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[00:00:03] Okay. Good morning, everyone. Welcome to the September 17th, 2024 meeting of the Legislative Committee. We have a full agenda today, and I actually want to start by just directing board members' attention to the upcoming meeting section of the agenda. Just to orient you, as you see, we will have one, two, three more legislative committee meetings before we adopt

[00:00:36] the legislative program. We'll take a first look at the draft of the program today. So my ask, as always, if you have thoughts or ideas on additions or changes to that program, that you get them to us as quickly as possible so staff can review them and we can decide whether to incorporate them. And as always, or well, at least as for the past few years, we're going to try to operate on a one word in, one word out policy. So we don't add to the length of the program. We've

[00:01:12] done okay on that over the course of the last year. But thank you for your cooperation. We have three items on our agenda today. First, we're going to have the legislative staff, let's give us an update on both the process for new local authorities that were granted to us and other localities as of July 1 of this year and talk through a couple of examples of those and how they're working through our internal processes. Then we will discuss our priorities for the state

[00:01:50] budget in preparation for a board matter that Chairman McKay and I will have at our September 24th meeting with a letter to the governor communicating our budget priorities, and then we

will walk through the 2025 draft program with some updates that have been made and give you an opportunity to share your thoughts. So let's jump into our first agenda item, which is new local authority, Ms. Arco. Thank you, Mr. Chairman, and good morning, everyone. So as Supervisor Walkinshaw said in around 2018, the board directed staff to really start kind of reviewing more

[00:02:29] closely the legislation that is passed by the General Assembly each year that provides new local option authority. And so the county executive, deputy county executives, county attorney, and legislative staff work together to kind of create a more formal process so that the board could examine those new local option authorities. This is in addition to implementing things that are new requirements. So this is really optional for the board to do. And so consideration for things that the board may be interested in or may just not work for the county for whatever reason. So obviously, the board is aware of the Dillon Rule because of that.

[00:03:08] The authority that we get from the state is very important. And so that tends to provide either additional flexibility or restrictions or requirements or things like that that the county needs to to deal with which is why we play such an active role at the general assembly and so our legislative staff works with county agencies throughout the session to kind of assess all the legislation that the general assembly considers every year it's thousands of bills as you all well know we bring a lot of them here to you on fridays at legislative committee and the board weighs in on those bills. And then at the end of this session, county staff works with the

[00:03:44] county attorney's office to implement new requirements, but then also to start examining sort of this local option authority, because the GA often grants us, you know, options that, again, we may have supported, we may have participated in, or it may just have passed, but the county wasn't really involved, or it wasn't a county priority, but it's available now. And so basically the implementation procedure that we've kind of been using for the last several years is that the county's legislative staff kind of goes through and does a little bit of a first cut of bills that

[00:04:18] we see, we think grant new local authority, particularly things obviously that the board is interested in or has prioritized during the session and during legislative committee that have made it successfully through the legislative process and then agency directors are and also when the session sort of after the session is over the Virginia Division of Legislative Services puts together a report of all legislation that's considered by the General Assembly so we put that together we send it to all county agency directors senior management we also send it to the board offices so you all can take a look through if you want but that's literally everything. Um, and then, uh, and so in terms of new local authority, agency

[00:04:58] directors are asked to work with their staffs, um, look at the benefits or limitations of new authority provide, um, provided to the county, uh, work with other county agencies who might be interested with the county attorney's office. Um, and then they work with their deputy county attorneys, uh, with their deputy county executives, um, the county attorney's office and the county executive, um, in terms of how to bring those items to consideration for the board, whether it's at a policy committee. Sometimes there are small things like, for example, that could be updated in the purchasing resolution that staff might just include in an updated draft because they don't

[00:05:32] require a ton of discussion. And so they might be highlighted there. And so for 2024, just in terms of a few examples of bills that have been discussed, I'm just going to ask staff to give a brief

overview of them. I think they should sound familiar to you all, but the first is local speed limits. There was a bill that passed HB 1071 by delegate car. It was that county initiative.

[00:05:56] I think Noelle can give a tiny little overview because there actually is a presentation at board transportation later today about it. And then we'll mention the last two. Mr. Chairman, Noelle Dominguez with the Department of Transportation. I'm just going to give a brief update because as Claudia mentioned, we're the intent is to begin the discussions with the board this afternoon on implementation. So brief history on the local authority for speed limits in 2021.

[00:06:19] The General Assembly passed legislation authorizing local governments to reduce speed limits in certain locations. We thought it granted us the authority. VDOT disagreed. So the board had initiatives in 2023 that wasn't successful to give us the authority to, I would say, clarify that we had the authority, actually.

[00:06:38] It was not successful in 2023. However, in 2024, the bill did pass with a couple of parameters involved. So it became effective July 1, and the intent is to start discussions with the board on how they would like to proceed with the implementation at this afternoon's Board Transportation Committee is on the agenda.

[00:06:58] So the next two items Kristen's going to talk about. The first is the location of vape shops, HB 947 by Delegate Lopez, and then the last one is expanded tree authority. There were both House and Senate bills, HB 459 by Delegate Sullivan and SB 121 by Senator Supermanian.

[00:07:18] Good morning. Kristen Kanasky, Assistant County Attorney. The first bill, the vape shop, as we've called it, bills, would allow a locality to regulate the retail sale locations of tobacco, hemp, vape, as we know.

[00:07:34] And this includes limiting the sale within 1,000 linear feet of a child daycare center, as well as schools, both private and public schools. Currently, staff is looking at which ordinance or code section should be amended to best implement this if the board wanted to take on that authority.

[00:07:58] And there are potential cross-agency implications for this implementation and enforcement. And so they'll be hoping to work together and also present to the board for further direction. The next was the tree bill under HB 459.

[00:08:17] It would give localities with tree conservation authority under section 15.2961.1, so Fairfax County here, greater flexibility in how to calculate tree credits. Staff is currently examining how the county may implement the additional option to ensure we're maximizing tree preservation in every project.

[00:08:39] And adding this other option would require an amendment to our ordinance. And so as they go through and figure out how to best implement it in different scenarios, they'll be presenting an amendment. Okay, thank you.

[00:08:55] I wanted to have this discussion just so the board understands the way that this process kind of moves forward behind the scenes. I do want to encourage committee chairs especially to touch base with your deputy county executive or agency director in terms of how you want to handle these issues.

[00:09:15] Supervisor Beerman and I have had a number of conversations about the speed limit authority, which I'm excited to have that conversation with the board later today. I'll also say, you know, on the tree

preservation bill specifically, you know, we'll make a decision whether we want to implement that authority or not.

[00:09:35] I think it is an example of our legislative process working well. Those who are paying careful, close attention at last year's work session will recall Delegate Sullivan saying, I want to do something on tree preservation and development, but I haven't gotten any ideas of what to do. And I directed him to recommendations that came out of a state work group that our staff contributed to several years ago. He pulled from those recommendations and developed a bill that actually had support from environmentalists, support from industry, bipartisan support that the governor ultimately signed that we can now consider. Vape sales,

[00:10:12] is a slightly different story in that the conversation we had with legislators last year is that as much as I think as a board, we very much support limiting vape sales, especially near schools. Really, the state government, which already has the kind of regulatory mechanisms and enforcement mechanisms in place, would be the better entity to do that. They chose not to take on that responsibility and give us the opportunity to do so so we'll have to make that make that decision ms arco anything else on the local authority or or any questions uh what i will say

[00:10:51] on the vape cell i'm not sure if it was mentioned i think we'll be receiving a nip relatively soon from the health department with some of the details and we can decide from there what steps we want to take any questions from board members on this agenda item if not uh we will move on to a discussion of our state budget priorities. And as I mentioned, just to set the scene, Chairman McKay and I will have a board matter with a draft, with a letter to the governor as we do every year in advance of the budget process at our September 24th board meeting. So this

[00:11:29] discussion is an opportunity for folks to weigh in in terms of what you think should be included in that letter. Ms. Arco? So, Mr. Chairman, as you said, we do this every year. We reach out to the governor. The administration usually spends the fall trying to kind of put together either a new biennium budget or, as is the case this year, we have an underlying biennium budget. And so the governor puts together recommended amendments that he sends to the General Assembly in December of his recommended budget amendments. And then obviously the General Assembly spends the General Assembly session kind of looking at those amendments, accepting what they want, changing what they want, making their own amendments, and then hopefully the whole process ends in the spring,

[00:12:09] hopefully. And so during this time of year, the administration, you know, as I said, works with their agents, with state agencies on the governor's interests, requests, you know, requests from state agencies. And so we usually put together a letter to the governor kind of outlining the county's priorities in terms of the governor's budget. And then obviously, as we get to the General Assembly session, we kind of look at the governor's amendments and then also work with our General assembly delegation on additions and subtractions or changes so I think in terms of the types of things we typically include obviously k-12 funding

[00:12:44] is typically one of the top items or the top item and so I think we'll talk about that more a little bit in terms of a study that's going on right now we've also we typically include something obviously about transportation funding which is another big priority and then a variety of other board issues from affordable housing, early childhood education, public safety, environment, energy.

