

# The Fairfax County FEDERATION

of Citizens Associations *Established 1940*

November 2011

**THE BULLETIN**

Volume 61, Number 3

## Federation Membership Meeting

**Thursday, November 17, 2011**

**7:30 p.m.**

**The Packard Center**

4022 Hummer Road  
Annandale, VA 22003

**Topic: 2012 Federation Legislative Program  
Submitted to the vote of the Federation Members**



## Next Federation Board Meeting

**December 8, 2011 (Thursday)**

**Annual Board Dinner**

**Time and place to be determined**

## ***President's Message***

Greetings Friends and Neighbors:

At the Thursday, November 17, 2011 membership meeting of the Federation, we will be voting on our 2012 Legislative Program which is also being published in this newsletter. Please join us! Fall is a very exciting time for the Federation as we hunker down to finalize our legislative program. The Federation's 2012 Legislative Program was put together after many months of work since late this summer and long meetings that sometimes went past midnight. We could not have put together this outstanding document without the input from our membership, district councils, community and issue focused organizations, Federation's committees, elected officials and certainly not without the excellent coordination, guidance and patience of our Legislation Chairman Frank Anderson for his outstanding work. The Federation is very fortunate to have the research expertise of Jason Ha who joined us 3 months ago as Co-Chairman of the Legislation Committee. The Federation's Legislation Committee is always looking to grow its membership and we would like to take this opportunity to invite you to join the Federation.

On behalf of the Federation, I would like to extend a heartfelt thank you to Steve Gurney of Reston for Life Committee, Patricia Rohrer who is Fairfax County's Long Term Care Program Development Director, and Bob Eiffert who is Fairfax County's Long Term Care Programs Manager for their excellent panel presentation of our Human Services Programming: Living Well in the Silver Years at our October 2011 membership meeting.

Reminder to all Fairfax County voters: Tuesday, November 8, 2011 is Election Day in Virginia. Polls will be open from 6 a.m. to 7 p.m. Detailed information on voting is available on the Fairfax County's Office of Elections website at [www.fairfaxcounty.gov/eb](http://www.fairfaxcounty.gov/eb). Please vote on Tuesday, November 8, 2011. Every vote counts.

Thank you for staying connected to the Federation. Together, we can make a difference in our community and in the lives of many.

Have a fabulous Thanksgiving Holiday.

Tania Hossain

## New at the Federation Website

**Budget:** Analyses of the school bond issue

**Land Use:** Tysons testimony revealing issues involved in locating Open Space away from the development site.

## Citizen of the Year

Citizen of the Year nominations will be accepted starting December 1, 2011. Nominations close January 31, 2012. Think about whom to nominate. The nomination form will be posted on our website <http://www.fairfaxfederation.org/coy1.htm> later in the fall.

**Visit us at**

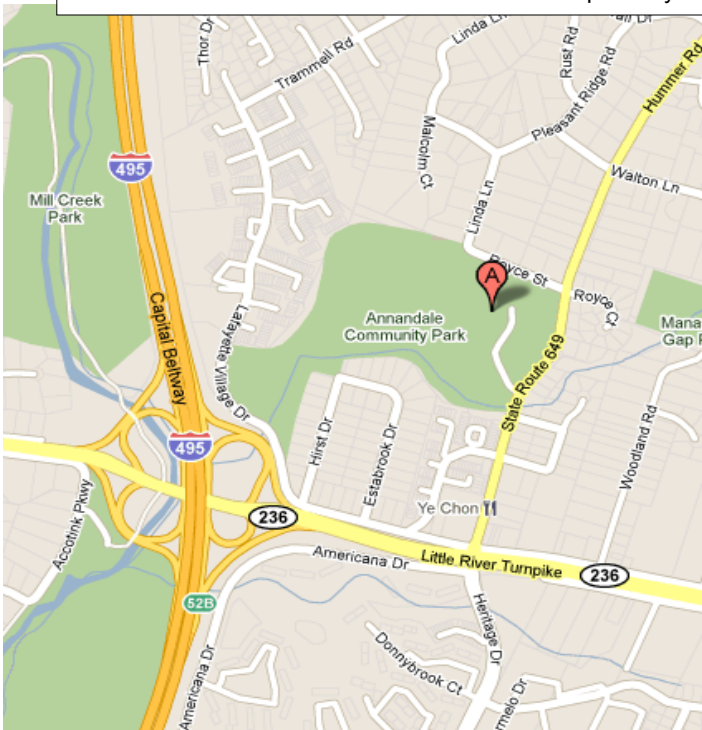
**[www.FairfaxFederation.org](http://www.FairfaxFederation.org)**

**See us also on Facebook:** Search for "Fairfax Federation", click on "See more results", and select "Fairfax Federation" with the Packard Center sign (as logo) from the list of alternatives.

<b>Contents of this Issue</b>	
President's Message	1
Announcement of Next Membership Meeting	1
New on the Federation Website	1
Citizen of the Year	1
Federation Meeting Calendar 2011-2012	3
Do you want to have an impact?	3
Membership Meeting Minutes (October 20, 2011)	4
November 8, 2011, General Election	4
School Bond Referendum	4
Electric Recycle Sunday	5
Care for the Elderly	5
Reston Development in the Dulles Corridor	5
Open Space away from the Tysons Development Site	5
Ten Reasons to Join the Federation	5
Become a Federation Representative on Fairfax County Boards and Commissions	5
2012 LEGISLATIVE PROGRAM of the Fairfax County Federation of Citizens Associations	6
Fairfax County Government Legislative Program	14
Development from the Developer's Point of View	14
Membership application form	15

### Directions to the Packard Center

Take I-495 (Capital Beltway) to Route 236 (Little River Turnpike, going east toward Annandale)  
 go east 0.4 miles to first traffic signal  
 Turn left at traffic signal onto Hummer Road.  
 Go 0.25 miles, turning left at the bottom of the hill into the Packard Center driveway  
 Bear right up the driveway to the parking lot.  
 Walk down the left pathway to the door facing the parking lot .



### Fairfax County Federation of Citizens Associations

4022 Hummer Road, Annandale VA 22003

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

**2011-2012 President:** Tania Hossain

**Newsletter Editor:** Frederick A. Costello

*The Bulletin* is the newsletter of the Federation. It is usually published monthly, except in August. The purpose is to provide information to member communities, federal, state, and local officials, and other interested persons. Articles reflect the view of their author and may be reprinted with the use of the following citation: "*The Bulletin* of the Fairfax County Federation of Citizens Associations".

Please contact Fred Costello with newsletter name and email address changes, comments, or suggestions at [FedBulletinEditor2012@fairfaxfederation.org](mailto:FedBulletinEditor2012@fairfaxfederation.org) or 703-620-4942.

#### **Federation Meeting Cancellation Policy**

If either Fairfax County Government or Schools are closed after 12:00 noon the day of a Federation membership meeting, or if it is announced that Fairfax County Government or Schools will be closed the day after a scheduled Federation membership meeting due to inclement weather or other emergency, the Federation will not hold that event. This does not pertain to regularly scheduled closures. Membership meetings will not be rescheduled, although speakers may be asked to attend an upcoming meeting. We will make every attempt to post the cancellation on [www.fairfaxfederation.org](http://www.fairfaxfederation.org) or, for more information, you can call 703-620-4942.

