

Fairfax County Transportation Advisory Commission
Meeting Notes
Regular Meeting – 7:30 PM, March 3, 2020

Location: Fairfax County DOT, 4050 Legato Road, Suite 400, Conf. Rooms 400.06 & 400.08
Fairfax, Virginia 22033

Web Site: <https://www.fairfaxcounty.gov/transportation/tac/meetings>

Note-Takers: Jd Walter, Mike Champness

TAC Members in Attendance: Chairperson Jeff Parnes (Sully), Vice Chairperson Mike Champness (Dranesville), Secretary Roger Hoskin (Mason), MaryPauline Jones (Fairfax Area Disability Services Board), Kevin Morse (Braddock), Pete Sitnik (Mount Vernon) and Jd Walter (Providence).

TAC Members Absent: Eric Thiel (Springfield), Linda Sperling (At Large).

The Lee and Hunter Mill District seats remain vacant.

FCDOT Members in Attendance: Brent Riddle, Calvin Lam.

Agenda and Discussion Topics

The meeting was called to order by Chairman Parnes at 7:30 p.m. He noted a quorum was present. The purpose of the working session was to discuss revisions to the Commission Bylaws based on the updated Board, Authorities and Commissions Bylaws template that was provided by the Fairfax County Attorney. Jd Walter led the review of the draft updated Bylaws. Copies of the Commission Charter (dated December 4, 1989) and current Bylaws (as amended August 6, 1991) were provided to members in advance. A copy of the proposed updated Bylaws is attached to these minutes.

Chairperson Parnes clarified that while the County Attorney had updated the bylaws template, the Commission was not required to make changes. The group discussed the relevance of making edits to the document given changes to the constitution of the Commission membership (additional magisterial districts and Disabilities Services Board) and agreed to move forward with revisions.

Jd Walter stated the draft version in review was created by referencing the current Bylaws (as amended August 6, 1991) and the Charter (dated December 4, 1989) documents and extracting appropriate language. The copies of the Charter included highlighted sections of relevant text for consideration during discussion.

Discussion Points Included:

- Article I as edited was agreed upon.
- Article II discussion noted the purpose of the Commission was adequately reflected in both the Charter and the current Bylaws and so no further amplification was necessary.

- Article III discussion included clarifying the constitution of the Commission to annotate the inclusion of the Disabilities Services Board and to stipulate the At-Large membership.
 - Discussion continued regarding notification of vacancies being delivered to the Clerk of the Board of Supervisors through the FCDOT staff liaison (Calvin Lam) to ensure vacancies did not linger.
 - Discussion regarding the process for addressing reappointments, resignations and holdovers included concurrence that the Bylaws were clear that in the event of a member's appointment expiring they would continue to serve until their Supervisor either reappointed them or appointed a new member. In the case of resignations, it was agreed the newly appointed member would serve only through the resigning member's term and be eligible for reappointment.
 - The question of term limits was raised and discussed, noting that while the Bylaws stipulate two-year terms there was no limitation to member tenure. There was no agreement regarding including limitations to the number of successive terms a member could serve. The discussion focused on the desire for the Commission to represent the changing demographics of the County, but that the Commission itself did not have the capacity to ensure such reflection, as it is the sole authority of the Board of Supervisors to appoint Commission members. However, it was discussed how the Commission might help to reflect the changing demographics of the County through its work products.
- Article IV discussion included whether the Bylaws appropriately reflected the process by which officers were elected. Specifically, the group agreed that electing officers "at the first meeting of the calendar year" was difficult since member appointments expire at the end of June. Thus, the group agreed to set August as the date by which elections would be scheduled with the expectation that the Chairperson would announce elections in August, poll members for their interest in assuming an officer position, and then conduct the elections. Further, to address situations where two or more members express interest in the same officer position, the Chairperson, once elected, shall determine when election nominations for Vice Chairperson and Secretary would be made.
 - Discussion of the order of succession in the absence of officers determined the Bylaws would clarify that in the absence of the Chairperson, the Vice Chairperson would act, and in the absence of both the Chairperson and the Vice Chairperson the Secretary would act. And in the absence of all officers, the most tenured member would act.
 - Additional discussion related to situations where the Chairperson might step down from the Commission. It was determined the Vice Chairperson would act at the following meeting for the purpose of announcing making nominations and conducting a vote, but that the Vice Chairperson may not serve as both acting Chairperson and Vice Chairperson.
- Article V discussion regarding VFOIA standards included what constitutes a "quorum," determining it is a simple majority of current members. Further it was concluded that vacancies do not count in the counting of members for the purpose of determining a quorum. Discussion also included whether emails among more than two members of the Commission were considered "public" under VFOIA.
 - The remaining paragraphs of Article V were agreed upon as presented, which were unchanged from the County Attorney template.

- Article VI discussion included clarifying that attendance and participation standards applied only to “regular” meetings given that “working sessions” were not mandatory for members.
- Article VII discussion reflected the members’ understanding that the Board has the sole authority for removing any Commission member and that the Commission might only provide recommendations to the Board.
- Article VIII discussion included making clear that the language did not stipulate the Commission must have committees, rather that the Commission has the authority to establish either “standing” or “special” committees by Chairperson appointment. Further it was agreed that committees were subject to all VFOIA standards set forth in Article V.
 - Per County Attorney recommendation it was agreed that any committee established would have no less than four members. If necessary, the Commission Chairperson can serve as the ex-officio fourth member, but the Commission Chairperson need not be involved in the creating any work product of the committee.
 - Further the members agreed it was not necessary to enumerate any specific committees within the Bylaws and that the annual work plan would necessitate committee creation and termination.
- Article IX discussion included reviewing the Charter and current Bylaws to understand the requirement to submit an “annual work plan” for Board approval and to generate an “annual report” to reflect previous year activities. Further discussion noted agreement among the members that the Bylaws should not stipulate when such work products would be created or to specify their content beyond Charter and current Bylaws language.
 - Chairperson Parnes stated he would prepare an annual report for calendar year 2019 and requested FCDOT staff liaison (Calvin Lam) provide any annual report or annual work plan samples that might be found in the Commission archives.
- Articles X and XI were agreed to without discussion.

Chairman Parnes stated the draft Bylaws would be presented to the Commission as the next regular TAC meeting (March 17, 2020) for discussion and approval. In preparation, Jd Walter will update the draft Bylaws based on the inputs agreed upon in the working session and provide them to Calvin Lam for distribution in advance of the regular meeting.

Other Business: none

Adjournment: Chairperson Parnes adjourned the meeting at 9:50 pm.