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[00:00:06] Okay. Good afternoon, everyone. Good afternoon. Welcome to the February 17th, 2023 meeting of the legislative committee. Just first want to thank board members who joined us for the legislative reception in Richmond. I appreciate y'all making the trip. And we're going to start today with an analysis of... I'm going to do a motion first. Oh, I'm sorry. I think all of us can see Supervisor Stork there on the screen. He will be participating remotely in the this meeting for a medical reason, I'll ask Supervisor Stork to identify himself for the

[00:00:44] record at this time, provide his general location, such as my office in the Mount Vernon District. Thank you, Mr. Chairman. Dan Stork, Mount Vernon District Supervisor. Look, I'm at my office in the Mount Vernon District. Indeed you are. At this time, I move that the Legislative Committee certify that the voice of the remotely participating members, Supervisor Stork, can be heard by all persons assembled here in the Government Center, and I further move that the legislative committee confirm that such remote participation by Supervisor Stork fully conforms with the board's policy for remote participation in meetings. I'm happy to second that motion. Is

[00:01:20] there discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed say nay. Any abstentions? That motion carries. Okay. As I was saying, we'll start with an analysis of the state budget. Ms. Arco? Thank you, Mr. Chairman. So we're going to staff

go through some of the items in the very lengthy budget chart that board members should have at their desks. But just to give you all a little bit of an overview, I think when we were here last time we talked a little bit about the House and Senate reporting their budget amendments. We hadn't seen much of them

[00:02:00] at that time. We've seen them now. There's -- there are a lot of them. As I think the board knows, the House and Senate start with the governor's introduced budget as their base budget and then they make amendments to that the house has starts with a lot less resources because they use a lot of their funding for budget or for tax cuts where the Senate used a lot of their funding for investments in what we would describe as core services so I think the difference between the budgets is about a billion dollars and so you'll see as the board goes through some of staff goes through some of these and then as the board takes some of this

[00:02:38] and looks through it maybe over the weekend or next week that there are a lot of differences in terms of spending priorities. The Senate just has a lot more resources to spend on items, and that's just because they're coming from a place of having more resources overall, particularly in K-12 and human services and public safety in other areas.

[00:03:00] And so you'll kind of see that reflected in what staff presents. I think staff are going to go through and kind of call out some things if board members have questions, feel free to ask. And then in the coming week, budget conferees have started meeting in the last couple of days. I think they'll meet probably every day as we get ready to adjourn the session, hopefully, as it's scheduled on Saturday, and see if they can wrap up the budget. But that's kind of where we are right now. So I think our regular budget reporter from the Department of Management and Budget, Elbena Asanova, is still today, unfortunately, and so the director of the Department of Management and

[00:03:38] Budget, Phil Hagen, is pitch-hitting for her, so be gentle, and we'll try to jump in as well, and then Arielle will jump in with Human Services, and Noel will do your transportation. So Phil Hagen, director of the Department of Management and Budget, and so please bear with me since I got a bit of a brain dump from Albana earlier today, and so trying to go through these.

[00:03:59] Some of the items that we wanted to highlight, first within the compensation and comp board section. Item 483 within the governor's budget was going to provide a 5% salary increase for state-supported employees. The proposals both out of the House and the Senate would up that to 7%.

[00:04:18] If those go through, then we would see about another $700,000 in our comp board reimbursements coming in from the state. We also wanted to draw your attention to item 73. This would increase the per diem payments for our inmates at jails from $4 to $6 per day. That would generate potentially

[00:04:43] another half million dollars in revenue. So let's see, we're moving ahead to the judiciary and public safety section. We just wanted to call out item 44. So that's on page four? Yes. Oh, apologies.

[00:05:13] So here, both the House and Senate have increases to the jury duty allowance, the House going from $30 to $50 per day, while the Senate $30 to $100 per day. Now, while there is state funding for these, we would anticipate that there would be an expenditure increase in impact on the county of either $100,000 or $350,000 between those two options.

[00:05:37] So then moving on to page five, at the top of the page, item 410, we wanted to call out that there is a potential of one and a half million dollars as state aid to localities with police departments, HB 599,

based on increases there, based on the projection to fund, based on that projected general fund revenue growth rate of 5.2%.

[00:06:19] um see here so then moving on to page six under elections there are a couple of items here where both the house and senate are looking to add money for the 2024 presidential primary which could

[00:06:51] result in 950 50 000 coming into the county and i believe uh next what we want to move on to would be schools um so mr chairman before we jump to school sorry um no that's totally fine um i just I just wanted to point out a couple of things because on pages 8 and 9, in the budget this

[00:07:26] year, there are a number of sort of specific items that are like little earmarks. Sometimes the House and Senate do this, and in this case, there are a few that are specific to items that the Board has been interested in. So you'll see at the top of page 8, item 114, number 1S, is an item related to manufactured home parks and affordable housing pilot program.

[00:07:49] We supported a bill that was related to that, and so the Senate has included some funding in their budget. And so I wanted to highlight that for you all. And there's also, if you look on page 9, the House includes item number 115, number 5H, $400,000 for the WISH Center in Fairfax County.

[00:08:12] There's also, I thought on that page, or maybe it was the next one, there are a couple of other specific nonprofits that received some funding in the county. It could be that those are later. Oh, maybe they're at Ariel's section, so I'll let her call those out. But there are some specific projects that are listed, and so as you all go through the chart later, we'll get to those items as well.

[00:08:37] Did I just, on the number 114, the manufactured home parks, affordable housing pilot program, what would the pilot program do? I don't know if we have a whole lot of information about it.

