

NORTHERN VIRGINIA REGIONAL COMMISSION

Minutes of the Commission Meeting Held Thursday, July 26, 2007

COMMISSIONERS

(The names of those members present are highlighted.)

Hon. Hilda M. Barg	<i>County of Prince William</i>
Hon. Sharon Bulova	<i>County of Fairfax</i>
Hon. Gerald E. Connolly, NVRC Chairman	<i>County of Fairfax</i>
Hon. W. S. Covington, III	<i>County of Prince William</i>
Hon. Joan Cross	<i>City of Fairfax</i>
Hon. Steve DeBenedittis	<i>Town of Herndon</i>
Hon. Joan DuBois	<i>County of Fairfax</i>
Hon. Barbara A. Favola	<i>County of Arlington</i>
Hon. Penelope A. Gross	<i>County of Fairfax</i>
Hon. Catherine Hudgins	<i>County of Fairfax</i>
Hon. Robert W. Lazaro, Jr.	<i>Town of Purcellville</i>
Hon. Harold Lippman represented by Hon. David Snyder	<i>City of Falls Church</i>
Hon. Elaine N. McConnell	<i>County of Fairfax</i>
Hon. Martin E. Nohe, NVRC Treasurer	<i>County of Prince William</i>
Hon. Harry J. Parrish, II, NVRC Vice Chairman	<i>City of Manassas</i>
Hon. Redella S. Pepper	<i>City of Alexandria</i>
Hon. M. Jane Seeman	<i>Town of Vienna</i>
Hon. Paul C. Smedberg	<i>City of Alexandria</i>
Hon. Linda Smyth	<i>County of Fairfax</i>
Hon. Stephen Snow	<i>County of Loudoun</i>
Hon. J. Walter Tejada	<i>County of Arlington</i>
Hon. William J. Treuting, Jr.	<i>City of Manassas Park</i>
Hon. Bruce E. Tulloch	<i>County of Loudoun</i>
Hon. Kristen C. Umstatt	<i>Town of Leesburg</i>
Hon. Fred E. Yohey, Jr.	<i>Town of Dumfries</i>

STAFF PRESENT

G. Mark Gibb	<i>Executive Director</i>
Linda M. Tenney	<i>Deputy Director</i>
Linda Summerall	<i>Executive Secretary</i>
Ken Billingsley	<i>Director, Demographics</i>
Barbara Gordon	<i>Communications Director</i>
Doug Pickford	<i>Director, Environmental and Heritage Resources</i>
David Schwengel	<i>Director, Regional Emergency Planning Services</i>
Michelle Simmons	<i>Director, Human Services</i>

CALL TO ORDER Chairman Connolly called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was recited by all present.

ROLL CALL The roll was called and all members present or absent were noted for the record.

APPROVAL OF MINUTES Commissioner Cross moved approval of the minutes of the June 28 meeting. The motion was seconded and carried unanimously.

PRESENTATION *Immigration and Local Responses*

Chairman Connolly reminded the members that after the presentation on immigration issues at the federal level at the Commission's May meeting, members agreed they wanted to continue the discussion, especially to address the issue from the perspective of local government.

Chairman Connolly introduced Steven Vallas and Emily Zimmerman, who presented findings from their state-wide survey, "Social Bases of Anti-Immigrant Sentiment." Dr. Vallas is a professor and chairman of the Department of Sociology and Anthropology at George Mason University. He also serves as the director of GMU's Center for Social Science Research. Dr. Zimmerman is the Research Coordinator at the Center for Social Science Research and co-author of the study.

*Steven Vallas and
Emily Zimmerman*

Dr. Vallas explained the random sampling methods used. The study consisted of telephone interviews with 1,072 participants throughout Virginia over a three-week period ending June 8; this coincided with the Congressional debate on immigration reform. The cases were weighted by age, gender and ethnicity. The margin of sampling error is +/- 3 percent.

Study findings include:

- Virginians widely support calls for tighter controls over undocumented immigrants and cutbacks in human services.
 - A clear majority (73%) want police to do immigration checks during routine traffic stops.
 - Most (64%) reject proposals to allow undocumented students to pay in-state tuition at Virginia colleges.
 - Most (54%) support the activities of Minutemen-like groups.
- However, nearly 4 in 5 Virginians favor a path to legal status for the undocumented.
 - 40% favor permanent residence with the possibility of citizenship.
 - 38% favor a temporary worker program.
 - Only 1 in 5 would refuse any legal status for the undocumented at all.
- There were notable differences by race, class, region and ideology.
 - Latinos understandably support newcomers; African Americans much less so.
 - Less affluent, less educated are more fearful.
 - Residents in metropolitan Northern Virginia and central Virginia hold relatively more accommodating views of undocumented immigrants. Regions with the lowest percent of foreign born as well as those with a high rate of unemployment or poverty hold the most negative views of illegal immigrants.

