

**NORTHERN VIRGINIA REGIONAL COMMISSION**

**Minutes of the Commission Meeting Held Thursday, May 24, 2007**

**COMMISSIONERS**

(The names of those present are highlighted)

<b>Commissioner Hilda M. Barg</b>	<i>County of Prince William</i>
<b>Commissioner Sharon Bulova</b>	<i>County of Fairfax</i>
<b>Commissioner Gerald E. Connolly, NVRC Vice Chairman</b>	<i>County of Fairfax</i>
Commissioner W. S. Covington, III	<i>County of Prince William</i>
<b>Commissioner Joan Cross</b>	<i>City of Fairfax</i>
<b>Commissioner Steve DeBenedittis</b>	<i>Town of Herndon</i>
Commissioner Joan DuBois	<i>County of Fairfax</i>
<b>Commissioner Barbara A. Favola, NVRC Chairman</b>	<i>County of Arlington</i>
<b>Commissioner Penelope A. Gross</b>	<i>County of Fairfax</i>
Commissioner Catherine Hudgins	<i>County of Fairfax</i>
<b>Commissioner Robert W. Lazaro, Jr.</b>	<i>Town of Purcellville</i>
<b>Commissioner Harold Lippman</b>	<i>City of Falls Church</i>
Commissioner Elaine N. McConnell	<i>County of Fairfax</i>
<b>Commissioner Martin E. Nohe</b>	<i>County of Prince William</i>
<b>Commissioner Harry J. Parrish, II, NVRC Treasurer</b>	<i>City of Manassas</i>
<b>Commissioner Redella S. Pepper</b>	<i>City of Alexandria</i>
<b>Commissioner M. Jane Seeman</b>	<i>Town of Vienna</i>
<b>Commissioner Paul C. Smedberg</b>	<i>City of Alexandria</i>
<b>Commissioner Linda Smyth</b>	<i>County of Fairfax</i>
Commissioner Stephen Snow	<i>County of Loudoun</i>
<b>Commissioner J. Walter Tejada</b>	<i>County of Arlington</i>
Commissioner William J. Treuting, Jr.	<i>City of Manassas Park</i>
<b>Commissioner Bruce E. Tulloch</b>	<i>County of Loudoun</i>
<b>Commissioner Kristen C. Umstatt</b>	<i>Town of Leesburg</i>
<b>Commissioner Fred E. Yohey, Jr.</b>	<i>Town of Dumfries</i>

**STAFF PRESENT**

G. Mark Gibb	<i>Executive Director</i>
Linda M. Tenney	<i>Deputy Director</i>
Linda Summerall	<i>Executive Secretary</i>
Ken Billingsley	<i>Director, Demographics</i>
Barbara Gordon	<i>Communications Director</i>
David Schwengel	<i>Regional Emergency Planning Services Director</i>
Michelle Simmons	<i>Director, Human Services</i>
James Van Zee	<i>Director, Regional Planning Services</i>

**OTHERS PRESENT**

Bruce Bennett	<i>Hunter Mill Road Traffic Calming Committee</i>
Katie Boyle	<i>Fairfax County staff</i>
Jim Chandler	<i>Town of Leesburg staff</i>
Gregg MacDonald	<i>Fairfax County Times</i>
Sue Rowland	<i>SR Consulting, Inc.</i>
Charles A. Tievsky	<i>Member, American Immigration Lawyers Association and Washington, D.C., Chapter</i>
Bill Turque	<i>Washington Post</i>
Parastoo G. Zahedi	<i>Chairman, Washington, D.C., Chapter, American Immigration Lawyers Association</i>

**CALL TO ORDER** Chairman Favola called the meeting to order at 7:33 p.m.

**PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited by all present.

**ROLL CALL** The roll was called and all members present or absent were noted for the record.

APPROVAL OF  
MINUTES

Commissioner Umstattd moved approval of the minutes of the April 26 meeting. The motion was seconded. Commissioner Lippman requested that the minutes be corrected to reflect that the Falls Church City Council expressed a sense of agreement on stronger gun control laws as a result of the tragedy at Virginia Tech and not a resolution as written. The minutes as amended were approved unanimously.

PRESENTATION *Immigration Issues in Northern Virginia*

Noting that Commissioner Tejada had arranged for the presentation, Chairman Favola asked him to make the introductions. Commissioner Tejada commented that immigration is an issue receiving both national and local attention, and it is important to separate myth from fact. Commissioner Tejada has launched a multicultural dialog in Arlington that includes workshops to help immigrants become citizens.

