



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, December 17, 2020

5:00 PM

NVTA Offices

Meeting to be conducted on WebEx and Live Streamed via YouTube

AGENDA

1. **Call to Order** Chair Randall

2. **Resolution Finding the Need to Conduct the December 17, 2020 Governance and Personnel Committee Meeting Electronically** Chair Randall
Recommended Action: Adoption of Resolution

3. **Approval of the Meeting Summary of the November 12, 2020 Meeting**
Recommended Action: Approval of Meeting Summary, with abstentions from those who were not present.

Action Item

4. **Adoption of the 2021 Legislative Program** Ms. Backmon, Executive Director
Ms. Baynard, MWC, LLC
Recommended Action: Recommend Authority adoption of the 2021 Legislative Program

Discussion/Information

5. **Preparation for the 2021 General Assembly Session (PowerPoint)** Ms. Backmon, Executive Director
Ms. Baynard, MWC, LLC

Closed Session

(If required.)

6. **Adjournment**

Next Meeting: January 14, 2021 at 5:30 PM

NVTA Offices

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY
GOVERNANCE AND PERSONNEL COMMITTEE
RESOLUTION FINDING NEED TO CONDUCT
DECEMBER 17, 2020 MEETING ELECTRONICALLY

December 17, 2020

WHEREAS, on March 12, 2020, the Governor of Virginia declared a state of emergency in Virginia in response to the spread of novel coronavirus, or COVID-19, a communicable disease of public health threat as so declared by the State Health Commissioner on February 7, 2020 (“COVID-19”); and

WHEREAS, in subsequent Executive Orders, particularly Executive Order Nos. 53 and 55, as amended, the Governor of Virginia, among other measures designed to ensure safe physical distancing between individuals, prohibited public and private in person gatherings of 10 or more individuals and ordered all individuals in Virginia to remain at their place of residence, with limited exceptions, to mitigate the impacts of COVID-19 and prevent its spread; and

WHEREAS, the Northern Virginia Transportation Authority (Authority) – Governance and Personnel Committee (Committee) finds that it has a responsibility to demonstrate to the public, through the Committee’s conduct, the importance of maintaining proper physical distance from others and to avoid gathering in public where the risks of infection are highest, and to take measures that promote physical distancing in order to protect the public health and mitigate the impacts and spread of COVID-19, including, among others, conducting meetings electronically whenever possible; and

WHEREAS, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB 29 that expressly authorize “any public body, including any state, local, [or] regional body” to “meet by electronic communication means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . . , provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities” among other provisions; and

WHEREAS, member jurisdictions of the Northern Virginia Transportation Authority have adopted continuity of government ordinances pursuant to Va. Code Ann. § 15.2-1413 which ordinances, among other provisions, contemplate regional bodies of which the locality is a member meeting electronically to transact business to assure the continuity of government; and

NOW, THEREFORE, BE IT RESOLVED, that the Northern Virginia Transportation Authority Governance and Personnel Committee hereby finds that meeting by electronic means is authorized because the nature of the declared emergency makes it both impracticable and unsafe for the Committee to assemble in a single location on December 17, 2020, to discuss and transact the business of the Committee listed on the December 17, 2020 Governance and Personnel Committee Agenda; and

BE IT FURTHER RESOLVED, that the Committee hereby finds that meeting by electronic means is authorized because the items on the December 17, 2020, Governance and Personnel Committee Meeting Agenda are statutorily required or necessary to continue operations of the Authority and the discharge of the Authority's lawful purposes, duties, and responsibilities; and

BE IT FURTHER RESOLVED, that the items on the December 17, 2020 Governance and Personnel Committee Meeting Agenda are encompassed within the continuity of operations ordinances adopted by member localities of the Northern Virginia Transportation Authority to assure the continued operation of the government during the disaster posed by the public health emergency resulting from COVID-19.

Adopted on the 17th day of December, 2020.