FCFCA Calendar 2011-2012			
Date	Membership Meetings	Board Mtg	Newsletter Deadline
	Topic		
<b>2011</b>			
Aug	No meeting	25-Aug	25-Aug
15-Sep	Conservation: Backyard to Community (Environmental Committee)	22-Sep	29-Sep
20-Oct	Living Well in the Silver Years (Human Services Committee)	27-Oct	27-Oct
17-Nov	Federation's Legislative Program Presentation (Legislation Committee)	8-Dec	24-Nov
15-Dec	Land Use presentation	8-Dec	29-Dec
<b>2012</b>			
19-Jan	Review of County's School Budget (meets at Gatehouse, see note below)	26-Jan	2-Feb
23-Feb	Review of County Budget	16-Feb	22-Feb
15-Mar	Public Safety presentation	22-Mar	29-Mar
19-Apr	Association Services presentation	26-Apr	26-Apr
17-May	Report from Richmond	24-May	31-May
21-Jun	Federation Annual Picnic	28-Jun	5-Jul

All meetings are at the Packard Center starting at 7:30 pm, except the January 19 Membership Meeting, the June 21 Picnic, and the Board dinner on December 8. The January 19 meeting will be held in Room 5340 of the Gatehouse Education Administrative Center, Merrifield, VA

**Additional events:**

- 25-Mar Citizen of the Year Banquet (on Sunday)
- 21-Jun Annual Federation Picnic (on Thursday)

**Schedule Change**

Note that the December Board Meeting has been changed from Dec 1 to the new Dec 8 date.

**Do you want to have an impact?**

The Federation is as strong as its voice, and the Federation's many committees make up its collective voice. If you are interested in serving on any of the committees that make up the backbone of the Federation please contact the committee chairs using the following email addresses:

Budget: Carey Campbell and Charles Hall .....	<a href="mailto:FedBudgetChr2012@fairfaxfederation.org">FedBudgetChr2012@fairfaxfederation.org</a>
Citizen Association Services: Don Hinman .....	<a href="mailto:FedAssociationServicesChr2012@fairfaxfederation.org">FedAssociationServicesChr2012@fairfaxfederation.org</a>
Education: Leonard Bumbaca, Ed Saperstein and Tim Thompson .....	<a href="mailto:FedEducationChr2012@fairfaxfederation.org">FedEducationChr2012@fairfaxfederation.org</a>
Environment: Roger Diedrich and Flint Webb .....	<a href="mailto:FedEnvironmentChr2012@fairfaxfederation.org">FedEnvironmentChr2012@fairfaxfederation.org</a>
Human Services: Cherie Lejeune .....	<a href="mailto:FedHumanServicesChr2012@fairfaxfederation.org">FedHumanServicesChr2012@fairfaxfederation.org</a>
Land Use: Fred Costello .....	<a href="mailto:FedLandUseChr2012@fairfaxfederation.org">FedLandUseChr2012@fairfaxfederation.org</a>
Legislation: Frank Anderson and Jason Ha.....	<a href="mailto:FedLegislationChr2012@fairfaxfederation.org">FedLegislationChr2012@fairfaxfederation.org</a>
Membership: open .....	<a href="mailto:FedMembershipChr2012@fairfaxfederation.org">FedMembershipChr2012@fairfaxfederation.org</a>
Public Safety: As'ad D.P. Hess-Linckost .....	<a href="mailto:FedPublicSafetyChr2012@fairfaxfederation.org">FedPublicSafetyChr2012@fairfaxfederation.org</a>
Resolutions: Bill Hanks .....	<a href="mailto:FedResolutionsChr2012@fairfaxfederation.org">FedResolutionsChr2012@fairfaxfederation.org</a>
Transportation: Carey Campbell and Jeff Parnes .....	<a href="mailto:FedTransportationChr2012@fairfaxfederation.org">FedTransportationChr2012@fairfaxfederation.org</a>

The committees conduct the bulk of their business by email and formulate positions and suggest actions for consideration by the Board and by the Federation members. They also provide inputs to the Federation's legislation and budget presentations. Here's a chance to make a mark in an area of your interest. Join us in making our County a better place to live!

## Membership Meeting Minutes

Thursday, October 20, 2011

So we could send. In a timely manner, the 2012 Legislative Program, we are distributing the Bulletin too early to include the minutes from the October 20 Membership meeting. The minutes will be published in the December Bulletin. You will now have approximately ten days to review the Legislative Program before voting on it at the November 17 Membership meeting.

## November 8, 2011, General Election

The 2011 General Election in Virginia will be held on Tuesday, November 8, 2011. On election Day polls are open from 6:00 am to 7:00 pm. The voter registration deadline has passed. Sample ballots listed by Supervisor District are available online at [www.fairfaxcounty.gov/eb/upcoming.htm](http://www.fairfaxcounty.gov/eb/upcoming.htm).

Voters who have not received their voting card by mail are strongly urged to contact the Fairfax County Office of the Registrar at 703-222-0776 to confirm your polling place.

To find who will be on your November 8, 2011, ballot, go to: <https://www.voterinfo.sbe.virginia.gov/PublicSite/Public/FT2/PublicElections.aspx>. Click on the down arrow on Locality and select Fairfax County. Click on the down arrow on Precinct and select from the list where you vote. Click on Search. Click on November 2011 General. The names of the candidates and their web sites are listed. You can click on the candidate's web site to determine where the candidate stands on the issues. All want strong schools, many jobs, and reduced congestion, so you must look at how they want to accomplish these goals.

## School Bond Referendum

On Election Day, Tuesday, November 8, 2011, Fairfax County voters will be voting on the 2011 School Bond Referendum during the General Election. Because bonds impose a future obligation on taxpayers, Virginia law requires that bond issues must be approved by referendum.

The sale of municipal bonds is a form of long-term borrowing that spreads the cost of major capital improvements over the years facilities are being used. This method of financing ensures that current and future users help pay for the improvements.

The referendum total of \$252,750,000 will be used for the building and renovation of schools, which are not financed through the school system's operating funds, but through bonds.

The table in the next column, with much more information about the 2011 School Bond Referendum, is available at the 2011 Bond Referendum Fact Sheet online at [www.fcps.edu/news/bond/2011bondreferendumfacts.pdf](http://www.fcps.edu/news/bond/2011bondreferendumfacts.pdf) or by calling the Fairfax County Public School's Communications and Community Outreach Department at 571-423-1200. The asterisk indicates that the amount reflects cost savings realized through lower than anticipated construction costs for previous bond projects.

At the Federation Membership Meeting on October 20, the members voted to endorse the passage of the bond issue.

## WHICH SCHOOL IMPROVEMENT PROJECTS ARE INCLUDED IN THE 2011 BOND?

### Capacity Enhancement

(Additions and other modifications)

*Fairfax Villa Elementary School	\$ 3,129,294
*Greenbriar East Elementary School	\$ 3,889,687
*Union Mill Elementary School	\$ 3,419,715
*Modular Relocations	\$ 3,250,000
<b>Capacity Enhancement Subtotal:</b>	<b>\$ 13,688,696</b>

### Renovation

#### Elementary School Renovation

Canterbury Woods (Construction)	\$ 14,894,268
*Clermont (Planning & Construction)	\$ 13,608,872
*Sunrise Valley (Planning & Construction)	\$ 16,215,447
*Garfield (Planning & Construction)	\$ 14,158,593
*Terra Centre (Planning & Construction)	\$ 16,614,596
*Westgate (Planning & Construction)	\$ 14,221,431
*Terraset (Planning)	\$ 1,053,799
*Haycock (Planning)	\$ 960,703
*Woodlawn (Planning)	\$ 1,189,450
*Forestville (Planning)	\$ 1,165,000
North Springfield (Planning)	\$ 899,000
Springfield Estates (Planning)	\$ 723,444
Keene Mill (Planning)	\$ 908,010
Bucknell (Planning)	\$ 1,131,776
<b>Elementary School Renovation Subtotal:</b>	<b>\$ 97,744,389</b>

