03:22:31] Good afternoon, Mr. Chairman and members of the county board and Mr. County Executive. My name is Charles McAndrew, and my wife and I have been homeowners and taxpayers since 1968 in Fairfax County.

[03:22:50] The reason I'm down here today is to mention that, as I understand, Fairfax County has a year-end carryover of $260 million, plus Fairfax County public school surplus of $142 million.

[03:23:06] So that surplus or carryover is over $400 million. I'd like to see some of this money refunded to the taxpayers that pay their real estate property tax. In October of 2023, Angela Woosley from the Fairfax County local news station called FFXNOW reported that nearly one in Fairfax County residents are food insecure, the report finds.

[03:23:38] In Fairfax County, she said 24% of the residents are food insecure, the exact percentages it was in 2022. And then the latest report is out by James Jarvis, published September 12 of this year, and he states food insecurity on the rise in Fairfax County affecting over a quarter of the households.

[03:24:01] And I quote exactly what James Jarvis said, Fairfax County is seeing a rise in food insecurity with 27% of households struggling to afford enough nutritious food. the Capital Area Food Bank found its 2024 hunger report.

[03:24:21] So when I heard about this, I actually was shocked. I'm well aware that Fairfax County is one of the richest counties in the United States, and I'm absolutely mortified to read these numbers. So I'm asking you to send some of that money back to the taxpayers.

[03:24:38] I'd appreciate it very much. And the last thing is, as a member of Fairfax County Taxpayers Alliance, I am adequately opposed to the meal tax. Thank you for listening. Thank you. Speaker number 12 is Dave Lyons, to be followed by Fuad Kretail.

[03:24:57] I'm not sure I'm reading that right, but you know who you are. Welcome, Mr. Lyons. Good afternoon. This wasn't planned. It's a little bit extemporaneous, and I am not going to talk about the meals tax. And first, I wanted to thank you on a note as someone that worked on this issue for many years on Route 1, Richmond Highway Corridor, pedestrian safety.

[03:25:23] I want to thank you for making this investment in that. I started on that project, oh God, 20 years ago with Safe Crossings with your former colleagues, Jerry Highland and Dana Coughlin. And I very much appreciate your investment in that. Long overdue throughout the county.

[03:25:42] So I'm here on behalf of the Fairfax Workers Coalition. And as you may know, we're a union, and a lot of our members are in what would be called the trades sections, public works, vehicle services, the people that pick up and manage the trash, the people that work at Nomen Coal, all these folks.

[03:26:05] And the thing that struck me when the story came out about the $262 million, and in fairness, the media, rightly or wrongly, characterized it as a surplus. They did call it that.

[03:26:21] So the point of telling you that is it created a lot of confusion because here we have our workforce who last year was told a 4.1% raise was recommended and received 2% lack of funds.

[03:26:37] This year, that same workforce, as you may have heard, has heard nothing but 10% cuts. Every county employee has heard that. We need to cut 10%. So then they see this story, and I understand it's more complicated than that.

[03:26:56] I understand there are, as you explained to me very well, recurrent and non-recurrent expenses by the county executive, and I understand it's not that simple as taking from one pot and giving to another. But the major point, and all those mentions, and I did read the list, nothing is said about employee compensation.

[03:27:19] The only thing I heard last week was about the impact of pay compression. And this has not really been explained in any way to make sense to a workforce that's hearing 10% cuts, less than promised MRA, and then there's a 260.

[03:27:41] I realize, again, some of that is ARP funds, some of that is committed to other places. I get all that. But the average worker out there doesn't get it. You haven't explained it. No one seems to understand anything, but they're not getting paid enough, and we have all the surplus money for everything from very worthy causes down to bamboo mitigation, which is a worthy cause, I assume.

[03:28:08] That's all in there. And the problem is the average worker has no idea how they're paid. This is the most amazing thing of all. The average county employee has no idea what the MRA is, what it means, where it comes from.

[03:28:24] They see it as a cost of living raise, but the reality is it's a combination of factors, how it's figured. They don't understand that. They're on pay banding, which is not that transparent. They see co-workers with maybe a tenth of their seniority getting more money than they have.

[03:28:44] I realize there's market reasons for that. I realize you have to hire in at a certain rate. But the fact is, this is what they see. It's not explained. And what we need to do is take a serious look at compensation again across the board.

[03:29:02] We can't go on like we have. That's why we've advocated for a fund for compensation. And the reason is that the system is not transparent. As I said, it's based on an MRA formula that's antiquated already. And most of all, the thing that I haven't understood about not preparing for this is a compensation fund will fit in neatly with the possibility of collective bargaining.

[03:29:29] I don't understand why we're not planning for that in terms of instead of wondering year to year in the midst of a contract, this could very well happen, can we not pay what we promised? And that is a possibility.

[03:29:44] I'm talking to colleagues in the Fire and Rescue Department and other places that are concerned about this. That is what I'm recommending, and I'm asking you, you know, to consider when you talk about this carryover money, which has funded amounts of compensation in the past, that you very much consider adding that to your list of priorities, reforming this pay system, and doing something different as we move into the future, hopefully with collective bargaining.

[03:30:18] Thank you. Thank you, Dave. Uh, speaker number 13 is Fouad, and I'm going to let you pronounce your last name, uh, to do it justice. And, uh, if there's anyone else here who wishes to speak on this matter, uh, please make sure you come down and sign in with the clerk. Welcome. Good afternoon.

[03:30:34] It's Fouad Kreetam. Thank you. Thank you. First of all, all of you for everything you do. I'm sure everybody up there really loves our county. I'm a native of Fairfax County, born and raised here. I know a lot of you on the board. My business is also born and raised in Fairfax County.

[03:30:51] I own Paisanos. We have over 1,000 employees, some of which are with me today, but we have over 1,000 employees. A lot of them reside in Fairfax County. So I'm not going to keep talking about the meals tax. A lot of it was already covered, but I just got to say that this meals tax doesn't necessarily affect me. It affects my employees. It affects my team members who live a lot of times paycheck to paycheck i would ask you to just mindfully reconsider and try to find the money elsewhere this is not about me personally this is i'm here representing all of my staff because

[03:31:29] they're the ones who matter i would have no business if it was not for them i would just ask you to please reconsider it and just i think there's plenty of other places i'm not in your position so i don't know the exact finances i just ask that you please try to find the money elsewhere restaurants as it was already mentioned before i don't want to keep hammering on it we are very we run on very slim margins our business is tough we've already ever since covid we haven't even fully recovered and traffic i think somebody already mentioned traffic is down the business

[03:32:04] the restaurant industry somebody like me who reads it every single day there's bankruptcies every day somebody's filing for chapter 11 bankruptcy protection it's just a really bad time for us i'm not saying that it should never happen i'm just saying right now is not the time i thank you for your time thank you so much thank you uh for your testimony and that brings us to the end of our speakers list um let me ask the clerk if anyone has called in there are no callers no one has called in so i will now close the public hearing and or actually before i close

[03:32:41] the public hearing let me ask if there are any questions from board members i know we asked a lot of questions earlier any questions from board members of staff okay seeing and hearing none at this time i will now close the public hearing i'm going to pass the gavel on to supervisor smith so that i can make the following motion which is i move board approval of the carryover package including Supplemental Appropriation Resolution AS-25-009 and an amendment to the Fiscal Planning Resolution AS-25-900.

[03:33:17] This approval includes the FY 2024 Carryover Review Package as presented at the Board of Supervisors meeting on July 30, 2024, which resulted in an available non-recurring general fund balance of $1.37 million, As well as the following adjustment, and that is one, one-time funding of up to $350,000 to analyze the transportation impacts of any proposed land use changes or modifications within the Springfield TSA CBC study area, as well as to identify any necessary transportation system modifications or improvements.

[03:33:54] Finally, the remaining balance to be set aside in reserve for one-time FY 2025 and FY 2026 requirements is approximately $1.02 million. When combined with the $0.23 million held in reserve as part of the FY 2025 adopted budget plan, a total of $1.25 million is to be set aside in reserve for one-time FY 2025 and FY 2026 requirements.

[03:34:24] I will second that motion. Any discussion on the motion? Just very briefly, we've had a lot of discussion already, so I will just thank to all the folks who testified this morning more than we normally get at this period of time.

[03:34:39] And so we thank them for their testimony, especially those related directly to the carryover review. I did ask a number of questions earlier. I'm not going to repeat those. I will just say that there is one item that you heard added to my motion that affects the Franconia district requested by Supervisor Lusk.

[03:35:00] It came in at the last minute, so I'm going to ask Supervisor Lusk if he has anything he wants to add relative to that addition to my motion. Thank you, Mr. Chairman. I appreciate the opportunity to speak to this item, and I'll just start by saying we did a market study in Springfield a few years back in that market study, there were some specific items that came back in the implementation portion of that study, which talked about some significant changes that we could consider as it relates to the planning and development of the CBC, the TSA,

[03:35:38] which includes the Franconia-Springfield metro, and then the land area along Lowestale and along the Franconia Springfield Parkway when we do these types of studies what's not always included is the transportation analysis that would go along with that study so it makes it a lot harder because you have to be able to define what those transportation impacts are as a part of the work that you are undertaking in that review and study so this will be a mechanism for us to understand those traffic impacts to have some recommendations that will be

[03:36:16] associated with it and those will be items that would be carried into the future as we look at the actual development of those parcels so appreciate the opportunity to have the consideration item and just we'll make one last point and I think this is something that we see in all of those specific studies this issue comes back at every single review so I think we might have to have a different conversation about how we fund those studies in the future. Thank you Mr. Chairman. Yeah thank you Supervisor Luss especially for that last point because I know in our conversation I know this

[03:36:52] figure was derived from staff it's a it's a shot it presumes the necessity of a consultant review one thing that we do need to look at more carefully is can this be done in-house and if not how can we set up something where this gets permanently done so that other areas of the county that also have this same challenge would have a mechanism to do this review. And this is really important to economic development because clearly what generally prompts this conversation is good needed economic growth. And in this

[03:37:27] particular case, this request that was made by Supervisor Lusk is following the Springfield TSA CBC study that was done about maximizing economic potential and with a lot of success already underway in Central Springfield but but this issue is not limited to that area and and hopefully we'll be able to have a more thorough conversation with staff about you know how we address this beyond this one one specific set of corridors further discussion on the motion super oh you You have the gavel.