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, November 12, 2020

5:30 PM

NVTA Offices

Meeting Held via WebEx and Live Streamed on YouTube

SUMMARY MINUTES

- I. Call to Order** Chair Randall
- ✓ Chair Randall called the meeting to order at 5:31 PM.
 - ✓ Attendees:
 - Members: Chair Randall; Chair Wheeler, Mayor Wilson, Board Member Cristol;
 - Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Peggy Teal (Assistant Finance Officer), Dev Priya Sen (Financial Analyst); Margaret Duker (Board Clerk);
 - Other Attendees: Tracy Baynard (McGuireWoods Consulting LLC); Daniel Robinson (Council of Counsels – Fairfax County); Joanna Anderson (Council of Counsels – City of Alexandria); Rob Dickerson (Council of Counsels – Prince William County); Steve MacIsaac (Council of Counsels – Arlington County);
 - Other Attendees: Jurisdictional and agency staff attended the meeting via the Authority’s YouTube channel
- II. Resolution Finding the Need to Conduct the November 12, 2020 Governance and Personnel Committee Meeting Electronically NVTA Council of Counsels** Chair Randall
- Recommended Action: Adoption of Resolution*
- Board Member Cristol made the motion to adopt Resolution to Find the Need to Conduct Meeting by Electronic Communication Means during the Governor’s Declared State of Emergency during COVID-19 Pandemic; seconded by Mayor Wilson. Motion carried unanimously.
- III. Approval of Meeting Summary**
- ✓ Chair Wheeler moved approval of the minutes of the October 8, 2020 meeting; seconded by Mayor Wilson. Motion carried unanimously.

Discussion / Information Item

IV. Preparation for the 2021 General Assembly Session

Ms. Backmon, Executive Director

Ms. Baynard, MWC, LLC

- ✓ Chair Randall requested Ms. Baynard highlight anything from the General Assembly's upcoming 2021 Session which might be of interest.
- ✓ Ms. Baynard noted two major priorities for the 2021 General Assembly Legislative Program:
 - Protect dedicated revenue sources and powers to the Authority:
 - The Authority and member localities need stable and predictable revenue sources and powers in order to make decisions that reduce traffic congestion for residents and businesses of the region.
 - Support additional flexibility for virtual meetings for public bodies:
 - In response to the COVID-19 health and safety emergency, the General Assembly and Governor approved budget language allowing public bodies to hold meetings virtually in times of health and safety concerns to conduct ordinary business.
 - The Authority supports permanent flexibility to hold meetings electronically that are accessible to the public when health and safety concerns are present.
- ✓ Ms. Baynard noted that FOIA council will continue to discuss the need to have additional virtual meetings. She added, that there is a growing support from the regional bodies for virtual meetings.
- ✓ Board Member Cristol noted that she supports meetings to be held virtually for public bodies. She added, that the regional bodies like Virginia Railway Express (VRE), Northern Virginia Regional Commission (NVRC) and Northern Virginia Transportation Commission (NVTC) are in support for virtual meetings and circulating letters to be included in their legislative packages.
- ✓ Chair Randall noted that she supports Board Member Cristol's comments and discussed with Ms. Baynard the provision for electronic meeting and in-place meetings.
- ✓ Chair Randall and Ms. Baynard discussed protective language to be added as part of the Authority's legislative priorities.
- ✓ Chair Randall noted the challenges in developing protective language, while emphasizing the need for such language. She encouraged consultation and participation with jurisdictional legislative liaisons and the Council of Counsels to move the effort forward.
- ✓ Ms. Baynard concluded the discussion by noting that the Senate will meet in person and the House may meet virtually for the 2021 General Assembly Session. She added that it is unclear how much access will the public have.

V. Adjournment: 5:56 PM

Next Scheduled Meeting: December 17, 2020 at 5:00 PM
NVTA Offices



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

NVTA 2021 State and Federal Legislative Program

GPC Review 12-17-20

(Adopted: XXXX)

PREAMBLE:

The Northern Virginia Transportation Authority (Authority), created by an act of the Virginia General Assembly to develop and update a regional transportation plan of prioritized multimodal transportation projects and to address the mobility needs of Planning District 8, is a regional body focused on delivering real transportation solutions and value for Northern Virginia's transportation dollars. The Authority brings Northern Virginia jurisdictions and agencies together to prioritize and fund regionally significant multimodal transportation solutions. As directed via HB 599 (2012) and HB 1470 (2015), the Authority uses performance criteria to analyze project benefits relative to costs with the goal of reducing congestion and improving emergency evacuation.

