

AR:ar

The meeting was called to order at 10:35 a.m. with all Members being present, and with Chairman Davis presiding.

Others present were William J. Leidinger, County Executive; David P. Bobzien, County Attorney; William O. Howland, Jr., Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Deputy Clerk to the Board of Supervisors; and Viki L. Wellershaus, Deputy Clerk to the Board of Supervisors.

2.CERTIFICATE OF APPRECIATION CONGRATULATING

KARL VEHRS, DEPARTMENT OF PUBLIC WORKS

(Tape 1)

Supervisor Hanley moved approval of the presentation of the Certificate of Appreciation, presented to Karl Vehrs, Department of Public Works, congratulating him for 37 years of dedicated service to Fairfax County. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

3.10:30 A.M. - COUNTY EXECUTIVE'S PRESENTATION ON

THE RECOMMENDED FISCAL YEAR (FY) 1994 BUDGET

(Tapes 1-2)

Following a presentation by William J. Leidinger, County Executive, on the recommended Fiscal Year (FY) 1994 Budget a question and answer period ensued.

Chairman Davis announced that he would be scheduling a convenient time within the next week or 10 days when all Board Members would be available to participate in a question and answer period on the FY 1994 Budget.

(NOTE: Later in the meeting, the Board scheduled a Budget Subcommittee Meeting for Monday, March 1, 1993 at 8:30 a.m. See Clerk's Summary Item CL#97.)

Supervisor Hanley referred to Page 23 of the list of highlights and asked unanimous consent that the Board direct staff to differentiate between those which are additions and those which are subtractions to the budget. Without objection, it was so ordered.

Chairman Davis stated that it would be helpful to have a chart showing where the County started a year ago, and where the County is this date in terms of its employment base.

Supervisor Alexander suggested that the Emergency Medical Services (EMS) program and the Fire Services program not be treated as part of the overall budget, but should be done separately.

Supervisor Hyland referred to the significant commitments in the proposed budget in terms of the overhaul of the existing WANG computer system, and the Accounts Receivable System proposal of \$750,000, and asked unanimous consent that the Board direct staff to provide the following information prior to the Budget Workshop:

- What is the prospective savings to the County if it invests those funds in this budget;
- What is the rate of return; and
- How long before the County receives the savings?

Secondly, Supervisor Hyland asked unanimous consent that the Board direct staff to provide additional information with regard to the redesign in connection with Human Services; specifically, will there be a direct financial benefit in this fiscal year as a result of the two million plus dollars that the County is going to spend? If not this year, what would be the impact in FY 1995?

Without objection, the above requests were so ordered.

Supervisor Bulova congratulated staff for a job well done on the FY 1994 Budget. She applauded the attention to detail and the easy-to-read format.

Supervisor McConnell echoed the praise of other Board Members for the way the budget has been prepared. She asked unanimous consent that the Board request the Economic Development Authority (EDA) to give a short presentation during the Budget Workshop on the present economic conditions. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information on the transition to the new computer equipment in the County Executive's Office. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that, during the course of some portion of the Budget Subcommittee meeting, the Board spend some time on the Capital Improvements Program (CIP). Without objection, it was so ordered.

On behalf of all Board Members, Chairman Davis once again expressed his appreciation to Mr. Leidinger and the entire budget staff for a job well done.

BOARD MATTER

4. PRESENTATION OF LENGTH OF SERVICE AWARD TO

JAMES P. MCDONALD, DEPUTY COUNTY EXECUTIVE

FOR MANAGEMENT AND BUDGET FOR 25 YEARS OF

SERVICE (Tape 2)

(Verbatim)

In recognition of his 25 years of service, Chairman Davis presented the Fairfax County Length of Service Award to James P. McDonald, Deputy County Executive for Management and Budget.

Following comments by Board Members, Supervisor Bulova asked unanimous consent that the Board direct staff to prepare a verbatim transcript of this recognition for presentation to Dr. McDonald. Without objection, it was so ordered.

5.11:00 A.M. - DEFERRAL OF THE BOARD DECISION ON

PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY

OF FAIRFAX, CHAPTER 101 (SUBDIVISION PROVISIONS)

AND CHAPTER 112 (ZONING ORDINANCE) REGARDING THE

ESTABLISHMENT OF PRO RATA ROAD REIMBURSEMENT

DISTRICTS (Tape 2)

(NOTE: The public hearing was held on February 8, 1993 and the Board decision was deferred until February 22, 1993.)

Pending additional action in the General Assembly, Supervisor Dix moved deferral of the Board decision on the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions) and Chapter 112 (Zoning Ordinance) regarding the establishment of pro rata road reimbursement districts until **March 8, 1993 at 11:00 a.m.** This motion was seconded by Supervisor Hyland.

Supervisor Hanley asked that the motion be amended to include a Work Session at that same time, prior to the Board's decision, and this was accepted.

The question was then called on the motion, as amended, which carried by a vote of six, Supervisor Berger, Supervisor Frey, Supervisor Trapnell, and Chairman Davis being out of the room.

SBE:sbe

6. ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Hyland.

Supervisor Alexander called the Board's attention to **Administrative Item Three - Authorization to Advertise Relocation of the Boundary between Precincts in Hunter Mill, Dranesville, Lee, Providence and Sully Districts; Creating a New Precinct in Sully District; Establishing a New Absentee Voting Satellite, Moving the Central Absentee Election Voter District and Establishing Absentee Voting Satellite Hours.** He asked unanimous consent that this item be pulled and action deferred to allow time for staff to report with additional information.

Upon his return to the Board Room, Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following a brief discussion regarding the advertisement requirements for **Administrative Item Three**, Supervisor Hanley asked that the request be amended that the Board direct staff to respond **today** to the Board's concerns, and this was accepted.

Without objection, the amended request was so ordered.

The question was then called on the motion to approve the **Administrative Items**, with the exception of Administrative Item Three, which carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on **Administrative Item Three**. See Clerk's Summary Items CL#76 and CL#94.)

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM

(HUNTER MILL, SPRINGFIELD AND SULLY DISTRICTS)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated February 22, 1993 be recommended for acceptance into the State Secondary System.

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION

FOR SPECIAL EXCEPTION APPLICATION SE 85-C-116

(WOODLAND ASSOCIATES) (HUNTER MILL DISTRICT)

(AT)Approved the request for 48 months of additional time to commence construction for Special Exception Application SE 85-C-116 until **November 5, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - AUTHORIZATION TO ADVERTISE RELOCATION

OF THE BOUNDARY BETWEEN PRECINCTS IN HUNTER MILL,

DRANESVILLE, LEE, PROVIDENCE AND SULLY DISTRICTS;

CREATING A NEW PRECINCT IN SULLY DISTRICT;

ESTABLISHING A NEW ABSENTEE VOTING SATELLITE,

MOVING THE CENTRAL ABSENTEE ELECTION VOTER

DISTRICT AND ESTABLISHING ABSENTEE VOTING

SATELLITE HOURS

Supervisor Alexander asked unanimous consent that **Administrative Item Three - Authorization to Advertise Relocation of the Boundary between Precincts in Hunter Mill, Dranesville, Lee, Providence and Sully Districts; Creating a New Precinct in Sully District; Establishing a New Absentee Voting Satellite, Moving the Central Absentee Election Voter District and Establishing Absentee Voting**

Satellite Hours be pulled and action deferred to allow time for staff to report with additional information.

Because of the advertisement requirements for this item, Supervisor Hanley asked that the request be amended that the Board direct staff to respond **today** to the Board's concerns, and this was accepted.

Without objection, the amended request was so ordered.

(NOTE: Later in the meeting, action was taken on **Administrative Item Three**. See Clerk's Summary Items CL#76 and CL#94.)

NV:nv

7.12:00 NOON - REPORT ON GENERAL ASSEMBLY

ACTIVITIES (Tape 4)

Supervisor Dix, Chairman, Board's Legislative Subcommittee, briefly outlined the package distributed to Board Members entitled, "1993 General Assembly -- Report Number Five," dated February 22, 1993 and updated the Board on the status of pending legislation.

Supervisor Dix moved that the Board adopt the legislative report as submitted. This motion was seconded by Supervisor Berger and carried by unanimous vote.

SBE:sbe

8. A-1 - AUTHORIZATION TO ADVERTISE PROPOSED

AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,

CHAPTER 112 (ZONING ORDINANCE) REGARDING MINOR

MODIFICATIONS TO NONCONFORMITY (Tape 5)

(A)

(R)Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 25, 1993 and before the Board of Supervisor on **April 26, 1993 at 3:30 p.m.** on the proposed amendment to the Code of

the County of Fairfax, Chapter 112 (Zoning Ordinance) to provide the Board of Supervisors with the flexibility to consider minor alterations to nonconformities impacted by public acquisitions, which acquisitions could otherwise result in the discontinuation of the use. This motion was seconded by Chairman Davis.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, regarding whether the private sector should be given similar authority for minor modifications to nonconformities impacted by acquisitions, Supervisor Hyland asked unanimous consent that the Board direct staff to consider this flexibility and report with recommendations. Without objection, it was so ordered.

The question was then called on the motion which carried by unanimous vote.

9. A-2 - FAIRFAX COUNTY'S COMMENTS REGARDING

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S

(WMATA) PROPOSED FISCAL YEAR (FY) 1994 METRORAIL

CONSTRUCTION BUDGET (COUNTYWIDE) (Tape 5)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and, in response to the Washington Metropolitan Area Transit Authority (WMATA) Board's request, took the following actions regarding the proposed Fiscal Year (FY) 1994 Metrorail Construction Budget:

- Generally supported the WMATA proposed FY 1994 Metrorail Construction Budget which keeps the Metrorail "Fast-Track" Construction Program on schedule and within budget; and
- Authorized the County Executive to transmit the letter, contained in Attachment Two of the Memorandum to the Board dated February 22, 1993, to WMATA's General Manager. This letter advises WMATA of the County's general support while seeking clarification whether \$1,137,110 of Fairfax County's FY 1993 commitment can be carried over to the FY 1994 commitment or must be committed anew.

