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[00:00:06] Okay. Good morning, everyone. Good morning. Welcome to the November 26, 2024 meeting of the Legislative Committee. Board members have the agenda. We have quite a bit to get through today. We're going to first go through updates to our federal program, then updates to our state legislative program, and then we have one consideration item for the state program.

[00:00:32] And just as a reminder, we are working today towards adoption of our legislative program on December 3rd. So this and maybe the next 24 hours will be the last opportunity for board members to share any thoughts on any changes to the respective programs.

[00:00:51] So we will start off with the draft federal program that Ms. Arco will walk us through. We also are joined today by our federal lobbyist, Ms. Emo, who's in the audience and available to answer questions if necessary. So, Ms. Arco.

[00:01:07] Thank you, Mr. Chairman. So, if the board will start with the federal program, which should be the first document in your packet after the agenda. On page, well, it starts with the table of contents. It's sort of page negative one. But you can just see that there's a little bit of update there in terms of new positions that are highlighted and also just a revision to one of the position names.

[00:01:28] So if you go to page one, the top part of this section has been in the federal program. We did make some changes to try to update it and match it better to One Fairfax, which we did in the state program a couple months ago, if you all may recall. And so at the top, those are just edits to kind of match up with the language that's used in One Fairfax.

[00:01:48] When you work your way down to the big sort of chunks of yellow on page one, that's a new section that we created based on the board matter that the board discussed on Tuesday related to the incoming Trump administration and kind of areas of concern or things that we want to kind of be on the lookout for. There's a number of items in here, and we can walk through them as much or as little as you all want. But I would just mention that after each of the bullets, there's a little note in red italics, similar to what we do in the state program. It really was just an effort to explain why a particular issue was flagged, whether it's because something happened during the previous administration or because of things that were set on the campaign

[00:02:28] trail during this administration or things that have been said in the last month or whatever in terms of the administration's plans. Those notes will come off when you all adopt it next month, but we wanted to just kind of explain what the rationale was for including specific items. So we can talk about specifics or not, but that's kind of the general overview of that new language.

[00:02:52] Yeah, nothing specific, just to say thank you. Job well done. I mean, I know we just did this board matter on Tuesday, but what you have here certainly looks comprehensive and well done. So I just want to thank you for the time and effort that was put into it.

[00:03:09] Thank you, Mr. Chairman. And I will say it was a task that involved a lot of people. The county executive kind of went to all of the senior management team and everybody sent things in. But yeah, you're right. It was a very quick turnaround. So we appreciate everyone that helped us with getting this done. Supervisor Alcorn. Thank you.

[00:03:26] Yes, great job getting this pulled together. I think just a couple of thoughts on, you know, obviously this is our federal legislative program. Maybe it doesn't belong in here, but I think at some point we need to refine our arguments and hone our arguments on why this area is the best place for federal departments and agencies to continue to operate in and to be headquartered in.

[00:04:02] And certainly, and again, I'm not sure if it belongs in this document or in other documents, But the ability of federal departments and agencies to access talent necessary for highly functioning federal departments and agencies is critical.

[00:04:21] I think we need to be thinking about arguments that will resonate not just locally, but we'll have a broader argument for maintaining those federal departments and agencies in the area.

[00:04:38] I think that's a really good point. Probably page 11 would be the most appropriate location where we talk about federal facilities. And I think what you're saying is, obviously, you know, we have a role to point out that Fairfax County needs federal agencies to be located in the D.C. region.

[00:04:57] But there's also an argument to be made from the federal government's perspective and the mission of the federal government. And I would just say if one believes, as President Trump does, that all federal employees should be physically in the office five days a week and believes in the value of in-person collaboration, necessarily you would also believe that there's value in having those agencies in one region where they can collaborate in person with one another as they do each and every day.

[00:05:27] So I think maybe we can flesh that argument out a little bit on page 11. Yes, we will all make a note, and we'll kind of go through that before you all adopt it to see if there's anything we can do to increase that. That would be great. And then just a couple other quick things. And I think it actually is talked about more in the transportation section, but I know on the federal side, you know, the fact that the capital contribution is not indexed to inflation remains, you know, an issue.

[00:05:54] And I know just broadly we want to preserve and get more funding as needed for our transit systems. But, you know, that's certainly on at least my radar. And then the last thing, and I know the county executive is working on this.

[00:06:11] We discussed this last Tuesday. The ability to pull together information quickly whenever proposals for, you know, major eliminations, movements of relocations of departments and agencies, and certainly the economic impact, but also perhaps some of the items we were just discussing, you know, from a practical perspective and from, frankly, the federal government's perspective, whether or not those would make sense or not.

[00:06:43] Yeah, and I think to your first point on the PREA funding, we have a sentence on page 5 in the third paragraph. Due to inflation, the annual \$150 million investment does not meet as many needs. I think that probably understates it.

[00:07:00] I think what we should do is get the actual number. The \$150 million is a 2009 number, I think. What is that worth today, right? What would it – you'd have to be actually close to \$300 million a year, I think, to have an equivalent amount.

[00:07:19] But we should be able to get that dollar figure to show the real-world decline in the value of the PREA dollars. Thank you. So, Mr. Chairman, I only just wanted to make one comment, and of course we'll look at that and see if we need to update the language. On the issue of just kind of county response, and the county executive wasn't here when I gave him a shout-out a minute ago, but Chris Leonard is here, and he has pulled his directors together to really kind of do a rapid response on human services issues.