The landmark HB 2313 (2013) statewide transportation funding legislation also provided new, sustained regional funding for the Authority and its member jurisdictions. Revenues from a two percent Transient Occupancy Tax, (TOT) a fifteen cents per \$100 Grantor's Tax and \$.07 Sales and Use Tax, were divided with thirty percent flowing to the individual jurisdiction members for use on transportation improvements, and the Authority retaining seventy percent to add new capacity to multimodal facilities across the region.

During the 2018 General Assembly Session, HB1539/SB 856(2018) resulted in the diversion of two of the Authority's three revenue sources. The Transit Occupancy Tax and the Grantor's Tax are now assigned to the WMATA Capital Fund. The annual impact was a loss of \$102 million in Authority revenues for regional and local use.

2021 GENERAL ASSEMBLY SESSION LEGISLATIVE PRIORITIES:

I. RESTORE LONG TERM FUNDING TO THE AUTHORITY (Revised Position)

In 2018, deliberations on how the Commonwealth of Virginia should provide \$154 million annually to address long neglected capital maintenance at the Washington Metropolitan Area Transit Authority (WMATA) resulted in the diversion of two of the Authority's three revenue sources. The 2% Transit Occupancy Tax and the \$.15/\$100 Grantor's Tax are now assigned to the

WMATA Capital Fund. The annual impact was a loss of \$102 million in Authority revenues for regional and local use. The adopted FY 2018-2023 Six Year Program, was reduced by \$275 million from initial projections resulting in partial funding for multiple projects with high scores of reducing congestion.

In recognition of the pressing transportation needs in Northern Virginia, during the 2019 General Assembly Session, the Governor and the General Assembly used the new interstate funding initiative to partially replace funds diverted from the region. The Commonwealth estimates that when fully implemented in FY 2022, the new interstate funding tools will raise just under \$20 million annually for the Authority and its member jurisdictions. However, actual receipts and March 2020 pre-COVID Commonwealth revenue estimates indicate this revenue will average \$13.6 million from FY2021 through FY2026.

In the 2020 General Assembly Session, the Authority secured an additional \$50 million in replacement dedicated revenues. Starting May 1, 2021, the Authority and the member jurisdictions, will have access to a \$.10/\$100 regional grantors tax and \$20 million annually from the state Commonwealth Transportation Fund.

An additional \$32 million in annual dedicated revenues is still needed to restore dedicated regional revenues to pre-2018 levels of funding. The Authority favors statewide revenue as the first source of funding which helps limit additional burdens on Northern Virginia taxpayers already paying for extensive multi-modal transportation projects in the region.

II. PROTECT DEDICATED REVENUE SOURCES AND POWERS OF THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (New Position)

The Northern Virginia Region has significant transportation needs requiring dedicated funding for multi-modal solutions. The Authority and its member localities use these dedicated revenues to fill in funding needs the Commonwealth is unable to meet to keep the regional economy and quality of life operating at high levels. The Authority and member localities need stable and predictable revenue sources and powers in order to make decisions that reduce traffic congestion for residents and businesses of the region. The Authority will work with the General Assembly and the administration to find an effective means of ensuring the region is not deprived of critically needed dedicated revenue to meet the multi-modal transportation needs of our community.

Any action to change the provisions of Chapter 766 (2013), Chapter 837 (2019), Chapter 846 (2019), Chapter 1230 (2020) and Chapter 1275 (2020) that reduce dedicated revenue through state taxes or fees deposited into the Northern Virginia Transportation Authority Fund shall contain a method to restore or replace revenue sources to provide for similar revenue collections as of fiscal year ending June 30, 2018.

III. SUPPORT ADDITIONAL FLEXIBILITY FOR VIRTUAL MEETINGS OF PUBLIC BODIES (NEW POSITION)

In response to the COVID-19 health and safety emergency, the General Assembly and Governor approved budget language allowing public bodies to hold meetings virtually in times of health and safety concerns to conduct ordinary business. This flexibility has enabled the Authority to approve fund

allocations that kept transportation improvements moving forward. We support permanent flexibility to hold meetings electronically during health and safety emergencies without adding new or additional requirements for public bodies. These meetings should be accessible to the public when health and safety concerns are present and should provide the public with the opportunity to comment at those meetings of the public body where public comment is customarily received. Further, we support stakeholder discussions to examine how to incorporate additional flexibility on the use of virtual meetings that enable public bodies to conduct their authorized activities in a manner accessible to the public and offering greater opportunities for citizen participation in public policy.

