



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
February 9, 2021**

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02-21

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A regular meeting of the Board of Supervisors was called to order at 2:00 p.m. and was conducted wholly electronically using Fairfax County's videoconferencing system because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or to have the public present. The meeting was accessible to the public through live broadcast on Channel 16, live video stream, and live audio. Chairman McKay presided over the meeting and participated with Supervisor Penelope A. Gross, Mason District, at the Government Center and the following Supervisors participated remotely from their respective District Offices:

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

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

BOARD MATTERS

1. **ORDERS OF THE DAY** (2:00 p.m.)

Chairman McKay stated that the Board is again meeting virtually. The ability to do this is permitted by the ongoing state and local declarations of emergency due to COVID-19, the continuity in government ordinance on April 14, 2020 and the 2020 budget amendments that were approved by the Virginia General Assembly on April 22, 2020. Speakers were made aware of their continuing options to provide phone or video testimony.

He stated that because most members of the Board are participating in the meeting from his or her respective Board office, it must be verified that a quorum of Members is participating and that each Member's voice is clear, audible, and at an appropriate volume for all of the other Members. Therefore, Chairman McKay conducted a roll call and asked each Member to confirm that they could hear each other's voices.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board certify for the record that each Member's voice may be adequately heard by each other member of this Board. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Chairman McKay moved that the Board certify that the State of Emergency caused by the COVID-19 outbreak makes it unsafe for speakers, staff, applicants, and the public to attend this meeting in person, and that as such, an in-person meeting cannot be implemented safely or practically. As a result, Chairman McKay further moved that the Board conduct this meeting electronically through a dedicated video conference line, and that the public may access this meeting via simultaneous telecast on Channel 16, or video streaming, or hear a live audio feed of the meeting by dialing 703-324-5300, and the public may participate in public hearings by established phone lines, YouTube submissions, or through written testimony. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Chairman McKay further moved that the Board certify that all matters on the agenda today concern the emergency, and/or are necessary for continuity in Fairfax County government under the Ordinance adopted by the Board on April 14, 2020, and/or are statutorily required or necessary to continue operations and the discharge of this Board's lawful purposes, duties, and responsibilities. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

2. **MOMENT OF SILENCE** (2:05 p.m.)

Chairman McKay stated that:

- COVID-19 is affecting the whole community, from children to small businesses, to those who are ill with the virus. He asked to keep everyone in Fairfax, and around the world, in thoughts and prayers during this difficult time
- The Fairfax County flag continues to fly at half-staff at all County facilities in honor of the residents who have died from COVID-19 and in recognition of the many essential workers who are responding to the pandemic

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

- Frank Vajda, who served on the Park Authority Board for 16 years and continued his public service in many volunteer capacities
- Jose Felix Maldonado, who was the grandfather of Brian Garcia, Communications Director, Braddock District Office

AGENDA ITEMS

3. **PROCLAMATION DESIGNATING FEBRUARY 12, 2021 AS “KIRK KINCANNON DAY”** (2:10 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate February 12, 2021, as “*Kirk Kincannon Day*” and thanked him for his outstanding leadership, noteworthy expertise, and his distinguished career. Supervisor Alcorn seconded the motion and it carried by unanimous vote.

Vice Chairman Gross returned the gavel to Chairman McKay.

4. **2:00 P.M. – REPORT ON GENERAL ASSEMBLY (GA) ACTIVITIES** (2:29 p.m.)

Supervisor Walkinshaw, Chairman of the Legislative Committee, noted that the Committee met on January 29, 2021, February 5, 2021, and referred the Board to the updated Committee report, which was previously distributed to the Board.

Supervisor Walkinshaw presented the report on GA activities, noting the following:

- February 5, 2021, was “crossover” at the General Assembly (GA), which is the deadline for bills to pass their originating chamber and “crossover” to the opposite chamber. As a result, there has been a rush of activity on bills in both the House and Senate
- The Legislative Committee received updates on and discussed key local government priorities for marijuana legalization legislation. The Committee also discussed several proposals under consideration relating to expungement of criminal records, qualified immunity, green construction, and elections
- The Board’s County initiatives – relating to increasing the number of members on the Fairfax County EDA, providing local authority to establish green banks, extending the length of ordinances adopted to assure continuity in government, and updating and modernizing the funding formula for Commonwealth’s Attorneys’ offices – are successfully making their way through the General Assembly thus far. All four bills passed their respective chambers, and the EDA initiative has even passed both the House and Senate. The other three will now cross over to the other body for consideration. Legislative staff will continue to provide updates to the Board on the progress of these bills
- Looking ahead, a key area of focus for the remainder of the session will be amendments to the 2020-2022 biennium budget. Though it was expected that the House Appropriations and Senate Finance Committees would report their respective budgets on Sunday, February 7, both decided to delay for a few days to wait for the Governor’s updated revenue report, which will be released later this week. Though unprecedented in recent memory, this decision is in keeping with an unusual session taking place in the midst of a global pandemic. As in previous years, we expect that each chamber will reject the other’s budget and appoint members to a conference committee to resolve these differences. Legislative staff will continue to closely monitor the budget process and provide updates to the Board as information becomes available
- Earlier this week, the House Leadership and House Democrats unveiled the details of their Corona Virus stimulus bill. The total funding allocated to state and local governments is \$350 billion with \$65 billion going directly to counties based on population. That money is in addition to \$130 billion for K-12 education. Legislative

staff will continue to work with the congressional delegation, especially in the Senate, to get that across the finish line

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number Two. Chairman McKay seconded the motion and it carried by a vote of nine, with Supervisor Herrity voting "NAY."