[00:08:55] There's not a lot of language in the budget about it. There was a bill related to it, and I don't think that the bill went forward, but the Senate did choose to include something in the budget about it. And so hopefully as they go through budget negotiations, if this ends up succeeding, they'll include some more language.

[00:09:12] But we'll see what we can find out about it. All right. Questions from board members on any of these that we've gone through? Mr. Chairman, I'm sorry. Just looking at the item 115U.1, the Go Virginia, it notes $24.5 million in funding.

[00:09:36] Is that additional or is that the baseline funding for that program? That's on page 8, 115U.1. There's a couple of Go Virginia items. All right, Mr. Chairman, the one I'm referring to is 115U.1 expands the Go Virginia talent pathways program by providing 24.5 million general fund funds in FY 2024.

[00:10:06] Just trying to understand what that means. So the one that you're pointing to is it was in the governor's budget. And so then the House amendment that's right below it decreases the amount that's in the governor's budget. I don't know if you have something that you wanted to mention about that, Jennifer.

[00:10:24] No, I was just going to say that's in addition to what was in the adopted budget last year, the governor's proposal, and then the House. So it would be a net increase in the House budget of $19.5 million, if my math is right.

[00:10:42] Yeah, so maybe we should have started with this a little bit, but the funny thing about a short budget session is that in a long general assembly session, and the idea is that the General Assembly adopts a new two-year budget, which is what they did last year. So we come into a short session.

[00:10:58] The reason that it's short, theoretically, is that they're only doing budget amendments, right, because we already have an underlying two-year budget. And so the governor starts the process this year, and he amends the underlying budget that's already there. And then the House and Senate come and make amendments either to the amendments that he's made or to other items in the underlying budget.

[00:11:17] So we're kind of working off of the budget that we already have, but it can be amended in different ways. So they can make amendments to what he's changing, or they can make amendments to things that he never touched. And so you have sort of a lot of competing amendments all at the same time. But we're starting with a base versus last year when you're starting with kind of a total clean slate, if that makes sense.

[00:11:37] Okay. So, yeah, K-12, if you want to do that. What page? K-12 starts on page 16.

[00:11:57] So moving on to public education, and really I wanted to call your attention to page 17 where we have some adjustments for bonuses and compensation for schools employees. So the governor's budget had included funding for state funding for up to a 5% increase.

[00:12:19] What we have in both the House and Senate, so on top of that, 5% increase in the governor's budget was funding, partial funding, for a 1% one-time bonus for schools' employees. Both the House and Senate would, instead of that 1% bonus, do a 2% salary increase in their base.

[00:12:40] And then the Senate bill as well adds on to that a one-time $1,000 bonus, that portion at least being fully funded by the state with no local match. However, we would need to fund that bonus for other employees. So overall in both of these, increasing funding for schools compensation.

[00:13:00] However, there would be a very significant local match required for those. And then there's another item I wanted to call attention to on page 19.

[00:13:17] Senate item number 137, number 1S, this would remove the cap on support positions that was implemented in FY 2010. This would be a very positive measure in that we would be looking at an estimate of new state funding of about $25.6 million. I believe, Claudia, was there anything else we wanted to call out in schools? I think those were probably the biggest things in K-12, and I think when the board was down for our reception, we talked a little bit about the

[00:13:53] schools, you know, the salary of 7 percent. Obviously, the board knows that that's only the state's share of that salary. The way that these budget amendments are written, the requirement is that the locality would have had to provide a 2.5 percent salary increase last year and then another 2.5 percent this year to be able to draw down the funding. So, you wouldn't have to do the whole 7 percent, but obviously, because of our composite index, we pay approximately 82 percent of that, those raises, and the state only pays about 18%. And so it's a significant local cost, which we have certainly shared with our delegation, and they're well aware of it. But given that that's

[00:14:31] in both budgets, that seems to be something that they're very interested in doing. And the bonus that Phil talked about in the Senate at least does include funding that wouldn't include a local match. I think the way that language is written, you don't have to give each employee $1,000. So if you wanted to give everybody $1,000, you would have to pay the balance because the state only provides the funding for SOQ positions, but you could give a reduced amount and, you know, provide it to all employees at a reduced amount, or you could do it, I think, in a different way where you

[00:15:07] did it as like a performance bonus or did it for only certain staff or whatever, and I think that would be up to FCPS, and so that doesn't include, that doesn't require a local match, but obviously it's a much smaller funding amount, and that's only in the Senate budget. Yeah, just, I mean, Just on those, you know, going back to the support cap, obviously that would be a real watershed accomplishment to eliminate the support cap, something we've been working for since FY 2010, I would guess.

[00:15:37] That support cap was put in place when Tim Kaine was governor. Right, right. You know, I think in terms of the raises, it's going to be really important for us, you know, when it happens, which I think it's likely to happen, to communicate to the public that the General Assembly is not raising pay for teachers in Fairfax County.

[00:15:59] They're providing a contribution, a down payment, and it's also not a match. You know, I know the term match. I think when most people hear a match, they assume it's 50-50. You give a dollar and I match your dollar with a dollar, if only that were the case.

