



FAIRFAX COUNTY
2023 LEGISLATIVE PROGRAM [DRAFT]
OCTOBER 18, 2022

2023 Fairfax County Legislative Program [DRAFT]

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Fact Sheets **To be added at a future Legislative Committee meeting**

(Note: New language is **highlighted**.)

Introduction

“Protecting and enriching our quality of life for people, neighborhoods, and diverse communities.”

Fairfax County’s Strategic Plan was adopted by the Board of Supervisors on October 5, 2021, and includes Ten Community Outcome Areas, which ensure a focus on the priorities of our community, including:

- Cultural and Recreational Opportunities
- Economic Opportunity
- Effective and Efficient Government
- Empowerment and Support for Residents Facing Vulnerability
- Environment
- Health
- Housing and Neighborhood Livability
- Lifelong Education and Learning
- Mobility and Transportation
- Safety and Security

To address the racial and social inequities that remain in our community, Fairfax County has embraced a vision of One Fairfax: a declaration that all residents deserve an equitable opportunity to succeed, regardless of their race, color, sex, nationality, sexual orientation, religion, disability, income or where they live. As the Countywide Strategic Plan is implemented, we will focus on transforming islands of disadvantage – areas where residents face economic, educational, health, housing, and other challenges – into communities of opportunity.

Because Virginia is a Dillon Rule state, local governments are restricted in their authority and may only engage in those activities that are explicitly sanctioned by the General Assembly (GA). Fairfax County’s Legislative Program is key to ensuring that the County has the authority and funding needed to implement the vision outlined in our Strategic Plan.

The Legislative Program is organized into four sections: Overarching Priorities, Initiatives/Budget Priorities, Position Statements, and Fact Sheets.

Overarching Priorities outline the key perennial challenges in the relationship between the Commonwealth and the County: persistent underfunding of core services and lack of local authority. These perennial challenges affect every aspect of governance in Fairfax County.

Initiatives/Budget Priorities include specific and targeted legislative and budget priorities that the County intends to focus on in the upcoming session. On these items, County legislative staff will work closely and proactively with the GA delegation in advance of the session.

Position Statements include the County’s current positions on key issues that are likely to be before the GA in the upcoming session. They reflect input from County agencies, Boards, Authorities, and Commissions, and members of the community.

Fact Sheets are produced as needed to provide the GA with up-to-date information on key issues before the GA.

In addition to the Legislative Program, the Board of Supervisors meets weekly during the GA session to review specific legislation and consider positions on legislation with an impact on the County.

Overarching Priorities

Funding Core Services

1) K-12 Funding – Joint Position with the Fairfax County School Board

Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully and appropriately meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow the gap between state funding and the actual costs of providing a high-quality education, particularly in high cost-of-living jurisdictions like Fairfax County, to expand.

The Boards support:

- Continued efforts to address state funding formula imbalances and inadequacies, including addressing required local match provisions, particularly in high cost-of-living jurisdictions.
- Eliminating the support positions ratio cap, which has artificially lowered the state’s funding contributions for critical educational support positions by hundreds of millions of dollars annually since its adoption in 2009.
- Fully restoring funding for a Cost of Competing Adjustment (COCA) for support personnel, a factor used in the state K-12 funding formula recognizing the competitive salaries required in high cost-of-living regions to attract and retain high-quality personnel.
- Increasing state funding support for school divisions with high numbers or concentrations of English learners (approximately 30 percent higher costs than general education), students living in economically disadvantaged households (approximately 10 percent higher costs than general education), and students receiving special education and mental health services (approximately 100 percent higher costs than general education).
- Addressing education funding shortfalls, including those due to reduced student population counts (or Average Daily Membership), resulting from the ongoing effects of the COVID-19 pandemic.
- Realistic and appropriately funded Standards of Quality (SOQ) consistent with actual local staffing and costs and flexible enough to allow for variations in local staffing needs and capacity.
- Rejecting the use of weighted averages and other estimators designed to reduce the state’s share of public education costs when calculating average teacher salaries and other education costs.
- Recognizing cost-of-living variations throughout the Commonwealth in state funding formulas, in order to more accurately determine a locality’s true ability to pay.
- Increasing state resources for early childhood education programs, which help young children enter kindergarten prepared to succeed.