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BOARD MATTERS

5. **PROCLAMATION REQUEST DESIGNATING FEBRUARY 2021 AS "HEALTH FOR HUMANITY MONTH"** (2:34 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to present Hindu Swayamsevak Sangh with a joint proclamation with Supervisor Walkinshaw and Supervisor Alcorn designating February 2021 as "*Health for Humanity Month*" and be presented out of the Board Room. Without objection, it was so ordered.

6. **PROCLAMATION REQUEST FOR PAUL HAMMACK, BOARD OF ZONING APPEALS** (2:34 p.m.)

(BAC) Chairman McKay asked unanimous consent that the Board direct staff to present Paul Hammack with a joint proclamation with Supervisors Palchik and Herrity thanking him for his years of service on the Board of Zoning Appeals and be presented out of the Board Room. Without objection, it was so ordered.

7. **PROCLAMATION REQUEST DESIGNATING FEBRUARY AS "BLACK HISTORY MONTH"** (2:34 p.m.)

Chairman McKay asked unanimous consent that the Board direct staff to present a proclamation designating February as "*Black History Month*," to be signed jointly by all Board members and be presented out of the Board Room. Without objection, it was so ordered.

8. **PROCLAMATION REQUEST DESIGNATING MARCH 2021 AS "WOMEN'S HISTORY MONTH"** (2:34 p.m.)

Chairman McKay asked unanimous consent that the Board direct staff to present the Fairfax County Commission for Women with a proclamation designating March 2021 as "*Women's History Month*," to be signed jointly with all Board Members and be presented out of the Board Room. Without objection, it was so ordered.

9. **HAZARD PAY FOR ELIGIBLE EMPLOYEES** (2:35 p.m.)

Chairman McKay stated that as the Board is aware, the County has received federal stimulus and grant awards, including just over \$200 million in CARES Coronavirus Relief Funds. In addition to utilizing these funds to implement essential public health programs, the Board has also been proactive in our approach to help those most in need in our community, using stimulus funds to assist residents with housing, utility and food assistance and supporting small businesses and nonprofits. It is important that we now take an additional step and move to use a portion of these resources to recognize the sacrifices that have been made by many of our employees.

Over the course of the past year, as we have battled the various impacts of the COVID-19 pandemic, one constant has been the hard work and dedication of our employees –especially those who have placed their own health and well-being at risk to protect those in our community. At the January 12, 2021, Budget Committee meeting of the Board, staff proposed a recommendation to initiate one-time bonus payments of \$1,500 to employees who have performed hazardous duty related to COVID-19. The cost of these hazard pay bonuses would be funded through an allocation from the County’s Coronavirus Relief Funds, of which \$10 million has been set aside for this purpose.

We have taken a number of actions for all employees during these tough times. For employees who couldn’t work, the County provided up to six weeks of administrative leave to employees for COVID-19 related absences and implemented new leave programs in response to the federal Families First Coronavirus Response Act (FFCRA), to include Emergency Paid Sick Leave and Expanded Family Medical Leave. Pandemic Gap Leave was then created by the County to address the gap between County leave options and the FFCRA federal leave options. We also created Pandemic Leave (L202) for cases when an employee is ordered/advised to quarantine after a documented workplace exposure.

For employees who did work, our Board temporarily increased the number of hours of compensatory time that can be carried over from 240 hours to 480 hours for calendar years 2020 and 2021. Telework options were also greatly expanded, maximum flexibility for work arrangements were made, and a job matching program was created to help those who had additional capacity or otherwise needed work with agencies in need of more workers.

Of course, I’m also extremely proud that the County was able to avoid having to make cuts to our workforce, as I know many in the region and across all sectors have not been so lucky.

Making the determination of which employees qualify for hazard pay is not an easy one. But I agree with the staff recommendation to use the Virginia Occupational Safety and Health (VOSH) Risk Assessments as they provide a standardized mechanism to determine risks related to COVID-19. Now, to recognize our employees who worked in what VOSH would classify as High or Very High

Hazardous Conditions, the Board today should act on the Hazard Pay Proposal. As a reminder, those requirements were:

- Must have been employed in a merit position on or before October 1, 2020
- Must be a current employee at the time the Hazard Pay Bonus is paid
- Must have 70% of hours paid attributable to time worked (not leave) Pay Period 7 through Pay Period 26 (did not telework)
- Employees whose exposure risk level, as defined by the Virginia Occupational Safety and Health (VOSH) Risk Assessment, put them at a “very high” or “high” exposure level. Risk levels are based on the risk factors present that increase risk exposure to COVID-19 and are present during employment regardless of location
- Employees who have previously received a bonus for their work during the Pandemic, or work related to the Pandemic, or will receive a bonus from the agency or the County prior to January 2021, will have that gross amount deducted from the County Hazard Pay Bonus.