[00:07:47] So I don't know if Chris wants to say anything or if you all want to ask about that, but some of the response items are in process. Yeah, I just want to make sure we're ready, because it's coming. Okay. All right. Thank you. Supervisor Patrick Thank you, Mr. Chairman. Thank you, Claudia and to everyone on staff who worked on this. I was going through focused on Early childhood childcare and the supports. I see it's kind of on page 16 as one of the bullets under What is it under social safety net? I think it'd be really important

[00:08:23] to elevate this to the front, but also when we talk about economic opportunity at the workforce, right? We know it's not just the social safety net, right, but that we have a need for a workforce and so many are no longer able to afford child care.

[00:08:39] Can you tell me again which sentence you're referring to or which section? So it's on page 16. I think it's bullet number four talks about access to affordable quality child care. And then five mentions Head Start. I feel like they're a little bit too hidden and very prominent.

[00:08:57] And they were very prominent during the entire presidential campaign. And so I just think if we can elevate those beyond just page 16, social safety net, more to the way we've talked about the need for housing and supporting the LIHTC funds and the SNAP and WIC, I think it'd be important to elevate it there if we could.

[00:09:20] Ariel might have something. Okay. So elevate it to what page? So if we could add something in page two, the second, third bullet talks about federal entitlement programs, SNAP and WIC, but I don't see anything up here in community development block funds.

[00:09:52] Okay, how about in the next bullet there where we say continuation of funding for programs for housing, health and mental health, it should be child care as well? Yeah, I think that's fine, because the next one is CDBG. Yeah, I don't know if you want me to board, Smith, I'm happy to.

[00:10:10] But yeah, I think including it there, either adding a bullet or adding it to that bullet. But I think the more we tie it into how critical it is, we talk about K-12 funding at the bottom, but we don't talk about pre-K and the importance both for preparing students to be ready for school, but also supporting the workforce to be able to remain at work.

[00:10:36] Okay. So it serves those two purposes. I think it merits its own bullet, but I'm happy to not add another bullet and incorporate it to one of those. Okay. Thank you. All right. Senator Behrman. Sorry to go a little bit out of order because I just wanted to piggyback a little bit onto the point made by Supervisor Alcorn.

[00:10:59] Maybe it's something on page 11, a paragraph among the first two with respect to civil servants and what they bring to the government. I was a civil servant. I was at the Department of Homeland Security in the Office of the General Counsel.

[00:11:15] I worked with a lot of people who had worked throughout the Trump administration, who'd worked throughout the Obama administration, worked throughout the Bush administration, longtime civil servants. They're our neighbors here in Fairfax County, and they are the people who know very often how to move the government in lots of directions, who know how, frankly, to move the government sometimes in directions I don't want the government to move in.

[00:11:38] But they are really people who are committed to making the government work and having that talent pool, those folks who've made that commitment, oftentimes they do obviously live in the DMV. And the idea of just shipping out jobs, the notion that that would somehow improve efficiency of government is itself just wild to me because if you want to improve the efficiency of the government, you want the best people in government, the people who want to make it work.

[00:12:11] And believe me, there are lots and lots and lots of civil servants who are our neighbors who want to make it work. So maybe there's a paragraph to make that point, or maybe it's just in other contexts, but I wanted to add to Supervisor Alcorn's point.

[00:12:26] Thank you. Okay. Supervisor Lesk. Thank you, Mr. Sherman. I was just rereading the economic development section on page 19 at the top of the page, and I appreciate the additional language.

[00:12:43] We're getting way ahead here. Oh. Okay, I'm sorry. You're on it, so go ahead. I'm sorry. I jumped ahead. Go for it. You got it in your head, so go ahead. I apologize. We're on page 19 now. But then we're going to go back. Okay, go back. I'll wait. Okay, all right.

[00:12:59] Thank you. So any other thoughts on, because we really were just covering the introduction and the new items on page 2 and the first half of page 3. We're going to elevate child care.

[00:13:18] We'll address some of the other issues later on in the program as we discuss. Any other thoughts on that section before we move into federal budget? No. Okay, let's go ahead, Ms. Argo. Okay, so

thank you, Mr. Chairman. At the bottom of page three is the federal budget section.

[00:13:35] We have mostly just some updated language in here, and then also it reflects that the federal government is currently under a continuing resolution, and that runs through December 20th. So, obviously, that creates a little bit of uncertainty, although that doesn't seem to be unusual for the process in recent years.

[00:13:51] And so that's kind of what that position is. I guess the only response I have, thought I have here, is the fiscal outlook is improving. Maybe that's in the eye of the beholder. I'm not sure.

[00:14:07] Certainly, the long-term debt and deficit outlook is not improving. So, I think when we edit, I mean, we can take a look at that again, and that's a good point. I think when we edited that section, the original sentence that was in there for the last couple of years related to the substantial impacts of COVID and the pandemic on the federal government and revenues and things like that.

[00:14:26] And so I think we had a little hesitation about continuing to say that because I'm not sure if that's the source of the impact, but we can certainly look at that. I think I would recommend just dropping that clause and just saying Fairfax County recognizes the federal government continues to face fiscal challenges. Got it. So that's all for that position, unless anybody has questions.

[00:14:50] If not, we can go to page four, transportation, and Noel is going to walk through those sections. Mr. Chairman, Noel Dominguez, Department of Transportation, and I have the next several pages. On page four, we did make one change to the bolded language.

[00:15:08] As scary as it is, Congress is going to have to start working on their transportation service reauthorization in the next year. So we put in language saying as they work towards the next reauthorization, support sufficient funding and coordination between us and our partners.

[00:15:24] The rest of the changes on page four are essentially just updated budget numbers. Continuing on to page five, the same, we have the section on WMATA funding. We will go in and make the change that you've requested. And then we did reference the fact that the shortfall was addressed by us and the Commonwealth.