The Boards oppose:

- Budget cuts that disproportionately target or affect Northern Virginia.
- Policies which divert K-12 education funding away from local public schools and toward non-public options.
- Structural cuts or formula/policy changes which impose unfunded mandates on localities, further weakening the partnership between the state and localities. *(Updates and reaffirms previous position.)*

2) Regional Transportation Funding

The Commonwealth must fully restore the \$102 million of funding to the Northern Virginia Transportation Authority (NVTA) that was diverted to the Washington Metropolitan Area Transit Authority (WMATA) in 2018, to ensure that transportation projects continue to advance in Northern Virginia after decades of state underfunding. Approximately \$63.5 million has been restored thus far.

- **Maintain** regional and local transportation funding created by HB 2313 (2013), HB 1414/SB 890 (2020), and other legislation as originally intended. Major transportation improvements that provide benefits beyond Northern Virginia, such as WMATA state of good repair, projects related to possible relocations of federal facilities, and projects that create additional capacity across the Potomac River, should primarily be funded by the Commonwealth and the federal government.
- **Oppose future diversions** of existing Northern Virginia transportation revenues, **which** significantly disrupt regional transportation planning and long-standing regional priorities. *(Updates and reaffirms previous position.)*

3) Transportation Funding

The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs, as that funding has helped to provide necessary funding for new projects, state road maintenance (including funding for improved repaving, snow removal, mowing in the right-of-way, and stormwater management), and continued state assistance for local and regional transit systems (including the Fairfax Connector, the Virginia Railway Express, and WMATA). However, while those actions moved the Commonwealth in the right direction, the impacts of the COVID-19 pandemic have changed transportation in unexpected ways and have led to additional transportation funding challenges that need to be addressed.

- **Ensure** that Northern Virginia continue to receive its fair share of statewide revenues, as required by HB 2313, particularly in light of the various programs and allocation processes created **in recent years.**
- Provide sufficient resources **for** secondary road **maintenance.**
- **Simplify** the application and scoring processes for funding administered by the Commonwealth **by making** them simpler, more efficient, and more transparent, **while addressing** cost estimates **that change** dramatically during the state review process.
- Provide sufficient funding for programs that address multimodal mobility needs, including Revenue Sharing, which **leverages** state transportation funds by encouraging local governments to spend their own money on transportation projects, funding for **the construction and maintenance of** bicycle and pedestrian facilities, **and** a reasonable vegetation maintenance schedule that does not rely on local funding to maintain safety, including clear zone and sight distance requirements.
- Provide funding assistance for the transportation needs of major activity centers to lay the groundwork for continued economic recovery – Fairfax County contains **a number of** major activity centers (such as Tysons, Springfield, Seven Corners, Centreville, Reston, and the Richmond Highway Corridor) that generate public benefit for the County and the Commonwealth, **and** must be sustainable, transit-oriented, and walkable communities to remain successful and accommodate predicted growth.
- **Address** the capacity needs across the Potomac River, including at the American Legion Bridge and Rosslyn Tunnel, to alleviate the existing congestion and ensure the movement of people and goods throughout **the** region. The continued efforts in Virginia and Maryland to address American Legion Bridge capacity are a significant step forward.
- **Support adequate state resources for localities to invest in electric vehicles (EVs) and related infrastructure.**
- **Ensure the Commonwealth works with the County and other localities in determining which programs and projects will benefit from federal funding created through the substantial infrastructure package passed in 2021.** *(Updates and reaffirms previous position.)*

Governance

A strong state and local partnership is essential to Virginia's success and **to** the ability of both levels of government to respond to the needs of their residents. As the form of government closest to the people, local government must **have** the flexibility to serve the needs of residents, which vary **across** the Commonwealth.

4) Local Authority

Existing local government authority should be preserved, particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare. Further, local authority should be enhanced to provide localities **additional** flexibility in the administration of local government. Finally, local government representatives should be included on all commissions or bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

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

Taxation

- The local tax structure, which has become outdated and over-reliant on property taxes, must be modernized **so that** revenues can be diversified.
- State and local taxes **should be updated** to reflect changes in the economy or technology.
- New state mandates, diminution of current local taxing authority, **and** restrictions on local revenues **should be avoided**, while current requirements should be fully funded.

