

# The Fairfax County FEDERATION of Citizens Associations

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**THE BULLETIN**

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## Federation Membership Meeting



**Thursday, October 20, 2005**

**7:30 p.m.**

**Packard Center Main Conference Room  
4022 Hummer Road, Annandale**

*Topic: Membership Adoption of the  
Federation's 2006 Legislative Program  
(see pages three through six)*



## Upcoming Membership Meetings

**November 17, 2005      7:30 p.m.**

**Walt Whitman Middle School  
2500 Parker's Lane, Alexandria**

## PLEASE NOTE THE CHANGE IN LOCATION

*Topic:*

*Impact of the Base Realignment And Closure  
(BRAC) on Fairfax County*

*Co-sponsor, The Mount Vernon Council  
of Citizens Associations*

*Guest Speaker: The Honorable Gerald Hyland,  
Mount Vernon District Supervisor*

**December 15, 2005      7:30 p.m.  
Packard Center Main Conference Room  
4022 Hummer Road, Annandale**



## Federation Board Meetings

**October 27, 2005      7:30 p.m.  
December 1, 2005      7:30 p.m.**



## **President's Message**

Get ready. The Federation is having a calendar full of program presentations coming for your association's participation. On **October 20, the membership meeting** will consider the annual **Legislative Program** for approval. The Legislative Program is found in this newsletter and available on our fairfaxfederation.org website, so discuss it with your respective grassroots associations and bring their feedback to the meeting. The Education Committee will present a resolution for the upcoming **school bond** for school renovation and construction (see *page two*). On **November 17**, we're taking the **membership meeting on the road** to the Walt Whitman Middle School in the southern area of the county. The Federation will co-sponsor with the **Mount Vernon Council of Citizens Associations** a program on **BRAC**, Base Realignment and Closure. **Supervisor Gerry Hyland** is our featured speaker with a program on the effects of the **BRAC** on the county **schools and transportation infrastructure**. Representatives from **Fairfax County Public Schools (FCPS)** and the **Virginia Department of Transportation** will also take part in the discussion. A Federation meeting in the southern part of the county has been discussed for years, and I am pleased that we are putting on one that promises to be informative as the county starts changing in response to the employment transition.

Are you ready, now? **Emergency Preparedness** was the topic of our **September 15 membership meeting**. Fairfax County Police Officer Thomas Black, who is involved with crime prevention and neighborhood watch, reported that the programs are growing as neighbors create customized watches to reflect their neighborhoods. **Merrily Pierce, Chair of the Citizen Corps Council**, and our own Public Safety Chair, presented the **Ready...Pack...Go** program distributed throughout the county that gives a checklist of materials to pack in an emergency kit. **Debbie van der Beek**, of the **American Red Cross**, demonstrated the contents of a typical emergency kit. I reviewed the **National Capitol Region Preparedness Campaign**.

More to come. Our **April 27, 2006 membership meeting** is now slated for the **Report From Richmond** by **Senators Dick Saslaw** and **Jeannemarie Devolites Davis**. In this dynamic county, we make changes as the needs arise, thus some of our membership meeting dates may change to accommodate programs, county budgets and speakers. Also I want to welcome **Steve DelBianco**, land use, **Walter Sisson**, environment, and **Earl Flanagan**, transportation, as respective chairs or co-chairs to our Board. So check out our website, fairfaxfederation.org and look forward to your newsletter for programs to come. I continue to look forward to working with all of you during the coming dynamic year.

*John Jennison, President*

*President@FairfaxFederation.org  
(703) 591-5586*

At its September 22, 2005 meeting, the Federation Board recommended a resolution on the upcoming bond be considered by the membership at its October 20, 2005 meeting.

### **Fairfax County Public Schools (FCPS) Bond Referendum**

#### **Background**

The FCPS School Board has requested, and the County's Board of Supervisors has approved, placement of a public schools bond referendum in the amount of \$246.3 million on the November 8, 2005, ballot. The FCPS bond requests are submitted to voters every 2 years. The School Board uses these funds for construction of new schools, renovations of existing schools, major infrastructure acquisitions, and construction planning. Construction and renovation projects are undertaken in accordance with the FCPS Capital Improvement Program (CIP), updated annually. Planning monies allow for the efficient use of construction funds when the money becomes available. Fairfax County pays the bonded indebtedness separately from its transfer of operating funds to FCPS. The bonds are issued judiciously by the Board of Supervisors in order to maintain the County's AAA bond rating.

#### **Resolution**

**Whereas**, enrollment in FCPS schools is expected to increase by approximately 3,000 students during the next seven years, the proposed \$246.3 million bond referendum, if approved by the voters, will add 55 new classrooms; and

**Whereas**, an ever larger percentage of the bond funds will be devoted to renovation because of slowing enrollment increases and aging facilities; and

**Whereas**, FCPS students and hundreds of thousands of Fairfax County adult residents will benefit from increased and enhanced facilities as they use school facilities every year for meetings, classes, recreation, and other purposes; and

**Whereas**, these bonds will not cause a tax increase because a stable rate of bonded indebtedness is a continuing part of the County's operating budget; and

