



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

Thursday, June 8, 2017
7:00pm
3040 Williams Drive, Suite 200
Fairfax, VA 22031

MEETING MINUTES

I. Call to Order Chairman Nohe

- Chairman Nohe called the meeting to order at 7:27pm.

II. Roll Call Ms. Speer, Clerk

- Voting Members: Chairman Nohe; Chairman Bulova (arrived 7:37pm); Chair Randall (departed 9:11pm); Mayor Silberberg; Chair Fissette; Council Member Lovejoy; Mayor Meyer; Council Member Snyder; Mayor Rishell; Delegate Hugo; Delegate Minchew; Ms. Hynes; Mr. Kolb.
- Non-Voting Members: Mayor Burk (departed 9:11pm); Mr. Horsley.
- Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Keith Jasper (Principal, Transportation Planning and Programming); Sree Nampoothiri (Transportation Planner); Harun Rashid (Transportation Planner); Carl Hampton (Investment & Debt Manager); Sarah Camille Hipp (Communications & Public Affairs Manager); Camela Speer (Clerk); various jurisdictional staff.
- Chairman Nohe moved item III later in the agenda, as Chairman Bulova was not present yet.

Presentation

IV. Updating the Region's Long-Range Transportation Plan Ms. Backmon, Executive Director

- Ms. Backmon briefed the Authority on the update of the region's long-range transportation plan, TransAction. She stated that the Authority is legislatively required to prepare the long-range regional transportation plan for Northern Virginia. She reviewed:
 - ✓ Previous TransAction Plans.
 - ✓ A brief history of the Authority and where we are now.
 - ✓ The Authority funding programs and regional investments totaling 79 projects and \$990 million.
 - ✓ This is the first update to TransAction since the adoption of HB 2313.

- ✓ The update of TransAction has included continuous public engagement throughout the process.
- ✓ The update has a 2040 horizon and is fiscally unconstrained.
- ✓ The Draft Plan's corridors and segments include 358 projects with a total capital cost of \$44.1 billion.
- ✓ The update incorporates the required HB 599 analysis.

(Chairman Bulova arrived.)

- Ms. Backmon briefly reviewed the current TransAction process and updated the Authority on next steps. She stated the update is based on multimodal corridors and segments, adding that TransAction is not about individual projects, but about corridors and segments. Ms. Backmon stated that the Draft Plan is scheduled for adoption in October 2017, to be immediately followed by the Call for Projects for the FY2018-2023 Six Year Program. The Six Year Program will be adopted in spring 2018. There is an anticipated total of \$1.5 billion in Pay-Go Revenues for the Six Year Program.
- Chair Randall commented that the AA+ bond rating is the highest the Authority can anticipate receiving. Ms. Backmon responded affirmatively, adding that the rating agencies stated that an AA+, AA1, AA+ rating is uncommon for an entity's first time to the market and is effectively the highest rating we can get as the Authority cannot set the tax rates. She added that the rating is also based on the strength of the economic climate of the region and member localities.
- Chair Randall asked for an explanation of the constraints on the 30% Local Distribution Funds. Ms. Backmon responded that under HB 2313, the 30% funds can be used for:
 - ✓ Capital improvements that reduce congestion.
 - ✓ Urban or secondary road construction.
 - ✓ Projects that are in TransAction, or subsequent updates.
 - ✓ Public transportation purposes.
- Chair Randall asked if 30% funds can only be used for capital expenses. Ms. Backmon responded that 30% funds can be used for operations.
- Ms. Backmon introduced and thanked Mr. Jasper, NVTA TransAction Project Manager, and Mr. Malouff, TransAction Subcommittee Chair, for their work on this update. Of note, Mr. Brown is also serving as the TransAction Subcommittee Vice-Chair. She noted that much work has gone into this process by NVTA staff, as well as jurisdictional and agency staff.