In order to recognize employees who have worked under hazardous conditions as outlined above, I recommend altering the staff recommendation to also include employees working in limited-term positions. As with part-time merit employees, bonuses would be prorated for these employees based on their work schedules. Additionally, I am proposing that the hazard pay bonuses be increased to \$2,000 for eligible employees. This proposal is estimated to cost approximately \$9.2 million – still within the \$10 million allocation.

Therefore, Chairman McKay moved that the Board implement a Hazard Pay bonus of \$2,000 for eligible employees. A final verification of employees working in High and Very High Risk Conditions should occur following this action by the Department of Human Resources. Supervisor Gross seconded the motion and it carried by unanimous vote.

10. **POTENTIAL ONE-TIME BONUS FOR EMPLOYEES AND LEAVE PROGRAMS** (2:44 p.m.)

Chairman McKay stated that we have been living amongst COVID-19 lockdowns for nearly one year. During that time, our residents have turned to Fairfax for help, whether for food and utility assistance, housing support, mental health crises, public safety emergencies, urgent health needs, transportation or so much more. Our Fairfax County team has stepped up to help our community at every turn, and there aren't enough words for me to fully convey my thanks for their hard work during these difficult times.

We know we are facing unprecedented fiscal strain and that the impacts of the pandemic on our budget will have a lasting impact. This means we're likely to continue to face tough budgetary decisions, as we will not have adequate resources to fully address all of the Board's priorities. We also know that keeping a dedicated county workforce in place is critical to providing our residents quality services.

To that end, I am pleased that this Board has created numerous new and expanded leave options, launched job sharing opportunities, expanded teleworking capabilities, worked to allow maximum flexibility, protect our quality benefits packages and most importantly, preserved jobs. I also grateful that, through federal CARES Act funding, we are able to help a subset of County employees using Virginia Occupational Safety and Health (VOSH) Risk Assessments get one-time hazard pay.

However, we must also recognize that many members of our county workforce are also facing unprecedented financial strain and stress, and that our entire workforce has done so much to help our residents during this difficult time. I am hopeful we can provide them some immediate help.

We know this has been a difficult year for all of us. We have managed County resources in fiscally responsible way, in no small part thanks to the dedicated work of our staff. Now that we are nearing third quarter and our budget picture has become clearer for the remainder of this fiscal year, we should be looking at what we can do to help our County workforce further financially.

Therefore, Chairman McKay moved that the Board direct the Department of Management and Budget, as part of the upcoming FY 2021 Third Quarter Review, to work to identify funds for a potential one-time bonus for County employees. This work should include a recommendation of the amount of the bonus, based on available resources, as well as outline a recommended implementation timeline. A one-time bonus is a prudent approach as it provides a path to rewarding our employees without placing additional pressures on our FY 2022 budget.

Chairman McKay further moved that the Board direct the Department of Human Resources to analyze the various leave programs that have been implemented since the start of the pandemic to determine what, if any, additional programs should be provided to employees who were unable to take advantage of previous leave programs based on the requirements of their job during the pandemic. Any recommendations should be included as part of the FY 2021 Third Quarter package. Supervisor Gross seconded the motion and it carried by unanimous vote.

11. **REQUEST FOR LETTER TO GOVERNOR ON TEACHER PAY RAISE/BONUS WITH MATCH BY LOCALITIES** (2:50 p.m.)

Chairman McKay stated that recently, Governor Northam proposed a two percent teacher pay raise/bonus with a match from localities. While I and the many of the

members of this Board support teacher raises in general, a local match would be difficult for us. Locality revenues across the state have been negatively impacted by the COVID-19 pandemic, while simultaneously having to increase funding to support our residents from the public health and economic fallout.

With currently projections, while also remembering there is still a significant amount of uncertainty, Fairfax County expects a budget shortfall of about \$40.6 million and FCPS expects a shortfall of about \$32.5 million.

Additionally, the Commonwealth only provides funding for a bonus or raise based on their portion of state salaries based on the local composite index. Fairfax County typically has a high Local Composite Index, measuring our local “ability to pay”. As a result, Fairfax County generally pays a high share in the split between state and local funding responsibility of the schools.

Furthermore, the state provides no funding for any non-SOQ positions – essentially the state only pays for the positions it recognizes and the localities pay the full costs of all positions that exceed state requirements. According to a November 2019 Senate Finance report, historically the Standards of Quality (SOQ) has funded less than 70 percent of actual reported K-12 positions statewide, which includes many support positions, assistant principals, and teacher aides.

With these constraints in mind, we suggest that the state grant flexibility and suspend the local match requirement.

Therefore, jointly with Supervisor Walkinshaw, Chairman McKay moved that the Board direct the office of Government Relations to draft a letter to Governor Northam with the information provided in his Board Matter. Supervisor Walkinshaw seconded the motion and it carried by unanimous vote.