**Whereas**, the funds from this bond referendum will provide \$187.9 million for the construction of one new elementary school (Coppermine) and the renovation of eight elementary schools (Franklin Sherman, Woodburn, Sleepy Hollow, Freedom Hill, Great Falls, Vienna Graham Road, and Mount Eagle), the renovation of one high school (Edison), and the acquisition of 18 elementary modular rooms (at half of the construction costs and in half the time); and

**Whereas**, funds from this bond referendum will provide \$16 million for planning for renovations at eight elementary, one middle, and one high schools; and

**Whereas**, the monies from the issuance of these bonds will provide \$35 million for infrastructure improvement and \$4 million for the acquisition of an additional school site, and \$2 million for Base Realignment and Closure (BRAC) planning, and about \$1.4 million for bond cost; and

**Whereas**, improvement of infrastructure will include improvement in growing technology and security needs through the upgrading of power distribution and telecommunications systems at schools not being renovated, compliance with Americans with Disabilities Act, and roof, boiler and air conditioning replacement.

**Therefore, be it Resolved** that the Fairfax County Federation of Citizens Associations supports this Fairfax County Public Schools referendum for new and improved school facilities, and urges Fairfax County citizens to vote yes.

### **Gulf Coast Evacuees in Fairfax County**

A new coalition known as Fairfax Families Care is raising funds to help assist evacuees from Hurricane Katrina who are now living in Fairfax County. The focus of Fairfax Families Care is on support for the "second phase" of relief efforts to provide evacuees with jobs, housing, and schooling for nine months or longer, while their home communities are being repaired.

As of the end of September, more than 1100 evacuees had registered with the Red Cross in Fairfax County. Coordinated efforts to assist the evacuees are underway on the part of Fairfax County, the Red Cross, the Salvation Army, local nonprofit groups, and the Chamber of Commerce, among others.

### **Safe Community Coalition**

*by Jan Auerbach*

The Safe Community Coalition brings the community together to foster a safe, alcohol and drug-free environment for youth in the McLean and Langley pyramid. This summer, we sponsored a program for teachers from three public elementary schools and Potomac (private school) to learn the principles of Responsible Classroom. It is a teaching approach recognizing that children learn through social interaction as well as through academics. It teaches children responsible, ethical decision-making, and makes the school day more efficient. Over 40 teachers from the four schools were trained by an FCPS trainer at Potomac School – a true public/private partnership.

During the last two weeks in August about 100 upperclassmen from McLean and Langley High Schools were trained how to welcome transfer students to their school. Each transfer student was paired with a "Student Connector" who will help ease their transition to the new school by giving them a tour of the school during orientation and then having lunch with them a couple of times during the first few weeks. SCC has been sponsoring this program for almost 10 years. For the last three years, a student has managed the program.

In August, 50 upperclassmen from McLean High were trained how to mentor freshmen at an overnight retreat at the 4-H Center in Chevy Chase. On September 26 these trained "McLeaders" took their mentee with them to Inner Quest for a day of team building and bonding. During the school year, the pairs will meet at a minimum of every other week for lunch. SCC provides the financial support for this program.

On September 26, SCC hosted Barbara Coloroso, a nationally known author and speaker on parenting skills from toddlers to teens. On October 6, SCC provided a buffet supper/reception for the administrators, key teachers, and PTA presidents at its ten public elementary, two public middle, two public high schools, and four private schools. The supper provides an opportunity for administrators to network and, hopefully, identify opportunities to collaborate on character education programs. The idea for the joint Responsive Classroom training was "born" at last year's reception.

SCC has just received word that it will receive a \$100,000 follow-on grant to its current \$70,000 grant from the Substance Abuse and Mental Health Services Administration.

*Jan Auerbach is a member of The Federation's Education Committee and is the President of SCC.*

**[www.fairfaxfederation.org](http://www.fairfaxfederation.org)**

Civic associations may wish to support the work of Fairfax Families Care by making a donation or by informing their members about the program. Individuals can help with a donation, by supplying information about job or housing opportunities, or by volunteering to "adopt" an evacuee family to provide advice and information about daily life in the county. The county will match such volunteers with specific families.

To learn more, make a contribution, volunteer, or seek assistance for an evacuee, go to the Fairfax County website at [www.fairfaxcounty.gov](http://www.fairfaxcounty.gov) or to the Fairfax Families Care website at [www.fxfc.org](http://www.fxfc.org), or call the county's Hurricane Katrina hotline number, 703-817-7771, TTY 711.

**FAIRFAX COUNTY FEDERATION OF CITIZENS ASSOCIATIONS  
DRAFT 2006 LEGISLATIVE PROGRAM**

**PRIORITIES, POSITIONS AND PROPOSALS**

**PRIORITIES - in alphabetical order**

1. **Conservation – Tree preservation and open space conservation**
2. **Education – Funding of state and federal mandates for K-12 education**
3. **Governance – Reversal of the strict interpretation of the “Dillon Rule”**
4. **Infrastructure – Funding of critical local transportation and education infrastructure needs**
5. **Land Use – Protection of local land use authority**
6. **Tax structure – Modernization of the state and local tax structure**
7. **Taxation authority – Equal taxing authority for counties, cities and towns**

**1. CONSERVATION**

**a. LAND CONSERVATION.** Support establishment of annual dedicated funding of \$50 million, or 2 percent of the General Fund budget, for natural resources without jeopardizing funding education and transportation, to include acquisition of land and conservation easements to be used as open space, such as natural areas, watersheds, farmland, forests, parks, and historic sites. (Continued from 2000)

