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[00:00:02] Okay, good afternoon, everyone. Good afternoon. Good afternoon. Welcome to the Fairfax County Board of Supervisors Legislative Committee meeting of January 26, 2024. Welcome to the new year. And especially since this is the first committee meeting for our two new board members, welcome. I do just want to point out that in our committees, we don't take votes or formal action.

[00:00:37] So our goal here is to get a sense of the board, give direction to staff at times and prepare for actions that might be taken at our actual meetings of the board of supervisors. So we don't have motions, votes or formal actions here, but we do discuss a lot of the important issues before us.

[00:00:59] And with that, we'll jump right into our agenda. We have a very full agenda, and I said to the board at our meeting last week that the snow day that we all experienced last Friday when this meeting was canceled would come back to haunt us. And what it means is instead of being outside enjoying the warm weather this afternoon and evening, we're going to be here for quite a while.

[00:01:21] We're going to start on your agenda with specific issues, and we have today an update on the governor's 2024 to 2026 biennium budget, and I'll start with Ms. Arco to begin us with that discussion. Thank you, Mr. Chairman. So I'm Claudia Arco. I'm the county's legislative director. I think Elbena Asanova from Management and Budget is going to come up and talk us through the budget chart, and then

Ariel and Noelle are going to talk through the human services and transportation sections. So the board got a memo from us in December, and then again at the beginning

[00:01:56] of January, kind of providing a little bit of an overview of Governor Yunkin's biennium budget. Just as a refresher, this is the one full biennium budget that Governor Yunkin gets to introduce because of how our election system works with the budget cycle. So the governor can make amendments to the existing biennium budget, which is usually called the caboose budget, just for the remainder of this fiscal year, and then he has the opportunity to introduce a full two-year biennium budget. And so that's mostly what we're going to be talking about today.

[00:02:27] In terms of the general process for the General Assembly, now that the governor has submitted his budget, the House and Senate will work on their budget amendments to his budget, and then they will each pass their own House or Senate budget. And then ultimately, they'll get to a conference committee and hopefully have a general assembly conference budget that then the budget, then the governor gets to act on after the session. So that's kind of where we are in the process and Albana, do you want to talk about the beginning of the budget? Thanks. Sure. Thank you, Claudia. Mr. Chairman, members of the committee, my name is Albana Sanova and I'm

[00:03:03] the Revenue Division Director at the Department of Management and Budget. In front of you, you have the state budget chart with a list of items of interest and their impact on fair County. The information, as Claudia said, is based on the governor's proposed budget for fiscal years 25 and 26, and it was introduced in December. As usual, the chart is organized into several sections, the first one being the general items, followed by public education, human services, and transportation. I will briefly highlight some of the items of interest to the county under the general section and the public education section. In terms of compensation, the proposed budget

[00:03:43] It includes funding for a 1% bonus payment for state-supported local employees on December 1, 2024, another 1% salary increase for fiscal year 26, effective July 1, 2025, and an additional bonus of 1% on December 1, 2025.

[00:04:04] We've indicated this as positive on the chart, as the county would receive approximately $400,000 in additional state funding from the Compensation Board in Fiscal Year 25 for the 1% bonus and an additional $800,000 in Fiscal Year 26 for the salary increase and the additional 1% bonus.

[00:04:25] We also indicated on the chart that no additional funding was included to address staffing standards or the restoration of salary reductions for unfunded or underfunded positions resulting from prior budget reductions, such as those for local finance directors that we had brought to your attention in the fall.

[00:04:47] Under the Judiciary and Public Safety section, I wanted to highlight the additional funding included to support specialty dockets, as our legislative program supports inclusion of state funding for specialty dockets for mental health and veterans.

[00:05:03] Unfortunately, there is no details currently how this funding would be spread throughout the state at this time. In terms of HB 599 funding for local police departments, the proposed budget does not provide additional funding over the baseline that is included in the current fiscal year '24 budget.

[00:05:23] And our legislative program supports full restoration of HB 599 law enforcement funding. Also included is $18 million in fiscal year '25 for support to fill persistent vacancies in law enforcement

agencies throughout the Commonwealth of Virginia, with $3 million of that allocated to wellness initiatives.

[00:05:46] While we have indicated this as positive, again, we don't have detailed information of how this might be spread throughout the state. Under the Economic Development and Workforce section, starting on page three, the governor's budget proposes additional funding for initiatives that the county's legislative program supports, such as workforce development.

[00:06:13] And this includes career placement centers on community college campuses, a workforce credential grant program, and funding for marketing program to attract and retain workforce by raising awareness of in-demand job opportunities and career pathways.

[00:06:31] On top of page four, under natural and historic resources, the governor's proposed budget adds a supplemental deposit to the Water Quality Improvement Fund in fiscal year 25 and also deposits $25 million into the Resilient Virginia Revolving Loan Fund, which provides loans and grants to local governments to finance resilience projects.

[00:06:57] I should mention that no additional funding is included to fund the storm water assistance fund in this biennium budget. Under the tax changes section, which is at the bottom of page four, we've noted that the governor's budget proposes to reduce the income tax rates by an average of 12%, which would result in a revenue loss of $3.5 billion for the state over the biennium.

[00:07:26] While there is no direct impact to county revenues, This proposal would impact the overall state revenue, which could affect the funding that the state has to allocate to core services and might require local governments to fill in some of the gaps that would result.

[00:07:45] Effective January 1, 2025, the governor proposes to increase the statewide sales tax rate by 0.9 percentage point, which would raise $1.8 billion over the biennium. The governor also proposes to expand the sales tax base to the so-called new economy products, such as digital downloads, streaming music and videos, data storage.

[00:08:10] And that would result in an additional revenue statewide of $714 million over the biennium. Fairfax County is approximately 14% of the local option 1% sales tax statewide distribution.

[00:08:27] So using that percentage for half of the year in fiscal year '25, the county would get an additional $7.3 million in sales tax as a result of the expanded sales tax base, and $18.3 million in fiscal year '26 for the county's general fund.

[00:08:45] And there's, of course, an impact on what the schools might also get in sales tax. And we have noted that under the public education section. So now turning to the public education section, starting on page six, is information about the governor's budget based on input from the Fairfax County Public Schools Budget Office.

[00:09:10] Based on their analysis, the governor's budget includes a decrease of $8.2 million in sales tax revenue and an increase of $21.5 million more in state aid. And that's a net increase of only $13.3 million.

[00:09:26] So compared to their budget forecast for fiscal year 25 that they presented in November, the governor's budget leaves a gap of $51.2 million. The primary driver of this projected drop is language that is in the budget that proposes to override the statutory requirement to provide an amount equal to the

revenue that would have been distributed to school divisions if the state portion of the grocery tax had not been eliminated.

[00:09:58] in January 2023. So this would result in a decrease of $36.7 million in fiscal year 25 for FCPS, which is only partially offset by the basic aid increase, resulting in a net reduction of $23.9 million. Obviously, this is a big concern for localities and school divisions who were promised that the revenue loss from the grocery tax will be backfilled by the state in an ongoing fashion.

[00:10:31] Um, while the governor's budget recognizes additional sales tax to school divisions based on the expanded, um, sales tax base, as I mentioned, it appears, however, that that would be insufficient to cover the entire revenue loss from the elimination of the supplemental payment for the grocery tax elimination.

[00:10:50] Um, in addition, I wanted to note another decrease that the schools are projecting as As a result of the local composite index, which was updated for the new biennium. So the FCPS index went up, which results in less funding from the state.

[00:11:09] And the decrease is estimated at 9.3 million in fiscal year '25. The governor's budget only includes 1 percent bonus payment for funded standards of quality instruction and support positions effective July 1st, 2024.

[00:11:26] These funds, as you know, require a local match based on the local composite index. So we would get only $5.1 million from the state towards that effort. The entire cost of providing 1% compensation increase for FCPS totals $28.5 million.

[00:11:48] So after subtracting the state portion, they would have to fund $23.4 million. And of course, state bonuses are not billed into the salary base going forward. For FY26, they proposed to provide a 2% compensation increase for funded standards of quality instruction and support positions.

[00:12:11] And again, the majority of that cost would have to be paid by local dollars. At the bottom of page 9, you could see the summary of what I just explained for the impact of the governor's proposed budget, which results in $51.2 million gap relative to the budget forecast.

[00:12:35] So I will stop here and take any questions. Okay, we'll pause there for questions before we move on to the rest of the budget discussion. You know, a couple comments. Obviously, the elephant in the room here, really disappointing to see the governor fail to act to address the watershed JLARC report demonstrating that our schools are unfunded, underfunded by $3.5 billion, and we're trailing behind West Virginia and Kentucky.

[00:13:03] Not surprised but disappointed, but I know that's going to continue to be a conversation in the General Assembly and certainly one we'll be focused on. Let me make just, maybe I'll submit this as a budget Q&A, but on page 8 at the bottom, The one-time payment of $350 million to address unfunded liabilities in VRS, which staff know will improve, provide long-term financial savings for the state and local localities.

[00:13:31] I'd like to submit a budget Q&A just to better understand that mechanism and what savings we or FCPS could potentially see from a better funded VRS. With that, I'll open it up to other board members, Mr. Chairman. Yeah, I appreciate your comment on JLARC.

[00:13:49] I just want to double down on one thing, make sure that the public understands this, that the state has standards of quality that they have created. These are their rules. And just FCPS last year spent $1.2 billion more than the state's own rules that they're not even funding.

[00:14:11] So I just want to put that in very clear terms for what the state's public education funding costs Fairfax County. I mean, we're going to fund schools because we believe in public education here. But it's becoming increasingly difficult to do that when the whole, just based on the state's own rules, is $1.2 billion, not million, billion dollars.

[00:14:34] And that is at the root of why we are behind Kentucky and West Virginia. And we should be embarrassed. The General Assembly and the governor should be embarrassed that public education is not taken more seriously in this commonwealth. And so, as the chairman said, you know, with regard to the JLARC study, this is not, you know, Fairfax County making up our own numbers.

[00:14:55] JLARC is the state's research organization, nonpartisan state research organization that has made this determination, not Fairfax County. And so we're going to talk about a lot of things today in our legislative package, but the public needs to understand the driver of our budget every single year is public education and how much our board and our taxpayers are going to have to pay to support public education.

[00:15:21] And there's only one government in Virginia that's doing their job, and it is Fairfax County. And it's got to stop because we know, regardless of how you want to factor in income taxes, we know that somewhere between $0.13 and $0.20 on every dollar of income taxes that's paid by Fairfax County residents comes back to Fairfax County.

[00:15:42] This is why. And this is why we have challenges with affordability. This is why we have challenges with addressing talent. This is why we have challenges filling jobs. And this is at the root not only of our value system, but also at the root of Virginia's economy. And so this is a very important moment.

[00:16:00] We have waited many years for this analysis to be done. And, you know, we haven't gotten to any bills addressing this yet, but the fact that the governor has a budget out that turns a blind eye on this negligence is something the public needs to understand and help us with, and we'll continue to do our part, but part of our role is to make sure that we're educating the public on that point.

[00:16:22] Mr. Chairman, I just wanted to mention that in your packets, you do have a brief presentation of the JLARC study. It's also posted online with our committee documents. A presentation by the JLARC staff was given to the House Education Committee last week to talk about this, so the good news is the General Assembly is talking about it, and so I just wanted to point that out in case folks Okay. Supervisor Palchuk. Thank you, Mr. -- welcome, Mr. Chair.

[00:16:45] Yes, and I want to follow on the Chairman's comments, because that's what really stood out to me, the SOQ, the $1.2 billion. And then the next item really shows why there's so much concern when there's a promise from the state when they're cutting a tax. You know, while it may sound really nice to cut the grocery tax, there was a promise that that would be replaced and it's pretty clear here if I'm reading it correctly that there may be a little bit of funding on these new digital and new revenue taxes but it absolutely does not make up for the loss of the grocery tax revenue yeah

[00:17:24] that's right and I think you know localities are often concerned when the state makes promises about future funding and I think this is the reason why you know that bill wasn't signed very long ago and we already have a little bit of an effort to walk some of that back so hopefully the general assembly won't go in that same direction obviously localities are going to be working on that but yeah it is really unfortunate because it wasn't very long ago that we had that compromise as a follow-up question I don't know if this can be calculated yet I know it says substantially will be substantially less than the grocery tax funding are we able to get a more approximate calculation

[00:17:58] on that yes yeah I don't know that we have a locality by locality one and I I think the governor's budget wasn't really, really clear about everything that's included. So I think there's a little bit of an assessment. And I don't know that the General Assembly has a big appetite for going in that direction.

[00:18:16] But, yeah, we'll try to see what we can find out and if there's anything we can bring back. Okay. We're going to do Supervisor Alcorn, Bierman, and then Lusk. And then I'm going to move us on because we've got a lot of ground to cover Supervisor Alcorn. Just very quickly, I want to echo what the chairman said about the JLARC study and the need to really raise the visibility of that and sort of the status of what we're seeing in our state funding for education. I also wanted to point out another major missed opportunity by this administration. You know, they are making these proposed changes in the tax structure, but one of the things that they completely miss is local taxes. You know, there needs to be a

[00:18:56] serious conversation at some point in Richmond about tax reform. You know, we in local government are so dependent because of state law on property taxes. And, you know, this completely ignores that fact. And we do need to have the serious conversation about how all these taxes fit together, how they provide the services that are critical to our residents and our businesses, and have that conversation. This clearly is not that, but maybe one day we'll get that. Thank you.

[00:19:28] Supervisor Beerman. I just want to make one quick point about something that's stuck out to me in the governor's budget. A lot of this talk, it gets down to people saying, well, you're just Fairfax County and you want more money for Fairfax County. But JLARC actually was $3.5 billion.

[00:19:47] The recommendations were $3.5 billion in state education funding across the board. It was that we were $1,900 per pupil across the Commonwealth. So if we follow their recommendations, we will be helping across the Commonwealth.

[00:20:04] And I bring up that $3.5 billion number because the governor's individual income tax rate reduction is $3.5 billion over the biennium. So you could do nothing, nothing to the tax rates, and you'd have half of the money needed to get you to where you need to be under JLARC.

[00:20:24] So I guess it's never good as a politician to pile on to one of your constituents, but I think the governor is really just wrong on this. Thanks. Supervisor Lusk, and then we'll move on. Very quickly, Mr. Chairman, I agree with the comments that were made about JLARC as well, and also the comments were made by Supervisor Alcorn with regard to tax reform.

[00:20:44] I think this is something that's critical and important for us to figure out how we're going to be able to sustain ourselves over the long term. We know what's happening with commercial values in Fairfax County and the region, and we've got to be honest and frank here about what we do to address that issue.

[00:21:02] And then second, on this issue of economic development, workforce, and housing, I acknowledge some of the funding that's been listed in item 471 which is the 15 million dollars personally I

think this is a positive thing to help us with recruiting and maintaining workforce and figuring out how we can leverage that for our folks who are military personnel helping them stay helping college students stay in Fairfax County once they graduate having them kind of grow up here and go

[00:21:38] college somewhere else, having them come back is critical. So I'll be very interested in seeing kind of how this funding will be designated to help Fairfax County address some of our workforce issues. Thank you, Mr. Chairman. Okay, let's move on to page 10, Health and Human Services.

[00:21:58] Yes, Mr. Chairman, members of the board, Arielle McAloon, Human Services Legislative Liaison. I am going to start on page 10 with early childhood. And I did want to highlight that the governor really included a substantial amount of funding for early childhood, specifically to continue the child care subsidy program once the federal pandemic funding runs out.

[00:22:27] So that was $174 million in the first year and $237.8 million in the second year. It is important to note that a portion of that support is redirected savings from the VPI and Early Childhood Expansion Program.