12. **REVIEW OF COUNTY’S HUMAN RIGHTS CAMPAIGN MUNICIPAL EQUALITY INDEX SCORECARD** (2:59 p.m.)

Chairman McKay stated that the Human Rights Campaign (HRC), committed to ensuring equality of LGBTQ people across the globe, releases a Municipal Equality Index (MEI) each year to help residents gauge how inclusive a jurisdiction’s laws and policies are of LGBTQ people.

The Municipal Equality Index is structured like a scorecard, with a points-based system out of 100. The 2020 MEI for Fairfax County, which is attached, showed a significant improvement from years past, with a total score of 88 points out of 100. In 2019, Fairfax County received a final score of 53. This point increase shows the positive impact our commitment to the One Fairfax policy has already had in our community. Our high score on the MEI helps our LGBTQ residents know that their local government stands behind and supports them.

However, there is still progress to be made. While an 88 is a “good” score, we should be achieving 100 percent as some other localities have. While equity cannot be completely measured by checkmarks on a scorecard, the HRC has laid out concrete goals that I believe Fairfax County can achieve in full. In reviewing the areas in which we failed to receive points, there may be items that our County is already achieving but have not made visible enough. Other items may be fulfilled with relatively small organizational changes.

Therefore, jointly with Supervisor Foust, Chairman McKay moved that the Board direct the County Executive to have staff review the scorecard attached to the Board Matter and find opportunities for Fairfax County to improve its score with the goal of achieving a perfect score of 100. Jointly with Supervisor Foust, Chairman McKay requested that staff provide explanations for any items believed to be unachievable in Fairfax County. Supervisor Palchik seconded the motion and it carried by unanimous vote.

13. **REQUEST FOR DATA ON MENTAL HEALTH FOR THE YOUTH POPULATION** (3:02 p.m.)

Chairman McKay stated that the Fairfax County Youth Survey is one of our primary sources of data on the mental health of County youth. The 2019-2020 Youth Survey, for example, showed about 30 percent of FCPS eighth, tenth, and twelfth graders, experienced depressive symptoms in the past year. This number has been on a slow upward trend since 2015. Because students were not physically in school and the Youth Survey data reliability is dependent on students responding to it in class, the 2020-2021 Youth Survey has been cancelled. The County and FCPS are already working on plans for the 2021-2022 Youth Survey.

The COVID-19 pandemic has had particularly significant impacts on children and youth. Remote learning, the cancellation of extracurricular activities, and social distancing practices have left many youth physically and socially isolated from their peers and caring adults outside the home. Financial distress has forced some families to seek assistance just to meet basic needs. Illness has taken loved ones. All of these, plus the stresses from racial justice reckonings and tumultuous political news, can combine to greatly affect youths’ mental health. National data bears this out: the CDC reported that mental health–related emergency department visits for children and teens rose sharply in 2020. A recent Child Trends report indicated that Hispanic and Black families are more likely to bear COVID-related hardships, including poor mental health, than White and Asian families.

While 2020-2021 Youth Survey data would not have even been available until this fall, it would have, if implemented under “normal” circumstances, been able to provide a snapshot of the pandemic’s effect on youth in Fairfax. Other data points and indicators are available, however, that can describe the impacts on youth mental health in close-to-real time. Such data can provide an understanding of not just the

extent to which youth are impacted but how they are impacted, and the Board with the background necessary to ensure the County is responding adequately.

Therefore, jointly with Supervisor Palchik, Chairman McKay moved that the Board direct the County Executive write a memo to the Board, sharing available current quantitative and qualitative data on mental health for the youth population. This mental health data will help prepare the County in supporting students in this pandemic and the future return to school. Supervisor Palchik seconded the motion.

Following discussion between the Board regarding sharing the information with the School Board and identifying the numbers locally and nationally, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

14. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(3:08 p.m.)

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

15. **NO BOARD MATTERS FOR SUPERVISOR WALKINSHAW (BRADDOCK DISTRICT)** (3:08 p.m.)

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

16. **FAIRFAX COUNTY COVID VACCINATION PROGRAM AND PROVIDING ADDITIONAL TRANSPARENCY** (3:08 p.m.)

Supervisor Foust stated that the Fairfax County Health Department has established an excellent process for delivering vaccines to county residents based on priorities established by the state. Unfortunately, to date we have not been able to obtain the quantity of vaccine that we need to meet the huge demand for vaccinations. To manage the waiting list for vaccinations, the county's Health and Information Technology departments have developed a user-friendly registration program that keeps track of who has signed up for vaccines and when they signed up. Those who have registered are scheduled to be vaccinated on a "first come, first served" basis as vaccine supply becomes available. To date, almost 200,000 county residents have registered, and this number will increase dramatically as the registration process is opened to additional priority groups.

I have heard many compliments from constituents and other county residents who are very satisfied with the Health Department's management of the process once they have been scheduled for a vaccine. I have personally observed the vaccination "production line" established at the Government Center. Those who are called to be vaccinated receive very good instructions, and there are many staff and volunteers on site to answer questions and provide additional information as needed. The operation and

personnel are efficient while at the same time demonstrating concern for those who are in line to be vaccinated.