[03:38:00] You have the gavel. Okay, further discussion? Supervisor Herity. And I'll try to keep this. I do have a follow-on motion after we go through this. You know, I'm going to try to summarize this. I've got two big issues with the package, and probably the first one is, and I reluctantly supported last year's carryover because it had a lot of really good things.

[03:38:24] We've gotten in the habit of funding important items out of carryover or surpluses or whatever you want to call them. instead of including them in our priority setting. And it was mentioned by the first speaker, you know, we spend so much money out of cycle, and we direct the county executive to include things in here, and then he's got to go find stuff to cut elsewhere instead of balancing them as a part of the budget process.

[03:38:49] There are a lot of good, important things in here, the IT infrastructure, park maintenance, the fire department equipment, victim services, and more. I don't have a problem with those. What I have a

problem with is that we're not looking at them in context of the larger budget and balancing them with what the county executive is going to bring to us with the 10% cuts.

[03:39:11] You know, the park authority is the only one who's had to share theirs publicly, but there'll be more coming in closing nature centers and that sort of thing. We have to balance those things out. You know, we could have substantially cut last year, as somebody at the dais proposed, And not given the increase to our taxpayers, then we wouldn't have had a $200 million surplus and still kept our AAA bond rating.

[03:39:41] If this spending is needed, then it should be, as our first speaker said, it should be included as a part of the budget process. You know, I think it's time we listen to that first speaker who's a federal budget expert. We got lots of them in Fairfax County. That's the advantage. And do a budget review committee like somebody's been proposing for a while.

[03:40:00] We may need some margin, but spending carryovers of 200 more outside of the budget process is excessive. And we didn't even talk about and mention one speaker I think did, maybe two speakers mentioned, the school system has an equally large surplus in carry forward or carryover.

[03:40:21] I asked how they spent the $83 million last year, and I still am waiting for an answer. So they can't even tell us how they spent the $83 million last year. So, you know, I unfortunately, despite all the good things in this package, I think we need to change some practices.

[03:40:39] I think we could have used this money to pay down some of our – you heard our pensions have dropped from 80-some funded to 60-some funded. We need to drop – that's a great investment to make one time that reduced costs going forward.

[03:40:56] So I'm not going to be supporting the package. Supervisor Herity, do you have an amendment with a list of reductions? because we we do this every time you you talk about all the great things then you vote not to fund them and you show up at the ribbon cuttings and tell people their taxes are too high so this is an opportunity for you if you want to highlight the things in here that you would suggest that we take out of the package of priorities that's before us mr chairman i didn't do that this time i as you know i prepare alternative budgets i did last year i did the year before so i'm sorry the year before. I did not do it last year. They are largely ignored. By not passing the carryover

[03:41:35] package, we'd carry it all over and do all this at budget. There's nothing that is so time sensitive in this budget that it can't wait till the budget process. So you would cut all the items in here? By not approving the package, yeah. Okay. I just wanted to make sure that that was clear to everyone because we've had a lot of conversation today already about needs. And frankly, if we had passed a budget alternative similar to ones that you have suggested in the past, one, we wouldn't be talking about a carryover balance. But more importantly, I think, as you know, we go through that exercise every year, and you do a really good job of bringing forward to

[03:42:12] this board a whole host of cuts to the FCPS school system, of which we do not have direct oversight. And so, yes, I think largely this board, as we heard earlier, despite state underfunding of public education this board is unwilling to gut the fcps budget we just heard last week from our business community how essential a public our public school system is to our economic development to business growth and to fundamentally probably the number one reason people want to live here and so yes you've presented alternatives but they have been largely to reduce school funding

[03:42:49] significantly and and you know certainly if we had approved those we probably wouldn't be sitting here looking at a carryover balance at all? Supervisor, oh, you have a minute. You have a gavel. Supervisor Bierman. Well, I'm glad we have it clear, finally. Supervisor Herity is saying he wouldn't support victims of crime acts, victim services program. He wouldn't support the IT project support, which, by the way, he said earlier, somebody on this dais proposed cuts.

[03:43:20] Last year at the budget, go back and watch the hearings, folks. The one thing that Supervisor harry complained about was that we were deferring our it service support uh in the budget he said he would have kept that in he did not propose any cuts he said he would have kept that in now of course we're actually got that in the carryover review i guess he's not going to keep it in i mean we can continue to play this game but you got to get serious with specifics and you didn't do it last year you're not doing it right now now there's a lot of really great stuff in this carryover

[03:43:55] budget um things as a you know the victims of crime act the of crime act victim services programs we are plugging a hole that is uh due to uh changes at the federal level um how about how about uh having a uh pharmacy for our fire and rescue department that's 5.36 million dollars that we have to spend due to new changes new fit new unfunded mandates we can all we can all rail on unfunded mandates but we have to fund them and i don't know i think it's a good thing that our firefighters will be able to go to that pharmacy and get the medicine that they need i think that's

[03:44:35] a good thing so look this isn't easy and yes we make projections we try our best but i want to thank the county staff for bringing forth a lot of really good things i'll also just comment on two other things, because, again, I like to talk about what I like in budgets as well.

[03:44:57] The support coordination positions in, sorry, the CSB related to new Medicaid waiver opportunities. Now, when we use those support coordinator positions to help us get Fairfax County more Medicaid dollars, get Fairfax County residents more Medicaid dollars, that helps our overall economy here. That brings more money into Fairfax County. That's good return on investment.

[03:45:24] I also like the 22 SAC positions, conversion of SAC positions. I mean, we had a study on the status of women and girls in this county. One of the biggest things, the biggest needs was childcare. So investing more in our SAC program and continuing to pay it forward and figure this out, is something that's really good. It's going to unlock more human potential in this county, unlock more money in this county, and make things better. So I am going to enthusiastically

[03:45:59] support this carryover review package. At the same time, I'm going to reiterate, as we all have up here on this dais, that we are looking at challenging budget years in the future, and that we are looking at it for efficiencies. We are looking at potential cuts. We are looking at potential pain. We are working on that. We are working with the county executive. I asked at the last budget committee meeting whether or not the county executive was looking for those cuts. He said yes, and we will continue doing so. And, you know, I'd love it if Supervisor Herity would send some messages of what he might cut in our county budget. We will continue working on that, but I

[03:46:38] will not continue to stand up here and listen to someone malign the rest of the of the board and say none of us care about it i've seen you do that supervisor herity it's a lie that's wrong and we will continue working on this for our budget next year thank you okay so i'm just going to make a couple comments when the budget gets built we really have to have a surplus and And I believe it's a reasonable amount.

[03:47:08] Our staff works hard to build this budget. And with, I use the word surplus, I'm a carryover. See how those words start to get in your head? And with this carryover, that funding is used very strategically. The board works with the community. We have board priorities.

[03:47:25] We know that there are so many things that this community wants us to fund. But we can't put it all on the front because then you're going to build a budget that has all those things in the front but you still need to have a carryover budget because you don't know what emergencies what's going to happen during the year. I believe this is a very responsible process. I believe that we are meeting the needs of the community that we hear from the community and there's many things that they want us to do. So with that seeing no further discussion I'm going to call for a vote. All those in favor of the motion please say aye. Aye. Anyone opposed? Nay.

[03:48:03] Any abstentions? That motion carries 9 to 1. Mr. Chairman. Thank you very much, Vice Chair Smith. And I also want to thank staff, as you did, because I know not all of our residents may understand this, and not even all of our colleagues, clearly, but we work on this budget every single day.

[03:48:25] Our staff listens to every single thing this board says and tries to put together a package consistent with direction that the board is giving with a backstop of all the things we talked about early, whether it's our principals, whether it's our AAA bond rating, whatever it is, our staff does an amazing job taking those priorities, putting them into a succinct budget document, protecting the financial interest of this county and therefore all the people who live in this county and making sure that this county remains the economic engine for the Commonwealth of Virginia.

[03:49:01] Not a minor undertaking, a major undertaking that takes work every single day. Not just when we come together to give political speeches or run political campaigns for or against it, but every single day. And I think we saw at the front end of this conversation a lot more talking about that than we would normally get at carryover, Because in a lot of cases, people are instigated with false information, unfortunately, whether it's a surplus, whether it's we're talking about the meals tax today, of course, none of that is accurate relative to the carryover review package that we have today.

[03:49:38] Secondly, all of us solicit input from our residents every single day. I don't know about you, Supervisor Herity, but I am out with the community every day, and they're talking to me about their priorities. We get emails every day from people in this community talking about their priorities, talking about their opinions about the budget, talking about what we should do more of, in some cases what we should do less of.

[03:50:02] This is a dialogue that takes place as elected officials every minute of every day that we are around in our community. And so to act like all of a sudden we're waiting on 10, 13 speakers or that we don't listen to the public is absurd.

[03:50:20] You know, you can listen to the public sometimes and have a different opinion about what should be done. That's what being an elected official is, and that's what we do every day. And so I appreciate my colleagues who participate in that. As I mentioned earlier, this package has been out for us and the public to see for months, for months.

[03:50:42] Not one member of this board has come forward and said, let's cut any of the items that are in here. Not one member of this board has come forward and said, let's cut those. This package has been out since July. We are now almost at the end of September.

[03:50:59] And so to use Supervisor Beerman's words again, let's be serious. Let's be serious about the conversation we're having. And instead of just throwing darts or throwing things at the wall and seeing what sticks, this is a major, this is the largest county in the Commonwealth of Virginia that we are running here.

[03:51:20] This is not a show up one afternoon and just start saying stuff. And I appreciate, you know, my colleagues' professionalism in dealing with these tough issues, and most importantly, the work that staff does in putting together, in this case today, the FY 2024 carryover review, but what you do every day to make sure that our budget is in alignment.

[03:51:43] With that, we're going to move on. I had a follow-on motion that I mentioned. Okay. Supervisor Herity. And you talked about putting solutions on the table. Well, this is one I've put on the table many a time, but I'm going to give it one shot. Have you circulated this, Supervisor Herity?

