

**Leeway Overlee Civic Association**  
**Minutes of General Membership Meeting**

Tuesday, June 19, 2012 at Westover Library (Conference Room)

1. Civic Association (CA) President Karla Brown opened the meeting at 7:35 p.m. Secretary Ladd Connell summarized the minutes from the General Membership Meeting of April 9, at which the principal topic was the Westover Farmers Market and conditions for its then-pending opening. Treasurer Jenni Michener reported a balance for the Civic Association account of \$2,716.29, a reduction of \$5.29 from the April 9 balance. This reflected income from the annual yard sale, offset by the slightly larger June newsletter printing expense.

Neighborhood Conservation Projects

2. Turning to old business, Ms. Brown started with updates on Neighborhood Conservation (NC) projects. For Nottingham St. between Lee Highway & N. 22<sup>nd</sup> Sts., water main and storm sewer (replaced and enlarged) work is still being done in spots, with drains to be fixed in the next two weeks; carriage lights and trees (if any are planned) will follow. Nottingham is now a “yield” street, meaning two cars cannot pass where cars are parked on both sides. The reason for the narrowing is that the sidewalk has to be five feet wide to comply with ADA (Americans with Disabilities Act) requirements. The hill approaching 22<sup>nd</sup> St. has been shaved down so that there is better line of sight. The street’s 28’ width will require people to go slower.

3. NC Advisory Committee representative Rob Swennes reported that the NCAC had a funding session recently. Leeway Overlee had all approvals and funding for the project on Illinois St. between Lee Highway & N. 22<sup>nd</sup> Sts., and this could start next year (June 2013). The project on 24<sup>th</sup> St. (between Kensington & Illinois) needs to go through 2<sup>nd</sup> petitioning & will be eligible to get funding next year; sidewalk will be installed on the south side of the street. Also, Highland Park-Overlee Knolls (HPOK) is considering a project for the Ohio St. greenway south of 22<sup>nd</sup> St.

4. Mr. Swennes also provided updates on the Westover Farmers Market, the annual Leeway Yard Sale, and Overlee Pool. On the Market: it has had good attendance, has been going now for seven Sundays, has added a couple vendors, but can’t add more until receiving permission to use school property. It could be extended to be a winter market, although this would be with a different set of vendors. Feedback from local businesses has been positive: for example, for Ayers (Variety Store), business is up during the 10-12 period [when its hours overlap with the market’s]. On the Yard Sale: it was a success; had good weather despite rain the night before; attracted 90+ sellers. On the Overlee Community Association construction project: the lap pool opened 10 days ago; the new pool opened on Sunday. The Clubhouse is still to be rebuilt. [The Bathhouse is intact.] Pat Shapiro is liaison for any issues with construction or parking; the upper parking lot (that connects to Lee Highway) is still closed. The pool has new

lights that are quite bright. This enables it to stay open later, relative (for example) to Arlington Forest, which is forced to close at 7pm.

### Civic Association Elections

5. Turning to LO-CA Board elections, Ms. Brown invited Pierre Boyer, as representative of the nominating committee, to nominate candidates. He nominated the following slate: for President, Kim Klingler [then-current VP]; Vice President, Brian Pandya [new]; Treasurer, Jenni Michener [incumbent]; Secretary, Ladd Connell [incumbent]. Mr. Pandya introduced himself, noting that he had bought a house on Powhatan & 23<sup>rd</sup> St. in 2010; enjoyed getting more involved in the community; and practiced law at a firm in downtown DC. Those attending were asked if they would like to nominate any other persons besides this slate; no other people were nominated. It was then moved and seconded that the nominating committee's list of candidates be approved as the incoming officers of the association; this motion passed unanimously. Mr. Boyer turned to the nominations for Arlington County Civic Federation delegates and alternates and proposed Jerry Auten [incumbent] and himself, along with the CA President and VP *ex officio*, and Ed Robinson and Ladd Connell as alternates. These were duly nominated, seconded, and unanimously approved. Finally, for the Neighborhood Conservation Advisory Committee (NCAC), Mr. Boyer nominated Rob Swennes for Representative, and for Alternate, Michael O'Connor [both incumbent]. These nominees were duly seconded, and no other nominations being made, were unanimously voted in favor.

### Featured Speaker: Patrick Hope

6. The meeting's featured speaker was Patrick Hope, Delegate in the Virginia House for the 47<sup>th</sup> District, which covers the area from Lee Hwy. to Columbia Pike/Arlington Blvd. Mr. Hope explained that since he had last spoken to the Civic Association, his district had changed under re-districting to include Nottingham School district and the East Falls Church area. He highlighted the following as key events/legislative actions of the 2012 session:

-- It was a long session, concluding in April, because it was very difficult to get a budget agreement. Republicans had a firm grip on the House, but Senate couldn't reach agreement since it was deadlocked at 20/20, with no tiebreak by the Lt. Governor allowed.

-- A constitutional amendment was proposed to ensure that the special power of eminent domain could not be used for the state to acquire private property when the property so acquired was not to be used for a public purpose (such a building a school or a public roadway) but simply to allow the area acquired to be repurposed to achieve local economic growth. Mr.