[00:16:17] So there's a state contribution to teacher pay increases, but we're going to have to be ready to make sure that the community understands that. obviously it's hopeful that that they do it um but it's not it's it's it doesn't raise pay for teachers in and of itself in fairfax okay real mr chairman mr chairman yes supervisor stork i i just also wanted to be clear i guess at least in my own mind that we don't get that additional

[00:16:52] money unless we're willing to provide increases uh at that level that's right clear that's right yep that's correct and if we choose not to we don't get that money that's correct thank you okay all right what's next mr chairman members of the board um ariel mackaloon human services legislative liaison um i am going to highlight a few items in the human services section um the

[00:17:26] first of which is on page 43 in the chart um and there are three amendments that relate to medicaid unwinding. Both the House and the Senate provide additional funding to assist with local agencies with the unwinding of the Medicaid requirements, continuous coverage requirements. So that is something that we do think would be likely positive for the county as it will require

[00:17:57] additional staff time to conduct that process. And in addition to the first, there's also an amendment that would move ARPA funding from FY 2024 to FY 2023 to help with Medicaid redetermination costs. The next amendment is at the bottom of page 50. There is a Senate amendment that would

[00:18:30] direct the Department of Behavioral Health and Developmental Services to develop and begin implementation of a plan to restore bed capacity in the state hospital system. This is the amendment that really focuses on addressing the issue of beds.

[00:18:52] However, it does not have funding attached and it also has a timeline that provides them with, until January 1st, 2024, to have a target start date with the aim of staffing all the beds that were previously taken offline by June 30th, 2024. So, not really the immediate step, but developing a plan. And the other thing that's important to note is that the study in this plan

[00:19:30] is really to get back to the bed capacity that we were currently at in recent years, which was inadequate and had periods where we were at 100% capacity at the Northern Virginia Mental Health Institute.

[00:19:47] So we probably would like to see more in terms of funding and progress on that. Supervisor Alcorn? Maybe I jumped in too soon, but at the bottom of page 52 and the top of 53, There is some money proposed by the governor, and also the House upped it a little bit in the Senate for either crisis stabilization units or crisis receiving centers.

[00:20:17] But I'm reading the commentary on that, and it looks like some of that might not make it to us, and that's real money. I mean, they're actually putting some real dollars in there. Is there anything we can do to try to get some of that?

[00:20:36] that was another one of the items that i had wanted to highlight um i think that we do so the house has more specific criteria that would um our staff has concerns in terms of that it would direct money to other parts of the state the senate language we think is a bit more favorable although it is it it provides more money but it is still a little unclear how they would determine in the priority areas, the areas with the highest need.

[00:21:07] So it is something that I think we would. Yeah, and Supervisor Elkwin, we do reach out to all of our money committee members, but obviously in particular our budget conferees, and we do have a few, fortunately, because we have a lot of senior members of the money committees.

[00:21:23] And so we've highlighted this in particular to them and sort of said, you know, this is a concern of ours and that we have some issues with how the language is written, and we're concerned about what kinds of criteria might be used and how this funding might be distributed. And obviously, other parts of the state have significant needs, but we do as well.

[00:21:41] And so we've highlighted this for them as well. Well, thank you. I appreciate you doing that because I'm glad to see the states getting into this and, you know, starting to put some money into it. But, I mean, this is the same issue as the beds.

[00:21:57] You know, this basically is what, you know, our police officers are spending time, you know on TDO and we just don't have the support systems in place to manage this stuff locally so exactly right yeah thank you supervisor gross going back to the item at the bottom of page 50 about the beds so this would get us back to a baseline that was existed a while back doesn't anybody down there talk about expansion because even the baseline was not enough so getting it

[00:22:36] back to baseline is still leaving a huge hole. So Ariel and I had a very extensive conversation with Katie Boyle at FACO a couple of days ago about this very issue, because as we were getting ready to, you know, as we were putting something together for our budget conferees and our money committee members, we were kind of looking at this issue and trying to figure out, you know, are we, as we're kind of looking at all of this, and there's a lot, I mean, obviously you can see here there's a lot in what we've put together for you all. In the budget amendments, there's, you know, five times this, right? We've kind of tried to pull the things that we think are important to the county, but there's a ton more. And sometimes it's hard to kind of look at it and

[00:23:12] try to distill what's really the big picture. There's so many amendments, but are we moving the needle on some of these things? Are we really doing something on the bed crisis? And that was sort of, especially for me as a non-expert in mental health and behavioral health, where are the big ideas here? What are the things that are really making a change? Are they there? And I'm just, you know, I'm not kind of in that world or are they there and I'm just, you know, somebody needs to educate me more. And so

Arielle and I kind of sat down with Katie and went through this and we kind of got to this discussion of, you know, there's a lot of, there are a lot of things

[00:23:50] in the budget where they're going after elements of this issue, whether it's, you know, crisis stabilization or, you know, other things, workforce issues at the CSB or, you know, transportation with the TDOs and the ECOs and everything else. And I mean, I'm sure Daryl is here and he could probably say a lot more than I could or even than Arielle.

[00:24:08] But the capacity that we had at the hospitals wasn't enough before. And the plan that they've included, I mean, it's good to have a plan, but it's a plan that's like a 15-month plan. It includes no money and it only gets you back to the capacity that we had.

[00:24:26] And, you know, I think, I mean, part of what Katie said and I totally understand the philosophy out of it is that I think philosophically they don't – there's a feeling that institutionalization isn't the greatest thing and you'd like to do more in terms of community-based services and other things in the long term.

[00:24:43] But certainly in the meantime, you have to have both of these things until you can get more – I mean, you're always going to have to have some hospitalization, but you have to have more capacity until you can create the community-based services to hopefully get people out of the hospitals. It seems like we're sort of marching in place.