[00:15:45] this past year, and they're working towards a resolution on the WMATA funding situation. Down at the bottom of page five, when we're talking about continued federal investment in the CIG program, also known as New Starts, we did include language saying that this past June, that Richmond Highway BRT was approved to enter the CIG engineering phase, and that they informed us how much money we were eligible to receive.

[00:16:13] That goes on to page six. The rest of page six, we just have some updated, again, funding levels for FY25. And then on page seven, we updated the status. The FY25 Transportation and Housing and Urban Development Appropriations Bill does have some language requiring U.S. DOT and U.S. Department of Housing and Urban Development to establish a task force to examine ways of existing underwriting procedures in TIFIA and the Railroad Rehabilitation and Improvement Financing Act.

[00:16:47] So we just added some status language in there. Okay. All right. Go on. I don't think we have any changes to energy, so I'm going to continue on to additional transportation. So moving on to page 8, we have a longstanding information about perimeter and slot rules.

[00:17:09] We did reference the fact that some extra slots were given at national this past year. I think the whole region tried to stop that, but it happened anyways. We have some language status update on aircraft noise pollution and how the 2024 FAA reauthorization mandates the FAA review and revise noise standards and address some of those noise issues that we've continued to have in our region and in other regions of the nation.

[00:17:38] Continuing on to page nine. Mr. Chairman, just read quickly on the acknowledgement of the new slots at Reagan. It's a statement of fact there, but it just makes it almost sound like the way it's written, like that's something we support.

[00:17:56] So, I mean, somewhere we need to put in there, despite virtually the entire region's opposition, this still happens. Otherwise, it looks like it's something we're standing by and supportive of, the way it reads. So, Mr. Chairman, I think maybe if we remove the word allowing, that would probably help, but we'll look at it and see if we need to add a little bit more.

[00:18:15] Yeah, or even just despite our opposition or we put in there, you know, what the real impacts are of that. But this is an opportunity, you know, this could be revisited, we don't know. But I certainly, you know, don't want in the document anyone to imply that we stood by and allowed that to happen, didn't raise concerns, or that we, in fact, supported it.

[00:18:34] We can add some language, Mr. Chairman. Mr. Chairman, on that point, yeah, and one other thing you might want to look at is in the introduction to this, because it talks about protecting the balance between Washington Dulles and Reagan National. I think, I mean, I think traditionally our policy has been Dulles is the growth airport and National's not.

[00:18:56] So we might want to be a little more explicit about that. So thank you. I think you could say oppose further changes to the perimeter and slot rules for Reagan National Airport.

[00:19:12] that upset the balance between Washington-Dulles International as the region's growth airport and Reagan National Airport, perhaps? I mean, the balance we want is not a 50-50 balance, but we do want a balance, so we can figure out a way to reword that.

[00:19:38] Microphone, Ms. Dominguez? Sorry, I didn't realize I had turned off. I will work with Claudia to update that language. On page 9, we have the position on unmanned aircraft systems. And in here, we also have a status update that the 2024 FAA reauthorization included provision allowing law enforcement, fire departments, emergency medical services, and others to be eligible users of tethered UASs unless otherwise permitted by USDOT.

[00:20:12] We then move on to transportation projects. Can I just say on that language, again, it's a statement of fact. I think in this case, we're saying we support this provision, right? Let me, I believe so.

[00:20:30] That's not my language. Sorry. I think that's right. We'll take a look and make sure that it's a little bit more clear. The point of the program is to not just state the facts, but state our position with respect to those facts. So let's double check.

[00:20:45] But I think our position is we support those provisions that were included in the 2024 reauthorization, right? We'll revise it before you all adopt it. Going into transportation projects, there are two changes, specifically on page 10.

[00:21:03] We updated stats on the needs of the Potomac River crossings. This is a longstanding position, but some of the statistics were from a study about 10 years ago, so we just updated some information there. We also did remove one project, but it is a good reason.

[00:21:19] We used to have Seven Corners Ring Road in here and NBTA this past year authorized substantial funding to do phase one. So we figured we'd focus on that and knock on wood, it is fully funded. So that's why it's out. Okay. And that is the rest of transportation. Claudia. So then, Mr. Chairman, on page 11, under federal facilities, we added employees, partly because of the discussions that we've had. At the top of that section, there's just a little bit of a, there's a new line related to some of the things that we talked about in terms of incoming administration and, you know, federal employees. And then in the second paragraph, there's really just updated

[00:21:58] numbers and years. If we flip to page, right, so that's kind of the end of that in case anybody has questions before we go on to tax and finance. So on page 12, tax and finance, we tried to reorganize this section a little bit because we had a section on taxation, but we also had various taxes in multiple places in the program. So we tried to kind of consolidate them and put them in one place more or less. And so some of the things that are in here that appear to be new, part

[00:22:34] of it is just because it's kind of going through that process. So anyway, that's why it looks like there's a lot of yellow in here, but there probably isn't a whole lot that's different. Okay. So then, Mr. Chairman, on the bottom of page 13, Arielle's going to walk through the next few items on human services. Mr. Chairman, members of the board, Arielle McAloon, Human Services Legislative Liaison. Starting on the bottom of page 13, the Low Income Housing Tax Credit Program. This is one of the programs that we had previously included support for in the

[00:23:13] program, but it was in the affordable housing position. So most of the changes are just reflecting that we moved it into the taxation section and then just some minor updates to that. Moving on to the bottom of page 14, the federal funding for cost of educating federally connected students. We had had a minor change there just to, we consolidated some of the information that had been in the education principles into that actual position because they were in line with each other. And then we got some updated statistics from FCPS on the federally connected students.