[03:51:58] I have not. Not one of your colleagues has heard what you're getting ready to read. You've heard 95% of it. Other jurisdictions across the country have used ARPA funds to develop sports tourism projects that have boosted their local economies, provided high-quality athletic venues for their residents, and provided an opportunity for travel teams to occasionally compete locally against high-caliber teams.

[03:52:22] An incredible example of that is, as we've mentioned and discussed before, Henrico County just south of us. As this board has repeatedly heard me advocate for sports tourism, it's a recession-proof industry. It diversifies our revenue that comes from tourists, not taxpayers, not our residents, I should say.

[03:52:44] It serves the community's need for enhanced and additional facilities for community use during the week. Long-term investment that generates revenue year over year. Patriot Park North shows the tip of the iceberg of success we can have with investing in sports tourism. Patriot Park, even though very small by sports tourism standards, is fully booked through this year and next year with a waiting list. FCPA, the Park Authority, is consistently working to get additional fields for event organizers because of the high demand. While Baron Cameron Park would be a better opportunity for a sports tourism investment, the effort to get community and

[03:53:21] political support would take time. However, nearby Braddock Park is well positioned for a sports tourism project. The master plan was recently revised to make it a sports tourism facility and the community users fully support the development of it as a sports tourism asset.

[03:53:39] The supervisor and the park authority board member also fully support it. The park authority could complete the design and construction of the facility within the ARPA time constraints. So, Mr. Chairman, I ask simply without objection that we direct the county executive to prepare a briefing on funding a potential sports tourism project at Braddock Park, the cost and the benefits, should, should any ARPA funds become available.

[03:54:09] So, is there a second? Let's make that, we're not going to do that without objection. Let's treat that as a motion. I just want to be clear, you're asking for information. Yeah, I'm basically asking for the county executive to come back and tell us whether that's feasible if ARPA funds become available.

[03:54:31] I would have liked it to be done early in the ARPA fund process. I brought it up before, but would love to see. I will support it because unlike some on this dais, I always support requests for information. Always requests for information should be supported so that we can be educated.

[03:54:49] I will just say, Supervisor Herity, you just voted against a whole stack of projects that fund park facilities that are already needed today for a lot of residents of Fairfax County. And so if we're going to certainly look at this for use potentially for ARPA funds, we just heard a moment ago that all of our ARPA funds are already, in essence, they have already been utilized or they are on track to be spent on priorities that have already been approved.

[03:55:19] And so I would presume when we say if ARPA funds become available, that sounds to me like if something that has already been approved by this board needs to be taken off the list of uses for ARPA funds. And so whatever we get back is going to have to explain to us what it is that is already encumbered to be used with ARPA funding we would not be funding.

[03:55:43] Did you not answer that question earlier that all of our ARPA funds have already been encumbered? They have, yes, Mr. Chairman, they have been allocated to projects. Certainly, we are continuing to make sure that those projects are able to expend the money that's been allocated to them.

[03:55:59] And so we will continue to look at those and the spending patterns. And that was basically. Supervisor Herity, are you asking to be recognized? Supervisor Herity. And that's the intent of the motion. If for some reason they can't be spent, I heard, I asked the question, And I heard that there may be some realignment of some funds, and I wanted to put that on the table as a possibility.

[03:56:21] Well, we will wait for that information to come back. It's been moved and seconded. I will just say that this is about the quickest time I think we've ever seen someone vote against spending money and immediately put a motion forward that potentially would spend money.

[03:56:36] So I just am a little intrigued. This is a request for information to come back to the board on the request for information, Supervisor Palczyk. Thank you, Mr. Chairman. Just related to process, I believe Hemerical County did this with their Sports and Tourism Authority, and I believe Supervisor Walkinshaw passed a motion recently to get more information about sports and tourism.

[03:57:00] It seems like this should be just incorporated into that work. I don't know if we're talking about doing this without any study, without any information. Part of the recommendation coming back might be to do that. I don't want to foreclose on I think you're exactly right.

[03:57:16] There's a much larger thing going on here. We need to be fiscally responsible. And again, we're hearing this right now out of nowhere without a full staff explanation. We just heard there is no money in the ARPA account potentially, so a lot of questions here.

[03:57:33] But I think how this links up to activities that are already taking place, how this links up to what we're already doing for sports tourism, all of that will be a part of the answer that comes back to us. One more thing, because I know we've worked, and I've worked with the Department of Economic Initiatives any time we're looking at the economic impact of any of these types of investments, and so I assume they'd be involved.

[03:57:59] I don't feel that I know enough with the information today to say this is the right investment. None of us do. So absolutely, I want to make sure we have that fiscal analysis of all the information that comes back to us. Yeah, we... Right, and it should include fiscal analysis. I did not hear that.

[03:58:15] And that's why we all support Request for Info, so that we can get that. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That Request for Information

carries. And with that, we are going to move on to admin items.

[03:58:33] And let me ask Supervisor Smith, do you have a motion for admin items 1 through 11? Mr. Chairman, I move approval of admin items 1 through 11. You've heard the motion. It's been seconded by Supervisor Lusk. Is there any discussion on any of the admin items or a request to pull any of them separately?

[03:58:52] Let me just say on admin two, we do need to have a separate vote. Supervisor Bierman and I, in particular, need a separate vote on admin two as it relates to Inova Health System. And so let's have separate votes on admin two.

[03:59:10] So we will be approving admin item number one. and 3 through 11 per supervisor smith's motion is there any discussion on those admin items seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions that motion carries we're going to go to admin 2 which is authorization to advertise a public hearing to lease county-owned property at 8221 willow oaks corporate drive to anova health care services in the providence district and let me just announce as the board knows Earlier this year, you appointed me to serve on the Inova Health Systems Board of Trustees.

[03:59:50] This service is not compensated out of an abundance of caution and not because it is legally required. I am voluntarily recusing myself from administrative item number two and will not be participating in the discussion or voting on the matter.

[04:00:10] Supervisor Berman. Sorry. I will add, as you know, the board has appointed me to serve on the Inova Health Care and Quality and Reliability Committee. I receive no compensation for this service out of an abundance of caution, not because it is legally required. I am voluntarily recusing myself from administrative item number two, and I will not be participating in the discussion or voting on the matter.

[04:00:31] Thank you. Thank you, Supervisor Bierman. So admin two is authorization to advertise a public hearing to lease county-owned property at 8221 Willow Oaks Corporate Drive to Inova Healthcare Systems in the Providence District. Do I have a motion, Supervisor Belichick?

[04:00:47] Yes, Madam Chair, I move approval of the accounting executive's recommendation. It's seconded by Supervisor Lusk. Supervisor Palchuk. Thank you. Just very briefly, first of all, I want to thank FMD and Michael Lambert for their work and work with Inova on this and want to clarify, though it's not in the title, that this is a continuation of an existing rental space.

[04:01:12] And I think we've all received the information and i'm happy to support approval of the finalized negotiation between the two parties thank you seeing no further discussion all those in favor of the motion say aye aye anyone opposed anyone abstaining that motion passes with chairman mckay and supervisor bierman recused from the vote thank you mr chairman thank you very much uh vice chair smith and we will now move on to action items and let me read action item number one which is approval of revisions to

[04:01:48] chapter 1 through 17 of the personnel regulations let me turn to Supervisor Jimenez chair of our chair of our personnel committee in a day mr.

[04:02:06] chairman I move the county executives recommendations the Board of Supervisors approved the proposed revisions to chapter 1 through 17 of the personnel regulations as specified in attachments in the board package. You've heard the motion. It's been multiply seconded. Any discussion on the motion?

Any discussion? Supervisor Herity. One of the changes appears to be a section that says that if there's a difference between our personnel regs and collective bargaining agreements, that the collective bargaining agreements will prevail.

[04:02:43] Does that mean we're going to have different personnel regulations between our employees under collective bargaining agreements than from under personnel regulations? And if not, why is that necessary?

[04:03:03] I'll defer to my colleague. Thank you, Supervisor Herity. Marion Green, Assistant County Attorney. So let me know if I'm not answering your question.

[04:03:20] but essentially any collective bargaining agreement entered into will supersede the personnel regulations. So if there is a conflict between the agreement and the regulations, the agreement will control. I think to answer your question, there are changes that we've proposed to the personnel regulations to account for things such as Christmas Eve, which we anticipate will be in perpetuity and will not need to be revised every three years.

[04:03:49] But because the collective bargaining agreements last for three years, the thought was that if there are changes made in the agreement that might be fluctuating over time, that to go through the process of delineating all of that in the personnel regulations might create more trouble.

[04:04:14] because we don't know whether the collective bargaining agreements entered into now will last beyond the three years in perpetuity or subsequent agreements will be entered into every three years. I guess my base question is, is there a difference between what's in the collective bargaining agreements and our personnel rigs?

[04:04:37] I think that there are portions of both agreements, right now we have the two agreements, that may conflict with the personnel regs. And I can get you more information about any specific disagreements between the agreements.

[04:04:56] That would be good to know. What I'm afraid I'm hearing is that we've got, like, three groups of employees that all have kind of different personnel regs, and I don't know that that's necessarily a good thing. There might be reasons that it's a good thing, but I don't have enough to know without knowing what those differences are.

[04:05:17] So if I could get that, that would be helpful. Thank you. Okay, any other questions on action one? Seeing and hearing none, all those in favor of the motion say aye. Aye. Any opposed? Any abstentions? Herity abstained. That motion carries nine to zero with Herity abstaining.

[04:05:36] Action item number two is authorization of the Fairfax County Director, Department of Public Works and Environmental Services, or his designee, to execute agreements, deeds, and other instruments with Virginia Passenger Rail Authority, VPRA, CSX Transportation, CSXT, and their designated agent as related to sanitary and stormwater infrastructure, Supervisor Smith.

[04:06:02] I move approval of the county executive's recommendation. You've heard the motion. It's been multiply seconded. I heard Supervisor Lusk and Supervisor Palchuk. Any further discussion? Seeing and hearing none. All those in favor of action two, please say aye.

