



October 2009 “A Month in Review”

- **Working to Accelerate Renovation of Our Aging Schools** – During these difficult economic times we should take advantage of low construction costs, low interest rates and the opportunity to reduce operating expenses by advancing school renovation projects. At our last Board Meeting I requested that two common sense legislative changes be added to the Board’s State and Federal Legislative Packages to potentially further reduce the County’s renovation costs.
- **Getting to the Real Cost and Impact of Dulles Rail** – Mass transit in the Dulles corridor is critical to the future economic growth in the County. The previous Board promised rail to Dulles at no cost to the taxpayers. My request for a 10-year look at the real operating, interest, and capital costs; the sources of funds; and the resulting shortfall was approved by the Board and should be available a week before our Dec 7th meeting.
- **Open Competition: Saving Money and Improving Service** – Two recent examples – VRE’s selection of a new operator to replace Amtrak and Fairfax Connector’s takeover of Metro routes – demonstrate how competition can save taxpayers and transit users money. At a recent hearing on Metro’s financial problems I suggested that they too should look at competition – a suggestion that was echoed by several jurisdictions.
- **Update on Voting Issues** – I wanted to update you on my thoughts on a military voting rights issue from last year’s election and a ballot design issue from this year’s election. A vote on any subject, whether for President of the United States

or for a local school bond is an important one and we need to do everything we can to make sure that all voters are heard on every issue.

- **Upcoming Events and Information Items**
 - **Fairfax County Commission For Women Survey**

Working to Accelerate Renovation of Our Aging Schools

We are facing staggering school renovation and construction backlogs in Fairfax County and under the current CIP projection things are only going to get worse. For example, under our current renovation schedule, West Springfield High School and the other Legacy 5 high schools will all be 50 years or older by the time they are renovated and many are not yet on the CIP.

Aging buildings not only strain our capital funds, they also put a burden on operating budgets because keeping these aging buildings open is very expensive. West Springfield High School alone had over 3,000 work orders last year, the vast majority due to the age of the building. In short, these are drastic times that require outside-the-box, creative solutions.

We are not alone in facing these daunting infrastructure challenges. Municipal governments all across the Commonwealth and throughout the United States are facing the exact same infrastructure challenges we are. Because this problem is so prevalent throughout the country there are many people studying the issue and trying to come up with creative solutions.

One innovative and bi-partisan solution has been proposed by former Governor and Senator George Allen and former Democratic Party of Virginia Chairman Paul Goldman. Their proposal would make a simple change to federal tax law to allow private investors to receive a federal tax credit when converting old, outdated school buildings into new, modern facilities. Under current tax law, the IRS “prior use” rule disallows such credits to be used when the building is rehabilitated and used in the same manner for which it was originally built. Thus the tax credit is only applicable when an aging local school building is renovated for a different use by private investors. Removing the “prior use” clause is a relatively simple, common sense solution that if enacted could benefit school renovation projects in Fairfax County.

Another common sense solution that Delegate Dave Albo and I have been looking into is a change in the makeup and eligibility for receiving Virginia’s Rehabilitation Tax Credit. Under current Virginia law, the tax credit is only available when renovating buildings that are more than 50 years old. Lowering this requirement from 50 to 40 or 45 years for schools would allow many of our older schools that are in dire need of renovation, but have not yet hit the 50-year mark, to potentially be renovated by a private investor using the tax credit, thus lowering the overall cost of the project significantly. Again, this is a common sense solution that if enacted could benefit Fairfax County. Fairfax County

currently receives little to no school construction funding from either the state's Lottery funds or the Literary Fund.

Perhaps more importantly during these difficult economic times we have the unique opportunity to renovate our aging schools by:

- a) Taking advantage of the current 20% -30% reduction in construction costs
- b) Taking advantage of historically low interest rates, and
- c) Realizing savings in operating costs and environmental benefits from the renovations

The renovation tax credits would add to these savings and I have been discussing ways to take advantage of all of these potential savings with both County staff and School staff. We have the opportunity to save significantly on the cost of the renovation projects as well as advance many projects that are way out in the queue. This is an opportunity to renovate schools sooner and with real cost savings; however the opportunity will likely be short lived.

