



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

MINUTES

Thursday, November 18, 2021

7:00pm

3040 Williams Drive, Suite 200

Fairfax, VA 22031

Meeting conducted in person and Live Streamed via YouTube

1. **Call to Order** Chair Randall
 - ✓ Chair Randall called the meeting to order at 7:03pm.
2. **Roll Call** Margaret Duker, Clerk
 - ✓ Voting Members: Chair Randall; Councilmember Snyder; Supervisor Alcorn (for Chairman McKay); Chair Wheeler; Board Member Cristol; Mayor Meyer (joined 7:45pm); Mayor Rishell; Vice Mayor Sebesky (for Mayor Davis-Younger); Senator Boysko (joined 7:06pm); Delegate Roem; Delegate Watts; Ms. Hynes; Mr. Kolb (7:11pm).
 - ✓ Non-Voting Members; Mr. Lynch; Mr. Horsley (for Ms. Mitchell); Mayor Burke (left at 8:36).
 - ✓ Staff: Monica Backmon (CEO); Michael Longhi (CFO); Keith Jasper (Principal, Transportation Planning and Programming); Harun Rashid (Remotely, Regional Transportation Planner); Mackenzie Love (Remotely, Regional Transportation Planner); Erica Hawksworth (Communications and Public Affairs Manager); Margaret Duker (Board Clerk).
 - ✓ Other Attendees: Rob Dickerson (Council of Counsel – Prince William County); MinhChau Corr (Remotely, Council of Counsel, Arlington County); Daniel Robinson (Council of Counsel – Fairfax County), Tracy Baynard (McGuire Woods Consulting LLC); Martin Kenny (Remotely, The Millennial Group); Julie Coccari (Remotely, The Millennial Group).
3. **Minutes of the October 14, 2021 Meeting**

Recommended action: Approval [with abstentions from those who were not present]

 - ✓ Board Member Cristol motioned for the acceptance of the October 14, 2021, meeting minutes; seconded by Mayor Rishell. Motion passed with three abstentions from Vice Mayor Sebesky, Chair Wheeler and Supervisor Alcorn.
 - ✓ Minutes amended to note that Delegate Watts was present at the October 14, 2021, meeting.

Action Items

4. **Acceptance of FY2021 Financial Statements and Compliance Report Audit** Mayor Rishell, Chair, Finance

Recommended Action: Acceptance of the FY2021 Audit

- ✓ Mayor Rishell informed Members of the Authority about the successful completion of the FY2021 Audit, noting it was a clean audit with no problems or issues.
- ✓ As a result, the Finance Committee voted to recommend the audit results for Authority acceptance and welcomed Mr. Garber to proceed with the full update to the Authority.
- ✓ Mr. Garber (PBMares) proceeded with an overview of the audit results, noting that Mr. Farnsworth (PBMares) previously met with the Finance Committee to update Members about the results following the audit.
- ✓ He noted that NVTa received an unmodified, or clean, opinion regarding the audit of the Financial Statements, adding that there were no issues with internal controls and compliance.
- ✓ He also noted that based on the size of the Authority's investment portfolio, this area became an additional focus area specifically related to the fair market value of investments.
- ✓ This year they contracted this to an independent outside firm. The results of this review confirmed the presented market value of investments 100%.
- ✓ Mr. Garber pointed to handouts distributed to members, noting that this schedule lists all funded projects sorted by locality and shows disbursements and remaining balances.
- ✓ Mr. Longhi further added that the handouts show all reimbursements as of June 30, 2021, and has a key which explains the modes funded.
- ✓ Mr. Garber concluded that they worked well with the Finance Team and were able to conduct the audit successfully onsite.
- ✓ Mayor Rishell moved Authority acceptance of the Northern Virginia Transportation Authority Financial and Compliance Audit Reports for the fiscal year ended June 30, 2021; seconded by Chair Randall. Motion passed unanimously.