10. A-3 - FAIRFAX COUNTY ROAD MAINTENANCE AND

IMPROVEMENT PROGRAM (FCRMIP): APPROVAL OF

THE ANNUAL FCRMIP STATUS REPORT (COUNTYWIDE)**(Tape 5)**

On motion of Supervisor Dix, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Annual Fairfax County Road Maintenance and Improvement Program (FCRMIP) Status Report.

11. A-4 - ANNUAL RATE ADJUSTMENT AND REVISION OF**PROCEDURAL GUIDELINES FOR THE FAIRFAX CENTER****AREA (SULLY DISTRICT) (Tape 5)**

(P)Supervisor Frey moved that the Board concur in the recommendation of staff and adopt the revised Procedural Guidelines for the Annual Review Process: Fairfax Center Area, including increasing the rate of participation 1.75 percent from \$3.97 to \$4.04 per gross square foot of non-residential building structure and from \$883 to \$898 per residential unit effective March 1, 1993, **with the following revisions:**

•**DIRECT** staff to review the following issue and report with additional clarification on the impact that this would have on religious, non-profit, and other institutional uses:

*Handwritten Page Six of the Board Package, first bullet at the bottom of the page regarding the contribution formula:

"...gross square foot of building structure of the total proposed non-residential space..."; and

•**ADD** the following bullet:

*Handwritten Page 11 of the Board Package, second bullet at the top of the page regarding "At-Grade Improvements/Construction":

"The widening of Route 50 east of Stringfellow Road."

The motion was seconded by Supervisor Hanley and carried by unanimous vote.

12. A-5 - AUTHORIZATION TO ADVERTISE PROPOSED

**AMENDMENT TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE),
REGARDING CHURCHES AND OTHER PLACES OF
WORSHIP WITH A CHILD CARE CENTER OR PRIVATE
SCHOOL WHICH HAS AN ENROLLMENT OF 100 OR
MORE STUDENTS DAILY AS A SPECIAL PERMIT USE**

(Tape 5)

(A)

(R)Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 25, 1993 and before the Board of Supervisors on **April 26, 1993 at 4:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to establish a new special permit use of places of worship with a child care center, nursery school or private school of general or special education which has an enrollment of 100 or more students daily so that this use may either be a special permit or special exception use at the discretion of the applicant. This motion was seconded by Chairman Davis.

Following a brief discussion, with input from George A. Symanski, Jr., Deputy County Attorney, and Jane W. Gwinn, Zoning Administrator, Office of Comprehensive Planning (OCP), the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley voting "NAY."

**13. A-6 - LAND ACQUISITION FOR COURTLAND PARK, PHASE I
NEIGHBORHOOD IMPROVEMENT PROJECT (MASON DISTRICT)**

(Tape 5)

(Rs)

(A) On motion of Supervisor Trapnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolutions:

- Allowing the purchase of the necessary land rights for eight parcels for Project C00082 - Courtland Park, Phase I, Community Improvement Program; and
- Authorizing the advertisement of a public hearing to be held before the Board of Supervisors on **March 22, 1993 at 4:00 p.m.**

14. A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93051 FOR THE FIRE AND RESCUE DEPARTMENT

RESCUE SQUAD ASSISTANCE FUND GRANT (Tape 5)

(SAR)

On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93051, in the amount of \$106,950, for the Fire and Rescue Department Rescue Squad Assistance Fund Grant.

15.A-8 - FINANCING FOR PURCHASE OF GOVERNMENT CENTER

PROPERTIES (B-1, B-2 AND B-3) (Tape 5)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and, at the request of the County Executive, he asked unanimous consent that the Board defer its consideration until later in the meeting on **Action Item Eight - Financing For Purchase of Government Center Properties (B-1, B-2 and B-3)**. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#81.)

16.A-9 - FAIRFAX COUNTY PUBLIC LIBRARY GRANT

APPLICATION TO THE VIRGINIA STATE LIBRARY,

LSCA, TITLE I, SUBGRANT (Tape 5)

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Library Administrations's grant application, in the amount of \$92,300, to the Virginia State Library and Archives to facilitate access to library information and materials for the disabled through enhancements to the library's ongoing catalog, the acquisition of assistive devices, the provision of materials, and a DC workstation.

17.A-10 - FAIRFAX COUNTY PUBLIC LIBRARY GRANT**APPLICATION TO THE VIRGINIA STATE LIBRARY,****LSCA, TITLE I, COMPETITIVE SPECIAL PROJECT****GRANT (Tape 5)**

On motion of Supervisor McConnell, the second to which was inaudible, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Library Administrations's grant application, in the amount of \$4,670, to the Virginia State Library and Archives to use the Wisconsin-Ohio Reference Evaluation Program forms and data analysis.

AP:ap

18. C-1 - THE STATE NON-ARBITRAGE PROGRAM (SNAP)**(Tape 6)**

Chairman Davis relinquished the Chair to Vice-chairman McConnell and moved to defer Consideration Item C-1 - The State Non-Arbitrage Program (SNAP) until **March 22, 1993**. This motion was seconded by Vice-Chairman McConnell and Carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**19. I-1 - CHANGE IN INSPECTION PROCEDURES TO ALLOW
FOR THE CERTIFICATION BY THE PRIVATE SECTOR OF
CERTAIN CONCRETE INSPECTIONS (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting a change in the inspection procedures to allow for the certification by the private sector of certain concrete inspections.

Following discussion, with input from Irving Birmingham, Director, Department of Environmental Management (DEM), Supervisor Bulova moved to continue to inspect in-house and not go with this new program. This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Frey moved a substitute motion that the Board approve the original staff recommendation, but require a review in six months. The motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Bulova and Supervisor Hanley voting "NAY".

The question was then called on the main motion, as substituted, which **CARRIED** by a recorded vote of nine, Supervisor Bulova voting "NAY".

**20. I-2 - STAFF SUMMARIES OF THE DECEMBER, 1992 AND
JANUARY, 1993 TRANSPORTATION ADVISORY COMMISSION
(TAC) MEETINGS (COUNTYWIDE) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting the Staff Summaries of the December, 1992 and January, 1993 Transportation Advisory Commission (TAC) Meetings.

**21. I-3 - LOCAL JURISDICTIONAL SUBSIDY ALLOCATION FOR
THE FISCAL YEAR (FY) 1994 VIRGINIA RAILWAY EXPRESS
(VRE) BUDGET (BRADDOCK, LEE, MASON, MOUNT VERNON
AND SPRINGFIELD DISTRICTS) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting the local jurisdictional subsidy allocation for the Fiscal Year (FY) 1994 Virginia Railway Express (VRE) budget.

**22. I-4 - ESTABLISHING A PROCESS TO AMEND THE
COMPREHENSIVE PLAN (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting the local jurisdictional subsidy allocation for the Fiscal Year (FY) 1994 Virginia Railway Express (VRE) budget; and requesting authorization for staff to proceed to work with the Planning Commission to consider options for a Plan Amendment Process on a schedule that will result in a report to the Board by July, 1993.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that a copy of Information Item I-4 be sent to the appropriate people for their comments. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The staff was directed administratively to proceed as proposed.

**23. I-5 - AMENDMENTS TO THE VIRGINIA UNIFORM
STATEWIDE BUILDING CODE, EFFECTIVE MARCH 1, 1993
AND THEIR IMPACT ON FAIRFAX COUNTY (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting the amendments to the Virginia Uniform Statewide Building Code, effective March 1, 1993 and their impact on Fairfax County.

There was a brief discussion concerning this item.

**24. I-6 - STATUS REPORT ON UPDATING THE HISTORIC
OVERLAY DISTRICT REGULATIONS OF THE ZONING
ORDINANCE (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting a status report on updating the Historic Overlay District regulations of the Fairfax County Zoning Ordinance, Part 2 of Article 7.

**25. I-7 - REPORT ON MISDEMEANOR HUNTING VIOLATIONS
WITHIN FAIRFAX COUNTY (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting a report on misdemeanor hunting violations within Fairfax County.

Following discussion, Supervisor Frey asked unanimous consent that the Board refer this item to the Legislative Subcommittee to study the possibility of stiffer penalties for hunting violators. Without objection, it was so ordered.

**26.I-8 - AIRBORNE VIDEO PROJECT: A JOINT APPLICATION
OF AERIAL SURVEILLANCE TECHNOLOGY BETWEEN THE
VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) AND
THE FAIRFAX COUNTY POLICE DEPARTMENT (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 presenting the Airborne Video Project: A joint application of aerial surveillance technology between the Virginia Department of Transportation (VDOT) and the Fairfax County Police Department.

There was a brief discussion concerning this item.

**27. I-9 - ADVERTISEMENT OF FAIRFAX COUNTY PROCUREMENTS
ON CHANNEL 16 (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to proceed to implement the weekly cablecast programming for the advertisement of Fairfax County procurements of Channel 16, effective March 1, 1993.

The staff was directed administratively to proceed as proposed.

**28. I-10 - SECTION 213 REVIEWS FOR THE OLD MILL ROAD
AND LEGATO ROAD (FAIR OAKS) PUBLIC HOUSING
APPLICATIONS (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to:

- Sign letters required by the U.S. Department of Housing and Urban Development (HUD) for applications for construction of new public housing units in Fairfax County; and
- Forward the letters to the appropriate persons at HUD.

The staff was directed administratively to proceed as proposed.

29.I-11 - APPROVAL OF ADDITIONAL SERVICES FOR HELLMUTH, OBATA AND KASSABAUM TO PERFORM THE ADDITIONAL DESIGN SERVICES REQUIRED TO REDESIGN THE MECHANICAL SYSTEM FOR THE ADULT DETENTION CENTER EXPANSION (CENTRAL COUNTY COMPLEX)

(Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for the Director of the Department of Public Works to execute the additional service to redesign the mechanical system of the Adult Detention Center Expansion, Project 89A001, Subfund 471, County Bond Construction, for a not-to-exceed fee of \$77,872.

There was a brief discussion concerning this item.

The staff was directed administratively to proceed as proposed.