#### Middle School Renovation

Sandburg (Construction)	\$ 44,293,958
*Thoreau (Planning)	\$ 2,175,000
<b>Middle School Renovation Subtotal:</b>	<b>\$ 46,468,958</b>

#### High School Renovation

Thomas Jefferson (Construction)	\$ 84,625,065
*Langley (Planning)	\$ 5,650,000
West Springfield (Planning)	\$ 5,950,000
<b>High School Renovation Subtotal:</b>	<b>\$ 96,225,065</b>

### Infrastructure Management

Technology Upgrades	\$ 4,000,000
Americans With Disabilities Act (ADA) Upgrades	\$ 2,500,000
Roof Replacement	\$ 6,500,000
Athletic Infrastructure	\$ 2,500,000
HVAC Replacement	\$ 7,500,000
Security Enhancements	\$ 1,050,000
Asphalt Paving	\$ 2,125,000
<b>Infrastructure Management Subtotal:</b>	<b>\$ 26,175,000</b>

<b>Project Subtotal</b>	<b>\$ 280,302,107</b>
*Prior Bond Savings	\$ (29,052,107)
<b>Bond Cost</b>	<b>\$ 1,500,000</b>
<b>REFERENDUM TOTAL</b>	<b>\$ 252,750,000</b>



### **Electric Recycle Sunday**

Fairfax County residents can recycle televisions, computers and peripheral devices – including keyboards, speakers, printers, external drives and other such materials – and unbroken fluorescent light bulbs and tubes on Electric Sundays. There is no charge for Fairfax County residents to participate in Electric Sunday; however, they may be required to show proof of residency. The last Electric Sunday event for this year is scheduled from 10 AM until 3 PM on Nov. 20 at I-66 Transfer Station, 4618 West Ox Road, Fairfax, VA. For additional information, call 703-324-5230, TTY 711.

### **Reston Development in the Dulles Corridor**

On November 1, 2011, the County presented its high-residential case, Scenario 2, for development along the Metrorail line in Reston. This new case has 1.3 corridor jobs per corridor household. Two months ago, the County proposed a low-residential case, Scenario 1, with a ratio of 6.0 jobs per household. The non-residential Gross Floor Area (GFA) is the same for both cases, so Scenario 2 has far more residential GFA than is deemed practical. If every resident worker worked in the corridor, there would be no traffic impact if the ratio of jobs per household were 1.6.

A transportation analysis will be performed for the two cases, after which a third case will be chosen that may be closer to the optimal ratio.

### **Open Space away from the Tysons Development Site**

Citizens living on Raglan Road, which is outside of the Tysons Development area, have raised an issue that many other redevelopments may encounter: The developer wants to put the open space outside of the development area. In particular, Georgelas wants to fulfill its open-space requirements using 2.8 acres next to Raglan Road Park, which is more than one-half of a mile from the Georgelas construction site. You can read the testimony of Pamela Konde, President of the Greater Tysons Green Civic Association, at the Federation's Land Use page. In last month's Bulletin, the audio/visual version, available at the County's Channel 16 website, was cited.

### **Care of the Elderly**

Every Wednesday from 11:30 am to 1:30 pm, the Fairfax Hospital Elder Life Program (HELP), along with a representative from ElderLink, will be available in the Health Sciences Library Geriatric Resource Center at the Fairfax Hospital to provide information and answer questions about caring for older adults. Enter the Blue entrance while the main entrance is closed.

ElderLink is a nonprofit organization created through a partnership between Inova Health System, the Department of Family Services Fairfax Area Agency on Aging, and the Alzheimer's Association. This service is open to the community, our patients, visitors and staff.

For more information, call the Library's Reference Desk at 703-776-3357, the HELP offices at 703-776-6824, or the ElderLink offices at 703-324-5377.

### **Ten Reasons to Join the Federation**

1. You will belong to the only non-partisan, volunteer, and non-profit County-wide organization representing the concerns of homeowner and community associations.
2. You will be introduced to those who make decisions in Fairfax County, the region, and the state.
3. You can meet your neighboring associations and across the County.
4. You can be part of the solution to today's concerns about transportation, the environment, schools, taxes and other issues.
5. Your association's problems and solutions can be objectively evaluated relative to past experience.
6. You will be kept abreast of the issues.
7. You will be part of an organization that has more than 70 years of local, state, and regional experience and influence.
8. You will have a seat at the table. When County Supervisors ask for citizen recommendations on any subject, they ask the Federation.
9. You will be part of a large group of voters.
10. You will be represented by a great number of voters at public hearings, in written public statements, in task forces and commissions, and in the media.

We need your membership to increase the size of our voting block — the number of people we represent. An application for membership is given on the last page of this bulletin. Application can also be made by submitting the form at the Federation website (<http://www.fairfaxfederation.org/memberappl.htm>); however, you will need to send a check by mail in either case.

### **Become a Federation Representative on Fairfax County Boards and Commissions**

The Federation has representatives on many of the County boards, authorities, commissions, committees, task forces, and councils. Having filled several slots recently, the Federation currently has an opening on one committee:

**Engineering Standards Review Committee**, which provides technical and engineering advisory services to the Board and reviews input data for the annual update of the Public Facilities Manual. See: [http://www.fairfaxcounty.gov/bacs/fairfax\\_board.asp?lookup=23312](http://www.fairfaxcounty.gov/bacs/fairfax_board.asp?lookup=23312)

Questions? Contact Joe Gibson, Federation 2nd Vice President at [fed2ndvp2012@fairfaxfederation.org](mailto:fed2ndvp2012@fairfaxfederation.org).

The complete list of the county's Boards, Authorities, and Commissions (BACs) is found at the following website: <http://www.fairfaxcounty.gov/bacs/>. The Federation has representation on eight of these. In addition to the Engineering Standards Review Committee, the Federation has representation on seven others: (1) Citizen Corps Council, (2) Criminal Justice Advisory Board, (3) Community Revitalization and Reinvestment Advisory Group, (4) Information Technology Policy Advisory Committee, (5) Trails and Sidewalks Committee, (6) Community Action Advisory Board, and (7) Airports Advisory Committee.

The complete list of School Board advisory committees is found at <http://www.fcps.edu/schlbld/advisory.htm>. The Federation has representation on three of these (Advanced Academic Programs, Human Relations, and Students with Disabilities), as well as the Superintendent's Business and Community Advisory Council.

## **2012 LEGISLATIVE PROGRAM of the Fairfax County Federation of Citizens Associations**

### **1. CONSERVATION**

**OPEN SPACE LAND CONSERVATION:** Support establishment of annual dedicated funding of \$50 million, or two (2) percent of the General Fund Budget and other efforts to establish and maintain open and recreational space for natural resources without jeopardizing funding of 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. (amended 2000, 2011)

*Rationale: Virginia is the only state on the East Coast without dedicated funding for acquisition of open space. While the Federation continues to support action in the General Assembly, local initiatives are also needed. Open and recreational space in Fairfax County should be continually increased until the goal of 20%, taken from the Fairfax County Comprehensive Plan, is met.*

### **2. COMMUNITY ASSOCIATIONS AND SERVICES**

**a. ASSOCIATION OFFICERS, DIRECTORS, AND TRUSTEES:** Strongly oppose legislation that imposes unreasonable limitations on volunteer officers, directors, or trustees of homeowners associations or that imposes obligations other than those in an association's governing documents. (continued from 2001; revised 2010)

**b. ELIMINATE DELAYED PAYMENT TO ASSOCIATIONS FOR DELIVERY OF RESALE PACKET:** Support restoration of the previous statutory provision that resale disclosure packet and resale certificate payments be made no later than at the time of delivery. (revised 2012)