*Rationale: Virginia is the only state on the East Coast without dedicated funding for acquisition of open space. Until 2004, Virginia ranked last in public spending on natural resources of less than one (1) percent of the overall state budget. Of the more than 1,400 critical natural areas throughout Virginia identified by state biologists, only 36 have been dedicated natural area preserves. In 2004-2006, Virginia budgeted \$2.5 million annually for natural resources and added another \$10 million in 2005.*

**b. TREE PRESERVATION.** Support Fairfax County's initiative for legislation enabling urbanized jurisdictions to require preservation of trees on development sites to meet tree canopy requirements in proportion to pre-development canopy, to permit increasing the amount of tree canopy required 20 years after development on residential sites, and to allow the designation of native species of new trees that could earn tree canopy credits. (2003)

*Rationale: The goal is the preservation, rather than replacement, of trees during the development process and a specified degree of tree canopy on site. [This supports a Fairfax County 2005 legislative initiative and will probably be in the BOS 2006 program.]*

**2. EDUCATION**

**FUNDING FOR K-12 MANDATES.** Support legislation requiring state funding to reflect realistic costs for meeting state mandates such as the Standards of Quality (SOQ), the Standards of Learning (SOL), and the Standards for Accreditation (SOA) as well as federal mandates such as the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind (NCLB) Act. (2005)

*Rationale: The state budget approved in 2005 provided total increases in funding for Fairfax County Public Schools (FCPS) amounting to \$28.4 – an increase from 19% to 20% of the FCPS budget. The General Assembly should increase such funding for FY 2006 to reflect cost increases related to re-benchmarking of state standards.*

*Federal funding for IDEA is less than one-fourth of the 40 percent promised when the mandate to educate all children with disabilities was legislated, and the funding for NCLB is significantly less than what is needed to raise the achievement of all students. The state legislature should adopt resolutions and strategies to encourage Congress to increase funding for IDEA and NCLB or provide more flexibility to states and school districts in meeting federal*

*mandates. (2006)*

**3. GOVERNANCE**

**DILLON RULE.** Support modification of the “Dillon Rule” to grant to local jurisdictions those governing powers not expressly reserved to the Commonwealth or the federal government. (Continued; revised 2002)

*Rationale: The Commonwealth of Virginia practices a strict interpretation of the decision of federal Judge John F. Dillon of Iowa more than a century ago whereby local governments have only those powers expressly granted by the state or “indispensable to the declared objects and purposes of the corporation” (locality). Considering the significant growth in population and local jurisdictions in Virginia over the past century, this parsimony in local governing powers prevents local elected officials from being able to enact local ordinances to manage their communities effectively and efficiently.*

**4. INFRASTRUCTURE**

**a. STATE SUPPORT FOR SCHOOL CONSTRUCTION**

(1) Virginia should increase its insignificant financial support for school construction, renovation, and debt service and allow localities to approve alternative sources of funding such as impact fees in addition to land proffers or increases in sales tax after approval by referendum.

*Rationale: Virginia ranks near the bottom of states in financial support for school capital improvements although mandated and incentive programs require additional space or renovations, i.e., special education, reduced class size, English for Speakers of Other Languages (ESOL) services, alternative programs for disruptive students, and applications of instructional technology.*

(2) Support legislation for the use of Virginia's unallocated Tobacco Master Settlement Agreement Fund to be expressly used for state school capital construction and renovation of elementary, secondary and high schools with such funds to be distributed to local school districts on the basis of average daily membership.

*Rationale: The Tobacco Master Settlement Agreement Fund is intended to reimburse the taxpayers for the past expenditures for medical treatment of tobacco-related illnesses. The reimbursement of expenditures for school construction would guarantee the return of the Fund to the local communities and aid the increased education programs to deter smoking by children.*

**b. TRANSPORTATION FUNDING.** Support legislative action at the federal, state and local levels to obtain the necessary funding from a variety of sources, including public-private partnerships, to allow for implementation of currently adopted transportation plans. (Continued, revised 2006)

*Rationale: The transportation funding shortfall in Northern Virginia in 1993 was \$5.6 billion. The shortfall in funding to implement the Northern Virginia 2020 Transportation Plan is an estimated \$17 billion, which will require funding from multiple sources to implement that Plan. The Northern Virginia Transportation Authority expects to produce an updated plan (TransAction 2030) by the end of 2005.*

*The 2001 Alternative Transportation and Land Use Activity Strategies (ATLAS) Study suggests the following potential funding strategies for Northern Virginia: split-rate tax districts; tax increment financing; distance-based fees; regional funding authority; priority funding areas; congestion pricing; parking pricing; proffers; and community development authorities. The Metropolitan Washington Transportation Planning Board has recommended several potential sources: increased fuel tax; tolls on new highways; increased sales tax; 1.0 percent income tax; and a payroll tax.*

**c. TRANSPORTATION FUNDING FORMULA.** Support state and local legislative actions to assure increased state transportation funds for Northern Virginia in general and to Fairfax County in particular. (Continued)

**d. METRO FUNDING**

(1) Support an increase in the state's share of funding for Metro capital and operating costs. (Continued from 2001)