Getting to the Real Cost and Impact of Dulles Rail

At our October 19th meeting the Board passed a motion to authorize a public hearing for the Phase II Dulles Rail Transportation Improvement Tax District. Mass transit in this corridor is key to the future economic success of the County. Before the Board approved the motion, I pushed for the public hearing date to be moved to a date that would allow for greater citizen participation and also added an amendment that asked for comprehensive financial information to be provided to the Board before the public hearing.

The public hearing had been scheduled for November 23rd (the Monday before Thanksgiving) but I was successful in getting the public hearing moved to December 7th at 2:30 PM. In my opinion holding this important public hearing during Thanksgiving week would severely limit participation. Anyone who wishes to testify can do so by signing up here: https://www.fairfaxcounty.gov/bosclerk/speaker_bos.htm.

My amendment asked for comprehensive financial information to be provided to the Board so that the Board can fully understand the financial impact of adopting the tax district and the impact of Dulles Rail Phases I and II and their related projects on our future County budgets. While some of this information is available in various documents, the Board as a whole has never been presented with the full financial impact of the project. We have some tough budgets ahead of us in the County and we need to know exactly what we are facing in terms of both capital, interest and operating expenditures over the next 10 years.

The Board approved my request to provide a 10 year projection for the cost of the Dulles Rail project for both phases and all of the required related projects, including capital, financing/interest, and operating costs. The request also asks to identify all known

sources of revenue (including toll projections) for these projects and identify the funding shortfall.

Another aspect of this project that we need to have a better understanding of is the potential impact it could have on the Dulles corridor. I have heard all kinds of numbers being thrown around when it comes to tolls – including tolls of \$7.50 to \$11.00 by 2014. The Metro Washington Airport Authority's own projections show traffic reductions on the toll road as tolls begin to rise. The reduced traffic will not be due to the presence of rail, but the reduced economic activity in the corridor and increased use of local roads to avoid the tolls. Both of these would be bad for Fairfax County.

Just as Northern Virginia is the economic engine of the Commonwealth the Dulles corridor is the economic engine of Fairfax County, and if the tolls do rise to the heights that some have speculated, it will surely choke off growth in the corridor. That's why I have asked staff to give us an accurate presentation of the projected tolls and projected volumes over the next 10 years before we make critical decisions.

Mass transit in this corridor is key to the economic growth of the County. These are common sense questions anyone should ask before moving forward with a project for a home or business. The Board of Supervisors, as the local governing body, must fully grasp all of the financial details before moving forward so that we can make decisions that are in the best interest of Fairfax County. The public also should have access to these numbers. The rail project was one that was promised at no cost to the taxpayers by the previous Board. It is time this Board and the public have a full understanding of the real cost and impact.

Open Competition: Saving Money and Improving Service

At the October 19 Board meeting I presented a Board Matter titled Competing Metro Bus Service. I am always perplexed when I see governments look at cost and service cutting options without considering a competitive bidding process for services which often can result in not only cost savings but better service.

The options that are typically discussed to close Metro shortfalls are - cut services, ask member jurisdictions to provide more money, and raise fares. I believe there is another option that should be aggressively explored and could actually improve service and reduce costs – the use of competition. Several recent transit developments in Northern Virginia demonstrate clearly why competition should be considered to close the Metro shortfall.

For years Fairfax County has successfully competed the contract for its bus services. The Connector has a lower overall service cost than Metrobus. The benefit of this competition was also evident when Fairfax Connector recently took over the 12s and 20s routes from WMATA at a reduced operating cost and increased flexibility in determining the levels and types of bus service to be used in the county.

Just recently, the Virginia Railway Express Operations Board approved a contract for Keolis Rail Services of America to replace Amtrak under the Operating and Maintenance Services contract at a savings of over \$1 million or 5% after a competitive procurement. Most importantly this change was not about saving money it was about meeting the vision and raising the level of service the Operations Board expects from its service provider. The Board was unanimous in its approval of both the need to compete the service and the selection of Keolis.