5. Acceptance of Chief Executive Officer Position and Compensation Consultant Report

Mr. Longhi, CFO

Recommended Action: Acceptance of Consultant Report

- ✓ Mr. Longhi reminded Authority Members that this is the second part of a two-part consultant engagement, with the first section, a revised position description for the Chief Executive Officer (CEO) having concluded with adoption by the Authority at the October Authority Meeting.
- ✓ He reminded Members that The Millennial Group consulted with Members of the Governance and Personnel Committee as well as other members as they worked on the position description and more in depth as they performed the compensation analysis.
- ✓ He noted that the compensation analysis addressed the objectives of the GPC and proposed a salary range, based on independent consultant analysis.

- ✓ Mr. Longhi added that the table provides additional guidance on where Members perceive the CEO aligns for compensation purposes And offered other compensation items as options.
- ✓ He noted that one of the recommendations of the independent study was to hire an Assistant to the CEO, adding that this will not be an administrative position, but one which will require the person to have a background in Transportation Planning, so as to enable Ms. Backmon to operate more regionally and further ensure a work life balance.
- ✓ Mr. Longhi noted that importantly, the study advises the Authority and Staff on how to utilize the results of this study to keep this position current over the next couple years.
- ✓ Chair Randall extended a word of appreciation to Board Member Cristol, citing that it was her idea which led to the Authority embarking on the independent consultant study.
- ✓ Chair Randall moved Authority approval of the attached draft Chief Executive Officer Position Description and Compensation Analysis report from the Millennium Group International LLC; seconded by Board Member Cristol. Motion passed unanimously.

6. Approval of Mid-Year Operating Budget Adjustments

Chair Randall, Chair, GPC
Mayor Rishell, Chair, Finance

Recommended Action: Approval of Mid-Year Budget Adjustments

- ✓ Chair Randall continued to note that there is an acute need to bolster NVTA Staff, or else, the Authority could lose valuable staff. She added that the first need is to hire a Communications and Marketing person and secondly, an assistant to the Chief Executive Officer.
- ✓ Mayor Rishell continued to update Authority Members that the Finance Committee voted to recommend these positions for Authority approval, noting that the Authority has sufficient funds for these adjustments without using reserves or transferring funds from the Regional Revenue Fund.
- ✓ Supervisor Alcorn asked if the portfolio earnings are not used for staff, where will that money go.
- ✓ Mr. Longhi responded that the earnings would go to the Regional Revenue Fund, adding that prior to 2020 Operating Budget expenses were paid for by jurisdictions.
- ✓ Ms. Hynes also asked to confirm the presented budget adjustments were for half year expenses, to which Chair Randall confirmed that yes, the adjustments represented half year expenses.
- ✓ Councilmember Snyder voiced his support noting that among other things, there is going to be a huge demand on staff to coordinate the activities of the Authority regionally so this will be expedient for the Authority.
- ✓ Supervisor Alcorn noted that he has some concerns about doing this mid-year and wished to abstain. However, Mr. Dickerson, Member of the Council of Counsel interjected, explaining that due to the locality two thirds majority

population voting requirement, the motion may not pass with Fairfax County's abstention.

- ✓ Following a brief discussion, Supervisor Alcorn opted to change his abstention to an aye vote for the motion.
- ✓ Council Member Snyder moved Authority approval of the proposed FY2022 Operating Budget Adjustments as presented in the staff report; seconded by Mayor Rishell. Motion passed unanimously.

7. Approval of First Read of 2022 Legislative Program

Chair Randall, Chair, GPC

Ms. Backmon, CEO

Ms. Baynard, McGuire Woods Consulting, LLC.

