

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

November 15, 2022

7:30 PM  
Government Center Conference Room 232  
12000 Government Center Parkway  
Fairfax, VA 22035  
Chairperson Fee, presiding

Attendance:

Commissioners: Belkowitz, Fee, Freedenthal,  
Gulakowski, Hargraves, Kratovil, Roark,  
Rosier, Springer, Svab

Absent:

Commissioners: Kharat, Kirk, O'Savio

Staff:

Rebecca L. Makely, Acting Director  
Cable and Consumer Services - Remote  
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 October 18, 2022, meeting were approved without objection.

### **Report of the Chairperson**

Chairperson Fee had no matters to bring before the Commission.

### **Report of the Director**

Acting Director Rebecca Makely had no matters to bring before the Commission.

### **Commissioner Matters**

Commissioner Gulakowski mentioned his HOA was approached by a group called "Quilts of Valor." This group honors Veterans with a handmade quilt on Veteran's Day.

Commissioner Roark had no matters to bring before the Commission.

Commissioner Rosier had no matters to bring before the Commission.

Commissioner Freedenthal contacted the Chair of the Fairfax Area Disability Services Board about the Remote Participation Policy. Their Board agreed with the language change to Mandatory Requirements under Section 3(b).

Commissioner Kratovil had no matters to bring before the Commission.

Commissioner Springer had no matters to bring before the Commission.

Commissioner Svab had no matters to bring before the Commission.

Commissioner Hargraves had no matters to bring before the Commission.

Commissioner Belkowitz had no matters to bring before the Commission.

Chairperson Fee mentioned an ongoing issue with his trash company.

### **Old Business**

There was no old business before the Commission.

### **New Business**

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

*All hearings or other public proceedings conducted by the Commission 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*

Acting Director Makely presented the staff report on the Emergency Taxicab Fuel Surcharge which included a review of Fairfax County Code, taxicab certificates, taxicab company data, gasoline price trends, surcharge amount required to offset increased fuel cost, comparison rates, and sample billing analysis. Acting Director Makely informed the Commission that White Top Cab Company shutdown their operations in Fairfax County, on September 1, 2022.

Chairperson Fee made the motion to approve a temporary uncodified ordinance that will provide for an emergency taxicab fuel surcharge up to a \$1.00 per-trip from December 30, 2022, through June 30, 2023. Commissioner Gulakowski seconded the motion. The motion passed, 9-1-0.

**2. Chapter 28.1.** Acting Director Makely provided the requested redline draft of Chapter 28.1, prepared by the County Attorney with proposed amendments to the appeals language. Acting Director Makely informed the Commission that the Illicit Massage Businesses (IMB) Taskforce will review Chapter 28.1 and will forward their recommendations to the Commission in the Spring of 2023.

A discussion ensued on the highlighted areas in the chapter, Virginia Code, authority and police powers, inspection requirements, descriptive language, and application denial deadline.

The Commission will review Chapter 28.1 and provide their recommendations at the December meeting.

**3. Proposed Amendments to Fairfax County Code Chapter 84.1.** Acting Director Makely presented the staff analysis and recommendation to the Commission which included the review of Fairfax County Code, taxi certificates, vehicle cost, and timeline.

A discussion ensued on the number of taxicabs effected, gap between vehicle mileage “aged out” and approval from the Board of Supervisors, leasing cost, extra fleet vehicles, emissions requirements, and taxicab industry attendance at the public hearing.

Chairperson Fee made a motion for the Consumer Protection Commission to Authorize Advertisement of a Public Hearing to be held on Tuesday, December 20, 2022, 7:30 p.m. on Proposed Amendments to Fairfax County Code Section 84.1-8-3, Vehicle Requirements. Commissioner Hargraves seconded the motion. The motion passed unanimously, 10-0-0.

**4. Nomination of Officers.** Chairperson Fee appointed Commissioner Gulakowski to chair the Nominating Committee. Commissioner Gulakowski will reach out to the Commission for nominations of Chairperson, Vice-Chairperson, and Secretary.

Commissioner Rosier requested for the record a “Thank You for Your Service” to the Veterans on the Commission and elsewhere.

Commissioner Hargraves mentioned openings on the Police Civilian Review Panel with law enforcement experience.

Commissioner Gulakowski made the motion to adjourn the meeting. Commissioner Hargraves seconded the motion. The motion passed unanimously, 10-0-0.

The meeting adjourned at 8:41 PM.