Another example of the benefits of competition can be found in a recent Washington Times article on the metro system in Hong Kong. Utilizing the competition process, Hong Kong's metro system MTR transports more than 3.4 million passengers at an average fare of just 84 cents. It operates without a subsidy and generates a profit for the contractor and the city. Its on time record is reported to be around 99%, higher than Metro's unachieved target of 95%.

At a Northern Virginia Transportation Committee (NVTC) meeting two weeks ago I recommended the Washington Metropolitan Area Transit Authority (WMATA) consider competing its bus operations contract and/or turning additional bus routes back to localities where they may be performed more efficiently. I have also recommend WMATA look at other areas in its system where competition could improve services, efficiency and lower prices. This suggestion was echoed by several jurisdictions.

It is time we explore alternative ways to maintain or improve our services and reduce costs. In my opinion putting a greater emphasis on "open competition" is a way to start.

Update on Voting Issues

As you may recall, in last year's presidential election, the Fairfax County Office of Elections was discounting the ballots of some military members serving our country overseas (please note that this occurred under the leadership of the previous General Registrar who is no longer with the County). One of the reasons they were not being counted was because several jurisdictions in the Commonwealth, including Fairfax, had sent the absentee ballots out very late not giving their intended recipients enough time to receive the ballots, fill them out, and get them back in to the Office of Elections by the deadline. This resulted in a number of our members of the Armed Services not having their vote counted in the 2008 general election – which I found appalling and unacceptable.

I am happy to tell you though that the U.S. District Court for the Eastern District of Virginia has agreed with my and many others' sentiments. The Court issued an opinion that stated that the failure to mail absentee ballots in a timely fashion to our service men and women abroad violated "a fundamental political right" which is guaranteed under federal law. Furthermore, it was ordered that the ballots are to be counted, and that compliance should be ensured in upcoming elections.

I applaud the ruling of the Court, and would like to thank all of those that stood up for the rights of the people protecting our country and our freedom around the globe. I was honored last year to play a major role in making sure the Federal Write-In Absentee Ballots were counted. Our previous registrar was the only one in the state to indicate he would not count them without a witness address.

In other voting related news I would like comment on an issue that was raised by many constituents regarding the way the paper ballot was printed for this past election. As I hope you noticed, the ballot was two sided. There was one vote on the backside – a vote on the school bond. I agree with the many constituents who called my office that it was not made clear enough that the ballot was two sided. I do think it is possible that some constituents missed out on having their voices heard on the school bond issue because the ballot did not clearly indicate that there was a vote on the backside.

I have raised my concerns and the concerns of my constituents with our new General Registrar and he agreed that in the future his office can and will make it a priority to let voters know when they are given a two sided ballot. A vote on any subject, whether for President of the United States or for a local school bond is an important one and we need to do everything we can to make sure that all voters are heard on every issue.

Upcoming Events and Information Items

- **Fairfax County Commission For Women Survey**

The Fairfax County Commission for Women is committed to addressing the issues and concerns of the women and girls of the Fairfax community. If you live or work in Fairfax County, they would like to hear your opinions on issues that affect the lives of women here in the county. Please take a minute to answer a couple of questions on their online survey - www.fairfaxcounty.gov/cfw

The *Herrity Report* is a monthly publication from the Office of Supervisor Pat Herrity to keep citizens informed on the issues facing Fairfax County. Communication is important to Supervisor Herrity and he encourages your feedback on the items in the *Report* or other issues that concern you. Past issues of the *Herrity Report* can be found at <http://www.fairfaxcounty.gov/springfield/herrity-report-newsletter.htm>. To sign up for the Herrity Report please go to <http://www.fairfaxcounty.gov/springfield>. If you no longer wish to receive the *Herrity Report*, please send an e-mail to springfield@fairfaxcounty.gov with “Unsubscribe” in the subject line.