30. I-12 - CONTRACT AWARD - MASSEY COMPLEX PARKING STRUCTURE AND POLICE REPLACEMENT SPACE (CENTRAL COUNTY COMPLEX) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to award a contract to Turner Construction Company in the amount of \$4,759,200 for the construction of the Massey Complex Parking Structure and Police Replacement Space, in conjunction with Project 89A001, Adult Detention Center Expansion II, Subfund 471, County Bond Construction.

There was a brief discussion concerning this item.

The staff was directed administratively to proceed as proposed.

31. I-13 - CONTRACT AWARD - PUBLIC SAFETY FACILITY

PHASE I (SULLY DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to award a contract to Prince William Construction Company in the amount of \$3,771,996.59 for the construction of Phase I of the Public Safety Facility, Project 009102, Public Safety Facility, Subfund 476, Public Safety Construction.

There was a brief discussion concerning this item.

The staff was directed administratively to proceed as proposed.

32. I-14 - CONTRACT AWARD - GREENDALE GOLF COURSE

IRRIGATION PUMP STATION REPLACEMENT (LEE

DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to award a contract to Harry Braswell, Incorporated of Alexandria, Virginia in the amount of \$134,247 for the replacement of the irrigation pump station at the Greendale Golf Course for Project 004748, General Park Improvements, Subfund 950, Park Authority Capital Improvement Trust Fund.

The staff was directed administratively to proceed as proposed.

33. I-15 - CONTRACT AWARD - HORTICULTURE CENTER

ADDITION AT GREEN SPRING GARDENS PARK

(MASON DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to award a contract to Meridian Construction Company, Incorporated, of Gaithersburg, Maryland, in the

amount of \$839,000 for construction of an addition to the existing Horticulture Center at Green Spring Gardens Park, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

34. I-16 - CONTRACT AWARD - CONSTRUCTION OF A TOT LOT,

MULTI-USE COURT, ASPHALT TRAIL, PICNIC AREA,

SEATING AREAS, TENNIS COURTS, ASPHALT PARKING LOT

AND ENTRANCE, AND ROAD IMPROVEMENTS AT POPES HEAD

PARK (SPRINGFIELD DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to award a contract to Keystone Builders, Incorporated of Chantilly, Virginia, in the amount of \$259,000 for construction of a tot lot, multi-use court, asphalt trail, picnic areas, seating areas, tennis courts, asphalt parking lot and entrance, and road improvements at Popes Head Park, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

35. I-17 - VIRGINIA DEPARTMENT OF TRANSPORTATION

(VDOT) PROPOSED POLICY FOR PLACING UTILITIES

UNDERGROUND (COUNTYWIDE) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 22, 1993 requesting authorization for staff to attend the Virginia Department of Transportation (VDOT) public hearing in Fredericksburg on February 24, 1993 to present testimony regarding the proposed policy for placing utilities underground.

Following discussion, Supervisor Hanley moved that the Board designate Supervisor Berger to represent the Board at the public hearing to be held by VDOT on February 24, 1992 and to present testimony regarding the proposed policy for placing utilities underground. The motion was seconded by Supervisor Frey and carried by unanimous vote.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

AR:ar

36.APPOINTMENT TO TREE COMMISSION

(Tape 7)

(APPT)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved the appointment of Ms. Sheila Allen as the At-Large Representative to the Tree Commission. This motion was seconded by Supervisor Berger and carried by unanimous vote.

37.HOUSING ASSISTANCE FOR THE HEAD INJURY

SERVICES PARTNERSHIP, INCORPORATED (HISP)

(Tape 7)

Supervisor Davis stated that the Head Injury Services Partnership, Incorporated (HISP) has established programs which serve individuals with brain injuries. These programs range from referral to recreation and training. One needed addition to the program is a supervised residential program.

Accordingly, Supervisor Davis moved that the Board direct the Department of Housing and Community Development to assist the Partnership in seeking appropriate housing units and developing a financing plan for their acquisition or lease. This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

38.LAUNCH SCHEDULED FOR EARLY 1994 BY THE

AMERICAN MOBILE SATELLITE CORPORATION

(Tape 7)

Supervisor Dix presented to Board Members a model of a satellite which will be launched in early 1994 by the American Mobile Satellite Corporation, which recently decided to relocate in Reston, Virginia.

Chairman Davis expressed his appreciation to Supervisor Dix for his leadership in working through the difficult process leading up to the relocation of this corporation to Fairfax County.

39.AMERICAN HEART ASSOCIATION ANNUAL

"CARDIAC ARREST" (Tape 7)

Supervisor Dix stated that on April 28, 1993, the American Heart Association will once again be sponsoring its annual "Cardiac Arrest." He noted that Sheriff Carl Peed will be the Chairman of this event and the actual "Arrests" will be made for Board Members at the Government Center between 11:00 a.m. and 2:00 p.m. on Wednesday, April 28.

Supervisor Dix added that he has accepted the opportunity to be arrested for this particular event and he challenged other Board Members to try and find time in their schedules to join him in this worthwhile endeavor in support of the American Heart Association in this annual activity.

Chairman Davis explained that participating individuals are placed in jail cells and money must be donated in order for them to be bailed out.

40.REQUEST FOR PRESENTATION FROM THE METROPOLITAN

WASHINGTON COUNCIL OF GOVERNMENTS (COG) ON ITS

ACTIVITIES WHICH ARE OF INTEREST TO FAIRFAX

COUNTY (Tape 7)

Supervisor Dix moved that the Board invite and the County Executive arrange for representatives from the Metropolitan Washington Council of Governments (COG) to make a presentation to the Board on COG activities which are of particular interest to Fairfax County. Included in such a presentation should be discussion of the Air Quality Conformity requirements for local government as they relate to the requirements of the Intermodal Surface Efficiency Act of 1991 (ISTEA) and the Clean Air Act. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**41. CONCURRENT PROCESSING FOR RESTON SECTION 931,
BLOCK 4 (EDGEWATER AT RESTON TOWN CENTER)**

(Tape 7)

Supervisor Dix stated that the Hazel/Peterson Companies have submitted a Conceptual Plan, pursuant to Rezoning Application RZ 89-C-025, for residential development (80 townhomes and 174 condominium units) in the Reston Town Center - Reston Section 931, Block 4 (Edgewater at Reston Town Center).

Therefore, Supervisor Dix moved that the Board direct the Department of Environmental Management (DEM) to process the review of the Site Plan concurrently with the Conceptual Plan Application. He said that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, adopted standards or executed proffers. This motion for concurrent processing does not prejudice the consideration of the Conceptual Plan in any way. This motion was seconded by Supervisor Berger and carried by unanimous vote.

42. STREET LIGHT POLICY (Tape 7)

Supervisor Dix stated that there may be occasions, in the course of a Rezoning or Special Exception application, that the discussions may result in a willingness by the applicant to make a contribution for community street lights.

Supervisor Dix said that presently, those dollars would go into a general County street light fund. He added that, since the County is not currently accepting non-emergency citizen petition street light applications, and for reasons of equity, this policy currently seems inappropriate.

Supervisor Dix stated that he feels contributions made specifically for community street lighting projects should be retained and earmarked in subfunds in the Magisterial District where they originate.

Therefore, Supervisor Dix moved that the County policy be amended to allow that contributions which are made from a specific project to defray the cost of community street light projects be retained in a fund specifically identified for that Magisterial District, and that those funds be made available for appropriation to specific projects approved by the Board. This motion was seconded by Supervisor Berger.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to review this matter in detail and return it as a Consideration Item for the Board on **March 8, 1993**. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

43.LAKE FAIRFAX PARK CITIZENS ADVISORY TASK

FORCE (Tape 7)

(BACs)

Supervisor Dix stated that the Fairfax County Park Authority is preparing to issue an Request for Proposal (RFP) to attempt to identify a private sector entity to invest in the rehabilitation and enhancement of designated recreational facilities at Lake Fairfax as provided for in the Park's master plan and to operate some of these activities.

Supervisor Dix said that this initiative is the direct result of a lack of public funds to undertake the long-overdue renovations required to keep Lake Fairfax Park open to the citizens of Fairfax County and surrounding jurisdictions.

Supervisor Dix said that he has been working closely with the Park Authority staff and the Hunter Mill District Representative on the Fairfax County Park Authority Board on this matter and sponsored a public meeting on October 13, 1992 to receive comment, answer questions and give the public an opportunity to hear a presentation from the Park Authority on the pending initiative. He added that since then he has had numerous discussions with individual constituents and convened a meeting on February 18, 1993 with several residents of surrounding communities who have reservations about the pending RFP.

Supervisor Dix explained that the renovations at Lake Fairfax Park involve about 40 acres of the Park's total 476 acres. Construction plans would likely have been moving ahead at this time had public funds been available, but since the County is still in the RFP mode, there is merit to continuing the public input process.

Therefore, Supervisor Dix announced the:

- Creation of a Lake Fairfax Park Citizens Advisory Task Force, to be chaired by Mr. Dan Benson, the Hunter Mill District Representative to the Fairfax County Park Authority Board; and

•Inclusion of a group of individuals from throughout Hunter Mill District who have an interest in the appropriate amenities at the Park, their impact on surrounding neighborhoods, and the needs of the community at large.

44.FORMAT OF THE FAIRFAX COUNTY PUBLIC SCHOOLS

BUDGET (Tape 7)

Supervisor Dix noted that, in the next few weeks, the Board will once again be considering, digesting and voting on an enormous amount of information contained in the Fairfax County Fiscal Year (FY) 1994 general government and public school budget.

In order to assist the Board's efforts in better understanding at least a portion of this information, Supervisor Dix moved that the Board, through the County Executive, request that the Fairfax County School Board forward its proposed FY 94 Budget to the Board of Supervisors in a manner by which items are distinguished as being in one of the seven broad school funding classifications as provided for and allowed by the Code of Virginia, namely:

- (1) Instruction;
- (2) Administration, attendance and health;
- (3) Pupil transportation;
- (4) Operation and maintenance;
- (5) School food services and other non-instructional operations;
- (6) Facilities; and
- (7) Debt service and fund transfers.

Supervisor Dix noted that this does not mean that the Board of Supervisors will necessarily appropriate the school transfer by category, but only that the school budget can be received and considered in categories consistent with those utilized by the Commonwealth of Virginia and more readily understood by the general public.

This motion was seconded by Supervisor Trapnell.