Land Use

- Local land use authority must be preserved, **and** the GA must avoid one size fits all mandates that eliminate **or reduce** local flexibility.
- Communities should be empowered to act through their locally elected governments to ensure orderly and balanced growth and development, allowing direct public participation in this critical process.
- Further restrictions on, and additional procedural hurdles for, local use of eminent domain are unnecessary and increase the cost to **local taxpayers**. Fairfax County continues to be extremely judicious in its selective use of eminent domain.

Local Flexibility

- The state should provide localities with increased flexibility to explore initiatives that promote clean air, energy efficiency, conservation, new investment in green construction, tree preservation, reduced waste, recycling management, and other critical measures that could spur the development of innovative approaches that address the impact of global climate change on health and the environment and increase sustainability throughout the Commonwealth.
- The state should adopt the International Green Construction Code (IgCC), and adopt the International Energy Conservation Code (IECC) and energy provisions of the International Residential Code (IRC) without weakening amendments.
- Localities **should be granted additional** authority to increase their own minimum tree canopy, tree coverage percentages, and overall tree preservation during the zoning and development process, to assist in achieving environmental goals, increasing flood resiliency, and **meeting** water quality permit requirements.
- The state should empower localities to solve their own problems, providing increased authority for services that have no compelling priority or impact for the Commonwealth, eliminating the need to seek permission for ministerial matters each year.

- Requiring that all bills with a local fiscal impact be filed by the first day of the GA session would allow localities the maximum time possible to highlight potential impacts as new legislation is considered. *(Updates and reaffirms previous position.)*

Initiatives/Budget Priorities

Budget Priorities

The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by adequate state funding to successfully provide those services, and reciprocal accountability for successes and failures, ensuring both the state and localities accept responsibility commensurate with their respective roles.

Recently, state revenues have been described as being in “surplus.” However, until the state has fully met its funding commitment to core services, including shared state and local services, there cannot really be a state surplus, because all of the Commonwealth’s bills have not yet been paid. In addition to increasing funding for the County priorities of K-12 and transportation, the 2023 GA should:

- Fully eliminate the funding cap on K-12 support positions – the 2022 GA made some progress on this issue by removing approximately one-third of the state cap on funding for support positions implemented in FY 2010 (prior to FY 2023, the cap cost FCPS approximately \$36 million annually, and approximately \$10.2 million of those revenues will be restored). Though this is an important step, the state must fully eliminate the support position cap (*see also page 2*).
- Fully restore Cost of Competing Adjustment (COCA) funding for K-12 support positions in the 2022-2024 biennium budget (*see also page 2*).
- Fully restore regional transportation revenues that were diverted to fund WMATA’s state of good repair and critical capital needs (*see also page 3*).
- Fully restore HB 599 law enforcement funding – this funding, which is provided to localities with police departments, is crucial in meeting public safety needs. The distribution formula in the Code of Virginia has been superseded by the GA in recent years, and if state funding had consistently increased with state revenues, as is required, Fairfax County would have received approximately \$95.3 million in additional funding over the past 13 years.
- Provide sufficient funding for the salaries of court personnel, including clerks, Commonwealth’s Attorneys, public defenders, district court employees, and probation office employees – Fairfax County provides over \$98 million for additional personnel and salary supplements for state positions. State funding formulas often fail to account for the needs of large localities in particular. (*see also page 9*).
- Support state funding and actions (including enhancing and creating more state-funded housing tax credits and rental assistance programs) to increase the availability of affordable, accessible and integrated housing options, particularly in high cost-of-living areas like Northern Virginia, and to mitigate evictions resulting from the economic impacts of the COVID-19 pandemic. (*see also pages 11-12*).
- Support full, uninterrupted funding for implementation of STEP-VA (System Transformation, Excellence and Performance in Virginia), the Commonwealth’s behavioral health transformation plan (*see also Human Services Issue Paper*).
- Support increased state resources for early childhood education programs, including the Virginia Preschool Initiative (VPI), to allow localities to expand these critical programs. Research has increasingly shown the importance of high-quality early childhood education programs to children’s cognitive and social-emotional development and their school success (*see also Human Services Issue Paper*).
- Provide additional state funding to increase Medicaid waiver rates and slots for individuals with developmental disabilities, to provide appropriate community services and ensure the Commonwealth fulfills its responsibility to implement the federal settlement agreement (*see also Human Services Issue Paper*).
- Increase state funding for car tax relief – the Personal Property Tax Relief Act (PPTRA) of 1998 only provides a state subsidy for the taxes owed on the first \$20,000 of a personal vehicle’s assessed value, and the state has capped the amount of funding it provides at \$950 million statewide. When combined

with Fairfax County's increased car assessment base over the years, the funding County taxpayers receive in relief has declined from 70 percent in FY 2007 to 57.5 percent in FY 2021 to 49.5 percent in FY 2022.

