

## **Minutes of the Fairfax County Consumer Protection Commission**

June 21, 2022

7:30 PM  
Government Center  
12000 Government Center Parkway  
Fairfax, VA 22035  
Chairperson Fee, presiding

Attendance: Commissioners: Belkowitz, Fee, Freedenthal,  
Kirk, Kratovil, Springer, Svab

Absent: Commissioners: Callender, Gulakowski,  
Hargraves, Roark, Rosier

Staff: Rebecca L. Makely, Acting Director  
Cable and Consumer Services  
Susan C. Jones, Consumer Specialist III  
Consumer Affairs Branch  
Carl Newcomb, Consumer Specialist III  
Regulation and Licensing Branch  
John W. Burton, Assistant County Attorney  
Office of the County Attorney

The meeting was called to order at 7:30 PM by Chairperson Fee.

### **Minutes**

The minutes for the May 17, 2022, with minor changes, meeting were not approved due to lack of quorum.

### **Report of the Chairperson**

Chairperson Fee had no matters to bring before the Commission.

### **Report of the Director**

Acting Director Rebecca Makely stated staff has been asked by the Department of Clerk Services to check-in with our Commissioners to confirm who are actively engaged in business in Fairfax County pursuant to [Fairfax County Code Section 10-3-1](#). An email will be sent to the Commission.

Acting Director Makely introduced Commissioner Chester Freedenthal as the newest member of the Commission.

### **Commissioner Matters**

Commissioner Svab had no matter to bring before the Commission.

Chairperson Fee mentioned ongoing issues with the trash companies. Staff verified receipt of complaints from several trash companies.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Belkowitz had no matters to bring before the Commission.

Commissioner Kratovil mentioned the Federal Trade Commission article in the June CPC packet on credit repair. He inquired about the postponement of Chapter 28.1. Acting Director Makely stated Deputy County Executive Arnold stated the Illicit Massage Business taskforce has no recommended changes to Chapter 28.1 at this time.

Commissioner Springer had no matters to bring before the Commission.

Commissioner Freedenthal had no matters to bring before the Commission.

### **Old Business**

There was no old business before the Commission.

### **New Business**

**1. Emergency Taxicab Fuel Surcharge Public Hearing.** Chairperson Fee read the following statement of Commission Responsibility.

*All hearings or other public proceedings conducted by the Commission in accordance with this Chapter shall be conducted in an informal manner. The Commission shall have the discretion to admit all evidence which may be of probative value even if that evidence is not in accord with formal rules of legal practice and procedure. Applicants and appellants may appear, either by personal appearance, legal counsel, or other representation, to present argument and evidence on their behalf. In addition, the Commission may establish rules of procedure for the conduct of hearings which are consistent with law. Any interested party may record all public proceedings of any hearing in any manner which will not impede the orderly conduct of the hearing.*

Rebecca Makely, Acting Director, Cable and Consumer Services presented the staff analysis and recommendation which included the review of Fairfax County Code, taxi certificates in Fairfax County, taxicab company data, local gasoline price trends, surcharge amount, comparison of taxicab rate in local jurisdictions, sample billing analysis, timeline, and recommendation

A discussion ensued on the fluctuation of gas prices, per trip demand, surcharges from other privately owned businesses, comparison of private/commercial companies, demographics on ridership, GPS mapping, established relationships of driver/customers, school/TOPS rides, disproportionate effect on vulnerable populations, and the Board of Supervisors ability to rescind the surcharge.

Chairperson Fee made the motion to recommend approval of a temporary uncodified ordinance that will provide for a taxicab fuel surcharge of up to \$2.00 per-trip from June 29, 2022, through

December 29, 2022. Commissioner Kirk seconded the motion. The motion passed 6-1 with Commissioner Kratovil voting nay.

Chairperson Fee introduced Commissioner Freedenthal. Each Commissioner introduced themselves and spoke briefly of their backgrounds.

The meeting adjourned at 8:47 PM.