There are, however, aspects of the registration process that I believe should be dramatically improved. Residents receive an initial confirmation when they register, and it is possible to call the Health Department to obtain confirmation that you are on the registration list. I believe, however, that confirmation should be sent periodically and automatically to registrants. This will help avoid the anxiety many are experiencing and it will free up Health Department employees for other more substantive activities.

Also, my experience is that most county residents understand that the county is vaccinating as many residents as we can but that there is a vaccination supply challenge. While they realize they must “wait their turn,” they would like to know where they are in the registration line. They know that the county has information about where they are in the queue and that the county currently is not sharing that information with them. They believe the county should be more transparent. They want to know, and I believe they deserve to know, how many people are ahead of them to be called to be vaccinated. They also want to be updated regularly on progress specifically as it relates to their place in that queue.

Therefore, jointly with Supervisor Alcorn, Supervisor Foust moved that the Board direct the County Executive to have staff very expeditiously develop and implement whatever software is needed to automatically send via text and/or email weekly updates to those on the registration list. The updates should, at a minimum, confirm that they are still in the queue, describe progress being made, and tell registrants how many others are ahead of them in the queue as of the date of the update. Jointly with Supervisor Alcorn, Supervisor Foust further moved that, for those registrants who may not have access to communications via email or text, the County Executive is directed to implement a process of communicating regular updates to those registrants with information similar to what is included in the weekly updates that are sent via text and/or email. Supervisor Storck and Supervisor Walkinshaw jointly seconded the motion.

Following discussion between the Board regarding adding the number of vaccines administered to the COVID dashboard, the question was called on the motion and it carried by unanimous vote.

17. **TARGETED BUSINESS RELIEF AND RECOVERY PROGRAMS** (3:36 p.m.)

Supervisor Foust stated that as we all know too well, the impacts of COVID-19 and the public health measures needed to address the pandemic continue into the new calendar year with no end in sight. For now, Governor Northam has extended his executive order to keep in place coronavirus-related restrictions through the end of February. We can expect that the direct economic impacts of the coronavirus will

continue well into 2021 and that a much longer period will be required for our local economy to fully recover.

The Fairfax County Economic Development Authority and the County's Department of Economic Initiatives has worked with a consulting firm to evaluate the impact of the pandemic and to prepare an economic recovery plan to help guide and expedite our recovery efforts. At the Economic Initiatives Committee on November 18, 2020, we received a briefing from staff and our consultant on their efforts. Supervisors have now received the draft final Economic Recovery Framework ("Framework") document. There will be a detailed discussion of the Framework at the next Economic Initiatives Committee.

The Framework outlines recommendations for fostering a just and resilient economic recovery. Data and analysis included in the Framework demonstrate that many businesses have been able to adapt reasonably well by expanding teleworking, altering operating procedures, adjusting products, reaching new markets, and making other creative and effective changes.

The Framework also clearly demonstrates that the pandemic did not impact all communities in the county equally, and that it had the greatest impact on minority and low-income communities. Similarly, the pandemic has had disproportionate impacts across industries, with hospitality, food service and small retailers heavily impacted. Among many other important findings, the Framework notes that 90% of all job losses took place in industries with average wages less than 80% of AMI. These job losses have disproportionately impacted minority and low-income workers.

The Framework also shows that business interruptions have been most severe for establishments that rely on in-person activities because of necessary restrictions on occupancy, hours of operation, and/or social gatherings, along with changed customer behavior due to the pandemic. Sectors that were particularly hard hit and face difficult recovery challenges as a result include hospitality, food service, small retailers, and arts and entertainment.

In addition to providing employment to many members of our community, these businesses and non-profits contribute to making Fairfax County a fantastic place to live, work and visit. We cannot afford to lose them, and we will not be able to achieve a fully robust economic recovery without them. Because of the near-business-death experiences that operators in these sectors have suffered, the Framework finds that additional local, targeted assistance programs will be essential to achieving that recovery. Assistance in many forms, including but not limited to financial grants, is needed to assist operators in these impacted business sectors to survive through 2021, to adapt to changing conditions, and to thrive in the long-term recovery when the public health crisis is behind us.

Time is of the essence. While all levels of government have a role in supporting economic recovery, here in Fairfax County, we need to act now to support the efforts

of these particularly hard-hit businesses and non-profits to return to vibrancy so they can continue to contribute to our economic and cultural vibrancy.

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

- Direct staff from the Department of Economic Initiatives to work with the Economic Development Authority to develop recommendations for targeted relief and recovery grants and/or programs to support Fairfax County businesses and non-profits identified in the Framework as having been disproportionately impacted by COVID-19 and the related public health mitigation measures
- Direct that these recommendations be brought to the Board of Supervisors' Economic Initiatives Committee on March 16, 2021 for consideration
- Evaluate funding for these programs in the range of \$10 to \$15 million from the Economic Opportunity Reserve.