Action

V. **Approval of the Release of the TransAction Plan Draft & Associated Project List for Public Comment**

Mr. Jasper, Principal Planner

- Mr. Jasper thanked the members of the TransAction Subcommittee for their work in this process.
- Mr. Jasper and Mr. Malouff briefed the Authority on the Draft TransAction Plan and Associated Project List. Mr. Jasper stated:
 - ✓ The draft project list includes over 350 candidate regional projects that have been identified and analyzed over the last several months, to address the Authority's transportation priorities for the region.
 - ✓ TransAction is not fiscally constrained and proposes more projects than can be realistically funded within the Authority's current resources.
 - ✓ Project prioritization will follow the adoption of TransAction, during the Six Year Program (FY2018-2023) development.
 - ✓ Population is forecast to increase by 24% in Northern Virginia by 2040. Employment is forecast to increase by 37% by 2040. These statistics set the backdrop for the planning horizon year of 2040. Addressing this growth through the Draft TransAction Plan is very important to ensure a good quality of life for Northern Virginian's.
- Mr. Jasper reviewed:
 - ✓ The role of the Authority in regional transportation planning and funding.
 - ✓ TransAction is updated every five years.
 - ✓ The Six Year Program will be updated every two years.
 - ✓ A very robust process, including the adopted performance measures, was used to develop the Draft TransAction Plan.
- Mr. Malouff reviewed key elements that make up the Draft TransAction Plan, including:
 - ✓ Today's transportation conditions that form the base for the plan.
 - ✓ One solution will not solve all our transportation problems.
 - ✓ TransAction is developed using a corridor concept, based on travel in Northern Virginia. This Draft Plan further refines the corridors by introducing corridor segments. Candidate projects are presented in corridor segments.
 - ✓ There are 358 candidate projects in the Draft Plan, including projects that are bottom up from the jurisdictions and top down from the NVTA and the TransAction Subcommittee. There were 600-700 projects submitted for the Draft Plan.
 - ✓ The total cost of the Draft Plan is \$44.1 billion, with approximately 50% attributed to less than 15 mega projects and \$10-\$15 billion attributed to projects that are at least partially outside of Virginia.
 - ✓ TransAction is not a funding plan, it is a visionary plan and is fiscally unconstrained.

- ✓ Maps in the Draft Plan show 2040 scenarios with and without TransAction improvements. The implementation of TransAction projects is anticipated to improve regional transportation and reduce congestion.
- ✓ The improvements proposed in the Draft Plan will, on average, save the average Northern Virginian 27 minutes per day of travel time. Additional benefits include a Person-Hours of Delay decrease of 44%, Person-Hours of Travel decrease of 24%, Person-Miles of Travel decrease of 0.4%, Transit Boardings increase of 14%, and Transit Crowding decrease of 64%.
- Chairman Nohe asked for clarification that the statement that the Draft Plan will save the average Northern Virginian more than 27 minutes each day is really the average Northern Virginian commuter. He added that the language does not need to be changed. Ms. Leven, AECOM, clarified that the modeling to estimate this statistic was done based on an average day, looking at the total time all people (children included) spend time traveling, divided by the total number of residents in Northern Virginia. Chairman Nohe acknowledged that the statistic is correct as written, and asked if it is easy to determine the amount of time savings for the average Northern Virginian commuter. Ms. Hynes suggested this statistic should read that every Northern Virginian will save an average of 27 minutes. There was agreement that this was better wording. Chairman Nohe requested that the wording of this statistic be reviewed to reflect the conversation. Mr. Malouff acknowledged that this would be reviewed for the final draft.
- Mr. Malouff continued reviewing the key elements in the Draft TransAction Plan:
 - ✓ Job accessibility will be improved through the Draft Plan.
 - ✓ Four future scenarios, or stress test scenarios, were performed to test the basis of the Draft Plan to ensure the Plan can survive changes to the base assumptions.
 - ✓ The analysis, major findings and performance ratings for each corridor segment are included in the Draft Plan. This is the first round of analysis on the candidate projects and later stages of the NVTA process will involve more in depth analysis.
- Delegate Hugo asked for clarification regarding the corridor segment chart on page 10 of the Draft Plan. Chairman Nohe clarified that this is a list of the corridors and segments, not the individual projects. Mayor Rishell suggested changing the header on the chart to read “Corridor Segment Description” for public clarification. Ms. Backmon stated that the candidate project list would be released with the Draft TransAction Plan for clarification.
- Mayor Rishell thanked NVTA staff for breaking out the costs of the extraterritorial projects in the Draft Plan.
- Delegate Hugo questioned the use of “Bi-County Parkway” in the corridor segment description, asking if the Bi-County Parkway is being considered in the Draft Plan. He noted it is not in Prince William County’s Comprehensive Plan and that the Commonwealth Transportation Board (CTB) and Secretary Layne have stated this project will not be built. He asked if the NVTA was expending effort to examine this project when it has been removed from several statewide entity lists. Ms. Backmon responded that there is legislation

(HB 1915) stating that the Authority's long range transportation plan is not constrained to a locality's comprehensive plan. The Authority is looking at projects that will help improve the transportation network. She added that reality plays into this, so even though there are extraterritorial projects in the Draft Plan, the projects will not advance until D.C. and Maryland also advance the projects and commit funding. Ms. Backmon stated, in reference to the Bi-County Parkway, that a Call for Projects will be issued as part of the Six Year Program. The localities and agencies will submit projects, per the quantitative analysis and some qualitative factors, which they believe will provide the region with the greatest level of congestion reduction. She added while the Authority does not implement projects, the fiscally unconstrained long range transportation plan, TransAction, is not beholden to locality comprehensive plans.

