

Minutes of the Fairfax County Consumer Protection Commission

August 16, 2011

7:30PM Conference 9/10
Government Center
12000 Government Center Pkwy.
Fairfax, Virginia 22035
Chairman Fee, presiding

Attendance:

Commissioners: Bahhur, Belkowitz, Bounacos, Boyd, Fee, Kirk, Nguyen, Martz, Roark, Rosier, Stamp

Absent:

Commissioners: Hargraves, Hine

Staff:

Michael S. Liberman, Director
Cable and Consumer Services
Ellen Posner, Assistant County Attorney
Steve Sinclair, Chief, Public Utilities Branch
Susan Hafeli, Utility Analyst, Public Utilities Branch
Susan Jones, Branch Chief, Consumer Affairs
Dave Reidenbach, Chief, Regulation and Licensing Branch
Henri Stein-McCartney, Consumer Specialist II, Regulation and Licensing Branch

The meeting was called to order at 7:34PM by Chairman Fee.

Minutes

The minutes of the July 19, 2011, meeting were approved after the correction that Commissioner Rosier was absent at the last meeting.

Report of the Chairman

Chairman Fee informed commissioners that the Trespass Towing Advisory Board was working on rates and this information will be discussed at a later date.

Report of the Director

Director Liberman had no matters to bring before the commission.

Commission Matters

Commissioner Rosier mentioned while she was on Metro, her bag containing her work laptop was stolen. The Metropolitan Transit Police were reluctant to take a report, but the Fairfax County Police Department took the report.

Commissioner Bounacos had no matters to bring before the commission.

Commissioner Kirk had no matters to bring before the commission.

Commissioner Stamp had no matters to bring before the commission.

Commissioner Bahhur had no matters to bring before the commission.

Commissioner Roark had no matters to bring before the commission.

Commissioner Nguyen had no matters to bring before the commission.

Commissioner Belkowitz had no matters to bring before the commission.

Commissioner Boyd had no matters to bring before the commission.

Commissioner Martz had no matters to bring before the commission.

Old Business

There was no old business.

New Business

1. Taxicab Certificates and Rates. Steve Sinclair, Chief, Public Utilities Branch, provided an overview of the history of certificates over the last ten years, staff's recommendation, rules governing taxicab rates, and the public hearing on October 18, 2011.

Chairman Fee moved that the Consumer Protection Commission recommend to the Board of Supervisors that the number of taxicab certificates remain at 576 for the period 2011 to 2012. Commissioner Bounacos seconded the motion. The motion passed unanimously.

2. Falls Church Water Study. Susan Hafeli, Utilities Analyst, Public Utilities Branch, presented the

Falls Church Rate Study: Preliminary Considerations. The slide presentation showed the prior CPC /Board action, 2010 Court Directive, Board's 2011 issues, remaking principles, first principle, second principle, proposed operation & maintenance reserve, proposed repair, rehabilitation, and replacement reserve, proposed debt service reserve, selected reserve adjustments, third principle, operation

& maintenance water administration, source of supply, selected adjustments, consumption estimates, system expansion funding, cash balances, fourth principle, fifth principle, sixth principle, seventh principle, and the preliminary rate study issues.

Chairman Fee moved that the Consumer Protection Commission recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section § 2.2-3711 as follows:

Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code Section § 2.2-3711(A)(7); specifically to include the case of *Board of Supervisors v. Fairfax County, et al. v. City of Falls Church; Case CL-2010-18232*. The motion was seconded by Commissioner Nguyen. The motion was passed unanimously.

1. Closed Session: Closed session began at 8:27PM.

Chairman Fee moved that the Consumer Protection Commission certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Commission during the closed session.

The motion was seconded by Commissioner Kirk. The motion passed unanimously.

Closed session ended at 9:22PM.

The meeting ended at 9:24PM.