Recommended Action: Approval of First Read

- ✓ Ms. Baynard, proceeded with the first read of the 2022 Legislative Program, noting that looking at upcoming changes in Virginia's administration, House of Delegates leadership and legislative structure, she wanted to ensure that all members of the Authority are on the same page regarding NVTA's 2022 Legislative agenda, with a chief goal to maintain and protect NVTA's current transportation funding, whilst capitalizing on every available opportunity to recover funds previously redirected.
- ✓ She noted a JLARC study undertaken in 2020 has reported more stability for transportation funding in Virginia.
- ✓ She added that the Authority will continue to work with other regional entities and transportation-focused business partners to drive this message across and get commitments from the General Assembly.
- ✓ Further, she mentioned the addition of the Transportation Technology Strategic Plan to the Legislative Program, noting that she believes there will be more electric vehicle related discussions at the 2022 General Assembly Session, which starts on January 12, 2022, with Sine die on March 12, 2022.
- ✓ Ms. Baynard emphasized concerns raised by Chair Randall about the need to be very proactive about this and not assume all General Assembly members understand the importance of protecting what the Authority currently has, in order to keep up the momentum of the Authority.
- ✓ Chair Randall reiterated that the main goal of the Legislative Agenda is to protect what the Authority currently has, ensuring nothing is lost and this may involve educating some of the newly-elected House of Delegates as well as members of the new administration.
- ✓ She noted that unfortunately, the Authority may lose one of the current House of Delegates members on the Board, but hoping both will be able to stay on with the Authority, though that is still unknown. She noted that if consulted by the new administration, she will make a strong case about why both should stay on the Authority.
- ✓ Delegate Roem explained to Authority Members a House Rule about assigning only elected members to the Authority. She explained what led to those changes.

- ✓ Delegate Watts added that the Legislation, it is not always the determining factor regarding who gets assigned to the NVTA, using her own example of how she was informed about some pushback years past, when she had made a case for proportionality (to have a Democrat added) and requested to be assigned to the Authority.
- ✓ Chair Randall also noted that the other subject of discussion at the GPC was whether there could be any effort to take funding away from the NVTA looking at how circumstances have changed? She pointed to the need to be on the alert for that, adding the GPC decided that if the Authority works diligently to advocate for funding protection, (considering current changes in administration) this may not happen.
- ✓ Senator Boysko reminded Authority Members that the makeup at the Senate has not changed, and all are committed to ensuring that the Authority's funding is protected.
- ✓ Delegate Watts informed Members that representatives from the Highway Construction Industry and other alliances have been in discussions and reported that there is a major pushback regarding any suspension of the gas tax increase.
- ✓ She explained that although federal funding may come from the recently passed Infrastructure Bill, this is still a critical situation as it indicates a potential loss of funding and could put pressure on retail taxes in the long run.
- ✓ Ms. Baynard committed to continue to keep Members apprised of any developments as new Gubernatorial Cabinet position announcements are expected in December.
- ✓ Chair Randall moved Authority approval of the first read of the 2022 State and Federal Legislative Program, inclusive of any changes directed by the Authority; seconded by Chair Wheeler. Motion passed unanimously.

8. Approval of the Goals, Objectives, Performance Measures for the TransAction Update

Mr. Jasper, Principal, Transportation Planning and Programming

Recommended Action: Approval of Goals, Objectives, Performance Measures

- ✓ Ms. Backmon and Mr. Jasper provided a briefing of the development of the proposed goals, objectives, and performance measures, describing regional input and NVTA Committee involvement.
- ✓ Councilmember Snyder noted that the issue of climate change has become more prominent than before, and wanted to know to what extent can the goals, objectives and measures lead to reducing climate change.
- ✓ Mr. Jasper, promised to address Councilmember Snyder's question as he went over the presentation graphic.
- ✓ He noted that this process involves two parts; the first is to seek the Authority's approval for the goals, objectives, and performance measures and in December, the second part will be to seek the Authority's approval for the weightings associated with the performance measures.
- ✓ From the graphic, every measure has at least one of the three core values of equity, sustainability, and safety. He pointed that the goals are what NVTA would

like to accomplish, and the core values represent how these goals are going to be accomplished.