- Delegate Hugo asked if the Bi-County Parkway will be included in the list of candidate projects for the Draft TransAction Plan. Ms. Backmon confirmed the project is in the list. Mr. Jasper added that for the corridor segment in question, there are a total of 27 projects included in the segment. Chairman Nohe suggested there is a Corridor of Statewide Significance called the "North-South Corridor", and one of the sub-segments of this corridor is the segment labeled the "Bi-County Parkway". He added that the road, the Bi-County Parkway, is one of 27 projects in this corridor segment and is one of 500+ projects that have been evaluated in the Draft TransAction Plan.
- Chairman Bulova suggested that when reviewing the Draft TransAction Plan, the public may assume that the corridor segment labeled "Bi-County Parkway" is the roadway, not the corridor segment name for all 27 projects. She suggested an explanation or a different corridor segment name. Mr. Malouff suggested the description could be changed, but added that this will not change the candidate projects within the corridor segment. Chair Fisetette suggested changing the description to "US 50 to I-66 – North-South". Chairman Nohe stated he had no concern about changing the name of the corridor segment to distinguish the candidate roadway project from the corridor segment description. He added this is a little challenging as all corridor segments are labeled with their major roadways. Chairman Nohe acknowledged this project is very unpopular with some. He clarified that this project is part of a Corridor of Statewide Significance and is on Loudoun County's Comprehensive Plan, adding that we cannot ignore that the possible project exists. Chairman Nohe concluded that he would not want to change the description of the corridor segment if the outcome is a perception that the description was changed to hide the project. Delegate Hugo agreed with this statement. Mr. Malouff suggested keeping "Bi-County Parkway" in the description and adding "/North-South Corridor" to imply it is not just the Bi-County Parkway.
- Delegate Minchew suggested that the Corridors of Statewide Significance have names assigned by the CTB. He suggested using the name the CTB uses for this corridor of statewide significance. Chairman Nohe requested Ms. Sinner, Virginia Department of Transportation (VDOT), respond to this suggestion. Ms. Sinner stated that the North-South Corridor of Statewide Significance is much larger than the corridor segment identified in the Draft TransAction Plan.

- Delegate Hugo stated he was not requesting a change to the corridor segment name, just asking for clarification as to what candidate projects were in the corridor.
- Delegate Minchew questioned whether there is legislation requiring a locality to include a roadway that has been designated a Corridor of Statewide Significance on its comprehensive plan. Chairman Nohe responded that the legislation states that the roadway must be in the comprehensive plan, or it has to be acknowledged by the locality that the roadway exists. In this instance, Prince William County removed the alignment of the roadway from the Comprehensive Plan Map, but added language into the Plan that identifies that there is a roadway that would connect I-66 to US 50, called the Bi-County Parkway, which is in the State Plan, but does not have an alignment. Chairman Nohe added that as part of the comprehensive plan update, the County is considering possible new alignments of the roadway.
- Mr. Jasper stated that subject to Authority approval this evening, the public comment period will begin on Friday, June 9, 2017. He added that the next steps will include the adoption of TransAction and the development of the Six Year Program.
- Mr. Jasper noted that the Draft TransAction Plan identifies some interactions the Authority should take in terms of how TransAction is integrated into the development of the Six Year Program. He suggested we will continue to monitor the emerging trends to better understand and report back to the Authority anything that might undermine the basis for future investment decisions.
- Mr. Jasper concluded by outlining the Draft TransAction Plan public engagement process and events. He introduced Mr. Rashid, NVT A Transportation Planner, to present the NVT A's new interactive Project Map. Mr. Rashid demonstrated the attributes of the interactive map showing the 358 candidate TransAction projects, including project information.
- Ms. Hynes noted that some of the candidate TransAction projects are outside of Virginia. Mr. Rashid explained that those are the extraterritorial projects. Ms. Hynes suggested a note be added to these project descriptions stating that these are extraterritorial and need the cooperation of those extraterritorial entities to implement these projects. Mr. Rashid indicated that information can be added.
- Ms. Backmon stated that the 79 regional projects funded by the Authority in its FY2014-2017 Programs can also be found on the map. Mr. Rashid added that these projects have detailed project information and link to individual project descriptions and project websites, where applicable.
- Ms. Backmon added that this mapping capability is part of the FY2018 Technology Plan budget item that was advanced in order to have the mapping complete for the TransAction public engagement process.
- Ms. Hynes expressed appreciation for this new map. She added that many NVT A projects address multiple modes and requested that projects show all modes addressed by each project. Ms. Hynes stated that this gives the public a

more integrated understanding of the projects being planned and funded. She asked that this be considered for this mapping application.