The study concludes that policy makers will need to address the question of economic fear and uncertainty if anti-immigrant conflict is to be reduced. Also, public efforts to promote dialogue and trust at the local level may be appropriate in reducing tensions between long-term residents and newcomers.

questions & answers Several members asked questions about the sampling methods and voiced concern that the survey questions might have been worded in a biased or negative manner. The researchers replied that the questions interspersed the phrases "illegal immigrants," "legal immigrants" and "immigrants." Dr. Zimmerman added that the survey contained some questions that were framed in positives.

Replying to Mr. Snyder's inquiry, Dr. Vallas said approximately 400 survey participants live in Northern Virginia, but the researchers have not done regional analyses.

Commissioner Tejada asked if a follow-up study is planned. The researchers are currently studying Latino, Vietnamese and Korean small businessmen and their achievements.

Chairman Connolly then introduced Michael May of the Prince William Board of County Supervisors, adding that Mr. May would discuss the board's recently passed resolution limiting some services to illegal immigrants. Mr. May was elected this past January in a special election to represent the Occoquan District. Prior to that he served as the at-large representative on the county's Planning Commission and also served on the county's Social Services Board. Mr. May is a practicing attorney specializing in government contracts, civil litigation, employment law, and small business transactional work.

Michael May

Mr. May stated that the county board believes in separating the issue of immigration from illegal immigration. He explained that before being adopted, a clause extolling the benefits of immigrants was added to the resolution. The resolution re-affirms the county's commitment to federal law and directs county police to inquire into the immigration status of anyone detained if the police have probable cause to believe the detainee is in the country illegally. The police have 60 days to develop objective criteria for that probable cause and how legal status will be verified (and report back to the board on the objective criteria). The immigration check will only be done if it does not prolong the length of detention.

The resolution directs the police to enter into a cooperative agreement under the Section 287G Program under Immigrations & Customs Enforcement (ICE), which allows local law enforcement to enforce immigration laws under certain circumstances. ICE training has already been implemented in the county's jail system. Once an illegal immigrant has served his sentence that person is then turned over to ICE for deportation. Both Commissioner Nohe and Mr. May confirmed that federal policy requires the local jurisdiction to ensure that the criminal serves his sentence — at local expense — before being turned over to ICE.

County staff will divide local services into three categories and report back to the board within 90 days:

- services required to provide regardless of legality (e.g., lower education, emergency medical care, etc.)
- services forbidden from providing unless the person is legally in the country (e.g., TANF, etc.)
- services provided at the county's discretion.

County staff will also advise the board on the feasibility and economic implications of implementation.

questions & answers Commissioner Hudgins asked if staff will look at the cost of disunification. Since the resolution does not address that, Mr. May did know.

Chairman Connolly said that, according to the Fairfax County police, ICE will only pick up a maximum of 40 people per month in Northern Virginia, and then only if the person is a suspected terrorist or has committed a heinous crime.

Commissioner Favola cautioned about being very careful of unintended consequences as a result of the resolution, mentioning publicly funded health services such as immunizations, which are in the community's interest. Mr. May agreed. Commissioner Nohe concurred with Commissioner Favola, adding that Prince William County, and probably all local jurisdictions, are in the midst of a polarized national debate on illegal immigration, and it is incredibly difficult to be the voice of reason when the discussion is not built on reason but on emotion.

Commissioner Tejada asked if the Prince William Board of County Supervisors plans any outreach to the community. Mr. May replied the police chief suggested a public outreach campaign to explain the proposed policies.

Mr. Snyder suggested the Commission provide a presentation on best practices in local jurisdictions, citing Arlington County, and how those lessons can be applied. Commissioner Hudgins concurred, adding that local governments must lead by example. They must find a welcoming way for all residents, and it is incumbent upon the elected officials to bring civility to trying to find solutions.

Commissioner Seeman observed that although adopted, the resolution has not been implemented, and the results may look very different once the recommendations from the police and county staff are brought to the board.

Chairman Connolly concluded that this had been an interesting and beneficial discussion, and the Prince William Board of County Supervisors' adoption of that resolution will probably lead to unintended consequences that may impact other jurisdictions. He noted that the minority population in Arlington and Alexandria is declining while the minority population in Prince William is approaching 50 percent. He thanked Mr. May for his time.

CONSENT AGENDA Commissioner Favola moved approval of the Consent Agenda, consisting of items outlined below. The motion was seconded and carried unanimously.