[04:06:19] Aye. Any opposed? Any abstentions? That motion carries. Action item number three is adoption of a resolution consenting to the issuance of revenue bonds for Goodwin House Bailey's

Crossroads refinancing in the Mason District. Supervisor Jimenez.

[04:06:35] Mr. Chairman, I move the county executive's recommendation that the board consent to the issuance of Alexandria IDA revenue bonds to assist with Goodwin House Bailey's Crossroads refinancing as required by applicable state law and federal law and adopt the attached resolution in the board package. And the chair will second that motion along with several others. Any discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action item number four is authorization of economic opportunity

[04:07:10] reserve funding to McLean Project for the Arts Downtown Arts and Education Center Project in the Grainsville district Supervisor Beerman I move approval of action item number four authorization of economic opportunity reserve funding to McLean project for the arts downtown arts and Enter education center project. I'm happy to second that along with Supervisor Palchik any discussion on the motion Supervisor Beerman just very briefly very excited about this project to quote my colleague Supervisor Alcorn who said during our meeting on this that when a property sits vacant for six months, that's the property owner's problem.

[04:07:49] When it sits vacant for six years, that's the community's problem. This could be a real catalyst in downtown McLean. Executive Director Lori Carboneau wanted to be here today. She asked me, should I go or should I be fundraising?

[04:08:06] And I told her, go fundraise. So this is going to be a good project, I hope. and I want to thank you, thank those of you who support it. Thank you. Thank you, Supervisor Beerman, and she did an excellent job presenting to us this in committee where we could thoroughly review it, and that's how it got to this point.

[04:08:23] So all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries 9 to 0 with Supervisor Herity being absent. Action item number 5 is approval of fence height for perimeter fence around Reston Town Green.

[04:08:41] Let me first recognize Supervisor Alcorn. Thank you, Mr. Chairman. I do have a question or two for staff on this. This is the area, I guess, at the last board meeting two weeks ago, I was able to announce good news that everyone who had been encamped there had moved off the property, Many folks into the temporary overnight shelter, which is set up at the Fairfax County Human Services building there.

[04:09:15] And by the way, we are seeing 60 to 70 people a night staying in that shelter. So this is a significant improvement. So it has been a little bit in flux.

[04:09:30] There's nobody on the property now. I guess my question, maybe for the county executive, if there's nobody else to answer this, if we don't put the fence up at all, is there another way to manage the property?

[04:09:47] That is a great question. Obviously, we've had concerns on that property for at least during my tenure here at Fairfax County. To manage the property, we would have to have staff go over on a daily basis to ensure that we do not have folks there, as well as ensure that we clean up the property going forward so there will be an additional cost or an added cost if there is no fence there.

[04:10:15] However the board so chooses to tell us what the next step is, we are more than happy to do that. Okay. And then I guess my question, and maybe this is for the zoning administrator, if we, as

proposed in Action Item 5, we would get an 8-foot fence, How tall a fence could go in there without coming to the board for any special approval?

[04:10:44] Leslie Johnson, Zoning Administrator. Based on the area, part of that property is located along Fountain Drive, which is a front yard. So you would be limited to four feet there. And then you could, the rest of it, you could do a seven-foot fence.

[04:11:00] But if you want more than four feet, you'd need to come to the board. under the provision that we talk, you know, that allows the board to determine the fence height on public uses. Okay, and if somebody could put up attachment one on the screen just very quickly, because I have one other question, which is in the board package it shows the location of the fence, but it looks like there's a pretty significant gap between where the fence would go

[04:11:35] and the Sunrise property to the south, and if you can't get it up, that's okay. I know that's a last-minute request. I guess my question would be if that's the right place, and I think there may be some question about who owns that property, frankly, because I know that the boundaries currently don't make a lot of sense, and that's one of the reasons we're talking about a land swap with the NOVA as part of that.

[04:12:10] Well, I tell you what, perhaps at this point, should we just defer this matter? Yeah, let me just say we can defer it for sure. I do not support it. You know, I think what you're asking, and it doesn't mean I don't support securing the property somehow, because I do. But what the board action is asking us to do is exceed our own zoning ordinance for the purpose of putting an eight foot high fence all the way around a piece of property. And I just don't think that's not something I can support in this location. And so I know there's variations

[04:12:49] of what could be permitted under the current ordinance. What I would suggest is that we defer the item indefinitely until supervisor Alcorn and myself can have a conversation with facilities about what it is we can do there and come back with something more appropriate potentially however this is only because this is only in front of us because the request is being made to exceed the zoning ordinance so if we can come up with something that is within the ordinance whether that's a fence or something else but something that doesn't require it

[04:13:24] to come back to the board for a special approval, we may be able to do that. But what I won't support is the board affirmatively voting yes to put an eight-foot-high fence around a piece of property that is outside of what our ordinance would allow in this location. And so I would support deferring it indefinitely.

[04:13:43] Supervisor Alcorn, if you want to make that motion, if I can, it doesn't matter. I move indefinite deferral of Action Item 5. And I'm happy to second that. And again, for all the reasons that I just mentioned, if there's no further discussion, all those in favor of indefinitely deferring action item number five, please say aye.

[04:14:04] Aye. Any opposed? Any abstentions? That motion carries. Action item number six is approval of Fairfax County's Commuter Assistance Program six-year strategic plan. Supervisor Beerman. I move action item number six, the county's executive's recommendation for approval of the Fairfax County Community Assistance Program six-year strategic plan.

[04:14:26] I'm happy to second that along with Supervisor Palchuk. Is there any discussion? Seeing and hearing none, all those in favor of action six, please say aye. Aye. Any opposed? Any abstentions? That

motion carries. Finally, action item number seven is approval of Fairfax Connector Winter-Spring 2024 to 2025 service changes.

[04:14:49] And this impacts the Braddock, Drainsville, Franconia, Mount Vernon, Providence, Springfield, and Sully District, Supervisor Beerman. I move approval of action item number seven, Fairfax Connector Winter-Spring service changes. And I'm happy to second that along with several others.

[04:15:07] Is there any discussion on the motion? Seeing and hearing none. All those in favor of Action 7, please say aye. Aye. Any opposed? Any abstentions? That motion carries. And before I turn to Supervisor Smith to take us into closed session, let me ask the county attorney how long we need for closed session.

[04:15:25] Mr. Chairman, I estimate approximately 30 minutes. 30 minutes. So that would put us back at 3 p.m. so that we can begin our public hearings on time at 3.30. There are two 3.30 items. So we will attempt to start at 3.30.

[04:15:42] So if Supervisor Smith's motion should pass, the board will recess for the purposes of lunch and return to the closed session meeting room at 3 p.m. Supervisor Smith. Mr. Chairman, do you mind if I make an announcement about an intent to defer before I make that motion?

[04:16:00] Certainly can. And if anyone else has any deferrals and wants to make that intent announcement, please do. Supervisor Smith. So at 4 p.m. we were supposed to have a public hearing about proposed amendments to Chapter 118 Chesapeake Bay Preservation Ordinance.

[04:16:15] And since the Planning Commission has deferred, I will have a motion to defer it until October 8th at 4 p.m. Thank you, Supervisor Smith. And the only other public hearings that are district-specific are Mount Vernon, and they're both set to go. Okay, so we have one deferral, the middle 4 o'clock item that will be deferred later this afternoon.

[04:16:37] Supervisor Smith, you have a motion. Thank you, Mr. Chairman. I move that the Board of Supervisors recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711 and listed in the attached agenda item for this meeting.

[04:16:53] And in addition, as permitted by Virginia Code Sections 2.2-3711, A, 7, and 8, Application of Virginia Electric and Power Company filed with the State Corporation Commission, PUR-2024-00135.

[04:17:11] You've heard the motion. I'm happy to second that. Is there any discussion on the motion? Again, this motion passes. We will recess and return at 3 p.m. All those in favor of the motion, please say aye.

[04:21:15] Okay, we're just waiting on Supervisor Herity to get started.

[04:26:20] Get started. I'll offer Supervisor Herity an improved watch. At the end of this, so that we can get started on time, we do have the board is coming out of closed session, and we have a motion that's necessary to bring us out of closed session.

[04:26:35] Supervisor Smith. 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. Second. You've heard the motion. It's been seconded

by Supervisor Palchuk. Is there any discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor, please say aye. Aye. Any opposed? Any

[04:27:11] abstentions? That motion carries. Motion's coming out of closed session. Supervisor Smith. Thank you, Mr. Chairman. I move that the Board of Supervisors authorize the filing of a notice of participation with the State Corporation Commission in the application of Virginia Electric and Power Company for approval and certification of electric transmission facilities case number PUR-2024-00131 on the terms and conditions outlined by the county attorney in closed session. You've heard the motion. The chair will second that along with Supervisor Palczyk.

[04:27:46] Any discussion on the motion? Seeing and hearing none. All those in favor of the motion please say Aye. Any opposed? Any abstentions? That motion carries. Supervisor Lusk. Thank you, Mr. Chairman. I move the Board of Supervisors authorize the filing of a Notice of Participation with the State Corporation Commission in the application of Virginia Electric and Power Company for approval and certification of electric transmission facilities, case number PUR-2024-00135 on the terms and conditions outlined by the county attorney in closed session.

[04:28:20] You've heard the motion the chair will second that motion discussion on the motion. Yes, supervisor Jimenez Mr. Chairman at thank you very much I will be supporting this motion But I do want to say that I am looking forward to as with mr. Loss learning more from the county about what this actually means for our residents What it means for our parks, so I will vote yes I will support this but looking forward for additional information. Thank you. Thank you very much Supervisor Jimenez, any further discussion?

[04:28:51] 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 motions coming out of closed session. So we're going to move on to our afternoon public hearings. And just a reminder for folks who are here to testify in public hearings that folks were given an option to testify a number of ways.

[04:29:14] They can testify here in person or they can provide testimony by phone or by YouTube video. As a 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.

[04:29:31] There will then be an opportunity for anyone else who would like to speak in the auditorium to the application to come down to the podium or to call in at 703-324-1020. Speakers testifying by a video must have signed up and submitted their video no later than 9 a.m. on the day prior to the hearing.