- Ms. Hynes also suggested language be added to page 11 of the Draft Plan to state that the Authority will ensure that all modes addressed by every project will be captured and monitored in the future. She added that it is a very important message to the region that we are not thinking only about the car, and that every projects considers all modes and makes appropriate choices. Mr. Rashid responded that a layer can be added to the map to show all mode attributes for each project.
- Chairman Bulova stated that the interactive map is fantastic.
- Mayor Silberberg asked if Authority members would have the opportunity to review and provide input on the detailed version of the plan at the conclusion of the public comment period. Ms. Backmon responded that at the close of the public comment on July 23, 2017, NVTA staff will compile all public comments and provide analysis to the Authority at their September meeting. At that time, Authority members will have the opportunity to provide additional input to the Draft Plan, based on the public comments received. Mayor Silberberg clarified that Authority members will have the opportunity to provide input prior to the final adoption. Ms. Backmon responded affirmatively. Ms. Hynes asked what NVTA entity will do the in depth review. Ms. Backmon responded that this will go to the Planning and Programming Committee (PPC), the Technical Advisory Committee (TAC) and the Planning Coordination Advisory Committee (PCAC).
- Chairman Bulova complimented NVTA staff on the rapid revision of the Draft Plan since last week's PPC meeting. Ms. Backmon thanked NVTA staff, jurisdictional staff and the AECOM consultant team for the quick turnaround.
- Chair Fisette stated that the Draft Plan has been improved since the first draft. He noted that most of the suggested changes have been made, and it is now more useful and readable. He suggested it is a very dense document that the average person will find difficult to consume. He expressed concern that it may turn people away, but acknowledged the document is accurate and the design improvements do make it more accessible to the average person.
- Chair Fisette stated that the maps on pages 6 - 7 show the improvements to the transportation system, if all candidate projects are completed. He noted that we state on the first page of the Draft Plan that "TransAction is not bound to any budget and proposes more projects than can realistically be funded", however, we do not state that on the pages that show what the TransAction improvements can do. Chair Fisette suggested that the lack of this information does not represent reality since the NVTA cannot currently fund all the projects. He suggested reinforcing this on pages 6 – 7 by adding the statement "We can't fund everything in the Draft Plan. The cost of the 358 projects included far exceeds the available NVTA funding." Chair Fisette acknowledged this may not be the exact language, but stated that something is needed to bring some reality to the visual impression the graph creates on these pages.
- Chair Fisette asked what additional documents will be provided for the public comment period, outreach events, and Public Hearing. Ms. Backmon

responded that there will be a presentation, the Draft Plan, the project list, and display boards showing the corridor information, as well as some of the Draft Plan graphics.

- Chair Randall supported Chair Fisette’s point regarding the proposed additional verbiage on pages 6 - 7. Chairman Nohe added that while we cannot make all the improvements with the current NVTAs revenues, we could make all these improvements if additional funding sources are identified. He suggested caution in stating that making all of these improvements is impossible, adding that it is just not feasible using current NVTAs revenues. Chair Randall noted that the delta between what we can do with current funding and what we could do, if additional funding sources are identified to make all improvements, is significant. Ms. Hynes added that this delta also includes the total funding for the extraterritorial projects that will require extraterritorial partner funding to complete. She agreed that adding the additional verbiage is appropriate, but added that additional funds will likely come to Northern Virginia in the future. She cited the additional funds that have gone into the improvements on I-395 and I-66.
- Chairman Nohe acknowledged there was agreement to add this additional language and directed staff to look at how to phrase it. He added that we need to paint the right picture and not set an expectation with the public that we expect to be able to make all of these improvements with currently funding, or send a message to our other funding sources that we do not need additional funds.
- Council Member Snyder provided feedback and several suggestions.
 - ✓ He suggested that the map base color of orange on pages 6 -7 does not create the type of impression we want to provide.
 - ✓ He stated that the NVTAs has already received much public input during the TransAction update process and suggested links be added to the Draft Plan to show that public engagement and the input received. He suggested this could go in the “How to Submit Comments” section of the Draft Plan.
 - ✓ He commented that in the section that discusses population and employment growth, there is no reference to regional activity centers. He suggested we might want to add this.
 - ✓ He noted that there are no proposed costs in the project list and asked if there was a reason for this.
- Mr. Malouff responded to Council Member Snyder’s comments and suggestions.
 - ✓ He stated that changing the base color of the maps should not be a problem. Council Member Snyder acknowledged this should be a decision for the professionals who designed the maps.
 - ✓ Mr. Malouff stated that links to the comments already received during the TransAction update process can be added to the Draft Plan.
 - ✓ He also stated that a decision was made not to describe activities centers because it is complicated and took too much space to explain appropriately. He added that the population centers are represented on the map on page 5.
 - ✓ Chair Randall noted that activity centers have different meanings in different jurisdictions.