Following discussion, the question was called on the motion which carried by a vote of nine, Chairman Davis being out of the room.

45.PRIVATIZATION OF SCHOOL AGED CHILD CARE

(SACC) FACILITIES (Tape 7)

Supervisor Dix stated that the topic of before and after school child care is a serious matter for many families in Fairfax County and one which the Board has been attempting to address in part through discussions about the privatization of existing and/or new School Aged Child Care (SACC) facilities in Fairfax County Public Schools.

Supervisor Dix noted that it is his belief that all Board Members share the view that the Board must be careful about changing any current practices that might bear on the quality, safety and convenience of the current SACC program, as well as its overall cost to taxpayers and direct cost to the families who use it.

Supervisor Dix stated that, in his judgment, there are a number of unresolved issues and unanswered questions about the possible privatization of even a single County SACC facility. These include, but are not limited to, the following:

- At least one Member of the Board of Supervisors has stated that Fairfax County would remove its responsibility for a financial subsidy of low income working families through this privatization initiative, thereby eliminating the cost of the SACC program to taxpayers; whereas Supervisor Dix's own inquiries have resulted in a contrary opinion from County staff;
- At least one Member of the Board has stated that the current SACC fee structure does not recover the non-subsidy costs of the program; yet Supervisor Dix is not aware of any documentation having been presented to support this conclusion at least at this time;
- The steps in the SACC fee structure have not been studied recently and such a study should be part of any comprehensive review of the program prior to the consideration of any change;
- The draft privatization RFP does not accurately reflect the guidelines set forth in the Board's original initiative to investigate the merits of a pilot private SACC program;
- Comparison of SACC-type programs in other jurisdictions have been inadequate and require additional research and clarification;

- The understanding that the legal, liability and fee relationships between a potential private operator of a SACC program at a public school site and the Fairfax County Public Schools have not been resolved; and
- While there may be some public sentiment that Fairfax County should not be involved at all in providing before or after school child care, this is a policy matter, and, if it is the desire of the Board to revisit it, it should be addressed separate and apart from the quality-of-care, financial, and logistical considerations of a privatized SACC program.

Accordingly, Supervisor Dix moved that:

- All pending activities of Fairfax County government associated with the pilot program to privatize a single County SACC center be immediately suspended; and
- The Board of Supervisors create a broad-based task force to study, clarify and resolve all outstanding issues related to this matter, allowing Members of Board to provide information, ask questions and/or offer other input; and that the County Executive be requested to recommend the membership of this task force to the Board for its consideration at the March 22, 1993 Board meeting.

This motion was seconded by Supervisor Hyland.

Due to extensive discussion, with input from all Board Members and William J. Leidinger, County Executive, Chairman Davis ruled that the Board will vote seriatimly on the two parts of the motion.

Supervisor McConnell asked unanimous consent that the Board direct the staff to return with a Consideration Item highlighting the School System fund contribution to these programs. Mr. Leidinger noted that this costing work is being done at present and will be available to Board Members very soon.

Supervisor Alexander moved to called the question. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

The question was then called on the first part of the motion as follows:

- All pending activities of Fairfax County government associated with the pilot program to privatize a single County SACC center be immediately suspended.

This motion **CARRIED** by a recorded vote of six, Supervisor Berger, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis voting "**NAY.**"

The question was then called on the second part of the motion as follows:

•The Board of Supervisors create a broad-based task force to study, clarify and resolve all outstanding issues related to this matter, allowing Members of Board to provide information, ask questions and/or offer other input; and that the County Executive be requested to recommend the membership of this task force to the Board for its consideration at the March 22, 1993 Board meeting.

This motion **FAILED** by a recorded vote of eight, Supervisor Dix and Chairman Davis voting "AYE."

PMH:pmh

46.DEVELOPMENT PROCESS SUBCOMMITTEE MEETING

SCHEDULED (Tape 8)

Supervisor Frey announced that the Development Process Subcommittee meeting is scheduled for Tuesday, February 23, 1993 at 9:00 a.m.

(NOTE: Later in the meeting, Supervisor Frey announced that this meeting will be held in the Government Center Conference Center in Rooms 4 and 5. See Clerk's Summary Item CL#96.)

47.DELEGATION FROM ISRAEL VISITS (Tape 8)

Supervisor Frey informed Board Members that Department of Environmental Management (DEM) staff hosted a delegation from Israel on Friday, February 19, 1993. He commended staff and noted that the Delegation was only in the country for a short time visiting jurisdictions to determine how the building process works.

48.PROPOSED EXPANSION OF SAINT JOHN'S CHURCH

LOCATED IN THE CENTREVILLE HISTORIC

DISTRICT (Tape 8)

Supervisor Frey stated that during the plan review for the proposed expansion of Saint John's Church located in the Centreville Historic District, a critical problem was discovered, a problem which if unresolved would have resulted in the abandonment of the project. Due to the persistence, assistance and cooperation of County staff, the

Virginia Department of Transportation (VDOT), and the citizens, the problem has been resolved and the church plans can now be approved.

Supervisor Frey commended and expressed his appreciation to the following individuals who attended meetings, shared their expertise, and went the "extra mile" to resolve the problems for Saint John's Church:

- Peter Braham, Office of Comprehensive Planning (OCP);
- Tom Nelson, Department of Environmental Management (DEM);
- Gene Raymond, DEM;
- Tom Ford, Office of the Urban Forester;
- Alexandra Teklinski, Virginia Department of Transportation (VDOT);
- Otis Deal, VDOT; and
- Dick Frank, Chairman, West Fairfax Land Use Committee.

49.HISTORY OF ANNANDALE AVAILABLE FOR PURCHASE

(Tape 8)

Supervisor Bulova announced that the History of Annandale publication is now available for \$7.00 at the Publications Counter. She said that it was prepared by the Office of Comprehensive Planning. She complimented staff on their excellent job.

50."ADOPT A CAUSE" - A JOB FAIR (Tape 8)

Supervisor Bulova said that last year, during the very difficult budget deliberations, she had had an opportunity to brainstorm with members of the Human Services Alliance about how to continue to fund and even expand important human services programs during times of decreasing revenues. Supervisor Bulova proposed the following:

- A "job fair" type event called "ADOPT A CAUSE" would be organized, using the Government Center as a location. County staff would assist with identifying and inviting non-profit groups to participate. Staff would also invite fraternal organizations and members of the business community, being sure to include small

and medium sized businesses. The Fairfax County Chamber of Commerce as well as the smaller Chambers may be able to provide assistance;

- During the first part of "ADOPT A CAUSE", each non-profit organization would have about five or 10 minutes to describe their program/s and explain their needs. Afterwards the non-profits would go to a table provided them, where they could distribute literature and discuss their work and needs further with interested club, organization and business representatives; and

- As a "for instance", during the beginning of the event, a representative from the YMCA-Looking Glass Program may get up and explain that they offer counseling to juveniles and their families. Most of the youths who have been through their program have been diverted from involvement with the Juvenile Court. The representative may explain that the County contributes to their program, but somewhat less than in previous years and that they are also struggling because of a major shortfall in the funding from United Way. After their presentation, Looking Glass representatives go to their table, and are approached by a representative from Shakey's Pizza in Annandale. He thinks his restaurant might be interested in "adopting" Looking Glass as their "cause." Not only might they be interested in providing some financial assistance, but perhaps some of their employees might be interested in serving as volunteer counselors, or they may be interested in employing some of the young clients of Looking Glass as interns.

Supervisor Bulova asked unanimous consent that the Board direct staff to:

- Assist her in working out the details and costs for such an event; and
- Bring this item back to the Board for its consideration.

Without objection, it was so ordered.

51.ANNANDALE HIGH SCHOOL - CULTURAL DIVERSITY

TRAINING (Tape 8)

Supervisor Bulova noted that there have been news reports about the recent problems at Annandale High School. She said that last week the Washington Post printed a story about town meetings being held at the school to help students learn conflict resolution techniques and to address problems and concerns related to racial and ethnic diversity at the school.

Supervisor Bulova stated that she attended the last of these meetings and she reported on how the meeting worked:

- Students were assembled in the cafeteria and seated at tables in groups of eight;
- Each table included one adult facilitator;
- Directions were given to the group that they were to talk among themselves in their smaller group about what had happened at Annandale and to suggest some ideas for how to address problems in the school; and
- The students at each table were to select a spokesperson to report their group's ideas to the larger assembly.

Supervisor Bulova said that she was impressed by how serious the students took this exercise. She added that the ethnic and racial diversity at each table reflected the diversity of the school population.

Supervisor Bulova said that at the end of the process the students were upset because a few incidents and a few disruptive students were causing their school to get a "bad rap" in the press. She added that the students were proud of their school and they all had some excellent suggestions for more activities to celebrate what they considered an asset, the diversity of races and cultures at Annandale. The increased police presence made the students nervous and they hoped it would end soon.

On behalf of the Board, Supervisor Bulova expressed her appreciation to Ray Watson, Principal, Annandale High School, and his staff for their excellent handling of a very difficult and sensitive situation.

**52.HEALTH DEPARTMENT TO REVIEW REPORT REGARDING
CONTAMINATION IN MANTUA AND RESPIRATORY HAZARDS
IN THAT NEIGHBORHOOD (Tape 8)**

Supervisor Hanley stated that Dr. Payne of the Health Department has recently received a report from the Northern Virginia Pulmonary Associates that studied for evidence of a link between the petroleum contamination in Mantua and respiratory hazards in that neighborhood.

Supervisor Hanley asked unanimous consent that the Board direct the Health Department to analyze this report and report with an assessment of the risks it outlines. Without objection, it was so ordered.

**53.REQUEST FOR REIMBURSEMENT BY STAR ENTERPRISES,
INCORPORATED FOR PROPERTY TAX LOSS IN MANTUA**

(Tape 8)

Supervisor Hanley noted that the assessed property values in Mantua have declined significantly, and in some instances dramatically, due to the petroleum contamination emanating from the Pickett Road Tank Farm. Since this decline will reduce the amount of property taxes collected from the Mantua neighborhood by the County, Supervisor Hanley moved that the Board direct the County Attorney to request Star Enterprises, Incorporated to reimburse the County pursuant to Virginia Statute for the amount of property tax lost due to the decline of assessed property values in Mantua. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Dix, and Chairman Davis being out of the room.

