

## Minutes of the Fairfax County Consumer Protection Commission

October 18, 2011

7:30PM Conference 4/5  
Government Center  
12000 Government Center Pkwy.  
Fairfax, Virginia 22035  
Chairman Fee, presiding

Attendance:

Commissioners: Bahhur, Belkowitz, Fee,  
Kirk, Nguyen, Martz, Rosier

Absent:

Commissioners: Bounacos, Boyd, Roark,  
Hargraves, Hine, Stamp

Staff:

Michael S. Liberman, Director  
Cable and Consumer Services  
Cynthia Bailey, 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

The meeting was called to order at 7:38 PM by Chairman Fee.

### **Minutes**

The minutes of the September 20, 2011 meeting were approved.

### **Report of the Chairman**

Chairman Fee attended the Board of Supervisor meeting last month when the staff report *Review of City of Falls Church Water System: Rates and Capital Improvements* was presented.

Chairman Fee informed CPC that staff presented the proposed towing changes to the Tenant-Landlord Commission.

### **Report of the Director**

Director Liberman stated at today's Board of Supervisor meeting, the Board approved Administrative Item # 9, authorizing a public hearing on water rates.

### **Commission Matters**

Commissioner Fee mentioned that Verizon sent notice of proposed advertising over his cell phone and he opted out of this option.

Commissioner Nguyen inquired whether the *Do Not Call* Registry allows cell phone numbers. He also mentioned the request for the cable companies to present to the CPC.

Commissioner Kirk had no matters to bring before the Commission.

Commissioner Rosier had no matters to bring before the Commission.

Commissioner Bahhur discussed the difficulty of bundled Internet, telephone, and cable services.

Commissioner Belkowitz 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. Trespass Towing Code**

Dave Reidenbach, Chief, Regulation and Licensing Branch, addressed CPC inquiries from the July 19, 2011 meeting on the Draft Fairfax County Trespass Towing Code. He discussed picture availability, combined fees, storage fee amount, and administrative fee.

A discussion ensued on proper vehicle sticker displayed, abandoned vehicles, agreements with owners of the property where vehicles are towed, and the passing of the ordinance.

Commissioner Kirk made the motion to accept staff recommendation as modified by the CPC. Commissioner Bahhur seconded the motion. The motion passed unanimously.

Chairman Fee announced the Public Hearing for Taxicab Proceedings statement of CPC responsibility under Chapter 84.1 of the county code. 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 the 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.

William Stokes, President of the Fairfax County Taxicab Drivers Association made comments to the Commission and provided documentation.

#### **2. Staff Report on Proposed Rate Increase by Taxi Drivers Association**

Steve Sinclair, Chief, Public Utilities Branch, presented the staff report on the following information: taxicab industry in Fairfax County, taxicab drivers, Fairfax County code establishes rate reviews, rate proposal, analysis of the need for a rate increase, driver stability and satisfaction, and additional economic factors.

Staff Recommendation:

Based on the information contained in the staff report, it is staff's recommendation that the Fairfax County Taxicab Drivers Association rate increase request be denied, and that current rates should remain in effect.

Wayne Miller and John Sawyer, Transportation General, Inc., Ken Aggrey, L&Z Transportation, Inc., and Bryan Shaw, Paul Wallace Management, Inc. supported staff recommendation.

The public hearing closed at 9:18 PM.

Chairman Fee made the motion to accept staff's recommendation to deny the requested rate change. Commissioner Belkowitz seconded the motion.

A discussion ensued on the leasing of the vehicle versus owning the vehicle, metropolitan area attracting drivers, industry oversight, and insurance costs.

Chairman Fee called for the vote on the previous motion. The motion passed unanimously.

The meeting ended at 9:23PM.