[00:22:45] So there are a number of items that shift this funding around, so we are looking at that. But it is positive to continue to expand access to affordable child care. So it does look like this is helpful for our families. Moving on to page 11, I did want to note that the governor did eliminate language in relating to VPI that caps the LCI at 0.5 for the purposes of determining the state and local shares.

[00:23:19] The current language on well I do want to note that that was something that governor Cain had made a big push for when he was expanding preschool And it makes a substantial funding difference in high LCI localities like Fairfax County so removing the cap would mean the local share would increase and that could affect the county's ability to expand the program to serve more students At the bottom of page 11. I did the governor included additional funding for the behavioral health loan repayment program 5 million in both years the exact impact is to be

[00:23:59] determined but that is a positive step for this in the by the state to find ways to help address behavioral health workforce issues and then moving on jumping ahead to page 15 the governor also provided funding to continue to expand and modernize the statewide crisis services system 33 million in FY2025 and 2.6 million in

[00:24:33] FY2026. We will need to further analyze how that funding will be allocated in terms of determining the full impacts to the county but funding going towards crisis services is positive and essential that the allocation is fair to localities based on population size. Additionally also on page 15 the governor provided or provides 10 million GF in FY 2025 for one-time costs of establishing additional mobile crisis services and underserved areas that we

[00:25:10] would have to look at further but do you want to know that that would be one time funding so any funding would then need to be any additional funding in future years would need to be absorbed with local dollars and then at the bottom of page 15, I wanted to highlight that the governor includes additional funding to increase the number of developmental disability waiver slots quite significantly by adding 344 community living slots, 172 in each year, and 3,096 family and individual support slots,

[00:25:47] 1,548 in each year. Increasing the waiver slots is positive in terms of eliminating the priority one wait list which is a priority of the county however there we will have to look at that in terms of how or I do just want to note that there are other considerations just in terms of the implementation of actually

being able to address staffing issues and service provide actually providing those services and the overall system capacity and we do have some bills that are there We'll probably highlight a bell later that touches on part of that issue.

[00:26:26] So that is something that we're looking at closely. It is definitely a positive thing to help address the priority one wait list, but we are looking at those other issues as well. And then on page 16, toward the bottom, I wanted to note that the governor provides $1 million in both years from a multi-state settlement associated with Juul products to support an annual youth vaping prevention campaign. We'll need to see how that plays

[00:27:01] out, but support for addressing vaping. The vaping crisis among teens and young adults is included in the county's legislative program. And I believe that was, oh, I have one more. On page 18, the governor did provide additional funding to sustain the relative maintenance payment program and provide funding for kinship and alternative living arrangement supports.

[00:27:28] In addition to funding for bonus payments to local departments of social services, when a new child enters foster care and is placed with a kinship foster parent or transitions from foster care into a kinship foster arrangement, that is a positive step in terms of increasing permanency for children in foster care and giving financial support to the relatives who take care of those children.

[00:27:54] Okay. All right. Thank you. Just one point and maybe question for follow-up. On page 11, you mentioned the language capping the LCI at .5 for funding for VPI, which is a highly technical way of saying fewer kids in Fairfax County would have access to preschool, presumably if our LCI is 0.67 and they want to eliminate the cap of 0.5. I'm just

[00:28:26] wondering if or when we will be able to actually calculate what that would mean for us, either in terms of dollars or kids. I think that we can, we'll have to look into that in terms of providing additional information but um i think it's going to be important as we're advocating on that issue that we that we'd be able to answer answer that question because it sounds very very obscure and technical we just describe it as eliminating the cap on the lci at 0.5 um we got to figure out the

[00:29:04] dollar amount and the impact that it could have on on on kids um okay let's go to board members for questions, Supervisor Palchuk and Supervisor Lusk. Thank you, Mr. Chairman. Following that, two additional questions. I mean, mostly it seems like neutral or positive, but there are a few questions. One of them being just above that on page 11, the determining appropriate non-participation rate for VPI by examining participation levels, does that mean, I know it as unclear, but does that mean if there are unfilled slots that funding would be taken

[00:29:43] away? Can you clarify that? Supervisor Palachuk, members of the board, I think that we will probably have to get some additional information. I do think we have staff from the officer children here, but we can get back to you. I mean, I think that it is a little, we're still kind of trying to figure out exactly what this means in terms of the slots. Okay. One thing I would say is that the state has often funded slots sort of at a particular number, and if localities don't draw them down, then that money gets kind of swept at the end of the year, and

[00:30:18] they use it for other things. So I think probably to some degree what you're saying is right. I think it's just a question of whether those slots are really going unused or if somebody could have used them otherwise. So we'll try to get some more information. Okay, because we know the match is not great

there. I'll stop there. I'll follow up with you later. Just a quick question, Mr. Chairman, I've tried to run through each of these items again.

[00:30:42] I might just need a little help from the staff. Is there anything here specifically addressing the youth inpatient services for both substance abuse and mental health? Because I don't see it, at least in the read that I'm doing here quickly.

[00:30:57] Just is there anything here that addresses those two issues specifically? We might have to get back to that. Yeah, I think, sorry, Supervisor Lesk, members of the board. I think that we can just double check in terms of what specific items are included, but we'll follow up.

[00:31:17] Okay, I'll accept that, and thank you, Mr. Chairman. Okay, all right, let's move along to transportation on page 19. Mr. Chairman, Noel Dominguez with the Department of Transportation. I'm only going to talk about a couple of things, if that is okay.

[00:31:33] Most of the changes in the funding on all the programs referenced are because of just revenue updates. Most of the transportation programs come from dedicated streams, so it's just based on what they think is going to come in.

[00:31:49] So you see an increase in possible NBTA revenues as well as some going to NBTC for WMATA for the gas tax. That's just updated projections. Speaking of WMATA, starting at the top of page 20, as the board may know or remember, the 2018 WMATA capital funding bill included language that stated if Virginia's total share of a metro budget, with some exceptions, went up by more than 3%, then the Commonwealth would withhold 35% of its share of that funding. So now as we were talking about the funding issues

[00:32:28] addressing WMATA, that is one of the items that needs to be addressed because it doesn't matter if Virginia puts in the money or the localities do, if we go over that 3%, then the Commonwealth would withhold some funds. So the governor did include some language in his budget that would allow, I guess, would address the cap issue by allowing the Department of Rail and Public Transportation's director to determine the amount appropriate for it to go up. Essentially, the DRPT director would submit recommendations to the Secretary of Transportation, and then at that time the director is required to direct WMATA to prepare a budget and a corrective

[00:33:08] action plan which must include various items that is in the governor's budget I do want to also note that there have been various budget amendments offered by members of the delegation to address this in other ways as well as to address some funding let me go over a couple of those now I I think essentially Delegate, I'm sorry, I'm trying to pull it right here, Delegate Sickles has a budget amendment that would address the 3% cap, as does Senator Marsden, and there are various co-patrons to those amendments.

[00:33:43] Separately, there are several budget amendments that would provide $65 million each year to help address the WMATA need that we have all been talking about over the past several months. So, that's most of page 20. The rest, as I mentioned, due to updated revenue projections, they do show an increase in funding for public transit. That's at the bottom of page 20.

[00:34:13] A decrease in highway construction funds, that's at the bottom of page 21, and that's smart scale and those sort of programs, though revenue sharing remains at its statutory amount. And then it does project an increase in highway maintenance, and that is at the bottom of page 23.

[00:34:34] And I believe that is all I have on transportation, unless anybody has questions. Okay, thank you. Obviously, the metro issue is one that all of us have been working on and talking about a lot, and the rebaselining is a necessary but not sufficient piece of the solution for the interim period.

[00:34:52] Start with Supervisor Alcorn. Yeah, just very quickly on that issue. I agree. Some variation of removal of the 3% cap is going to be necessary. I think we all understand that. But this is going to be a significant and challenging budget issue for us at the local level over the next year or two.

[00:35:09] So we should all be ready for that. So thank you. Supervisor Beerman? This may be too early to answer, and I'm not asking you to be inside people's heads. But obviously the budget came out and then something big happened, which was the governor said that he wanted a stadium to be put in Alexandria, a basketball and hockey arena right at the, I believe it's the Potomac Yards metro.

[00:35:39] And there are often big debates over any sort of public funding or financing of arenas. Has anything come out yet that you know of in which there is some sort of deal, if you want to call it that, or something else in which we get additional Metro funding as a part of any package that would advance that arena?

[00:36:03] Because obviously the Metro hole is huge. If the arena were ever to succeed, it would need a very good Metro. I believe that that station is even slated for potential closure under, or at least not service cuts under Randy Clark's attempts at balancing the metro budget.

[00:36:22] Do you have any insight into that? Sorry. Mr. Chairman, Supervisor Bierman, I do not. I can tell you that some members of the General Assembly are asking the same questions. The Secretary of Transportation has briefed the House, the Senate Finance and Appropriation Committee, the House Appropriations Committees, And they have asked questions both about the WMATA as well as the proposal for Potomac Yard.

[00:36:47] There has been no legislation that I've seen related to those or a tie into those. And I honestly, I can't speak to the Potomac Yard deal separately. I know that that's in another jurisdiction. But at this moment, these are the ones specifically related to WMATA that I have come across.

[00:37:05] Yeah, thank you. I think it's safe to say the governor is more motivated today than perhaps he was a few months ago. Supervisor Alcorn and we'll very very quickly uh yeah I think one of the things we all need to be very careful about when if there is such a proposal that comes around and even with the state saying 65 million dollars additional going to metro remember that uses the current formula system where there's a local match so it's not completely one for one but it's usually about one for one dollar for one dollar so you know even if they put in a hundred million dollars or 110 million We're still on the hook for, you know, a match to that.

[00:37:41] So we need to be very careful with that. And Mr. Chairman, if I may, if you all may remember, one of the bills last year actually specified that the Commonwealth's proportion for Virginia's share could not be more than 50%. So it is almost exactly, we can go over 50%, but they cannot.

[00:37:59] Okay, Supervisor Palcic. Yeah, to that point, if we could just get an analysis of currently without the $65 million, what our bill would be, and then how it would change if we get to $65 million? Mr. Chairman, Supervisor Palchuk, I think Metro's budget is out for public review right now, and I think staff is working on some comments on that.

[00:38:22] Because that's still in motion, we can see what we can find for you, but I know WMATA's far from having a final budget for us to give those specific numbers on. I recall in the budget forecast that the county executive included a figure as a placeholder, but we won't really know until WMATA works through the budget process.

[00:38:44] Okay. All right. That is it for the budget. I only, because Noel called out a couple of budget amendments on WMATA, I did want to call out a couple on non-transportation, particularly because we have some of our legislators who have been very, very helpful, but most board members will remember that a couple of years ago, we had a county initiative on commerce attorneys, which ultimately turned into a study of what commerce attorneys were doing and what they weren't doing and what the state was paying for, so that report came out a couple months ago. Two of our legislators, Senator Boyceko and Delegate Kreeseck, put in budget amendments that would help provide funding for

[00:39:20] the underfunding of Fairfax County. I think they said it's like 22 attorneys, but they also included a category if the state were to compensate Commonwealth's attorneys for the prosecution of misdemeanors, which is not a requirement for Commonwealth's attorneys' offices, but many of them do, and ours does as well, and so that's in our legislative program as well, and so both of those legislators put in budget amendments both for those Commonwealth's attorneys and for the prosecution of misdemeanors. Senator Boisco also put in a budget amendment for us for cost of competing adjustment for our K-12 support positions, which has been in our legislative program for a long time. And then VACO and VML and other localities worked on a joint

[00:39:58] budget amendment on both sides for the lifting of the support cap, the remainder of the cap that the state puts on support positions in K-12 schools, which helps all localities throughout the state. And so I just wanted to call out a few of those. Yeah, thank you. And thank you for mentioning the commonwealth's attorneys for the new board members. This has probably now been a four-year effort in partnership with the commonwealth's attorney here to try to address not just underfunding, but the fact that the funding formula incentivizes, from our perspective, the exact things that we don't want to incentivize. So I'm glad to hear that we're making progress.

[00:40:36] OK, so that's it on the budget. Thank you. Board members have the agenda. And I'm going to make a slight shift to the agenda. You'll see that the next item is specific legislation. I'm going to move up legislation provided for discussion.

[00:40:54] And then we will do that and come back to specific legislation. You have this packet here that says specific legislation. And on page 13 of it is the beginning of the list of legislation provided for discussion, and we will start with HB 570/SB 274.

[00:41:17] Mr. Chairman, members of the board, HB 570 and SB 274 would establish the Prescription Drug Affordability Board within VDH, the Virginia Department of Health, and the purpose of the board being to protect residents of the Commonwealth and other stakeholders within the healthcare system from the high costs of prescription drug products.

[00:41:42] The board would be composed of five members appointed by the governor. Three of those would have some expertise in healthcare, healthcare economics, and clinical medicine. One member would be a local government representative, and one member will be a federally qualified health center representative.

[00:42:03] The board would hold four meetings, for public meetings annually to consider a number of topics, including whether to subject a certain prescription drug product to an affordability review. They would also vote on whether to impose an upper payment limit on purchases, payments, or payer reimbursement of prescription drug products in Virginia.

[00:42:28] And the board would access pricing information for various products by accessing available pricing information based on state reporting and transparency requirements, and the bill would also create a stakeholder council to work with the board and provide stakeholder input to assist the board in making their decisions. That stakeholder council would be made up of prescription drug manufacturers, both brand name and generic, providers that dispense or administer these

[00:43:03] drugs, as well as suppliers and consumers. The board would identify and solicit public input on these prescription drug products that are thought to potentially be creating affordability challenges, and then compile preliminary information and determine whether that affordability review will take place.

[00:43:31] that affordability review takes place, they would then make a determination about whether it creates that affordability challenge, and that would be when they would consider whether to establish an upper payment limit there. And then it does require the board to report back to the General Assembly by December 31st, 2025, on price trends, products that were subject to their review, and recommendations for further legislation on this topic.

[00:43:57] Thank you. So I asked staff to include this today for a few reasons. Obviously, all of us have constituents who struggle with the affordability of prescription drugs. We, as a county government, have a significant stake in this in terms of the cost that our insurance plans incur and our employees incur.

[00:44:20] I also noted in looking at the bill that the board would include a local government stakeholder, which for those who have diligently read our legislative program, you know that in our priority principle of local authority, one of the things we specifically call out is local government representation on these kind of boards and task forces at the state level, which doesn't always happen uh so from my perspective i i think we should get behind this and get behind it early uh and then perhaps put ourselves forward as the local government stakeholder to serve on the board

[00:44:57] if it's eventually created but i'll open it up to any questions or conversation from the board or if you agree with me just nod your head and we'll move on okay all right okay uh thank you That will take us to SB324. So, Mr. Chairman, I'm going to make you happy and say that we don't have to talk about this one.

[00:45:16] I think a compromise is coming, and so we thought it was more of a problem than it is. So we can skip to the bottom of the page, collective bargaining. Okay. HB1001 slash SB374. So I'll give a very brief snapshot of how I understand this bill to work, and I think we're on our way to hopefully a compromise, but we have a lot of staff in the room if folks have questions.

[00:45:38] So a couple of legislators put in legislation to create a collective bargaining framework. As many of you know, maybe all of you know, the state gave localities the authority to implement collective bargaining a couple of years ago. Some localities, including Fairfax County, has done that. Some localities have not.

[00:45:55] And this bill creates a new framework. And so without any changes to this language, it would basically override our existing collective bargaining agreements and ordinance and everything else. So we've been speaking to the patrons, some of the localities who are affected by this, and suggesting some

language that would grandfather localities that have already adopted an ordinance. And so I don't know if they're completely amenable to that, but they've been willing to talk to us about it. And so that's what we would propose trying to go back to them with and see if we can get ourselves carved out of that because we've already gone

[00:46:31] forward in that direction. Okay. Yeah, obviously we want to make sure we have a system. It is in place. We've invested a lot of time and energy into it, and it's working. And unfortunately, this bill, I think, unintentionally would disrupt it. So we'll continue to work with the patron and make sure that we're carved out and other jurisdictions that have already gone forward.