Hope suggested that most urban areas seem to oppose this amendment, while rural areas tend to support it. The amendment will be voted on in November<sup>1</sup>.

-- "Castle" doctrine: This law would allow use of deadly force if someone comes into your home unauthorized. The bill was carried over and will come back next year. It is similar to Florida's "stand your ground" law. But, under common law, you cannot use deadly force unless your life is threatened.

-- Public schools' possession of epinephrine: This bill will ensure that every school has an "epi pen." Epinephrine is adrenaline-like and an epi pen shot can be applied to help people recover from severe, life-threatening body reaction to an allergen (anaphylactic shock).

-- A school calendar law failed, so public schools' academic year can't start till after Labor Day. The proposed law would have allowed school districts flexibility to start before Labor Day.

-- A bill on home-schooled children would mandate that they be allowed to participate in after school activities, including sports; the bill was carried over.

-- A bill requiring women receive a trans-vaginal ultrasound before any abortion failed, but one requiring exterior ultrasounds passed.

-- A bill giving rights to unborn children was carried over.

-- A bill to eliminate the state's 2007 requirement that girls aged 10-12 be vaccinated against Human Papilloma Virus (receive HPV vaccine) to help prevent cervical cancer was carried over. The bill would also deny public funding for the vaccinations.

-- A bill eliminated the limit on handgun purchases, in place since 1993, to one per month. A background check is required, but is 5 days later. The bill also removed the requirement to fingerprint handgun purchasers.

All bills that passed both houses were signed by Governor McDonnell.

Delegate Hope also reported several other developments:

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<sup>1</sup> Virginia Eminent Domain Amendment, Question 1 is on the [November 6, 2012 ballot](#) in the state of [Virginia](#) as a [legislatively-referred constitutional amendment](#). The measure would prohibit eminent domain from being used for private enterprise, job creation, tax revenue generation or economic development, thereby restricting it to only being invoked to take private land for public use. Specifically, it would update a 2007 law which states that private property can be taken only when the public interest dominates the private gain. It is sponsored by [Delegate Rob Bell](#).

-- Reflecting concern among Catholic charities about same sex couples adopting children, Virginia allows religious organizations to discriminate in adoption cases based on beliefs, sexual orientation, or single status of would-be parents,

-- ABC stores now can be open on Sundays. The DMV can sell hunting & fishing licenses.

-- Virginia's budget is \$1 billion short/year on transportation. Governor McDonnell wanted to privatize ABC or to drill offshore or use the general fund, which has 90% of all state income & sales taxes to cover this shortfall. The general fund already funds education, Medicaid, transportation, and public safety. The Governor's suggestion, to earmark \$100M from this, would just create a shortfall in one of the other areas; it's a zero sum game. One solution to address this longer-term is to index Virginia's gas tax, so it would be equal in real terms to its original level. This was blocked by legislators who had pledged to not raise taxes.

7. Delegate Hope then answered audience questions.

Q, What is happening with user fee via tolls on roads and lanes? What about other options?

A: These would potentially apply parallel to Metro's new Silver line, the Dulles toll road. Tolls penalize folks who drive that route; a gas tax would be more broad-based. The Silver line is one of most important infrastructure investments in the country, and Northern Virginia is the economic engine for Virginia; it brings in 40% of the Commonwealth's revenue. On high-speed rail, there is talk about it, but it's expensive to build, and Virginia would need Federal help.

Q, What is happening to the state's education budget? A: State spending is currently at FY 09 levels. Virginia is paying educators lower than the national average, and has gone from 9<sup>th</sup> to 41<sup>st</sup> in average class size. Budget balancing has relied totally on cuts (rather than new revenue), so lots of teachers have been laid off or fired across the state. With economic recovery, we're hoping to get back to FY 07 pre-recession funding levels. We're also concerned by the abrupt firing of the President of UVA. For those with kids in school, I send out information on (back-to-school) tax holidays – "news you can use." You're welcome to sign up.

Q, What do you think of the idea of re-structuring the workweek? A: I put in a bill for work-share, to help keep employees and reduce furloughs, to save jobs; the bill was carried over, and had support of Chamber of Commerce. This has worked in Rhode Island, and in Washington State, where it has saved 60,000 jobs.

Q, What is the time commitment to serve as a Delegate? A: It is full-time during the legislative session, and 10-15 hours/week out of session.

Q, Can you explain further the issue of "takings?" A: Bridgeport, Ct. "took" land for a private building under its zoning law. I understand the need for respect of private property rights, but

problem with the amendment is it is very broadly worded. It will go on ballot in November. The Arlington County Attorney says it is bad news for urban areas. Virginia is already a landowners' rights state.

Q, What is Virginia doing on implementing the health care law? A: Virginia is working on a health insurance exchange; if the Supreme Court upholds the law, we will work hard to implement it.

8. Ms. Brown thanked Delegate Hope for his time. This being the last meeting for Ms. Brown as President, members also thanked her for her service. There being no further business, the meeting was adjourned at 9 p.m.

--Submitted by Ladd Connell, Secretary