

FAIRFAX COUNTY, VIRGINIA

Governing Board
box copy

MEMORANDUM

TO: Page Shelp, Executive Director
McLean Community Center

DATE: February 10, 1984

FROM: Esther K. Ochsman *ENO*
Assistant to the County Executive

FILE NO:

SUBJECT: Transmittal of the Signed Memorandum of Understanding
Between the Fairfax County Board of Supervisors and the
Governing Board of the McLean Community Center

REFERENCE:

Enclosed is a signed and notarized copy of the Memorandum of Understanding for your files. A signed copy is also on file with the Fairfax County Clerk to the Board.

EKO:vb
Enclosure
cc(with enclosure): Dee Brown, OMB

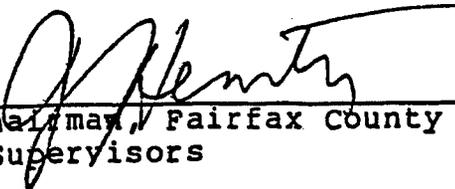


MEMORANDUM OF UNDERSTANDING

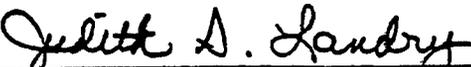
The Fairfax County Board of Supervisors and the Governing Board of the McLean Community Center hereby mutually endorse and agree to the roles, responsibilities and duties of the respective parties as detailed in the attached document; McLean Community Center Memorandum of Understanding.

The Fairfax County Board of Supervisors hereby approves the relationship described in this "Memorandum of Understanding" on the basis that cooperative and mutually compatible working relationships can be achieved which will facilitate the operation and maintenance of the McLean Community Center.

February 8, 1984
Date


Chairman, Fairfax County Board of Supervisors

February 7, 1984
Date


Chairman, McLean Community Center Governing Board

Subscribed and sworn to before me
this 7th day of February, 1984, a Notary
Public in and for the Commonwealth of Virginia


My Commission Expires May 18, 1987.

Subscribed and sworn to before me this 8th day of February, 1984, a Notary Public in and for the State of Virginia, County of Fairfax, by John F. Herrity, Chairman, Fairfax County Board of Supervisors.


Notary Public

My commission expires April 23, 1984.

MCLEAN COMMUNITY CENTER
MEMORANDUM OF UNDERSTANDING

I. Statement of Function

The Governing Board of the McLean Community Center is established to set policy and provide supervision for the McLean Community Center. The members of the Governing Board are charged with the responsibility of providing oversight and policy guidance to the Executive Director of the McLean Community Center.

II. Definitions

- A. Small District #1: In accordance with the adoption of a resolution by the Board of Supervisors at a regular meeting held on Wednesday, the 5th day of August 1970, Small District #1 shall mean that portion of the Dranesville District which includes the area within the boundaries established by aforesaid resolution.
- B. Special District Agency: In this document, Special District Agency shall mean any department, agency, commission, bureau, or other unit in the administrative service of Fairfax County for which special district revenues have been derived from special district assessments, and are being maintained as required by law and under procedures established and approved by the Board of Supervisors.
- C. Board: In this document, Board shall mean the Governing Board of the McLean Community Center.
- D. Board of Supervisors: In this document, Board of Supervisors shall mean the statutory governing body of Fairfax County which includes Small District #1, Dranesville.
- E. Center: In this document, Center shall mean McLean Community Center.
- F. Election: In this document, the term election shall refer to the procedures specified in this Memorandum of Understanding through which the citizens of Small District #1 select members of the Governing Board of the McLean Community Center. As used in this document, the term election does not refer to the procedures set forth in the Constitution of the Commonwealth of Virginia for the selection of public officials.

- G. Memorandum: In this document, Memorandum shall mean the Memorandum of Understanding mutually agreed upon by the McLean Community Center Governing Board and the Board of Supervisors.
- H. Local Media: In this document, Local Media will mean at least one local publication.

III. Organizational Status and Relationships

Through the adoption of this revised Memorandum of Understanding, the McLean Community Center shall be recognized as a special district agency relating to the County as a separate County agency. Its powers and responsibilities shall be those of a separate County agency except that it shall have those additional powers and responsibilities explicitly set forth in this document. The terms included herein shall take precedence over any other definitions of the powers and responsibilities of the McLean Community Center.