- Provide state income tax incentives and rebates for businesses and residents to transition to more efficient or alternative fuel vehicles, like EVs (including new and used options), as well as flexibility to determine rebate eligibility in high cost-of-living areas like Northern Virginia (*see also page 8*). (*Updates and reaffirms previous position.*)

Position Statements

Environment

Global Climate Change/Environmental Sustainability Initiatives

Support efforts to reduce the County's greenhouse gas emissions and operational demand for energy through efficiency, conservation, renewable energy, education, and other measures.

- **Advance legislation that expands opportunities for** net metering programs, which allow eligible customers to offset their power consumption by selling self-generated renewable power back to the energy grid.
- **Eliminate caps on** Power Purchase Agreements (PPAs), **which** can facilitate the adoption of renewable energy by reducing or eliminating the up-front costs of such projects, thus assisting in reducing greenhouse gas emissions and other forms of pollution.
- **Expand** the availability of shared solar programs by increasing or eliminating program caps and establishing customer safeguards to ensure community members can take advantage of such programs, **which** provide residents and businesses the opportunity to participate in the renewable energy market by purchasing solar-generated electricity and receiving renewable energy credits associated with their subscription to a shared solar facility.
- **Support** legislation requiring **electric** utilities to first reduce demand for electricity through energy efficiency, thereby decreasing the need for new fossil-fueled generation resources.
- **Support** state income tax incentives, **funding**, and rebates for businesses or residents **to** defray the cost of new construction, building improvements, **and** the transition to more efficient or alternative fuel vehicles, including **the purchase of** new and used **electric vehicles (EVs)**, as well as flexibility in determining rebate eligibility in high cost-of-living areas like Northern Virginia. **Also support programs, like the mileage choice program, a voluntary program for drivers of fuel-efficient and electric vehicles that allows drivers to pay the highway use fee on a per-mile basis based on actual usage, that incentivize the use of EVs while also ensuring all drivers make fair contributions to support the Commonwealth Transportation Fund.**
- Fund renewable energy grant programs and incentives to assist the development and growth of energy businesses and technologies, such as renewable distributed energy generation.
- Modernize state building codes by adopting the IgCC and the full provisions of the IECC and provide localities more flexibility to increase energy efficiency and improve resilience to climate change impacts by adopting stronger local standards and implementing energy efficiency and utilization disclosure/benchmarking.
- Incentivize and reduce barriers to the installation of EV charging infrastructure to expand EV infrastructure where practicable. *(Updates and reaffirms previous position.)*

Land Conservation

Support the conservation of open space and environmentally sensitive areas, which protects vital ecological resources and the environment, enhances natural resilience, provides health and recreational opportunities, and improves quality of life.

- **Support** state incentives that promote donations to park authorities or associated foundations **and** the preservation of **land for public use through** the Virginia Land Preservation Tax Credit.
- **Support actions** to discourage the sale of invasive species.
- **Increase** funding for the development and rehabilitation of park infrastructure.
- **Increase** education about environmentally sensitive land, including Resource Protection Areas, to property owners or purchasers, **which** can help protect water quality, mitigate climate change, support greenhouse gas reduction, prevent erosion, reduce the urban heat island effect, and perform other important biological and ecological functions. *(Updates and reaffirms previous position.)*

Funding

Courts

The Commonwealth should adequately fund Virginia’s courts, to ensure a well-functioning judicial branch, as the overall underfunding of Virginia’s court system continues to place additional burdens on localities and the judicial system.