[00:25:01] Right. And not moving the parade forward. Right. And so I think that that's, you know, one of the challenges is that while we're waiting for the 15-month plan and there are people today that, you know, there are still beds that are offline. Yeah. Well, where do they go and what happens? And, you know, and as we go through this, as those cases increase potentially because you can't just stand up the community-based services today, even here where we do so much and you all do so much with local investments, you can't just create them overnight. What happens with all of that? And so I think that that's the challenge. And we wanted to really kind of think through how to frame that for our, you know, conferees and our money committee members

[00:25:40] as they're thinking about it, because they're really the ones, too, kind of looking at the big picture. And I think when they sit down and meet and talk about it, they're not all experts in everything either, right? They're trying to look at the big picture and, you know, but they have a lot of different individual ideas that they come with as well.

[00:25:55] Mr. Chairman, it just seems that there needs to be somebody down there who's looking to the future. When we do things, we're looking forward. And when we make decisions and we try and put things in place so that it will be, you know, not detrimental to future decisions.

[00:26:15] But it doesn't appear to me to be that way in Richmond, and I guess I really shouldn't be surprised after all these years. Thank you. Supervisor Palchuk? Thank you, Mr. Chairman. Yeah, I guess my question is a little bit related to where we're going with this. So both the immediate crisis needs, but I'm trying to go through all of the areas that do support CSB or local programs, and I'm wondering, is there a tally of how much state support there will be?

[00:26:46] I know we hear they all say all the time, if down in other parts of Virginia, we were supporting CSBs the way we do locally, we'd be closing some of these hospitals. So on that longer-term vision, do you

have a sense, I'm trying to add it up here, but how much support the state's going to give versus the requirement on localities for that long-term planning?

[00:27:07] So ideally Daryl would come to this table if he's here somewhere. I know he's hoping that I don't call his name because I think he probably has better answers than we do.

[00:27:28] All right. Good afternoon. Daryl Washington, Executive Director of the Community Services Board. So listening to the conversation intently, so I do have a few recommendations. and can speak to the questions. So number one, my recommendation would not to be recommending to pour more money into the state hospital system.

[00:27:51] Most states, Virginia is about 50-50. They spend half of their money on state hospitals, half of the money in the community. Most other states years ago have moved to 75% in the community, 25% in the state hospital.

[00:28:08] Virginia is just behind most folks in making that shift. The reason why the state hospital beds are still offline, they corrected the salaries for nurses and professionals. They did not do a salary correction for the direct support professionals, the psych techs that work on the things.

[00:28:28] And until they do that salary correction, it's my assessment that they will not be able to bring those beds back online. If you recall, my previous deputy director is now the director of Eastern State Psychiatric Hospital. So the other piece of the question on what's being done here, so there's dollars for crisis stabilization units.

[00:28:53] I am pretty confident that some of those are going to come to the North Virginia region. The reason why I'm confident they're coming is because they're letting us reallocate one-time dollars to do a build-out of the Chantilly site where we're already operating crisis stabilization unit.

[00:29:09] I don't think they would let us move, you know, close to three-fourths of a million dollars to help start the build out of the next phase, unless they plan on funding us for the ongoing expansion of that. Can't guarantee it, but I think based upon their moves that they're doing already, that most likely we're going to be getting that not as an individual Fairfax CSB, but as a Region 2 program to build that crisis services unit out. Great. Thank you, Mr. Washington.

[00:29:38] Okay, other questions on this topic? Supervisor Alcorn. Yeah, thank you very much, Mr. Washington. And I guess I'd be interested in knowing, you know, let us know what else we need to be aware of, particularly with the Chantilly facility and, you know, any needs that come up.

[00:29:55] Because we want to make sure if we're going to get some money from the state, we want to make sure we can take advantage of that. So thank you. Okay. All right. What's next? So I think the next item is on the top of page 54.

[00:30:18] And both the House and Senate provide additional funding for salary increases for CSB staff. The House provides $36.5 million. The Senate provides $50 million.

[00:30:35] While we would support the higher funding amount in the Senate, the House maintains the current way of distributing the funding, which we would see as more favorable.

[00:30:52] It's a little -- it's a bit unclear how the funding would be distributed in the Senate's version because they would have DBHDS coordinate with the CSBs to determine an allocation method. So there could be concerns that we wouldn't know exactly how that allocation would work.

[00:31:13] And then moving down on page 54, there's also additional funding in both the House and Senate, identical funding, $8.4 million for additional children's behavioral health services. So we would need to see how the funds would be divided around the regions, but that could be favorable in terms of helping support children's behavioral health. And then moving on to page 55, at the

[00:31:47] bottom of page 55, the Senate does have an amendment, and this is the first of a few that support community organizations in Northern Virginia, this one in particular is for SPARC, which provides day programs for adults with disabilities. We would see that as positive as a number of CSB clients currently receive services from SPARC, and CSB is providing assistance to SPARC on funding opportunities. Supervisor Faust. I was going to ask about that

[00:32:24] particular amendment. I guess procedurally, what are we doing? Are we taking positions on any of these or, you know, what is, how are you taking what we're telling you from here to back down there and what are you going to do with it? Because I would like to support this one big time. They deserve it. So we do take the feedback that you all give us and share that back with our delegation.

[00:32:53] In some cases, based on what we already know from you all or things that are in the legislative program or things that we know from what the county has been doing with organizations like this. We've already shared some feedback with our money committee members and our budget conference. And so in this case, we had already heard from staff that the county's been working with them. And so we've already shared some information. But yes, anything that we hear from you all today, we'll be reaching out to our money committee members and sharing that information with them as well. Board's in agreement. I think it's a really good one.