A. STATE LEGISLATIVE PROGRAM

I. STATE FUNDING

Allocation of Statewide Revenues: It is important that Northern Virginia continues to receive its fair share of statewide revenues, as required in HB 2313. This is especially important as various formulas and processes for transportation funding are being created and/or modified.

- a) **State of Good Repair: The Authority recommends that the Virginia Department of Transportation and the Commonwealth Transportation Board take action to ensure Northern Virginia’s primary and secondary roads are maintained at a Critical Condition Index (CCI) score of Good to Excellent.**
 - i. The Authority encourages the Commonwealth to adopt performance metrics and a funding strategy for pavement and bridge maintenance that recognizes the unique use patterns in Northern Virginia where primary and secondary roads carry significantly more traffic than similar facilities in other parts of Virginia.
- b) **Revenue Sharing: The Authority recommends that funding of the Revenue Sharing Program not be decreased below \$100 million.**
 - i. The Revenue Sharing Program, which significantly leverages state transportation funds by encouraging local governments to spend their own money on transportation projects, is important to the Authority and the region.
 - ii. This program has been a success in Northern Virginia, where our localities regularly apply for and rely on these funds to advance critical transportation projects. Given the transportation needs of the region while acknowledging that Smart Scale is extremely oversubscribed, projects funded through the Revenue Sharing Program are not only important to the localities that seek Revenue Sharing funds, but are important to the region as well.
- c) **Transit Capital Funding: The Authority supports efforts to fully address the pending state funding reduction with statewide resources to ensure that all the Commonwealth’s transit systems continue to receive appropriate state resources to provide critical transit services.** Accessible and affordable transit services are an integral component to resolving Northern Virginia’s traffic congestion challenges.
- d) **Technology Innovation Funding: The Authority supports additional state resources and initiatives that realize the full potential of technology to maximize the efficiency of the Commonwealth’s transportation infrastructure.** Technology

innovation has the potential to create new and more effective transportation services for citizens and businesses. The Authority looks forward to partnering with the Commonwealth to advance strategic uses of technology and innovation in our member jurisdictions.

- e) **Smart Scale: The Authority supports allocation of state funds via objective and transparent data analysis.** In Northern Virginia, that analysis should emphasize multimodal projects that best mitigate traffic congestion relative to project cost.

II. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)

WMATA bus and rail services continue to support job and population growth in the Commonwealth of Virginia and Northern Virginia. The Authority, in addition to WMATA's Virginia jurisdictional partners, are on track to enhance the system through significant investments, e.g. Silver Line completion, new Potomac Yard Metro station and numerous park and ride garages along I-66. WMATA, its funding partners, stakeholders and users are at a critical crossroads as we collectively try to determine the future of this important transportation infrastructure and also protect the cumulative billions of dollars already invested by local, state and federal government, by this Authority and by the private sector. Metrorail in particular is a significant driver of the Commonwealth's and Northern Virginia's economy. The transit system station locations are the focus of some \$25 billion in residential and commercial development and economic activity around rail facilities generates \$600 million a year in state tax revenues.

- a) **State of Good Repair: The Authority supports legislation and funding necessary to sustain investments in transit and keep transit systems in a state of good repair, including maintaining dedicated funding for Metro.** The Authority opposes any legislation that would shift the Commonwealth's responsibility for transit funding to localities or regions.
- b) **Safety: The Authority supports adequate funding for and oversight of WMATA as it enhances the safety and security of the system and its riders.** The Commonwealth is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system, and must work with the Federal Government to ensure that it, too, provides sufficient resources.
- c) **Sustainable Governance, Operating and Funding Reforms: The Authority supports appropriate changes in governance structures and policies, operational practices, and funding sources as identified in legislation adopted by the General Assembly in 2018, to address WMATA's current and long-term challenges.**
 - i. Extending the \$300 million annually provided by the federal government, the Commonwealth, Maryland, and the District of Columbia, as provided in Passenger Rail Investment and Improvement Act of 2008 (PRIIA) beyond 2019 is critical. This funding addresses urgent capital needs and is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system.
 - ii. WMATA Board governance reforms should recognize that those