*Rationale: The state of Maryland pays the full cost of Maryland's share of the Metro system whereas Virginia pays only a small part of Northern Virginia's share. There is an additional 2-cent gasoline tax in Northern Virginia, the proceeds of which are dedicated to Metro funding.*

(2) Support a regional dedicated funding source for the Metro system capital, operations and maintenance programs. (2005)

*Rationale: The Washington area is the only region in the country without a dedicated funding source for its Metro system. Portions of the Washington Metro rail system are now 30 years old and badly in need of major maintenance. The Red and Orange lines are at capacity during commuting hours. The \$1.5 billion Metro Matters capital program provides 185 new buses and 120 rail cars, but the 10-year program calls for 300 rail cars and 460 buses to serve the system adequately. Ridership has increased 10 percent in 2004.*

## 5. LAND USE

**LAND USE AUTHORITY.** Oppose any diminution of local land use authority, either by further limiting the scope of local regulatory authority or by creating new and more elaborate land use regulatory structures. (Continued from 1999)

*Rationale: Land use authority should remain with the local jurisdictions. At the same time, there should be regional consideration of land use plans and issues. This supports a Fairfax County legislative position.*

## 6. TAX STRUCTURE

**a. LOCAL AND STATE TAX POLICIES.** Support a comprehensive restructuring and modernization of the Commonwealth's state and local tax policies. (Continued from 1999)

*Rationale: Reform of the state-local tax system, a long-standing Federation position and priority, is necessary to relieve heavy dependence on the real property tax. While studied by legislative committees for many years, no real solution has been forthcoming. The 2004 General Assembly increased the general sales tax by half a cent and reduced the sales tax on food but gave counties only an increase in one revenue source - the tax on cigarettes.*

**b. LOCAL SHARE OF STATE TAX REVENUES.** Support the enactment of legislation to revise the state and local tax structure in Virginia to return a portion of state income tax revenue to local governments for their unrestricted use until such time as the General Assembly revises the taxation structure in the Commonwealth to ensure fairness to local governments. (1999; revised 2001 and 2002)

*Rationale: One method for localities to receive revenues through other than real and personal property taxes is through a share of the state income tax.*

**c. LIMITATION.** Strongly oppose state-imposed limits on local real property taxing authority. (2004)

*Rationale: There has been much discussion during political campaigns about "capping" the annual increase in residential real estate taxes. With the increasing heavy dependency on real property tax revenue to fund local government operations, such a limitation would have severe consequences in the provision of services by the County. Real property taxing authority should remain purely local power because it is the only revenue source over which a county has authority.*

## 7. TAXATION

**a. LOCAL TAXING AUTHORITY.** Support state legislation to grant counties the same taxing authority as cities and towns but oppose requiring counties to assume responsibility for construction and maintenance of roads. (Continued from 1998; revised in 2004)

*Rationale: Currently cities and towns can increase sales and use tax on certain products and services without conducting a voter referendum, as must be done by counties before taking such action. This legislation would enable counties to increase taxes on transient occupancy (hotels and motels), food and beverage (restaurants), and admissions without referendum, thereby enabling them to reduce reliance on property taxes for revenue. The 2004 General Assembly increased the transient occupancy tax but dedicated the revenue to tourism and*

*economic development (EDA in Fairfax County).*

## b. LOCAL INCOME TAXES

(1) Support rescission of the current state legislation authorizing a local income tax for transportation purposes only.

*Rationale: Enacted in 1991, the legislation authorizing a local income tax for transportation purposes, through referendum, requires that the tax supplement, not supplant, current local investment in transportation projects.*

(2) Support legislative action to authorize local government bodies to levy a piggy-back income tax to reduce reliance on the real and personal property taxes as the primary local revenue base. (1998 and 2003)

*Rationale: The two property taxes currently comprise about three-quarters of the County's revenue stream. The real property tax is no longer the primary indicator of a person's wealth as it was many decades ago.*

## OTHER LEGISLATIVE ISSUES

### CITIZEN INTERESTS

**VIRGINIA FREEDOM OF INFORMATION ACT.** Support assurance of open government and citizen access to government, its administration and operations. (Continued from 1999)

*Rationale: Supports an open governmental process with access by citizens to all aspects of its operation except for those areas expressly exempt.*

### COMMUNITY ASSOCIATIONS AND SERVICES

**COMMERCIAL VEHICLES IN NEIGHBORHOODS.** Support amendment of Virginia Code 46.2-1224 to expand the types of commercial vehicles subject to local prohibition of parking on public streets in residential neighborhoods. (Continued from 1998; revised 2005)

*Rationale: Fairfax County would support legislation to enable it to restrict parking of mid-size commercial vehicles on neighborhood streets.*

**[NEW] LIBRARIES.** Support removal of the population cap on state aid to libraries. (2006)

*Rationale: According to state Code, the formula for state aid to public libraries is based on population, square miles served, and local effort. The current formula allocates \$0.30 per resident up to the first 600,000 residents and \$0.10 per resident above that population. Only Fairfax County suffers from this criterion.*

**OFFICERS, DIRECTORS AND TRUSTEES.** Strongly oppose legislation that imposes unreasonable limitations on volunteer directors or trustees of homeowner associations or that imposes state authority upon associations other than that imposed by state corporation law. (Continued from 2001)