[00:23:54] And we also added language to reflect the updated data from the Office of Refugee Resettlement. And then in the affordable housing position, moving on to more towards the middle of page 15, we added some language to support the Housing Choice Voucher Program.

[00:24:17] We also added language about support for authority and funding for HUD to further protect manufactured housing communities. We had given the board's interest in that topic. We thought that adding some language to the federal program would be helpful.

[00:24:32] There's been some federal legislation and actions in that area. So I thought it would be helpful to highlight that there as well. At the bottom of page, or I can pause. Mr. Chairman, can I jump in on that? Yeah, I think for the affordable housing piece, I think we need to be ready to pivot quickly when proposals are made to basically cut these programs or change them in significant ways.

[00:25:01] I'm hearing this chatter about that, and it's not just, I think, for these affordable housing programs. I think it applies to a lot of it. So just something as a process we may need to be thinking about how we may need to update this pretty quickly during the coming months. So anyway, just flagging that.

Thank you. And so, yeah, I think staff is kind of working on how to go through that process and how to think it through on human services in particular. You know, I sort of mentioned earlier that Chris is working on that because, of course, those are programs that affect very vulnerable populations and obviously are very important to you all. So they're kind

[00:25:38] of developing that rapid response, I think. Okay. So on the bottom of page 15 is the beginning of the social safety net position. We just made kind of a minor language change at the beginning of that section. And then the first bullet, we wanted to include some examples of the nutrition program. So we added SNAP and WIC. And then our staff had mentioned wanting to add support for universal school meals. We did connect with FCPS. So this is generally in line with what they have some language in support of free and nutritious meals for students.

[00:26:17] So we thought that would be helpful to add. And then also one of the issues that we had flagged was issues with staff benefits being stolen through scams and skimming of the electronic benefits transfer cards.

[00:26:32] So we added some language just to support federal funding to address reimbursement of those stolen benefits and also to add security to the cards themselves to try to prevent future scams and skimming. And then moving on to the third bullet, we did update some language on child care there. I did want to just flag in relation to child care that we did in those bullets on page three, we had like a brief reference to child care, but we will look at

[00:27:06] that more closely. And then CDBG, we just updated some funding numbers, moving down onto more middle of page 16. And then starting on the bottom of page 16, the Department of Justice position, we have some updated stats, some updated information about the county's work on the continuum of crisis response services and building that out. And then some updated numbers regarding funding for the Justice and Mental Health Collaboration Program.

[00:27:44] And also we wanted to, at the bottom of that position, we flagged the 980 and that increased promotion at the national level will be helpful to reduce unnecessary 911 calls and use of public safety resources. Supervisor Palchuk?

[00:28:02] Thank you. I don't want to throw a wrench in anything. I'm just going back to pages 15 and 16, social safety net. CDBG, I'm wondering, and maybe it's something to have Tony help us look at, I just keep thinking about the report we got and the ALICE population and wondering if we want to have some kind of focus on, look, it's not just people living at federal levels of poverty, but so many of our working families we know are struggling, especially housing, child care being the top two costs,

[00:28:41] and then others so I don't know if there's a way we want to show that we're not just stuck on like sort of one type of program but really trying to support families who are struggling to make ends meet with several jobs I don't know if there's a good way to look at that I don't really want to wordsmith it right now Supervisor Project members of the board I think that we can look at that and we can coordinate with Tony and others just to kind of think about what we might be able to do on that. That would be great thank you. Okay Okay.

[00:29:16] Supervisor Lesk. If I could add, and I appreciate the comment that was just made by Supervisor Palchak, the other issue is on food insecurity and addressing the food insecurity needs for

those at the higher incomes looking at the most recent report from the Capillary Food Bank, 100,000 to over 150,000, growing increase in the percentage of people who are food insecure.

[00:29:43] So just thinking about how we include maybe some language that will address that point as well. So thank you. Yeah, there might be a way to come up with some language that reflects, especially in high cost of living areas, a lot of programs that are indexed on the federal poverty level create a huge gap.

[00:30:08] So maybe there's, yeah, I think we want to make it specific to our region. Yeah, and to that, I don't know if we want to look at the state 400%. And I know there are other ways to look at looking at that higher level, but that's a good recommendation. Okay, let's keep going because we're close to our schedule.

[00:30:28] Try to keep to it. So on the middle of page 17, the substance use disorder position, we had updated some language in the bold just mostly to reflect changes we had made in the state program to align the two. We also added some updated stats in the next couple paragraphs.

[00:30:50] including information about use, e-cigarette, and vaping use and such. And then at the end of that position, on the top of page 18, we had included some updated, sort of a status update, on the rule relating to a ban on menthol from cigarettes and flavored cigars.

[00:31:16] And just noting that feedback received during the public comment period related to civil rights and criminal justice has led to an indefinite delay, but the director of the FDA's Center for Tobacco Products did confirm that the rule remains a priority for the agency.

[00:31:36] And that is the end of the human services section. Okay. So, Mr. Chairman, continuing on to page 18. Oh, sorry. I'm sorry. I wasn't sure if you were fixing your hair or raising your hand.

[00:31:53] It looks good. It looks good. I don't have much hair to fix anymore. Just throw that out there. It may be – my hand may have gone up somewhat prematurely because I think it probably did belong in the last section.