Charles A. Tievsky practices immigration law in Reston, representing corporations and individuals in employment-related matters. He also staffs a *pro bono* legal clinic in Herndon. Mr. Tievsky is a member of the American Immigration Lawyers Association and its Washington, D.C., Chapter. Parastoo G. Zahedi, Chairman of the AILA's Washington, D.C., Chapter, practices immigration law in Tyson's Corner. She emigrated from Iran to America with her parents when she was a teenager, was educated in the Arlington and Fairfax county school systems, and earned her law degree from Georgetown University.

*Charles A. Tievsky* Mr. Tievsky observed that the U.S. Senate is in the midst of an historic debate on comprehensive immigration reform and how to balance the requirements of families and businesses with public concerns about both legal and illegal immigration. He cited a March 2005 Bureau of Labor Statistics report estimating 11-12 million undocumented persons in the U.S. It is estimated that 250,000-300,000 undocumented persons live in Virginia. He explained that U.S. immigration laws restrict the number of low-skilled non-citizens permitted to work in the U.S. The demand for labor exceeds the legal supply.

Authority to regulate immigration is reserved to the federal government by Article I, Section 8 of the Constitution, which grants Congress the power to establish uniform rules of naturalization. Mr. Tievsky discussed recent local ordinances regarding legal status blocked by federal courts.

*Parastoo G. Zahedi* Ms. Zahedi explained the Senate's bill is still being amended. She summarized the Border Security and Immigration Reform Act of 2007. (Commissioners Pepper and Bulova arrived during this review.)

*questions & answers* Commissioner Gross inquired about the Coleman amendment and was told it is supposed to be considered on May 25.

Commissioner Connolly asked if individuals are responsible for checking workers' status and was told an individual is not responsible for checking the status of someone who does not regularly work for that individual. However, if an individual hires a worker independently to work on a routine basis (e.g., every other week or once a month), then the individual is responsible for checking that worker's status.

Commissioner Barg asked about forged documents. Mr. Tievsky said it is less prevalent since September 11<sup>th</sup>.

Commissioner Umstattd stated she would like a follow-up to this presentation as to what the localities are doing. How do local elected officials get the existing population to accept immigrants in their communities? Chairman Favola said this will be a future discussion and asked for volunteers to work on the presentation. Commissioner Tejada said he would take the lead.

CONSENT AGENDA Commissioner Connolly moved approval of the Consent Agenda, consisting of items outlined below. The motion was seconded and carried unanimously.

- A. Financial Reports for April 2007
- B. Resolution No. P07-23: Support the Revision or Repeal of Section 216 of the Federal Power Act, Which empowers the Department of Energy to Designate National Interest Electric Corridors
- C. Resolution No. P07-24: Engagement of Public Auditor

EXECUTIVE  
DIRECTOR'S  
REPORT

Mr. Gibb distributed a copy of his report. Highlights include:

- Four Mile Run Restoration Project: NVRC staff is working with Arlington and Alexandria staff to hire a contractor to develop design guidelines for the project corridor. A request for funding to the state for design of a signature pedestrian-cyclist bridge linking Arlington and Alexandria is pending.
- Cameron Run Study Update: NVRC is working with the City of Falls Church on its inclusion in the partnership with Alexandria, Fairfax County and the U.S. Army Corps of Engineers. Last month, NVRC hosted the second meeting of the Cameron Run Inter-Agency Collaboration Group that fosters collaboration though the separate projects/studies in the Cameron Run/Holmes Run watershed. The Lake Barcroft Watershed Improvement District also participated.
- Ryan White, Part A (Title I): Following a meeting this month between NVRC staff and D.C. HIV/AIDS Administration staff concerning communication issues, NVRC will receive a six-month advance on the formula award, nearly \$1.5 million, which will minimize cash flow issues among Virginia service providers. Additionally, staff was informed this afternoon that suburban Virginia's supplemental award is six percent higher than last year, at just under \$4 million.
- International Partnerships: Mr. Gibb reported he received a phone call tonight from Bernd Steinacher, director of the Verband Region Stuttgart (NVRC's sister council), reporting that the METRIX conference has been approved for Northern Virginia in spring 2008.
- NVTA Support: NVRC continues to play a key administrative support role and staff are actively participating in the five work groups.
- NVRC in History: In 1957, the Northern Virginia Regional Planning & Economic Development Commission initiated a regional park needs study and recommended creating a regional park authority. The Northern Virginia Regional Park Authority was formed in 1958.

CHAIRMAN'S  
REPORT

Chairman Favola reported that Mr. Gibb has served as the Commission's Executive Director for 20 years. On behalf of the members, she presented him with a portfolio with an engraved plate bearing the NVRC logo and his name.