[00:13:15] I'm trying to think of anything else that I might be leaving out. I think I said affordable housing. And just, you know, taxing authority and things of that nature. So if there's anything in particular we want to talk through, we can do that.

[00:13:33] And then, like I said, I was going to talk a little bit about a K-12 meeting that happened yesterday. Okay, so why don't we open it up at this point and we'll have a K-12 JLARC conversation. But other non-education or JLARC topics or questions that folks want to bring up, I'll just say one thing that I have asked staff to make sure we include this year is a reference to the HB 599 funding, which is state funding for local law enforcement.

[00:14:03] And you may remember in the governor's budget last year, he singled out Fairfax County for having a very low crime rate and cut HB 599 funding for jurisdictions with low crime rates. Obviously, we disagreed with that.

[00:14:20] We were successful in convincing the General Assembly that jurisdictions that invest in law enforcement and public safety shouldn't be punished by losing state funding. So we want to make sure we drive that particular point home this year. But obviously, there's a lot of other issues as well. Supervisor Alcorn.

[00:14:37] Thank you, Mr. Chairman. I don't know if this is the right time to talk about transit funding or not. Okay, great. And I appreciate what's in the document. I think it looks great. I guess one thing that I think would be helpful as we go into those discussions, whether it's DMV moves that the chairman's very much a part of, as well as County Executive Hill, but also the state level, the SJ28, is that I think we need to be very much on top of what we're doing now in terms of how much our real estate taxes are paying for transit and that that be fully incorporated in the discussion.

[00:15:13] I fully recognize the need for ongoing support and probably increased support for transit. But I think when we get into how that's paid for, I think it's important to understand that we're not just talking about new money but actually perhaps shifting some of our existing revenue into a different way.

[00:15:36] So anyway, just let's be ready for that with the numbers. Thank you. Okay, anyone else? Non-education budget issues? Okay, let's go into the JLARC education update.

[00:15:53] So, Mr. Chairman, the board will recall that we talked about this quite a lot last session and the session prior. So a couple of years ago, the General Assembly authorized or directed the Joint Legislative Audit and Reviews Commission, which is their sort of primary study group that's comprised of both delegates and senators, known as JLARC, to look at the true cost of public education, what the state is paying, what localities are paying, how the funding formulas work, and make some recommendations. We were very supportive of that. I mean, obviously, we've been very supportive of increasing state funding overall, but oftentimes the study is kind of the first step, and JLARC is,

[00:16:31] as I said, very well respected. And so a thorough study by them was a great move forward. Typically, the General Assembly has not authorized studies of that nature. It's been, I think, a couple of decades since the last one. Because, of course, the study showed what we expected, which is that the state doesn't fund education, public education, to the level that they really should. And the localities do a lot to kind of step in for that. So that report came back. The General Assembly then decided that they were going to set up kind of their own study group of senators and delegates to look at the study and kind of oversee how, you know, what recommendations

[00:17:10] they wanted to pursue, how they wanted to pursue them, different timelines, things like that. The JLARC report has a lot of elements to it. It's lengthy. And in your packets, we have the handouts from yesterday's first meeting of the JLARC K-12 study group, which is now a new legislative group.

[00:17:29] And so one of the things that they did in there is they talked a little bit of kind of the mandate of the study group. And so, which is really to kind of look at state funding formulas, look at what other states are doing, look at the actual cost of public education. And so they talked a little bit about that.

[00:17:47] It was also an organizing meeting. So they did elect a chairman, Senator Mamie Locke from the Hampton Roads area. And then the vice chairman is Delegate Sam Rasool. He's from the sort of southwest Roanoke area. We do have two legislators from Fairfax County on that study group.

[00:18:05] So Senator Jennifer Boisco on the Senate side and Delegate David Bolova on the House side. And so they had some kind of introductory conversations. The JLARC staff gave an overview of their report, which you'll see in the handouts.

[00:18:21] And then they had a couple of sort of outside organizations. One was NCSL, the National Conference of State Legislatures, and the other one, I'm going to have to remind myself what the name of it was, but who spoke about specific things that are kind of happening in other states.

[00:18:38] Oh, I'm sorry, Jennifer, I thought you were trying to do that. I think it was called the Learning something. Let me see. Oh, yeah, the Learning Policy Institute. And so they talked kind of about what other models other states use, what kinds of alternatives there are, what the problems are with, you know, our funding formula, what kinds of things to sort of think about and keep in mind.

[00:19:01] Legislators did ask some questions and make some comments. And so, again, this was only the first meeting. They'll be meeting again at the end of October. And so I was there. my counterpart from Fairfax County Public Schools was there, VACO, you know, local government folks and school divisions trying to just make sure that the General Assembly knows how important this issue is to us and localities and school divisions throughout the state. Okay, thank you. And also last week, Chairman McKay and I, along with staff and Dr. Reed and Michael Molloy from FCPS, met with Delegate Bolova and Senator Boisco to talk through the specific JLARC recommendations

[00:19:39] and which would have the most positive impact on FCPS and some that in a vacuum maybe would have a not so positive impact on FCPS. So they're hopefully grounded in some of that knowledge. And, you know, there is a risk here that absent net new funding for K through 12 education, if they move forward with just formula changes or staffing ratio changes that change the way the pie is divided, that there could be winners and losers among regions of the state or jurisdictions of

[00:20:18] the state. And when you look at the JLARC recommendations that would really move the needle for Fairfax County and FCPS, this is maybe an obvious thing to say, but they're the ones that will require new education funding, whether that comes from new revenue or revenue that comes from somewhere else in the Commonwealth's budget and goes to K-12 education.

[00:20:42] Just to add one thing to that that I think is positive. First, you mentioned Senator Locke as the chair. One of the other things we discussed was that some of the what would be big ticket items that would actually do the most to help FCPS coincidentally also helps the jurisdictions along the 9564 corridor out to Hampton Roads.

[00:21:04] And so this is eerily similar to what we dealt with many years ago on transportation funding, where, you know, you identify the big winners where the great need is, also where the economic engine, coincidentally, of the Commonwealth happens to run, and start to build the coalitions of support behind individual recommendations in the JLARC study that benefit the major population and economic centers of Virginia.

[00:21:30] And so there is a correlation between those along 95 and 64 and potentially those jurisdictions that could be winners. So we're not only looking at the elements of the JLARC study where FCPS would fare exceptionally well, but also who's in that boat with us so that we can have a legislative strategy of lining up the votes.

[00:21:50] And as the chairman said, this is a moot point unless there's substantial new revenue going into education. Without substantial new revenue going into education, there's no reason to go forward and make some of these changes. And so we have to have the companion cash literally flowing with these recommendations, the political coalition and the numbers to support doing it, and then also a clearly identified list of those elements that most benefit FCPS.

[00:22:18] And so that is in development, but there's some positive move forward on that really was identified in that meeting that we had with Delegate Bolova and Senator Boyzko. Supervisor Palchuk and then Beerman. Thank you for the update.

[00:22:34] This may sound like a really dumb question, but in addition to what the chairman's just mentioned, my assumption is that at minimum there will be holding harmless any of the jurisdictions. Clearly it needs more funding, but that's my fear number one.