This nomination begins the established process for review by staff and the Board prior to allocation of any Economic Opportunity Reserve funds.

Supervisor Herrity requested that additional flexibility for small businesses, including possible financial relief and tax-free days, be examined.

Supervisor Foust accepted Supervisor Herrity's friendly amendment.

Following discussion between the Board regarding the timeline for the consultant and examining what can be done for the businesses that recently went out of business, the question was called on the motion, as amended, and it carried by unanimous vote.

18. **NO BOARD MATTERS FOR SUPERVISOR ALCORN (HUNTER MILL DISTRICT)** (3:53 p.m.)

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

19. **COMPREHENSIVE PLAN AMENDMENT AUTHORIZATION FOR LAND UNITS S (PT.) AND U OF THE FRANCONIA-SPRINGFIELD TRANSIT STATION AREA** (3:53 p.m.)

Supervisor Lusk stated that the former Lewin Park neighborhood at the northwest corner of Beulah Street and Franconia-Springfield Parkway was replanned for office and hotel uses up to 1.5 floor area ratio in 2009 and updated to include residential use in 2019. The resulting entitlement for the Liberty View development was approved in early 2020, but has not been developed. The site sits adjacent to the Inova Springfield HealthPlex to the west, which is envisioned within the

Comprehensive Plan for expansion up to 296,000 square feet of medical care, medical office, and ancillary uses, which is approximately 151,000 square feet more than the existing HealthPlex.

Inova Health Care Services has acquired the adjacent Liberty View site and approached the county to consider the two sites together for a new medical campus, known as the Inova Springfield Medical Center. The campus would include a new inpatient hospital, outpatient surgery facility, medical offices, and other related ancillary medical care facility uses, such as a gift shop and food services, with building heights up to 125-feet and changes to the access and circulation patterns. The services in the existing Springfield HealthPlex would remain within the Medical Center. The proposed expansion would be in line with a regional plan that Inova is currently developing to better serve the neighboring Springfield community and the larger area. This proposal would necessitate a Comprehensive Plan Amendment and a zoning application.

Therefore, Supervisor Lusk moved that the Board direct staff to consider a Comprehensive Plan amendment for the portion of Land Unit S related to the Inova Springfield HealthPlex facility and Land Unit U where the Liberty View project was envisioned, within the Franconia Springfield Transit Station Area, to evaluate the proposed change in land use for an expanded hospital, medical office, and related ancillary uses. The Tax Map parcel numbers are noted on my handout¹. The intensity under the current plan for Land Unit U would not change. An increase in the intensity for the 8.16-acre portion of Land Unit S that is the Inova HealthPlex should be considered up to a 1.5 FAR, which would match the planned intensity for Land Unit U. Conditions, such as vehicular access, multi-modal circulation and infrastructure including capacity needs, connections and relationship to the nearby Franconia-Springfield Metrorail station, stormwater management, and building height should be reexamined, as well as the impacts to surrounding land uses, other infrastructure, and supporting public facilities. Additional editorial modifications may be considered to adjust such recommendations as land unit boundaries. The Plan amendment should be reviewed concurrently with an application to rezone the property once such application is submitted. Finally, this motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the Applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standard in any way. Chairman McKay seconded the motion and it carried by unanimous vote.

20. **GRATITUDE FOR STAFF SUPPORT FOR MOUNT VERNON'S 34TH ANNUAL TOWN MEETING** (4:00 p.m.)

Supervisor Storck stated that on February 6, 2021, I hosted the 34th Annual Mount Vernon Town Meeting completely virtual from the Channel 16 studio. This year, the town meeting theme was "Covid Recovery and Rebounding in 2021".

I would like to thank all the agencies that were able to attend and who continue to make this tradition so successful. I would also like to thank Chairman Jeff McKay, County Executive Bryan Hill, Mount Vernon District School Board Member Karen Corbett Sanders, Congressman Gerry Connolly, Congressman Don Beyer, Dr. Gloria Addo-Ayensu, and Fort Belvoir Garrison Colonel Joshua SeGraves for their willingness to join me on Super Bowl Saturday and for providing updates to residents on key issues affecting the Mount Vernon District, the County, and our nation.

Thank you also to the Fairfax County Communications Productions Division, Channel 16. Special thanks to Director Donna Monacci, Producer Sara Prohaska, Chief Engineer Greg Smalfelt, Production Manager Patrick “Potts” Balsamo, Albee Sinayoko, Josh Bass, Kenneth Gilbert, Steve Adams, Ali Al Taweel, Mark Jung, Ben Block, Gil Caraballo and Kathi Overton; our tremendous DIT team, Kim Satterthwaite, Mike Palacios, Amante Bustamante, and Mark Leonard; and Matt Miller from GIS for their support and professionalism.

The town meeting will air play on Cox cable channel 16 at 8:00 pm on the following dates: February 14, February 20, and February 25. It is also available on the Channel 16 website and on my Facebook page. In addition, DVD copies are available at Mount Vernon District libraries and at my office.