[00:32:13] But I see that it's referenced in the next section, continuing principles support fully funding costs of implementing federal mandates such as the requirements in Every Student Succeeds Act and the individuals with disabilities. Education Improvement Act, IDEA. I would like, if possible, to get the numbers into this because I believe that the mandate with IDEA was supposed – the feds were supposed to pay for 40 percent of that. I believe they pay for 9 percent of that. In one of the documents that I saw, which was actually the budget documents that were given to the school board, there was a slide on that. For

[00:32:52] some reason, they aren't in the budget documents that the school board gave to us, but it's tens of millions of dollars that we're missing out on for our special needs population in schools. So I see it referenced in one location, but it's with respect to federally connected students with disabilities in an individualized education plan, but that's in the context of military families. Let's do it in the context of every family, because again, we're missing out on tens of millions of dollars in Fairfax County that we should arguably have based on

[00:33:29] the promises that were made to us by the federal government with respect to special education. Thank you. Okay. Yeah, we can get with us. Yes, we can work on that. And we'll reach out to... Yes. And as you pointed out, we do have a section on federally connected children. But you're right.

[00:33:45] Those are children that have some kind of connection to the federal government, the military, you know, their parents or federal employees or things of that nature. So we'll look at that kind of broader issue. If we go to page 18 where we get to the continuing principles, just to refresh everyone's memory, these are ongoing principles that we include here typically when there's not a paragraph or narrative in the program to get into that issue where we want to highlight some things.

[00:34:14] Usually they're ongoing so there aren't always a ton of changes, but we do update them in case there's something that we need to reflect. You can see on page 18, we just have a very small change in the, or a couple of very small changes in the census section. Census was also mentioned at the very beginning in the introduction, and so obviously that's something that are, that guides a lot of the work that we do and how funding is distributed and things like that.

[00:34:38] So obviously that's, it's important that that runs smoothly. At the bottom of page 18, we have some additional language related to scams for older adults, particularly because I think with new technologies and things like that, some of that has become more sophisticated and to the detriment of, you know, folks who are a little bit vulnerable.

[00:35:01] And then on the top of page 19, we added a new position related to economic development. We worked with DEI and Rebecca Moodry and sort of crafting that and trying to make sure that at the federal level, there's funding and a focus on some of those issues.

[00:35:17] So that's a brand new position. Mr. Chairman? Yeah. Just very briefly, it's a continuing principle, but the consumer protection piece to me could also very well be the introduction because we know what happened the last time the Trump administration was in power and consumer protection was basically taken away. The power of the consumer protection agencies at the federal level were non-existent. And so if we put it in that section, that's fine. If we don't, similar to what was said on other topics earlier, it's

[00:35:53] probably an area that we're going to have to be more involved in and elevate our defense of some of the consumer protections that are in place, especially we've come a long way on vehicle title loans and payday loans. And we know what that does to some of our lowest income communities in terms of racking up debt. So I think this is an area we're just going to have to play a little bit more aggressive role in. So, Mr. Chairman, we can, just as we did with other positions where we put something in the introduction and then it refers back to another position or other language in the program, we can look at doing something like that and then it'll kind of look back to this or refer

[00:36:29] back to this section as well. Okay, Supervisor Lusk. Thank you, Mr. Chairman. Sorry, I jumped ahead before, so thank you. We're ready for you. I can tell. I'm ready, too. So, the last bullet, again, I appreciate the chairman's comments and, again, I think I made this point before. This one It just gets in my skin thinking about scams to older people in particular and others.

[00:36:51] So this is so important. So thank you for maybe trying to elevate that as well. On the economic development point, I really appreciate this section, and I gravitated to it. So thank you for adding it. The only thing I would ask if it would be possible is under the small business support, acknowledging that access to capital is really the major issue for small business and being able to grow and launch.

[00:37:18] So I wanted to see if we might be able to add some language that speaks to access to capital around the small business support, if that's okay. And with that, I'll conclude. Thank you. Okay. We can

work with Rebecca and her staff to include something about that as well.

[00:37:39] All right. Let's keep going. So then the next changes are in the elections section. Really, just we added some language in support of election security grants, and so that's why that new section is in there.

[00:37:56] Obviously, we've had some upset in the election area, and so we were just trying to kind of capture things that the federal government can do to support that. All right, looks good. So then on the bottom of page 19 in environment, we really just have a couple of small changes throughout, some small updates.

[00:38:14] And then in the next position, federal contracting, again, just a very small language update. Ariel is going to walk us a little bit through health or just mention what we did there. Yes. On the health principles, we had included some updated language related to the community health centers and the National Health Service Corps and really just trying to emphasize the need for robust and sustained federal funding in those areas.

[00:38:46] All right. So then, Mr. Chairman, turning to page 21, under immigration, we did add a sentence here that connects a little bit to the first intro section. Obviously, that's been a hot topic. Certainly during the previous Trump administration, there was a lot of discussion about that, and so this language is designed to sort of reflect that area of concern.

[00:39:12] Okay. And then under libraries, we just added a bullet about access to library materials, which has also been kind of an ongoing issue. And so we wanted to capture that. Our library staff thought that would be helpful. And then, go ahead. My reaction, obviously, I think that's appropriate.

[00:39:31] It comes across as a little bit elliptical to me. I think we're saying oppose efforts to restrict access to certain books or materials. But when we just say preserve access to library materials, I don't know that we make the point that we're trying to make there.

[00:39:52] We can take a look at that language and make it a little bit more clear. Thank you. You have to really read between the lines. We don't put everything out there, but I take your point. Yeah, I think it's okay to point out what we're concerned about. Okay. Is it on page 22?

[00:40:11] Yes. So on page 22, that's actually the section on telecommunications and communications. This is really designed to reflect some of the recent actions of the FCC and others in terms of either land use, you know, wireless facilities, different boundary changes, the shot clock that sort of governs, you know, when things have to be done.

[00:40:33] And so that just adds some additional language. I think you all have been talking about this a little bit. So we reflected that here. Supervisor Kotrick. Thank you. This again, I'm not sure where it goes or how it's appropriate. My colleagues might have better thoughts on this, but thinking about how through the leadership of our IT committee and our IT director, we've done a lot of work on trying to improve our programs and processes and how they serve the users, the consumers.