[00:46:54] Yes, it's the same for some other localities who have gone forward, and so we're working with them as well. So we're all kind of on the same page. Even for jurisdictions that haven't yet gone forward but are in the process of going forward, this would throw a wrench into that and slow everything down. So that'll be for them to deal with. But okay. Supervisor Jimenez.

[00:47:13] Thank you, Mr. Chairman. Just on this specific bill, you know, I agree with you. I mean, the work that's been put in, everyone's seen it. It's working. You know, we shouldn't be penalized. No one should be penalized for the hard work that happened. Though we want to see collective bargaining throughout the state, we need to make sure that we stick with what's working here in Fairfax County. Thank you. All right, let's move on to the environment, SB 243, HB 1085. Mr. Chairman, members of the board, Chris Ziegler, Assistant County Attorney. I know

[00:47:49] we've all been patiently waiting to talk about PFAS, so this is our opportunity to do that. I'm going to take the next two sections together. SB, so there's a couple of PFAS bills out there. Please don't ask me to tell you what that is because I can't pronounce it.

[00:48:09] But SB 243 and HB 1085 are companion PFAS bills. And what these bills require is first that the owner or operator of publicly owned treatment works monitor for PFAS levels. That's us.

[00:48:27] We would have to monitor and report to DEQ PFAS levels. It also requires the Department of DEQ, if there's a discharge of PFAS, it requires DEQ to develop an action plan to identify and address sources of PFAS detected in the public water systems, raw water, perform outreach efforts.

[00:48:54] And it also requires that certain facilities that manufacture these PFAS also do some reporting and testing. So basically, these two bills require a public utility to monitor and report and others who use these PFAS things to monitor and report.

[00:49:12] HB 245 by Delegate Bulova is a little bit different in that it only requires the folks who are actually using PFAS to report and monitor. Now, it's for a limited period of time, but it places no requirement on us, and sort of when you think about it, the folks who are using the PFAS ought to be doing the reporting and the monitoring, but we thought we'd bring these bills to you to sort of discuss them and see what you might want to do.

[00:49:42] I know we've got some folks in the audience who are probably eager to come up and also talk about PFAS, so if you have technical questions like how to pronounce that, they can answer that, I'm sure. Well, a question, and a number of us probably, I know I have had conversations with Fairfax Water about the pending or impending federal regulations related to PFAS.

[00:50:08] So I guess a question, this is probably more relevant to the McPike-Rasoul bill, is would these requirements, these state requirements, be similar to the expected federal requirements in addition to earlier than and what's the potential connection there so that's a great question let's have staff come up and answer it all right who do we have so i think we have uh okay let's see if we have some public works people ellie codding can probably answer that question

[00:50:41] good afternoon ellie codding with uh department of public works and environmental services i believe your question was how does this relate to the monitoring only bill for fairfax water right now? Is that your question? My question was, and it may be unfair to expect you to be able to answer this question, but there are pending or impending federal PFAS regulations that I know Fairfax Water is preparing for or thinking about. So my question is, how does this bill,

[00:51:17] specifically the McPike-Rasoul bill, potentially interact with those? Is it the same as the anticipated federal regulations? Would it occur sooner than the anticipated federal regulations? Is it more stringent than the anticipated federal regulations? So right now, this is just about monitoring. So we wouldn't have any information about the timing or the stringency of what the requirements would be. This is focusing on what producers are producing and what is happening at the wastewater plant. And what you're talking about with EPA is they are looking at what's coming out of drinking water, so right before the consumer takes it in. So I hope that answers your

[00:51:54] question. Got it. Okay. It's different in that way, because one is looking at what is being discharged into the surface waters. Ah, when it comes out versus when it comes in. Okay, got it. All right. So it's not really a Fairfax water question, actually. Well, Fairfax water and drinking water treatment plants are under a monitoring rule right now at the federal level.

[00:52:13] This is talking about at the state level, looking at what we have in the state in terms of PFAS users, manufacturers, and then publicly owned treatment plants, because we receive the wastewater from some of those users. Okay. All right. So just skipping to the bull of a bill, which would require outside entities that are generating PFAS to monitor, seemingly from our perspective, that would probably be a positive thing. So I think that's a simple one for us.

[00:52:45] The McPike-Rasoul bill, do we have a sense of what the added administrative burden would be to do this monitoring on top of the federal regulations that we're already dealing with? Yes, there'd be costs for doing the analytical methods themselves and staff time for pulling the samples and doing the reporting as well.

[00:53:06] Okay. All right. So typically, you know, I think this is something that all of us are really sympathetic to and recognize the importance of increasing awareness of. I think it is another example of if the General Assembly thinks this is something that's necessary and it's a good idea, they should develop a funding stream to help to implement it.

[00:53:27] So my suggestion to the board is that we go back to the patrons and share that we would anticipate some added administrative costs and would hope that they would consider that and perhaps help to develop a funding stream to address it. Mr. Chairman, if I may just add on to that, one thing I wanted to mention was that in conversations with some of the organizations that represent these utilities, VAMSA is the Stormwater Association, and I can't remember the name of the drinking water.

[00:53:57] It sounds like a group that has an exciting conference. It does. You should tune into their Friday meetings. It's thrilling. But the Drinking Water Association also, they're represented by Chris Pomeroy from Aqua Law, and he mentioned to Kristen and I that they are going, they're behind the Bulova bill.

[00:54:15] They think these are good bills. They're concerned about the McPike and Rasool bill because of that, I think because of that burden that you mentioned. Okay. All right. All right. So we're good there?

[00:54:32] Good. All right. Next is Casino, SB 675. And I had a dentist appointment this morning. I'm not sure what I was looking forward to less. Did you? All right. I mean, with that introduction, I don't know how we could go wrong. But so just to give a tiny bit of an overview, the board probably knows some of this already.

[00:54:52] But in 2019, the General Assembly directed JLARC, the Joint Legislative Audit and Review Commission, to look at the issue of casino gambling in Virginia. The General Assembly had been considering bills to allow casinos in five localities for several years.

[00:55:10] They never were successful. And so finally, they successfully directed JLARC to study casino gaming in those areas. That report also looked a little bit at Northern Virginia, even though that wasn't really part of the main scope of the report. And there never really was an idea about having a casino in Northern Virginia at that time.

[00:55:30] The five locations that were always considered in the state were areas that were really looking for a lot of economic development that had sort of were more economically depressed or had wanted to revitalize their economies. And so casinos were seen as a way of kind of moving that forward. JLARC came out with their report in 2020, and the 2020 General Assembly decided to authorize five casinos in five localities throughout the state. In most of those cases, the localities requested the General Assembly to put them in that posture. In some of them, including in Southwest Virginia. I think it's a number of localities that are involved, and so they all

[00:56:09] sort of weighed in with their legislators. In some places, like in Norfolk, I think there's a connection with one of the Native American tribes. And so everybody kind of had their unique situations, but in general, they requested that authority from the General Assembly.

[00:56:25] That authority requires them to have a referendum of their residents to move forward, but it does give the authority to the governing body to to consider that um and so in all of those localities in general that process has sort of been moving forward with the exception of the city of richmond which has had this on their ballot twice including this last november and it's been rejected twice and so now there's a number of bills in addition to the one that we're going to talk about um and just so that you all know kind of the lay of the land there's a number of bills this session that have a variety of solutions for the Richmond situation.

[00:57:02] So some of them say, well, if you had a referendum a couple of times, you have to wait a certain period of time before you put it back on the ballot. Some bills just take the authority from Richmond completely. Some give it to Petersburg, which is a neighboring city to Richmond and has had a lot of economic struggles and has seemed more interested in having a casino.

[00:57:18] And so there's a lot of bills out there dealing with sort of that issue. The bill that we're talking about, SB 675, Senator Marsden has put in that would allow a casino in Northern Virginia in Fairfax

County. The legislation that he, so I guess to start with, there've been a lot of discussions about a lot of versions of this legislation, but we didn't actually see a bill until last week.

[00:57:43] It was posted publicly, and it has already changed once since then. But the bill basically follows the same process that exists for the other five localities, um, with a couple of exceptions. So probably the biggest exception is that, um, it's very location specific in terms of where this would be allowed in Fairfax County. So in the other localities, um, the localities really kind of decide amongst themselves and with their community where it should be. Um, I think in an effort to, um, maybe calm some concerns from some communities that, uh, had concerns last year, um, there was an effort to make it clear that only a specific

[00:58:20] location is available. And so there are restrictions in the current draft of the legislation that say that it has to be within a quarter mile of an existing Silver Line metro station. It has to be within a certain distance of an enclosed mall, clearly Tyson's Corner, and some other things. It has to be outside of the I-495 Beltway. So there's a couple of requirements that make it clear that the radius we're talking about is pretty specific. And when this bill was being presented this past week in subcommittee, Senator Marsden made it pretty clear that the location is very much tied

[00:58:55] to this issue and that at least in the case of Fairfax County, if the county didn't want to pursue that location, that we couldn't go forward with another location. The rest of the bill for the most part follows the path that the other localities would have had to follow. So the distribution of funding, which is laid out in code, so the first of the proceeds, 6% of the first $200 million in gross receipts goes to the locality, 7% of anything between $200 million and $400 million, and then 8% for anything above $400 billion. That's pretty much the formula for

[00:59:31] everybody. The bill doesn't change that. If the bill passes and a locality gains the authority to do this, they can work with a developer. In our case, it would be probably a pretty specific location and work to determine which operator, which casino operator would be involved. And then the Virginia Lottery Board does have to approve the operator. But otherwise, the state doesn't really get too much involved in that. And then finally, the board would be able to request that the issue be put on the ballot for referendum. And then the residents of Fairfax County would

[01:00:06] decide if they wanted to move forward or not. This has gotten, obviously, a lot of attention in Richmond as it has in the community. The legislation was heard in subcommittee earlier this week. The subcommittee didn't recommend it. It was a four to four vote, but it did move on to full committee with basically no recommendation from the subcommittee. In the full committee, they didn't rehear the legislation. It was reported from subcommittee 10 to four with one abstention, but it was re-referred to the Senate Finance Committee, which is pretty much where all of the gaming bills are being sent, not just this one. And so I think the Senate Finance Committee

[01:00:45] is going to be looking at all of those. My understanding is that it's been assigned to a subcommittee on economic development, and so that usually meets on Tuesday mornings very early. I believe that Senator Marsden is the chairman of that subcommittee. Senator Favola is the vice chairman. I have spoken to her. She's interested in the county's feedback. I think of the membership of that subcommittee, it's a little bit mixed, but I think that there are probably legislators on there who would be supportive. And then if it moved on to the full Senate Finance Committee, then the full committee would

have to vote, and obviously then the full Senate. There's no companion House bill, and so that's kind of the lay of the land of this legislation.

[01:01:25] Okay. Start with Chairman McKay. Thank you very much. And I'm going to do something a little bit unusual, given the amount of community attention that this is received legitimately is I have a letter that should have been circulated to the board or is being circulated to the board that I intend to send to the speaker, minority leader, and the majority of minority leaders in the Senate.

[01:01:51] As Supervisor Walkinshaw mentioned earlier today, we do not take votes here, but I think it is important to lay out, I think, a number of concerns that we have with the bill and the process that is before us. And I know this is difficult sometimes to break this into process and casino, but there really are two things here, the process and then the subject of the casino.

[01:02:13] And so if the board can indulge me just for a moment, I'm going to read this letter. I'm sending this from the chairman's office, so I'm not seeing edits or any of those things. But I do think it's important that formally our legislators hear what some of our concerns are. And so as I mentioned, this is going to the leadership and to our delegation. Thank you for your service to the Commonwealth. I'm writing to share with you some perspective on our board's legislative principles and the relationship of those principles to Senate Bill 675. As we all know and have heard, Senate Bill 675 would add Fairfax County to the list of localities eligible to hold a referendum

[01:02:51] to host a casino and provide any proposed site for a casino gaming establishment considered by Fairfax County, and then I outlined the provisions of the bill. Skipping forward each year, the Fairfax County Board of Supervisors adopts a robust legislative program based on 10 community outcome areas included in our strategic plan. This year's 23-page program outlines our overarching priorities, initiatives, budget priorities, and position statements on key issues such as education, health and wellness, human services, and more. A long-standing and fundamental overarching priority and principle for Fairfax County is local authority. Our 2023

[01:03:31] program states the following, existing local government authority must be preserved and expanded, particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare. Further, local authorities should be enhanced to provide locality's additional flexibility in the administration of local government. Finally, Local government representatives should be included on all commissions or bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

[01:04:01] Each level of government has unique strengths. However, because Virginia is a Dillon Rule state, local governments are significantly restricted in their authority, which impedes their ability to react quickly and efficiently to emerging problems. In many instances, an overemphasis on statewide uniformity does not adequately consider the particular issues experienced in growing and urbanizing localities in Northern Virginia, limiting the ability of local governments to respond to community standards and priorities.

[01:04:32] As such, Fairfax County has not historically opposed legislation that provides local governments with a new option or authority, even if we do not intend to exercise or use that new option or authority. Similarly, we do not ask or seek the General Assembly to provide a new authority unless we intend to seriously consider implementing such authority. Unlike other jurisdictions that receive the authority to hold a referendum to host a casino, Fairfax County did

[01:05:06] not seek authority and has not substantively been involved in the development of the casino concept envisioned by stakeholders and the patron of this legislation. It likely comes as no surprise to you that the location and concept included in the legislation and reported in the media has generated significant community concern and opposition. Furthermore, since the community engagement process was not conducted prior to the bill being introduced, as it was in every other jurisdiction that has considered this, we believe the bill in its current form is likely to result

[01:05:42] in strong community opposition to the future referendum. While we understand the Commonwealth's desire to collect additional state tax revenue from the residents of Northern Virginia, we do not believe our residents would accept the revenue share prescribed in the current statute and in the pending legislation.

[01:05:59] As the law stands today, the Commonwealth would receive over 70% of the gaming tax revenue generated by a Fairfax County casino. This is especially relevant given the fact that the location outlined in the bill has the potential to generate significant local tax revenue without a casino.

[01:06:20] And I want to emphasize this point because the justification that was given for the casino from the very start was the county needs money. Seventy percent of the money goes to the state. So under this model, the state actually needs money, it sounds like, and that has not been disclosed to the public.

[01:06:39] A stated rationale for the legislation is we need to revitalize Tyson's. While the COVID-19 pandemic and subsequent shift to remote hybrid work has, of course, impacted Fairfax County's commercial office market, we believe the need to emphasize that Tyson's, and especially the Class A office space in close proximity to Tyson's four Silver Line metro stations, continue to thrive. Tyson's continues to attract new corporations and create new jobs. Tyson's has a blossoming entertainment district anchored by Capital One Hall, a premier performing arts venue and a state-of-the-art baseball stadium. The Tysons Community Alliance,

[01:07:17] a community improvement organization established by the Board of Supervisors and local businesses, is engaged in innovative work to enhance placemaking, livability, and economic growth, while our investments in transportation improvements are transforming a maze of asphalt and interchanges into a walkable and bikeable community that will continue to attract new businesses and new residents. In short, we are confident that Tysons is poised for continued success and will be the economic engine of the Commonwealth for decades to come.

[01:07:47] And it ends with thanking you for your service to the Commonwealth, and hopefully folks understand this important opportunity for us to share our perspective on this issue. And I put this on the table because, as I mentioned earlier, there's process and there's the casino. And I think what our focus needs to be on at this point in time is reminding folks that we didn't ask for this.