[00:22:53] So, yeah, it's a really interesting question. it was talked about quite a lot yesterday. I would say even before yesterday. I mean, there certainly is an understanding that you can't change funding formulas until you put in additional dollars. And obviously, one of the biggest findings of the JLARC study overall was just that the state is not putting in the amount of education funding it needs. So that's obviously kind of a baseline. Yesterday, there was a fair amount of discussion about hold harmless and things of that nature, particularly because of rural jurisdictions, smaller jurisdictions who are concerned about losing things, which, you know, obviously makes sense. And if there's winners and losers, that obviously creates a problem. Interestingly, what a couple of

[00:23:31] the experts who, you know, from the outside groups that spoke talked about experiences in other states where they've switched funding models or looked at kind of different ways of doing things. And yes, typically they've incorporated hold harmless models. I will say that they did caution to some degree. One, I think, was in response to a question kind of what kinds of maybe errors or challenges happen in other states as they've kind of moved to shift their models. And one of the answers was that like a hold harmless can be very helpful.

[00:24:02] Sometimes they stay in place for too long. And so I think maybe they mentioned in one case, it was like 15 or 20 years. And so you kind of end up in a situation potentially where you've kind of created a whole new funding formula by doing it that way.

[00:24:19] I think that person's sort of estimation was that maybe like three to five years might be kind of a reasonable period of time, but obviously they'll be discussing sort of all of those things. So, yeah, so I think, you know, in general, there's certainly an understanding that, you know, you need to make sure that

there's a certain amount of fairness for everybody, but that the state funding is too low, The funding formulas aren't doing a great job of reflecting overall costs.

[00:24:48] And the experts talked about that as well, that they're not really, they don't really match up with what school divisions are spending, what real costs are, cost of living, you know, the kinds of things we've talked about here as well. So, yeah. Thank you. Yeah, certainly a robust conversation around that.

[00:25:04] And some of it comes down to the, you know, the definition of hold harmless, right? Are you holding harmless the net total of state funding that a school system receives? Are you holding harmless at a more programmatic level?

[00:25:20] So I think that will certainly be an important conversation. Supervisor Beerman. Yeah, I was thinking basically the same thing. It was a question about holding harmless. And I think this PowerPoint here is from yesterday, so I don't think we had it in advance.

[00:25:38] But I wondered, you know, when this JLARC study came out, the number to get us to per-pupil funding for 25th out of 50 states was 1,900 more per pupil. Do we have that number after last year's round of funding, and what is it?

[00:25:55] Because 1,900 goes pretty far in Danville. 1,900 goes pretty far in Bristol. It goes pretty far in a lot of those rural communities if we could also get them 1,900 per pupil. So I would say a couple of things about that, Supervisor Beerman. I don't have that number with me, and we'll kind of look at it.

[00:26:12] I think my caution about the $1,900 number is that that's the number that JLURC used as an average across localities for the state. So ours would be much higher. Danville's might be lower or whatever. Did you want to say something about that before I – Well, I get that.

[00:26:28] Okay. I'm trying to get as much money from the state as we can, and that's one way to do it. I hear you. So we can certainly follow up with you. I think one thing that I would mention, and you'll find it in the handouts, and you're right, it was just yesterday, so I think we posted it late yesterday just so that you all would have it, but right, we haven't, I mean, we haven't had a chance to look at it too much because they weren't posted in advance of the meeting, and obviously you all haven't either, so we'll continue to talk about it.

[00:26:51] But one thing that was talked about yesterday was kind of the idea of making sure that, you know, these things are really, oh, I'm sorry. So in one of the handouts, you'll see that the money committee staff talked about what the General Assembly has done and the state has done in the last couple of years to increase K-12 funding and sort of taking some credit for making, you know, the investments that you're talking about.

[00:27:19] And so that is in there. And so we'll try to get back to an answer on where we are potentially on the 1900. The one caveat I would mention is one of the big things that they mention in that list, and we talked about this in our meeting last week, is they put a lot of money into the at-risk add-on, which is supposed to identify children at risk or low income. Statewide, I think it was like $840 million. For FCPS, I think that was like $3 million. So I think there's going to be a little bit of a balancing in terms of what has the state done? What are they just doing to catch up with costs? I mean, which isn't, you know, everything, even the updates of the re-benchmarking or lagging

[00:27:57] costs. And then just where have they put in money that maybe hasn't moved the ball forward in the way that, you know, one might think. I will say that a couple of the outside experts also emphasize the importance of really kind of getting broad buy-in to anything that's happening, including the public, but also like localities, school divisions, business groups, things like that, and kind of mentioned an example in Illinois where they changed their formula, that there was, I think, a new pot of money that was provided to try to help like, you know, with this new sort of funding model. One of the suburbs, I guess, of the Chicago area that's very wealthy apparently

[00:28:37] directed all that funding to the wealthier schools, not to the at-risk schools. They did not explain this my assumption is that potentially it was things like magnet schools or programs like you know that it wasn't maybe as it wasn't exactly the way it was being described intentionally but that the effect wasn't what it could have been and that was because maybe there hadn't been as much buy-in as there should have been and so I think that's helpful to all of us as well as we start the process. Yeah I think it's a really good point that Supervisor Behrman makes and one of the things we have to be sure to do in working with FCPS is updating these numbers. Because

[00:29:15] what will really frustrate me is if we're all sitting here in 2034, and we'll all be here, and the General Assembly is saying, well, since the JLARC study in 2024, funding to FCPS has gone up by $600 million. So we have closed the gap, which is how they operate. That's what they do.

[00:29:39] When in reality, funding has increased because there are more students, there's been inflation, costs have gone up, and they haven't made any fundamental structural changes. So even those JLARC numbers, whether it's $1,900 or the $500 plus to implement all the recommendations in Fairfax County, those numbers are higher today than they were when the JLARC study was completed in 2023.

[00:30:02] And the General Assembly is not going to update them for us. So we kind of have to have that running tally of actually all those recommendations today adjusted for inflation or adjusted for our true per-pupil costs are $540 million plus because two or three or four or ten years have gone by.

[00:30:24] If we don't do that, nobody else will do that. Mr. Chairman, just to put a fine point on that because I think it's so right, and we should have these numbers by now. I mean, honestly, the state budget passed a long time ago. But if you're not suspect enough, keep in mind this committee was grappling during the session with the fact that you had the JLARC study out there, public information, everybody knew it, and yet two out of three of the budget proposals actually caused a net reduction in funding to FCPS.

[00:30:58] I mean, you can't believe this. You can't make it up. I mean, we're $500-plus million in the hole from the state on public education funding, and yet two out of three budgets that were proposed in the last session cut money from the FCPS budget. And so we really do need to have these real numbers.

[00:31:15] My guess is they're worse, and we need to be presenting those to our legislators to make sure they can understand the order of magnitude that we're dealing with in the way of state underfunding. Okay, anything else on JLARC or education?

[00:31:32] All right, before we go into the draft legislative program, I want to just give Chairman McKay a moment to address an issue that maybe needs some clarification in the community. Yeah, it needs constant clarification. Some of you have been reached out to by the press and others about a casino.

[00:31:52] You've heard of this. I just want to draw everyone's attention back to the January 26, 2024 letter that was approved by the board that puts very clear what the board's position is on this. Each individual board member may have a different position. But I'm reiterating this letter of January 26, 2024, because not a single thing has changed.

[00:32:14] And so the board's position remains the same, which is we supported no bills before they were pulled or rejected by the General Assembly in the past. We hold true to our priorities, which, of course, are local government authority preservation, most especially in the area of full land use authority for any decision that gets made, that we would support, only support having a referendum.

[00:32:40] We would never support a bill that did not have a referendum requirement, that this has to be a good financial deal for our residents. The letter points out and reiterates that 70 percent of the money would go to the state. We would never I would never support that. I don't think the board would ever support that.

[00:32:57] And that in terms of revitalization, we keep hearing this. There's an absolute desperate need for this in the Tysons area. And that is not supported by the data that we get at the county level. And so where you've seen these in the past have been in places where they had true significant economic challenges that pale in comparison to where we are as a county.