- iii. jurisdictions that fund Metro have a role in decision-making. Capital and operating funding agreements among all Metro stakeholders is essential to ensuring sustainable funding for maintenance and enhancements.
- d) **Maximize Metrorail's Existing Infrastructure: The Authority supports continued local, regional, state and federal investment in Metro that helps accommodate additional passenger growth in Northern Virginia, which is important for the entire Commonwealth and serves federal facilities in the National Capital Region.**
 - i. While focusing on safety and state of good repair, the region must also work to address WMATA capacity needs that serve Northern Virginia residents and businesses and federal facilities. The region is projected to continue to grow over the coming decades, placing more pressure on a Metro system that is already nearing capacity.
 - ii. Improvements to the system's core capacity are needed to attract and accommodate additional riders. Capital and operating resources and efficiencies are critical to ensuring that these needs are addressed. (Reaffirms Previous Position)

III. VIRGINIA RAILWAY EXPRESS (VRE)

The Authority supports efforts to identify funding for operating and capital costs to sustain current service, as well as funding to address natural demand growth in the region.

- a) VRE currently provides approximately 20,000 rides a day. Most of those utilizing the system are transit choice riders who would otherwise be driving on Northern Virginia's already congested roadways. VRE provides the equivalent of an additional lane on the I-95/I-395 and I-66 Corridors of Statewide Significance during peak periods, with less pollution, energy consumption and accident cost from highway operation.
- b) VRE's 2040 System Plan identified capital and operating requirements needed for the system; and the associated Financial Plan found a clear need for increased funding even without any expansion of service. While some elements of the 2040 Plan have been funded through Smart Scale and the DC2RVA projects; without **state and federal** investment in building an additional crossing at Long Bridge, VRE will not be able to meet current or future demands for service.
- c) The creation of the Commuter Rail Operating and Capital (CROC) fund and annual \$15 million allocation of regional gas tax revenue by the 2018 General Assembly was a clear acknowledgement of the critical role VRE plays in the regional transportation system.

IV. LAND USE PLANNING

The Authority supports land use and zoning as fundamental local responsibilities and objects to certain land use provisions included in state law that could override the work done by our local governments and our residents, property owners, and the local business communities on land use and transportation plans.

V. SECONDARY ROAD DEVOLUTION/LOCAL MAINTENANCE PROGRAMS

The Authority opposes the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements. While there may be insufficient resources to adequately

meet the maintenance and improvement needs of secondary roads within the Commonwealth, the solution to this problem is not to simply transfer these responsibilities to local government that have neither the resources nor the expertise to fulfill them.

The Authority opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance.

The Authority opposes changes to maintenance allocation formulas detrimental to localities maintaining their own roads. Changing current formulas or requiring additional counties to maintain their roads could lead to a reduction in Urban Construction and Maintenance Funds, placing a huge extra burden on these localities. (Reaffirms previous position)

VI. MAXIMIZING USE OF FACILITIES AND OPERATIONS

A vital component of our transportation network is transportation demand management, such as high occupancy vehicle use, teleworking, safe pedestrian and bicyclist movement; and user-friendly access to transit. The Authority supports these efforts to help mitigate roadway congestion and provide benefits to employers and employees. (Reaffirms Previous Position)

FEDERAL LEGISLATIVE PROGRAM

Provide additional Federal COVID-19 Funding Support For Transit.

Northern Virginia's transit agencies and the Washington Metropolitan Washington Transit Agency (WMATA) continue to provide essential services serving our region and the federal government. Earlier federal COVID-19 relief enabled these systems to operate safely and serve first responders, healthcare workers and essential employees across the National Capital Region. Now WMATA and these agencies need additional funding to avoid staff layoffs and service reductions that would cripple our region's ability to quickly recover from the economic downturn. The Federal agency workforce depends on WMATA service to serve the nation and further federal aid is paramount.

I. SURFACE TRANSPORTATION PROGRAM REAUTHORIZATION:

The level of Federal investment in the nation's transportation infrastructure, including both maintenance of the existing system and expansion, must increase significantly

USDOT must coordinate with regional agencies, including the Northern Virginia Transportation Authority and the Transportation Planning Board, and local governments as it works to rules to establish performance measures and standards for numerous programs;

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) are essential to the region. These two programs are presently overextended and additional funding for both is crucial to address needs throughout the Country.