[04:29:51] For public hearing testimony, individuals are given three minutes to speak. Otherwise, if you're the spokesperson for a group, you are given five minutes. With that being said, I'm going to call the first public hearing, which is a public hearing on PCA 2011-MV-031, CDPA 2011-MV-031, CIA-2550 Huntington, LLC, in the Mount Vernon District.

[04:30:19] And can we please have the applicant reaffirm the affidavit? Thank you, Mr. Chairman and members of the Board of Supervisors. My name is Lynn Strobel.

[04:30:34] I represent the applicant. I reaffirm the affidavit that is dated May 31st, 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.

[04:30:53] Thank you, Mr. Chairman. I'm Kathy Lewis with the Zoning Evaluation Division. The applicant seeks approval for a multifamily residential building with ground floor retail on the subject 1.25-acre site located at the corner of Huntington Avenue and Metro View Parkway in the Mount Vernon District. The subject site abuts the Cameron Run Greenway in his caddy corner from the Huntington Metro Station. The 1.25-acre site is part of the larger Parker development, which was rezoned in 2012. The site is approved for a 120-foot-tall hotel and a 165-foot-tall

[04:31:32] office building with ground floor retail for a total of 370 000 square feet these buildings were never built and the site is developed as an interim park space the proposed 85 foot tall multi-family building will contain a maximum of 200 units a lobby leasing office and other ground floor uses 230 parking spaces will be provided within the structured parking the ground floor of the building will contain a lobby and leasing office shown in blue. In addition, 8,974 square

[04:32:07] feet of commercial space will be provided depicted in red. Per the proffers, this space will be limited to retail, restaurant, personal and business service uses, and public uses. The ground floor retail space will open up onto a public plaza space in order to encourage public use of this park space and to bring more foot traffic to the businesses within the ground floor of the building, the applicant has proffered to program this space. This concludes my presentation. Thank you. Thank you very much. At this time, we'd welcome the applicant's presentation. Thank you,

[04:32:47] Mr. Chairman and members of the board. It looks like you might have a busy afternoon, so I'm going to make this brief. I'm not going to do a PowerPoint presentation, but certainly happy to answer any questions. I just want to reiterate, as was stated by Ms. that this property is approved for office and hotel use as well as multifamily which is the Parker apartments that has been constructed not surprisingly those commercial uses have not been built over the last number of years and so the owner of the property and I have been working on this first to amend the comprehensive plan and then to come through this process to allow for

[04:33:26] residential development I'm just going to spend a moment on the two items that really took us a lot of time to work through with the county one of those is ensuring that we're going to have some active retail space and I just want to go through and just mention that we really worked on this we revised the space so that it does you know come to that corner on both sides of the corner We've insured things like high ceilings, a lot of frontage, glass storefront, and really physical things within this space that will encourage retailers.

[04:34:05] We've also got this plaza that is planned at the corner of Metro View Parkway and Huntington Avenue. And we're going to be activating that plaza in an effort to draw people to this area. And I will point out that my client has other property in the Mount Vernon District, so he's familiar with the area.

[04:34:25] His intent is going to be working with local retailers to try to get local retailers in this space. That was requested by the community. He even anticipates that he'll be subsidizing those rents for a period of time as more people are moving into the area.

[04:34:42] The other issue we spent time on is the urban open space. If you take a look at the plans, you know that this property is small. Part of it is already developed. And what we were able to do, and I think this is a creative solution that staff helped us with and supported, was to provide some open space that's off-site.

[04:35:00] We are continuing a trail that is located behind the parker. So we're extending the trail. That area will be preserved. It has trees. We're planting some vegetation there. We'll have benches and really kind of extending that nice trail that's at the back of this property So with that, I would be happy to answer any questions this comes to you with a recommendation of approval from the Mount Vernon Council and from the Planning Commission and Before I step down. I will say that I want to acknowledge Kathy Lewis for all the work that she put into this It has been a long application, but I didn't give up and she didn't give up

[04:35:40] And so we're here today with a recommendation of approval. So thank you very much. Thank you very much At this time are there any questions of staff or the applicant Supervisor Stork? Thank you, Mr. Chairman. I appreciate Mr. Obel's kind of Describing some of the key concerns of the community because they truly have been and I think maybe part of the reason it's taken longer but I think there's been a lot of other factors that have kind of slowed this process but I Dills do want to hone a little bit more into on the commercial side commercial space

[04:36:15] We have a metro across the street. That's getting busier all the time. We obviously are increasing the amount of Units in the area. We just had two of them completed in the last two years substantial numbers of units So you mentioned activating the commercial spaces there and that there's a number of steps I didn't hear all that I mean I heard some general comments but anything more specific you can give because that's has been the community and still my number one concern is frankly bringing this area a little bit more alive and active so just to the way of activation as i mentioned there's some physical improvements that we'll be making interior to the

[04:36:53] space to make it attractive to retailers but in regards to activation you know we will have outdoor seating we've got a number of areas for people to gather and to sit both if you've gotten something from a cafe or if you're just passing by and want to sit and enjoy you know the atmosphere for a while we also are planning and have proffered to community events that will be on the plaza so maybe things like in the fall doing some sort of you know small festival like maybe we have face

[04:37:31] painting or painting pumpkins something like that maybe bringing in music doing something we've said on a monthly basis to really activate that area and make it a place where people want to come and like I say sit and enjoy we're also going to have in the lawn area you know lawn games and more landscaping and And, again, really trying to make this a fun place to be.

[04:37:56] I appreciate the items you described and appreciate the conversations that we've had over the last probably six or nine months on those issues. And I appreciate Mr. Bannister's look to try to add to those things. And just to be very clear, the plaza space is open space.

[04:38:16] somebody can come there with their own lunch and sit there or sit down there theoretically and talk to a friend or even play some music and quieter but it's just an open public area yes okay so I think that's what we're looking for we know that it isn't easy we know that's part of the challenge that we all have not only the property developers but also the community we need to make that happen isn't just up to having the space and the developer wanting to do this the community has to engage and be part of that process and I appreciate the commitments that you all made to do just that. Thank you. Thank you Supervisor Stork is there anyone else who has

[04:38:56] questions of staff or the applicant? Seeing and hearing none at this time this is a public hearing and I have no speakers who have signed up in advance to testify on this specific matter however this is a

public hearing is there anyone here present who would like to testify on this matter. This is a public hearing. Anyone who would like to testify? Not seeing or hearing anyone. Let me ask the clerk if anyone has called in. We do have one caller, Bindu Mather, representing the Mount Vernon Council of Citizens Association, is on the phone. Okay. Can you hear me okay? Yes, I can hear you. How are you today? I'm well, thank you. Welcome. The floor is yours. Thank you.

[04:39:34] Thank you, Chairman McKay, Supervisor Stork, Supervisors. I am Bindu Mather, and I'm calling on behalf of the Mount Vernon Council of Citizens Association, the MVCCA, and we would like to provide testimony regarding the 2550 Huntington Avenue building. Just for background, the MVCCA membership is slightly over 10,000 households, and we have been a 501c4 since 1969. So we care about what happens in the Mount Vernon district as well as throughout all of Fairfax County.

[04:40:08] We understand that there have been many discussions regarding a community center on the second floor of the apartment building located at 2550 Huntington Avenue, and the developer also gave consideration. We argued several times that we believe that it is not feasible or appropriate for retail or community center on the second floor of this building.

[04:40:28] So NBCCA is pleased that county staff has acknowledged that the proposed site design, which accrues retail uses along the public plaza on Huntington Avenue and Metro View Parkway on the first floor only would provide the desired effect to make this a lively and exciting community.

[04:40:47] Thank you. Thank you very much for your testimony. And are there any other callers? There are not. There are no other callers on the line. So I don't know if Ms. Strobel, I don't know that rebuttal is needed. Okay. Thank you very much.

[04:41:04] Closing comments and a recommendation from county staff. Thank you. On July 10th, 2024, the Planning Commission recommended approval of PCA 2011 MV031 and its associated CDPA subject to the executed proffers dated August 26th, 2024, and the requested modifications.

[04:41:25] Staff concurs with that recommendation. Thank you very much. Last check. Questions from board members. Seeing and hearing none. I will close the public hearing and recognize Supervisor Stork for a motion. Thank you, Mr. Chairman. And I first off want to thank Bindu Mathur and Lynn Pascoe for their written as well as in Bindu's case, verbal testimony in favor.

[04:41:48] MVCCA has clearly been very involved with this process. Also a big thanks to Kathy Lewis, Joanne Phoebe, Jeremy Coe, Corinne Bibeck, and Mike Linsky. for all their work on this, and with that, I move that the Board of Supervisors approve PCA 2011 MV-031 and its Associated Conceptual Development Plan Amendment subject to the executed proffers dated August 26, 2024.

[04:42:15] Additionally, I move that the Board approve the requested modifications as listed in the handout dated July 5, 2024. You've heard the motion. It's been multiply seconded. I heard Supervisor Lusk and Supervisor Palchuk. Any discussion on the motion?

[04:42:31] Supervisor Stork. Ms. McKay, Chairman McKay, just really this is a core part of the strategy, and I know you know this well, but this is a critical development opportunity for the county and particularly for the Mount Vernon and Franconia districts are really adjacent at this point.

[04:42:46] But the Huntington Metro stop is growing and I think is on its way to realizing its potential, but we still have a ways to go. And I know the county is going to have to be further involved in something I've

shared generally with many of you. But we're going to also need WMATA very involved with helping to realize some of this potential.

[04:43:05] But this is another area, another place on Huntington Avenue where we can further move this progress, move this process and create some progress. And pleased to look to get your support for this. Thank you. Thank you, Supervisor Stork.

[04:43:21] Any further 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 brings us to our next public hearing, which is a public hearing on RZ 2023-MV-00003, Charles P. Jones and Matthew D. Jones in the Mount Vernon District.

[04:43:47] And if we could please have the applicant reaffirm the affidavit. Good evening, or good afternoon. I'm Sarah Moresco with Odin Feldman-Pittleman, and I reaffirmed the affidavit dated September 4, 2024. Thank you very much. Are there any disclosures from board members? Any disclosures?