- A. Financial Reports for June 2007
- B. Resolution No. P08-01: Reappointment of Brenda Z. Greene to the Health Systems Agency of Northern Virginia Board of Directors
- C. Resolution No. P08-02: Authorization to Engage CivicPlus for Website Design and Consulting Services
- D. Resolution No. P08-03: Authorization to Abolish Two Positions and to Create One New Position

EXECUTIVE DIRECTOR'S REPORT

Mr. Gibb distributed a copy of his report. Highlights include:

- On behalf of Arlington and Alexandria, NVRC was awarded a \$400,000 state contract to design of a signature pedestrian-cyclist bridge linking those two jurisdictions across Four Mile Run.
- Information & Referral 211: CrisisLink, a local nonprofit, human service organization, is the only applicant for the state's 211 call center for Northern Virginia. The \$420,000 in state funding available for this purpose is substantially short of the \$1.7 million identified by a Northern Virginia workgroup. Selection of the call center vendor is anticipated by September.
- Ryan White, Part A (Title I): NVRC has received the six-month advance of \$2.03 million to help facilitate more local management of funds and more timely payments.
- VAPDC Summer Conference: NVRC Commissioner Bruce Tulloch (Loudoun County) was re-elected President of the Virginia Association of Planning District Commissions at the summer conference. Additionally, NVRC staff presented a VAPDC communications plan.
- Low Impact Development: The LID Workgroup met July 18 to review revision to the designs of the twelve LID practices; comments are due back to NVRC in early August. The LID Workgroup anticipates reviewing the final draft of the supplement by early September. Phase II of the project will include extensive modeling to determine the adequate methodology for sizing LID facilities for adequate water quality control.
- South Potomac Communities Charrette: NVRC staff has begun planning this September 13-15 charrette to be held in Dumfries. Working with the Towns of Dumfries and Quantico, Prince William County, and the Quantico Marine Corps Base, the charrette will primarily address land use, transportation, landfill, and economic development practices.

**CHAIRMAN'S
REPORT**

Chairman Connolly reported that he met with NVRC senior staff prior to the Commission meeting to discuss programs and new initiatives. Staff compiled a briefing book for him and copies will be sent to all Commission members.

Chairman Connolly added that he wants members' ideas for presentations and programs. He plans to set aside one Commission meeting for a presentation on demographic trends.

**COMMITTEE
REPORTS**

Communications

Commissioner Smedberg reported that NVRC staff will develop a new NVRC brochure based on the newly-compiled briefing book. The brochures will be available to Commission members for distribution when talking about NVRC with General Assembly members as well as organizations in members' communities.

Members were encouraged to review their bio's on their jurisdictions' websites to be sure NVRC membership is included.

Commissioner Smedberg also reviewed news releases and media coverage for the past month.

ad hoc Energy

Resolution No. P08-05: Authorization to Submit Comments to the State Corporation Commission in Developing Strategies for Meeting the Commonwealth's Energy Reduction Goals was distributed. Commissioner Lazaro moved adoption of the resolution and the motion was seconded.

Commissioner Cross stated she has no objection to the resolution but asked that action items be distributed in a more timely manner in the future.

It was decided that the legislature and other bodies should be copied on said correspondence.

Resolution No. P08-05 was adopted unanimously.

Commissioner Lazaro nominated Commissioner Pepper to serve on the Governor's Energy Policy Advisory Council.

Legislative

Chairman Connolly reported that the first draft of the Commission's FY08 Legislative Platform will be available for the Commission's October 25 meeting.

Operations

Commissioner Nohe reported the Operations Committee met last week and received the second review of the proposed employee compensation plan. A few items need further review. The committee will bring the plan to the Commission in September.

60th Anniversary

Commissioner Pepper reported that the celebration will be a luncheon on December 7.

OTHER BUSINESS

• Commissioner Lazaro reported the towns are interested in having the Commission serve as the Advisory Land Use Planning Committee to the Northern Virginia Transportation Authority (NVTA), with NVRC staff support. He moved same and the motion was seconded.

Mr. Snyder, an NVTA member, said he thinks further discussion is needed, as this could lead to bureaucratic fighting and that everything needs to function under NVTA. Commissioner Bulova stated there is no need to reconstitute a new group, and perhaps NVTA staff should staff that portion.

Commissioner Gross suggested that if this issue is not time sensitive, staff present an outline as to how that would work to the Commission in September.

Commissioner DeBenedittis stated his belief that this is just a recommendation that would be sent to NVTA to act upon.

Commissioner Favola stated that the Commission could consider tonight adopting a resolution asking NVTA to consider NVRC as serving in that planning capacity with the expectation that the roles would be worked out by staffs. She added that the interest here is not bringing in yet another body to do transportation. Commissioner Lazaro accepted this as a friendly amendment. Commissioner Favola added that NVRC is open to collaboration among staffs. The motion carried with Commissioners Parrish, Nohe, and Connolly and Mr. Snyder abstaining.

- Commissioner DeBenedittis introduced Herndon Town Councilman Charlie Waddell.

ADJOURNMENT There being no further business, Chairman Connolly adjourned the meeting at 10:05 p.m.

Respectfully submitted:

G. Mark Gibb
Executive Director

Approved by:

Gerald Connolly
Chairman