[00:33:19] And so I would ask everyone, refer back to that January 26, 2024 letter, if asked what the county board's position on this, because we are adamant in this letter that we would never support any bills that at a minimum didn't contain those elements.

[00:33:34] And even if they did contain those elements, ultimately the board would then have to make a decision, perhaps in the next legislative package, next legislative action session of the General Assembly, whether we would support that bill or not. but we have never supported one for a casino. And there's utterances out there to make that a different decision of our board that has never been the case.

[00:33:58] And so what I have referred everyone to is the January 26, 2024 letter of the position of the Board of Supervisors, which remains the position of the Board of Supervisors. And I'm aware of absolutely nothing that has happened that would change that position to date. And certainly if there is legislation that's proposed, we haven't seen it.

[00:34:17] And if we do see it, it will be brought forward to this committee for discussion. So I just want to make that very crystal clear to everyone who might be following this issue. Making my job easy, Jeff. Thanks. All right. Let's move on to the legislative program.

[00:34:35] You all have it in your packet, picture of the government center on the front. And staff has gone through and made some updates and suggested changes. and we will discuss this program at our next meeting and at our next meeting.

[00:34:51] So this is an opportunity for you to think about changes you would like to see or additions you would like to see and either share them with us today or in advance of one of our upcoming meetings. Ms. Arco? So, Mr. Chairman, just to kind of refresh the board's memory about how the program is laid out, it starts on page one with kind of an introduction, Some of the features from the board's strategic plan and the one Fairfax policy, and then just a little bit of an explanation of kind of how it's laid out.

[00:35:21] You'll see on that first page one small word that was outdated marked in yellow. So any changes from last year's program are highlighted in yellow here. And so you'll see what staff is recommending as changes for this version. And as the legislative chairman said, we'll be discussing this at every legislative community this fall.

[00:35:38] And so we'll be, excuse me, kind of working within the direction that the board gives us to continue updating or changing things as we go. On page two, you'll see the K-12 funding position. So that position appears in red, and you'll see that at the top, it just says it's to be updated in a future draft.

[00:35:55] Obviously, we just had a lot of conversation about this, and so staff will be working, and it's a joint position with the school board. So we'll be working with FCPS on updating this language. So you'll see it in the next draft as well as working on the language for the budget letter to the governor.

[00:36:11] And so that's why it appears in red. That's just last year's position, just so you all can see, like, yes, we have a position, but we haven't updated it yet. So then moving to page three, starting with WMATA. Noelle, do you want to talk about that? Mr. Chairman, there are not a lot of changes to Section 2 and Section 3.

[00:36:29] In Section 2, we do reference the funding that the GA provided last year to help with the WMATA needs, and then we just change it, say, to continue working with us to provide dedicated revenue. As Supervisor Alcor mentioned earlier, there are a lot of efforts going on, and they're mostly two-year efforts, so that's, we've kind of inferred it, but left most of the section the same.

[00:36:51] And then we just changed, I believe, in the second bullet, we said a recent analysis to three-year-olds, so we just put the date instead there on Section 2. For item three, which is statewide transportation funding, not a lot of changes here either. Just clarified the state sales tax when it became effective.

[00:37:08] And then as the board knows, we've talked about in the past, smart scale, the continuing changes in costs and the specificity required applications has continued to be an issue. We've mentioned it to the board and the board has written letters on it. So we just clarified that here. And then I believe that's pretty much it, just some clarifying language on the last bullet.

[00:37:28] um and then on the next page um but why don't we stop there at a transportation and are you still you're finishing up transportation yes okay one minor change at the top of page four i think we previously said economic recovery and we change that to economic growth okay um just just two points on what we've heard so far obviously in terms of education which is being updated this is this is the place to to update those jlark related numbers right so we have have those

[00:38:03] to date numbers memorialized you know one um consideration um on the wmada section and you know for supervisor alcorn who's been involved in the wmada board and the subcommittee and chairman mckay with dmv moves um perhaps we should think about something related to the wmada funding formula and resisting any efforts to place more of the proportionate burden on Fairfax County and Fairfax County taxpayers, as I have heard. Some others in the region are interested

[00:38:40] in doing, obviously, a sensitive topic, but maybe something we should think about, making sure that the General Assembly and the governor are aware of this year. Mr. Chairman. Supervisor Elfman. Yeah, I think it's a good point. I think as a board and maybe as a committee, at least, We should pay

attention to what the discussions are, particularly as the subsidy formula is being discussed by the current Metro Board, on which I am an alternate director, not a primary director.

[00:39:11] But I'm not sure about the timing of that. The only thing I might suggest is that if we could get a briefing at the appropriate time so that we understand what the impact could be on us, both short-term and long-term.

[00:39:27] terms of the funding. So Metro's doing, WMATA board is doing its thing looking at the subsidy formula, or will be, very shortly. And then beyond that, of course, there are the larger discussions regionally and in Richmond, too. So yeah, we definitely need, we might need multiple briefings over the next year or two on these. Okay. Chairman McCoy. Just one other point that I think is important is we have in our bullets about how important this is to the states, revenue picture. We have in here, you know, what the MBTC analysis shows, and we say that, you know,

[00:40:06] local jurisdictions have historically provided substantial funding for WMATA. I think we should give a number there, and I think we should add to that how much more money the county invests in transit in general, because we've been giving a lot of talk to DMV Moves about how it's our bus systems that drive metro ridership and without them metro would be in much worse situation and so not only if the state is considering or WMATA is considering changing the funding formula that we can't take that but in addition we spend so much more on transit than I think either people

[00:40:43] at WMATA but most certainly people in the General Assembly are unaware of and without that system So whether that's you're looking at VRE, you're looking at Connector, any of our other transit assistance that we invest in, we should have an idea of what that number is and include it because it's much larger than I am certain any of the people looking at this can contemplate right now.

[00:41:08] Okay, anything else on transportation? All right, governance, page four. So, Mr. Chairman, on page four, governance, we only have just some small clarifications in the taxation section. In general, that first local authority section has kind of remained the same.

[00:41:27] If you flip to page five, again, there's a couple of small language changes that are reflected in yellow, just clarifying language. And then the next section is, oh, I'm sorry.

[00:41:45] Yeah, so I thought that was in the initiative section, but you're right, Jennifer. So in the bullet that talks about, it's I guess the third to the last bullet, about additional opportunity for remote participation for public bodies. Last year in our legislative program, and maybe for a couple of years, we had some language in there about folks with disabilities and having them be allowed to count towards a quorum if they were remotely participating.

[00:42:12] participating, for example, our disability services for a lot of the or all of the members could possibly qualify for remote participation, but they couldn't count for a quorum being physically assembled. The General Assembly did pass that legislation last year, so we were able to remove it, which is good news. And then when we go in the next section, when we talk about legislative initiatives and budget priorities, we don't have initiatives in here yet for this year, but we do have a couple of initiatives from last year that were successful.

[00:42:43] Noelle already talked a little bit about local speed limits. Jennifer, do you want to talk about the elections one? Yeah, sure. Jennifer Vaney, Deputy Legislative Associate Director. So sorry. So last year we had an initiative that was around adding three additional days to certify the election, and that did pass.

[00:43:03] There was also a budget amendment we had brought forth to bring our pay for our director of finance equal with commissioners and treasurers. That did not make it through, but it's something we've continued to talk to people about.

[00:43:19] Yeah, that one in particular we need to continue to work on. I mean, it's just an issue of fundamental fairness, not the highest profile issue, but an important one. Supervisor Palchuk. Thank you, Mr. Chairman.

[00:43:35] I'm not sure where this one should go, so between Noel and the full team, it's related to transportation, but as I look again at our recommendations, and I think we're having a presentation from NVTC later today about energy efficiency and reduction through just more access to transit and reliable transit, I'm looking at the report that Ken Executive just sent us from DMV Moves, I believe.

[00:44:06] Number two is implement transit priority on key corridors. I don't see that anywhere here. I know we've had a lot of, a lot of issues, and it adds time and money to try to coordinate with VDOT on getting the ability to prioritize transit and, you know, safe access to transit, whether it's BRT, light BRT, or just crosswalks, all of the above, RFBs, Hawk Signals, all of that.