[00:41:02] I don't know if it would go there, but I know yesterday I heard a presentation from U.S. Digital Services about the work they've done at the federal level to support agencies to improve things like, well, the FAFSA fiasco last year. childcare.gov, and I think they've done other things like with child care and development funding, making it easier. So I don't know if it's under consumer services, but I was really

impressed to hear about how this, and I think they're under the White House team, has been nimble and able to support the work of services and the consumers they serve and the federal

[00:41:38] contracting. So I don't know where that goes. If you might have a suggestion on that. we can take a look at that and see, you know, kind of what that issue is about and where it might fit and try to do something before next week because I have not seen that report, so we'll take a look at it and see if there's something we can add somewhere.

[00:41:56] I just learned about it last night, and you probably know more, Mr. Chairman, about that service. I haven't seen the latest. No, yeah, we can take a look at it. Okay, that would be great. Thank you. All right, so that takes us through the federal program, So we will incorporate as much as we can based on the feedback we've received today.

[00:42:21] Thank you, everyone. And let's move on to our state program. And we should be able to get through this a little bit faster because we don't have as many updates. Ms. Arco? So, Mr. Chairman, if we start on page 3, you will see at the end of the position on K-12, the joint position with the school board, there is a little note in red.

[00:42:45] red italics, reflecting that full funding for K-12 and restoring cost of competing and sort of the issues related to the JLARC study on K-12 is actually a regional position for Northern Virginia. And so this is the first time that we've shown the regional positions. We usually wait until the end of the process and then kind of add them in as everyone in the region is working through their legislative programs. And so you'll see a few of these notes throughout, but that's the first time we've marked the regional positions. And at the bottom of that page, there's a little asterisk that kind of explains what we are capturing in terms of the regional, you know, what Northern Virginia really means. And then if no one has

[00:43:23] questions on that, Noel will talk a little bit about transportation funding. Mr. Chairman, on the bottom of page three and in a couple of other places, we incorporated some proposals received during the public comment period. Specifically, I believe the board got a letter from Coalition for Smarter Growth and Washington Area Bicyclist Association. So he took some of their comments and incorporated them. Down at the bottom of page three, they suggested we include sidewalk maintenance and safety improvements amongst the sufficient funding, statewide funding, that we should advocate for, which I think the board already does. We're just putting it stronger

[00:43:58] in the program. Continuing on to page four, when we specifically call out various programs such as revenue sharing, construction and maintenance of pedestrian facilities, we also added funding directed to safety-related roadway projects and programs.

[00:44:16] Continuing on to page five, in the local flexibility section where we talked about initiatives to explore clean air, energy efficiency, et cetera, the proposal is made to add active transportation to that area. I think I'm going to keep going unless told otherwise.

[00:44:35] Supervisor Poucher. Thank you, Mr. Chair. Noelle, this is wonderful. I love, for the transportation, the funding piece. I know we've been having a lot of issues just getting approvals. Is that later? Okay, perfect. Thank you.

[00:44:50] Mr. Chairman, just very quickly, I appreciate adding active transportation. I'm not sure anyone outside of this room will know what that means. So you might want to put in parentheses what that is. Just it's our lingo, but I doubt many of our state legislators will know what that means.

[00:45:16] Okay. I will make that modification. Continuing on, I think the next one is on page nine, where under the environment section. No. Oh, did I miss you? Before we go, well, I know it looks like there's no changes, and so we weren't going to discuss some of this, but I think we were going to talk just a little bit on the county's initiative relative to street takeovers and stent driving.

[00:45:43] We do continue to work with county staff on that and speak to some legislators about it. Of course, the legislative chairman has been involved in this as well. So I don't know if there's anything we need to update. I just wanted to flag that because it was put in there prior to the public hearing just to make sure that the public was aware of it.

[00:45:59] And it kind of said, you know, a final decision would be made today about whether to pursue it. We do have a drafting request in. So we're kind of in shape to pursue this. And so I only just wanted to flag that before we go by it. Yeah, we're moving forward and cautiously optimistic about at least this phase of the process.

[00:46:18] we've had a good reception so far. And so then, Mr. Chairman, just also on the bottom of page six, there are a couple of more regional positions that are noted, and then at the top of page seven as well. So I just wanted to highlight that. Now we can go back to Noelle. Okay, on page nine in the environment section, also based on feedback during public comment period, in the section regarding state income tax incentives, where we reference alternative fuel vehicles and EVs, it was proposed that we add in, electric micromobility devices, such as e-bikes and scooters. So we've done that

[00:46:58] in both that bullet and the one below it about adequate state resources for localities to invest in EVs. Yeah. And I'll just say, you know, I appreciate the Washington Area Bicycle Association outreach. Remember last year, it kind of came to us pretty late in the process with some thoughts and we encourage them to get to us earlier, which they did. So we've been able to incorporate, I think, most of the suggestions that they've made so far.

[00:47:29] So then, Mr. Chairman, at the bottom of page 10 is another note about a regional position in terms of state underfunding of the courts. That's a regional position. And then on page 12, under Medicaid waivers, Larelle, do you want to explain what we added there?

[00:47:47] Yes. Mr. Chairman, members of the board, we had included previously flagging the funding and support for support coordinators and support coordination services. But given the importance of this issue, we wanted to add some language to strengthen that and just highlight that while support coordination is a state mandated service, Medicaid reimbursement rates only cover 48% of the cost of the county's support coordinators. And that will leave with the addition of the new waiver slots, a projected \$14.5 million funding gap.