Consistent with its status as a separate County agency with a governing board, the McLean Community Center shall relate to the County through a liaison relationship to the County Executive or his designee. As a separate County agency, the McLean Community Center shall utilize the services of other County agencies as appropriate and in accordance with established County policies and procedures.

The Board of Supervisors delegates certain powers and responsibilities to the McLean Community Center Governing Board through the Memorandum of Understanding. The Governing Board is responsible and accountable directly to the Board of Supervisors. For purposes of day-to-day operations, the liaison between the Governing Board and the Board of Supervisors may be assumed by the County Executive and/or his designee. Any submission to the Board of Supervisors concerning the McLean Community Center prepared by County staff shall be presented for review to the Governing Board five (5) working days before submission to the Board of Supervisors.

IV. Composition of the Board of Governors

The Governing Board shall consist of eleven members, all members residing in Small District #1 of the Dranesville District, Fairfax County, two of which shall be 15 through 17 years of age, and nine shall be at least 18 years of age. Residents of Small District #1 of the

Dranesville District, Fairfax County, Virginia, shall elect members to the Governing Board as provided herein; however, the citizenry may vote only for those candidates in their own age category.

Adult members shall be elected for three year terms. Terms shall be staggered to promote continuity of experience. Three members shall be elected each year. Members may continue to be re-elected as long as they meet residency requirements.

Youth members aged 15 through 17 years shall be elected annually for a one-year term. One shall be elected from the area served by the McLean High School, and one shall be elected from the area served by the Langley High School. The areas served shall be set out in the current edition of Approved Boundaries, Fairfax County Public Schools, for those portions in Small District #1.

A. Eligibility

Any resident of Small District #1 is eligible to file for election to the Board if the resident meets the age qualifications and petitions for a place on the ballot in the manner approved by the Governing Board.

B. Election of Governing Board Members

The Governing Board shall establish an annual election day, which will correspond to the date of McLean Day and set up procedures for candidates to file. The Board of Supervisors shall approve election standards and procedures. The Governing Board will then issue a public notice sixty (60) days before the election for candidates to petition for a place on the ballot. The Governing Board will receive the petitions of candidates and issue the public notice of candidates at least thirty (30) days before the election. The Governing Board, through the Elections Committee, will prepare a ballot and conduct the election. No member of the Elections Committee will be a candidate for re-election. All expired terms will be filled first, then unexpired terms will be filled. The full results of the election will be reported to the Board of Supervisors at the first meeting following the election. The Fairfax County Board of Supervisors, after determining that it is in the public interest, shall appoint those persons receiving the greatest number of votes to the McLean Community Center Governing Board.

C. Vacancies

Appointment to vacated terms shall follow the election results of the most recent election of the Governing Board. The unsuccessful election candidate who received the highest number of votes will be the first appointed to the first unexpired term. The list of unsuccessful candidates will be followed in this manner until all vacancies are filled. If there is no unsuccessful candidate from the most recent election of the Governing Board, then the Governing Board will continue its responsibilities with a vacant seat until the next election of the Governing Board.

If a vacancy occurs on the Governing Board less than sixty (60) days before an election of the Governing Board members, that vacancy shall be filled by the upcoming election. If there is not a sufficient number of candidates on the ballot the vacancy will continue. A write-in candidate must receive at least the same number of votes as the number of signatures required on the petition for regular candidates to qualify for the purpose of filling unexpired terms of members of the Governing Board. If more than one vacancy occurs on the Governing Board, the Governing Board will announce a special election to be held sixty (60) days from its announcement. The announcement of said election should be made within two (2) weeks of the second vacancy.

If a vacancy occurs on the Governing Board more than sixty (60) days before an election of the Governing Board members, that vacancy shall be filled by appointment of the Board of Supervisors, according to the above stated procedure.

This appointment shall be valid:

1. to the expiration of the vacated term, if there is less than one year left at the time of the appointment.
2. to the next Governing Board election, if the vacated term has more than one year left at the time of the appointment. The remaining term shall be filled at the next scheduled Governing Board election.

D. Removal of Board Members

If a member of the Governing Board misses three (3) consecutive Governing Board meetings without an excuse, or misses six (6) regular Governing Board meetings, the Board may, by a two thirds vote of the entire Board, recommend that such person be taken off the Governing Board. The vacancy shall be filled according to regular procedures described previously. The decision of the Governing Board will be valid unless overturned by the Board of Supervisors within thirty (30) days of the Governing Board's action.