[00:44:40] I assume it should be in the transportation section. I didn't see a subsection where that would fit, but it's also tied to our climate goals. So it really fits so many, and transportation funding, so many things that we're working on. So I'm not sure where that would go. So the only thing I would, I'm sorry, the only thing I would say to start is we also have an environment section where we talk a little bit about climate change and things like EVs and stuff like that.

[00:45:02] I don't know if there's anything in particular that Jennifer or Noelle want to mention. I was going to say some of the pedestrian safety things you were mentioning, there is a general transportation section at the very end. So versus transportation funding, there's the transportation section that we talk about that, but it's a good point that we don't talk about the funding behind it necessarily in this front section.

[00:45:21] So we've gone through... This is the authority to be able to do more of that, right? So we have some language on that later. Yeah, I think there's some language later. At the very end, very last page, we have another transportation section. Yeah, and I guess tying that back, I don't know the best way strategically to tie that back to why it's not just about transportation, but the environmental and so many other initiatives that we're looking at that don't cost money.

[00:45:46] That really shouldn't be so prohibitive as they are. Okay. Yeah, we'll take a look at that on that section if we can beef up the language a little bit. Okay. So anyone else on governance, you know, one thing I think governance would be the most appropriate location, although I could stand to be corrected here.

[00:46:17] You know, obviously, we spent a lot of time talking about the casino or potential casino. Not as much attention has been given to the, you know, you could use any number of term here, slot machine, skill game, gray machine issues.

[00:46:35] And I do recall that last year there was a Senate version and a House version. Ultimately, they didn't move forward. But I think the House version allowed for localities to collect a portion of the revenue of the tax, whereas the Senate version, all of the revenue from taxes on those games went to Richmond.

[00:47:02] And, you know, I suspect maybe there's a spectrum of views on our board about those machines. It's a complicated issue. I would prefer not to see them. But certainly if the General Assembly is going to move forward and legalize them, given that it will be local governments, local police departments, local agencies that will deal with the impacts, the negative impacts that could come from them, Some of that revenue should be going to the local government. So

[00:47:40] Whether we include that in the program or address that over the course of the session I think we need to make that point this year. So I think mr. Chairman We you're right the General Assembly has kind of grappled with this issue of skill games for a number of years They've gone back and forth. They've been that they haven't been it There was a lot of talk about it over the summer They haven't really come back to kind of do anything with it but I think it might be a good idea maybe at our next legislative committee to kind of talk to you all about what some of the proposals have been and what some of the issues are and then we can decide if you all want to put something in the program. I'd say in some ways it's a little bit similar to like retail marijuana in the sense that there's taxation components but also land

[00:48:19] use components that you all might want to think about. So we can try to put something together and maybe have a little bit of that discussion next time and then see what how to go forward with that. Okay. I don't know whether this should be, it's quasi-related. I don't know whether this should be in the governance section per se under taxation. I'm confused, like under governance where taxation is or if it should be in the taxation section later in the draft proposal. But I know a lot of us, and we're going to get a presentation later today on sources of revenue that the county

[00:48:53] could generate that could take potential burden off of real estate. And you will see this afternoon what everybody in this room already knows, which is the General Assembly has given us almost no options to do that. And so, the reason why the meals tax is being talked about now, and some people rightly call it a single industry tax, is because the General Assembly identified that specific industry as something that local governments could tax. And so, I don't know where the call for widespread tax modernization should be, but this is something that our board

[00:49:27] has talked about ad nauseum. The state is based on an old tax system that is broken and they need widespread tax reform discussion. And we need to be saying that repeatedly because there's folks out there who think we go around targeting one group or one industry. Well, the General Assembly has prescribed exactly how we have to raise revenue. So in looking at those other things, we are following the permissions they have already granted us. That's why we're talking about that, and that doesn't mean that's how we would do it. If we had our druthers, we might do things that

[00:50:06] are much more progressive, but look at taxing all services in Virginia fairly, and all industries in Virginia fairly. We don't have that right, and so we need to put that, and I don't know where specifically. It's in here, but we need to make sure that we underscore and underline that in particular this year because of the conversations that we're going to be having later today. So can you... Yeah. So, Mr. Chairman, on page four under the governance section, starting at the beginning and then going under local authority, we do talk about that. And then, as you said, in terms of

[00:50:42] taxation, I will say... I mean, and so we do cover that, but I will say that given that you all are having this conversation today we'll obviously be listening um and kind of getting that feedback from you all in case there are things you all want to highlight or do differently i think without a doubt there is we're going to have to modernize this because we're going to be having this conversation rightly with our

community and people need to understand where it began why it began and that we are actually calling for something far far more productive for our community but we're stuck in the box that the General Assembly has given us.

[00:51:16] And I think we really need to emphasize that point and emphasize it in particular in strong terms in the legislative package that we're going to be asked to adopt later this winter. Yeah, so we'll be listening for that discussion that you all are going to have later, and obviously we'll be working towards that for the next meeting. Okay.

[00:51:32] Yeah, I always think that the single industry tax statement strikes me because when you think about the taxes that we can collect pursuant to the Code of Virginia, they're almost all single industry.

[00:51:49] The real estate tax is a single industry tax on the real estate industry. The car tax is a single industry tax on the automobile industry. The TOT tax is a single industry tax on the hotel and tourism industry. And you can go on and on and on. They're almost all single industry taxes. I mean, the only tax that is not a single industry tax would be a broad-based income tax or broad-based sales or value added tax. So we have almost only single industry taxes with which to work and have for actually centuries in the Commonwealth of Virginia. So that's not a new concept. Supervisor Alcorn, then Bierman. Yeah. Thank you, Chairman McKay, for bringing this up. And I'll just,

[00:52:25] and Chair Walkinshaw, you're right. Most of our taxes like that seem to be single industry. I'll point out one that's not, but I think underscores the need to have a serious discussion about how we how we do our taxes. And that's the BPOL tax. That's a gross receipts tax that is applied whether the business made money or not netted anything out. And frankly, that sort of to me underscores the antiquity of our system. And if we could take a look at the range of options and

[00:53:02] you know, what's fair and what makes sense with our current economy and what our needs are, it would be such a more rational approach. So I look forward to that day, Chairman McKay, when that real discussion happens. Thank you. Supervisor Bierman and then Peltrick.

[00:53:18] Of course, our B-Pol taxes are industry taxes as well. We've got telephone companies, retail merchants, research and development, renting by owner commercial, renting by owner residential, real estate brokers, hotels and motels, money lenders, that's an industry. But anyway, I was actually going to suggest that – I completely agree with everything Chairman McKay said and Supervisor Alcorn.

[00:53:45] But I would suggest that page four, under taxation, there are three bullets there, which I think kind of get at what Chairman McKay wants. But I think they need to be beefed up and we need to consider whether there's more we can say.

[00:54:03] Modernized is one word. Another word I like is reformed. It says we need something that is new, that is different. But I think there's really an opportunity for us to potentially say more. And I think that's probably where it goes because it gets to governance and it gets to taxation.

[00:54:21] Thanks. Okay, Supervisor Palchuk. Thank you, Mr. Chairman. Actually, just listening to this conversation, it's more of a question as we're sitting here looking at the JLARC K-12 funding formula study. Has something been done, a JLARC study on taxing authority and taxation in Virginia?

[00:54:41] Not to open a... Yeah, Delegate Watts can... Right, so, yes. So, in terms of our bills out there that get considered every year, yes, and Delegate Watts is a resident expert on that and trying to kind of look at

that. I cannot recall the last time there was a study, especially if you're looking at, like, local authority.

[00:55:01] We can certainly look back and give back to you. obviously, to some degree, there's some risks as well. And so I think it's something that, you know, just kind of has to be thought of. So we'll do a little bit of research. There's nothing, oh, there is, that's true. There is currently, well, it has existed for a while.