[00:48:24] Supervisor Alcorn? Yeah, certainly. What happens if we can't get that funding gap covered either statewide or locally? We turn back the waivers. Is that correct?

[00:48:41] I think we probably need to have Daryl or somebody else or maybe some budget folks speak to that, or maybe we can get back to you because I don't know. That's okay, but I think let's, yeah, maybe for the next meeting, let's just, I think this is a pretty urgent request.

[00:48:57] Yeah, I mean, could I maybe suggest that as a budget question? Is that all right? Yes, please. So we'll ask staff to outline that process for us. Thank you. Okay. So then, looking on to page, I think we just have a couple more.

[00:49:18] So then on page 13, state funding for stormwater is a regional position. So you can see that under the water quality funding section. And then on page 15, the position on step VA and the state hospital bed crisis is also shared by the region.

[00:49:38] Next is substance use disorder. We just added something very small to that. And then I think that's the end of changes for the legislative program. Okay. And one other thing I'll note just on transportation on page 18, this change was incorporated at our last meeting, but we didn't explain why.

[00:49:57] But the first bullet point there, we added three words at the end, especially school zones. And that came as a result of a lengthy, very detailed letter we received from the Mantua Civic Association about their struggles working with VDOT over there.

[00:50:17] And I thought it was a good point that we have talked about flexibility in activity centers and transit station areas. But school zones, as we've done with the enforcement cameras, are another area where flexibility can make folks safer.

[00:50:33] So we added three little words there, and we'll emphasize that in the General Assembly. I just want to thank you, Mr. Chairman. I'll let them know how effective this kind of advocacy is. Yeah, it was well done. It was hard to argue with the points that they made. I guess VDOT manages to argue with the points they've made.

[00:50:49] Okay. Any other thoughts or questions on the General Assembly program? If not, we'll jump into the consideration item. And this issue is not new, although there is maybe a relatively new approach to addressing it. It's become kind of a passion project of mine.

[00:51:14] I will note one thing that I don't think is included here. We talk about other jurisdictions that have installed these noise monitoring devices. One of them is in our region in Montgomery County, which is kind of how it got on my radar.

[00:51:31] But I'm going to turn it over to. I think Noelle is going to lead us through that. But I did just want to point out that on page four, at the top of that page where we. It does say Montgomery County. Yes. Okay. All right. Got it. Got it. Noelle. Mr. Chairman, I'm not sure if I'm going to go through all of the history here.

[00:51:49] I think the board has talked about exhaust issues throughout the past couple of years. But essentially, we all know roadway safety is important. And one aspect of roadway safety that has gotten a lot of attention recently is loud mufflers.

[00:52:06] In 2020, the GA adopted a bill that, amongst other things, changed the legislation from a primary to a secondary offense, the component of the state code that required an exhaust system to be in good working order.

[00:52:23] And we seem to get a proliferation of loud muffler issues following the enactment of that bill. In response to those concerns in 2022, the General Assembly did return the violations for aftermarket mufflers to primary offenses, and it also authorized localities to regulate aftermarket mufflers.

[00:52:43] But I think the situation persists, so there have been other efforts made to address the situation. None of them that I can recall have been successful. In 2023, there were several bills that would have allowed local governing bodies to regulate noise vehicles operating on highways or in public right-of-way.

[00:53:02] There were bills that would have prohibited the sale or offering of mechanical electronic devices that created noises similar to loud mufflers. There was a bill that was actually changed into a work group to look into this issue, but that bill also failed.

[00:53:19] Same thing in 2024. There was a measure that would have created a new process that would have instead installed an administrative fee instead of a fine, but that bill also failed. While that is happening, there have been new technologies that have been brought to the forefront to address this issue, specifically, you know, acoustic devices that use microphones to detect loud sustained vehicle noise that would exceed a certain decibel level.

[00:53:52] These are placed adjacent to the roadway and are activated when the microphone picks up a sound from the vehicle exceeding the noise limit. Some of the jurisdictions have installed include, and they're pilots, so in several places. For example, Miami Beach, I installed one or two.

[00:54:08] Montgomery County, Maryland, as we mentioned. Knoxville, Tennessee, New York City, London. So they're not everywhere, but they are in certain places looking into this. Just some data. Knoxville's program showed that between February and April of 2022, 486 excessive noise events were captured by these devices, the majority occurring between 7 p.m. and 3 a.m. In New York City, between March 22 and October 2023, over 300 violations were issued. Knoxville's program didn't include data of the types of vehicles, but New York City's did, and they found that most of theirs were from large trucks and motorcycles. As mentioned earlier, current code requires exhaust

[00:54:47] systems to be in good working order. It also permits law enforcement officers to use equipment approved by the Virginia Division of Purchases and Supply to determine the decibel level of any sound. The statutes, however, do not provide authority for localities in Virginia to deploy these acoustic devices without state authority. Because the technology is new and has not yet been implemented, a small local pilot program might be a way that could provide information and may be beneficial to revealing the challenges and the enforcement, the good and the bad for this type of enforcement and to address traffic safety and quality of life. So the recommendation is to

[00:55:24] initiate legislation to amend the Virginia Code to allow Fairfax County to implement a small pilot program that utilizes acoustic devices to address vehicle exhaust noise infractions. Okay, thank you. You know, I'll just say from my perspective, this is a real quality of life issue, and I probably had the same experience as everyone else here. In 2021 and 2022, we got a lot of complaints from community members about these loud exhausts. Those complaints have gone down.

[00:55:56] I don't think it's because the problem has been solved. I think it's because people just got frustrated and gave up, which is the worst situation from my perspective, that people have complained to their government, no action has been taken, and they've now given up and lost faith and confidence in our collective ability to address this issue. It's important to note, Existing code says that modified exhausts that are over a decibel level, I forget the number, are illegal in the Commonwealth of Virginia, right?