- Chairman Nohe responded to Council Member Snyder's question regarding not including cost estimates with the draft project list. He stated that this is an unconstrained plan and that the cost estimates have little meaning at this time. Chairman Nohe stated that if we include the cost estimates, we create an expectation that those numbers are real. He added that we may get to the Six Year Program and find out that these numbers are not very accurate and then our cost benefit analysis will be inaccurate. Council Member Snyder acknowledged this, but added that it would be helpful for the public to know what these proposed costs are. As presented, this provides no economic background. Council Member Snyder asked if the estimated costs are included in the interactive map. Ms. Backmon responded that they are not.
- Chairman Nohe suggested that much feedback has been provided to the NVTa staff regarding the Draft Plan. He stated that the motion for this item will likely include direction to staff to incorporate changes as appropriate, based on this discussion. He suggested not including cost estimates in the Draft Plan advertisement for public comment, but that as we get closer to the adoption of the Draft Plan, we might be able to get more analysis regarding the feasibility and reliability of the estimated costs. He added that the Plan, when adopted, will become the Plan for the next five years and these numbers will become very relevant in the context of turning the Plan into a funding program. Chairman Nohe suggested the cost estimates be included in the final Plan document. Chairman Bulova added that there are public hearings and town halls where local staff will be available to answer specific questions, or give cost estimates on certain projects. She added that the public can also submit questions to get more information. Ms. Backmon stated that as this is a 25 year plan, some of these projects will be looking for immediate funding, but others will be seeking funding in the out years. Projects in the out years are estimated based on how much we think these projects will cost, but the detailed engineering and design work have not been done to get more accurate estimates.
- Chairman Bulova moved approval of the TransAction Plan Draft and associated Project List for public comment and to incorporate changes as appropriate given the discussion and the short turnaround before public outreach begins; seconded by Mayor Rishell. Motion carried with twelve (12) yeas and one (1) nay [Delegate Hugo].

III. Minutes of the May 11, 2017 Meeting

- Chair Randall moved approval of the May 11, 2017 minutes; seconded by Chairman Bulova. Motion carried with nine (9) yeas and four (4) abstentions [with Council Member Lovejoy, Council Member Snyder, Delegate Hugo and Mr. Kolb abstaining as they were not at the May 11, 2017 meeting].

VI. Amendment of Policy 9 – Debt Policy Mayor Parrish, Chair, Finance Committee

- Mayor Rishell stated that the Amendment of Policy 9 – Debt Policy is a revision of the Working Capital Reserve and that the Finance Committee is recommending a cap of \$120 million on the reserve.
- Mr. Longhi stated that this amendment has been vetted by the NVRTA Bond Counsel, the NVRTA Financial Advisors and the NVRTA Council of Counsels. He noted that it was communicated to the rating agencies and they have indicated it will have no negative impact on the Authority's credit ratings. He summarized that without this cap in place, the Working Capital Reserve will become \$138 million over the Six Year Program timeframe. Adopting the cap has no negative impact from the credit agencies or underwriters point of view, and will add \$18 million to the Six Year Program's Pay-Go balance.
- Mayor Rishell moved approval of a \$120 million cap on the Regional Revenue Fund – Working Capital Reserve, and related policy change to be effective July 1, 2017; seconded by Chair Fisetete. Motion carried unanimously.

VII. Amendment of Policy 17 – Capital Asset Accounting

Mayor Parrish, Chair, Finance Committee

- Mayor Rishell stated the Amendment of Policy 17 – Capital Asset Accounting is necessary because the Authority has adopted an equipment replacement reserve in the operating budget for the purpose of capital asset replacement.
- Mr. Longhi reiterated that this policy change is needed because the Authority adopted an equipment replacement reserve in the Operating Budget. He added that the auditors will expect policy guidance from the Authority regarding how this reserve will be accessed. Mr. Longhi commented that since much of the Authority's assets were purchased and placed in service at the same time, they will wear out at the same time. The reserve is intended to prevent unexpected increases in the operating budget. Mr. Longhi added one important note, the Northern Virginia Regional Commission (NVRC) has allowed the NVRTA staff to use and share their GIS plotter. As the Authority will likely be the main user of the plotter, the NVRTA has agreed to capitalize the replacement of the plotter in future operating budgets. He noted that the sharing of this plotter is and will provide significant cost savings to the Authority.
- Mayor Rishell moved approval of the revisions to Policy 17 – Capital Asset Accounting; seconded by Chairman Bulova. Motion carried unanimously.