### EDUCATION

**AFTER-SCHOOL PROGRAMS / AT-RISK YOUTH / GANG PREVENTION.** Support coordination of resources and activities among local, state, and federal agencies and with local nonprofit and community organizations aimed at prevention of gang violence and in support of comprehensive after-school programs, other prevention measures and academic enrichment programs. (2005)

*Rationale: Two of the strongest predictors of adolescent substance abuse and other behavioral disorders are academic difficulties and unsupervised time after school. Although gang activity predominantly occurs in the community, it spills back into the schools and constitutes safety threats to students and staff.*

**COLLEGE CREDIT INITIATIVE.** Support legislation that will encourage and help fund partnerships between school divisions and higher education to allow high school students to earn college credit and facilitate their pursuit of technical training for industry certifications. (2005)

*Rationale: Growth of the Governor's Commonwealth College Course Collaborative and FCPS partnerships with Northern Virginia Community College (NVCC) and George Mason University (GMU) will require state and/or federal*

funding to minimize the financial burdens on students and families of such enriched high school opportunities.

**[NEW] EARLY EDUCATION.** Support additional state and federal investments in pre-kindergarten education and child care programs, which will improve school readiness and reduce the costs of remedial education and social services, especially for children from low-income families, without creating additional unfunded mandates. (2006)

*Rationale: Thirty years of research have demonstrated that every dollar invested in early education for children from low-income families produces \$7 in cost avoidance for remedial and ESOL instruction, and health and social services. Additional funding would provide training for pre-school programs and daycare providers on best practices for child development and literacy so more education and fewer maintenance activities are provided in daycare settings.*

**HIGHER EDUCATION FUNDING.** Support efforts to provide adequate and equitable funding for all state institutions of higher education. In addition, fund NVCC and GMU at a level equivalent to that for other state institutions. In addition, the state should develop and fund a higher education Capital Improvement Program to support growth projected through 2010. The state should fund a new Cost of Living Allowance (COLA) adjustment for GMU faculty and staff. (Revised 2002; 2005 and 2006)

*Rationale: Access to higher education is essential for economic development, preparing a skilled work force, and the continuing education needed for global competition in an information society. GMU and NVCC impact significantly the economic, educational, and cultural vitality of Northern Virginia, but should be funded at a level equivalent to similar state institutions. GMU is funded at a level less than for other doctoral-degree granting, research institutions in Virginia. Lack of adequate funding has caused increased costs of tuition and fees, an economic burden on families. Additional facilities are badly needed to accommodate a greatly increased number of students within the coming decade. GMU is having a difficult time recruiting and retaining staff, and a COLA adjustment appears the most equitable method of continuing to improve their position.*

**PUBLIC SCHOOL CALENDAR.** Support legislation permitting local school boards to set the opening day of school in accordance with the consensus of the local community. (2005)

**[NEW]** Support inclusion in the current law the following as definitions of good cause for opening school prior to Labor Day: "additional effective instruction to students prior to assessments of academic achievement, the provision of appropriate summer remediation programs for students, and increased professional development opportunities for staff." (2006)

*Rationale: The Code of Virginia mandates that schools open after Labor Day although, for the 2004-05 school year, 71 of Virginia's 132 school divisions received waivers to open as much as three weeks earlier. Repeal of the "King's Dominion" law would allow setting the school calendar to allow additional instruction prior to assessments of academic achievement, extended-year calendar options, and provision of stronger summer programs for student remediation and professional development.*

**REFORM OF STATE AND FEDERAL ACCOUNTABILITY SYSTEMS.** Align and revise the state and federal accountability system to ensure that high stakes decisions for students and schools are made on the basis of valid tests and procedures, reasonable SOL passing scores, and professional judgment; and that the analyses of data required by NCLB are used to help rather than punish students and schools. (2002; revised 2005)

**[NEW]** Target access to public school choice and supplemental services to individuals within subgroups that fail to achieve NCLB benchmarks. Allow only those students failing to meet NCLB targets the option of transferring to a school meeting Adequate Yearly Progress (AYP) targets. (2006)

*Rationale: Although SOL test scores have risen as a result of curriculum alignment, familiarity with the tests, and intensive remediation efforts, there is evidence that students and schools in poor and minority communities are more likely to fail to graduate and their schools to lose accreditation and federal*

*funding. Such results will punish these students, schools and communities without eliminating the causes of failure and will doom the standards movement, which has the potential to strengthen education at every level. In addition, the requirements of NCLB for meeting AYP have created situations where schools that meet Virginia's high standard are subject to federal sanctions, such as loss of funding, because of unreasonable requirements such as standardized testing of students who understand little English or children with severe disabilities.*

*Currently, as a sanction for failing to meet NCLB targets, all students within a school failing to meet those targets are provided access to these additional school choices. In many cases, this includes large numbers of students who are achieving at or above benchmarks. Allowing such students the choice of leaving the underperforming school will result in a lower average score for the remaining students. (2006)*

## ENVIRONMENT

### CHESAPEAKE BAY PRESERVATION ACT.

(a) Oppose any legislation that weakens the Act. (Continued)

(b) **Perennial streams.** Seek a Fairfax County policy change to require approval by the Board of Supervisors for removal of the designation of a perennial stream on the Resource Protection Area (RPA) map after stream analysis utilizing accepted County or state protocol. (2005)