- The state **should** provide sufficient funding for the salaries of court personnel, but for years the Commonwealth has ignored this obligation and failed to adequately fund court personnel in Fairfax County, instead relying on the County to ensure the efficient and appropriate administration of justice.
- **Continue to make** progress on reducing the deficits in the Supreme Court’s District Court Staffing Model – the County’s General District Court (GDC) no longer has a position deficit, and the JDRDC’s deficit has been reduced to two positions, **but** additional County funding will be required to supplement the salaries for those additional positions in a high cost-of-living area like Northern Virginia.
- When reevaluating the need for judgeships and state funding for each court, the GA should consider the quantity of filed cases and qualitative factors, including interpreters, increases in population and commercial development, and cost of living.
- **Adopt a new** state funding formula for Commonwealth’s Attorneys’ offices, **replacing** the current, outdated approach focused on felony indictments and sentencing events in Circuit Court, which is antithetical to the goal of increasing diversion programs and utilizing specialty dockets (such as the ones used in Fairfax courts for mental health and veterans), **that** are aimed at keeping people out of the criminal justice system or keeping them from felony sentencing consequences.
- Begin to allocate additional resources to Commonwealth’s Attorneys’ offices prosecuting misdemeanor cases. **Funding for these** Constitutional officers is primarily a state responsibility, **and localities should not be expected** to supplement critical state functions (potentially creating situations where police officers are essentially prosecuting their own misdemeanor cases).
- **Ensuring** cooperation with localities before any new **state** mandates are considered is essential – for example, the passage of legislation in 2021 to streamline the process for expungements and record sealings of some criminal records, including those for certain low-level marijuana-related offenses, is a worthy policy goal **that** the County supports. However, the logistics and costs of doing such work in a timely manner **will** impose significant costs and workload issues on localities, including IT investments and manual redaction of paper files that **could** be alleviated through appropriate consultation throughout the legislative process. *(Updates and reaffirms previous position. See also the Behavioral Health position on pages 12-13.) (The GA is conducting a study to assess the feasibility of creating a statewide system of public defender offices, potentially looking more holistically at the criminal justice system. The Commission on Youth is currently conducting a study on juvenile detention centers. Lastly, the GA is conducting a study to address the state’s outdated funding formula for Commonwealth’s Attorneys’ offices, and a final report is due November 1, 2022.)*

Economic Development and Diversification

Fairfax County is a global technology hub with a thriving, inclusive business community of innovators and leaders in a wide range of sectors, and needs a strong partnership with the Commonwealth to adapt to a changing economic landscape, stimulate high-growth sectors, and support small businesses. Support for commercializing academic research, building upon private sector technological and research investments, supporting local entrepreneurs, and cultivating local talent and connections with employers will help the County continue to be a national leader in economic development.

- Explore opportunities for innovative technologies that enable business growth across all sectors, **including** blockchain **technology**, new electronic payment methods, electronic wallets, artificial intelligence, robotics, automation, and others.

- Provide business infrastructure and funding for smart community technology, particularly mobility technology, sustainability, urban tech, and data analytics, as well as street access and design to support smart cities/communities.
- Fully fund the Commonwealth's Development Opportunity Fund and resources for the Virginia Jobs Investment Program (VJIP)'s Small Business New Jobs and Workforce Retraining initiatives.
- Advance the GO Virginia program to ensure successful alignment between application and approval processes, evaluation criteria, and program goals. Particular emphasis should be on the specific evaluation criteria for Region 7 applications and consideration of unique criteria for regions to improve program processes, simplify the application process, and lead to more impactful program outcomes.
- Support retention of existing federal facilities within the County and encourage additional federal facilities and expansions – including leveraging opportunities to augment facilities at Fort Belvoir and at the GSA Springfield facility.
- Encourage regional and state collaboration on cross-regional collaboration initiatives, such as the recently created Northern Virginia Economic Development Alliance.
- Provide early-stage firms with technical assistance and resources to scale, emphasizing business founders not traditionally receiving venture capital, including women, veterans, and people of color.
- Target state investments in broadband infrastructure, an increasingly critical utility, to ensure access to reliable, affordable, high-speed service. Even in areas well-served by broadband service, many residents have limited access due to cost.
- Support programs that connect non-traditional work candidates with work-based learning opportunities, while supporting employers engaging in innovative talent attraction and retention strategies.
- Support vibrant commercial districts and communities that provide amenities to attract workers, residents, and visitors through place-led economic development efforts.
- Support structures and policies to encourage and incentivize disadvantaged businesses to more fully participate in local procurement and business development opportunities, including by providing state-level leadership in disparity study data and analysis for local jurisdictions. *(Updates and reaffirms previous position.)*

Jails

The Commonwealth should adequately compensate localities at a level commensurate with the state's responsibility for local jail operations.