VIII. Approval of Policy 28 – Responses to Information Requests from Candidates for Political Office Ms. Hynes, Chair, Governance and Personnel Committee

- Ms. Hynes commented that Policy 28 – Responses to Information Requests from Candidates for Political Office had previously been presented to the Authority and the discussed modifications have been incorporated. She reminded the Authority that the policy is intended to provide guidance to

NVTA staff, as well as protection from the potential for numerous information requests during a busy campaign season. She added that several changes had been made, inviting Mr. Longhi to review those changes.

- Mr. Longhi reviewed the changes requested previously by the Authority.
 - ✓ Inclusion of a definition of a political candidate.
 - ✓ Direction to use email and the Authority's website for dissemination of information requested by candidates.
- Mr. Longhi stated that an additional change was made to clarify that Authority member's legal questions of the Council of Counsels are exempt from the policy in order to preserve the attorney client relationship.
- Ms. Hynes moved approval of Policy 28 – Responses to Information Requests from Candidates for Political Office; seconded by Chairman Bulova.
- Chairman Nohe clarified that questions raised by Authority members, who are also running for public office, in the context of Authority business are not considered information requests from candidates for political office and will not be published as such. Ms. Hynes responded affirmatively.
- Chair Randall asked for clarification that responses to information requests will be posted to the Authority's website and there will be no effort to call the candidate's political opponents to ensure they know the answers are on the website. Ms. Hynes affirmed this, adding that all candidates will be told that responses will be posted to the website. Chair Randall further clarified that candidates are then responsible for finding the information. Ms. Hynes responded affirmatively.
- Motion carried unanimously.

IX. Approval of Revisions to Employee Handbook

Ms. Hynes, Chair, Governance and Personnel Committee

- Ms. Hynes stated that the revisions to the Employee Handbook are largely due to the maturation of the NVTA and are mostly housekeeping issues. She noted that the Governance and Personnel Committee (GPC) had carefully reviewed the revisions and believe it has been updated to the standard necessary to conduct the current business of the Authority. Ms. Hynes stated that the GPC had recommended approval.
- Ms. Hynes moved approval of the draft revisions to the NVTA Employee Handbook; seconded by Chair Randall. Motion carried unanimously.

X. Approval to Enter into Program Management Agreement with the Virginia Department of Transportation

Ms. Backmon, Executive Director

- Ms. Backmon briefed the Authority on the request from the Virginia Department of Transportation (VDOT) to enter into a program management

agreement for the purposes of the federal grant application entitled Northern Virginia Regional Mobility Initiative. She stated this is part of the Integrated Corridor Management (ICM) system. She noted there is a 50% match required for the grant, but that no monies are being requested from the Authority. Ms. Backmon stated that if the grant is awarded, there will be a project management agreement and a Memorandum of Understanding (MOU) that will be developed under the review of the NVTA Council of Counsels.

- Council Member Snyder moved approval to enter into a Program Management Agreement with VDOT, for the purpose of supporting a grant application by VDOT to the U.S. Department of Transportation (USDOT); seconded by Ms. Hynes. Motion carried unanimously.

XI. Approval of Call for Projects for the I-66 Outside the Beltway Concessionaire Payment Ms. Backmon, Executive Director

- Ms. Backmon stated that Secretary's Layne's office requested coordination from the Authority regarding the programming of the \$500 million concessionaire payment from Express Mobility Partners to be made to the Commonwealth at financial close on the I-66 Outside the Beltway (I-66 OTB) Project. She noted that, at the Authority's May meeting, she informed the Authority that NVTA staff would work with jurisdictional and agency staff regarding the high-level criteria for project eligibility. Ms. Backmon explained that the proposed criteria include:
 - ✓ Projects recommended for consideration should be included in a document that has undergone a public process as demonstrated by inclusion in any of the following (but not limited to):
 - TransAction 2040
 - VTrans 2040
 - I-66 Corridor of Statewide Significance
 - Comprehensive Plan
 - Capital Improvement Plan
 - Constrained Long-Range Transportation Plan
 - Transportation Improvement Program
 - Region Transportation Priorities Plan; or have
 - Letter of support via formal approval by the governing body
 - ✓ Projects must be in the I-66 OTB Corridor or demonstrate a clear and compelling nexus to the I-66 OTB Corridor.
 - ✓ Projects must demonstrate the ability to start utilizing the requested funding by toll day-1.
 - ✓ Projects must demonstrate commitment of any required operation and/or maintenance funds.
 - ✓ Projects must show benefit to users within the corridor.
 - ✓ Studies are ineligible for funding consideration.
- Ms. Backmon stated that the timing for this recommendation is very short and reviewed the proposed dates for the Call for Projects and the Selection of Projects. Ms. Backmon added that the recommended projects would go to the

CTB for final approval, as it has the legal charge to approve these projects. Ms. Backmon noted that this compressed timeframe is due to the anticipation that the CTB will take action on a project list in either August or September 2017. She added that coordination had been done with jurisdictional and agency staff regarding the selection criteria and that NVRTA staff will present an evaluation process to the Authority. She added that it has been stipulated that the \$500 million should only be used in Northern Virginia, therefore the Authority should be involved in the recommendation of projects.