*Rationale: The approval of the Board of Supervisors is required to place a perennial stream, determined using established protocol, on the RPA map, but according to the Public Facilities Manual a perennial stream may be removed from the RPA map administratively based on "observational information."*

(c) **Permit fees.** State environmental permit fees should be set to fully cover the direct costs of administering the waste and water permit programs. (2005)

*Rationale: The Department of Environmental Quality (DEQ) administers Virginia's waste and water permit systems. The projected program costs of these permitting programs for FY 2005 total \$15.4 million, which are borne primarily by Virginia's taxpayers. Although in 2004 the General Assembly raised the permit fees, revenues from these fees still cover only 39 percent and 35 percent of the costs of these programs, respectively.*

(d) **Urban BMPs.** Support legislation to provide state funding and tax credits for urban Best Management Practices (BMPs). (2005)

*Rationale: Virginia currently funds agricultural BMPs on a cost-share basis but provides no financial assistance for the provision of urban BMPs to combat non-point pollution, Virginia's #1 water quality problem. Such action by the General Assembly would help implement the requirements of the Chesapeake Bay Agreement and state regulations for a specific rate of Bay tributary cleanup by 2010.*

**SOLID WASTE.** Support federal legislation that would allow states and localities to place restrictions on interstate solid waste, including medical and nuclear waste. (Continued)

**STREAM AND GROUNDWATER PROTECTION.** Support legislation requiring the state to require pollution prevention measures, erosion and sedimentation controls and storm water management facilities in state projects and programs. (Continued with expansion)

**UNDERGROUND UTILITIES.** Support legislation to allow and encourage financial incentives for utility companies to convert aerial utility lines to underground facilities.

*Rationale: This would reduce the number of power and other utility outages created by storms breaking overhead utility lines and would improve the appearance of our communities.*

**UTILITY EASEMENTS.** Support legislation that would require new or replaced utility lines (subsurface and aerial) to be located in commonly shared easements and to be balanced in consideration of both aesthetic and economic impacts, with siting approved in consultation with local officials. (Continued from 1999)

**HUMAN SERVICES**

Support adequate state funding for essential human services programs that offer protection from abuse, neglect and exploitation and that assist people in achieving and maintaining independence and self-sufficiency. (2005)

*Rationale: Federal or state statutes mandate many of these programs while other, non-mandated programs provide assistance for County residents who lack the resources to help themselves. Parenting classes and respite services for caregivers intervene to protect individuals at risk of abuse and might prevent a demand for more costly services. A JLARC report in 2002 ranked Virginia 42<sup>nd</sup> in the nation in state and local spending on public welfare, hospitals and health. Virginia's economic conditions have prevented improvement in state funding for these essential services.*

**LAND USE**

**ADEQUATE PUBLIC FACILITIES ORDINANCE.** Support legislation to enable Fairfax County to adopt an Adequate Public Facilities Ordinance to assure an orderly and coordinated land development and supportive infrastructure program, including transportation and schools. Oppose any effort to add language obligating local governments to provide such facilities within a restrictive time frame set by the General Assembly. (Continued)

*Note: The Fairfax County 2005 legislative program supports this position. [In BOS 2006 program?]*

**ARCHITECTURAL STANDARDS.** Support legislation to enable Fairfax County to consider architectural standards as part of development proposals. (Continued from 2001)

*Rationale: Counties are authorized to have Architectural Review Boards for consideration of architectural features in historic districts only.*

**PRIVATE PROPERTY RIGHTS.** Support the existing legal process that reviews protection of private property rights on a "case by case" basis. (Continued)

**PURCHASE OF DEVELOPMENT RIGHTS.** Support a state Revolving Fund for the acquisition of historic properties, environmentally significant areas and natural open spaces and the application of protective easements prior to their resale. (Continued from 2000)

*Rationale: This would enable and ensure protection of these valuable properties without requiring them to be owned and maintained by the public sector over the long term.*

**TRANSFERABLE DEVELOPMENT RIGHTS.** Support legislation that would authorize Fairfax County to enact an ordinance allowing the transfer of development rights, provided that the development rights sold can never be reinstated. (Continued)

*Note: This basic position is included in the Fairfax County's 2005 Legislative Program with the caveat that applicable legislation not include disincentives such as a prohibition on the rezoning of the property in the sending and receiving areas after adoption of a TDR program. [The County's proposed 2006 legislative program is in early draft stage so its position on this is unknown.]*

**NORTHERN VIRGINIA REGIONAL ISSUES**

**REGIONAL PLANNING.** Support legislation to strengthen regional planning and cooperation through Regional Commissions by amending *Virginia Code 15.2, Chapter 42*, to delete the exclusion of planning districts which have multi-state councils of government. (Continued from 1998)

**PUBLIC SAFETY**

**ASSAULT WEAPONS.** Enable local jurisdictions to regulate the sale of assault weapons. (Continued; revised 2006)

**DANGEROUS WEAPONS.** Enable Fairfax County to prohibit possession of dangerous weapons in public parks and County-owned or leased facilities or properties. (Continued from 2000; revised 2006)

**FIREARMS.** Support increased penalties for illegal gun sales and for gun sales

to minors. Also, support background checks for all gun sales, including sales at gun shows. (Continued; amended in 2004)