[00:33:21] They've done some amazing work in our county. Okay. We'll make a special communication on that one. Okay. So the next item that I wanted to flag on page 56 there, the Senate provides $8.7 million to increase funding for same-day access, primary care screening, and outpatient services. Those are the first three steps of STEP VA. That amendment is really to address

[00:33:57] inflation, but we do see it as positive in terms of increasing funding for STEP VA, which has been included in the legislative program. And also on page 56, there is also additional funding to increase the TANF standards of assistance, also a positive impact, something that the county has supported. And then I think the last items were on page 58, and

[00:34:28] And those are two additional funding from TANF Block Grant funds to community organizations, ECHO in Springfield, as well as the Lorton Community Action Center. And so we would see those as positive as they support low-income families in the community.

[00:34:47] Okay. Mr. Chairman, Noel Dominguez with the Department of Transportation. I'm going to talk very briefly about a couple of transportation items. If you want to skip ahead to page 68.

[00:35:04] There were not any or very few changes to programmatic level throughout the transportation section. However, I did want to mention that the General Assembly has continued its fairly recent practice of earmarking or funds toward certain projects or requesting studies on certain projects.

[00:35:24] And I'm just going to list some of these. You'll see on page 68 going on to page 69, the House has language directing the Secretary of Commerce and VDOT to review a project in Prince William County, to authorizing the Commissioner of Highways to evaluate whether or not the Dulles Greenway should be converted to a P3 or PPTA project, providing $150 million for I-81 in Roanoke and Botetourt, an analysis of

I-95 in Richmond, and another assessment of the Pope White Parkway in the middle of the Commonwealth. The Senate has other things. It confirms the Commonwealth's commitment to

[00:36:00] the I-81 corridor, it does have a contingent allocation of $250 million to improve I-81 after certain required deposits are made into the budget. It directs VDOT to identify and leverage federal funding to support Corridor Q Trail out in southwest Virginia. Another language about the assessment of the Poe White Parkway, some money, some funding for York County tourism, some funding related to an inland port. So they're making their thoughts known on various transportation projects across the Commonwealth. And in the past, there have been talk of studies

[00:36:38] or some language, but over the past several years, they've started directing specific amounts of funding to various projects. Okay. Thank you, Ms. Dominguez. That's the end of the budget.

[00:36:56] Okay. All right. Next item, board members have the legislative summary, and we have just, I think, four position changes, but we also want to update you on the status of some of the bills that we spent some time discussing. So we'll probably start on page nine. So Mr. Chairman, we were just going to go through and page numbers. Yes, we do. All right. Thank you, Mr. Chairman. Yes,

[00:37:32] we have page numbers in a long session. So we were just going to go through and sort of page page let staff call out um places where they wanted to give updates we have a few position changes i think we actually have less than four because one of the bills we were going to change positions on died today um mercifully because we opposed it um and um and then if board members have any questions on bills that we don't mention um feel free to ask as well so if anyone has

[00:38:01] anything on pages eight or nine ten or eleven i think you have your microphone on there I thought that was you for a second.

[00:38:31] I thought, wow, really excited about that SPARC funding. 12 or 13? Mm-hmm.

[00:38:52] I mean, if there's anything that's 14 or 15. I'll give an update on page 14.

[00:39:08] HB 1470, Delegate Watts bill that we talked about, which is a tax exemption for disabled veterans that had sort of an unlimited look back to 2011. That bill was set to be studied by Senate Finance this week, so it should be looked at in the off-session, and we'll, I guess, be revisiting it potentially next year, but it's gone for this year, which is good news.

[00:39:30] CHAIRMAN BRYANT: Supervisor Gross? MS. HB 1485 on page 15, the Chess Bay Watershed Implementation Plan effective date.

[00:39:46] CHAIRMAN BRYANT: Correct. MS. You've changed that to monitor? MR. Mr. Chairman, members of the committee, Chris Sigler, Assistant County Attorney. So 1485 and its Senate companion, we did change that to monitor. I think the last time we were together, as you may recall, I had mentioned that there was an agreement by all the stakeholders.

[00:40:08] Those bills, because of that agreement, are now moving through, and I think they'll both end up passing both bodies. Okay. All right. Thank you. 16 and 17?

[00:40:28] 18 and 19? I think we do have a towing update, but maybe not on this one, not on this one, 20 and 21.

[00:40:51] Oh, actually, Noel, do you want to give an update on our signs in the right-of-way initiative? Mr. Chairman, on page 21, HB 1587, that's our initiative. It passed to the Senate earlier this week unanimously after passing the House unanimously, so it should be on its way to the governor in the next couple of days.

[00:41:11] All right. Supervisor Gross. but um about on page 20 hb 1559 vehicle exhaust and operation on property near dress this doesn't say ah it does say noise doesn't it okay so this is our effort going forward yeah um mr chairman supervisor gross this was a delegate watts's bill to address exhaust noise it failed in the Transportation Committee a couple of weeks ago. The patron, or not, sorry, not the patron. The

[00:41:47] chairman of the committee is going to send a letter to, I believe, VDOT and the state police to convene a work group to look at the issue. A similar bill, Senator Evans, and I don't have the number in front of me, we'll get to it in a bit, which the board also supports, earlier turned into a study, and that is moving along as well. So Delegate Watts' bill failed, but the chairman's going to send a letter requesting a study and then senator evans bill as a study is moving forward so no action but okay they're looking into it this is still such a big issue such a big issue for us especially in the more urban areas and i um just on this on this bill specifically and

[00:42:25] you know we spent a lot of time i think last year with delegate watts on this and what we what we kind of communicated is our our view that the noise ordinance isn't really the best way to and horse vehicle exhaust issues, and we laid that out and kind of presented the alternative plan to address loud exhaust through the state inspection system, which we tried to make progress on this year.