Supervisor Hanley noted that if this request is not honored she will request the Board to take the next legal step under the Virginia Statute.

**54.REQUEST FOR EXPEDITED PUBLIC HEARING FOR SPECIAL
EXCEPTION AMENDMENT APPLICATION SEA 90-P-028-2**

(Tape 8)

Supervisor Hanley moved that the Board direct staff to expedite the public hearing for Special Exception Amendment Application SEA 90-P-028-2 and schedule it for May 10, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Chairman Davis being out of the room.

**55.OUT-OF-TURN PLAN AMENDMENT FOR A FIVE-ACRE TRACT
AT WHITE GRANITE DRIVE, LAND UNIT B OF THE FLINT
HILL SUBURBAN CENTER OF THE AREA II PLAN (Tape 8)**

Supervisor Hanley stated that Proffered Condition Amendment Application PCA C-634-6 has been filed on a four and one-half acre tract in the middle of the Oakton Suburban Center. She said that this property is surrounded by office uses and the applicant proposes to develop this site with compatible retail uses. However, the current Comprehensive Plan provides for offices/hotel uses or residential uses on this site, but not any free-standing retail uses.

Supervisor Hanley said that she is not supporting or opposing the proposed retail use at this time. She added that she is seeking the initiation of an Out-of-Turn Plan Amendment so that the proposed use can be considered from a Comprehensive Plan standpoint.

Therefore, Supervisor Hanley moved that the Board:

- Direct staff to promulgate and evaluate an Out-of-Turn Comprehensive Plan Amendment with regard to a five-acre tract at White Granite Drive, Land Unit B of the Flint Hill Suburban Center of the Area II Plan.

Supervisor Hanley said that the purpose of this Plan Amendment is to evaluate, as an option, low-intensity local serving retail uses such as restaurants that could be compatible with the surrounding development.

Supervisor Hanley further moved that the Board direct staff to advertise the Plan Amendment and move through the process to schedule public hearings before the Planning Commission and the Board as expeditiously as possible. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Chairman Davis being out of the room.

56.REQUEST FOR A STUDY TO DETERMINE IF NOISE WALLS

WOULD MITIGATE SOUND FOR THE CHURCHILL HOMEOWNERS

ASSOCIATION (Tape 8)

Supervisor Hanley said that the Churchill Homeowners Association is located at the intersection of Route 7 and Interstate I-66. Supervisor Hanley moved that the Board direct staff to study the topography of the area to determine if noise walls would be effective in mitigating sound in this area and what the structure of the noise walls would need to be in order to provide sound protection. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Chairman Davis being out of the room.

**57.REQUEST TO BEGIN PROCESS TO REMOVE THE CHURCHILL
SQUARE ASSOCIATION FROM THE SMALL SANITARY
DISTRICT FOR THE PURPOSE OF LEAF COLLECTION**

(Tape 8)

Supervisor Hanley moved that the Board direct staff to begin the necessary process for Churchill Square Association to be removed from the Small Sanitary District for the purpose of leaf collection. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Chairman Davis being out of the room.

58.FUNDING FORMULA (Tape 8)

Supervisor Hanley stated that the Fairfax County Board of Supervisors has consistently expressed concern and even opposition to the funding formulas established to implement the Comprehensive Youth Services Act.

Supervisor Hanley said that if the Board is moving forward to implement things it does not support it should make it clear that the Board is not doing it because the Board wants to, but because it is a mandate and that the Board has a different position.

**59.WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA) AND THE NORTHERN VIRGINIA TRANSPORTATION
AUTHORITY (NVTC) REGARDING A PROPOSED CHANGE IN
BUS SERVICE IN RESTON (Tape 8)**

Supervisor Alexander reported to the Board that two public hearings were held jointly by the Washington Metropolitan Area Transit Authority (WMATA) and the Northern Virginia Transportation Commission (NVTC) regarding changing bus service in the Reston area from the Metro system to a private contractor.

Supervisor Alexander announced that he had made a commitment that another public meeting would be held when the staff had prepared its report.

60.APPOINTMENT TO THE CRIMINAL JUSTICE ADVISORY

BOARD (Tape 8)

(APPT)

Supervisor Alexander moved the appointment of Mr. Joseph Cannarata to fill the unexpired term of Mr. Craven as the Lee District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Chairman Davis being out of the room.

61.REQUEST FOR RESIDENTIAL PARKING PERMIT DISTRICT**(RPPD) FOR THE RESIDENTS OF BROADMOOR STREET**

(Tape 8)

Supervisor Alexander reminded the Board of the parking problems commonly experienced by residents in the immediate area of County high schools. He said that the Office of Transportation has processed an application from a small block of Broadmoor Street (from Telegraph Road to Welch Court) for a Residential Parking Permit District (RPPD) to prevent Hayfield High School students from parking along this stretch of road.

Supervisor Alexander said that the Broadmoor Street residents are trapped in a "Catch-22" situation. He added that they have actively worked to discourage students from parking in this area by various means, including very stringent police enforcement of all applicable codes. Their continued aggressive efforts have kept the student parking volume low. Unfortunately, this means that the street fails the parking volume tests that determine RPPD eligibility. The citizens need the RPPD so they can stop treating their block like a police state, but they cannot qualify unless they relax their efforts and allow their situation to worsen.

Supervisor Alexander said that his office has photos on file indicating how bad the Broadmoor student parking was before the residents started their opposition efforts.

Supervisor Alexander stated that the proposed RPPD is only one block long and will be of negligible cost and paperwork impact to the County. Therefore, Supervisor Alexander moved that, with regard to the Broadmoor Street, Telegraph Road to Welch Court application the Board:

- Waive the requirement for total percentage of on-street spaces occupied;

- Waive the requirement for percentage of non-resident occupation; and
- Direct the Office of Transportation, pursuant to those waivers, prior Board actions, and the study already completed, to immediately prepare a Board action item authorizing advertisement of a public hearing for an ordinance enacting this RPPD.

This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Chairman Davis being out of the room.

**62.SUPERVISOR ALEXANDER WILL BE AVAILABLE FOR THE
WORK SESSION SCHEDULED FOR MARCH 1, 1993**

(Tape 8)

Supervisor Alexander said that he had announced earlier in the meeting that he would be absent from the Work Session scheduled for March 1, 1993. He said that he will be able to attend the Work Session. However, he will be absent for a portion of the Board meeting scheduled for March 8, 1993 because he will be hosting the American Public Transit Legislative Conference.

VW:vw

**63.REQUEST FOR ADDITIONAL TIME LATER IN THE MEETING
TO DISCUSS RIDGEGATE WOODS (Tape 9)**

Supervisor Berger asked unanimous consent to be granted additional time later in the meeting to discuss Ridgeway Woods, located off of Dranesville Road in the Dranesville District. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on Ridgeway Woods. See Clerk's Summary Item CL#80.)

64.UPCOMING APPOINTMENTS TO THE SCHOOL BOARD

(Tape 9)

Supervisor Berger stated that, at a press conference scheduled for February 23, 1993 at 10:00 a.m. at the McLean Government Center, he will be announcing the name of the individual that he intends to nominate as the Dranesville District Representative to the School Board.

Supervisor Hanley asked unanimous consent that the Board direct the County Attorney to circulate today to Board Members the current Code of Virginia requirements on the appointment of School Board Members. Without objection, it was so ordered.

**65.RENAMING A PORTION OF COLUMBIA PIKE IN HONOR
OF JUSTICE THURGOOD MARSHALL (Tape 9)**

Supervisor Trapnell stated that retired Supreme Court Justice Thurgood Marshall, who recently passed away, had been a resident of the Lake Barcroft area of Mason District for more than 30 years. She called to the Board's attention the fact that, while travelling to the Supreme Court Building, Justice Marshall exited the Lake Barcroft Subdivision at the intersection of Columbia Pike and Aqua Terrace.

Accordingly, with great pride, Supervisor Trapnell moved that the Board direct staff of the Office of Transportation to work cooperatively with the Virginia Department of Transportation (VDOT) on dedicating that portion of Columbia Pike, between Route 236 and Lincolnia Road, in memory of Justice Marshall. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Chairman Davis being out of the room.

**66.REQUEST MODIFICATIONS TO THE APPROVED SIX-YEAR
PLAN FOR ROUTE 7, AS PROPOSED IN PENDING
REZONING APPLICATION RZ 93-M-001 (Tape 9)**

Supervisor Trapnell called to the Board's attention the fact that there is currently pending a 25-acre Rezoning Application for a shopping center located in the heart of Bailey's Crossroads. The community is very supportive of this proposed development and it is a critical component of the area's revitalization efforts. The applicant has worked diligently with the Virginia Department of Transportation (VDOT) and the Fairfax County Office of Transportation to resolve outstanding concerns.

Accordingly, at the request of VDOT, Supervisor Trapnell asked unanimous consent that the Board:

- Endorse the proposed modifications to the Approved Six-Year Plan for Route 7, as proposed in pending Rezoning Application RZ 93-M-001; and

•Urge VDOT and the Fairfax County Office of Transportation to modify the Approved Six-Year Plan for Route 7, as proposed in pending Rezoning Application RZ 93-M-001.

(NOTE: Upon his return to the Board Room, Acting-Chairman Bulova returned the gavel to Chairman Davis.)

Supervisor Bulova asked that the request be amended to direct staff to review these modifications and report with recommendations at the Board of Supervisors' meeting scheduled for March 8, 1993, and this was accepted.

Without objection, the amended request was so ordered.

**67.SCHEDULING OF PROFFERED CONDITION AMENDMENT/FINAL
DEVELOPMENT PLAN AMENDMENT APPLICATION PCA C-52-3/
FDPA C-52-8 (SIXTEENTH SKYLINE ASSOCIATES LIMITED
PARTNERSHIP) (MASON DISTRICT) (Tape 9)**

Supervisor Trapnell stated that Sixteenth Skyline Associates Limited Partnership had filed an application, referenced as Proffered Condition Amendment/Final Development Plan Amendment Application PCA C-52-3/ FDPA C-52-8 with Fairfax County in October of 1992. In order to address the outstanding issues with the Office of Comprehensive Planning (OCP) staff, the applicant agreed to defer the originally scheduled Planning Commission public hearing scheduled for February 25, 1993 until Wednesday, April 21, 1993.