E. Officers

The following are the officers of the McLean Community Center Governing Board. All officers shall be elected annually by the members of the Governing Board, from among its members. No officer shall succeed to the same office for more than two (2) consecutive terms. If an officer is elected to serve an unexpired term, it shall not be considered as serving a full term if fewer than six (6) months remain in the unexpired terms. Any officer so elected may subsequently be elected to two (2) full consecutive terms.

1. Chairperson - The Chairperson shall preside over all meetings, represent the Board at official functions and ceremonial events, and perform such other duties as normally are inherent in similar positions.
2. Vice-Chairperson - The Vice-Chairperson shall preside in the absence of the Chairperson and perform such other duties as may be assigned by the Board.
3. Secretary - The Secretary shall be responsible for having the official minutes of all regular and special meetings of the Board kept and shall have these minutes preserved in a manner outlined by the Board. The Secretary shall also be responsible for the preparation of such correspondence as may be directed by the Chairperson of the Board, or as is normally performed by persons in similar positions.
4. Treasurer - The Treasurer shall act as the chief financial officer of the Board.

5. Parliamentarian and/or Timekeeper - The Chairperson may, at the will of the Board, appoint a Parliamentarian and/or a Timekeeper from among the Board membership.

V. Powers and Responsibilities

The Governing Board is responsible for the development of policies and long-range plans for the Center's operation, programming, personnel and financial management. Such policies and plans shall be in compliance with established policies and procedures of Fairfax County.

A. Personnel

The Governing Board will recommend personnel actions and will develop appropriate job descriptions with the assistance of the Office of Personnel. The Office of Personnel will recruit candidates and refer them to the Community Center, according to established procedures. As a Special District Agency, the Governing Board will act as appointing authority for the Executive Director, who will select all other employees (with the aid of the Office of Personnel).

The Executive Director is responsible to the Governing Board, acting through its Chairperson. Other Center employees are responsible to the Executive Director and shall be rated by the Executive Director. In the event the Executive Director's position is held under a personal services contract, the Director shall be rated by the Governing Board Chairperson and this rating shall be reviewed by the Governing Board. If the Executive Director is hired as a merit system employee, the Director shall be rated by the Governing Board Chairperson and the rating shall be reviewed by the Governing Board and the County Executive.

All personnel actions and payroll administrations shall be processed in accordance with applicable ordinances and established procedures of the County of Fairfax.

B. Program

The Governing Board shall have the responsibility for establishing policies in planning, design, promotion, and supervision of McLean Community Center programs and activities.

A long-range program plan will establish broad priorities and provide guidance to the staff. A yearly evaluation will be conducted by the Board to ascertain that goals are being met and targeted population groups are being reached.

Appropriate County agencies will be responsible for supervision of County programs conducted in McLean Community Center facilities. Scheduling policies and priorities shall be established by the Governing Board. The Governing Board shall provide a general written policy governing the use of the building. The Governing Board hold public meetings as it deems necessary and maintain other channels for citizen input.

The Governing Board shall maintain files for its copy of the Memorandum of Understanding and for documentation of the Center's history, Board minutes, and the Board's policy decisions.

In the event that the Governing Board decides to establish resident groups, it shall develop specific policies and guidelines governing the criteria for selection, maintenance and continuation of such groups.

C. Financial Responsibilities

1. The Governing Board initiates, oversees, and approves the preparation and submittal of the Community Center's budget including current and long-range financial objectives and a five year financial forecast in accordance with procedures and formats established by the Board of Supervisors and maintains standards of fiscal accountability. The annual budget submission, including fee schedules and the tax rate, shall be submitted to the Office of Management and Budget and to the County Executive for review prior to submission to the Board of Supervisors for their approval. Within the County's established financial policies and procedures, the system will allow for quarterly budget adjustments, administrative adjustments and the maintenance of gift funds.

2. The Governing Board may accept gifts, endowments, and grants where not prohibited by state law or County ordinance and in accordance with County policies and procedures regulating grants and gift funds.
3. The Office of Management and Budget provides fiscal review of Community Center operations, as appropriate.
4. The County Director of Finance shall invest all Community Center funds with the County General Fund "pooled cash" investments. All funds shall be accounted for in such a manner that an audit trail will be provided identifying the equity of any funds attributable to the Community Center.
5. Small District #1, Dranesville, funds (taxes and all other income) shall not be disbursed for any purpose other than for acquiring, constructing, maintaining or operating, or contracting for the acquisition, construction, maintenance or operation of a community center within Small District #1, Dranesville.
6. Integrity of fixed assets purchased by the McLean Community Center will be ensured based on the County's Fixed Assets Management System. Funds derived from the sale of property sold following County guidelines, shall be maintained by the Center.