**TAXATION AND FINANCE**

**BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL) TAX.** Ensure that any state or local legislation that might eliminate exemptions to the BPOL tax does not remove the current exemptions for non-profit organizations. (Continued from 1998)

**[NEW] COURT-RELATED SALARIES.** Support increased state funding of adequate salaries for magistrates, District court employees, probation officers and public defenders. (2006)

*Rationale: This issue has been raised in state and local public forums during the past year. There is local higher-than-normal turnover rates in magistrate (23%) and probation officer (20%) positions. Some attorneys will no longer serve as public defenders because of very low pay rates. Localities can supplement magistrate and probation staff compensation. In FY 2006, Fairfax County did fund a 25% supplement to magistrates even though compensation is a state obligation.*

**[NEW] JAIL OPERATIONS.** Support full state reimbursement to localities for the actual cost of confinement of State inmates in local jails. (2006)

*Rationale: The current state reimbursement, established nearly 20 years ago, is \$8 per day and rises to \$14 per day on the 61<sup>st</sup> day after a court-ordered conviction (when state law requires state prisoners to be transferred to state facilities) The actual cost of housing, feeding and other services for inmates is \$125 per day. [Supports BOS position]*

**PERSONAL PROPERTY TAX.** Support action by the General Assembly to repeal the personal property tax cap on reimbursement to localities of \$950 million per annum. (2005)

*Rationale: The General Assembly tax changes in 2004 included the cap on personal property tax reimbursement to localities at \$950 million, which will soon have an impact on local revenues because of inflation. The Commonwealth must act to ensure that localities have a revenue source to replace this loss.*

**STATE MANDATES.** Support full funding by the State of all State mandates. (Continued from 1999)

**TWO-YEAR BUDGETING.** Support allowing local governments and school divisions to adopt biennial (2-year) instead of annual operating budgets. (2005)

*Rationale: A biennial budget process for localities and school divisions would mirror the state's two-year budget, afford a longer time frame for financial planning, allow more time for program review and evaluation, and could be less expensive and time consuming than annual budgeting.*

**TELECOMMUNICATIONS**

**TELECOMMUNICATIONS FACILITIES.** Ensure that any legislation protects the zoning powers of local government, ensures the public's right to be heard on proposed facilities regardless of whether the land is publicly or privately owned, protects the environment and communities, and restricts VDOT's ability to allow construction of telecommunications facilities without prior approval of the affected locality's land use and/or zoning authority. (Continued)

**TRANSPORTATION**

**PLANNING.** Support legislation to ensure consistency and conformity among local, subregional, Washington metropolitan regional and state short- and long-range land use and transportation plans. (Continued)

**TEA-3 AND CLEAN AIR ACT AMENDMENTS (CAAA).** Support implementation strategies to assure efficient and cost effective compliance with all mandated Transportation Efficiency Act (TEA 21) and CAAA requirements; assure adoption of all necessary actions to prevent potential loss of federal transportation funds, including support for Air Quality/Congestion Management Plans developed by the Metropolitan Planning Organization (MPO), i.e., the Metropolitan Washington Council of Governments. (Continued)

**Fairfax County Federation of Citizens Associations  
Membership Meeting of September 15, 2005  
DRAFT MINUTES**

(for membership approval at the October 20, 2005 meeting)

The meeting of FCFCA was held at the Packard Center at 7:30 p.m. (Attendance list is attached to original copy.) Note: The speakers were delayed and some Federation business was conducted before the program. For simplicity, the program is recorded here first, followed by the business meeting. President John Jennison introduced Officer Thomas Black of the Fairfax County Police, McLean District Station.

Program —

Officer Black is involved with crime prevention efforts for the McLean District, including Neighborhood Watch programs. The number of these programs is growing rapidly, with 85 in McLean. Today's Neighborhood Watch programs are created to suit the needs of particular neighborhoods. The programs often address quality-of-life issues, as well as emergency preparedness. For the police, they add many eyes and ears, and are vital to a force of 1100 to 1200 officers in a county of 1.1 million people.

Officer Black also advises a variety of Fairfax County corporations on their operational emergency plans, including many in Tysons Corner. It is hoped to expand this outreach program throughout the county. Officer Black answered questions on plans for emergency services during a power outage, including the availability of satellite telephones; emergency planning by schools, nursing homes, and hospitals; planning for mass evacuations; and planning for family members who are separated during the day.

President John Jennison next introduced Merrily Pierce, the Federation's Public Safety chair, who is also chair of the county's Citizen Corps. She announced that September has been declared "Fairfax Prepares" month, and presented a "Ready...Pack...Go" poster that could be posted in any neighborhood center. For more information on the Citizen Corps and Ready...Pack...Go, go to [www.fairfaxcountycitizen corps.gov](http://www.fairfaxcountycitizen corps.gov).

President John Jennison then presented Debbie van der Beek of the American Red Cross, who provided a demonstration of the contents of a typical emergency kit. These included enough supplies for a family to be self-sufficient for 2 to 3 days, including food, water, toiletries, bedding, a battery-powered radio, fresh batteries, hand tools, duct tape, a flashlight with batteries (or glowsticks), medicines, comfort items such as playing cards, copies of important papers, extra glasses or contact lenses, and eye prescriptions.