[00:56:29] I mean, these are illegal today. The question is, how can we enforce it? And the General Assembly's perspective has been, I guess, our police officers should A, be standing on every street corner with decibel readers, or B, on the side of the road, looking underneath people's vehicles to determine whether they've been illegally modified.

[00:56:52] I don't think that's an approach that's going to work anywhere, certainly not going to work here. So we have to figure out a better way. And I think a pilot program with a handful of these devices around the county would be a good test to see whether we can have a positive impact.

[00:57:13] One thing that I would suggest that we include is that the pilot program allow us to move the devices because if you have, pick a number, three devices across the county and they're in three locations over the course of three to six months, I think folks are going to learn that there's three places in the county where I just need to avoid.

[00:57:42] So I think we would want to have the ability to move them, which I suspect is what other jurisdictions are doing as well. But let me open it up for any other thoughts, Mr. Chairman. Yeah, thank you for that explanation. I strongly support this. I would just, you know, point out that, as you pointed out, in the past General Assembly sessions, I mean, to me, the right way to do this is for the state to do this during their state inspection process, when people get their vehicles inspected.

[00:58:09] And it's painful to me that that simple thing can't be done to help with this. But on the issue of moving, the one word that did jump out at me, and I know this isn't the bill, but we're asking to implement a small pilot program. I don't know what that means, and I think we do have to be careful here that we're not, if we only get one of these and we can't move it, that we're not targeting one specific area of the county because this is a countywide problem in a very diverse county.

[00:58:38] So I do think we need to be looking at the flexibility of the pilot. Any pilot that is successful, if we're going to actually get good data out of this, has to be something that we can replicate all over a very diverse county like this and not just on one street.

[00:58:55] And so I just want to put that cautionary note out there. But I think this is great. It's sad we have to go this route because there's a lot of other ways the state could fix this. But the answer of, you know, to our constituents is the state won't do anything is frustrating.

[00:59:12] And so if the state won't do anything, they've got to allow us then to step in and try to do something to deal with this. And that's what this attempts to do. And I think it's an unfortunate reality that we're in, but we've got to try something. So thank you. Supervisor Alcorn.

[00:59:29] Thank you, Mr. Chairman. Yeah, I definitely support moving forward anything we can do on this topic. And I guess I did want to just get a little bit more information on the state's – you know, I had been thinking, And I think based on discussions we've had at the board about the air emissions process is a time to check it.

[00:59:48] But in addition, the safety inspections that are done on vehicles and required every year, you know, I'm looking at the state manual for what's involved in those safety inspections.

[01:00:05] And on page 102, it says explicitly, inspection of exhaust system does not concern noise level. They have explicitly carved out any consideration of noise. And I guess I would argue that it's not just a quality of life issue, but I would argue that what we're now seeing is a safety issue on a couple of levels.

[01:00:32] First of all, I think, you know, the safety for people's hearing, you know, that are close by, particularly, you know, any younger, any of our children that might be, you know, standing on a sidewalk as one of these goes past.

[01:00:51] To me, that is a safety issue, as well as the noise disruption in traffic. Emergency vehicles. You can't hear emergency vehicles. I mean, there are, I think, a number of good arguments to say that we've gotten to the point.

[01:01:09] And I guess my question is, why isn't the state? Well, let me answer that question very explicitly. So Ms. Dominguez and I were in the subcommittee meeting a couple years ago when Delegate Bulova's bill was heard, and he and we made a number of those arguments.

[01:01:28] One reason is a number of the folks who are members of that committee operate service stations and inspection stations, and they were very explicit that they didn't want to take on any additional items on their checklist, right? So there is that element of it.

[01:01:48] You mentioned the emissions inspection. It's a really good point. Most emissions inspections now in northern Virginia are automated. Yes. So the Commonwealth of Virginia is using a very similar machine that measures the emissions of the vehicle. It looks almost exactly the same as the machines that measure the noise that a vehicle emitted.

[01:02:08] All we're asking for is let us use some of those machines. We're not even asking them to pay for it, although that would be logical because I don't expect that would happen. Just give us the opportunity to try this approach. You know, I would love to go back down and make the safety inspection argument.

[01:02:28] We're on very high moral ground there, I feel. I don't think there's a path to success, unfortunately, with that argument. Okay. Thank you for that explanation. And I guess my only other comment is, as we're looking at implementing technology that does measure noise levels, I'm all for it.

[01:02:50] I think that's an area where not just with vehicle noise, but with other – I think we're on the verge of being able to see new technologies used in implementing our noise ordinance as well, potentially, as, you know, sometimes the technology exists in our own pockets, you know, as that has advanced.

[01:03:12] So I think this is a great place to move forward with technology in that way. So thank you. Supervisor Project? No, I just want to thank you and support this approach. Clearly, it's going to have to be iterative. Thank you for the efforts you've made. I think you did great work in getting us support and pushing along some other difficult issues with VDOT and with safety there.

[01:03:36] So I'm hopeful for this and agree with Supervisor Alcorn. I get a warning every time my daughter screams in my ear that I've heard some loud noise. So, yes, I think there's a lot of technology. But I think the pilot seems like the right way.

[01:03:52] Okay. All right. Ms. Arco, there is nothing else? There's nothing else on our agenda. Yes. We will adopt a legislative program at our board meeting next week, December 3rd. And our work session with the delegation is Tuesday, December 10th, with refreshments at 3 in the work session here.

[01:04:14] It'll be at 9 and 10, right? 9 and 10 at 3.30. Thank you, everyone. Thank you.



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