- Replace the current state model for funding jails with a model that reflects actual costs. The current formula uses a per diem rate of dollars per day – \$4 per day for local-responsible inmates and \$15 per day for state-responsible inmates – far less than the actual daily cost of housing an inmate of approximately \$386. A percentage model that adjusts for inflation would accurately reflect the state's funding responsibilities.
- The state should also provide additional funding to support behavioral health care for inmates – in FY 2022, Fairfax County provided approximately \$1.7 million to support behavioral healthcare at the Adult Detention Center, while the state provided only approximately \$134,000. *(Updates and reaffirms previous position.)*

Libraries

Support increased state aid to public libraries, which provide communities with critical services such as student homework support, research assistance, and public internet access. Also support reducing barriers to libraries acquiring eMaterials under reasonable terms and costs, as public libraries often pay prices substantially higher than what a consumer would pay for the same digital item (some publishing companies refuse outright to sell digital materials to libraries). *(Updates and reaffirms previous position.)*

Water Quality Funding

Support budget action providing adequate state appropriations to the Water Quality Improvement Fund (WQIF) in order to ensure full and timely payments under point source upgrade contracts with local governments. Also support increased funding to the Stormwater Local Assistance Fund (SLAF).

- **Provide** additional state assistance for urban stormwater needs **to meet** federal Chesapeake Bay requirements. In 2017, the Senate Finance Committee estimated these costs to be \$19.7 billion by 2025, particularly in light of the ambitious goals set forth in the Chesapeake Bay Total Maximum Daily Load (TMDL) Phase III Watershed Implementation Plan. Local governments throughout Virginia face mounting costs for water quality improvements for sewage treatment plants, urban stormwater, combined sewer overflows (CSOs), and sanitary sewer overflows (SSOs).
- As the state continues to assign increased local stream TMDLs **and** the County is required to complete **additional** water quality projects, the state must partner with localities to meet federal mandates to ensure the success of this effort. *(Updates and reaffirms previous position.)*

General Laws

Elections

Support legislation to promote equitable and efficient participation in elections, such as continuing to facilitate voting by mail, providing for extended polling hours statewide, and expanding the use of drop boxes. Adequate state funding for election administration, voting equipment, and systems modernization and security is essential to this effort. Also support efforts to provide expanded flexibility during emergencies, allowing local election officials to prevent any potential disruptions to election administration.

- Legislation intended to enhance security regarding elections must be carefully analyzed to ensure that it strikes a balance between maintaining the integrity of elections while not discouraging the exercise of the franchise.
- Support increased state investments in voting equipment, systems modernization/security, and election administration, including training for local electoral board members, registrars, and elections officials.
- Local input in the design and procurement of the new **state election** system is critical to ensuring its success. *(Updates and reaffirms previous position.)*

Paid Family and Medical Leave

Support paid family and medical leave for all employees in the Commonwealth, **which improves the health of mothers, infants, children, and adults managing health conditions while improving business productivity by boosting morale and increasing retention of skilled workers.** *(Updates and reaffirms previous position.)*

Housing

Affordable Housing

Support state funding and actions to increase the availability of affordable, **accessible and integrated housing options and prevent homelessness, including expanded investments in tools and programs to address affordable housing needs, particularly in high cost-of-living areas like Northern Virginia, and to mitigate evictions resulting from the economic impacts of the COVID-19 pandemic. **Also support retaining existing local land use authority, allowing localities to craft solutions that are appropriate for their communities, including innovative ideas and solutions that require the flexibility and agility to respond to changing conditions and circumstances as opportunities present themselves.****

Affordable housing is the underpinning of all human services programs, improving physical and mental health, reducing stress, and improving nutrition, educational outcomes, and family stability. It also provides vital benefits

to communities, from helping to attract and retain employees to reducing congestion, improving the environment, and stimulating economic growth.