*Rationale: We support amending section 55-509.6 of the Virginia Property Owners Act (Fees for resale disclosure packet) and section 55-79.97 of the Virginia Condominium Act (Fees for resale certificate). The amendment would eliminate the mandate (from H.B. 516 of 2008) that payment to Common Interest Community (CIC) Associations for delivering packets to prospective home buyers be delayed until settlement. If settlement does not occur within 90 days H.B. 516 stipulated that the packet cost be assessed against the lot.*

*Delayed payments for packets cause financial harm to associations. Associations may wait for months or may never be paid. First, not all prospective buyers that receive packets will ultimately purchase. Second, associations all over the state have a number of homes in foreclosure. In many such cases the Association will likely never collect delinquent assessments from sellers, and will therefore also not be able to collect resale disclosure packet fees. H.B. 516 had a number of good features, but this delayed payment provision is harmful.*

*We are grateful to the General Assembly for two steps already taken that have provided partial relief. Delayed payment for self-managed associations was eliminated in 2010. The original 90-day period was reduced to 45 days in 2011. Now it is time to reduce the 45 days to zero days through legislation that eliminates altogether the delayed payment provision.*

### **3. EDUCATION**

**a. 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 an additional unfunded mandate. (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 Limited English Proficient (LEP) student instruction, and health and social services. Additional funding would provide training for pre-school programs and daycare providers so that more education and fewer maintenance activities are provided in daycare settings.*

**b. RELIEF FROM STATE MANDATES:** Support General Assembly relief from existing unfunded mandates. (2009)

*Rationale: Given the significant projected FCPS budget shortfall, relief from State mandates would help preserve some important programs.*

**c. HIGHER EDUCATION FUNDING:** Support efforts to provide adequate and equitable funding for all state institutions for higher education. Fund Northern Virginia Community College (NVCC) and George Mason University (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 (CIP) to support growth projected through 2012.

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 providing the continuing education needed for global competition in an information society. GMU and NVCC significantly impact 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 and NVCC enrollment is expected to increase by almost 25,000 by 2015. 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.*

*Virginia's institutions must increase college participation by all segments of the population to maintain our current standard of living and to compete globally. We ask that, to the extent possible, higher education be held harmless in any further budget cuts. Virginia lags behind Maryland, Kentucky, and North Carolina in its higher education appropriation per capita (the figures are \$245 for Virginia versus \$280, \$316, and \$413, for the other states, respectively). If additional cuts to higher education must be made, the cuts should not be made across the board, given the disproportionate impact on rapidly growing institutions such as GMU, which is the fastest-growing four-year institution in Virginia. GMU also produces more masters degree graduates than any other university in the Commonwealth. Northern Virginia has sectors of the economy that thrive because it has college graduate workers. More than 70 percent of GMU graduates live and work in this region. (revised 2010)*

*(Continued on page 7)*

(Continued from page 6)

d. REFORM OF STATE AND FEDERAL ACCOUNTABILITY SYSTEMS: Target access to public school choice and supplemental services to individuals within subgroups that fail to achieve No Child Left Behind (NCLB) benchmarks. (2006; 2009; revised 2010)

*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 likely to experience lower graduation rates, causing 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 Adequate Yearly Progress (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 standardization testing of students who understand little English or have severe disabilities. (revised 2009, 2012)*

e. RETIREMENT FUND: The Federation commends the General Assembly for its 2010-2011 budget year relief in authorizing an option for deferment of a portion of teacher retirement fund contributions until 2014-2020 and for supporting enforcement of the programmed Local Composite Index periodic readjustment. The Federation requests that the General Assembly consider lowering the teacher retirement fund deferred payment interest rate to the current Fairfax County Bond interest rate. (2011)

f. COLLEGE CREDIT INITIATIVE: Support legislation that will encourage and help fund partnerships between school districts 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.*

g. PUBLIC SCHOOL CALENDAR:

Support new legislation permitting local school boards to set the opening day of school in accordance with the consensus of the local community. (2005, revised 2010)

*Rationale: The Code of Virginia mandates that schools open after Labor Day and as a result FCPS students have less classroom time before the Commonwealth requires SOL exams and Princeton's SAT organization nationally scheduled advanced placement (AP) exams, usually taken in early May. Over half of the school divisions receive waivers to open as much as three weeks earlier than Labor Day, and yet, FCPS is not allowed to participate in early opening. Repeal of the "King's Dominion" law would allow setting the school calendar to allow additional instruction prior to assessments of academic achievement, would permit students taking both high school and college courses to start at the same time as local colleges, and would allow the provision of stronger summer programs for student remediation and professional development. (revised 2009, 2011)*

h. MODIFICATION OF CALCULATIONS FOR SUBGROUPS: Support modifying achievement calculations for subgroups such that students who are members of multiple subgroups do not have a disproportionate impact on accountability results. (2008)

*Rationale: Many FCPS students are multi-ethnic, and NCLB determines pass or failing schools based on 26 categories, many of them ethnic categories.*

i. SALARY COMPETING FACTOR: Support FCPS position on supporting use of a cost of competing factor in the Standards of Quality reimbursement formulas in recognition of the higher salaries paid by school boards in identified locations in order to attract and retain skilled teachers and other personnel within its competitive local regional wage market. (2008)

*Rationale: According to FCPS, the State differential covers approximately 740 categories and includes all agencies with State classified employees in Northern Virginia. The instructional rate was last increased in 1996 based on 1995 Joint Legislative Audit and Review Committee report, and the non-instructional rate was last increased in 2004 to reach the rate recommendation made in 1995.*

j. ELEMENTARY AND SECONDARY EDUCATION ACT REAUTHORIZATION: Support common-sense reauthorization and funding of federal accountability programs including portions of NCLB. (2009, revised 2011)

*Rationale: Common-sense revision will ensure fair, accurate, and meaningful assessments of student achievement as well as making certain that any interventions appropriately address the academic needs of a school.*

*Currently, as a sanction for failing to meet NCLB targets, all students within a "failing" school are provided access to 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.*

#### 4. ENERGY

a. MANDATORY RENEWABLE ENERGY PORTFOLIO STANDARD: Support enactment of a Mandatory Renewable Energy Portfolio Standard requiring that a minimum percentage of electricity be produced from cost-effective, renewable, emission-free sources. (2009; revised 2011, 2012)

*Rationale: Under current law, the renewable energy portfolio standard program is a voluntary program to which investor-owned utilities apply to receive certain incentives. Establishing a Mandatory Renewable Portfolio Standard will address culminating environmental issues such as climate change and move the Commonwealth towards energy independence. Furthermore, renewable sources are clean and getting cheaper while conventional sources may be risky, subject to cost volatility, and finite.*

b. ENERGY END-USER CONSERVATION AND RENEWABLE ENERGY PRODUCTION: Support legislation that will encourage energy conservation, the use of renewable and distributive energy generation, and the use of refurbished energy-conservation and renewable energy products which have a pay-back period of five years or less. (2008; revised 2011)

(Continued on page 8)

(Continued from page 7)

*Rationale: Most energy conservation projects will pay for themselves in less than five years, so providing consumer educational advice and low-cost energy saving equipment such as CFL light bulbs will not only reduce our demand for fossil fuel generated electricity but also save money for Virginia residents. Similarly, encouraging distributive renewable generation will decrease the risk of power disruptions due to natural disasters or malicious activity. In some cases, such as solar water heating, previously installed systems are not functioning, whereas these can be refurbished and energy can be saved. (2012)*

c. DEVELOP VIRGINIA'S OFF-SHORE WIND RESOURCES: Support legislation to allow and encourage the development of off-shore wind resources. Legislation is needed to streamline the permitting of off-shore wind farms and associated on-shore infrastructure. (2012)