To recognize the uniqueness of metropolitan areas, greater decision-making authority for determining how transportation funding is spent should be given to local governments and regional agencies, such as the Northern Virginia Transportation Authority; and

Safety and security must continue to be an important focus of transportation projects.

(Reaffirms previous position)

II. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FUNDING:

a) **Reauthorizing the Passenger Rail Investment and Improvement Act of 2008 (PRIIA) Funding and Safety:** The Authority supports WMATA's efforts to **enhance the safety and security of the system and its riders, through adequate funding and oversight.**

- i. The federal government is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system. The Authority calls for the federal government to provide at least \$200 million annually to address urgent capital needs of the region's critical transit backbone.
- ii. The Authority calls on the Commonwealth, Maryland and the District of Columbia to continue matching PRIIA funds up to a total of \$150 million as proposed in legislation before the U.S. Congress.
- iii. This authorization, which must continue to be accompanied by annual appropriations, is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of

good repair issues throughout its system. (Reaffirms Previous Position)

- b) **Maximize Metrorail's Existing Infrastructure: The Authority supports continued local, regional, state and federal investment in Metro that helps accommodate additional passenger growth in Northern Virginia, which is important for the entire Commonwealth and serves federal facilities in the National Capital Region.**
 - i. While focusing on safety and state of good repair, the region must also work

to address WMATA capacity needs that serve Northern Virginia residents and businesses and federal facilities. The region is projected to continue to grow over the coming decades, placing more pressure on a Metro system that is already nearing capacity.

- ii. Improvements to the system's core capacity are needed to attract and accommodate additional riders. Capital and operating resources and efficiencies are critical to ensuring that these needs are addressed. (Reaffirms Previous Position)

III. VIRGINIA RAILWAY EXPRESS (VRE):

The Authority supports efforts to identify funding for operating and capital costs to sustain current service, as well as funding to address natural demand growth in the region.

- a) VRE currently provides approximately 20,000 rides a day. Most of those utilizing the system are transit choice riders who would otherwise be driving on Northern Virginia's already congested roadways. VRE provides the equivalent of an additional lane on the I- 95/I-395 and I-66 Corridors of Statewide Significance during peak periods with less pollution, energy consumption and accident cost from highway operation.
- b) VRE's 2040 System Plan identified capital and operating requirements needed for the system; and the associated Financial Plan found a clear need for increased funding even without any expansion of service. While some elements of the 2040 Plan have been funded through Smart Scale and the DC2RVA projects; without **state** and **federal** investment in building an additional crossing at Long Bridge, VRE will not be able to meet future demands for increased service.

IV. FEDERAL GOVERNMENT RELOCATION AND CONSOLIDATION:

The Authority supports greater coordination and sufficient funding to address the planning and transportation issues associated with any future Base Realignment and Closure Commission recommendations or other federal Government Relocations and Consolidations. (Reaffirms previous position)

V. FUNDING FOR TRANSPORTATION EMERGENCY PREPAREDNESS:

The Authority calls upon Congress to provide increased emergency preparedness and security funding to local and regional transportation agencies in the metropolitan Washington area. (Reaffirms previous position)

VI. FUNDING FOR THE METROPOLITAN AREA TRANSPORTATION OPERATIONS COORDINATION (MATOC) PROGRAM:

The Authority calls upon Congress to provide increased funding to transportation agencies in the metropolitan Washington area to continue funding for MATOC's operations. The MATOC program is a coordinated partnership between transportation agencies in D.C., Maryland, and Virginia that aims to improve safety and mobility in the region through information sharing, planning, and coordination. (Reaffirms previous position)

VII. FLIGHT OPERATIONS AT REAGAN WASHINGTON NATIONAL AIRPORT:

The Authority supports, along with other localities and regional bodies, efforts to maintain the slot rule (limiting the takeoffs and landing) and the perimeter rule at Reagan

Washington National Airport. Increasing the number of slots and changing the perimeter rules would have substantial negative impacts on congestion, efficiency, service and the surrounding community. The region has encouraged air expansion at Dulles International Airport and Northern Virginia continues to significantly invest in transportation projects, such as the Metrorail Silver Line extension, that will provide greater accessibility to Dulles International Airport. *(Reaffirms previous position)*



Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

Northern Virginia Transportation Authority

2021 Virginia General Assembly Priorities

The Northern Virginia Transportation Authority has two priorities for the 2021 Virginia General Assembly session:

PROTECT DEDICATED REVENUE SOURCES AND POWERS OF THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

The Northern Virginia Region has significant transportation needs requiring dedicated funding for multi-modal solutions. The Authority and its member localities use these dedicated revenues to fill funding needs the Commonwealth is unable to meet and keep the regional economy and quality of life operating at high levels. The Authority and member localities need stable and predictable revenue sources and powers in order to make decisions that reduce traffic congestion for residents and businesses of the region.

Any action to divert or remove dedicated revenue sources that generate revenue through state taxes or fees deposited into the Northern Virginia Transportation Authority Fund shall contain a method to restore or replace revenue sources to provide for similar revenue collections as of fiscal year ending June 30, 2018

SUPPORT ADDITIONAL FLEXIBILITY FOR VIRTUAL MEETINGS FOR PUBLIC BODIES

Budget language that allows public bodies to hold meetings virtually has enabled the Authority to approve funding appropriations that kept transportation improvements moving forward. We support permanent flexibility to hold meetings electronically that are accessible to the public when health and safety concerns are present and examination of additional flexibility outside of states of emergencies.

Background

The Northern Virginia Transportation Authority (Authority) is a regional body focused on delivering real transportation solutions and value for Northern Virginia's transportation dollars by bringing regional jurisdictions and agencies together to prioritize projects and implement solutions.

The landmark HB 2313 (2013) statewide transportation funding legislation also provided new, sustained regional funding for the Authority and its member jurisdictions.

In 2018, deliberations on how the Commonwealth of Virginia should provide \$154 million annually to address long neglected capital maintenance at the Washington Metropolitan Area Transit Authority (WMATA) resulted in the diversion of two of the Authority's three revenue sources. The 2% Transit Occupancy Tax and the \$.15/\$100 Grantor's Tax are now assigned to the WMATA Capital Fund.

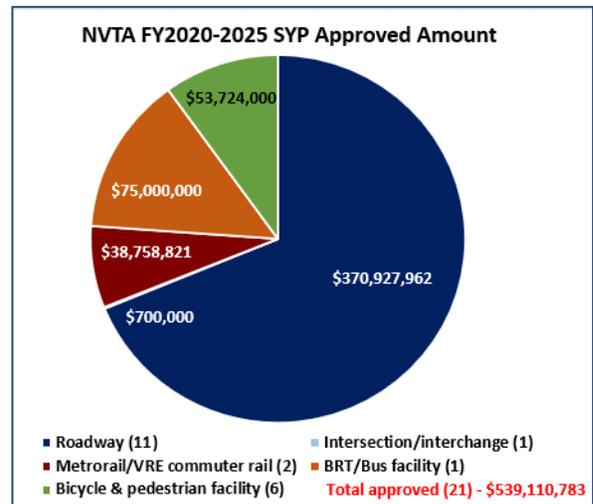
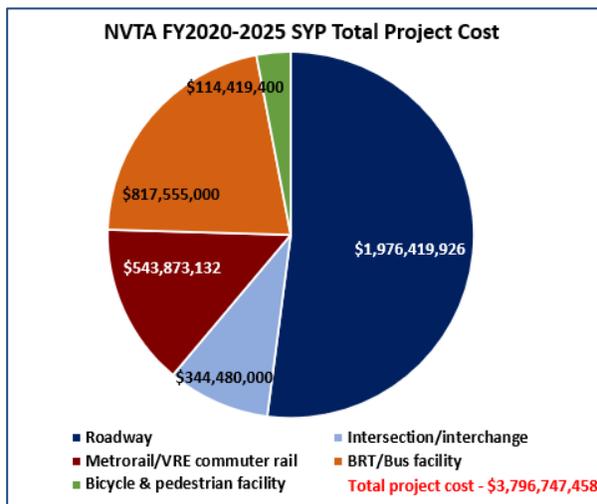
The annual impact was a loss of \$102 million in Authority revenues for regional and local use. The adopted FY2018-2023 Six Year Program was reduced by \$275 million from initial projections resulting in partial funding for multiple projects with high scores of reducing congestion.