- Support substantially increasing funding for the Virginia Housing Trust Fund, as well as increasing the funding cap that each development can request. This is essential to create and preserve affordable housing and reduce homelessness in Northern Virginia, where housing affordability poses substantial challenges for the economic competitiveness of the region.
- Expand resources to ensure legal assistance and aid to tenants facing eviction, including outreach and prevention services for potential beneficiaries.
- Expand the pool of resources available for down payment assistance, as down payment costs are a major barrier to homeownership for low- and moderate-income earners.
- Enhance and create **additional** state-funded housing tax credits and rental assistance programs for individuals with disabilities and people experiencing homelessness, such as the Livable Homes Tax Credit, State Rental Assistance Program (SRAP), Virginia Homeless Solutions Program (VHSP), and previously provided Housing Choice Vouchers.
- Increase funding for permanent supportive housing units for individuals with severe mental illness, substance use disorder, and developmental disabilities.
- Consider changes to state law to protect residents of mobile home parks, including more assistance with relocations, expanded notification requirements for both tenants and localities, and **longer** timelines. *(Updates and reaffirms previous position.) (Note: The Fairfax Area Disability Services Board recommended that the Board of Supervisors retain this position in the 2023 Legislative Program and Human Services Issue Paper.)*

Human Services

Behavioral Health

Support sustainable funding, allocated based on localities' needs and population size, for public safety and mental health services that connect people who come into contact with the criminal justice system for non-violent offenses to treatment. Also support sufficient state funding for intensive community resources – such as Assertive Community Treatment and Discharge Assistance Planning – and intensive residential services, to alleviate the state hospital bed crisis and allow individuals to transition safely and expediently from psychiatric hospitals to community care. Oppose any state actions which disproportionately rely on local funding for service implementation.

- Provide full funding, **commensurate with the size of the population served**, and flexibility for the Commonwealth's System Transformation, Excellence and Performance in Virginia (STEP-VA) Crisis Services and for Marcus Alert implementation. **Unfortunately**, the Commonwealth **has not** provided adequate funding to implement the newly mandated services.
- Ensure that any future mandates are fully funded by the state, include flexibility for implementation, and are coordinated with Community Services Boards (CSBs).
- Oppose the use of a local ability to pay factor in the distribution of CSB funds and funding for related behavioral health programs like Marcus Alert), which would penalize localities that make funding behavioral health programs with local dollars a priority.
- Increase the availability of community-based crisis services, **community residential capacity for early intervention to prevent hospitalization**, and local psychiatric beds for people with **behavioral health issues**.
- Remove the barriers that exist in alternative transportation and alternative custody options for individuals **in need of psychiatric hospitalization**.
- Enhance reintegration and discharge planning services for youth and adults at high risk of rapid re-hospitalization or re-offending.
- Increase funding for mental health services and substance **use** treatment for individuals incarcerated for offenses that make diversion programs unavailable to them.

- Remove barriers to the exchange of health information of individuals among law enforcement, the court system, CSBs, health care providers, and families and guardians.
- Provide Crisis Intervention Team (CIT) and Mental Health First Aid training to law enforcement personnel, dispatchers, Fire and Rescue, jail personnel, and health and human services staff to educate those interacting with individuals with developmental disabilities, substance use disorder, and mental illness.
- Provide adequate funding for forensic discharge planning and post-incarceration services to remove the barriers to community reentry. *(Updates and reaffirms previous position. See also the Courts position on page 9.)*

Substance Use Disorder

Support increased capacity to address the Commonwealth's ongoing substance use disorder epidemic through community-based treatment, including detoxification, medication-assisted, residential, and intensive outpatient programs and innovative efforts to limit the supply of opioids, particularly fentanyl which is involved in most fatal overdoses in Fairfax County and the Commonwealth. Also support coordinated strategies to meet the growing need for substance use disorder services that target specific high-risk age groups, including youth. Innovative approaches to prevention, such as expanding county cigarette taxing authority to include e-cigarettes and nicotine addiction treatment are necessary to address the vaping crisis that is affecting teens and young adults at an alarming rate. *(Updates and reaffirms previous position.)*

Land Use

Proffers

Local authority to accept cash and in-kind proffers from developers must be preserved. Such proffers assist with providing necessary capital facilities and infrastructure to serve new development and maintain local community standards, in order to maintain and improve quality of life and spur economic development.

- Land use decisions must remain at the local level, allowing localities, developers, and communities to work together collaboratively to address issues related to new development.
- The GA must avoid further restrictions on local land use authority, and proposals for replacing proffer commitments with development impact fees must be at the option of each locality. *(Updates and reaffirms previous position.)*

Wireless Telecommunications Facilities

The siting of telecommunications facilities is an important component of local land use authority. Support restoration of local land use authority to determine the appropriate location of wireless telecommunications facilities and balance the need for wireless service with the community's needs. Support restoration of independent local authority to set reasonable fees for wireless facility permits and to set fair compensation for access to rights-of-way, to the extent that those fees and compensation are permitted by federal law. *(Updates and reaffirms previous position.)*

Public Safety

Accessibility

Support the inclusion of people with disabilities throughout the Commonwealth by increasing accessibility to public places and activities, employment opportunities, housing, and transportation services, including transportation network companies, strengthening the protections offered by the Americans with Disabilities Act.