- Chairman Nohe stated that the evaluation of projects is important, as we anticipate there will be more than \$500 million in proposed projects for this allocation. He explained that this will be a less robust process than the HB 599 process, due to lack of resources and time. Ms. Backmon confirmed this and added that in order to meet Secretary Layne's deadline for the Commonwealth, the Authority does not have the time to do that level of evaluation.
- Mayor Rishell asked if there will be any criteria or evaluation to determine if a project qualifies for "clear and compelling nexus to the I-66 corridor". Ms. Backmon responded that the criteria currently being vetted includes:
 - ✓ Projects must show ability to reduce congestion.
 - ✓ Projects are an extension or expansion of a project currently encompassed in the I-66 OTB Project.
 - ✓ Projects have undergone some performance evaluation based level of assessment, for example the TransAction 2040 or Smart Scale process.
 - ✓ Projects that are a joint effort between two or more localities.
- Chairman Nohe stated that we do not have this process fully developed because we have not gotten clear guidance from the Secretary's Office regarding what their evaluation will be based on. He added that we need to keep this process flexible, however, the criterion regarding a "clear and compelling nexus" to the I-66 OTB project is very important to the Secretary's Office, as it is believed that this will be important to the Federal Highway Administration (FHWA). Chairman Nohe suggested that projects that help I-66 OTB function better, clearly have a compelling nexus. He added that projects outside that criterion are less clear as to how they will fair. Chairman Nohe stated the Secretary's Office is interested in projects that become part of the Transform 66 network. He noted that his impression is that the Secretary's Office would like to see a list of projects that can directly become the Secretary's recommendation to the CTB. He added that the Secretary's Office and the CTB reserve the right to recommend other projects.
- Delegate Hugo questioned whether the Authority wants to make recommendations on projects that the NVRTA does not have the resources or time to properly evaluate. Chairman Nohe responded that we will evaluate them, just not to the degree we would evaluate projects for our funding programs.
- Chairman Bulova asked for clarification that the Call for Projects is for the jurisdictions. Ms. Backmon added the Call for Projects is also for the agencies. Chairman Bulova suggested proposed projects will have undergone the jurisdiction's vetting process. She stated that it is important that when the Call for Projects is issued, jurisdictions and agencies know what the criteria

are, as best we know them, and especially that the project must be beneficial to the I-66 Corridor. Chairman Bulova added that we have been requested to provide this list.

- Delegate Hugo suggested that VDOT will also be going to the individual jurisdictions directly, not just to the Authority. Chairman Nohe clarified that Secretary Layne has asked the Authority request input for these projects and that we be the conduit. He added that this may be an attempt to keep us as a partner in the I-66 OTB project, even though our role has changed and we are no longer providing the \$300 million originally committed. He acknowledged that our role is different than previously envisioned, and less well defined, as no one was expecting this influx of cash. Chairman Nohe recognized that with the upcoming election, the current administration is working to wrap up many outstanding issues, so the Authority has been asked to do some of the work to wrap up this piece. He added that the Secretary's Office could have just picked projects to present to the CTB, but by requesting the NVTA do a Call for Projects, this provides an opportunity for all potential projects to make a case for funding.
- Delegate Minchew stated that he assumes the \$500 million is the product of a negotiation between the Commonwealth and Express Mobility Partners, so \$500 million is coming to the Commonwealth without an earmark. He suggested that the CTB has stated that since this money is related to the I-66 OTB project, there should be a Call for Projects. Delegate Minchew questioned whether the money could come to the NVTA as part of the allocation of our 70% funding programs. Chairman Nohe responded that it cannot because the code says that the CTB must allocate this money. He also stated that the CTB does not have the authority to give the money to the NVTA for allocation as a 70% funding program. Ms. Hynes added that the FHWA has to approve the CTB's recommendation by the end of calendar year 2017. Chairman Nohe stated that the FHWA wants this piece of the project closed in conjunction with their approval of the overall I-66 OTB project. Delegate Minchew questioned whether the FHWA can tell the Commonwealth how to spend the \$500 million. Chairman Nohe concluded that the FHWA has to approve the entire Transform I-66 project. Ms. Hynes added that the requirement that the \$500 million be spent in the I-66 OTB corridor is part of the FHWA regulations because this is a federal highway. Chairman Nohe stated that the FHWA has final veto on the overall Transform I-66 Project and they communicated to the Commonwealth that the \$500 million must be allocated as part of the overall project, on which the FHWA must sign off. He suggested this is the time critical element, in addition to the end of the current administration.
- Delegate Minchew further stated that the \$500 million is considered part of the I-66 OTB Project, even though it is a concessionaire's payment from the contract awardee. Chairman Nohe added that this is a concessionaire's payment that is only available due to anticipated future toll revenues.
- Chair Fisette stated that when allocating the funds for projects on the I-66 Inside the Beltway project, all projects had to benefit the toll payers. Ms. Backmon responded that this will be true for these funds as well. Chair Fisette