D. Capital Improvement Planning

The Governing Board shall be responsible for projecting the long-range needs of the Center as these needs may involve capital projects.

The Governing Board shall, with the assistance of appropriate County agencies, develop a master capital improvement plan to include a five-year financial plan in support of the capital funding required, prior to proceeding with any major capital construction/acquisition requests. This plan, with justification for all proposed projects, shall be submitted to the Board of Supervisors for approval.

A provision shall be made for advising citizens of the fiscal impact of proposed major capital projects and for soliciting citizen input regarding the advisability of embarking on such capital projects.

Any plan, with justification for all proposed projects, shall be submitted to the Board of Supervisors for approval and any major changes in the scope of work shall follow County procedures.

Upon appropriation by the Board of Supervisors of necessary capital funds, the Governing Board shall work with the appropriate County agencies in the selection of an architect, review of plans, and preparation of the bid package in accordance with applicable County procedures. Final plans and bid results shall be presented to the Board of Supervisors for approval; and appropriate County agencies, in conjunction with Community Center staff and Board, will be responsible for supervision of the project during construction.

The Governing Board may recommend that projected major capital improvements be financed through a bond issue. Upon approval by the Board of Supervisors, the question will be presented to Small District #1 residents as an item on the official ballot on election day in November of the current year, based on County policies and procedures governing bond sales. In any sale of bonds, the Governing Board will project a funding timetable for recommendation to the Supervisors and will assist with publicity in the community. Following approval by the Board of Supervisors, the appropriate County departments will prepare and implement the plan.

E. Purchasing

1. The purchase of goods and services shall be administered according to Fairfax County purchasing procedures.
2. The following specific provisions shall be permissible:
 - a. The Community Center may obtain, through established County bidding procedures, a contractor(s) to perform grounds main-

tenance in accord with specifications established by the Center in consultation with the Fairfax County Park Authority. The Park Authority will be available to perform basic minimum ground services upon timely request of the Community Center.

- b. The Community Center may obtain, through established County bidding procedures, a contractor(s) to perform custodial services in accord with specifications established by the Center in consultation with the Fairfax County Facilities Management Division.

F. General

The Governing Board, as a member board of the County of Fairfax, has direct access to the Board of Supervisors.

VI. Rules and Procedures

A. Time and Place of Board Meetings

1. Regular monthly meetings shall be held by the Board of Governors. Such meetings shall be announced to the public in the local media and in the Weekly Agenda through the Office of Public Affairs, and shall be open and public.
2. Meetings may be cancelled or rescheduled by the Chairperson of the Board or a majority of the Board members. Notice of such scheduling shall be given to members of the Board and to the local media.
3. All meetings of the Board of Governors shall be held at the McLean Community Center or some other public place if space is not available at the McLean Community Center.
4. Special meetings may be called at the request of two (2) or more Board members. The Chairperson shall notify all members and at least one (1) local publication of such meetings.

B. Conduct of Board Meetings

1. All Board meetings shall be conducted in accordance with Roberts Rules of Order (newly revised). These rules may be amended or suspended by a two thirds vote of members present, for any specific matter or question.
2. For purposes provided in the Virginia Freedom of Information Act, the Board may meet in executive session upon motion made, seconded, and duly adopted. No resolution, rule, contract, regulation or motion adopted, passed, or agreed to in an executive or closed meeting shall become effective until the Board votes its adoption in an open meeting.
3. A majority of all the members of the Governing Board shall constitute a quorum. The Chairperson shall be included and counted in determining the presence or absence of a quorum.
4. Order of Business
 - a. Commencement of Meeting - the Chairperson shall call Board meetings to order at the appointed time and shall direct the Secretary to make note of the presence or absence of Board members.
 - b. The Chairperson, in consultation with other Board members, shall prepare an agenda for each meeting of the Board. At the start of all meetings, the agenda shall be announced or distributed in writing and the Board members shall be given an opportunity to make additions or revisions prior to its approval. Major agenda items shall be made known to the Board at least 24 hours prior to the regular meetings. Further changes in the meeting agenda may be made after the agenda has been approved, if there is a wide public interest or upon a 2/3 vote of the Board.