In order for the applicant not to be further delayed in the public hearing process, Supervisor Trapnell moved that the Board direct staff to schedule a public hearing before the Board of Supervisors on April 26, 1993 for Proffered Condition Amendment/Final Development Plan Amendment Application PCA C-52-3/FDPA C-52-8. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

**68.NOTICE OF INTENT TO APPOINT AN AT-LARGE
REPRESENTATIVE TO THE TENANT-LANDLORD COMMISSION
(Tape 9)**

(BACs)

Supervisor Trapnell announced that she had circulated to Board Members the resume of an individual for appointment as an At-Large Representative to the Tenant-Landlord Commission. She stated that this appointment will be considered at the next meeting when Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups are scheduled.

69.ASSISTANCE REQUESTED TO OBTAIN SUFFICIENT FUNDS

FOR THE FAIRFAX COUNTY PARKWAY, FROM INTERSTATE 95

TO ROUTE ONE (Tape 9)

Supervisor Hyland moved that the Board forward a letter, under the Chairman's signature, to Congressman James P. Moran, Eighth District of Virginia, seeking his assistance in obtaining sufficient funds from the Federal government for the Fairfax County Parkway from Interstate 95 to Route One. This motion was seconded by Chairman Davis.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to include that the Board direct the Fairfax County Office of Transportation staff to contact Congressman Moran's office, as expeditiously as possible, and offer its assistance in this endeavor, and this was accepted.

Supervisor Hyland amended his motion that the Board direct staff to prepare the necessary letter today and to forward the letter to Congressman Moran as expeditiously as possible, and this was accepted.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

The question was called on the motion and, as amended, carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

70.REQUEST FOR WAIVER OF SITE PLAN FEES FOR MOUNT

VERNON ON THE POTOMAC CITIZENS ASSOCIATION

(Tape 9)

Supervisor Hyland stated that at the Board of Supervisors' meeting held on September 21, 1992, action was taken to grant an out-of-turn public hearing before the Board of Zoning Appeals (BZA) and authorize simultaneously processing of both the Site Plan and Special Permit Applications for the Mount Vernon on the Potomac Citizens Association. Unfortunately, he stated that after the Special Use Permit was granted by the BZA for the construction of two tennis courts, the Association was informed that concurrent processing had not occurred and it would be necessary for the applicant to obtain a Site Plan waiver at an additional cost of \$500.

Supervisor Hyland stated that this is a long outstanding application that should have been processed expeditiously. Accordingly, he moved that the Board direct staff to waive the \$500 fee for Site Plan Waiver 012744 by the Mount Vernon on the Potomac Citizens Association. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

71.FREE CARDIOPULMONARY RESUSCITATION (CPR) TRAINING OFFERED TO ADULTS 55 YEARS AND OLDER (Tape 9)

Because February has traditionally been designated as "HEART MONTH," Supervisor Hyland called the Board's attention to "Project Cardiopulmonary Resuscitation (CPR)" offered by the INOVA Health System. According to the American Heart Association, 42 percent of all deaths in Virginia are related to heart disease, which is the leading cause of death in the United States. If used promptly and correctly, however, CPR can reverse "sudden death" when someone's heart stops and keep the individual alive until emergency assistance arrives.

Supervisor Hyland announced that "Project CPR," sponsored by the INOVA Health System, offers Northern Virginia residents several classes, ranging from basic first aid training for children ages six to 12 to CPR for adults. Bilingual and sign language classes are also available. Although most courses are offered at a nominal fee, INOVA offers FREE adult CPR training for residents 55 years and older. For further information and registration, residents can call 703-204-3366.

Accordingly, Supervisor Hyland moved that the Board direct the Office of Public Affairs to publicize, through its normal channels, information regarding the availability of "Project CPR." This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

72.REQUEST FOR WAIVER OF DUPLICATE CHARGE FOR

SUBMISSION OF RECORD PLAT 8483-RP-01-1**(MOUNT VERNON DISTRICT) (Tape 9)**

Supervisor Hyland stated that his office recently received a request to waive a duplicate charge of \$150 from Mr. Lenwood A. Lloyd who is in the process of building a new home in the Mount Vernon District. Mr. Lloyd's letter described his experience in providing a storm drainage and floodplain easement agreement to the County which had been necessary to obtain the approval of his Site Plan. Apparently, the applicant's engineer submitted the Record Plat to the County in late November 1991 along with a copy of the Easement Agreement.

After trying repeatedly to get information on the status of the documents, Mr. Lloyd was told that the documents had been sent to 8208 Holland Road, the vacant lot on which he had planned to build. Mr. Lloyd was then told that a cover letter needed to be sent to the County, along with changes, which required his lender in Pennsylvania to approve. This process took a number of months to complete. When the applicant went to submit the corrected Record Plat to the County, he was told he had to pay another \$150 because six months had elapsed since his first submission.

Accordingly, because of the extenuating circumstances involved, as well as the time delays resulting from the process, Supervisor Hyland moved that the Board direct staff to waive the second \$150 charge to submit Record Plat 8483-RP-01-1. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

73.ADDITIONAL DETAIL REQUESTED FOR COUNTY PROJECT**SIGNS (Tape 9)**

Supervisor Hyland stated that, throughout his years serving as Supervisor for the Mount Vernon District, he has noticed an absence of much needed information pertaining to construction projects by the County to its citizens. During the course of construction of most County projects, he stated his office receives numerous telephone calls concerning the status of the improvements over the life of the construction phase. This pertains to callers who may not even reside in the project area but are impacted by the scope of construction and the disruption it causes. Sometimes, when a project is a minor one, no sign is posted and confusion results as to whether this is a Virginia Department of Transportation (VDOT) project, a Water Authority project, etcetera.

Supervisor Hyland stated that it occurred to him when he recently reviewed a message imparted on a sign indicating a Fairfax County project, placed in a nearby neighborhood improvement area currently undergoing construction, that the contractor's name and the project number were shown on the sign but no provision was made for citizens wishing to make inquiries or complaints. He stated that it would be a simple matter to clearly show the entity responsible for the project along with the project manager's name and telephone number. He stated that he has seen this information provided when work is being performed by private corporations such as Virginia Power and the Washington Gas Company.

Accordingly, Supervisor Hyland moved that the Board direct staff, when posting signs in the community regarding County projects, to include the project manager's name and a telephone number for citizens to contact to obtain additional information regarding the project. This motion was jointly seconded by Supervisor Alexander and Supervisor Bulova and carried by a vote of seven, Supervisor Berger, Supervisor Hanley, and Supervisor McConnell being out of the room.

74.REQUEST OFFICE OF COMPREHENSIVE PLANNING (OCP)

STAFF TO DETERMINE FEASIBILITY OF CONDUCTING AN OVERLAY STUDY FOR REDEVELOPMENT AREAS OF THE COUNTY (Tape 9)

Supervisor Hyland called to the Board's attention that he had recently met with the President and Executive Director of the Southeast Fairfax Development Corporation (SFDC) to explore solutions to the barriers preventing businesses from developing along the Route One Corridor.

Supervisor Hyland stated that, over the past two years, SFDC has held several meetings with the Office of Comprehensive Planning (OCP) staff to review the problems and potential solutions to encourage the revitalization and redevelopment in more mature areas of the County.

Accordingly, Supervisor Hyland moved that the Board direct the County Executive to:

- Review and report on whether OCP staff has the capacity and resources to perform an overlay study for the mature areas of Fairfax County; and
- Report with a plan that would seriously review the issue of revitalization of these areas.

This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hanley being out of the room.

**75.RECOMMENDATION THAT RIDGEFIELD ROAD IN SPRINGFIELD
DISTRICT BE REMOVED FROM THE GOVERNOR'S 2010
TRANSPORTATION PLAN (Tape 9)**

Supervisor McConnell announced that for the past nine years Ridgefield Road has been a controversial issue for the Springfield District. She stated that action was taken by the Board of Supervisors to remove Ridgefield Road from its Master Plan; however, the Metropolitan Washington Council of Governments' (COG) Transportation Planning Board (TPB) did not remove Ridgefield Road from its Plan.

Accordingly, Supervisor McConnell moved that the Board recommend and support that Ridgefield Road be removed from the Governor's 2010 Transportation Plan. This motion was seconded by Chairman Davis.

Following brief discussion, Supervisor McConnell amended her motion to include that the Board request that Ridgefield Road also be removed from the TPB's Long Range Plan, and this was accepted.

The question was called on the motion and, as amended, carried by unanimous vote.

**76.REQUEST THAT REPRESENTATIVE OF THE ELECTORAL
BOARD MEET WITH BOARD MEMBERS TO DISCUSS ISSUES
REGARDING ADMIN 3 - AUTHORIZATION TO ADVERTISE
RELOCATION OF THE BOUNDARY BETWEEN PRECINCTS
IN HUNTER MILL, DRANESVILLE, LEE, PROVIDENCE
AND SULLY DISTRICTS; CREATING A NEW PRECINCT
IN SULLY DISTRICT; ESTABLISHING A NEW ABSENTEE
VOTING SATELLITE, MOVING THE CENTRAL ABSENTEE
ELECTION VOTER DISTRICT AND ESTABLISHING ABSENTEE**

VOTING SATELLITE HOURS (Tape 9)

(NOTE: Earlier in the meeting, during the approval of the Administrative Items, action was deferred until later in the meeting to allow additional time for staff to respond to concerns expressed by Board Members. See Clerk's Board Summary Item CL#6.)

Chairman Davis reminded staff to contact the Electoral Board and request that a representative meet with Supervisor Alexander and Supervisor Hanley, as expeditiously as possible today, to address their concerns regarding Administrative Item Three - Authorization to Advertise Relocation of the Boundary Between Precincts in Hunter Mill, Dranesville, Lee, Providence and Sully Districts; Creating a New Precinct in Sully District; Establishing a New Absentee Voting Satellite, Moving the Central Absentee Election Voter District and Establishing Absentee Voting Satellite Hours.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#94.)