[00:42:51] So I don't know. This isn't the kind of thing we would object. It's an option and an authority, but not really an effective way for us to manage this issue. It's just getting worse. It's just getting worse. All right. Thank you. 22 and 23?

[00:43:15] Supervisor Frost. Yeah, on page 29, HB 1749. Okay, I see. I was looking at trying to figure out what happened to it, but it was left in finance, meaning nothing will happen dead. Yes, that's right. Yeah, that bill is the, is sort of a cousin of the bill from last year that tried to create a lot of

[00:43:52] procedures for you all to go through if you wanted to increase property taxes. Right. Similar to a bill that the bill from last year that the governor had proposed. But yes, it didn't move forward this year either. Thank you. I take it it got out of the House, right?

[00:44:09] Yeah, the House, the governor did not put it forward again this year, but some House members were interested in moving it forward. And so, but it didn't, it didn't get very far. On pages 24 and 25, 25, we do have a position change for us. Did you want me to talk about towing? Oh, oh, I'm sorry. Did we skip over towing? I'm sorry. It's also on page 25. Okay. Mr. Chairman, HB 1649 was the fees on trespass tone we talked about a couple of times.

[00:44:43] If you all may recall, this bill was amended a couple of weeks ago to authorize up to a $30 fuel surcharge per tow for the next year. So it would, and after a very long discussion yesterday afternoon in Senate Transportation. The Transportation Committee did vote to recommend this 9 to 6. You had proponents of the towing industry, including towing operators, talking about the importance of this rate increase and impact on their livelihoods. You had on the

[00:45:22] other side, you had people talking about how this places a burden on consumers. But at the end of the day, it did a report out 9 to 6 and is headed to the Senate floor. It has already passed in this in this framework as a house bill so it I would say its likelihood of passage are is high um so how how do the

supporters of the bill um justify 30 30 dollars so you know gas prices I mean pick a number in terms of where they are and yes that was brought up I don't quite see how

[00:46:00] you get to 30 per tow that was brought up during yesterday's discussion um it's some noted that while it might not, the $30 may not all be related to motor fuel, there are other types of fuel involved in just the price of business. It was a very contentious discussion, I will say that at a certain point. There was possibly an effort to just restrict a $30 increase to planning District 8. The bill was originally directed to one of our neighbors. But however, some Richmond towers also said they wanted the increase, so they kept it statewide.

[00:46:39] but they talked about how this $30 is necessary for the towers, for the businesses to keep going. Okay. All right. And, Mr. Chairman, I have the next bill.

[00:46:58] This is our first position change. It's HB 1665, also on page 25. And if you'll, I guess I'll take you back to our first couple of legislative committee meetings where we talked about local land use extensions.

[00:47:16] And this bill, as introduced, was a COVID-19 extension. And I think what I told you was that in the committee, they amended this bill to provide an extension that took out COVID-19. And it was for whatever reason developers could think of.

[00:47:31] I think at the committee, they talked about inflation and a possible recession and that sort of thing. And I think at the legislative committee, We typically monitor these bills when they're COVID extensions, and I think I gave you a gentle nudge towards opposing the bill, which you ultimately did.

[00:47:51] And when I got back to Richmond, I started lobbying this bill and the Senate companion, which is, I think, on page 81. After I started lobbying the bill, lo and behold, they didn't take COVID-19 out of that bill. Um, and this bill, uh, has been amended to conform to the Senate bill. So COVID-19 is now back in this bill. So COVID-19 is back in both bills. So I'm, I'm recommending we go back to where I would have been before had COVID-19 been in both bills. And I'm recommending you change your position to

[00:48:28] monitor. Okay. And when you say COVID-19 is back in the bill, you, you literally mean the words COVID-19 are back in the bill. I literally mean the words. The extension is not tied to the declaration of COVID-19 emergency. It's just references COVID-19, but the dates have not changed. You're absolutely correct. Your view on COVID-19 being in the bill means it will be more difficult for them next year to continue to ask for additional extensions? Well, in my discussion with the developers and their representatives in Richmond I've been

[00:49:06] given a pinky promise that this is the last COVID-19 extension they're going to request. Okay all right okay okay well I think I think we can support that that change good work. So Mr. Chairman moving on to pages 26 and 27. Mr. Chairman if I On HB 1671, this bill, we're monitoring this bill.

[00:49:45] This is one of a number of bills that we're monitoring that are reporting requirements on sort of land use decisions. And I think, you know, it's always hard to oppose a transparency bill, but I think if you'll recall, we talked about at the time that these different reporting bills were cumbersome, difficult.

[00:50:11] They all had different deadlines, and they all asked for different kinds of information, and some of it's difficult to compile, some of it we already compile. But in any event, these bills are still all going. But my understanding in working these bills and talking to some other folks, VMO and VACO, is that

they're going to be narrowed down to one bill, And so there will only be one set of reporting requirements that we have to do, and they're still trying to hammer out exactly what that's going to look like.

[00:50:45] But the good news, I guess, is, and why I wanted to raise this, is there won't be five bills that pass with all kinds of different reports and requirements. Okay. Ages 28 and 29.

[00:51:07] Mr. Chairman, Boris Reisner for Vannie, Deputy Legislative Director. I did just want to let you know, it's not specific, but I did just notice HB 1693 was a bill that we opposed. A lot of the bills we opposed relating to elections were left on the table this weekend incident.

[00:51:31] So they appear to be dead at this point. So just did want to, as a package, they seem to be gone. Pages 30 and 31, 32 and 33, 34 and 35.