- ✓ He noted that the Authority TransAction Work Session held on October 28, 2021, helped gain insight into the priorities related to the objectives.
- ✓ He added that the recommended performance measures represent the totality of things that the Authority should measure, adding that all three Committees, the PPC, PCAC and TAC have endorsed the goals, objectives, and performance measures.
- ✓ Mr. Jasper further noted that, subject to Authority action on the goals, objectives, and performance measures, the team would be working with each Committee to get their thoughts on weightings for the approved performance measures, via a polling exercise, after which these would be summarized and presented at the next Authority meeting for Member' consideration.
- ✓ Chair Wheeler recommended putting up the graphic's legend, noting its alignment to the core values for better understanding.
- ✓ Mr. Jasper noted that yes, there is a legend (missing from the presentation graphic) and explained the icons on the chart.
- ✓ In response to another question from Chair Wheeler regarding HB599, Mr. Jasper explained that this references legislation passed in 2012, requiring transportation projects in Northern Virginia to be evaluated and rated before being funded by NVTA.
- ✓ Delegate Watts noted that she has a concern that the words 'car' and 'transit' are used but HOV (High Occupancy Vehicle) is not specifically included in transit nor is there any explanation that transit includes HOV.
- ✓ Mr. Jasper sought to clarify whether she was suggesting a wording change.
- ✓ Delegate Watts explained that HOV is an important component to transit, and she recommended including a footnote to the chart, stating that transit includes HOV.
- ✓ Ms. Hynes suggested that a solution to this could be to note it as 'transit/HOV', since it is the chart that is being adopted but does agree that HOV should be associated with transit when modeled.
- ✓ Delegate Roem also inquired whether there is a part of the performance measures that a reduction in Vehicle Miles Travelled (VMT) would fall under.
- ✓ Ms. Dalia Leven, Cambridge Systematics Consultant, responded that VMT is used to measure a number of metrics but the closest correlation to VMT would be the vehicle emissions metric. This is because transportation related emissions are calculated based on rate of emissions per vehicle mile travelled, which varies by vehicle type and speed.
- ✓ Delegate Roem noted that if VMT is going to be part of the measures, it should be specified on the chart.
- ✓ Councilmember Snyder expressed his concern about moving from greenhouse gases to VMT, pointing that VMT from single occupancy vehicles are the threat to the climate. Board Member Cristol agreed with this comment.

- ✓ Following a series of discussions among Authority Members and responses from the TransAction Consultant, Ms. Leven from Cambridge Systematics, Authority Members agreed to Delegate Watts motion to make a language amendment which notes that Transit may include HOV; seconded by Mayor Rishell.
- ✓ Delegate Watts moved Authority approval of the proposed goals, objectives, and performance measures for the TransAction update; seconded by Supervisor Alcorn. Motion passed with three abstentions. Council Member Snyder, Board Member Cristol and Ms. Hynes abstained from voting until the associated weightings for the TransAction goals, objectives and performance measures are available.

Discussion/Information Items

9. Technical Advisory Committee Report

Mr. Boice, Chair

- ✓ Mr. Randy Boice, Chair of the Technical Advisory Committee (speaking as part of Discussion Item 8 above) introduced himself to Authority Members.
- ✓ Mr. Boice noted his thirty years of experience in the field of Transportation Planning, Design and Construction, having managed over six hundred signal designs in Northern Virginia alone and currently in his fourteenth year serving on the Technical Advisory Committee.
- ✓ Mr. Boice noted that he was excited to see progress made in the transportation network in Northern Virginia and equally encouraged to note NVTAs core values of equity, sustainability, and safety as part of the TransAction update.
- ✓ He noted that transportation is a system which requires a balanced approach between personal vehicles, commercial vehicles, transit options, bicyclists and pedestrians and reminds everyone to keep the bigger picture in mind in doing what is best for the region.
- ✓ He looked forward to continuing to work with everyone for the betterment of the region.

10. HB1915 Annual Update

Ms. Backmon, CEO

- ✓ Ms. Backmon informed the Authority that HB1915 Bill requires localities embraced by the Authority to annually report to the Authority any land use or transportation elements of its comprehensive plan which are inconsistent with the regional transportation plan, TransAction.
- ✓ NVTAs developed a form which jurisdictions are required to use in reporting these changes annually.
- ✓ She noted that after initiating the FY2021 update process, NVTAs received five responses out of which three jurisdictions noted changes to the land use sections of their comprehensive plans. However, no inconsistencies with TransAction were reported.
- ✓ She pointed that the law only requires localities to report these changes but there is no action expected of NVTAs in the event of any reported changes by the localities.
- ✓ Mayor Burke inquired whether the localities include towns for this requirement.

- ✓ Ms. Backmon responded that yes, the five towns with a population of 3,500 or more, are included when the notice is sent out for reporting.