[04:44:04] Seeing and hearing none, I will now recognize county staff for a presentation. Thank you, Mr. Chairman. Mr. Chairman? Yes. I believe Supervisor Herity has a disclosure. Ah, okay. Supervisor Herity. Mr. Chairman, I disclose Arthur R. Genario donated in excess of $100 to Friends of Pat Herity.

[04:44:24] Okay. Are there any other disclosures? Seeing and hearing none, we will now welcome a staff presentation. Thank you again. I'm Kathy Lewis with the Department of Planning and Development. The subject 4.04 Acre Property is located at 8727, 8729, and 8733 Lucans Lane in the Mount Vernon District.

[04:44:47] A 30-foot-wide right-of-way for pole road and drainage easement is located along the eastern portion of the site. The applicant seeks to rezone the site from R2 to R3 for the development of 11 new single-family detached dwellings.

[04:45:03] Ten of the proposed dwellings would have driveway access from the proposed new public street with cul-de-sac, while Lot 1 would be accessed directly from Lugans Lane. The applicant proposes three outlots, including outlots B, C, and D, to preserve mature trees.

[04:45:22] Outlot A includes an on-site detention system, which will be supplemented with planter boxes within the private lots. This concludes my presentation. Thank you very much. We now welcome an applicant's presentation. I will keep this brief as well.

[04:45:40] This site was long owned by Douglas Jones, who was an active member of the Mount Vernon community. Charlie and Matt, his sons, actually grew up on the site and have now filed this rezoning from the R2 to the R3 district to develop 11 single-family homes that are contextually appropriate in this community and really make this something that fits into the fabric of the neighborhood that they've grown up in.

[04:46:03] We have worked closely with staff. Staff is recommending approval. The Mount Vernon Council is recommending approval, and the Planning Commission did as well. We spent a lot of time working on usable yards and tree preservation, so I'm very pleased we're here with support of those groups this evening or this afternoon. I want to make it much later than it is.

[04:46:20] So if you have any questions, we're happy to answer them. we hope that you'll support this as well. Thank you very much. Are there any questions of staff or the applicant? Any questions? Seeing and

hearing none. This is a public hearing, and I have no speakers who have signed up in advance to testify. Is there anyone here present who would like to testify on this matter? This is a public hearing. Anyone who would like to speak on this subject?

[04:46:44] Seeing and hearing no one. Let me ask the clerk if anyone has called in. There are no callers. There are no callers. At this time, I will assume the applicant waives rebuttal, closing comments, and a recommendation from county staff. On July 17, 2024, the Planning Commission recommended approval of RZ 2023-MV-00003, subject to the executed proffers, now dated September 23, 2024.

[04:47:12] Staff concurs with this recommendation. Thank you very much. Any questions from board members? Final call seeing and hearing none. I will now close the public hearing and recognize Supervisor Stork for a motion Well, thank you. Mr. Chairman and and I I want to recognize Key member of the community. That's the owner of this property for four decades and His family is now the owner. He he's deceased, but Doug Jones was very involved with the community for Decades and really and really worked hard to truly create a community there

[04:47:49] and I want to recognize his really almost immeasurable work. We didn't always, in fact, many times we didn't agree, but the core of it is he was there making and working hard to create the kind of community that we all want to be part of. So I just wanted to say it up front, and I appreciate the opportunity to have worked with Charles and Matthew Jones as part of this development and thank them for their work and efforts to move this along.

[04:48:15] Therefore, I move that the Board of Supervisors approve rz 2023-mv-00003 subject to the executed proffers dated september 23rd 2024 i'm happy to second that motion is there discussion on the motion let me just add to what you said supervisor stork it does not influence my vote on this application but i appreciate you mentioning doug because he's somebody i knew well as you know doug and i had an opportunity to coach woodlawn little league together and he was a longtime business owner on the route one corridor heavily

[04:48:49] involved in the chamber but most importantly cared a lot about his community so i appreciate that and and paying tribute to doug and i had not realized that that this was his sons that were here before us for this application so it's good to see you both any further discussion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries thank you our next public hearing is a public hearing to consider proposed amendments to the police officers retirement systems ordinances

[04:49:26] and as soon as staff is ready we would welcome a staff presentation mr. chairman if we could pause for a few minutes we're two minutes ahead of schedule okay yes we will recess for two minutes until it's exactly four o'clock since this is

[04:49:44] our first four o'clock item and folks we now have a i will call it again a public hearing to consider

[04:52:38] proposed amendments to the police officers retirement system ordinances and at this time we would welcome a staff presentation thank you mr chairman members of the board i'm jeff weiler executive director retirement systems i'm here to represent proposed changes to the police officers retirement system code regarding other public safety service purchases as you know on may 21st 2024, the board adopted changes to the police systems ordinance, which were to codify terms ratified in the

collective bargaining agreements with the police benevolent association, specifically to allow members of the police officer's retirement system to purchase up to four years of service

[04:53:17] credit for prior military service or other sworn law enforcement experience. Today, we're here to recommend some additional changes to PRS ordinance, specifically to allow all members to purchase other public safety service experience the terms are the same as what was adopted on may 21st meaning it's limited to no more than four years of services that members can make installment payments for up to 48 months and the member must pay the full cost the cost to the member is based on calculations and assumptions made by the county's actuary to reiterate the employee pays the full cost of any service purchase meaning that the police officer's retirement system will be no

[04:53:55] better or worse off funding wise and the county's liability for future benefit payments will not go up or down like any provision of future benefits this is based on assumptions recommended by the actuary and adopted by the police officers board of trustees that completes my presentation i'm glad to take any questions thank you for that presentation are there any questions of staff any questions of staff seeing and hearing none this is a public hearing and we have no speakers who have signed up in advance to testify on this matter.

[04:54:25] Is there anyone here present who would like to speak on this subject? This is a public hearing. Anyone who would like to testify? Seeing and hearing no one. Let me ask if anyone has called in. There are no callers. There are no callers. Any closing comments or recommendation from county staff?

[04:54:41] No further comments. Just staff recommends approval. Thank you very much. Last call, questions from board members. Seeing and hearing none. I will now close the public hearing and recognize Supervisor Jimenez for a motion. Mr. Chairman, I move the county executive's recommendation that the board adopt the proposed amendment to the police officer's retirement system ordinance for the purpose of adding certain provisions with respect to other public safety service purchases.

[04:55:08] And the chair will second that along with Supervisor Lusk. Discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries.

[04:55:24] Supervisor Alcorn being out of the room at the time. Okay, we're going to move on to our next public hearing, which we know is going to be deferred, but let me call it anyway. And that is a public hearing on proposed amendments to Chapter 118, Chesapeake Bay Preservation Ordinance of the Code of the County of Fairfax, Virginia, County Code regarding mature trees and coastal resilience and adaptation to sea level rise.

[04:55:51] Supervisor Smith. Thank you, Mr. Chairman. The Planning Commission held a public hearing on the proposed amendment on September 11, 2024 and deferred decision to September 18 and then to September 25, 2024 as they worked to address testimony, questions, and comments they received.

[04:56:08] In order for the Board to have the Planning Commission's recommendation when the Board holds our public hearing, I move that the Board of Supervisors defer the public hearing on the proposed Chesapeake Bay Preservation Ordinance Amendment to a date and time of October 8, 2024, at 4 p.m. You've heard the motion.

[04:56:25] It's been seconded by Supervisor Palachuk. 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 finally to public comment. And let me just renew our understanding of the rules for public comment, Which is the board will hear public comment on any issue except issues under litigation issues that have been scheduled for another public hearing before the board and Personnel matters and/or comments regarding specific individuals

[04:57:02] Speakers must have registered in advance and each speaker is given three minutes for their remarks a Maximum of ten speakers may address the board during any public comment period and speakers may address the board once during a six-month period And I do have all 10 slots of individuals that have signed up to testify today.

[04:57:21] I am going to call the names of the folks who are testifying. And if I call your name, if you can make sure you're down here close so that we're ready to receive your testimony. Speaker number one is Trish Doherty to be followed by Agnieszka Sykes and Safi Nawabi.

[04:57:38] If I called your name, if you can please come on down close. Speaker number four will be Ryan Sudo. If I called your name, are any of those four individuals here, are any of those four individuals here, let me call them again, Trish Doherty, Agniska Sykes, Safi Nawabi, or Ryan Suto.

[04:58:00] Any of those individuals present. Okay, speaker number five is James Rose. James, Mr. Rose. Okay, to be followed by Candy Cushman, who has submitted video testimony. Let's go with those two for now.

[04:58:19] James Rose, who's on his way down. Welcome. Thank you, Stephen Rogers. My name is Jim Rose. I'm a 25-year Fairfax County resident. I'm a trustee at Northern Virginia Hebrew Congregation.

[04:58:40] I volunteer with immigrant families. I'm executive director of Novichai Foundation, and I'm here to speak in all capacities in which I serve Muslims, Christians, and Jews. I call attention to Virginia Common Law Chapter 471, the state standard for anti-Semitic speech.

[04:58:57] I asked the board to apply this legal principle to determine if comments made by citizens speaking on the Gaza War at the June 25th and July 30th meetings violate this standard. There was a rubric that was shared with each of you prior to the meeting, so I hope I can refer to that.

[04:59:17] This rubric is based on Virginia law, analyzes 63 comments made by 10 individuals at those meetings. Now, by this count, 50 statements made by eight of the 10 speakers meet the Virginia standard for anti-Semitism.

[04:59:33] Another 13 comments reflected fabrications generated by Hamas. Now, this is not unique. This rhetoric is common to current anti-Israel activism. I want you to notice that two commenters, commenters G and J on the rubric, made their cases without anti-Semitic remarks or disinformation.

[04:59:51] So it is possible to call for peace without anti-Semitic rhetoric. Now, why is this important? Anti-Semitism does not resolve itself. Larry Summers, the former president of Harvard University, addressed such rhetoric, saying, serious and thoughtful people are advocating and taking actions that are anti-Semitic in their effect, if not their intent.

[05:00:14] Now, this was 22 years ago, 2002. The rhetoric was left unchecked, and major universities today that left that rhetoric unchecked present hostile environments to Jews, and are facing legal action because of it. Now, I question the board's reticence to address inflammatory, hate-inspired rhetoric made in this room.