[00:55:20] So the General Assembly, the money committees do have a joint committee to evaluate tax preferences. It's not just on local authority. It's really looking at sales tax, sales tax exemptions, all kinds of things. It's existed for many years. For many of those years, it didn't meet at all or if it did it would kind of meet as a one-off I think it's meeting today maybe or this week and so um so sometimes things have gotten sent there but it hasn't really been very active um we'll see if there's anything different about that so that is kind of one landing place for it um but it's a legislative group it's not like a JLARC study exactly um so anyway so yeah

[00:55:58] I mean so we'll kind of keep an eye on it and and um and give you some updates but yeah there's I I mean, the last time that there was really like a broad-based study, it hasn't been recently, I don't think. I mean, I know that we're bringing up things that we have the authority to do.

[00:56:14] I know we've discussed things we don't have the authority to do that some of our neighbors do. I'm not saying it has to happen here, that this is the right venue, or that we trust sending it to Richmond. But I just think as we have the conversation later today, understanding, you know, what else is out there, you know, at this time.

[00:56:35] We've heard a few things, but we know our neighbors have other options. Yeah, I think, I mean, and I will say that during the JLARC meeting yesterday, it was only mentioned in passing, but I think it might have been Delia Bolliver who asked this question, but just in terms of how funding formulas look at, when they look at things like local ability to pay, you know, cities and counties have different taxing authority.

[00:56:53] The issue of towns was mentioned too, but they don't usually have school divisions. And so I think there is, I think among local government folks, there's a lot of understanding of that. I think in general, people don't think about cities and counties that way and having those different authorities. And so, yeah, there's definitely issues out there and, you know, certainly something that we always think about and talk about.

[00:57:13] But, yeah, I think it's, I mean, it's a good point to keep in mind and we'll certainly. Okay. Thank you. So that takes us through governance. Did we cover everything in governance? So initiatives and budget priorities on page five? Yeah. So in terms of initiatives and budget priorities, you'll see that a couple of things have been updated in yellow. The first few bullets are in red because they relate to K-12, and so we haven't updated that position. And so these are kind of the old bullets from the last program, which we'll update as we go.

[00:57:44] So at the top of page six, there is an updated bullet in yellow. I think we're looking at some of those numbers still. So we might have some updates for that for the next time around. And then as you go down the page, when we get to HB 599, we did include some language, as you mentioned earlier, Chairman Wilkinshaw, in terms of funding for HB 599 and lower crime rate localities and not changing that funding formula.

[00:58:15] Just below that, there's a bullet where just one small little thing is in red. It says $110 million. It's related to the state underfunding of the court system, court personnel. So last year's number was $110 million. We have the updated number now. It's $114 million.

[00:58:31] So we'll update that for the next time. And then I think maybe Arielle can talk about the two bullets related to Step VA and then also, well, BPI, I guess, too, and then Medicaid waivers. Yes.

[00:58:47] Arielle McAloon, Human Services, Legislative Liaison. So the first update is on the bullet related to STEP-VA. And we had added language about ensuring that Medicaid reimbursement rates for behavioral health services cover the full cost of care, including a Northern Virginia differential.

[00:59:10] Really, with the goal of expanding behavioral health care and really making sure that those services are compensated according to the actual costs.

[00:59:27] In the early childhood education bullet, really, we had just made a small change just to note that localities need to have flexibility to expand these programs. I do also just want to note on that topic that the GA this past year did provide a significant amount of funding for the child care subsidy program.

[00:59:55] That funding essentially allows the families that were covered by that program to maintain their slots, but additional funding would still be needed to expand that program. So just noting that a lot of that language remains the same in that bullet to reflect that there still is a need there.

[01:00:15] And then the following bullet related to Medicaid waiver rates and slots, we'll talk a little bit more in the Medicaid waiver's position, but there is some additional language in the budget priorities related to rates.

[01:00:31] And the GA this year provided a large number of increased slots. And so part of trying to make sure that those slots actually can be rolled out and the people are connected with services is making sure that there are appropriate rates for those services.

[01:00:52] So the new language here is really focused on increased rates. Got it. And I really enjoy pointing this out, but waiver is misspelled there.

[01:01:11] I'll be talking about that in 2034, the one typo that we had. We have no doubt in the board's ability to find typos very quickly if we have them. So I like the word wavier. Yeah, this is obviously an important issue and was a big win to get the additional waiver slots.

[01:01:34] But obviously, you know, we have to make sure that the General Assembly recognizes that, you know, implementation is a real thing that we actually have to grapple with. And it's too early for them to spike the football on this issue.

[01:01:49] We actually got to see it through and make sure that people can access the waivers and access the services, which is easier said than done. Okay. And so then the last thing in that section is at the top of page seven, just in terms of the car tax, We just have an updated figure.

[01:02:05] I think it's actually decreased a little bit, but it's a very small change. And so you can see that in yellow. So that's the end of the changes in that section. Okay, so it's gone from 70 percent. Yes, so the change over time is a very large change from 70 percent down to 50.

[01:02:24] I think last year it was 51 and something. So it continues to, I think, get worse. But, yeah, over time it's certainly not going in the right direction. Okay. Questions, comments on our budget priorities

section? No. All right. Let's move on to position statements starting on page 7.

[01:02:47] So, Mr. Chairman, and I'll have staff talk about some of these. The one thing I wanted to mention was that you'll start to see as we get into some of these, in some cases, in note in red italics, either it's the case that one of your board's authorities and commissions has recommended either retaining a position or doing something to that position so we kind of note that for you all here so that you can see we received that recommendation, but it's already in there. They're just saying, you know, please keep it. When we adopt the legislative program in December, those notes will come out. We just want to flag them for you all.

[01:03:18] The other type of note that you'll see sometimes, and we'll point them out when we get to them, is if there's, for example, an ongoing study or something, we might note that for you all. But again, that'll come out kind of at the end when you all adopt the program. And so for child care, We just have a very small update, but you'll see that there's a note that the Advisory Social Services Board recommended that you all retain the position in the program, and so we have done that.

[01:03:44] Rosa Patrick? Only in comment on this, I believe we heard from the schools, and Michael Malloy is here just yesterday, that you do have VPI here in school readiness. They were actually reduced the number of slots provided, being told that there was not adequate funding after being asked to request sufficient slots.

[01:04:12] I believe they're looking at a historical formula, and for the past at least two years, even though we only get 25% of funding of what the true cost is, that they were told to look at additional slots.

[01:04:27] They had filled their slots, and now they've been reduced the number of slots that the state is providing. And it states that there's not sufficient funding. I was looking at historical funding for VPI. I believe it went down a little bit, but not a huge amount. So I don't know if you have more information.

[01:04:43] But definitely my concern is, while supporting child care, are they taking out of VPI? So I don't know if you have one. So one thing I'll say about BPI in general, and then Ariel may have more specifics, and obviously we'll work with FCPS to make sure we capture whatever discussion you all had, is that typically the slots have been assigned in the past as kind of a, not necessarily for specific kids, but kind of based on a formula.

[01:05:10] And at the end of the year, there was always sort of an understanding that a lot of those slots would go unused, and the state would kind of, that money would kind of wash out, and it would be like a surplus amount of money. And then the state would kind of put it back into something else. And so it appeared that the funding was sort of encumbered, but then it would kind of, you know, excess that.

[01:05:30] I think they've made some changes, maybe so that's not as much the case now. But I just wanted to, I mean, globally, that's been the case for a long time, that the slots didn't always exactly match up with the children that anybody was interested in serving. Yes, I think that all I would add is that I know that the General Assembly this past year did, they consolidated several of the early childhood programs into one item. And I know that there was some proposals in that that had to do with kind of these unused slots. And I think what

[01:06:03] Claudia mentioned regarding kind of putting that money towards something else. So I think that we just need to look back to confirm kind of what happened with that in the final and where we are. but that's helpful too. I think, and to Supervisor Palachuk's point, just looking at the language, even though

we obviously do say support investments, although we say support early childhood workforce investments, most of our conversation here around VPI is focused on flexibility, which is important. We need the flexibility, but we also need the funding.

[01:06:40] So we might want to stress that a little bit more than we do currently in light of what we've learned here yeah especially if we're seeing increases i believe in children being identified early uh for for needs ieps um earlier and through child find it'd be helpful to understand that information and um if if we were cutting funding to those programs statewide so we'll work with fcps and with our um county human services staff to come back with some updates for you all for the next time thank you so i was heard it yesterday so no that's that's great that helps us All right, anything else on early childhood?