stated that projects that benefit the toll payers did not mean all projects had to be inside the Beltway, as toll payers come from Loudoun, Prince William, or other places. He explained that this expanded the range of localities that could generate a project because the outlying localities can also create projects to benefit the I-66 Inside the Beltway toll payers.

(Chair Randall and Mayor Burk departed.)

- Chair Fisette asked if the \$500 million will all be used for capital expenses. Ms. Backmon responded that we have been told the projects should all be capital projects. Chair Fisette asked if there is a difference between Virginia Railway Express (VRE) rolling stock and Metro rolling stock. Ms. Backmon responded that they are both capital purchases. Chair Fisette asked for clarification that both could conceivably be eligible. Ms. Backmon responded they would be eligible and could be funded if they can demonstrate that they meet the project selection criteria. Ms. Hynes added that Metro is now designing new rolling stock and that design will take a number of years. She noted that the Administration has expressed an interest in these funds must be spent by toll day-1, to benefit the commuters. She suggested that new Metro cars will not be available in time to meet this requirement. Chair Fisette suggested that this needs to be more fleshed out, as projects may be eligible, but may not meet the other criteria, such as demonstrating the ability to utilize the funds by toll day-1. He further suggested that all projects submitted need to be able to respond to these questions. Ms. Backmon responded affirmatively. Ms. Hynes stated that the point of the concessionaire payment is to address impacts and improve the function of the corridor with the money, in advance of the toll revenue. She noted the funds must be spent by 2022, so projects must be pretty ready to go.
- Mayor Rishell asked what the estimated date for toll day-1 is. Chairman Nohe responded in 2022.
- Ms. Hynes moved approval of a Call for Projects to initiate project selection which will lead to Authority recommendations for the CTB for project funding through the I-66 Outside the Beltway Concessionaire Payment; seconded by Chairman Bulova.

Delegate Minchew stated he is not able to support this action because he does not fully understand the rush to project selection or the implicit, implied legally required earmarks on this \$500 million. He added that he understands the FHWA has mandated that the funds must be spent on projects related to the I-66 corridor, but it seems like this is being rushed. He suggested that if documents are provided that show where the \$500 million concessionaire payment has to be spent and what the limitations are, he might be more comfortable. Delegate Minchew proposed as an example, that if Purcellville wanted to submit a project, it would have difficulty showing how it benefits the I-66 corridor. Chairman Nohe responded that this would be captured in the evaluation criteria.

- Motion carried with ten (10) yeas and two (2) nays [Delegates Minchew and Hugo.]

Discussion/Information

XII. Finance Committee Report Mayor Parrish, Chair

- Mayor Rishell shared the highlights of the Finance Committee Report.
 - ✓ The Committee has begun work on the funding of the Six Year Program and this will continue into the fall.
 - ✓ The Committee reviewed the first investment portfolio reports.
 - ✓ Fitch has reaffirmed the Authority credit rating as AA+ with a stable outlook.
 - ✓ The Committee will not meet in June and the next regularly scheduled meeting is July 20, 2017.

XIII. Governance and Personnel Committee Report Ms. Hynes, Chair

- Ms. Hynes stated that the next Governance and Personnel Committee meeting will be in September. She welcomed all Authority members to attend.

XIV. Planning & Programming Committee Report Chairman Nohe, Chair

- No verbal report.

XV. Planning Coordination Advisory Committee Report Supervisor Buona, Chair

- No verbal report.

XVI. Technical Advisory Committee Report Mr. Boice, Chair

- No verbal report.

XVII. Monthly Revenue Report Mr. Longhi, CFO

- No verbal report.

XVIII. Operating Budget Report Mr. Longhi, CFO

- No verbal report.

XIX. Monthly Investment Report Mr. Longhi, CFO

- No verbal report.

XX. Executive Director's Report Ms. Backmon, Executive Director

- Ms. Backmon stated that at the May Authority meeting she had been asked to contact Commissioner Kilpatrick regarding the I-66 OTB truck discussion. She noted that she had done so and that the correspondence is in her report.
- Ms. Backmon introduced Sarah Camille Hipp as the Authority's new Communications and Public Affairs Manager and Melissa Rossi as an NVTAs intern.

XXI. Chairman's Comments

- No comments.

XXII. Adjournment

- Meeting adjourned at 9:18pm.