21. **NO BOARD MATTERS FOR SUPERVISOR PALCHIK (PROVIDENCE DISTRICT)** (4:04 p.m.)

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

22. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (4:04 p.m.)

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

23. **NO BOARD MATTERS FOR SUPERVISOR SMITH (SULLY DISTRICT)** (4:04 p.m.)

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

AGENDA ITEMS

EBE:ebe

24. **ADMINISTRATIVE ITEMS** (4:05 p.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Palchik seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk,

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

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONVEY BOARD-OWNED PROPERTY AT THE FRANCONIA GOVERNMENTAL CENTER TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing regarding the conveyance of Board-owned property located at the Franconia Governmental Center to the Fairfax County Redevelopment and Housing Authority (FCRHA), to be held before the Board on **March 9, 2021, at 4 p.m.**

ADMIN 2 – STREET INTO THE SECONDARY SYSTEM (DISTRICT)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Corbett Manor	Springfield	Edward Carr Court

ADMIN 3 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION (SULLY DISTRICT)

Authorized the extension of review period for the following 2232 Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-Y20-6	New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility Tax Map No. 65-1 ((5)) J1 6400 Old Centreville Road Centreville, VA Sully District	April 29, 2021

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTIES FOR THE PURPOSE OF INSTALLING SOLAR FACILITIES (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, MOUNT VERNON, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

- (A) Authorized the advertisement of a public hearing to consider leasing County-Owned properties for the purpose of installing Solar Facilities, to be held before the Board on **March 9, 2021, at 4 p.m.**

ADMIN 5 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (MOUNT VERNON DISTRICT)

- Authorized the installation of “Watch for Children” signs on the following roads:
 - Two “Watch for Children” signs on Edinburgh Drive (Mount Vernon District)
 - Two “Watch for Children” signs on Northumberland Road (Mount Vernon District)
- Directed the Fairfax County Department of Transportation (FCDOT) to schedule the installation of the approved “Watch for Children” signs as soon as possible.

ADMIN 6 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (PROVIDENCE DISTRICT)

- (R)
- Endorsed the following traffic calming plan and resolution for Barkley Drive and Chichester Lane (Attachment I and II of the Board Agenda Item) consisting of the following:
 - Endorsed two speed humps on Barkley Drive (Providence District)
 - Endorsed two speed humps and one speed table on Chichester Lane (Providence District)
 - Directed the Department of Transportation (DOT) to schedule the installation of the approved traffic calming measures as soon as possible

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF SOLUTIONS DRIVE (FORMERLY GOODRIDGE DRIVE) / ROUTE 6054 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to consider the vacation and abandonment of a portion of Solutions Drive (Formerly Goodridge Drive), to be held before the Board on **March 23, 2021, at 4 p.m.**

ADMIN 8 – AUTHORIZATION TO SCHEDULE AND ADVERTISE A PUBLIC HEARING ON THE PROPOSED FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEAR (FY) 2022 – FY 2026 AND ONE-YEAR ACTION PLAN FOR FY 2022

- (A) Authorized the advertisement of a public hearing on the proposed Five-Year Consolidated Plan for Fiscal Year (FY) 2022 – FY 2026 and One-Year Action Plan for FY 2022 (FY 2022-FY 2026 Consolidated and FY 2022 Action Plans), as forwarded by the Consolidated Community Funding Advisory Committee (CCFAC), to be held before the Board on **March 23,2021**, at a time to be determined by the Clerk for the Board.

25. **A-1 – ADOPTION OF UPDATED AND MODERNIZED RULES OF PROCEDURE FOR THE BOARD OF SUPERVISORS** (4:06 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and authorize the adoption of the Board's updated and modernized Rules of Procedure, the text of the proposed document was presented at the January 26, 2021, Board meeting. Vice-Chairman Gross seconded the motion.

Elizabeth Teare, County Attorney, clarified that the motion should include all the redlined corrections made to Paragraphs 1.3 and 5.3 and which had been circulated to the Board.

Supervisor Alcorn requested to add a provision to include electronic meetings.

This was not accepted by Chairman McKay.

The question was called on the main motion, and it carried by a vote of nine, with Supervisor Alcorn voting "NAY."

Vice-Chairman Gross returned the gavel to Chairman McKay.

26. **A-2 – DESIGNATION OF THE BRADDOCK SENIOR HOUSING PROPERTY AS A REVITALIZATION AREA (BRADDOCK DISTRICT)** (4:13 p.m.)

- (R) On motion by Supervisor Walkinshaw, jointly seconded by Supervisor Foust and Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and designated the Braddock Senior Housing Property as

a Revitalization Area, for the purpose of facilitating Low Income Housing Tax Credits (LIHTC).

27. **A-3 – APPROVAL OF A RESOLUTION TO THE VIRGINIA DEPARTMENT OF CORRECTIONS (VADOC), BOARD OF LOCAL AND REGIONAL JAILS, FOR (1) APPROVAL OF THE PLANNING STUDY, (2) REQUEST FOR REIMBURSEMENT OF UP TO 25 PERCENT OF ELIGIBLE RENOVATION COSTS, (3) WAIVER OF THE VALUE MANAGEMENT ASSESSMENT, AND (4) REIMBURSEMENT BY PHASE OF COMPLETION FOR THE ADULT DETENTION CENTER RENOVATION PROJECT** (4:16 p.m.)