[05:00:32] Now, I'm not clairvoyant. I don't pretend to know the right side of history, as some commenters do. But I will tell you that right now, Jews are scared. Scared to speak out, scared to go out. And these fears are not unfounded. We know how this plays out. We have examples in Paris, Malmo, New York City, D.C., Fairfax County.

[05:00:51] So I ask the board to protect Fairfax Jews today, tomorrow, Thursday, Friday, October 7th until the threats to Jews linger no more. I do want to make clear I do not challenge anyone's rights, but the freedom of speech does not mean the freedom that hateful rhetoric go unchecked or unchallenged.

[05:01:10] It is incumbent on elected officials to recognize and rebuke this rhetoric. Such an act is not censorship, it is civility. I ask the board to start a public dialogue regarding anti-Semitic rhetoric. I will personally reach out to commenters G and J to express a shared desire and understanding for peace and civility.

[05:01:29] Others are welcome to join with the understanding of the standard that I present today. Thank you, Supervisors. Thank you very much for your testimony. Speaker number six is Candy Cushman, who has submitted video testimony. This is Candy Cushman, and as a Vice President for the Family Foundation of Virginia, I represent thousands of concerned citizens, parents, and church leaders right here in Fairfax County who look to us for help in ensuring that local government policies and actions create an environment where family and faith is valued and can thrive.

[05:02:08] For that reason, I am speaking today in support of a proclamation for a church heritage recognition date, which has a possible proposed date of November 21st and was presented earlier today by clergy and local leaders who are there in person. When you consider the language on the Fairfax County website that gives an overall vision of seeing connected communities where all individuals and families are supported and empowered to thrive, we believe this proclamation would be a significant step forward in that direction.

[05:02:36] However, that vision was undermined earlier this year when the Board of Supervisors voted 9-0 on a proclamation designating Transgender Day of Visibility on Easter Sunday, which is the holiest day on the Christian calendar. And regardless of when Transgender Day of Visibility happens to fall, that holiest day really should be respected considering the long-standing history and tradition of the Christian church, not only nationwide, but specifically here in Fairfax County. This unfortunate incident did bring to light a deep need for balance and equal consideration in demonstrating respect for the entire community, not excluding the church

[05:03:16] community. This proclamation is also a very appropriate way to consider the rich and prominent history here locally with Lord Thomas Fairfax and other founding fathers, including George Washington and George Mason, who attended churches that still exist in Fairfax today.

[05:03:33] So this would be a wonderful way to celebrate and honor that rich history. Also, the churches of Fairfax County hold the deep Christian conviction that as a creation of God, every human being has an inherent sacred value and dignity. This has been on display through the compassion and care demonstrated by local churches in providing services for education, hospitals, and other mini-relief charities for those who are suffering. In honor of that long-standing faith tradition, we are asking that the Fairfax County Board of Supervisors honor our faith community and

[05:04:10] proclaim a church heritage recognition date. Thank you for your time and consideration. We are now on Speakers 7 and 8. I understand that Speakers 7 and 8 wanted to reverse order, is that right? So we would hear from Tom Ferguson first to be followed by Marty Baker. I believe that's the request I had. Is that right? Okay, excellent. So we are on speaker number eight, Tom Ferguson. We'll go back to speaker number seven after this. Welcome. Thank you for that accommodation. Mr. Chairman, esteemed members of the board and staff, thank you for allowing me the

[05:04:46] time to speak with you this afternoon. My name is Tom Ferguson. I'm a husband, a father, a long-time Fairfax County resident and also one of nearly 40 percent of the Fairfax County residents who are Christian. As followers of Jesus Christ you can imagine how disappointed we were when the Transgender Day of Visibility happened to fall this year on Easter Sunday, the most holy and significant day on the Christian calendar for over 2,000 years. We were equally disappointed that knowing this the board voted 9-0 to observe that day on Easter. But those events caused us to step back and ask ourselves how we might be able to better recognize the deep ties the church has to

[05:05:24] this community and the love shown by the church through its many acts of service and compassion. John Adams once famously said, our constitution was made only for a moral and religious people and is wholly inadequate for the governance of any others. And so for these reasons, I am asking the board to help celebrate our county's rich Christian history by approving the following Proclamation for Church Heritage Recognition Day. Now I'm going to show you some mercy and not read all this to you, but we do have a few drafts. I'm going to leave for the Board of Supervisors drafts of this proclamation, but I'm going to give you a couple of greatest hits. Is that fair?

[05:05:58] Okay. Whereas the Christian church tradition and the many churches of Fairfax County which partake in that tradition play a vital role in the shaping of the cultural, social, and moral landscape of the communities within Fairfax County, fostering the development of arts, education, and sciences. Whereas local churches have a rich and prominent history involving our founding fathers such as George Washington, George Mason, and other historical figures including Lord Thomas Fairfax. Whereas Calvary Road Baptist Church recently won a significant religious freedom victory benefiting the First Amendment freedoms of other places of worship in the community. Whereas the historical church tradition has had a strong role in the strengthening

[05:06:38] of the family unit as a foundational institution of society advocating for healthy marriages and the importance of parenting. And then we have draft language, be it resolved that the Fairfax County Board of Supervisors does hereby recognize November 21st, 2024, as Fairfax County Heritage Recognition, Church Heritage Recognition Day, excuse me, acknowledging its profound impact on the welfare of families in Fairfax County. Be it further resolved that the Fairfax County Board of Supervisors encourages continued respect for and collaboration with the Christian Church and its vision to advocate for communities where all individuals and families are supported and empowered to thrive.

[05:07:16] And with that, I thank you for your time, and I will leave where appropriate drafts of this proclamation. Thank you. Thank you, Tom. And if you could leave those with the clerk over here, we'll make sure those get circulated. Speaker number seven is Marty Baker. Welcome.

[05:07:39] Thank you, Mr. Chairman and members. I am Dr. Marty Baker. I am the senior pastor at Burke Community Church, and I've invited some of my 3,000 parishioners to join us today. And my object is to talk about the importance of the local church to the county and to the community.

[05:07:56] And after being a senior pastor for 35 years, I could present a lot of points to you, but the salient points to me of why you would have a church recognition day are related to the value of the church, such as churches provide love, care, and support for the needy.

[05:08:11] And that is inside and outside of the church. Churches provide an environment where people can learn how to live out the principles of Jesus Christ. His first sermon, the Sermon on the Mount, teaches great things like blessed are the peacemakers, blessed are those who are merciful, etc.

[05:08:28] So who would not want people to understand those core values to be in a citizen of a city or a county? Churches provide moral stability and the adhering to belief in moral absolutes. George Washington, in his farewell address in September 19th, 1796, said, Of all of the dispositions and habits which led to political prosperity for our country, he says, religion and morality are indispensable supports.

[05:08:54] I heartily agree. Churches provide answers to life's biggest questions. I like science, but science can only tell us what is, not why it is. And religion, Judeo-Christianity, answers those questions philosophically, biblically, and with evidence.

[05:09:11] Churches give people wisdom for living in a world that challenges them to live unwisely. Churches give hope where there is hopelessness by pointing people to eternal values, not temporal values. Churches provide a perfect place for spiritual and moral accountability so people live better lives.

[05:09:30] Churches teach people to fear God and to respect authority, to respect the state and federal governments that God has sovereignly put in place. Churches are empowered by the gospel of Christ to provide the opportunity for redemption and restoration to people who can become great participants of society.

[05:09:49] Churches teach people how to emulate Christ's spirit of servanthood as opposed to being served. So humility is taught by and large. Churches train children how to think correctly, critically, and how to make great moral choices. And lastly, I would put forth to you that churches teach people the importance of loving others and by doing good deeds.

[05:10:10] And who could not want people like that in your community? And that's what we train at my church, and I just, I'm sure, represent many churches that teach the same motifs from the Holy Scriptures. So honoring churches with a day like this, Church Heritage Day, to me, seems like a logical item for you to consider.

[05:10:30] And I would submit to you to champion that cause. And I thank you for the opportunity to speak. Thank you very much. Speaker number nine is Annie Hadfield. Is Annie Hadfield here? She is. To be followed by speaker number 10, Robert Whitfield. I don't see Rob yet.

[05:10:46] I know he was here earlier today, but he will be speaker number 10. Welcome, Ms. Hadfield. Thank you. i'm a social studies teacher in fairfax county in 2008 i had the opportunity to travel and study in occupied palestine and attended history classes taught by both palestinian and israeli professors my experience opened my eyes to the history of colonialism and oppression not only in palestine but all across the world on a visit to the occupied west bank we went through multiple checkpoints while machine gun touting soldiers came onto our bus to decide if they would let us go further i saw firsthand the wall that quite literally goes through family homes i traveled on roads

[05:11:23] that Palestinians cannot without risk of being shot. I met with Palestinian students who shared stories of terrifying and horrific bombing and displacement. One 19-year-old student shared that she had never been able to get a permit to visit Jerusalem, a city that was five miles away and one of the most sacred cities in her religion. It was the experience that cemented my desire to become a history teacher. It was shocking and infuriating that I had never learned my country was supporting a system of apartheid not so different than the system of Jim Crow in the U.S. As of 2021, over 2,000 Palestinian children had been killed in the previous two decades. In the last year alone, at least 17,000 children have been killed in Gaza and 141 in the West Bank. According to a Lancet

[05:12:01] study, the total death toll in Gaza since October could be as high as 186,000. What does all this have to do with Fairfax County? I am often asked by my students, how could people have been okay with the massive genocide and ethnic cleansing of indigenous people? Justify the horrific institution of slavery, been silent as the Gestapo rounded up their neighbors and committed genocide and unspeakable crimes against 17 million people, including 6 million Jews and other marginalized groups. If you're wondering what side of history you would have been on, it's whatever side you're taking with your current action or inaction. Will you value Palestinian children the same as you value Israeli children, Ukrainian children, or white American children? Your silence in the face

[05:12:39] of this genocide speaks loudly. Many of the children of Fairfax County have direct family members who have been killed or are missing in Gaza and occupied Palestine. Multiple students at my school have lost dozens of family members and are constantly on edge as they wait to get more news from displaced family members. They've been subject to horrific bullying and Islamophobia and don't feel safe at school. These children are constantly dehumanized in the media and have been told that they can't discuss their pain or loss because it's too complex. Fairfax County hasn't issued a single statement or offer of support to these valuable members of our community, which is something they have done in the past for other groups. In 1985, the board unanimously voted to condemn apartheid South Africa's policy of racial segregation. In March of 2022,

[05:13:16] chairman mckay announced a humanitarian drive for the people of ukraine on october 9th the fairfax county government issued a statement stating that flags would be lowered to half staff to honor the lives lost in israel on october 7th since that time close to 200 000 lives have been lost in gaza there's not been a single effort to recognize the palestinian lives that have been lost your failure to act will be studied by future students in history finally according to the fairfax county economic development authority in the fiscal year 2023 17 billion dollars in and contracts were awarded to Fairfax County companies.