[01:08:09] This concept was derived in a vacuum. I saw the bill only after the General Assembly had begun their session and that we need to protect ourselves in the event possibly that this bill could be approved by making sure that we put out there what our concerns are with this, that we share them in the letter, and that we direct our staff to closely monitor this bill, share these concerns with the folks from our delegation and others in Richmond, and update us weekly on this. I understand that the easiest thing to do would be don't monitor

[01:08:44] the bill, just oppose it. And I understand the perspective of folks on that, but we also have to think about our overarching principles here, protecting our constituents if this bill does get approved, and making sure that we're continuing, well, beginning, and then continuing to be a part of the conversation. It's been around long enough to see that Richmond can pass really good bills, for us and do really good things for us, especially when we're involved in the conversation.

[01:09:12] I've also been around long enough to know Richmond can also pass some really bad bills and leave us with a mess on our hands, and I believe it's our obligation to share these concerns with our delegation, monitor this bill very closely as it moves through the process, report back to us weekly.

[01:09:29] We can change our position on this at any point in time, and because we do not vote in this forum. I thought it was really important to lay out these concerns to the General Assembly as the chairman of the board, recognizing that each individual supervisor may have a little nuanced different opinion about some of the elements of it. Tying it to our core principles, as this letter does, is something that I know we all believe in very strongly. And so I want to put that on the record. I wouldn't normally do that, but I just wanted to share that with everyone.

[01:10:02] My intention is to send this tonight to our entire delegation and that we continue to be updated on this on a weekly basis. It's very important here that we understand the process piece of this is critical. We have not been a part of the process.

[01:10:19] Moving forward, there are some elements of the bill that are good, at least in terms of preserving local authority through the land use process, forcing a referendum so that this is just not Richmond imposing these things upon us.

[01:10:35] And then there are elements of the bill that are really challenging. As I mentioned, it's a really bad financial deal based on the existing codes that guide the distribution of revenues. We would never take a state, take 70% of our revenue, we keep 30%. We just had this conversation about school funding.

[01:10:52] That's kind of what happens already. We get hosed, we are the state's ATM, and the financial model here at a minimum would have to improve dramatically, at least before I would consider any referendum or any other thing as a result of this bill.

[01:11:08] And so we need to make sure that message gets through and gets through clearly. And we need to protect ourselves from the prospect of this bill continuing to go through the process, A, without our input, and B, without our input being taken seriously. And my concern at this stage is if we outright recommend against this bill, we will no longer be a part of that conversation.

[01:11:30] And that's the process piece that has me very concerned, irregardless of what one's position might be on the casino element of this itself. And so we do need to recognize the good, the challenges, and the bad in this bill and make sure that our legislators understand this.

[01:11:45] This is a conversation we wished we had been able to have many, many months ago. And just as a reminder, this bill was in last year. And one of the reasons this bill was pulled is because there was no coordination done with local government. We find ourselves one year later in the exact same position, and this would have been a much more responsible conversation for us to be having over the course of the last year so that people in our community knew what the issues were here and what we were dealing with.

[01:12:12] And in my mind, the way this bill is moving through the process, it changes almost daily, and we need to make sure we're a part of that conversation and make sure we're doing everything we can to protect our constituents, and that's what this letter emphasizes. Okay. Thank you, Mr. Chairman.

[01:12:29] I'm going to give everybody one opportunity because we've got a lot of work to get through this evening, Supervisor Smith, and we'll just go right down. Well, as much as I don't support a casino in Fairfax County, I never visualized it was the next best thing we need.

[01:12:45] I understand the chairman's rationale about monitoring because it could be happening anyway, but I would tell you that I would not support a casino in Fairfax County. but I can accept the point right now that we would look to monitor.

[01:13:05] Supervisor Alcorn? Yeah, thank you, Mr. Chairman. Thank you, Mr. Chairman, for your letter. I agree with all your points. I think it's good to get those out on the record. I did include and pass out for committee members tonight a map that shows the locations.

[01:13:23] If you noticed, about a third of that area is in the 100-mil district. So, Mr. Chairman, I also appreciate your acknowledgement that there are differing opinions, perhaps, on the board on this. I do oppose the casino. I oppose the bill. But I do want to just a couple of questions on implementation.

[01:13:42] And first of all, Claudia, thank you for also noting that the bill's changed. I believe the labor provisions are gone. They're no longer in there. So I want to thank the county executive for your response to my questions last month on implementation.

[01:13:58] there are a couple of implementation pieces I think it's really important for us to be aware of and be thinking about, because frankly, they kind of frighten me. First of all, there would have to be a casino selection made by Fairfax County before a referendum. And in your response, County Executive Hill, I know you noted that it would be a competitive process. In Fairfax County, we pride ourselves on a clean procurement process. And in fact, those of us on the board

[01:14:32] are generally not participating at all. We don't in procurement process. So would we be tasking staff to come up with who would be the casino operator? What would that be?

[01:14:50] Well, I think the only thing that I would say, and then I defer to the county executive, is that because they're creating a different process for Fairfax County, I'm not sure that everything that you've described has been thought through. Yeah. Because that's not how it's worked in other places.

[01:15:06] And so I do think that that's a question. Yeah, I think we'd have to ask procurement about what the process could be. I mean, similar, it would, presumably it would operate similar to other types of competitive procurement processes, absolutely, pursuant to our purchasing resolution with no involvement with the board of supervisors.

[01:15:21] Yeah, thank you. Yeah, because I'm having a hard time squaring that with the next step in the process where the law says you have to put on the referendum the address of the casino. So would we really go through a process where staff selects a casino operator and location and then we just put that out to referendum? That doesn't sound very Fairfax County to me.

[01:15:51] So the one thing I would say is that I don't think the location is a question because of the way this bill is drafted. I don't think there are a lot of options for where the location would be. I don't know exactly how it's envisioned to work, but when Senator Marsden presented this legislation, he did get some

questions from Senator Evan, who chairs the full committee that this was heard in when it was in subcommittee.

[01:16:15] Senator Evan asked a number of questions about the location and what if Fairfax County wanted to do this, but wanted to do it in a different location. And Senator Marsden said, well, that wouldn't be available to them because the location is part of this legislation. Well, from my map, it looks like there are dozens of locations.

[01:16:35] And I've heard of at least three different groups organizing to try to become the casino operator and or location. How does that work? I think your question is a good one about the process and presumably we can refer back to the other jurisdictions that have gone through that process in terms of site, both site selection and operator selection, and come up with an answer that's consistent with our policies.

[01:17:04] Okay. Yeah, I mean, frankly, I'm not sure any of us who are district supervisors would want this in our districts. So, I mean, if that's the case, I'm not sure why we don't just oppose it, But, Mr. Chairman, I do totally understand, you know, your idea of the principles and being careful about saying no to authority.

[01:17:27] But thank you for the letter. Okay. Supervisor Stork. Thank you, Mr. Chairman. I think the chairman did a great job with the letter. I think it's a process flawed process. And I think that's where we start. And the way you fix a process flawed process is you, in some ways, you start back at the beginning and say, okay, what's the concept here?

[01:17:48] What's the objective here? And the objective here, I'm not clear exactly what the bill authors were trying to do. I understand the general objective, which is maybe to provide more tax revenue to the state and to Fevers County. But the formula itself is flawed and deeply flawed and not one that I think any of us would really accept as an appropriate way to do it.

[01:18:10] And more importantly, I think we have a broader view of our county than just a specific place made location for a casino. I will say this. I am open to casinos generally, and the reason why is because I drive one of the most profitable, in fact, my understanding is maybe the most profitable casino in the country almost every day.

[01:18:32] I look at the MGM across the Washington, across Potomac River, and it's a beautiful, wonderful facility, and I know a lot of folks go there, and I think that, you know, those opportunities may be ones that we would want to consider in the future. So you're not going to see me say, this is bad, don't ever do it, but I am saying that the process is flawed, and frankly, we need to start where we start, which is we are elected to represent the residents of Fairfax County, and we should be engaged, and we should be part of this conversation and see where it goes.

[01:19:04] And even if there's no decision made immediately that we should do this, I think the opportunity to give us that authority for some future date, I would support. And then we can see from there whether or not it actually will work and works best for our residents. And then finally, it's a total distraction from what the core issue we have today.

[01:19:25] The state has a $2 billion surplus, and they're not spending it on education. They're spending it on finding other ways to get more money out of Fairfax County and area residents. We've got the money now in the state. Let's put it towards what we need it to be for and fund what is underfunded and has not

been funded for decades properly, which is our school system, which our county taxpayers on their residential property taxes, which are higher than some of the surrounding districts because we don't have some of the advantages that they have, get some of that money back, get back more of the 23 cents than we get today, and put that in the pockets of our residents and taxpayers

[01:20:01] and allowed us to fund our schools in a way that meets the SOQs and meets the other standards that are so important to all of us. So that's where I start, and that's where I end. So let's see if we can make a difference in Richmond with this. Supervisor Patrick? I want to give you a standing ovation for that one.

[01:20:19] Hard to follow. But being the district supervisor, probably most impacted due to this, you know, I, first of all, very much appreciate the chairman's, I think, balanced approach in this letter. I think it's especially become clear that we have senators who are willing to go to Richmond and pass legislation or propose legislation without our input. And so I want to be really cautious about how we react to this legislation. I do have a lot of questions. And actually, Supervisor Alcorn has just raised more questions. And I think

[01:20:55] it's prudent of us to, rather than being reactionary, as was said, to get our questions answered and to continue to be part of the process and at the table rather than the meal. And so, again, a lot of questions. This map is helpful, but there's still locations. We're hearing a lot of different things. And so as long as, you know, we know this supports local authority, it's very, I think it's very hard for us to oppose anything that does support local authority. If for any reason the process goes away from that, I have a lot of concern and absolutely we're not at the same place. Clearly the process so far has not involved us. I is

[01:21:33] representing much of this area. I have seen no plans. I have seen no proposal. I do not have anything to react to concretely and so if this continues to just be a local authority it's a very different conversation. The other big concern I have absolutely is on the weight on the revenue share I would say lack of sharing of revenue of this proposal. I also you know the arts and convention space I think is something that as we've seen with Cap 1 Hall is very much needed and there probably is appetite and the need for our local economy to have more of that so

[01:22:11] that's a concern you know a question that I care about and I would say in addition to not funding our schools you know while it was happy to hear that there might be a little more funding for child care and pre-K, if that comes at the expense of us losing other funding, you can't fill these jobs if there is no child care and pre-K for the working families, especially the women who we want to be in the workforce and their families. And so that is a deep, deep concern to say that they are funding things and bringing us things, but taking away at the same time. So again, still a lot of

[01:22:49] questions. I think this is our first committee meeting. So clearly there's still a lot of time in the process. And my understanding is it's only a Senate bill at this moment. There's no House bill. So a lot to continue to monitor. And clearly, you know, having, it's unfortunate that the prevailing wage, if it's true, that's been taken out, that if that's correct.

[01:23:13] So it did exist in the original draft. It was removed from this draft. My understanding is that It's potentially because there are going to be side agreements or something else, but, right, it's not in the legislation anymore. Okay, right, and that's the other concern is, you know, I think it's hard to oppose good labor union well-paid jobs that will help support our community.

[01:23:36] So I appreciate the letter, and I think continuing to monitor this is the right call right now. Supervisor Lusk. Thank you, Mr. Chairman. Let me start by saying I don't support a casino in my district. I do have concerns about the impacts that they can cause as it relates to some of our lower socioeconomic individuals making decisions to spend their money in these locations.

[01:24:10] But I want to acknowledge the work that the chairman's done and say appreciate his thoughtful letter that he is proposing to send and agree that there are some pretty strong Areas that we need clarification on so going back to the point that was raised by Supervisor Palchek I made a note here on the revenue share we we need we definitely need a better formula Or revenue sharing agreement, so I think that's something we'll have to think through and figure out I also

[01:24:45] Would like to better understand the models I think the percentages of Revenue that we would get what does that mean like in terms of their projected numbers? I haven't seen that specifically so for me that might be helpful to get a sense of what they're proposing because that's going to give me some sense of what's the scale, what's the opportunity here for Fairfax County.

[01:25:11] I think, you know, personally that the district in which this site is going to be located, that supervisor really has to be the one who weighs in and lets us know whether or not that's something that they propose or don't propose.

[01:25:31] I personally feel that that's going to be one of the things I'm going to care about knowing as we go through the monitoring and as we make a final decision. And I think, you know, this idea of giving us an option to increase revenue, while it does that, this isn't the solution.

[01:25:56] This is not the answer for the very, really grave and I think very serious situation that we need to have the state help us reconcile. So I made the point again, agreeing with Supervisor Alcorn, we've got to really think about this in a more holistic and comprehensive way.

[01:26:14] and the state's got to help us come up with better options to ensure that the county is able to have a diverse revenue pie by which we can address what we see as a very looming problem for Fairfax County.

[01:26:32] So with that, I'll say lastly that this issue about prevailing wage and labor is really important And understanding kind of how that's going to impact that opportunity will be something I want to see as well.

[01:26:49] So even though we don't have possible concurrence that these agreements are going to be in the legislation, understanding what these side agreements or these other decisions around supporting labor and allowing for, you know, collective opportunities for those who are in labor will be important.

[01:27:12] So with that, I will conclude my remarks. Thank you, Mr. Chairman. Supervisor Jimenez. Thank you, Mr. Chairman. I feel like being at the end, a lot of folks starting with Supervisor Smith have taken a lot of my talking points, so thank you for that. But I will put these kind of in bullet form.

[01:27:30] Absolutely agree. Having a seat at the table makes us be able to have a voice at that table. So we critically need to be following the process, but I also think we need to remember that it is a process, and we can't jump ahead. We need to make sure that we are following where that process continues or doesn't continue. You know, we, it's critically important to ask these questions, the comment, but, you know, nothing's for certain. This could all be for not. So we need to follow the process.

[01:28:00] I fully agree. And at the end of the day, our job, my job, my colleague's job is to make sure that our constituents have the quality of life that they need, that we are working for one Fairfax, we're working for Fairfax County and its residents. And that part of our job is to keep them as informed as we can. So, if a referendum were to occur, they are able to make decisions based on knowledge, based on their values, based on what they think is best for their community and Fairfax as a whole. So, I think it's really up to us to make sure that we are engaged in the

[01:28:34] process so that the constituents are also engaged in the process through their supervisors. And I'll end it with saying, you know, kind of echoing some of what Mr. Lust said, I would never support something like this that doesn't involve labor. Labor needs to be a part of that. We need to have good paying union jobs in Fairfax County. And that has to be part of the process. If it's to move forward, if not, I would never support it. Thank you, Mr. Chairman. Supervisor Beerman.

[01:29:03] Thank you, Mr. Chairman. We definitely didn't save the best for last. It's all good. I'm used to being out here on the left. But anyway, I would like to echo the comments of lots of my colleagues. I agree with a lot of what I heard, and I really like your letter, Mr. Chairman.

[01:29:22] I'm surprised nobody else asked this, but I would like to sign on to your letter if that is something you are willing to do, because I agree with it. I agree with its approach. There are points in the letter that I would have been a little more strong on.

[01:29:39] That's what I'm doing representing my constituents in Drainsville. You know, the bill in its current form is likely to result in strong community opposition to a future referendum. I would say it will. I would also say it not only will result in strong community opposition to a future referendum, it will result in strong community opposition to us even considering having there be a future referendum.

[01:30:07] So I'd like to make a quick point about the revenue portion of this. I went back and I listened to some of Senator Marsden's comments. In fact, I had a personal conversation with him. And I would like to note that this bill is actually not, not about bringing more money to Fairfax County.

[01:30:25] Senator Marsden was very clear that he's concerned that the LCI number has been going down from Fairfax County. Now, actually, this year it just went up. Yeah, thank you, Dolly, for pointing that out. It just went up. But he was concerned that with the LCI number coming down from Fairfax County, Fairfax County was getting more money from the state.