[01:07:22] All right, so we can move on. So, Mr. Chairman, on page 8, there's all just sort of existing language in terms of global climate change and also land conservation. If we flip to page 9, at the top, there's a very small update for the Children's Services Act, but you'll see another note that the Advisory Social Services Board recommended that you all retain that position. And so, again, we've done that. The courts position, there's no updates to that. That's the same language that we've had. Economic development and diversification, there

[01:08:00] are quite a lot of edits. Jennifer can talk about it a little bit. I think Rebecca's here, too, if you all have additional questions or Jennifer wants to add some additional details. You know, my only thought on this is to the extent it's applicable, we should try to capture this morning's elements of this morning's conversation to make sure they're incorporated here.

[01:08:21] I'm not sure what that would be that isn't already covered, but maybe if we can have work with DEI to do a crosswalk of the summary from this morning with this language, Supervisor Lusk. Thank you, Mr. Chairman.

[01:08:37] That was exactly the point I was going to make as well. And I just wanted to note that upskilling and reskilling was a very specific component of all the report outs that we heard today. So having some reference to that specific language, I think, would also be helpful.

[01:08:53] And then are we going to go through each of the bullets or did you just want to take? We probably won't go one by one through the bullets since we're going to do kind of a broader update. But if you have thoughts on a specific bullet, go for it now. Yeah, just two quick ones. Again, one, finding the language for upscaling and reskilling and the placement of it.

[01:09:11] And then second, I really appreciate the bullet, and I know we have put this in before, but the word support initiatives, third bullet from the top, support initiatives to stimulate startup and early stage capital ecosystem, including events to connect and educate investors and entrepreneurs.

[01:09:32] I think here it might be helpful for us to identify the Accelerate Breakfast, just like the accelerated breakfast program that we are currently sponsoring, which I think is good. And then the last point I wanted to make is I also wanted to make this point about the Go Virginia program, too, where it talks about providing sufficient and comparable administrative support.

[01:09:54] I've learned as a participant on Go Virginia that this is a really important issue as it relates to the different districts across the Commonwealth. Our funding level is lower than many of the others, and I think we do need to try to articulate this and allow for us to have more comparable staffing as a result.

[01:10:15] So, just wanted to make those two points, but appreciate the changes that are here. Thank you, Mr. Chairman. Okay. So, we'll get with DEI on this morning's conversation to make any updates, as well as the ones that Supervisor Lusk mentioned there. Anything else on economic development?

[01:10:34] All right, jails. So, Mr. Chairman, at the bottom of page 10 in jails, we have some figures that are updated that are in yellow, and then just below that in the library section, the same thing, just a little bit of updated language. So that $371 to house an inmate is up from, what was it?

[01:10:56] Do you remember it last year? Oh, I think Ariel might know. This is a pop quiz. I think this one actually hasn't gone in the direction you think. So that number actually decreased. It was 419 last year, and that's essentially because of a combination of reduced personnel costs because of vacancies and then increased inmate costs, or more people, yeah, inmate, sorry, increased inmate, inmates.

[01:11:30] Population. Right. Got it. Okay, got it. Okay. So obviously, still a big delta between $50 and $371. Yes, yes. Right. I don't think that it's necessarily going up because the state's kicking in a lot more money. No, right, right, right, right.

[01:11:46] Okay. And so we just mentioned libraries. There was a small change. So now on page 11, Ariel talked a little bit about this in the budget section, but the Medicaid waivers section, the Priority One wait list, we do have a lot of updates to that.

[01:12:01] I don't know if you want to say a lot more about that. Maybe just talk about the General Assembly making that push on Priority One. Yes. So on Medicaid waivers, just to kind of follow up on the budget priorities. So the general, both the governor and the General Assembly had made a significant effort this year to provide, they basically kind of looked at the number of slots that would be needed to clear the priority one wait list as of when the governor's budget or when, you know, they kind of had to pick a number.

[01:12:32] So the goal is to eliminate the priority one wait list. Of course, that wait list kind of shifts a little bit in terms of the size. So whether it totally eliminates it, we'll see. But in addition to that, just to in terms of what still is outstanding, the CSVs and providers also need support in terms of rates, both for the support coordination and case management rates that the CSVs need increases in to help them manage caseloads.

[01:13:03] but also the providers who get the developmental disability Medicaid reimbursement rates that need increases to really reflect the true cost of that care. And so we added some language to that effect in the position.

[01:13:20] We also split the bullets a bit just to emphasize at the beginning of that list the priorities really to address this priority one wait list issue. And then as well as the sort of the ongoing adjustments we need in Medicaid waivers.

[01:13:38] One thing that I'll note, just in terms of there's a note in red at the end of that position, the Advisory Social Services Board did recommend that the board retain that position. But in addition to that, the Coordinating Council on Aging and Adults with Disabilities recommended adding language allowing for respite to children who have parents as paid waiver caregivers. The 2024 GA considered this issue, essentially there were a number of changes to respite that happened during the pandemic. And then when the pandemic ended, a lot of those services were rolled back. So there was a lot of conversation at the General Assembly this year

[01:14:17] about kind of putting some of those back in place. And so legislation did pass, but it did not address this particular issue, although DMAS is analyzing that issue and will report November 1st. Okay. Mr. Chairman, turning to page 12.

[01:14:40] So the first position, water quality funding, there are no updates there. For elections, there is a little note at the end. Again, the Advisory Social Services Board and Coordinating Council on Aging and Adults with Disabilities recommended retaining that position, and so we have done that. And then for paid family leave, the Coordinating Council on Aging and Adults with Disabilities recommended retaining that, and again, we have done that. So then at the bottom of page 12 is behavioral health.

[01:15:11] So Ariel can talk a little bit about that. Yes. So on behavioral health, in the bold language, we had a couple updates really to focus on early prevention and treatment programs, Including turning point which we wanted to highlight because that's a successful program that is aids youth at risk of first episode psychosis So before they actually have a psychotic break, so we thought that that was a helpful program to highlight there And then later in the bold just kind of some wording change it on just to clarify clarifying changes

[01:15:48] And then I think as far as the bullets the second bullet reflects the same idea is what we had included in the budget priorities relating to reimbursement rates for behavioral health services. And then further down in the bullets, or actually the next bullet, we had added some language about that when future mandates are considered, they need to be coordinated with CSVs, but in addition to that, also with the public safety agencies that are involved in behavioral health crisis response. And then we had added some language to the next um a bullet couple under that related to very um expanding

[01:16:28] kind of what we're talking about as far as early in uh prevention and treatment programs and crisis services adding some language about other alternatives just to be a little broader in terms of what we're um supporting there and then the there's a new bullet relating to um state application and approval of a federal 1115 mental health community waiver that's really aimed at addressing the um a federal um sorry the federal um institute for mental diseases exclusion which actually limits um how federal funding can be used for behavioral health services in some instances

[01:17:07] so um the state does have a weight one an 1115 waiver for substance use disorder treatment but this for mental health would allow for more flexibility in community behavioral health services. So we wanted to highlight that as an issue to pursue, for the state to pursue.

[01:17:26] All right. Any questions on behavioral health? Okay. We can move on to page 14. Yes. So I'll just continue. So on long-term care, that position is in red. We had received a Proposal for updates from the coordinating council on aging and adults with disabilities but we also Kind of following up on the conversation. We had last fall about long-term care workforce The board received a presentation earlier this year from the workgroup that was looking at those issues and my understanding is it

[01:18:04] They will be receiving kind of an update on that So we wanted some time to look at that all a bit more before updating the physician So that's in red And then on substance use disorder, we had added language that barriers to improving access and facilitating the expansion of treatment programs need to be reduced.

[01:18:30] Their staff is looking at a couple issues in that area, so wanted to highlight that. And then as far as the strategies to reduce nicotine use and addiction, we added some clarifying language and also support

for expanding cigarette taxing authority to other products.

[01:18:48] So to include liquid nicotine products and other tobacco products, we had previously focused just on e-cigarettes in that position. And then I guess I can continue with affordable housing. Yeah, we'll move on to housing if there's nothing on that.