In recognition of the pressing transportation needs in Northern Virginia, in 2019 and 2020, the Governor and the General Assembly adopted new revenue sources to partially replace funds diverted from the region. When fully implemented in FY2022, the new interstate funding tools gained in 2019 will raise just under \$20 million per year for the Authority and its member jurisdictions. When fully implemented in 2021, the additional \$50 million will bring the Authority within \$32 million of revenue lost.

To restore the region’s dedicated funding to pre-2018 levels, the Authority favors statewide revenue as the first source of funding which helps limit additional burdens on Northern Virginia taxpayers already paying for extensive multi-modal transportation projects in the region.

Six Year Program Update Adopted, July 9, 2020 FY2020-FY2025

- Authority’s 5th funding program – most competitive to date
- \$1.44 billion in regional revenue funds was requested by 13 Northern Virginia jurisdictions and agencies for 41 multimodal transportation projects
- \$539 million in Authority regional revenues programmed on 21 multimodal transportation projects
- To date, the Authority is advancing a total of 106 regional multimodal transportation projects, totaling \$2.5 billion, for congestion reduction throughout the region



Introducing NOVA Gateway

The new [NoVA Gateway](#) dashboard offers current information and the status of ongoing and completed projects that use NVTA’s regional revenues. The tool allows you to search by NVTA-funded project, location, transportation, and more...all in real-time.



***2021 General Assembly Session
Briefing for NVRTA Governance and
Personnel Committee***

December 17, 2020



Presented by:
Tracy Baynard
McGuireWoods Consulting, LLC



Schedule Highlights for the 2021 General Assembly Session



- **December 16, 2020**

- Governor presents revenue reforecasts and any additional budget amendments for FY 21-22

- **January 13, 2021**

- General Assembly convenes – 30 to 45 day session
 - Senate has set a 12 bill limit
 - Speaker of the House has set a 7 bill limit
 - House likely will take 5 days to approve a procedural resolution
 - Does resolution allow for a 45 day “short session”?

- **February 27, 2021**

- General Assembly adjourns if a 45 day session



What's Next – the 2021 Regular Session



- **FY2021-2022 Budget Revenue Reforecast and Amendments**
 - What are priorities for new available funds? One time requests will get priority.
- **COVID-19 will continue to dominate matters**
 - Revenue impact for state and local governments
 - Assistance needed for individuals and companies
 - Healthcare response – vaccination distribution
 - Distribution of any additional Federal relief funds
- **Economic Recovery**
 - Reluctance to increase taxes
 - Government assistance to keep people working
 - Replenish the unemployment fund





What's Next – the 2021 Regular Session (cont.)



- **Criminal Justice Reforms**

- Marijuana legalization
- Fine tune matters from special session

- **Racial and Economic Equality Initiatives**

- **2021: Election year for the House of Delegates and statewide offices**

- Several legislative members are running for statewide office





2021 Focus Areas for the Authority



- **Protect dedicated revenues, including replacements achieved in 2019 and 2020**
 - State of the economy could make delaying Transient Occupancy Tax (TOT) increase more attractive; thereby, delaying full implementation of 2020 revenue gains. Also makes approval of additional tax increases less feasible
 - Determine if 2019 approved Interstate Highway Operations and Enhancement Fund revenue sources have stabilized and become predictable within context of pandemic – this will determine our ultimate goal for revenue replacement
 - Require any proposed change to Authority revenue sources include a repayment plan to restore lost funding
 - **Example language:**

Any change to the provisions of Chapter 766 (2013), Chapter 837 (2019), Chapter 846 (2019), Chapter 1230 (2020) and Chapter 1275 (2020) that generate additional dedicated revenue through state taxes or fees deposited into the Northern Virginia Transportation Authority Fund shall contain a method to restore or replace revenue sources to provide for similar revenue collections as of fiscal year ending June 30, 2018.



2021 Focus Areas for the Authority (cont.)

- **Protect Authority's ability to meet its mission**
 - Conflicts on projects is prompting attack on the Authority's powers and constitutionality
 - Citizen outreach to state legislators complaining about actions the Authority has taken to fund projects
- **Support efforts to provide permanent flexibility to hold virtual business meetings in time of health and safety concerns**
- **Support quick and equitable distribution of any federal relief funds for transportation to transit operators**