She noted that the American Red Cross advises families NOT to use candles and matches in an emergency, because of the fire hazard. Also, stored water normally has an expiration date and should be replaced as needed. Water set aside after September 11, 2001, has probably gone bad now.

The National Capital Region preparedness campaign includes training 25 core trainers who will train others. President John Jennison has received this training and reviewed the presentation. It included the need to assemble contact information for helpers such as out-of-state family members, coworkers, and neighbors; how to purify water without power; and planning for elderly neighbors and for pets.

Business Meeting —

- a. The minutes for the June 23 meeting were approved unanimously as written.
- b. It was noted that some had not received the Bulletin; others had gotten it some days earlier.
- c. Sally Ormsby presented a resolution on value analysis and value management. It was unanimously approved.
- d. President John Jennison reported on Patrick Rea's behalf that membership letters are in progress. He also announced the appointment

of a new Land Use chair, Steve DelBianco.

e. Flint Webb reported that the region had had no exceedances of the 1-hour ozone standard this season, but 17 of the 8-hour standard.

f. Jeff Parnes reported that the Bulletin will be posted on the website. Officers will be available through special e-mail addresses. He hopes to assemble a list of member addresses. In serving as webmaster, he will be building on the work of Merrily Pierce. Any suggestions should be sent to him at [webmaster@fairfaxfederation.org](mailto:webmaster@fairfaxfederation.org). President John Jennison thanked Merrily Pierce and Jeff Parnes for their efforts.

g. Jeff Parnes reviewed the proposed budget for this fiscal year. It was unanimously approved as amended. He then presented the Treasurer's Report for September.

h. President John Jennison announced that 75 Federation mugs have been purchased for presentation to guest speakers. Members may also obtain one through a donation of \$5 to the Federation.

i. Art Wells reported that the Braddock District Council is sponsoring a Neighborhood College series of evening classes from October 6 to November 17 on the nuts and bolts of citizen involvement. The contact is Nicole Velardi at 703-533-5701 and the location is Supervisor Bulova's office at the Kings Park Library. Charles Dane suggested that this information be included in the next Bulletin.

j. Judy Harbeck reported the Mount Vernon Council looks forward to the meeting co-sponsored with the Federation on the impact of the Base Realignment and Closure (BRAC) recommendations.

k. Sally Ormsby reported the Providence District Council held a special meeting in August to review resolutions on stream reclassification, the Wedderburn rezoning, and the Fairlee MetroWest Transportation Demand Management report. They will hold a campaign debate for candidates from the 35th and 37th districts on September 20, 2005.

l. Sally Ormsby asked members to let her know of any suggestions or concerns related to state legislation as it affects the county, for possible inclusion in the Federation's legislative program.

m. Under old business, President John Jennison reported that although arrangements had been made for a debate between the lieutenant governor or attorney general candidates, Bill Bolling and Bob McDonnell had not accepted the invitation, so neither debate will be held.

n. Sally Ormsby reported that the dates of March 12 and 19 are on hold at the Fairview Marriott for the Citizen of the Year banquet; the choice of date will depend on the speaker's availability. Please contact John Jennison with ideas for whom to invite as the speaker.

o. Carol Hawn reported that the brochure proof has been received and she will e-mail it for review by a small number of Board members, for proofing changes only. President John Jennison thanked her and Esther Ferington for their work on the brochure.

p. Under new business, Esther Ferington asked for information about deer management. Merrily Pierce explained that each supervisor's office has a staff person tasked with this responsibility.

q. Also under new business, Esther Ferington described the new Fairfax Families Care program, established in cooperation with the county to provide for Hurricane Katrina evacuees in the county.

Next Membership Meeting: October 20, 2005 (review of Federation's legislative program).

Next Board Meeting: September 22, 2005.

Meeting adjourned at 9:30 p.m.

happy halloween!

Fairfax County  
**FEDERATION**  
of Citizens Associations

4022 Hummer Road  
Annandale, VA 22003

*Membership  
Meeting:*

**Thursday,  
October 20, 2005  
7:30 p.m.**

*Approval of  
2006 Legislative  
Program*

**Directions  
to the**

***Packard Center, located in  
Annandale Community Park***

Take I-495 (Capital Beltway) to Little  
River Turnpike (Route 236 - Exit 52B);

go east toward Annandale.

Turn left at the first stop light onto  
Hummer Road.

Go 200 yards to the entrance of  
Annandale Community Park,  
which is on the left.

Keep right to the large parking lot.

Please use the left entrance into  
the Packard Center.

***Federation Memberships Due***

Included in this newsletter is a membership  
renewal/application for your community's use  
for the coming year. Please use this form if  
your community needs to renew for the 2005  
- 06 year.

If you have any questions or need additional  
information on your community's membership  
in the Federation, please contact Patrick Rea,  
First Vice President and Membership Chair,  
at (703) 799-4799 or [prea@erols.com](mailto:prea@erols.com).

We look forward to your participation in the  
collective voice of the Federation this year!

Election Day is Tuesday, November 8, 2005.  
The polls will be open from 6:00 a.m. until 7:00  
p.m. For additional information, contact the  
General Registrar at (703) 222-0776 or at  
[www.fairfaxcounty.gov/eb](http://www.fairfaxcounty.gov/eb).

***[www.fairfaxfederation.org](http://www.fairfaxfederation.org)***