*Rationale: The development of off-shore wind coupled with the development of on-shore wind resources in the west and other renewable resources will allow the Commonwealth to be energy independent for the foreseeable future. Up to 20% of the energy demands of the Commonwealth could be met by wind resources just off Virginia's coast. Off-shore wind resources are stable and strong meaning that they can be forecast and used for base load demand projections. Existing ship building resources in the Hampton Roads area could supply off-shore wind platforms for the entire eastern seaboard bringing much-needed jobs to the Commonwealth that will last for decades. It is estimated that the wind power industry could bring in \$200 million per year to the Commonwealth (Virginia Wind Energy Research Consortium). There already is a major electrical grid tie in near the coast at Fentress, Virginia, the best placed grid tie in location in the Mid-Atlantic States. (2012)*

d. REPEAL THE TAX CREDITS FOR UTILITIES AND COAL COMPANIES FOR THE EXTRACTION AND CONSUMPTION OF VIRGINIA COAL: Support legislation to repeal the relevant section of the code. (2012)

*Rationale: Currently, Virginia's taxpayers directly subsidize coal mining through approximately \$44.5 million in corporate tax breaks. The credit is more closely related to coal production than to employment, such that the credit could rise, even as coal employment goes down. As now configured, the credit is a windfall to the coal industry, providing no support for jobs in a depressed part of Virginia. The Commonwealth, in particular the Southwestern region, has important needs in terms of jobs, clean energy, and infrastructure, all of which would benefit from the revenue that could be realized by the credit repeal. (2012)*

e. PURCHASE OF ENERGY SAVING PRODUCTS: Support legislation to amend the Virginia Public Utilities Act to encourage the purchase and refurbishing of energy saving products by consumers by allowing and encouraging utility companies in Virginia to provide low rates for capital costs for effective purchases of energy saving equipment and to be repaid through utility bills. (2009, revised 2010)

*Rationale: The initial capital costs for energy saving equipment make it difficult for home owners and businesses to make the changes that can decrease energy consumption.*

## 5. ENVIRONMENT

a. CHESAPEAKE BAY PRESERVATION ACT:

1.) Oppose any legislation that weakens the Act and support

legislation that amends the Clean Water Act to explicitly give the Environmental Protection Agency (EPA) the authority to regulate non-point-source pollution. (continued; revised 2010, 2012)

2.) Water Quality Improvement Fund: Support increased funding for the Water Quality Improvement Fund (WQIF), by including all Virginia cities and counties within the Chesapeake Bay watershed and requiring a dedicated source of revenue to ensure continued funding. (2007)

*Rationale: In 1997 the Virginia General Assembly passed the Water Quality Improvement Act that established the WQIF. The fund provided grants for the purpose of reducing the amount of nutrients entering the Chesapeake Bay. Both non-point sources such as agriculture operations and point source discharges such as wastewater treatment facilities are eligible for grants from the WQIF. The Virginia 2006-2008 budget provided \$100 million per year for WQIF but the estimated need for this program through 2025 is \$2.3 billion for upgrade of sewage treatment plants and other programs.*

b. INCLUDE CLIMATE CHANGE EFFECTS IN INFRASTRUCTURE PLANNING:

Legislation is needed to direct the Department of Transportation and other departments responsible for infrastructure maintenance and emergency planning to incorporate climate change effects in planning for infrastructure expected to last over 50 years. (2012)

*Rationale: Carbon dioxide (CO<sub>2</sub>) concentrations in the atmosphere are increasing and it has been known that CO<sub>2</sub> is a greenhouse gas for over 150 years, proven by experiments performed by John Tyndall in the late 1850s. Therefore, regardless of what is causing the increases in CO<sub>2</sub> concentrations more energy will be retained by the atmosphere which will affect the ocean temperatures (causing sea level rises and increased frequency and/or intensity of tropical storms), air temperatures (causing more dangerously hot weather, a greater likelihood of high ground level ozone pollution, lower crop yields, and increased likelihood of tropical diseases finding a foothold in the Commonwealth), and increased water content in the air (causing more droughts and more intense storms). Models that have been accurate at predicting past weather events, predict that the sea level will rise from two to three feet over the next 100 years. This will mean that much of the roads and coastal infrastructure will be washed away by storms. Increased intensity of storms will also mean that additional reservoirs and levees will be needed. (2012)*

c. MAINTAIN THE EXISTING BAN ON URANIUM MINING IN VIRGINIA.

Virginia has a nearly 30-year ban on uranium mining. Powerful interests are trying to lift the ban so they may mine and process uranium, starting in Southside Virginia. If the ban were to be lifted, it would have statewide impact including on the deposits upstream of the Occoquan reservoir, which serves a part of Fairfax County. Drinking water, human health, farmland, property values, wildlife, and tourism across Virginia are at risk. (2012)

*Rationale: A uranium mine would generate toxic, radioactive waste in the form of mine tailings and sludge ponds. Exposure*

(Continued on page 9)



(Continued from page 8)

to such wastes have been linked to lung cancer, leukemia, damage to internal organs (notably, the kidneys) and reproductive risks. Virginia has no current regulations governing uranium mining. All other uranium mining in the U.S. is done in dry, sparsely populated regions, but the wet weather possibilities and high population density in Virginia would make this activity an unacceptable risk. There is also an economic risk due to the high volatility of uranium prices, meaning that a failed mine would not leave adequate funding to provide cleanup. (2012)

d. WILDLIFE CONFLICT: Support legislation and measures to more effectively control the White-tailed Deer population in Fairfax County. (2012)

*Rationale: The current deer population is estimated to range between 25,000 and 40,000 in Fairfax County, which is about 60 and 100 deer per square mile. Deer population can double in a couple of years and the recommended number is at 15 per square mile. In 2009 and 2010, Virginia ranked 5<sup>th</sup> in the nation for deer-vehicle collisions. One in every 136 Virginia drivers is projected to file insurance claims for comprehensive vehicle damage sustained as a result of a deer-vehicle collision. Deer are the primary host to adult Blacklegged Ticks that cause Lyme disease. Furthermore, a single adult deer consumes 5 to 7 pounds of plant matter in one day or over 1 ton of vegetation in a year. The dense population of people and deer has created a wildlife conflict; this has contributed to the increase in vector-borne diseases (such as Lyme disease) vehicular accidents and destruction of vegetation. (2012)*

e. ENDOCRINE DISRUPTOR COMPOUNDS, PHARMACEUTICALS, AND HORMONE WATER POLLUTION: Urge research and ensuing legislation that would mitigate pharmaceutical and endocrine disrupter pollution in Virginia waters. (2008, revised 2011)

*Rationale: Endocrine disruptor compounds (EDCs) inhibit the regulation of biological processes related to growth, development, and reproduction that have impacts on marine life and human health. This is a complex, highly technical, and important issue that needs immediate attention through research and development of remedies. Pollution from pharmaceuticals is also a problem and may be partially responsible for multi-antibiotic resistant infections. (2011)*

f. SOLID WASTE: Support federal legislation that would allow states and localities to place restrictions on interstate transfer of solid waste, including medical and nuclear waste. (continued)

g. STREAM AND GROUNDWATER PROTECTION: Support state legislation to require pollution prevention measures, erosion and sedimentation controls, and storm water management facilities in state projects and programs. (continued)

h. UNDERGROUND UTILITIES: Support legislation to encourage utility companies to install lines underground and to convert aerial lines to underground facilities. (revised 2007)