[00:52:05] The 35 as we've primarily secondary state highway systems reducing speed limits. We discussed previously one of our initiatives, right?

[00:52:20] Yeah, Mr. Chairman, that was our initiative to allow counties to reduce the speed limits. That failed a couple of weeks ago in late January. It is 36 and 37.

[00:52:38] Mr. Chairman, at the bottom of 36, HB 1948, this was a bill we were kind of half and half on. We wanted to get rid of the witness requirement, which this bill did, but then it was requiring the last four of the Social Security number as well as the birth date on the envelopes.

[00:52:58] That did pass out of committee yesterday, 13 to 2. It seems the compromise of allowing it to be the last four of the Social Security number or the unique identifier for those who don't have a Social Security number was a compromise that's allowing it to move forward.

[00:53:16] It goes to the Senate floor, and at this point, I do think it will pass. Okay. Thank you. It is 38 and 39, 40 and 41.

[00:53:45] So HB 2041, the liability for property owners, seems to be on its way to the governor?

[00:54:01] Mr. Chairman, yeah. Both of those, but there's a Senate companion to that bill as well, and both of those bills are moving through the process, and I believe both will successfully be on their way to the governor. Pages 42 and 43. Chris, do you want to do an update on accessory dwelling units?

[00:54:28] Sure. That's HB 2100. That was a delegate Hudson's bill that was quite prescriptive in what our accessory dwelling units ordinance would have to look like. She, as you might imagine, got a lot of pushback from localities on that. She had offered a study bill in committee.

[00:54:51] There was just a recent study on this in the first place, and so the committee didn't take her up on that, and that bill was laid on the table. Okay. Pages 44 and 45.

[00:55:08] Mr. Chairman, HB 2207 on 45. It was a bill we discussed quite extensively last time. It has to do with disability accessibility and technology and websites. It did die on

[00:55:27] the House floor. So that one is 46 and 47, 48 and 49, 50 and 51. Chris, do you want to update on short-term rentals? Yeah. Oh, short-term rentals.

[00:56:04] Well, and crops, too. I know. And the forest, too. Sure. HB 2271 is the short-term rental bill that allowed realtors to skirt most of our ordinance if they manage the property. Again, both of these, both the

delegate and the senator carrying this bill got a lot of pushback, and not only from local governments, but I think they had their phone lines blown up by people who were very upset that local ordinances would be

[00:56:36] preempted by properties managed by a local realtor, and both of these bills ended up failing. Oh, and on page 51 is HB 2282.

[00:56:52] It's the forest crop exemptions from Virginia Stormwater Management Program. Again, if you'll recall, that's the tree cutting bill. So there's an exemption that's being made, a new exemption being created that you can, that a lot not being reforested, i.e. it's being developed.

[00:57:13] A developer could come in and cut down the trees before notifying the locality. There wouldn't be a need for erosion and sediment control permits, nor would there be a need for stormwater management permits. It's a really bad bill, and it's been very close at every stage.

[00:57:30] The votes have been very close at every stage. It's on third reading in the Senate. It was supposed to be today. The vote was supposed to be today. It was taken by for the day. There was a senator missing today, and so the bill was taken by, and it will be heard Monday.

[00:57:46] And again, I'm hearing another very close vote is expected. But we're hoping that it will ultimately not pass, because it would be a very bad vote. So on the February 7th vote passage, were there-- I presume there weren't members of the Fairfax delegation?

[00:58:09] So that's the vote on the House floor. So that's the full House. So yes, I mean, our delegation members voted. And if I don't voted for, I'm saying I assume none voted for. I don't think so. I think you're right. I think that's a party line vote, very close to it.

[00:58:28] And in Senate Ag? So in Senate Ag, let me see. Senator Peterson? So I think that it, I think in Senate Ag, if memory serves, it was Senator Lewis who was the Democrat that voted for it.

[00:58:50] And Senator Lewis is patroning a bill that we'll talk about here in a minute that was on the House side at the same time. So it was Senator Lewis. Okay. Supervisor Faust? Yeah, that was a question.

[00:59:07] I'm trying to figure out what this all means in my world. This is only, this would apply to, right now, if you don't, you're not disturbing more than 2,500 feet and square feet of property.

[00:59:26] You can go in and clear cut and then come in and apply for your infill grading application, whatever, I think. Anybody correct me or does that sound right? I mean, this only applies if you're not already by right able to cut down trees.

[00:59:53] So I think it applies, I think this, if this passes, you would be able to, if you have a, if you have, if you own property, because it's a new exemption, and the way the exemption is written is, it's written as if, as long as you're harvesting the timber, you can cut that timber down, you can cut those trees down and harvest the timber without getting any of those, those permits,

[01:00:22] And without notifying the locality that you're going to clear the trees in the first place, and it's not limited to an amount, the only requirement is that you're not reforesting or replanting those trees.

[01:00:39] So you're doing something else with the lot, and what else would you be doing with the lot? You'd be developing it. I guess, does anybody know over there, if it's 2,500 square feet or less, can't you not already do that? I mean, that's what I live with.

[01:00:55] You know, I find out, you know, people clear-cut their lots, and then they offer them all. I don't know. No one knows. Okay. Oh, well, it's not important. I don't know if our LDS folks are here today. I know Tracy Strunk is. I don't know if she knows the answer to that, but I don't think so.

[01:01:17] But I'll look into it. I'll find out for you. Okay. Page 52, right?

[01:01:34] Yep. 253. Mr. Chairman, a couple of bills on this couple of pages I wanted to mention. HB 2338 and its companion SB 1326, these are the ones that expand the TRIP program to allow funding -- to allow transitioning of bus fleets to zero emission as well as accessibility to transit. They have both passed each side, so I think they just need to be -- they do seem like they will go through.