[05:13:45] These include organizations like Lockheed Martin, which make the so-called Hellfire Missiles that are designed to shred their targets using blades and are currently being used to target schools, sheltering displaced children in Gaza, leading families to search for and collect the body parts of their children in plastic bags. This is Fairfax County Tax Dollars That Works.

[05:14:01] I'm asking you to stand on the right side of history and pass a permanent ceasefire resolution, as well as divest from any company that is aiding and abetting Israel in their genocide and ethnic cleansing of the Palestinian people. Thank you. Thank you. Let me ask again if Speaker 10, Robert Whitfield, is here.

[05:14:17] I don't see Robert. I'm going to go back. We don't normally do this, but let me go back and call the first four speakers who weren't here when I called their name just to make sure and see if they've

arrived. Trish Doherty. Okay. Agnizka Sykes.

[05:14:36] Okay. Safi Nawabi. And Ryan Suto. Okay. Again, I wouldn't normally do this because we've already called your names once, but if you can please provide your testimony now, welcome. Thank you.

[05:14:52] I'm a constituent of Providence District. I'm aware that the board appropriates funds annually to Fairfax County Economic Development Authority, FCEDA, for its programs. Many of its programs is in partnership with an Israel business promotion entity called Virginia-Israel Advisory Board, VIAB.

[05:15:13] They're the only foreign advisory board in Virginia, and they are funded by Virginian tax dollars. They're the only foreign advisory board in Virginia, and they're funded by Virginian tax dollars. For decades, they've promoted and funneled millions of dollars towards Israel war profiteering companies like Israel Aerospace Industries, Rafael Systems, and Celebrite, which are all located in Fairfax County.

[05:15:42] So yes, this is a local issue. Last Wednesday, the UN General Assembly overwhelmingly voted for imposing sanctions on Israel. Virginia and Fairfax County is now obligated under international law to impose lawful and targeted sanctions, including ending diplomatic relations, imposing financial sanctions, and suspending trade and cooperation agreements with Israel.

[05:16:11] FCEDA must end its close partnership with VIAB, and the board must stop funding for such programs. Chairman McKay, you hosted a press conference to help Ukrainians at war, but so far nothing for Palestinians, when it's been over 11 months of genocidal acts towards Palestinians, some being our own community members and their families.

[05:16:35] This double standard is discriminatory and racist. Here in Fairfax County, we want to achieve collective safety and justice for all and not just for some. Many of your constituents face the brunt of U.S. imperialism that continues to feel hatred and bigotry that is rising significantly today.

[05:16:56] I'm Vietnamese, and I know too well the parallels between Vietnam and Palestine. Both have been sites of interest for larger colonial powers, and each has resisted multiple colonizers. But in bitter irony, U.S. counterinsurgency techniques and military equipment used during the Vietnam War were extrapolated to the Israel unlawful presence in occupied Palestine territories.

[05:17:24] It is unacceptable that we have billions for war, but a budget shortfall when it comes to helping our most marginalized and vulnerable population. Israel's oppression directly affects that population as they help train our police forces in the knee-to-neck restraint that killed George Floyd.

[05:17:43] We do not want our tax dollars to fund this foreign government. It is unethical and illegal to continue to invest in a country that is in decline and facing economic collapse due to its crimes of aggression and ethnic cleansing. Supervisors, you are legally obligated to isolate Israel and hold them accountable.

[05:18:01] So, please, FCEDA must end its title via app. Thank you so much. Agnieszka Sykes here. Okay, let's be ready when it's your turn.

[05:18:17] Safi Nawabi, if you could come down closer. Ryan Sudo, come down closer if I called your name. So, when it's time to testify, you are ready. Welcome. Hello, good evening. My name is Agnieszka Sykes, and I live in Reston, Virginia.

[05:18:33] So, obviously, I'm in the Hunter Mill District. I was thinking I would channel my grandfather, who's a survivor of Auschwitz and Flossenberg concentration camps. He fought for the Polish resistance

against the Nazis during World War II.

[05:18:52] I have this legacy in my family of dealing with war and being subjugated to war. My mom was born in 42, in the middle of the war. Didn't know her father in person until many, many years later. But I want to pivot away from that for a second because I want to talk about Gaza.

[05:19:13] I know my colleagues are going to talk about the connections between Fairfax County and support of the military-industrial complex and how it is wrong in this time of genocide. I want you to think, if you have children, when you go home tonight and you tuck them in their comfortable warm beds on a rainy night and kiss them goodnight, if you do have children. Will it ever cross your mind at any point tonight that the parents and the children in Gaza are totally traumatized? They don't know if they're going to survive the evening.

[05:19:53] And if they are lucky enough to not have U.S.-made 2,000-pound bombs, MK-84 bombs manufactured here in the United States drop on them, they're going to be worried about what they're going to bringing home or in their tents wherever they may be for their children to eat their starving malnourished children will it ever cross your mind I ask in the name of our shared humanity really there's a genocide going on there are 40 plus thousand people who have been slaughtered

[05:20:30] and I will say slaughtered because that's what it is and I wanted to share some of their names Um, not sure if it's possible. Okay. I have some printouts I can share, but there is a document that's 600 pages long that has about 26,000 names on it of the ages and the names of everyone that has been identified. And the first 14 pages of 710 individuals are children who never reached

[05:21:07] their first birthday. Their dreams are shattered because our governments and our government at all levels, federal, state, county, our complicity in supporting an apartheid racist state. This has to end. We seek to have action from the board of supervisors. There's too much shady business happening in this county. And I would say if you have a modicum of humanity, you will join us in our fight. I want to see you join us in this shared humanity because we haven't seen it from

[05:21:41] you. And we want you to be empathetic. Think about those parents and those starving children tonight. Women are so malnourished. If they have an infant, they can't even produce breast milk. They cannot produce breast milk, the basic things. Don't think there's any formula in there to support them. So I plead with you. Thank you, Ms. Sykes. Thank you. Thank you. Our next speaker is Safi Nawabi. Safi Nawabi here. Okay. We will go to Ryan Sudo. Welcome. Thank you,

[05:22:19] Chairman, and thank you, the board. Thank you for the second chance to speak. I'm a Fairfax County resident and a lawyer, and I urge the county to pass the Seaside Resolution and begin the process of divesting from Israel and the other country which currently actively is committing genocide. In January, the International Court of Justice ruled that Israel's conduct could plausibly constitute genocide. In July, the ICJ further concluded that Israel's ongoing occupation of Palestinian territory is illegal. The ICJ, whose rulings are legally binding, reaffirmed the legal responsibility of states to ensure the end of Israel's unlawful occupation.

[05:22:59] Since these rulings, there's a growing legal consensus that Israel is engaged in genocide in Palestine, and U.S. UN experts have concluded that Israel's intentional and targeted starvation campaign is a form of genocidal violence.

[05:23:14] In a 2007 judgment interpreting Article 3E of the Genocide Convention, the SEJ found that complicity in genocide requires, firstly, that they must supply aid or assistance to the perpetrators of genocide, and secondly, that the party must have full knowledge of the facts and awareness of the specific intent of the principal perpetrator.

[05:23:36] First, as others have noted, the connection between the county government and the Fairfax County Economic Development Authority. Thankfully, a contract was ended in June for the presence in Israel. But as recently as last month, the FCEDA was promoting partnerships with Israel and Israeli tech companies, which are facilitating the ongoing genocide. Second, with the evidence presented today and in previous meetings, this Board of Supervisors is fully aware of the Israeli government's specific intent to commit genocide.

[05:24:15] As such, a lack of action places this county in jeopardy of being complicit in that genocide. This is not hyperbole. This is just following the judgments of international law. Now, while the county is not a country, it is no less likely to be found liable in future legal proceedings.

[05:24:31] Indeed, we have seen special tribunals created in the wake of genocide apply the foundations of international law to complicit non-state third parties in historically novel ways. Look at the Nuremberg Tribunal, the Tribunal for Yugoslavia, and the Tribunal for Rwanda, which all found legal culpability for third parties which facilitated genocide by knowingly funding or furnishing the instrumentalities of murder and extermination.

[05:24:56] Further liability may be found in domestic courts as well. Federal laws such as the Torture Victim Protection Act and the, albeit limited, alien tort statute may create legal liability for individuals, corporations, and officials of and within Fairfax County, resulting in mounting legal fees, possible judgment payouts, and a moral stain on our community.

[05:25:17] So thank you very much for that opportunity to speak. Thank you, Mr. Sudo. And let me check again. I don't see him here, but let me make sure Robert Whitfield hasn't arrived. I'm going to call his name one more time. Okay, that completes. Yes. Yeah, unfortunately you may not because our rules don't allow for that.

[05:25:39] You had to have signed up in advance, and I only have 10 slots. So we do this every month. So we'll have another public comment period in which we'll receive more testimony. And you can always write to us as well, but I'm not allowed to take additional speakers beyond the speakers list that I'm given by county rule.

[05:25:58] Sir, I can't. It's not a back and forth. I'm not allowed to do that. Happy to reach out to any of us or catch us after the meeting. That would be fine as well, but I can't do that as part of the formal meeting today. And again, that's because there are rules for public comment, including how often an individual may testify, and that's one of the reasons the clerk must take those names in.

[05:26:22] So that completes our 10 speakers that are listed in advance to testify and also brings us to the end of our meeting of September 24th, 2024, and the board is adjourned.



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