*Rationale: This would reduce the number of power and other utility outages created by storms causing overhead utility lines to break and would improve the appearance of our communities. Also, life cycle cost analyses may show that underground facilities are more cost efficient than aerial facilities.*

i. UTILITY EASEMENTS: Support legislation that would require new or replaced utility lines (subsurface and aerial) to be lo-

cated 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)

## 6. GOVERNANCE

a. DILLON RULE: Support modification of the "Dillon Rule" as practiced by the General Assembly to grant local jurisdictions those governing powers not expressly reserved to the Commonwealth or the federal government. (continued; revised 2002, 2012)

*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.*

b. PLANNING: Support legislation to ensure consistency and conformity among local, sub regional, Washington metropolitan regional, and state short- and long-range land use and transportation plans. (continued; revised 2009, 2010)

*Rationale: Commonwealth legislation would be necessary for Fairfax County to enter into any regional compact to coordinate land use and transportation, including the Greater Washington 2050 Compact. (continued; revised 2010)*

c. COMPENSATION: Support legislation to direct local, state, and federal governments to assess employee wages and benefits using objective criteria that include comparisons with private sector compensation. (2012)

*Rationale: Objective and well informed comparisons must be made to identify optimal and sustainable compensation practices. (2012)*

## 7. INFRASTRUCTURE

a. STATE SUPPORT FOR SCHOOL CONSTRUCTION:

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 the local governing body. (2006)

*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, Limited English Proficiency (LEP) services, alternative programs for disruptive students, and applications of instructional technology.*

b. TRANSPORTATION FUNDING: Support legislative action at the federal level to establish a matching funding formula required from state and local governments equal to or less for rail projects as that required for highway construction. Support continuing legislative action at the federal, state, and local levels to obtain the necessary, sustainable funding from a variety of sources, including appropriate public-private partnerships, to allow for implementation of currently adopted transportation

(Continued on page 10)

(Continued from page 9)

plans, with rail and mass transit as the highest priority for new projects. (continued, revised 2006, 2007, 2011)

*Rationale: The TransAction 2030 report of 2006 by the Northern Virginia Transportation Authority (NVTA) projects a cost of \$30 billion to meet the needs of the Constrained Long-Range Plan (CLRP) by 2030; additional recommended improvements would cost an additional \$16.6 billion; making the total cost \$46.6 billion in 2005 dollars. Broken down on an annual cost basis, the need is nearly \$2 billion annually. (2007)*

*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% income tax; and a payroll tax.*

c. TRANSPORTATION FUNDING FORMULA: Support continuing state and local legislative actions to assure increased state transportation funds for Northern Virginia in general and to Fairfax County in particular. (continued; revised 2010)

*Rationale: While the 2007 General Assembly enacted new revenue sources for transportation infrastructure, they fall far short of the actual funding needs to meet the goals of the Virginia Draft Fiscal Years 2012-2017 Six-Year Improvement Program and the Northern Virginia TransAction 2030 program goals and projects. (revised 2010)*

d. METRO FUNDING: Support an increase in the federal and state shares of funding for Metro capital and operating costs and a regional dedicated funding source for the Metro system capital, operations, and maintenance programs. (continued from 2001; revised 2005)

*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 two (2) percent gasoline tax in Northern Virginia, the proceeds of which are dedicated to Metro funding.*

*The 2007 Virginia General Assembly session approved the required \$50 million Virginia contribution – from NVTA funds – to be matched with District of Columbia and Maryland funds in order to get \$150 million in federal funds annually over ten (10) years as part of the METRO funding reauthorization bill sponsored by then-Congressman Tom Davis. This provision was passed by Congress as part of the Amtrak Reauthorization Bill. The Washington area is the only major metropolitan region in the country without a dedicated funding source for its Metro system. Portions of the Washington Metrorail system are now more than 40 years old and badly in need of major maintenance. Also, 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. (revised 2009)*

## 8. LAND USE

LAND USE AUTHORITY: Oppose any diminution of local land use authority. (continued from 1999, revised 2010)

*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.*

a. ADEQUATE PUBLIC FACILITIES ORDINANCE: Support legislation to enable Fairfax County to adopt an Adequate Public Facilities Ordinance to ensure an orderly and coordinated land development and support 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)

b. 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.*

c. BRAC IMPACTS: Support state and federal funding to assist with the costs of providing the infrastructure, including rail, to accommodate the several thousand new employees who will be assigned to Fort Belvoir, the MARC Center, and nearby areas plus those employees who will be moved there from other Northern Virginia locations. (continued; revised 2008, 2011)

*Rationale: Most of the Base Realignment and Closure (BRAC) funding in the current state biennial budget was provided to Virginia Beach to prevent closure of the Oceana Naval Base. With minimal funding by the federal government, Northern Virginia must look to the state government for financial assistance. Solicit proffers from the Federal Government, especially the Department of Defense, to fund the accommodations necessary for the increase in BRAC-related employment within the County.*

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

e. PURCHASE OF DEVELOPMENT RIGHTS: Support legislation to create 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, amended 2011, 2012)

*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. This is consistent with the Federation's support of bringing the amount of conserved open space up to 20% of the total land area in Fairfax County.*

f. MAINTAIN PRESENT PROFFER PROVISIONS: Oppose any change in the present proffer authority granted to the County. (2009)

*Rationale: During the 2008 session of the General Assembly, a bill was introduced to prohibit cash proffers and authorize limited impact fees instead. The proposed impact fees were at a level that would have resulted in far less value to Fairfax County than the value of proffer packages that rezoning applicants have been willing to negotiate in the past. This bill was not adopted, but could be reintroduced in a future session.*

## 9. TAX STRUCTURE

(Continued on page 11)

(Continued from page 10)

a. LOCAL AND STATE TAX POLICIES: Support 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 Fairfax County's 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. (1999; revised 2001, 2002 and 2010)

*Rationale: Until such time as the General Assembly revises the taxation structure in the Commonwealth to ensure fairness to local governments, one method for localities to receive general revenues through other than real and personal property taxes is through a share of the state income tax. (revised 2010)*

c. LIMITATION: Strongly oppose state-imposed limits on local real property taxing authority, in the absence of additional revenue sources as described below in 10 (a) and (b). (2004, 2011)

*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 a purely local power because it is the only revenue source over which a county has sole authority. Unless and until the County is granted additional taxing authority, the real property taxing authority should not be limited.*

## 10. TAXATION AUTHORITY

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 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 a portion of the revenue to tourism and economic development (Visit Fairfax).*

b. ADDITIONAL LOCAL TAXES:

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

2.) Reduce general reliance on real and property tax as the primary local revenue base by authorizing local government bodies options by levy, (a) a piggyback income tax, (b) a piggyback sales tax, and (c) a piggyback gasoline tax. (1998, revised

2003, 2008, and 2009)

*Rationale: (1) 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) Current reliance on real and personal property taxes to raise approximately three-fourths of each year's County revenue stream places an undue burden on property owners when alternative revenue sources used in other states could be made available. Piggyback tax approaches would provide tax revenues with a near-zero local government collection cost. Approximately 12% of new local sales and gasoline tax revenues generated would be paid by pass-through customers who now benefit from Fairfax County government funded services without paying for any share of those benefits.*

## 11. HUMAN SERVICES

a. ESSENTIAL PROGRAMS: 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 and state statutes mandate many of these programs while other, non-mandated programs provide assistance for residents who lack the resources to help themselves. (revised 2009)*

b. MEDICAID PROGRAM: Support improvements in the state Medicaid program that increase access to services, particularly preventative services, with the goal of reducing overall health care costs. (2012)