NOMINATING  
COMMITTEE  
REPORT

Commissioner Umstattd, Chairman of this year's Nominating Committee, reported the committee recommends the following slate of officers for election at the June 28 meeting:

Gerald E. Connolly (Fairfax County)	Chairman
Harry J. "Hal" Parrish, II (City of Manassas)	Vice Chairman
Martin E. Nohe (Prince William County)	Treasurer

Commissioner Umstattd moved the slate of officers. The motion was seconded and unanimously carried.

Chairman Favola called for nominations from the floor. There were none.

**COMMITTEE  
REPORTS**

*Communications*

Commissioner Smedberg reported that NVRC staff serve on NVTA's public outreach work group and maintain NVTA's web site.

Over the past month, NVRC has issued press releases on the rain garden seminar, NVTA's first public comment session, and the program at the National Building Museum on the Four Mile Run Master Plan. News stories about NVRC continue to appear in various media outlets.

Additionally, Ms. Gordon, NVRC's Communications Director, serves on a committee developing a communications plan for the Virginia Association of Planning District Commissions (VAPDC).

*Legislative*

Commissioner Connolly reported that some localities will redouble their efforts to seek to introduce state legislation to ban weapons in public facilities, adding that this was unanimously passed by Fairfax County's Board. He added that weapons are currently banned from the General Assembly Building, courthouses and schools.

Commissioner Connolly reported that the Northern Virginia Transportation Authority is moving with great rapidity. NVTA is empowered to impose approximately \$300 million in fees; some of that money is already earmarked. He thinks the agency will be looking at bonding authority of approximately \$1.5 million. NVTA members want to move swiftly after the legislation goes into effect on July 1.

NVTA is trying to explore a relationship within the statute with the towns.

Commissioner Umstadd thanked the NVTA members for listening to the towns' concern. The way the planning advisory committee is drafted, the five towns will have a representative out of a total of 23 members. She added that the town mayors will meet together regularly to develop their position.

Commissioner Umstadd pointed out that the Town of Leesburg has far more experience in building roads than does Loudoun County. Leesburg dedicates approximately 50 percent of its General Fund Capital Projects money to streets and highways.

Commissioner Umstadd stated her belief that NVTA should rely on the existing structure of NVRC.

Commissioner Connolly agreed that NVTA should have a small core staff. Mr. Nohe stated this is the sentiment of most of the NVTA members.

Commissioner Connolly said the towns' position was clearly and sympathetically heard by the NVTA members at its public comment session, but said the statute will not be changed.

Commissioner Parrish also thanked Mr. Gibb and Ms. Summerall for the support they provide to NVTA.

*Operations*

Commissioner Parrish reported the committee met last week and discussed the financial reports and the choice of an auditor, and received the first review of the proposed employee compensation plan. The Operations Committee will bring the plan to the Commission shortly.

**OTHER BUSINESS**

• Chairman Favola reported that she and Commissioners Hudgins, Gross, Lippman and Cross had a conference call with NVRC staff concerning next month's presentation on mental health, which will cover access and financing among other aspects.

- Commissioner Lazaro reported the *ad hoc* Energy Committee may look at the Cool Counties/Cities initiative for the region. The Governor has an energy initiative and the SCC will conduct public hearings on energy efficiency recommendations; in turn, the SCC will make recommendations to the Governor and the General Assembly in December. He discussed with NVRC staff the possibility of securing grant funding for a pilot project to provide compact fluorescent light bulbs for homes or municipalities around the region and a public education campaign.

He also asked for volunteers to serve on the *ad hoc* Energy Committee.

Commissioner Lazaro asked that the Legislative Committee consider sending a letter to Virginia Attorney General Bob McDonnell urging an aggressive stance when DOE designates National Interest Electric Transmission Corridors in Virginia. Commissioner Connolly reported that the Fairfax County Board of Supervisors unanimously supported sending a letter to its Congressional Delegation to support overturning the federal government's ability to usurp local and state ability to protect the environment.

Chairman Connolly also reported that Fairfax County hopes to have its Cool Counties template ready in early June, and county staff can make a presentation to the Commission.

- Commissioner Pepper asked members to give her feedback on MWCOG's 50<sup>th</sup> anniversary celebration to assist in planning for NVRC's 60<sup>th</sup> anniversary.

ADJOURNMENT      There being no further business, Chairman Favola adjourned the meeting at 9:23 p.m.

Respectfully submitted:

G. Mark Gibb  
Executive Director

Approved by:

Barbara A. Favola  
Chairman