11. Travel Trends Update

Mr. Rashid, Regional Transportation Planner

- ✓ Ms. Backmon informed Members that Mr. Rashid will be providing the update to travel trends remotely.
- ✓ She noted that NVTA has been providing this analysis to compare the use of the transportation network since COVID began with previous presentations made in June, July and September of this year.
- ✓ She noted that the current update includes a regional survey by the Greater Washington Partnership and other insights into travel trends from transit agencies in Northern Virginia.
- ✓ Mr. Rashid continued with the update, noting that telecommuting results from the Capital COVID-19 Snapshot Survey (by the Greater Washington Partnership), indicate that workers are getting back to offices, albeit at a slow rate.
- ✓ Additionally, the survey reported that less than half of workers are forecasted to get back to the office on a typical workday by Fall.
- ✓ Highway volumes however show that travel is gradually inching back to pre-COVID conditions, with data from Metropolitan Washington Council of Governments (MWCOG), showing that AM and PM peak levels are getting back to pre-COVID-19 conditions.
- ✓ On the transit side, Mr. Rashid noted that information from some transit managers regarding ridership trends indicate that certain routes like the Pentagon-based routes are picking up stronger ridership than others like the Washington-DC based routes.
- ✓ Adding that local bus services experienced a strong growth in commuting between August and September of this year. Referencing the orange line in the staff report chart, which represents local bus services ART (from Arlington County), DASH (from City of Alexandria), CUE (from City of Fairfax) and the Loudoun County Transit, he pointed to a strong growth in commuting but noted that these may have simply coincided with the City of Alexandria's dropping of fares from early September. However, since no causal relationship has been established yet, Mr. Rashid concluded that these trends will continue to be monitored and feedback provided at later meetings.

12. Transportation Technology Strategic Plan Update

Ms. Love, Regional Transportation Planner

- ✓ Ms. Backmon informed Authority Members that there is an update to the implementation of the Transportation Technology Strategic Plan and more details are in the packet.

13. Finance Committee Report

Mayor Rishell, Chair, Finance

- ✓ Mayor Rishell provided an update on the Finance Committee meeting on October 21, 2021, noting the completion of a successful Audit as previously discussed.

- ✓ She mentioned that the Finance Committee has begun FY2023 budget discussions, and these will continue at the next meeting.

- i. **Investment Portfolio Report** Mr. Longhi, CFO
No verbal report given.
- ii. **Monthly Revenue Report** Mr. Longhi, CFO
No verbal report given.
- iii. **Operating Budget Report** Mr. Longhi, CFO
No verbal report given.

- 14. Governance and Personnel Committee Report** Chair Randall, Chair, GPC
✓ Item discussed with the Legislative First Read.

- 15. Planning and Programming Committee Report** Mayor Wilson, Chair
✓ No verbal report given.

- 16. Planning Coordination Advisory Committee Report** Mayor Colbert, Chair
✓ No verbal report given.

- 17. Chief Executive Officer’s Report** Ms. Backmon, CEO
✓ No verbal report given.

- 18. Chair’s Comments**
✓ Chair Randall informed everyone that Authority Members would go into closed session after a five-minute break.

Closed Session

(CEO Annual Performance Evaluation)

Motion to Convene Closed Meeting

Chair Randall moved that the Northern Virginia Transportation Authority convene a closed meeting, as authorized by Virginia Code section 2.2-3711.A1, for the purpose of discussing a personnel matter involving CEO annual performance review.; seconded by Council Member Snyder. Motion passed unanimously at 8:50pm.

Motion to Reconvene in an Open Meeting

Chair Randall moved that the members of the Northern Virginia Transportation Authority certify: (1) that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia; and (2) only such public business matters as were identified in the motion by

which closed the meeting was convened were heard, discussed, or considered by the Committee; seconded by Board Member Cristol. Motion passed unanimously at 9:23pm with a roll call vote.

Chair Randall offered a motion for Authority approval of the 2020 Annual Evaluation of the NVTA CEO and authorize the Chair to sign the attached memo, inclusive of any modifications determined by the Authority.

Motion made by Chair Randall, seconded by Board Member Cristol. Motion passed unanimously.

19. Adjournment: Meeting adjourned at 9:24pm.

Next Meeting: December 9, at 6:00pm
NVTA Offices