[01:30:44] Therefore, we need to send even more money out of the state, out to the state. It really is the opposite of trying to find ways to get more money to Fairfax County. So don't let anybody tell you that the bill in its current form is about getting more money to Fairfax County. It's not. Listen to Dave Marsden. Now, you know, she was talking about a different topic, but I did write it down because it was a good quote.

[01:31:05] Supervisor Palchuk said she was hearing a lot of different things about the bill. And with respect to the details of the bill, I agree with that. But I will tell you, I am not hearing a lot of different things about the bill from my constituents. I am hearing uniform opposition to the bill from my constituents. I put out my position on the bill in Drainsville last night in my newsletter, and I pointed out that I had not heard from a single constituent who was in favor of the bill.

[01:31:30] And immediately afterwards, I received a text from an individual who said, I'm your constituent and I'm in favor of the bill. I said, thank you. You're the first one to tell me. And then he told me that he represented Comstock, the developer who's considering the bill. Since that time, I've received,

well, I don't know, Ben, 66 emails before this meeting started saying they were opposed to the bill. So public opposition, at least for my district, has been absolutely uniform. Now, you know, my approach will be different than others. I have to represent my constituents. This is about representing my constituents. And also to the

[01:32:09] points that have been made, and Mr. Chairman, well, both Mr. Chairman's, made good points about the process here, that things can change, that improvements can be made. I am with, I am much closer to Supervisor Smith on this than I am to Supervisor Stork. I do not anticipate that a casino project will ever be something that is necessarily uh uh in line with what my constituents want though hey if you want if you want it let me know i put it in the you know this is about representing the constituents so finally i will end uh by saying i i i doubt that that you really

[01:32:47] want to necessarily uh you know water down the letter with little old me and my name on it too but I co-sign. I think this is a good letter, and I appreciate it. Thank you. Okay, thank you, Mr. Behrman. Chairman McCase, folks, it's not that kind of meeting. Thank you, Mr. Chairman.

[01:33:07] I just want to emphasize one point because on the revenue generation piece, to me, this is the linchpin of the entire conversation. The revenue breakout that's currently in Virginia Code is based on with all due respect to them, Bristol, Danville, some of these communities that have a casino.

[01:33:31] The situation in Fairfax County is very different. Those jurisdictions, for reasons that are complicated, were literally bankrupt. And they had assets on the table that had literally no taxable value.

[01:33:47] Our starting point is these properties that are on this map are supported by the silver line that largely the public paid for. These are extraordinarily valuable pieces of property that are assets of Fairfax County, the public, for the infrastructure improvements that we made.

[01:34:05] So the audacity to think that the one-size-fits-all model for those other parts of Virginia is a fair starting point of conversation when it comes to Fairfax County is not fair. We are not bankrupt. We are far from it. And the financial situation is very, very different.

[01:34:23] And yet the financial model acts like it isn't. And the idea that none of our legislators heretofore, until this was pointed out to them recently, understood that concept that we would be demanding as a starting point for even the conversation a much higher number than that to make the lemon worth the squeeze, so to speak.

[01:34:45] It just doesn't make any sense to me. And so I have repeatedly said to the media, to the public, to everyone, the starting point of that revenue breakout is not only unfair, it's insulting to Fairfax County. And so regardless of whether that gets improved or not, you know, time will tell.

[01:35:03] But that is a message that we need to be sharing because as Supervisor Stork and as Supervisor Beerman and others have said, it's a continuation of a mindset enrichment that when the state needs money, they can just come to Fairfax and get it. and we're at the breaking point. We talked about that earlier, and so I just want to make sure that thought is left in everyone's mind as we leave here and that we will continue to get a weekly update on where this bill is as a legislative committee. Thank you, Mr. Chairman. Really appreciate everybody weighing in. Obviously, this is a difficult issue. I'll share my personal

[01:35:40] perspective and then my thoughts on the process, and I've been very open about this long before the bill was introduced, when it was discussed in the community, I am highly, highly skeptical that a casino would make sense in Fairfax County. I am more highly skeptical that a casino referendum would pass in Fairfax County. If this legislation were to pass, for me, I would not be willing to move forward with a referendum unless and until we conducted our own study, our own analysis, and our own engagement with the community to demonstrate that there's some interest or

[01:36:16] support in it. So that is my personal position. I'm in the unenviable task as a chairman of this committee is having to be the protector of our principles as a board, as a committee, and as a county in Richmond. And the chairman's letter, I think, outlined them. Our principle of local authority is fundamental, and we are consistent. We have been consistent in how we implement it and how we address it in our relationship with the General Assembly.

[01:36:51] And if we were to deviate from that, even under difficult circumstances, it would put the rest of our agenda at risk and our ability to effectively implement for the rest of our agenda at risk. So I'm going to continue to advocate for local option, for improvements in the legislation that are addressed here, understanding I am personally very, very skeptical that it could ever work in Fairfax County. So I think what I'm hearing, I think we have strong support for the

[01:37:25] chairman to send the letter. Let's make one thing real clear, because I just received the text. When I quoted Dahlia, I want to be very clear. I was not talking about what she was hearing from her constituents. I don't think she made a comment on that. She said hearing a lot of different things about the details of the bill. That's what I thought I had said earlier. If I didn't say that clear enough. I want to make sure that's really clear. We could go back to the videotape. I'm sorry, but I will not. I just want to make sure that I don't misquote my colleagues. That's really important to me, so I apologize. Maybe you all have a conversation after the meeting to work that out, but we're going to move forward with the chairman's letter.

[01:38:05] With respect to other signatories on the letter, that goes to the process issue that I laid out at the beginning. This is a committee. We're not in a position to take a vote and everyone to sign on to it, wanted to get a will of the board and a sense of where folks are. Mr. Chairman, before we move on to the next thing, as a result of that, I will be adding a sentence to the letter saying we discussed this at length here and that the consensus of the board was these principles matter.

[01:38:31] Okay, let's move on to the equally important issue of license plate readers, HB 775 and SP 503. Mr. Chairman, I'm going to take the next group of bills in a combination, and I'm actually going to take them a little bit out of order. But first, a bit of history. The county has an extensive history with license plate readers. These are systems that use cameras to capture images on passing vehicles license plates. They're either stationary or mounted on a police vehicle.

[01:39:04] There has been litigation regarding these in the past. There's also been legislation regarding in the past. As recently as 2021, there was a bill that would have prohibited law enforcement and regulatory agencies from using these LPRs to collect and maintain personal information on individuals without a warrant. It provided that license plate data collected, sorry, if intended for prompt evaluation of potential use in investigating suspected criminal activity, and it had a seven-day retention period. The county at that time opposed the bill and specifically

[01:39:41] noted the retention period was insufficient. That bill passed the Senate was defeated in the House. So before us are the next set of license plate reader bills. So I'm going to first go to HB 1037 and SB 206 down at the bottom of page 15. These focus primarily on installing these devices on state highway rights-of-way. They have a 30-day retention period, and they limit the data and information collected to the make, model, condition, location, and color of a vehicle, and the information on the vehicle's license plate. Next is HB 775 and SB 503. These are more

[01:40:19] prescriptive for the total use of LPRs by law enforcement agencies. This also has a 30-day retention period. It limits the use of the systems to scanning, detecting, recording data about vehicles and license plate numbers for the purpose of identifying a vehicle. It also authorizes and requires the Commonwealth Transportation Board to establish a permitting process for installing and using these in the state highway right of way. It also has various record keeping requirements.

[01:40:49] And then lastly, we have HB 20 and SB 539. This is the most restrictive. It requires law enforcement agencies to enter into an agreement with a license plate reader owner or other responsible non-law enforcement entity to operate what they call a data trust that would store and collect the data. And essentially what it says is upon application by an eligible law enforcement officer regarding an investigation for a specific offense or which a search has been authorized pursuant to a search or court order, the data trust may release the relevant information related to

[01:41:27] such vehicle collected in the eight hours prior to such application, unless the search warrant or court order identifies a different period, and all data must be purged within 30 days. So those are the three sets of bills. We've been talking with people down in Richmond, and we do think there is a likelihood that some sort of LPR regulation may pass this year.

[01:41:50] After reviewing these, 1037 and SB206 seem to provide the most flexibility because they deal only with right-of-way. However, I think the future of these is uncertain. HB920 and SB539 is extremely restrictive and difficult to implement, and that eight-hour retention period is insufficient.

[01:42:15] So HB 775 and SB 503 is somewhat prescriptive, but it does provide sufficient allowances that may make it workable. And we do have staff here to help answer questions. Okay. And I'll just say, you know, historically, as Ms. Dominguez mentioned, these are bills that we've dealt with probably every year or many years.

[01:42:36] And the important thing is we're engaged with these legislators to explain the operational impacts or potential operational impacts. I know that we've already been doing that. I'll suggest that's what we continue to do here, but let me open it up. Supervisor Bierman. So I have a question about the definition of law enforcement agencies and active law enforcement investigation in these bills.

[01:43:10] The reason why I ask, I can't believe I'm sitting here having this question, but other jurisdictions, other states, have been criminalizing certain acts that are legal in Virginia. And in fact, the Alabama Attorney General has written an opinion that he believes that he can criminalize aiding and abetting a woman seeking an abortion out of state. Are there any guardrails to prevent this type of information from being shared with other law enforcement agencies in those types of

[01:43:50] active law enforcement investigations that frankly would not be law enforcement investigations in our own jurisdiction. Good afternoon, Kimberly Balcom in the county attorney's office. The sharing of this information is contemplated to be law enforcement entity to law enforcement entity

for law enforcement purposes, but there's no definition for what that would mean. And so we'd be relying on our law enforcement agency to identify what a proper law enforcement investigation would be even in another jurisdiction to make the decision to share that information, and it would be within the discretion of our law enforcement agency to do so.

[01:44:29] Could we tee that up for a future safety and security meeting, if possible? Mr. Chairman? As a matter of fact, Mr. Arnold and I are getting the final decisions on the items that will be coming up at future public safety and security meetings, so we are talking about LPRs as one of the options, So we'll make sure this part of the discussion is at it as well.

[01:44:53] Thank you. Thank you. And, Mr. Chairman, if I may, all of these do specify what crimes the systems can be used for. They all word them a bit differently, but they've made it a known effect. It's not something for, like, a traffic infraction or HOV viewing.

[01:45:09] These are for your more serious situations. Okay. All right. Any other questions on those? All right. So I think we will continue to just engage with the patrons and make sure they're aware of the differing operational impacts that the legislation would have.

[01:45:35] Okay, let's move on. Does that take us to speed cameras, Ms. Dominguez? Okay. You all might want to stay for that. Next, we have a group of speed camera legislation. As the board knows or may know, We have authority to implement speed camera programs in school zones and in work zones.

[01:45:57] The county started a pilot within the past year and has put them up at about nine, I think, locations. There are various bills to expand that effort within the Commonwealth. And if you look, they start on page 16 and continue on to page 17.

[01:46:15] HB 20 kind of gives broad authority, as does HB 905. HB 521 directs it to very specific locations with speed limits of 35 miles per hour or greater and has ordinance requirements.

[01:46:37] HB 533 focuses on places that have an identified need by the state's pedestrian safety. safety action plan or other high-risk pedestrian corridor. Let me see. And HB 336 specifies they would be located at high-risk intersection segments defined in the bill, located within a locality. And they did say, provided such law enforcement agency certifies that a traffic fatality occurred since January 1, 2014. So, those are, these all have various expansions of the

[01:47:14] program. I do want to note that I know we talked about this at legislative committee and one item that did come up was the process we go through gets kind of tight where we're required to get summonses out within 30 days. I have talked to staff with Delegate Siebold's office and they seem amenable to increasing that to address that concern that we've had. Also one specific issue shoe that I do want to bring up with Delegate Siebold's bill is the way it's currently written

[01:47:47] or the way the current process works. If a state police, if this is, the infraction is undertaken by the state police, then it goes to the literary fund. The fine goes to the literary fund. If it's a county implemented fine, then it is retained within the county. Delegate Siebold's actually keeps the state police going to the literary fund, but any of the fines provided by or received by the locality would then go to the Virginia Highway Safety Improvement

[01:48:21] Program. The thought there being, some believe that it should stay on safety issues. There's also known localities that use these as part of their budgetary process, and I think there's an appetite to

not do that. I've asked if they're amenable to some changes. Generally, as was mentioned earlier, we don't like to receive funding and then send it back to Richmond and hope we get it back. Maybe requiring it stay, letting it stay within the locality, but directed towards that purpose might be a way to go about it. And then there are a couple of other process

[01:48:59] bills here too, but those are the main ones I wanted to talk about. Just on that point, Delegate Siebold's bill and where the revenue goes that would be all of the revenue so we would be or does it cover our administrative costs anything over the administrative cost would go to the state it would cover the administrative costs all right we'll open it up supervisor Patrick thank you well first of all very excited that all of these are to increase the authority and I appreciate just to clarify I know there have been some administrative issues

[01:49:36] So your understanding is that Delegate Sebald's bill will now include fixes there? Her bill hasn't been heard yet. I'm sorry, Mr. Chairman, Supervisor, her bill has not been heard yet, but I have spoken to her office, and I believe they are ready to offer that fix that we've talked about.

[01:49:55] Including extending the summons period? The 30 to the 45. So she is going to include that? Based on my conversation, I believe so. She has multiple times said to me that she will. Okay. I've heard mixed messages, so that's good to know. Okay. No, again, very much support that and I have a lot of concerns about the revenue piece because we've been so focused on making it about safety and not about the revenue. And so we, as you know, have taken a model that is focused on that and that we are owning it. We are creating a system rather than, you know, getting someone to do it for us and increase the revenue.

[01:50:31] So I think there are a lot of unintended consequences around that. So that's the only cause for concern. But the others we've seen that it has reduced speeds, it is effective. And being able to expand that is what I've heard from my community.

[01:50:47] We would like to see more of that. And just on the revenue piece, is there someone from staff who can confirm what we are doing with the revenue that we have been collecting from the school zone speed enforcement? Mr. Chairman, I'm not sure if we have anybody about that now.

[01:51:06] We can see if we can find that information. Deputy County Executive Arnold. Sure. Tom Arnold, Deputy County Executive. I've spoken to or with Christina Jackson, the CFO, just yesterday on this. Thus far, we've brought in around $800,000 in revenue. And as we were hoping to come to the board in June with a plan for what phase one expansion would look like, which is to refresh everybody's memories, that's an additional 50 cameras beyond the current 10 that we have.

[01:51:32] our hopes to get up to 80. And so I was talking to Christina about that, what our options would be with the revenue, knowing that the board would want to have input on where that would went. So thus far, it's just going into the general fund and money's being used to pay for the current systematic costs of the cameras, as well as the police department salaries. But that will be available for use as we expand. Okay. All right. Well, I mean, it sounds like a good topic. I know that the board had expressed an interest in that revenue going to bike and pedestrian infrastructure

[01:52:05] and safety projects. So we'll work with the budget committee chairman and maybe work in that direction and get that information to Delegate Siebel, if that's our intent, Supervisor Alcorn. Yeah, and just to build on that, I believe, actually, I think our plan is not to make money on this for any other use. Is that correct, Mr. Arnold?

[01:52:27] Absolutely. Our plan is to reduce speed and safety, but we know looking at historically where other localities are, because of the number of violations as well as the costs, it will generate more revenue than what the costs are for the program. So there will be money for the board to allocate wherever we feel appropriate, but the goal of the program is certainly not a revenue-generated program.

[01:52:48] So, yeah, I would encourage staff to continue to look for opportunities, maybe creative ways to make sure that, you know, consistent with the board's interest in having the program expanded, but not as a revenue, as a cash cow, as has been used by perhaps another jurisdiction or two in our region.