(R) On motion by Supervisor Gross, jointly seconded by Supervisor Foust and Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a resolution for the Adult Detention Center Renovation Project that:

- Approves the planning study
- Requests reimbursement of up to 25 percent of eligible renovation costs
- Waives the Value Management Assessment
- Reimburses by phase of completion

EA:ea

28. **3:30 P.M. – PUBLIC HEARING ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 78-D-098-04 (JILL’S HOUSE) TO AMEND SPECIAL EXCEPTION SE 78-D-098, PREVIOUSLY APPROVED FOR A MEDICAL CARE FACILITY, TO PERMIT MODIFICATIONS TO DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 4.89 ACRES OF LAND ZONED R-2 (DRANESVILLE DISTRICT)** (4:15 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 22 and 29, 2021.

The property is located at 9011 Leesburg Pike, Vienna, 22182. Tax Map 28-2 ((1)) 9A.

David Schneider, Agent, Holland & Knight LLP, reaffirmed the validity of the affidavit for the record.

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

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

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

Following a query by Supervisor Foust, Mr. Schneider confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 13, 2021.

Supervisor Foust moved approval of:

- Special Exception Amendment Application SEA 78-D-098-04, subject to the development conditions dated January 13, 2021

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

29. **RECESS/CLOSED SESSION** (4:24 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the attached agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
 - (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
 - (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
1. *Anthry Raul Milla v. PFC McComas and PFC D. Brown*, Case No. 1:20-cv-694 (E.D. Va.)
 2. *Federal Realty Partners LP v. Fairfax County of Virginia, et al.*, Case No. CL-2020-0020522 (Fx. Co. Cir. Ct.) (Lee District)

3. *Leslie B. Johnson, Fairfax County Zoning Administrator v. N Edgewood, LLC*, Case No. CL-2019-0017069 (Fx. Co. Cir. Ct.) (Dranesville District)
4. *NS Reston, LLC v. Board of Supervisors of Fairfax County, Virginia, and Fairfax County Planning Commission*, Case No. CL-2019-0015831 (Hunter Mill District)
5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Norman J. Fry and Laura A. Fry*, Case No. CL-2020-0011752 (Fx. Co. Cir. Ct.) (Hunter Mill District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Linda L. LaFever*, Case No. CL-2020-0001175 (Fx. Co. Cir. Ct.) (Lee District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Keun Hoon Lee and Yong Ja Lee*, Case No. CL-2019-0000700 (Fx. Co. Cir. Ct.) (Lee District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Keun Hoon Lee and Yong Ja Lee*, Case No. CL-2019-0000700 (Fx. Co. Cir. Ct.) (Lee District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hyun B. Lee, Sook J. Lee, and Seung Han Lee*, Case No. CL-2020-0015797 (Fx. Co. Cir. Ct.) (Springfield District)
10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donald M. Douglas and Louise L. Douglas*, Case No. CL-2013-0003838 (Fx. Co. Cir. Ct.) (Springfield District)
11. *Board of Supervisors of Fairfax County v. Mason District Little League, Inc.*, Case No. GV20-015639 (Fx. Co. Gen. Dist. Ct.) (Mason District)

And in addition:

1. As permitted by Virginia Code Section 2.2-3711(A)(8) and (19), amendments to joint Terrorism Task Force Agreement between the FBI and the County.
2. As permitted by Virginia Code Section 2.2-3711(A)(8), legal analysis regarding Virginia Code Section 15.2-2209. 1:1.

3. As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), opioid litigation update.
4. As permitted by Virginia Code Section 2.2-3711(A)(1), personnel discussion regarding appointment of specific public officers and annual evaluations of the County Executive and the County Attorney.

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

At 7:09 p.m., the Board reconvened their electronic meeting with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

30. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (7:09 p.m.)

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

31. **MOTION AUTHORIZING A JOINT TERRORISM TASK FORCE AGREEMENT** (7:10 p.m.)

Supervisor Gross moved that the Board authorize the acting Chief of Police to sign the amended Joint Terrorism Task Force agreement between the County and the Federal Bureau of Investigation. Supervisor Herrity seconded the motion and it carried by unanimous vote.

32. **ANNUAL EVALUATIONS FOR THE COUNTY EXECUTIVE AND COUNTY ATTORNEY FOR CALENDAR YEAR 2020** (7:11 p.m.)

Supervisor Gross stated that the Board had concluded its annual evaluations for Bryan Hill, County Executive, and Elizabeth Teare, County Attorney, for Calendar Year 2020. She stated that Mr. Hill and Ms. Teare received superior evaluations and the Board appreciates their excellent work on behalf of the County and its residents. In as much as the economic conditions in the County preclude compensation adjustments at this time, there is no change to their compensation.

33. **BOARD ADJOURNMENT** (7:12 p.m.)

The Board adjourned.