77.RECESS/EXECUTIVE SESSION (Tape 9)

At 1:50 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

•May Department Stores Company, et al., versus the Board of Supervisors, et al.:

*At Law Numbers 111394 and 118432;

*At Law Numbers 111397 and 118434; and

*At Law Numbers 111398 and 118433;

•General Electric Company versus Fairfax County, Virginia, et al., At Law Number 111507; and

•Permit requirements for certain industrial uses in the I-6 Zoning District.

This motion was seconded by Supervisor Alexander and carried by unanimous vote.

AP:ap

At 4:05 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Hanley, and with Chairman Davis presiding.

78.ACTIONS FROM EXECUTIVE SESSION (Tape 10)

A.CERTIFICATION BY BOARD MEMBERS

REGARDING ITEMS DISCUSSED IN

EXECUTIVE SESSION

Supervisor Bulova moved that the Board of Supervisors certify that, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed or considered by the Board during the Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Hanley being out of the room.

B.DYNCORP VERSUS FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 111440

Supervisor Dix moved that the Board authorize settlement of Dyncorp Versus Fairfax County, Virginia, At Law Number 111440, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Hanley being out of the room.

C.GENERAL ELECTRIC COMPANY VERSUS FAIRFAX COUNTY, VIRGINIA, ET AL., AT LAW NUMBER 111507

Supervisor Dix moved that the Board authorize settlement of General Electric Company Versus Fairfax County, Virginia, et al., At Law Number 111507, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

D.MAY DEPARTMENT STORES COMPANY, ET AL.,

VERSUS THE BOARD OF SUPERVISORS, ET AL.,

AT LAW NUMBERS 111394 AND 118432;

AT LAW NUMBERS 111397 AND 118434; AND**AT LAW NUMBERS 111398 AND 118433**

Supervisor Trapnell moved that the Board authorize settlement of May Department Stores Company, et al., versus the Board of Supervisors, et al.:

- At Law Numbers 111394 and 118432;
- At Law Numbers 111397 and 118434; and
- At Law Numbers 111398 and 118433;

according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

79.PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT**APPLICATION PCA 85-L-032 (TAVARES CONCRETE****COMPANY, INCORPORATED) (LEE DISTRICT) (Tape 10)**

Supervisor Alexander moved to defer the public hearing on Proffered Condition Amendment Application PCA 85-L-032 until **March 22, 1993 at 4:30 p.m.** The motion was seconded by Chairman Davis and carried by unanimous vote.

80.PULTE HOME CORPORATION VERSUS FAIRFAX COUNTY,**VIRGINIA REGARDING RIDGEGATE WOODS (Tape 10)**

Supervisor Berger stated that on September 15, 1992, the Board approved an agreement with Pulte Home Corporation in order to settle a lawsuit between Pulte and the County concerning the construction of Woodson Drive. He said that as part of that settlement, Fairfax County was able to obtain \$288,500 toward the design of Dranesville Road. Since that time, County staff, in cooperation with the Virginia Department of Transportation (VDOT), has proceeded with the design of the planned four lane divided section for Dranesville Road, being completed by Dewberry and Davis. The first public information meeting on the design was held February 18, 1993.

Supervisor Berger said that, since the Board approved the agreement with Pulte, he has been working with Judy Downer, Dranesville District Representative, Planning

Commission and staff to identify other potential developments which might contribute funds to the completion of the Dranesville Road design, estimated to cost approximately \$650,000 - \$750,000. He added that approximately five months ago, at his request, Sixth Commerce Properties Corporation (SCPC), the owner of the Ridgeway Woods development on Dranesville Road, came forward with a proposal to provide funds for the design project. The Ridgeway Woods site was rezoned in 1987 and is currently in for subdivision plan review. The frontage improvements that were proffered at the time of rezoning would have to be torn out with the ultimate construction of Dranesville Road due to substantial vertical alignment changes. SCPC has offered to construct interim improvements to provide safe access to their site and to escrow funds for full frontage improvements in the future. These escrowed funds would be applied toward the design of the ultimate widening project for Dranesville Road. Staff of the Office of Transportation, Office of the County Attorney, Office of Comprehensive Planning (OCP), The Department of Environmental Management (DEM), and VDOT have been working with the SCPC since last fall to craft an agreement which would address issues related to access to the Ridgeway Woods site, comply with the proffered commitments, and provide funds needed for the Dranesville Road design. OCP has issued a Proffer Interpretation stating that the proposed arrangement would comply with SCPC's proffer commitments. Finalization of this agreement will provide the County with a minimum of an additional \$200,000 needed to move the entire length of Dranesville Road into final design without delay. The negotiations of the agreement have been on-going for some time and are nearing completion. He noted that one of the parties of the proposed agreement is the Board of Supervisors.

In order to avoid delay in the execution of this agreement, Supervisor Berger moved that the Board give the County Executive its authorization today to execute the agreement on behalf of the Board at such time as the County Attorney, the Director of the Office of Transportation, and the Director of the Zoning Evaluation Division of OCP are satisfied that the agreement is acceptable as to content and form.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to report with this item later in the meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

SBE:sbe

81.A-8 - FINANCING FOR PURCHASE OF GOVERNMENT CENTER**PROPERTIES (B-1, B-2 AND B-3) (Tape 10)**

(Rs)(NOTE: Earlier in the meeting, at the request of the County Executive, the Board deferred its consideration of this item. See Clerk's Summary Item CL#15.)

On motion of Supervisor McConnell, seconded by Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and took the following actions approving the financing arrangements for the purchase of the Government Center properties, B-1, B-2, and B-3:

- Adopted a Resolution setting forth the business purpose for the purchase; making a request to the Economic Development Authority (EDA) to issue EDA Lease Revenue Bonds to finance the purchase; and authorizing the County Attorney to intervene in any litigation respecting the financing arrangements;
- Approved the Sales Agreement;
- Approved the form of a Lease and Sublease entered into between the Board and the EDA for the purpose of obtaining the funds to purchase the properties and providing for annual payments to the EDA in return, subject to annual appropriation; and
- Approved the form of the Trust Agreement to be entered into by the EDA and a Trustee (not yet selected) for the purpose of assigning all rights and obligations of the EDA to a Trustee for receipt of County payments and remittance of debt service payments to the bond holders.

82.3:30 P.M. - PH ON REZONING APPLICATION RZ 92-W-037**(BOARD OF SUPERVISORS, OWN MOTION) (HUNTER MILL AND PROVIDENCE DISTRICTS) (Tape 11)**

Barbara Byron, Director, Zoning Evaluation Division, Office of Comprehensive Planning, reaffirmed the validity of the affidavit for the record and announced that the necessary notices had been filed showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing.

Following the public hearing, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-W-037 be amended from the RC, R-1, R-2, and R-3 Districts to the R-1, R-2, R-3, and R-8 Districts. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor McConnell being out of the room.

83.3:30 P.M. - PH ON REZONING APPLICATION RZ 92-D-017

(THE SCHOOL BOARD OF FAIRFAX COUNTY, VIRGINIA)

(DRANESVILLE DISTRICT) (Tape 11)

Mr. Reid M. Dudley reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by three speakers, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-D-017 be amended from the R-1 District to the R-2 District subject to the executed proffers dated February 19, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Supervisor Trapnell being out of the room.

Supervisor Berger moved waiver of the trail requirement along Lewinsville Road frontage of this site in favor of a concrete sidewalk as shown on the General Development Plan (GDP), as revised February 18, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Supervisor Trapnell being out of the room.

84.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 85-L-032 (TAVARES CONCRETE

COMPANY, INCORPORATED) (LEE DISTRICT) (No Tape)

(NOTE: Earlier in the meeting, the public hearing on Proffered Condition Amendment Application PCA 85-L-032 was deferred until March 22, 1993 at 4:30 p.m. See Clerk's Summary Item CL#79.)

**85.3:30 P.M. - PH ON THE PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR
VEHICLES AND TRAFFIC), ARTICLE 5A [RESIDENTIAL
PERMIT PARKING DISTRICTS (RPPD)], APPENDIX G,
TO EXPAND THE ANNANDALE RPPD, DISTRICT 14
(BRADDOCK DISTRICT) (Tapes 11-12)**

(O)Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1993.

Following the public hearing, which included testimony by six speakers, Supervisor Bulova moved approval of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking Districts (RPPD)], Appendix G, to include in the existing Annandale RPPD, District 14, the following streets: the entire length of Pomponio Place (Route 2785); Rocart Drive (Route 2783) between Pomponio Place to Bristow Drive; and Newcastle Drive (Route 2055) between Ravensworth Road to Bristow Drive, as contained in Attachment One of the Board Package. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Bulova moved that the Board direct staff to work with the Virginia Department of Transportation (VDOT) staff to amend the criteria to allow the Board more flexibility with the RPPD process so that when it is determined that adjacent or nearby blocks will be negatively impacted by a new RPPD, the Board will be allowed to waive the criteria requiring 75 percent of the total number of vehicles. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being out of the room.

With regard to individuals presenting testimony at today's public hearing that their neighborhoods will be greatly impacted by this RPPD, Supervisor Bulova asked unanimous consent that the Board direct staff to accelerate the review and number

count processes, once these petitions are received, as expeditiously as possible. Without objection, it was so ordered.

86.3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN

AMENDMENT S92-I-B2 FOR SKYLINE CENTER MIXED-USE

DEVELOPMENT SOUTH OF ROUTE 7 AND ADJACENT TO THE

FAIRFAX COUNTY/CITY OF ALEXANDRIA LINE (MASON

DISTRICT) (Tape 12)

(O)Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1993.

Following the public hearing, Supervisor Trapnell moved approval of Out-of-Turn Plan Amendment S92-I-B2, as recommended and amended by the Planning Commission, to:

- CHANGE** the overall residential density from 36 to 37 dwelling units per acre to accurately reflect the approved residential density of Skyline Center; and
- INSERT** the phrase "...subject to review by the Planning Commission" at the end of the fourth sentence.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Berger, Supervisor Bulova, and Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

87.RECOGNITION OF BOY SCOUT TROOP 1966 (Tape 12)

Supervisor Bulova recognized the presence of Boy Scout Troop 1966 from the Kings Park Area and she warmly welcomed them to the Board Room.