C. Committees

1. The Board may establish such committees and subcommittees as deemed necessary to fulfill its responsibilities. Board members may be restricted as to the number of committees on which they serve based upon guidelines established by the Governing Board. Committee

appointments shall be made by the Chairperson with the consent of the Board. The Chairperson may participate (as a voting member) in any or all committees the Chairperson so desires.

- 2 The Board may name residents of Small District #1 to serve as consulting members of any or all standing committees. The Governing Board should make specific efforts to involve a cross section of citizens. However, chairpersons of all committees shall be elected members of the Board.
3. Committee meetings shall be open to the public and attending residents of Small District #1 shall be invited to state their concerns.

D. Assurance of Public Accountability

1. Public Hearings

- a. shall be held annually to discuss the budget proposed for the coming fiscal year. The hearing record will be open for one week to receive written comments from members of the public.
- b. shall be held to discuss major capital improvement projects.
- c. shall be held to discuss substantive changes in the Memorandum of Understanding.
- d. shall be held to discuss any issue of major importance to the Community Center or to the citizens of Small District #1 with regard to the Community Center.
- e. will follow all provisions of the Code of Virginia referencing public hearings.

2. Public Notification and Comment

- a. Major actions taken by the Board, and significant agenda items, shall be communicated to at least one local publication for the information of Small District #1 residents.

- b. The Board will notify the Office of Public Affairs, for inclusion in the Weekly Agenda, and at least one local publication of the time and place of Board meetings and public hearings. Notice will be given sufficiently in advance to allow publicity at least three (3) days in advance of a regular Board meeting and thirty (30) days in advance of a public hearing.

- c. Members of the public present at any Board meeting or public hearing shall be given an opportunity to present their views and concerns to the Board. No advance notification will be required for such public comment.

McLean Community Center Election Standards and Procedures

(Placed in Chronological Order)

1. Governing Board:
Establishes annual election day which must correspond to McLean Day.
2. Chairperson Governing Board:
Appoints an election committee and committee chairperson from those Governing Board members who are not candidates for re-election.
3. Election Committee:
 - a) Issues a public notice sixty (60) days before the election for candidates to petition for a place on the ballot. Public notice is to appear in at least two (2) local publications.
 - b) Issues a press release regarding petitioning for a place on the ballot to all local publications circulating semimonthly or more frequently.
 - c) Sees that a petition form is printed and available for distribution during regular office hours at the Center or to be mailed by the Center upon request.
Petitions are required to bear no less than the names of ten (10) qualified petitioners. It shall be permissible for a petition to bear the names of petitioners in excess of ten (10), although the elections committee shall only certify the validity of ten (10) petitioners. A qualified petitioner is anyone who meets all the qualifications for candidacy as specified in the Memorandum of Understanding.

Completed petitions must be received at the Center on or before the date and time specified on the petition, which shall be no earlier than thirty (30) days after the publication of the public notice for candidates to petition for a place on the ballot.
 - d) Certifies that all petitions are complete and petitioners are qualified and sufficient in number.
 - e) Sends notice of all certified candidates to the Dranesville District Supervisor.
4. Dranesville District Supervisor:
Presents the list of candidates to the Board of Supervisors at the next regular meeting of aforesaid board.

5. Elections Committee:

- a) Issues a press release with the names of all candidates to be placed on the ballot and their qualifications as summarized from the resume presented by each candidate. Includes the process for requesting Absentee Ballots and the final date for acceptance of completed Absentee Ballots.
- b) Sees that ballots are printed with the names of all official candidates placed in random order and there is a space for write-in candidates. All ballots are to have a space for validation by official election teller
- c) Appoints the number of tellers consistent with ease of election operations, but not less than three (3).

6. Tellers:

- a) Open and close the elections at the times specified in the public notice.
- b) Certify the qualifications (as specified in the Memorandum of Understanding) of each person voting.
- c) Assure that each voter votes only once.
- d) Assure that each voter may vote in privacy.
- e) Tally the votes and present same to the election committee chairperson along with the names and addresses of all persons voting in the election.

7. Election Committee:

Sends notice of election results, and all ballots to the Dranesville District Supervisor. Ballots shall be maintained for one (1) year.

8. Dranesville District Supervisor:

Reports election results to the Board of Supervisors.

9. Board of Supervisors:

After determining that it is in the public interest, appoints those persons receiving the greatest number of votes to the Center Governing Board.