*Rationale: The 2010 Patient Protection and Affordable Care Act (PPACA) contains many new directives for states and employers in providing health care coverage. Virginia's current eligibility requirements are so strict that it ranks at 48<sup>th</sup> in per capita Medicaid spending. As Virginia begins the implementation of this new law, we urge the state to be mindful of the potential impacts on localities and that a successful expansion of this service will require close cooperation between the Commonwealth and Fairfax County. (2012)*

c. VIRGINIA HEALTH CARE EXCHANGES: The General Assembly should establish a position on the Virginia Health Care Exchange in accordance with the following principles: no one with a financial interest in the insurance industry should be a voting member of the Exchange Board; the Exchange Board should be structured as a quasi-governmental agency; active purchasing is vital so that the Exchange will be able to negotiate the lowest rates and best plans within the market; and the rules and offerings should be structured to prevent adverse selection while maintaining fairness for health care consumers. (2012)

*Rationale: Following these principles regarding the Exchange will provide more affordable health care for the citizens of Virginia, in accordance with federal law. (2012)*

d. 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 only \$0.10 per resi-*

(Continued on page 12)

(Continued from page 11)

dent above that population. Only Fairfax County suffers from this criterion.

e. LYME DISEASE: Support funding initiatives that will advance research, surveillance, reporting, and diagnostics for Lyme disease. (2012)

*Rationale: Cases of Lyme disease have been on the rise in Virginia, with over 900 cases reported to the Centers for Disease Control and Prevention in 2010, a 37% increase from the previous year. The Secretary of Health and Human Resources has recently convened a Lyme Disease Task Force to make recommendation to the Governor regarding diagnosis, prevention, public education, medical treatment, and the impact of Lyme disease on children. (2012)*

## 12. LEGISLATIVE PROCESS

a. HOUSE OF DELEGATES SUBCOMMITTEES: Support legislation that would require all committees and subcommittees to hold recorded votes on any bill before the House of Delegates. (2007; 2009; revised 2010)

*Rationale: The practice of public votes on bills and resolutions should be made part of the Code of Virginia. (revised 2012)*

b. LEGISLATIVE REDISTRICTING: Support Virginia's legislative redistricting by a nonpartisan group subject to approval by the General Assembly, on the Iowa model. In the absence of such legislation, as was the case in 2011, support an open and transparent redistricting and reapportionment process at the state and County level, with the proposals to be made available to the public before they are voted on. (2007; revised 2010, 2011, 2012)

*Rationale: The legislative redistricting process should be fair and ensure competitive districts. (2010)*

## 13. 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)

## 14. PUBLIC SAFETY

a. INCREASED ACCESSIBILITY: Enable the inclusion of people with disability throughout the Commonwealth by increasing accessibility. (2012)

*Rationale: Enable Fairfax County to support access for people with disabilities and older adults in public and private facilities utilizing adaptive technologies. Incorporating adaptive technologies in public buildings, housing, transportation, and employment will benefit people with disabilities to remain active, contribute to their communities and retain their independence. (2012)*

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

c. FIREARMS: Support increased penalties for illegal gun sales and for gun sales to minors. Also, support background checks for all gun sales, including private sales at gun shows. (continued; 2004; revised 2010)

d. IGNITION INTERLOCK DEVICES: Support legislation that would require all persons convicted of Driving While Intoxicated for a first offense to use an ignition interlock device as a condition to driving for a minimum of six months. (2012)

*Rationale: The current Virginia Ignition Interlock Device laws require that for first offenses, the court can choose to enforce the installation of an ignition interlock device for the resumption of full or conditional driving privileges. For second time offenses, the IID requirement is no longer an option for the court and it must be enforced. The usage must last at least six months. (2012)*

## 15. TAXATION AND FINANCE

a. 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 charges in 2004 included the cap on personal property tax reimbursement to localities at \$950 million, which will have an impact on local revenues because of inflation. This personal property tax cap disproportionately disadvantages Fairfax County residents. The Commonwealth must act to ensure that localities have a revenue source to replace this loss.*

b. JAIL OPERATIONS: Support full state reimbursement to localities for the actual cost of confinement of State inmates in local jails. (2006)

*Rationale: In 2006, the state reimbursement, established nearly 20 years ago, was \$8 per day and rose to \$14 per day on the 61st 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.*

c. FEDERAL AND STATE MANDATES: Support full funding by the federal and state governments of all federal and state mandates, respectively, on local government. (continued from 1999; revised 2007)

d. TWO-YEAR BUDGETING: Support allowing local governments and school boards to adopt biennial (two-year) instead of annual operating budgets. (2005)

*Rationale: A biennial budget process for localities and school boards 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.*

e. SOLAR ENERGY TAX CREDITS: Support a Commonwealth solar tax credit for residences and businesses for new and refurbished solar energy systems. (2009, revised 2011)

*Rationale: This action reinstates and expands a former solar tax credit. It would encourage increased use of solar energy, a renewable resource, and reduce the use of carbon-based fuels. Many solar-heating systems installed in the 1970-1980 era are no longer functioning so that homeowners are removing them. A tax credit should be offered as an incentive for homeowners to refurbish already installed but nonfunctioning solar systems.*

## 17. TRANSPORTATION

a. SAFETEA-LU AND CLEAN AIR ACT AMENDMENTS (CAAA): Support implementation strategies to assure efficient

(Continued on page 13)

(Continued from page 12)

and cost effective compliance with all mandated Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU) (2005) and CAA requirements; assure adoption of all necessary actions to prevent potential loss of federal transportation funds, including support for Air Quality/ Congestion Management Plans adopted by the Metropolitan Washington Council of Governments. (continued, revised 2006, 2011)

b. STOP FOR PEDESTRIANS: Support legislation to direct VDOT to require vehicles in a jurisdiction with the Urban County Executive form of government to stop for pedestrians at marked crosswalks at unsignalized intersections on roads with speed with limits of less than 35 miles per hour. (2008)

*Rationale: The lack of a law requiring vehicles to stop for pedestrians in marked crosswalks is unsafe. Our neighboring jurisdiction, Arlington, which builds, maintains, and oversees its roadway network, has such a requirement. All urban areas need this requirement.*

d. HIGH SPEED RAIL: Support high speed rail along major transportation rights-of-way where a study has determined it to be beneficial. (2009, revised 2011)

*Rationale: Rail corridors would provide construction jobs, increase revenue, reduce air pollution, and reduce delays on roads and at airports.*

e. FEES FOR OVERWEIGHT TRUCKS: Support legislation that establishes increases to existing fees for overloaded and overweight trucks that will more closely reflect the pavement and bridge damage costs caused by these vehicles. (2010, revised 2012)

*Rationale: In 2008 the Virginia General Assembly directed the Virginia Department of Transportation to review the existing fee structure for permits granted to overweight vehicles on Virginia's highways to determine what fees should be associated with highway damage and added maintenance costs caused by such vehicles. The review, which was carried out by the Virginia Transportation Research Council, found that monetary damages and additional maintenance costs caused by overweight trucks are significantly higher than the fees paid by those vehicles, many of which receive permits for overweight loads without any fee payment whatsoever. Unfortunately VDOT has drafted legislation that recommends fee changes that do not reflect full costs of damage and added maintenance costs. A fee structure that establishes appropriate user charges for overweight trucks would allow the Commonwealth to generate sufficient revenue to more fully recover the costs that the Commonwealth incurs to mitigate the damage and added maintenance costs caused by overweight trucks. (2012)*

## OTHER LEGISLATIVE ISSUES

### CITIZEN INTERESTS

a. BUY AMERICAN: Support legislation to stimulate American jobs by incentivizing governmental agencies and their departments, including higher education institutions and public schools to increase their respective procurement of products manufactured or assembled in America. (2012)

*Rationale: Virginia, its counties, cities and towns, colleges, universities, and public schools have the ability to stimulate the creation of American jobs and combat American unemployment*