88.3:30 P.M. - PH TO CONSIDER THE ADOPTION OF THE

PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF

**FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) AND
CHAPTER 31 (PEDDLERS, SOLICITORS AND CANVASSERS)
CONCERNING THE REGULATION OF CRAFT SHOW PROMOTERS,
PEDDLERS AND OTHER ITINERANT MERCHANTS (COUNTYWIDE)
(Tape 12)**

(O)Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1993.

Following the public hearing, which included testimony by one speaker, discussion ensued among Board Members, with input from Michael Long, Assistant County Attorney, and Paul Smith, Director, Office of Assessments.

Supervisor Bulova moved approval of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) and Chapter 31 (Peddlers, Solicitors and Canvassers), to provide for the regulation of craft show promoters and to make changes to the County's existing licensing and regulation of peddlers and itinerant merchants, with one change to Section 31-1-1 relating to the definition of "promoter" and included in the draft ordinance:

•Sections 4-7-17, 4-12-2, 31-1-1, 31-1-2, 31-1-4, 31-2-1, 31-2-2, 31-2-4, 31-2-5, 31-2-8, 31-2-10 and 31-2-11 and by repealing Section 31-2-6, all relating generally to the regulation of canvassers, itinerant merchants, peddlers, solicitors and promoters for arts and craft shows.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of eight, Supervisor Dix voting "**NAY**," Supervisor McConnell being out of the room.

CM:cm

**89. 4:00 P.M. - PH ON REZONING APPLICATION RZ 92-D-010
AND SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 78-D-064 [FAIRFAX COUNTY WATER AUTHORITY**

(FCWA)] (DRANESVILLE DISTRICT) (Tape 13)

Mr. Martin B. Sultan reaffirmed the validity of the affidavit for the record.

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

Supervisor Trapnell disclosed, for the record, that Mr. Randolph W. Church from the firm of Hunton and Williams has been a registered agent for her husband's firm, Gordon R. Trapnell Consulting Actuaries, Limited, of which she is an officer. Therefore, she stated that she would not participate in any actions regarding these applications and she left the Board Room.

Supervisor Bulova disclosed, for the record, that she had received a campaign contribution from Paul Andino, Braddock District Representative, Fairfax County Water Authority (FCWA).

Chairman Davis disclosed, for the record, that, on occasion, the firm of Hunton and William has represented Planning Research Corporation (PRC) of which he is an employee. However, he stated that Hunton and Williams has had no business or financial relationship with Mr. Davis except for his work as Council to the PRC.

Following the public hearing, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-D-010 be amended from the R-1 District to the R-2 District subject to the proffers dated January 4, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Berger moved approval of Special Exception Amendment Application SEA 78-D-064 subject to the revised development conditions dated February 1, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Berger moved modifications of the screening and barrier requirements in favor of that shown on the Generalized Development Plan/Special Exception

Amendment (GDP/SE) Plan dated December 15, 1992, pursuant to Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

90. 4:00 P.M. - PH ON AGRICULTURAL/FORESTAL DISTRICT

APPLICATION AF 92-V-001 (BELMONT BAY FARMS,

LIMITED, GUDRUN K. HOOFF AND CHARLES R. HOOFF, III)

AND AGRICULTURAL/FORESTAL DISTRICT RENEWAL

APPLICATION 84-V-007 (CHARLES R. HOOFF, JR.,

ELIZABETH D. HOOFF AND HARRIET CRAMPTON)

(MOUNT VERNON DISTRICT) (Tape 13)

(Os)Mr. Charles R. Hooff, Jr., reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by three speakers, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Chairman Davis being out of the room.

Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 114, Appendix E, to establish the Belmont Bay Statewide Agricultural and Forestal District, Application AF 92-V-001, subject to the ordinance provisions dated January 8, 1993, with an additional Condition Number 10 to read as follows:

•"The establishment and continuation of this district depends upon the continuing legality and enforceability of each of the terms and conditions stated in this Ordinance. This district shall automatically terminate upon any determination by a court or any declaration or enactment by the General Assembly which reference any provision or condition hereof to be invalid, illegal, or unenforcable."

This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F-16, to renew the Belmont Bay Farms II Local Agricultural and Forestal District, Application AF 84-V-007, subject to the provisions dated January 8, 1993, with the addition of Condition Number 8 to read as follows:

•"The establishment and continuation of this district depends upon the continuing legality enforceability of each of the terms and conditions stated in this Ordinance. This district shall automatically terminate upon any determination by a court or any declaration or enactment by the General Assembly which renders any provision or condition hereof invalid, illegal or unenforceable."

This motion was seconded by Supervisor Bulova and carried by unanimous vote.

91. 4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND

RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE

MADISON LANE DEVELOPMENT (MASON DISTRICT)

(Tape 13)

(O)Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1993.

Following the public hearing, Supervisor Trapnell moved that the Board:

- Adopt the Resolution authorizing the acquisition of interests in real property necessary for the installation of certain public improvements with the construction of Private Developer Project PD0058 - Madison Lane Development; and
- Direct staff to use their best efforts to ensure construction on the public right-of-way of a 50-foot entrance from the deceleration right turn lane directly into the Frank and Alls property. This entrance would be designed and constructed so that 58-foot tractor trailer trucks and large straight bed trucks traveling northeast on Columbia Pike will be able to enter the Frank and Alls property directly from that deceleration lane.

This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Berger and Supervisor Hyland being out of the room.

**92. 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON
ISSUES OF CONCERN (Tape 13)**

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1993.

Citizens of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: Issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Office of the Chairman of the Board of Supervisors to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

There were no speakers for public comment.

93. BOARD RECESS (Tape 13)

At 6:15 p.m. the Board recessed for dinner and reconvened in the Board Room at 7:20 p.m. with all Board members present, and with Chairman Davis presiding.

**94. ADDITIONAL ACTION ON ADMIN 3 - AUTHORIZATION TO
ADVERTISE RELOCATION OF THE BOUNDARY BETWEEN
PRECINCTS IN HUNTER MILL, DRANESVILLE, LEE,
PROVIDENCE AND SULLY DISTRICTS; CREATING A
NEW PRECINCT IN SULLY DISTRICT; ESTABLISHING
A NEW ABSENTEE VOTING SATELLITE, MOVING THE
CENTRAL ABSENTEE ELECTION VOTER DISTRICT AND
ESTABLISHING ABSENTEE VOTING SATELLITE HOURS
(Tape 14)**

(As)(NOTE: Action on Administrative Item Three was taken immediately before the first 3:30 public hearing. See Clerk's Summary Items CL#6 and CL#76.)

Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 22, 1993 at 10:30 a.m.** on the following precinct changes:

•Relocate the boundary lines of the following precincts:

***Hunter Mill District** - Vienna #1, Vienna #2, Vienna #4, Vienna #6, Flint Hill, Wolftrap, Westbriar, North Point, and Reston #2;

***Dranesville District**

El Nido and Longfellow;

***Lee District**

Forest, Franconia, and Beulah;

***Providence District**

Thoreau;

***Sully District**

Newgate, London Towne, Centre Ridge, Stone, Greenbriar East, and Greenbriar West;

•Create a new precinct called "Centreville" in Sully District;

•Establish an Absentee Voting Satellite in the Massey Building for voters voting at the former Electoral Board Office in the City of Fairfax;

•Establish Satellite voting hours for the 1993 General Election:

*3:30 p.m. to 7:30 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays, from October 13 through October 30, 1993, at Franconia, Mason, McLean Mount Vernon, North County Governmental Centers, Sully District Office, and the Massey Building; and

•Establish a Central Absentee Voter Election District to be located at the New Governmental Center, 12000 Government Center Parkway, Fairfax.

Supervisor Hanley moved adoption of the precinct changes recommended by staff with the following two amendments:

- Delete all precinct changes related to the recent Vienna boundary change since the Vienna boundary change will not affect any primary or the general elections; and
- Advertise an alternative to the proposed change to Forest, Franconia and Beulah Precincts since the staff alternative would be extremely inconvenient to the voters who now reside in the southwest part of Beulah Precinct.

This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor McConnell being out of the room.

**95. 7:00 P.M. - JOINT PH OF THE BOARD OF SUPERVISORS
AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING
AUTHORITY (FCRHA) ON THE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) PROPOSED STATEMENT OF COMMUNITY
DEVELOPMENT OBJECTIVES AND USE OF FUNDS FOR FISCAL
YEAR (FY) 1994 - PROGRAM YEAR 19 AND HOUSING AND
COMMUNITY DEVELOPMENT NEEDS (Tapes 14-16)**

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1993.

The public hearing was held and included testimony by 42 speakers.

[The Fairfax County Redevelopment and Housing Authority (FCRHA) is scheduled to adopt recommendations on the use of Fiscal Year (FY) 1994 Community Development Block Grant (CDBG) funds on March 11, 1993. The funding recommendations adopted by the FCRHA will be forwarded to the Board of Supervisors for their consideration and action on April 19, 1993, to follow the timetable for the submission of a CDBG Final Statement of Community Development Objectives and Use of Funds for FY 1994 - Program Year 19 to the United States Department of Housing and Urban Development (HUD).]

ADDITIONAL BOARD MATTERS

96.DEVELOPMENT PROCESS SUBCOMMITTEE MEETING

SCHEDULED (Tape 16)

(NOTE: Earlier in the meeting, Supervisor Frey announced that the Development Process Subcommittee meeting is scheduled for Tuesday, February 23, 1993 at 9:00 a.m. (See Clerk's Summary Item CL#46.)

Supervisor Frey announced that the Development Process Subcommittee meeting will be held in the Government Center Conference Center in Rooms 4 and 5.

97.BUDGET SUBCOMMITTEE MEETING SCHEDULED

(Tape 16)

Chairman Davis announced that the Budget Subcommittee meeting has been scheduled for Monday, March 1, 1993 at 8:30 a.m. in Room 232.

98.BOARD ADJOURNMENT (Tape 16)

At 9:55 p.m., the Board adjourned.