[01:19:03] Go ahead. So in the bold, just a couple of clarifying changes. But then moving on to page 15, we had made a couple of changes. So the first bullet at the top of page 15 relates to permanent supportive housing.

[01:19:19] We had added some language to try to strengthen the need for behavioral health services to really make sure that the individuals in that housing are successful. And lastly, the last bullet deals with manufactured housing.

[01:19:35] we had also added some language to strengthen that bullet in terms of further protections for residents of manufactured housing communities and also a right of first refusal to localities for sales of manufactured housing.

[01:19:52] I was just going to clarify that last, the right of first refusal is based on a bill that we supported last year. I just wanted to highlight that. Supervisor Lusk. Thank you, Mr. Sherman. just want to acknowledge and appreciate the clarification in the language here for manufactured housing I think it's certainly a little bit stronger just wanted to ask a question about I know there's been some committees that have been underway in Richmond as it relates to this issue are there not here but can you provide later an update on kind of what has transpired and some of those

[01:20:30] committees I've not been able to keep as abreast of those so be helpful to know discussion points and then any issues that we should be aware of that might affect the legislation as well. For all of, just so we can do what you want. For the manufacturer. For the manufacturer. Okay. Please. Thank you. All right. We can move on to human services. Okay. So human services on adult protective services we just had

[01:21:02] an update to a stat there and on all three of those human services positions We also had a note indicating that the Advisory Social Services Board and the Coordinating Council on Aging and Adults with Disabilities recommended retaining those positions.

[01:21:22] All right. So then, Mr. Chairman, just moving on to the land use section, the positions on proffers and wireless telecommunication facilities don't have updates at this time. Although, obviously, we're always looking at this section to see if there's anything we need to add or change.

[01:21:42] All right. And then on page 16, public safety accessibility, we just have a few small updates to the language. And then dangerous weapons, we have some additional language that we received in terms of exemptions for law enforcement and military personnel.

[01:22:03] Otherwise, those positions are essentially the same. And then finally at the bottom of page 16 and going on to page 17 is the domestic and sexual violence section. The Advisory Social Services Board also recommended retaining that position, and we have.

[01:22:21] And then also in that section for safety-sensitive positions, we did include some language. I don't know, Jennifer, if you want to mention a little bit about the RAPAC program. Sure, I can. So basically we changed the language to be more forceful, that the state should fully fund the program. So, we've had a

lot of conversations the last several years, as this has come up, about the fact of what they, the Virginia State Police currently have a funding model that mostly relies on localities paying per use of people, and that would be an annual fee.

[01:22:53] So, that would be more, it would be more expensive for people than the regular background check process, which as of now will still be allowed. And so the concern is that not very many people will participate given the increased demand funding. It would cost localities to be part of the Rat Back program.

[01:23:11] And so there's a huge priority then to have the state pay for it so that all localities have the ability to be part of it. And it's not a funding issue to really protect the safety because if only a few people are part of it, then it's not really as effective as it could be.

[01:23:27] All right. And so then, Mr. Chairman, we have the taxation section in terms of local property tax exemptions. There's no updates. That's the position from last year. And then at the very end is the section we mentioned a little bit for transportation in terms of transportation safety and coordination and also secondary road devolution.

[01:23:50] There's only very small updates, but I don't know if Noelle wants to mention anything in particular. Mr. Chairman, just briefly, I do want to note, this does still reference coordination with the Commonwealth regarding speed limits. because the authority you all were given was just for a small subset of roads, so we still want coordination with them on the speed limits on the rest of the roads.

[01:24:09] We did talk about street standards in here, so we will look at this section as well, Supervisor Palchuk. And then the second bullet down here that talks about loud exhaust systems, we added as part as regulating the cell through the inspecting process and new technologies. We do know there are differing technologies on how to address that coming out, so we just wanted to update this section as well.

[01:24:30] Yeah, so that is something that I've been working on. A few years ago, I sent Mr. Mingez an email with an article about the automated loud exhaust sensors that were being used in Paris, France. You probably have read in the Washington Post that Montgomery County now has a pilot program where they're using automated loud exhaust sensors.

[01:24:54] So one of the things I would like us to consider this year is working on that, perhaps even as one of our initiatives to get similar authority, either as a pilot program or something broader. Because I think our constituents who are still grappling with this loud exhaust issue are going to be asking, why is Montgomery County able to use this technology?

[01:25:17] And our response remains, you know, it's too difficult for police to enforce the existing law. And, unfortunately, our previous efforts to get the General Assembly to add it to the inspection process were unsuccessful. So maybe it's time to try a different approach.

[01:25:34] Supervisor Alcorn and then Stork. Yeah, just very quickly, you know, we had some proposals come from the bicycle advocacy community pretty late in the process last year. I would just, you know, those of us that are in touch with any of those folks, it would be good to know what they're thinking, you know, what they might be prioritizing this year and get that to us, so I don't know if there's any news on that, but we should probably check. Yeah, I think that's a good point. I don't have news on that, except to say that I was asked to speak to a group that's a little bit of a coalition group, but they do participate in that group, and one of the things that they highlighted was that last

[01:26:11] year, I think they had thought about and focused a lot on reaching out to the state and to legislators, hadn't thought as much about the need to talk to local governments, and so I think what would be very valuable is if they, like a lot of other groups do, would come in and sit down with FCDOT and try to find the areas of common agreement that they can advocate for and that we can advocate for, because there are a lot of them.

[01:26:42] But last year, that coordination didn't happen early enough, so we were kind of jammed up at the last minute. Thank you. Supervisor Stork and then Palczyk. Well, not specific to this issue, but tangentially, which we all hear about is the Leap Blower argument is not unlike this noise from loud exhaust, et cetera.

[01:27:03] And if there's a technology that exists, we ought to find a way to purpose it for that as well because we know that that is a huge issue in the community and, frankly, about as loud as some of these exhausts. Yeah. Supervisor Palczyk. Mine is totally unrelated, but it just made me think.

[01:27:21] I was looking back at courts on nine. I think we went over it very quickly. I know there are a lot of initiatives there. I was just curious if we've had a chance to reconvene with all of the players involved relating to the courts.

[01:27:36] There were no updates for the requests. There's quite a bit on there. Yeah, definitely. So I actually have-- we are looking at some-- we have met with people. And we are still looking at maybe some language around specifically the amount of work around the repeal law that passed in 2021.

[01:27:57] So we're still in conversations about maybe some of that. But we did touch base with them on these items and felt like they were still a priority. Okay. Thank you. Supervisor Luss, maybe a final word. Thank you, Mr. Chairman. Mine's unrelated as well.

[01:28:13] I was thinking about, like, scams against seniors and some of these things that are proliferating as it relates to AI. Do we want to have some statement or some point as it relates to that issue? Because it's really affecting a lot of our citizens and certainly something we want to try to address head on.

[01:28:32] Okay, we'll have staff look into that and see what the, if any, state government nexus we can find. Yeah, maybe something for the federal program as well. Okay. All right, anything else? Just a reminder for board members, our next legislative committee meeting is Tuesday, October 15th.

[01:28:55] And please, if you have thoughts or suggestions before then, if you can get it to staff in advance, we can incorporate proposed language for review at that meeting. Supervisor Stork. I just want to make an announcement as well. You have two illustrious, maybe, I don't know, chairpersons on VACO representing two different committees that are going to be getting together next week.

[01:29:21] Kathy's laughing because she and I are the, she's respectively, she's the education chair, I'm the finance chair. We put together a combined meeting of the two for all the reasons that you might expect, which is finance ought to be talking to education and the committees ought to be working together to find a way to better fund education. So anyways, we have a virtual joint meeting next week, September 25th, Wednesday at 3 o'clock, and all are welcome. If you need to get information to it, let us know. And she and I are working on kind of finalizing the agenda today, I hope, and we'll be using that. Mr. Chairman, real quickly, there's also a Region 8

[01:29:59] VACO virtual meeting on Thursday, September 26th, so I hope the work that you all are doing is a big part of what is discussed that day, too. So I want to make sure that gets on the agenda for the region 8 virtual meeting that's at one o'clock uh thursday september 26th okay thank you everyone we're adjourned



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