*by re-directing some of their respective current budget for the procurement of goods to the purchase of products made or manufactured in America. American products are available at competitive prices and the above mentioned entities need to make best efforts to find these products. This change to purchase more American products need not require an increase in governmental budgets or an increase in taxes. An incremental approach would be to increase by 10% in the current fiscal year, followed by fixed increments in the next five years. (2012)*

b. MINIMUM WAGE: Support a minimum wage indexed to the CPI increase. (revised 2007, 2008 and 2010)

*Rationale: The federal minimum wage is now \$7.25 an hour. That minimum wage is not adequate in Fairfax County. (revised 2010)*

c. EARLY VOTING: Support legislation to enable registered voters to vote early in person without providing an excuse or reason for not expecting to be able to vote in person on Election Day, while retaining all present statutory specific reasons enabling a voter to cast an absentee ballot for those persons who vote absentee by mail. (2009, revised 2012)

*Rationale: Early voting enhances voter participation. (revised 2010)*

d. PETROLEUM TANK FARMS: Support the City of Fairfax and the County of Fairfax in the phased relocation of the Pickett Road Tank Farm so as to minimize exposure to hazards in residential neighborhoods.

Also support legislative initiatives, such as allowing a maximum number of tanker truck trips to and from tank farms located in or near densely populated areas; providing state and local authority for additional safety requirements for bulk petroleum storage; increased state authority to regulate intrastate pipeline safety; and strengthening, codification, and enabling state and/or local agencies' enforcement power of nuisance laws. (continued; revised 2008, 2009, 2010)

*Rationale: Governor Wilder appointed a Governor's Advisory Commission on the Pickett Road Tank Farm following discovery in September 1990 of a massive oil spill of an estimated 200,000 to 300,000 gallons of hydrocarbons from the Texaco facility at the tank farm. Among the recommendations in the Commission's report of December 18, 1992 was relocation of the tank farm to a more appropriate location. The tank farm is located in a completely developed area with 400 tanker trucks a day going to and from the facility. Oil spill incidents, tanker truck accidents, and the addition of ethanol trucking have brought renewed urgency to this issue of safety and environmental degradation. The increased use of ethanol in gasoline mixtures requires truck transport of ethanol to the tank farm. (revised 2009, 2010)*

e. CAR TITLE LOAN: Cap the predatory car title loan interest rate to a maximum of 36 % per year. (2010)

*Rationale: The car title loan is a predatory lending practice where the individual must pay back the loan with an interest rate of 25-30% per month, or 300-360% per year. Predatory lending has financially destroyed many thousands of individuals and families who too often lose their most valuable possession, their car. (2010)*

f. RESTORATION OF RIGHTS: Amend Virginia's Constitution

(Continued on page 14)



(Continued from page 13)

to automatically restore civil rights – including voting rights – for most or all felons once they have completed their sentences. Maintain the current requirements to apply for restoration of gun rights. (2011)

*Rationale: Virginia is one of the two most restrictive states for restoring the civil rights of felons that have completed their sentences. All states except Virginia and Kentucky either automatically restore or have an easier process for restoring voting rights for most or all felons once they have completed their sentences. Individuals convicted of felonies in Virginia may only re-obtain voting and other rights by individually applying for gubernatorial restoration of rights after a waiting period of three to five years after release from prison. Although voting rights may be restored by an act of the Governor, this process takes a long time and contributes to the disenfranchisement of a significant number of the population. While the process has recently been simplified and accelerated, the decision-making process still needs to be made consistent and transparent. Approximately 300,000 Virginia citizens cannot vote due to a felony conviction. Virginia requires restoration of rights, followed by expungement, before the right to own a firearm is restored. Support for automatic restoration of rights is not to be interpreted to include automatic restoration of gun rights for felons upon completion of their sentences. (2012)*

To be submitted for approval by the Federation Membership on November 17, 2011.

More information and updates on the Fairfax County Federation of Citizens Associations' 2011 Legislative Program is available on the following website:

[www.fairfaxfederation.org/legislation1.htm](http://www.fairfaxfederation.org/legislation1.htm).

### **Fairfax County Government Legislative Program**

Fairfax County takes a number of positions and advocates for legislation in Richmond with the Virginia General Assembly. Its draft legislative program can be seen at <http://www.fairfaxcounty.gov/government/legislation/preliminary-draft-2012-legislative-program.pdf>.

This draft will be on the agenda for adoption at the December 6, 2011, meeting of the County's Board of Supervisors. Public comments were heard on November 1, but written comments can be submitted prior to the December 6 meeting.

### **Development from the Developer's Point of View**

At the December 15, 2011, Federation Membership meeting, Mr. Pete Otteni will present development from the developer's point of view. Mr. Otteni is the Vice-President of Development for Boston Properties. He is also a member of the Reston Master Plan Special Studies Task Force. The 25-person Task Force is helping the County develop the Comprehensive Plan for the Metrorail corridor through Reston. Boston Properties is one of the major developers owning property in the corridor.

**Return this form to Membership Vice President at address shown below.**

**Please tell us who is submitting this form: and your email address:**

**Federation Membership Application/Renewal for Fiscal Year 2011-2012 (starts July 1, 2011)**

Print this form in landscape mode and submit by mailing with a check to address shown below.  
You may also complete this form on line.

<b>Association Name:</b>		<b>Address:</b>		<b>Date:</b>
<b>Position</b>	<b>Name</b>	<b>Address</b>	<b>Phone/FAX (XXX.XXX.XXXX)</b>	<b>E-mail see note #2</b>
<b>President</b>				
<b>Treasurer</b>				
<b>1<sup>st</sup> Delegate</b>				
<b>2<sup>nd</sup> Delegate</b>				
<b>3<sup>rd</sup> Delegate</b>				
<b>4<sup>th</sup> Delegate</b>				

**Please indicate person and address above to send future membership renewals:**      **District?**      **Association Type?**  
**Association Size/Federation Dues:**      **Organization's web site:**      **Month new officers installed:**

- Number of votes is based on association size. Dues are based on association size and number of mailed bulletins (see chart below):
- Bulletin notices are distributed by e-mail at no cost. Mailed Bulletins are \$10 per subscription. Unless otherwise noted, email addresses provided above will be added to the Federation's email list for distribution of Federation notices
- Membership dues are from July 1 to June 30 of the following year. Separate invoices may not be mailed. To determine whether your association's membership is current check with the Federation Treasurer at fedtreas2012 (a) fairfaxfederation.org
- Mail application form and check, payable to "Fairfax County Federation of Citizens Associations" or simply "FCFCA", to:
 

**THE FEDERATION**  
 Attention: Membership Vice President  
 4022 Hummer Road  
 Annandale, VA 22003

Dues, Delegates, & Bulletins		# of Residences	Dues	Voting Delegates	Bulletins
Under 100	\$20	1	+ \$10 per each mailed		
100-1000	\$40	2	+ \$10 per each mailed		
Over 1000	\$60	3	+ \$10 per each mailed		

**Please print this page landscape mode using the properties box**

**Future membership renewals:** 1. Submitter, 2. Association Address, 3. President, 4. Treasurer, 5. 1<sup>st</sup> Delegate, 6. 2<sup>nd</sup> Delegate, 7. 3<sup>rd</sup> Delegate, 8. 4<sup>th</sup> Delegate  
**District:** B. Braddock, D. Dranesville, H. Hunter Mill, L. Lee, M. Mason, MtV. Mount Vernon, P. Providence, Sp. Springfield, Su. Sully  
**Association type:** Civic, Coop, Condo, Homeowner  
**Association Size/Federation Dues:** For example: 90/\$20