- **Ensure** continued access to affordable, accessible transit, as people with disabilities and older adults seek to return to work and other daily activities that were limited during the COVID-19 pandemic.
- **Increase** the stock of fully accessible units available to renters and buyers at all socio-economic levels, **in order to advance** housing equity for **people** with disabilities and older adults.
- **Provide** additional affordable, accessible, integrated housing and transportation options, as well as support for Universal Design initiatives, **to** facilitate opportunities for people with disabilities to remain active, contributing members of their communities while retaining their independence and proximity to family and friends, **and** preventing unnecessary institutionalization based on disability. *(Updates and reaffirms previous position.)*

Dangerous Weapons

Support legislation to address gun violence in Virginia through common sense gun safety measures that will help ensure a safe and resilient community, building on the landmark changes enacted in 2020.

- Ban assault weapons, high-capacity magazines, and armor piercing ammunition.
- **Provide** authority for localities to ban the possession of pneumatic guns on school grounds, with an exemption for school-sponsored activities. Pneumatic guns use pump action or carbon dioxide gas cartridges to fire explosives, often resemble firearms, and can cause serious injury or death.
- **Provide** support for community violence intervention programs.
- **Increase** the age limit for buying certain weapons.
- **Regulate** ghost gun parts, ensuring that they cannot be sold without serial numbers and a background check.
- **Strengthen** local authority to allow counties, cities, and towns to enact their own gun safety policies. *(Updates and reaffirms previous position.)*

Safety-Sensitive Positions

Support closing gaps in the sharing of information about the arrest and/or conviction of people in safety-sensitive positions (including school employees and childcare workers) between jurisdictions within the Commonwealth and across state lines. Also support acceleration of Virginia's implementation of the Federal Bureau of Investigation's Record of Arrest and Prosecution Back (Rap Back) service, which provides ongoing, real-time updates on arrests, convictions, or other relevant information about employees in safety-sensitive positions to help safeguard vulnerable populations and the community. Rap Back is currently expected to go live in July 2025 and should be accompanied by sufficient state funding to ensure localities and school divisions have full access to this essential service. *(New position.)*

Taxation

Local Property Tax Exemptions

Support legislation providing localities with local-option, flexible authority for enacting and implementing property tax exemptions. Also support ensuring that any expansion of property tax exemptions is a local option, as property taxes are one of Virginia localities' few significant sources of revenue, and property tax exemptions can create significant impacts on local resources, which are used to fund core services like K-12 education, public safety, human services, the environment, and infrastructure. *(Updates and reaffirms previous position.)*

Transportation

Transportation Safety and Coordination

Support legislation to improve pedestrian and bicyclist safety, and maintenance of active transportation facilities. Also support increased coordination between localities and the Commonwealth in the process for considering speed limits and street standards. Finally, support adequate maintenance of sidewalks and trails in the County.

- **Support** additional clarification of the stop for pedestrians law to allow appropriate and clear signage, which is essential to ensuring that motorists are aware of their responsibilities under the law.
- **Support legislative action reinforcing legislation passed by** the 2021 GA **allowing** localities to reduce speed limits in a residential or business district to less than 25 mph (but not less than 15 mph), **which the Virginia Department of Transportation (VDOT)** has determined does not apply to streets that are in the state highway system, **which includes almost all** roads **in Fairfax** County.
- **Improve** coordination between the County and VDOT regarding the placement of stop signs, crosswalks, high visibility crosswalks, **rapid** flashing beacons, and restriping/signage for streets where such changes are made. Additional flexibility within VDOT project approval processes and design standards to be responsive to the County's specific needs is vital.
- **Support** state action to better regulate the sale and use of **modified, loud** exhaust systems in the Commonwealth, including through the **vehicle** inspection process, **as such** systems continue to pose a safety and quality of life issue in Northern Virginia. *(Updates and reaffirms previous position.)*

Secondary Road Devolution

Oppose any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements. **Also** oppose any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance. *(Updates and reaffirms previous position.)*