[01:53:06] And I think we want to work on that quickly so that we can communicate to legislators that we're moving in that direction. Supervisor Stork? I mean, I just want to echo the points that you made generally and my strong support for speed cameras and license plates readers because they work.

[01:53:27] And we do not have the assets. We do not have the officers. We do not have the folks to, frankly, be able to keep safety higher than we do because we're reacting. That's really whereas speed cameras and LPRs are proactive.

[01:53:42] And I can identify any number of crimes, frankly, that have been solved explicitly because we had flock cameras in this case that were available instantaneously. The police were notified. We found somebody who was being kidnapped as a result.

[01:54:01] We got a whole bunch of guns that have been taken away as a result of that. I don't know how many car thefts that we've solved because, I mean, so there's so many elements there. And then, again, on the speed cameras, that makes a huge difference, particularly in school zones.

[01:54:16] I know it's one of the options we have now, but the school zone law needs to be improved. I don't think being able to go 10 or 12 miles above the speed limit, meaning 25, you can go 35 miles an hour in a school zone, is safe, nor makes any sense at all.

[01:54:32] But that's what the law explicitly requires us to do. That doesn't make any sense. That needs to change. If people truly care about kids' safety, they will look at that and go, yeah, that doesn't make any sense. It's not about the money. It's about safety and how we can really change people's behavior.

[01:54:49] And I think these things, both of those things, can do that to a great degree. So I'm all in on that. Okay. So, you know, I think one question that I have on this that doesn't need to be answered now, at least one of them uses a definition, high-risk intersection segment.

[01:55:07] and there are other high-risk corridor definitions. It's going to be important in our engagement that we make sure that whatever definitions end up in the bill would allow the implementation of these devices in the places where we think they're necessary in the county.

[01:55:26] Unfortunately, we have the map of where fatalities and serious injuries have been. And I don't know for a fact whether they're consistent with whatever this definition of a high-risk intersection segment is or not. So we need to be on top of that.

[01:55:42] We absolutely have to get at least the 45 days. My understanding from talking to PD is that's a constraint. If we aren't able to get 45 days, expansion is going to be very difficult, perhaps not possible. So we have to do that.

[01:55:59] And then the revenue piece and ensuring that the revenue stays here. I think especially Delegate Seabold, if we can reassure her our intent to use the funds, I think she'll be open to the idea that

it's better for that money to come back here to Fairfax County than go to Richmond and then end up in other parts of the state.

[01:56:21] So can we proceed with that? I think that's consistent with what we're hearing. And I've said to our legislative staff, this is really important this year because there's a window of time where Richmond is open to having this conversation. I expect that window will close because these are historically difficult issues in Richmond, so we've got to capitalize on it this year.

[01:56:41] Okay. So, Mr. Chairman, there are a couple more operational here that I did also want to bring up. They will not take as much time. HB 461 requires pole-mounted speed display signs to be placed near these devices. So essentially, 250 to 1,000 feet from any of the photo speed monitoring devices.

[01:57:02] That would increase cost of implementation of a program. There might also be some operational issues there, but I did want to mention that one. SB 73 allows a locality to employ retired sworn law enforcement officers in good standing to look at these tickets, which would allow on-duty officers to, you know, work on other items.

[01:57:23] So that may be a way to help address some of the issues on the time it takes to go through this process. And then lastly, we have HB 1032, which did not make it to the list. This was a late addition. Going back to the process we talked about, HB 1032 establishes a default process for the collection of civil penalties for residents who fail to respond to summons for the speed violation issued based on this item.

[01:57:52] So this itself would also, I don't know if it would completely fix our problem, but I think it would help address some of the problems we have come across. Okay. All right. Great. And I do want to just thank PD for their work on this. I mean, I think the data that we got showed a 23% reduction in speed in the school zones where the cameras are implemented.

[01:58:13] I mean, even bigger than I would have predicted. So this is making a significant difference. I know it's been a heavy lift for a lot of folks, So please express our appreciation. We can move on to towing. Mr. Chairman, that is also me, but I'm going to ask for other staff to come up and talk on those issues.

[01:58:32] This is a usual item that comes up every year or so. I'm also going to kind of talk about these out of order. There are bills, again, to address the maximum hookup or towing fees that can be charged. HB 421 actually increases that from the current 150 to 190 and also increases the ancillary fees that are allowed from $30 to $35, and it does put together a Commonwealth Trespass Towing Rate Setting Advisory Panel to continue to look at these issues.

[01:59:07] On the other side, you have SB 66, which actually decreases the maximum hookup and initial towing fee from $150 to $50, and I believe that was anecdotally the patron. had a history with a towing situation. So those are both being considered. We also have HB 959, which provides that violations of the state law regarding tow truck drivers are subject to the Virginia Consumer Protection Act. They aren't currently. I think this is one of the items we discussed last year. It would give extra protections for constituents

[01:59:42] do answer for those who are in these situations that could be beneficial. HB 925 on page 18 requires a landlord that owns a parking facility in a multifamily dwelling to provide 48 hours notice to a resident prior to having their vehicle towed because they have expired registration.

[02:00:06] Right now, that's not currently, but it would require that to occur and that would require us to change our ordinance to coincide with that. And then lastly, we have HB 1287. This clarifies that there is a specific provision in existing law that the rest of the Commonwealth has that we do not, which allows other parts of the Commonwealth to permit towers. I believe within the locality, we use a different process. So this could be beneficial to, I think, to some localities in Northern Virginia, and it does give us more authority. However, I think our process,

[02:00:42] I think we're pretty good with how our process works at the moment, but this could be beneficial. And as we talked earlier about expanding authority, that would do that. So those are the towing bills, and there are others out there. I will see what else we may need to bring back. Okay. That's one question. We have Ms. Makeley, maybe on HB 959, Can you describe to us the impact of making towing and recovery operators subject to the Virginia Consumer Protection Act?

[02:01:20] Would that allow residents to reach out to us to help address any consumer issues that they have with towing operators? Thank you, Rebecca Makley, Department of Cable and Consumer Services.

[02:01:39] It does give us additional recourse and recourse for consumers. I will say, though, that currently right now we do handle trespass tow complaints in our office, so someone can currently file a complaint with our office, and then we would look at, you know, if there is violations to the ordinance and then if it is subject to the VCPA going forward.

[02:01:57] Okay, so this bill would give us additional recourse beyond what we already have, like what? Correct, and I'm going to probably defer to John Burton, my county attorney here, can speak to that better. Yeah, John Burton, assistant county attorney, Mr. Chairman.

[02:02:14] This, importantly, this bill, the provisions that it brings into the VCPA are all state law provisions. There's a long list of what tow truck drivers can and can't do, predatory behavior, basically. And that's not, our ordinance does not cover that.

[02:02:33] Rebecca, Ms. Makeley is correct that we do mediate towing complaints that are usually stem out of some violation of our ordinance. So the fact that this will now, that certain state violations will be under the VCPA, yes, it will allow us to expand our reach, our consumer affairs reach.

[02:02:58] Okay. All right. I mean, that seems logical for us. I'll confess that it's not an issue that I hear a lot about in my office, but I suspect maybe that's different for other supervisors. but if we feel like it will give us a new tool, that looks like something that we can support.

[02:03:18] Okay, that's HB 959. On 421, the first one, the McQuinn bill, requires localities to set their own rates and removes requirements specific to Planning District 8 and 16 regarding localities setting their own towing rates.

[02:03:36] So would this restrict our authority to set our own towing rates or allow us to set, continue to allow us to set the rate as long as it's above the maximum? John Burton, Assistant County Attorney again. Yes, this puts a floor of $190, which is a significant increase over the existing code. Right now, our base rate is $150, and I believe it was last amended maybe a couple of years ago.

[02:04:04] Yes, we last increased our tow rates October of 2021. We increased that base hookup fee from the minimum 135 to the state maximum 150, which is currently at. Okay. So my sense is we would like to

retain that authority to make those decisions rather than have the state impose a minimum or rather a maximum. Supervisor Patrick?

[02:04:26] No, absolutely support that. Thank you for clarifying for asking that question. As you know, many of our multifamily communities use the towing program in order to help manage the towing. And so I just want to make sure that we're able to retain that authority and make sure that they're not unreasonable costs that incurred by our residents thank you and miss blakeley thank you for doing dual duty tonight both overseeing this meeting and presenting and the only other one i'll specifically call out unless other board members want to focus on

[02:04:58] others hb1287 have been lobbied very heavily by our colleagues in arlington county apparently are dealing with a particularly bad actor who is using what is in their view a loophole to avoid operating within the rules of the county. So I guess my question is, is there anything in this bill that would negatively impact our ability to regulate towing? John Burton, Assistant County Attorney. Mr. Chairman, no. This is a clarification only. At the moment, we do not actually issue

[02:05:36] permits for towing within the county we do require them to register and we have a code that they have to meet certain requirements keep insurance lots accepting payments uh but we don't actually issue a physical permit saying you're permitted to tow in the county and this would allow us to do that um we do we allow us to do it we wouldn't have to we didn't have to no and we do we do issue permits uh require a permit to tow a vehicle out of the county got it uh that's that paragraph d above the new language okay all right well now i'm going to suggest that we go ahead and support this um in in solidarity and it gives us an additional tool in case we we want to use it

[02:06:16] uh unless there's interest in diving into the other two bills that i skipped i will just move on so just very quickly on the last one uh evans bill on the jlark study on a dedicated revenue source for and cost containment controls for wmata i'm not sure that's going to be the vehicle my only common is there needs to be a vehicle for that discussion. And I know that, you know, COG is in the middle of it. I know METC. So, you know, again, if this is it, great, then let's support it. If not, then we'll find something else. So, thank you.

[02:06:50] Mr. Chairman, should I go over the WMATA bills? Yes. Yeah, we're going to do the WMATA bills. Oh, we are. I thought you were moving. No, I was blasting past a couple of towing bills, but I wasn't going to skip WMATA. Yeah. Yeah. All right. WMATA. Mr. Chairman, in addition to all the budget items I talked about earlier, there are a couple of standalone bills out there. First is HB 1201 and SB 617, both introduced by members with the last name Obenshain, different people, same last name.

[02:07:26] And going back to that 3% cap I talked about earlier, this would specifically clarify or state, depending on your view, that contracting pretending to employee compensation and work would be within that 3% cap. So there's been talk of others saying, was it, is it included in the 3% cap or is it not? This would say it's in the 3% cap that has to be, labor has employee pay has to be taken within this 3% cap. Down below that is SJ28, which is Senator

[02:08:02] Eben's resolution. This would, okay, as written here, it would create, ask JLARC to do a study. However, this morning, it was amended to instead create a joint subcommittee to look at the similar issues, but it would be made out of include members of the House and of the Senate, as well as staff from, sorry, I'm trying to find it here. I believe WMATA, I know WMATA, I apologize,

[02:08:38] it just refreshed on me. So members of the General Assembly, as well as two non-legislative citizen members, one of whom shall be a member of the WMATA Board of Directors to be appointed by the Speaker and one to be a member of NVTC with preference given to any such member who is an elected government official to be appointed by the Senate Committee on Rules. It also creates a technical working group comprised of representatives from the Northern Virginia Transportation Commission, Potomac and Rappahammock Transportation Commission, Virginia Railway Express, WMATA, and DRPT. And that got out of the Rules Committee this morning.

[02:09:17] I do know some jurisdictions have thought maybe localities should be at the table, too. This is looking at WMATA as well as VRE and local transit service. So while we work with NVTC, obviously they're a huge part of us.

[02:09:34] I think each of us might have different information to bring to the table where it might be beneficial to have more seats at the table to talk about those differences. Okay. Well, just on the Obenshain squared bill, did anyone get that? Okay.

[02:09:57] Bad joke. Yeah. You know, this is the kind of thing that sounds good, I think, and Supervisor Alcorn might want to weigh in, would probably end up being completely unworkable. One, Metro's labor costs get a lot of attention. They're in line with the labor costs of other large transit agencies.

[02:10:16] But also, you know, the collective bargaining agreement that comes out of arbitration almost inevitably is just going to be what it is. And to constrain the cap, to have to accommodate whatever that is, which is unpredictable, I think would probably be completely unworkable for WMATA.

[02:10:39] So I think this is something that we probably need to oppose. And Mr. Chairman, I would also, I think some people see that as premature. You have these other studies that are moving that are supposed to be looking at cost control efforts. So we should focus on a study and evaluation first before putting something else in the code.

[02:10:58] Yep, great. So I think we're, Supervisor Patrick. Yeah, thank you. 100% aligned. You know, number one, I do not want to see a gap that constrains or sidelines current labor agreements. And number two, I think Senator Evans' approach, while we may have questions about it, the idea is that we need to separate, figuring out how to make sure WMATA is whole this year.

[02:11:20] And then I think there's general agreement that there needs to be studies about how to make improvements. And I don't think anyone has those answers yet. People might have ideas. So I think the study is a better approach while addressing the current issue. Yeah, and I'll just say, so I think we're on the same page on the Obenshain bill.

[02:11:38] On the Eben bill, and he raised this at a NVTC meeting, the only concern-- I have no objection to it. The only concern I have is it gives people an excuse not to address the issue now, right, or not to make serious efforts. But that said, I think he's doing it in a spirit of trying to be helpful and productive, and I appreciate that BRE is included.

[02:12:01] Mr. Chairman, on that point, you know, I appreciate the effort of Senator Evan, too. I just am curious as to, in the bill, is there any type of timeline or anything? Because to, you know, the Chairman's point, we can't drag this out. I mean, honestly, I'm all for study, but there's probably nothing that's been studied more in the DMV than Metro.

[02:12:22] And we know what the results of those are. There's just not the will to address them. And so I just want to make sure this doesn't drag out into a multi-year thing. We know how long it took the JLARC study to be completed on education. We don't have that kind of time with this issue.

[02:12:39] And so I think we can express appreciation of Senator Eben for this, but let's make sure to the extent it's feasible to put a timeline in the bill if there isn't one in there already and to make it as expeditious as possible. I don't need to know the answer right now, Noelle. I know you're reading the lines.

[02:12:55] I think let's just get that message across that we don't have a lot of time here, so let's not waste it. Okay, so Mr. Dominguez. So, Mr. Chairman, the language says it will complete its first complete meetings in its first year by November 30th, 2024, and the second year by November 30th, 2025, and they'll submit essentially executive reports and findings no later than the first day of the next regular session. So they are anticipating two years worth of work with an interim report due in a year and a longer report due in two years. I think we need to share with Senator Eben that's too long. If there's a way to cut that in half, I get that there needs to be time here, but we're

[02:13:35] not starting from scratch. There's a lot of findings on Metro. Pull out any one of the dozen old reports. I just would convey to him that, you know, we appreciate this because it does need to be studied. It was acknowledged earlier, but let's try to see if we can curtail the schedule because this is the sense of urgency that we're dealing with here. What will end up happening is next session everyone will say, well, we're not going to do anything because we have this JLARC study out there. And the study is going to come out and then folks are going to say, well, we need to hear feedback on the JLARC study before we do anything. And the next thing you know, you're three years in.

[02:14:07] So let's just be cognizant of that. Supervisor Alcorn? Yeah, just to follow on that, totally agree. I don't want to be in a position, the same position we are now, a year from now. Because that's what we're looking at. Unless we actually get our act together, you know, collectively and get some serious recommendation under consideration.

[02:14:26] By the end of this year, I mean, it's just got to be. So thank you for raising that. Mr. Chairman, if I may, when this was discussed this morning at the committee, there was one of our legislators made the point that this is an every-eight-year problem, and he's sick of it being eight years.

[02:14:44] So I just wanted to emphasize he did have that as well. We continue to have this conversation. Let's get this fixed. Okay. That brings us to the end of new bills. I realized, did I skip county initiatives?

[02:15:01] Yes. Or am I not at the end of new bills? Right. So that was the end of bills for discussion. Oh, wow. Okay. The end of bills for discussion. All right. So we need to go to page one. So page one has county initiatives.