[01:02:01] It wasn't overwhelming. One was 65-34 and the other one was 64-35, but still they are are passing and they do seem to be on the way to the governor. On the other hand, HB 2340, which was a bill you all supported as well, this was the one that increased the fines and the fees on those people who live in Virginia but do not register their vehicles in Virginia.

[01:02:27] It made it out of the House 86 to 14, however, in Senate Transportation last week there was a long discussion and it ended up being defeated 6 to 9. There were questions about how students are handled as part of these fees.

[01:02:45] There were questions about someone brought up the fact, so if somebody just pays an annual fine of $400, that means they don't have to register their card. And then other things came about, and at the end of the day, it did end up failing 6 to 9.

[01:03:01] Pages 54 and 55, 56 and 57, 58 and 59.

[01:03:30] Mr. Chairman, on page 58 is HB 2449. concealed handgun permits, and VEASAN disclosure of information. This is our second recommended position change.

[01:03:47] We had originally opposed this bill on the grounds that there was concern about what kind of – about whether our law enforcement folks would be able to still get the information, the concealed handgun permit information they needed when they initiated a traffic stop.

[01:04:06] And in going back to Richmond and working on this bill and talking to some of the other stakeholders and doing some research, I think our concerns have been alleviated. The issue that really what this bill does is it's not so much that that doesn't change in the statute.

[01:04:26] What does change is when the application itself that the handgun permittee applies for can be disclosed. And the concern was they wanted to limit that disclosure.

[01:04:42] The law enforcement can still get that if there's an ongoing criminal investigation or a court process. And really, there's a lot of personal information that's contained on those applications. And so I think there was some concern about people's, about civil cases and people's personal information getting out when it doesn't need to get out.

[01:05:02] So I think our police, we've taken a second look at it. Police are comfortable. So we're recommending that we change that to monitor just to make sure nothing happens as it goes through the process. Okay. All right. 1661.

[01:05:19] On the bottom of page 60 is H.J. 489, and then it has a Senate cognate, which is S.J. 4247.

[01:05:45] This was a constitutional amendment around offering property tax exemptions for people of low income or low net worth, As of this morning, they both are dead at this point. 62 and 63?

[01:06:07] Mr. Chairman, on the bottom of page 63, SB 847, this was the one that would have let bicycles go on a walk sign at a stoplight. This failed. It did not make it through the Senate. The other bill, SB 1293, which you all were monitoring, that would have allowed local governing bodies to do this in case by case, and there were some concerns of being able to know, you know, what the rules were in each locality.

[01:06:33] That made it through the Senate but then failed in the House. Okay, 64 and 65. 66 and 67.

[01:07:01] 68 and 69. Mr. Chairman, on page 69 is our last initiative, SB 1069, our stopper pedestrians bill. That has made it through the House Transportation Committee.

[01:07:16] It passed out of the committee 18 to 4 yesterday, so it is on its way to the House floor. But some good votes out there. It's not through yet, but it is still on its way. Okay, great.

[01:07:28] 70 and 71, 72 and 73, 74 and 75, 76 and 77, 78 and 79, 80 and 81.

[01:08:25] Mr. Chairman, I just point out on page 81, SB 1205 is the COVID extension bill, the companion to the House bill we talked about earlier. 82 and 83, 84 and 85.

[01:08:54] Mr. Chairman, I'll give an update on Senate Bill 1365, which is on page 85. That's Materials Recovery Facilities and the local regulation thereof. I think we had some extensive conversation last time or the time before about the effect that that might have on localities if we lost the ability to have these MRFs, as they're called, as part of our local flow control ordinance.

[01:09:23] This was a tough bill. There were a lot of close votes. Yesterday, it passed out of, well, I had, I was, the word on the street was there was a good likelihood that this was going to pass the House, Republican-controlled House.

[01:09:44] It's kind of, their Republican take on it was kind of pro-business, you know, let the marketplace compete for these, for the waste residue from these MRFs. So the word on the street was it was likely to pass. I, in working with Senator Lewis, the patron of the bill, he asked if we had an amendment that we might consider making, and I gave him an amendment that would have exempted Fairfax County and some other localities from this bill.

[01:10:16] That amendment got put on in House, County, Cities, and Towns subcommittee, And ironically, because of that amendment, it caused the bill to pass by one vote and report to full committee, which made me very popular.

[01:10:33] However, today, in full committee, it was the VML and VACO primarily were able to get some folks from rural Virginia to come out and testify about the impacts this would have on them locally. It was excellent testimony, and the bill failed to report, even with my great amendment.

[01:10:55] It failed to report, and that was the best outcome I think we could have had for the MRF bill, so it is now dead. Okay, great.

[01:11:11] 86 and 87. 86 and 87. 88 and 89, 90 and 91.

[01:11:32] Somebody want to update on mobile food trucks, mobile food units? Mr. Chairman, members of the board. So SB 1474 was the bill about mobile food trucks, and that bill ended up failing on a tie vote this week in House health welfare and institutions.

[01:11:58] It was rumored that it would come back. It has not come back to this point, so we do think it's dead. 92 and 93, 94 and 95, 96.

[01:12:37] Oh, is that the, oh, okay. Oh, yep, that's right. So 95 is legislation no longer under consideration. So that's the end of our updates. All right. Any other questions from board members on any of that legislation?

[01:12:56] If not, you also have in your packet watch list and legislation provided for information, and I don't think we have anything else. That's it. Thank you, everyone.