[02:15:17] I think you wanted to skip over historical positions. Yeah. In the interest of time today, I do want to skip historical positions for the new board members. These are bills that are not new and consistent with positions we've taken in the past.

[02:15:34] So you can review them. If you have questions, you can reach out to staff. Yeah, I just want to make sure that that staff will be going forward with these positions. Yes. Okay. Good. Yes. All right. Thank you. Good. Yeah. Yeah. Absent direction. Otherwise, they will continue to advocate for our historical positions on those. So why don't we do the quick county initiatives update on page one and then we'll we'll dive into the new bills.

[02:15:59] Mr. Chairman, members of the board, the first one up is HB1238, and that is with Delegate Sickles. This is to address the extension of the time our registrar has to count ballots.

[02:16:20] In 2020 and 2021, there were a lot of election reforms that were happening that have greatly helped people be able to vote and vote in ways that are useful to them. One of them was that with concerns of mail being late, that people's ballots, absentee ballots that are received by mail on Tuesday night after close of polls can be counted as long as they're received by Friday at noon.

[02:16:45] That leaves, especially with Veterans Day often in the mix, about a day and a half for people to count ballots. This would move that from three days. It would move from seven days deadline, which is that Tuesday, to the following Friday. So it's 10 days.

[02:17:00] that's what the bill does it's up in subcommittee on monday night this passed out of the senate last year um carried by someone else it it did not make it far in the house but there is new leadership in the house so um fingers crossed that it goes well okay great 793 mr chairman 793 is the bill that would clarify that counties have the ability to reduce speed limits in business or residential districts from 25 to no more to no less than 15 miles per hour cities were given this and we thought we had the authority, but VDOT has decided otherwise. It has not been heard in committee yet.

[02:17:39] I am still trying to talk with VDOT to see where they are on trying to work with us on something, and I will let the board know if and when I hear more. And then the reason HB 1071 is noted is they're essentially almost the same bill. Delegate Carr is the one that introduced the original bill that we thought gave us the authority, so she's put it in to try to fix it. So there is a chance that HB 793 will be rolled into her bill since she was the original patron for the past, in years past. Okay, great. So that takes us through the county initiatives. As I said, we will skip over

[02:18:17] the historical positions and move to page five, new bills starting with SB 244 and HB 816. So, Mr. Chairman, and we have staff here that might want to come up to talk about some of these. The one thing that I would say is the summaries for those first two bills should be flipped.

[02:18:35] I apologize for that. So the first bill is actually the bill that addresses the Berry case that the county was involved in and tries to sort of unravel some of that and make it so that actions that were taken during that emergency period of time are sort of blessed by current law.

[02:18:55] There's probably a more technical way of saying that, But that's essentially what those bills do. The Senate version of that bill was reported out of subcommittee this week, and the House has not been heard yet. So at least we're moving in the right direction. And we recommend supporting that.

[02:19:12] Yeah, so this is obviously an important one that we've been working on for some time and hope to see addressed. HB 1040? So HB 1040 and the next one, SB 85, are essentially the same bill.

[02:19:29] We have language in our legislative program about some of this, which helps make it easier for people to participate in electronic meetings under FOIA requirements if they're caregivers, if they are responsible for people with disabilities and things of that nature.

[02:19:45] And so both of these bills, we recommend supporting. As I said, that language is in our legislative program already. Okay. 894? 894. Board members, if you have a question or comment on any of these, jump in, but you also don't have to. You are allowed to. So 894 slightly increases how many all virtual

public meetings can be held by certain public bodies. And this is a bill that we also talked about last year. This is coming back. They've made some tweaks to it. And so they're

[02:20:23] trying to increase it from 25% of meetings each calendar year to 50%. Elizabeth Bennett Parker has been sort of on a mission with some of these, and so this is one of her pieces of legislation, and so we recommend supporting that as well. I think, you know, the only thought that I have on these bills, and obviously I'm supportive of them, we've been supportive of them, at a certain point, does it make sense strategically for the proponents of these bills, ourselves included, to think about narrowing the scope to improve the odds of success?

[02:20:55] Or is it the case that the new leadership in the General Assembly uh increases increases the odds of success i mean look i you know i think our position is the all public bodies should have a greater opportunity to meet virtually but especially for volunteer bodies boards authorities and commissions is is particularly important right so if it if it wasn't going to apply to us is it possible to get something passed that at least applies to those folks who are volunteering their time and have to drive across the county to show in person at a meeting because of this. Yeah, and I think this bill actually doesn't apply to you all. It does apply to boards, authorities, and commissions. So, I mean, that is some of what

[02:21:34] is being tried, is to see if there are ways of narrowing it or just trying to get at specific groups. So, we're the certain exception. Right. That's right. That's right. Okay. Yeah. Yeah, right. You all can't do everything. Okay. Supervisor Berman. I just wanted to offer strong, strong support for this bill. As somebody who recently served on a board authority and commission as a volunteer. It takes a tremendous amount of time. And if you have lots of obligations otherwise, then you get kind of priced out of the ability to do it. We're not getting

[02:22:09] quite the mix of people that we would get if we had more flexibility. So really like that. Thank you. And another question. Thank you for that experience because that's exactly what we need to communicate. On 85, SB 85, what is the definition of caregiver in the bill? Because we've discussed this issue as well. Yeah, there's been a lot of, I'm not sure if what the current version of the bill looks like. There was a lot of discussion. I think there was some thought that caregiver might get stripped or changed because it was a little bit nebulous. But they haven't

[02:22:44] done that so far. It doesn't really have like a specific definition in there, I think. And so I think it was written to be flexible, particularly because I think some of the questions have been around, you know, are you caregiving this moment? Well, I think caregiving is not such a, such a finite responsibility that can always be sort of parsed out that way. And so, so far they've kind of left it that way, but yeah, it is a little bit flexible right now. Hello, Sarah Anir with the County Attorney's Office. I just wanted to clarify that there is in SB 85 a definition of Oh, good. Okay, well then.

[02:23:20] If that's helpful. Save the day. Thank you. And that says an adult who provides care for a person with a disability as defined in specifically another statute that defines a person with a disability. So there is actually a specific definition. But this change would only apply to the question as to who counts for purposes of a quorum.

[02:23:45] So if you're a caregiver or a person with a disability, it doesn't take away the ability for a person who's providing care for a member of the family to attend remotely in the meeting. It just affects their ability to count towards the quorum. Got it. Okay.

[02:24:02] Yeah, and I think this one was aimed particularly at, like, our Disability Services Board, where everybody could potentially qualify as a caregiver, but they wouldn't be able to meet the quorum requirements. Yeah, don't go away, Sarah. So because maybe you could talk a little bit about the next one, but the next one is really designed to address the gloss case that Prince William County had.

[02:24:20] Just to be clear, we're on SB 36. Oh, yes, I'm sorry. Yeah, SB 36 is meant to address the situation that arose in the gloss case that Prince William County ended up in court about.

[02:24:35] Mr. Chairman? The only question I was going to ask is, you know, this concerns me less than what constitutes a quorum. We just talked about a quorum before. Three members of our board is different than three members of a board somewhere else in Virginia.

[02:24:52] We literally can't conduct business unless there's six of us, and we keep showing up to a lot of things around this county, whether it's Tyson's, Fort Belvoir, other areas of the county that are represented by more than three of us, and it's causing major concerns. And I'm just wondering if, because this bill is here now, if that's something that we can bring up with the patron.

[02:25:13] I doubt the patron will want to change it, but we have to start getting some conversation. It's just not practical. Yeah, we can certainly start having those conversations. I think because they're trying to fix this particular problem that arose in a way that was unexpected, they're probably not going to want to change this, but it's certainly a worthwhile discussion to have, and we can certainly raise that with the patron.

[02:25:31] Let's ask, only because we don't get into this subject very often, and we probably won't get into it again for a long time, and so it's an opportune time. Thank you. Okay. SB 200. Yes, mr. Chairman members of the board Kristin can ask the assistant county attorney SB 200 and HB 229 and For starters SB 200 was continued to 2025 in committee, but HB 229 is still very much alive And it amends Virginia code 15.2

[02:26:08] 107.1 to allow a locality to advertise legal notices on the localities website Instead of, or in addition to, publishing the notices in a newspaper. This is permissive. It's something that we already do. And so if in the future, to save resources, the county decided to implement an online-only version, they would be able to do so.

[02:26:31] Okay, so this is a good example. You know, I have mixed feelings about this. On the one hand, our constituents sometimes mock the fact that public hearings are advertised in the newspaper, as if anyone reads that section of the newspaper. on the other hand um for folks who maybe don't have access to the website you you want to have another another means but but i think this is goes back to our earlier conversation that's a decision if this legislation passes that's a decision that we as a board could make uh we could analyze it we could look at it we can engage with the community um so i think it makes sense for us

[02:27:08] to to support this legislation i suspect it will get strong opposition from the press association Because for a lot of rural newspapers, those that exist, this is the only revenue that they have. I don't think that's the case here. And to flag, there is a bill, SB 157, that would allow newspapers to petition the circuit court to allow them to be online-only newspapers.

[02:27:35] So rather than publishing it on just the locality's website, we would still need to publish it in a newspaper. It would be the online-only version of the newspaper. And that is SB 157. Actually, that's

another bill we're going to ask them to support. Oh, good.

[02:27:50] So if you don't mind, if you're done with that one. Okay. SB 157 and HB 264. Are these not on our? They are not. They came up late breaking. Okay. So it essentially allows for notices, ordinance, resolutions, and advertisements to be published online instead of in a newspaper.

[02:28:14] Again, local choice, flexibility. There are multiple requirements for what's considered an online newspaper written into the bill, but the staff felt like this would help us also maybe expand the reach of what we have with just printing in a newspaper.

[02:28:31] So, again, permissive and was going to recommend support. Okay. All right. I think that makes sense. Does that take us to solar interconnection? Yes, and I'm hoping that John Morrill or somebody from our energy staff is going to come up and help talk about these. Bill, yes?

[02:28:48] Yes, here he comes. Good evening. I'm John Morrill with the Office of Environmental and Energy Coordination.

[02:29:06] The first bill is regarding solar interconnection and expanded shared solar programs, and they're matching House and Senate bills.

[02:29:23] There's a lot in this bill, but essentially it increases the amount of shared solar where multiple people are paying into solar on a either distant or nearby location, and they're all getting credits from that generation, even if it isn't on a roof that they own.

[02:29:48] And it also expands the cap for the amount allowed and really kind of cleans up some of the other language that allows shared solar to be used more widely. Right now, the applications for shared solar are somewhat restricted in the state. One additional slight change is expanding the eligible customers to what they call jurisdictional and non-jurisdictional customers, which means that the county and schools and other governmental organizations

[02:30:27] would be able to participate in shared solar programs which would help the county meet its goals and right now we don't have that ability and we recommend supporting that legislation yeah that sounds great I mean it sounds like would be a real opportunity for us to expand our solar effort so good um hb 117 and sb 346 um these matt again john moral from oec um this bill does

[02:31:05] a couple of interesting things one is uh it it sets a cost to be incurred by the utility if there are delays in uh the utility actually starting allowing a customer to start production on their solar facility. Right now there's a 30 or 60 day window between when it's set and done and when the utility actually enables everything to happen. Apparently this spring and summer there were some delays and a number of customers were kept waiting longer periods of time, but there were no

[02:31:38] consequences. So this bill both sets a price on the cost of delay to the customer. It also includes language and it's subtle, but it's very important. There's a little bit of language in this bill that seems to address the challenge that we have with large solar installations and a cost that the utility is looking to put on those installations just for the utility's purposes.

[02:32:09] This was something that came up at the Environmental Committee meeting in December. And so this bill remedies that situation, but interestingly, the bill also includes language that while it requires that the utility incur those costs, it allows the utility to make a return on those costs incurred.

[02:32:34] So there's a little bit of an olive branch to the utility. Yeah, so this addresses a couple things that we're all aware of. One is constituents frustrated by Dominion's delays on their own solar installations, but also our challenges in terms of the implementation for solar on our facility.

[02:32:57] So this seems like an obvious one for us to support. Any questions? Supervisor Stork? Not a question. Just to kind of make sure everybody understands, it's a significant part of what's slowing things down right now. Specifically for FCPS, they're saying we're looking at costs, almost a million dollars more than we anticipated for certain things.

[02:33:17] So this could make a huge difference in expediting our ability to put solar faster. Okay. Thank you, Mr. Morrow. That takes us to firearms and SB 100. Supervisor Alckmin. Mr. Chairman, I was going to say, we have a lot of firearms bills in here.

[02:33:34] I'm good with, I don't have any problems with any of them, to be honest. Do we need to go through all of them? Okay, well, let me just ask staff whether there's anything new that my guess is They're most in the category of things we have addressed before, but is there anything new specifically we should pull out for further discussion on the firearms bills?

[02:33:56] Go ahead. Mr. Chairman, it has to do with firearms, but it's slightly off to the side. There's two of them. One is SROs, which, again, we typically support there's an SRO. It's similar. It wasn't exactly the same, so we did want to bring that before you.

[02:34:13] All right. Let's take a look at that. SB 258. What page? It's page 7. oh okay so that one specifically um it didn't enumerate is not the right word but it specifically lays out what the judge should be thinking about when considering an sro so um a lot of the concerns or things that they normally do and then also um and then also it lets them look back instead of two weeks six months to look back for patterns of behavior that might cause concern so yeah um this

[02:34:53] This seems to be consistent with our policy with respect to ESRO. I mean, the only thing I would add is just in some experiences that I've had in the Braddock District and the police department have the challenge of the requirement in the law in terms of how the ESRO is served on an individual.

[02:35:18] And in my experience, we have struggled to sometimes meet the standard in the law. Just in my experience, that has been a hurdle. So we might want to just engage with PD and see if we want to suggest to Senator Surveld to maybe take a look at that piece of it as well.

[02:35:41] Definitely. But with that, Chairman, I think we just need to be clear in case the public's watching. When we're saying SRO, we're not talking about school resource officer. So sorry. Yes. Substantial risk order. Let's just make sure we're making that clear.

[02:35:56] Thank you. Thank you, Chairman, for that catch. Supervisor Behrman? I just want to throw my approval, and I think it's so consistent with things we were talking about earlier, about caring about in our legislative package, HB 1119 from Delegate Siebold, which would permit us to regulate, would permit localities to regulate the, excuse me, the locations that sell tobacco, nicotine,

[02:36:29] stuff like that uh retail near near public schools sorry public schools and and private schools parochial schools it's a classic example of giving us more uh local land use authority i think it's a good idea too yeah is that a firearm yeah i will say i read it supervisor bierman has yeah yeah you've gone way into the so well it isn't it yeah yeah yeah so it is in the firearm section, I think we left off a little bit of a heading.

And so you found exactly where the break was. And so we were going to call that out. Well, what's really funny is I was thinking

[02:37:06] to myself, I'm pretty sure the Supreme Court wouldn't let us do this, even though I'd like to do it. And then I started reading it out loud and was like, oh, darn, this isn't actually about firearms. So I apologize. That's the health section. So that should be right. More of like the HHR section so let's wrap up on firearms so mr. chairman if I may on the firearm section yeah I think as supervisor Alcorn mentioned most of these bills were were hand-picked because they sort of fit in with with the legislative program and so the recommendations on some of these bills

[02:37:43] are to oppose them because they open up things like letting people carry with letting people conceal carry without permits so they advance, you know, firearms. And then we've asked you to support the bills that you would traditionally support, which are a more common sense gun regulation.

[02:38:04] So that's what you're seeing here as outlined by somebody. Okay, so I think the ESRO one, we're good. Any others that specifically we should focus on? I just wanted to call out that. One of them is on pneumatic guns, which is in our program. Got it.

[02:38:19] Okay. So now let's move on to health. Yes, so we already talked about H.1.1.1.9. Can I just ask about H.B.1.1.9? Because Supervisor German is absolutely right. It's a local authority, a local option here.

[02:38:36] I do wonder what would be the mechanism or what is the mechanism in the bill to regulate by ordinance? And do we have any mechanism by which to do that? Because the way that I'm reading it, if it doesn't include tobacco, this would apply to a 7-Eleven or within 1,000 feet of a school supervisor.

[02:39:05] And if I could, well, and maybe this is for them to come back later. But is this prospective or does it apply? So basically it's in what a rezoning or special exception comes through or is it retroactive? And again, I have no objection to the authority. I do wonder whether it's better for us or the state to regulate this, given that the state already has mechanisms in place to regulate the sale of tobacco?

[02:39:29] We can certainly go back and talk to zoning staff and make sure that we understand exactly what the mechanism is and come back and give you all an update. Okay, yeah. And maybe in terms of our analysis of the bill, take a look at, yeah, is there a state mechanism whereby maybe localities can permit it And then the state agency, whatever that agency is, enforces it.

[02:39:53] I just don't know that we have anything in place that could implement this or could stand it up anytime soon. And just related to that, Mr. Chairman, if this bill had been written years ago, we would have never foreseen the vaping epidemic.

[02:40:09] And so what are the actual definitions in here, too, and are they timely? And that's another reason to have the state enforce this, because they can keep it more up-to-date more rapidly is something we need to have a discussion about. Okay. Thank you. But I think we should tell Delegate Siebold we're supportive.

[02:40:24] We want to work with her. Sure. But we need to figure out some questions here and work with her on the best way to implement it. Okay. Okay. 291? Mr. Chairman, SB 291 is patroned by Senator Rome and directs the Department of Aging and Rehabilitative Services to develop and provide training for court-appointed guardians by July 1st, 2025.

[02:40:52] This legislation is similar to a bill that the county supported last year, and it would allow both private and public guardians to have more similar training, so we recommend supporting. Okay. The next bill, HB 177, patroned by Delegate Gardner, is directing DMAS to convene a workgroup of relevant stakeholders to look at the rates, reimbursement rates for early intervention.

[02:41:22] Our staff thought that that would be helpful to look at whether there should be a cost study on that, so we recommend supporting that bill as well. Okay. Next. SB 231 and HB 970 are bills that would direct DMAS to establish a program to provide state-funded comprehensive health care coverage for children, regardless of immigration status.

[02:41:50] That is a bill that we think would be helpful to expand coverage to all children, so we recommend supporting. Great. Okay. 1336, patron by Delegate Sickles, and SB 568, patron by Senator Deeds, are bills that would allow crisis stabilization facilities permitted by the Department of Behavioral Health and Developmental Services to keep a stock of Schedule II through VI controlled substances. This would allow, and also to use automatic dispensing systems, this bill

[02:42:29] would help to lessen the reliance on hospitals and detention centers to treat individuals in crisis. It's also a priority of the Northern Virginia regional CSB directors, and so we recommend supporting that bill. Okay, sounds good. And lastly in this section, HB 577 and SB 610 are bills that would direct DMAS and DBHDS to amend their regulations to allow for support coordinators to request and then obtain approval of consecutive waiver slot

[02:43:05] retention requests for a period of 365 calendar days for individuals who have been assigned a developmental disability waiver slot our staff feel that this would be helpful in helping to kind of slow the process of as if the governor if we roll out the waiver slots that are included in the governor's budget and many of those are coming to Fairfax, that this would enable CSB to staff up and meet the requirements needed. I do want to note that this bill alone will not address all the issues, but it is a

[02:43:41] helpful step, so we recommend supporting. Okay. Polling places? Yes. So, I will make this short and sweet. Historically, last year we supported a change to the code that did not pass, but it was Striking physical to disability of who can vote on the curb.

[02:44:04] HB 114 and SB 605 do that in slightly different ways, but by adding in training and actually changing definitions in code. But same principle, getting rid of the requirement for it to be a physical disability to do curbside voting.

[02:44:19] Okay. All right. Land use? Yes, I'll start with SB 49. And this expands the current law to allow all localities to establish a community revitalization fund.

[02:44:39] Again, this is permissive. Fairfax County uses its own process, but it allows us to be along with Richmond as an option. And so we recommend supporting. Okay. What exactly is it?

[02:44:57] I can read the words, but can you just... It's more focused on being able to buy blighted properties and to, especially in areas where it needs a complete overhaul to buy blighted properties, demolish, and recreate certain sections.

[02:45:19] So this expands it to all localities. So I'm just curious as to how it's different than what we already have because we can already do that. I'm just wondering, is this like, does this envision a tax

district? I mean, is this giving us an opportunity to generate revenue from something we don't already have?

[02:45:36] Not quite, really. And it requires that any fund we use needs to come from local money. So there is a way to get creative, you know, whether or not, you know, money comes from certain developers and it's added to the fund. But it really is that Richmond has it, and it made sense to expand it to us, too, even if we weren't.

[02:45:59] It sounds to me like additional local authority, but it might not be pertinent to us. So, I mean, I don't have a problem with, you know, having another tool in our tool bin, but I doubt it will be appropriate for us. Well, and if, you know, hopefully the authority we have under our own programs never goes away, this is something in the back pocket.

[02:46:20] All right. SB 304. Yes. So this is the affordable dwelling unit. and this is the first one that staff is asking the board to oppose it essentially eliminates all local authority to regulate affordable dwelling units except accessible dwelling units accessory dwelling it we we Fairfax County calls them accessible accessory living units for this whole purpose that you don't we don't confuse them with affordable housing and but to

[02:46:57] So this -- there are certain criteria under both SB304 and HB900. We understand that they're going to be amended to match each other, but the issue is the same, that it is essentially a one-size-fits-all zoning mandate to allow all accessory dwelling units by right.

[02:47:19] Yeah. So we have opposed this, I think, similar legislation in the past. You know, obviously, I think this board is a believer and has taken pretty significant action to reduce regulations on accessory living units.

[02:47:41] And some of the things in the bill, I think, quite frankly, we're already doing, not all, but some. We've already done a lot of this, but we do it by having a conversation with the community and working through the issues that come up, Supervisor Smith. I mean, this is all the hard work we did on the short-term lodging, right?

[02:47:59] That we worked so hard, we talked to the public, we were aware of ensuring that wherever these were, it didn't affect the neighbors. And so, yeah, I strongly suggest we oppose these bills. Okay. Does that take us to SB 544?

[02:48:18] Yes. Now, this is similar, and I've heard that it's going to be amended. We have not, it has not actually been published. But it would essentially allow short-term lodging, short-term residential properties to exist in any ADUs so long as the owner occupied the primary dwelling.

[02:48:41] Different drafts that I've seen will expand it to short-term lodging. It should be available by right as long as the primary dwelling, the primary owner lives in the primary dwelling.

[02:48:57] it's essentially short-term lodging for all with no restriction and it would override existing local ordinances in terms of time limits and permitting and fees it certainly would yes we would have no authority to regulate short-term lodging and i and we had a there was a bill i think went about it in a different way last year but a bill to yes last year the bill specifically on our ordinance Yes, the bill last year was to say that if a realtor was responsible for the property, then there would be no restrictions.

[02:49:30] Thank you for reminding me. That was a good one. Okay. All right. SB, so where are we? HB 377? Yes, and this would prohibit a locality from requiring a local traffic impact statement as a condition for approval of a rezoning application.

[02:49:52] And that is if it involves a multifamily residential use of fewer than 50 residential units. Steph has said that it's unclear what definition of traffic impact analysis, but we have to read it broadly. And this would prohibit DPD from getting information they need to evaluate the proposals.

[02:50:14] And DPD often asks for at least an operational analysis. Yeah. I guess, you know, the goal here is to remove barriers to building housing. But given the focus on pedestrian safety, this seems particularly problematic. The idea that we couldn't even look at traffic issues or safety issues that could be created by new housing doesn't seem to make a lot of sense. Okay. 305.

[02:50:46] 305. And this is Senator Saleem and Delegate Sullivan have both put together bills to regularly gas-powered leaf blowers to remove them.

[02:51:06] It also comes with a civil penalty that can then be used by the county to help educate and to facilitate any economic impact to be able to provide people with non-gas-powered leaf blowers. Okay.

[02:51:22] So, you know, I'll share a few thoughts on this because this is an issue that we spent some time on. And we had a board matter two years ago now addressing the use of gas-powered leaf blowers in county facilities and with our county contractors, and we have made actually pretty impressive progress in our phasing out of gas-powered, the use of gas-powered leaf blowers at county facilities. It has proven to be hugely challenging with respect to landscaping contractors because there just aren't any that use electric leaf blowers, and we're trying to figure out how

[02:51:59] in the procurement process we can help that along and incentivize that. So all that is to say, In my view, and as someone who is passionate about air quality and climate and passionate about not liking leaf blowers, some folks have heard how I feel about it, I don't think we're anywhere ready to prohibit the use of gas-powered leaf blowers in Fairfax County until we can bring landscaping contractors along, especially.

[02:52:28] That said, this is a local option, and if it were to pass, it's something that we could implement in the future and develop a timeline to get there. So I would be willing for us to support the bill with the understanding, at least from my perspective and my experience spending a lot of time on this issue.

[02:52:46] We would not be ready to implement this anytime soon, Mr. Chairman. Yeah, I agree entirely with that. I mean, having the ability to do it is a great thing. I guess the question is, in the bill, I think one thing we need to look at is how we would regulate these. Because it's one thing to prohibit them.

[02:53:02] It's another to on the ground do the enforcement. And that's been a concern of mine. For example, you know, are people grandfathered in for how long? Do we have an ability to time, you know, when we want to put the ordinance in effect? Are there ties to the noise ordinance or other things?

[02:53:18] I mean, I'm ultimately thinking about how we, on the ground, enforce what is a very good idea, as opposed to encouraging people to do this. And so I think we need to look at that piece of it. But, you know, having the authority to do it would be a good thing for us, especially if the technology changes.

[02:53:35] I mean, I've only used an electric leaf blower. James hates leaf blowers. I use an electric one. So, you know, there are compromises. But I do think we need to be cognizant of the changes in technology

and how these things evolve, and having authority in our pockets is a good thing, but we're nowhere near the technology being able to support that.

[02:53:55] Supervisor Jimenez. I concur, and I'll be brief here, but it's the enforcement part, but it's also how do we incentivize? How can we get those who currently use gas-powered leak blowers, how can we change their mindset, right?

[02:54:12] How can we incentivize them to say this is the better option, this is going to be more cost-effective, also while protecting our environment? So I think it's both, as you mentioned, Mr. Chairman, the enforcement, but also the incentivized.

[02:54:31] Yeah, and this is an issue that I anticipate will be on our environmental committee agenda at some point in the future, both to get an update in terms of the work that we've been doing internally with some success, but also to think through the steps forward.

[02:54:47] Okay, final category, miscellaneous. Yes, Mr. Chairman, HB 1017 patron by Delegate Wilt and SB 575 patron by Senator Obenshain are bills that would require prior to the discharge of a minor, a copy of that minor's discharge plan to be provided to the division superintendent and the division safety official of the local school division in which that minor goes to school.

[02:55:19] There were a number of concerns about this bill in terms of sharing the information in the discharge plan and also in terms of how it would impact individuals seeking treatment and also indicate or implying that seeking treatment would be a risk factor or indicate that a person is a risk.

[02:55:40] This bill, or the Senate version of this bill, was heard in subcommittee earlier this week. And after a lot of discussion amongst the various stakeholders who weighed in, Senator Favola, who chairs that subcommittee, indicated that she really would like to see the bill sent to the Commission on Youth for study to really look at maybe how they can do something to address this.

[02:56:02] because while sympathetic to the issue that was trying to be addressed with the bill, it felt like this wasn't necessarily the right approach to do that. They ultimately ended up passing it by for the week so that they could kind of get together and see if there could be an agreement reached.

[02:56:17] So the recommendation here is just to monitor it, just to see where it kind of goes. So I think this is a perfect example of one where it's so important that we're at the table because we have a unique perspective to add that really needs to be part of this, obviously, so we'll continue to do that.

[02:56:36] Okay, that... Mr. Chairman, before we... We're ready to wrap up. Before we move on, there's a bill, there's a late-breaking bill that I think we should talk about. Okay. Because it's flying through...

[02:56:52] It's not a casino in Burke, is it? It's a, no, it's, it's, I'm sorry to disappoint. It's not another casino bill. It's an affordable housing bill, but I thought it was relevant and we should probably talk about it. It's HB 878 by Delegate Bulova.

[02:57:10] Excuse me, by Delegate Bulova. And what this bill does is it gives localities the authority to purchase development rights for affordable housing. And I think when I looked at this bill, I and other staff were very concerned that it might affect some of the things we're doing in the affordable housing realm in Fairfax County.

[02:57:34] So I watched, with interest, Delegate Boulava's presentation because I know Delegate Boulava fairly well, and I didn't think he was trying to hurt what we're doing. And his explanation of the bill sort of

gave me a little bit of comfort. But I think that what this bill essentially does, and I'll sort of repeat the example he used in subcommittee.

[02:57:55] What this bill does is it would allow the county to go out and purchase development rights at a particular piece of property. If there were, I think the issue he used was Falls Church. If there was a street of homes in Falls Church that had small, affordable homes, the sort of the trend is that developers buy up those small homes when they become available, and then they tear them down and put really big homes up.

[02:58:24] This bill would allow the county to purchase development rights. And so go to the owners and say, we want to purchase the development rights for 20 years. And if we did that, if the owner sold us those development rights for 20 years, that property could not be redeveloped except as affordable housing.

[02:58:45] And once it's in this new program, in order to convey or in order to do something other than affordable housing with it, you have to do other things with the property. Things like the board would have to determine that the conversion or diversion from the affordable housing program, this affordable housing program, would be determined by the local government to be essential to the orderly development and growth of the locality and in accordance with the comp plan.

[02:59:20] And you'd have to put another piece of comparable property into the program. So it seems very restrictive, and it seems like it would infringe upon some of the things we're currently doing with affordable housing.

[02:59:37] And the example I think I would give you is that, as the board knows, to make some of these affordable housing deals work, sometimes a portion of the property at issue may be sold off to the developer so that they can use market rate housing and make the numbers on the affordable end work.

[02:59:54] This might prevent that from happening. But this bill is designed to be optional authority. I just think that it needs some amendments to it to make clear that it's optional authority. And I'm talking about things like the bill talks about, you know, a local government will have these powers.

[03:00:13] And I think it should say if they adopt an ordinance to do these things. Because then we could decide if we want to do something like this, we adopt an ordinance to do it. So I think there's some amendments that can be made to tighten this up and make sure that there's, to make sure that it's clear what this bill is doing.

[03:00:32] Ms. Kanasky had a conversation with Delegate Boulevard about some of these things. He seems to be open to some amendments from us. So that's our recommendation is to amend it, to tighten it up. Okay, I think that makes sense. And he's always a great partner for us. My initial thought was I'm concerned about creating the expectation that we could afford to buy up, you know, quarter acre lots with single family homes on them and turn them into probably what people would be asking us to turn them into is affordable single family homes, right? That wouldn't work in terms of the dollars we have for affordable housing.

[03:01:11] Mr. Chairman, even buying just the redevelopment rights would be incredibly... Yeah. Expensive proposition. But there may be situations where the tool, if it doesn't have restrictions fulfills a need for us so we can try to work through the process to get there.

[03:01:27] Okay. All right. Ms. Arco, is that it? Nothing? That's it, Mr. Chairman. The county executive tells me I can't say anything else. All right. Board members have in their packets legislation requiring further review and the watch list. Thank you, everyone, for your time this evening, and we'll try to be quicker next week.



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