



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

SUMMARY MINUTES

Thursday, November 14, 2024

7PM, EST.

2600 Park Tower Drive, Sixth Floor Authority Board Room

Vienna, VA 22180

This meeting was conducted in person and livestreamed via [NVTA's YouTube Channel](#)

1. Call to Order

Chair Randall

- ✓ Chair Randall called the meeting to order at 7:06 p.m.

2. Roll Call

Ms. Henderson, Board Secretary

- ✓ **Membership: Attendees** Chair Phyllis Randall, Vice Chair David Snyder, Chairman McKay, Chair Jefferson (Remote - Medical), Mayor Justin Wilson, Board Member Matthew de Ferranti, Mayor Michelle Davis-Younger, Mayor Jeanette Rishell, Delegate Brianna Sewell, Mr. DJ Gribbin, Mr. William Cuttler and Ms. Tiffany Robinson. **Non-Attendees:** Senator Boysko and Delegate Karrie Delaney.
- ✓ **Staff Attendees:** Chief Executive Officer Monica Backmon; Chief Financial Officer Michael Longhi; Principal, Transportation Planning and Programming Keith Jasper; Deputy Chief Financial Officer Peggy Teal; Communications and Public Affairs Manager Abigail Hillerich, Planning Analytics Manager Harun Rashid; Regional Transportation Planners Griffin Frank, Alyssa Beyers, and Kristen Sarik; Project Delivery/Grants Manager Amanda Sink; Strategic Communications Specialist Sharara Faisal; and Board Secretary Lee Ann Henderson.
- ✓ **Council of Counsel Attendees:** Mr. Daniel Robinson-Fairfax County and Ms. Christina Zechman Brown-City of Alexandria.
- ✓ **Other Attendees:** Tracy Baynard-McGuire Woods, LLC.

Members of the public, jurisdiction and agency staff were in person and were able to watch the meeting livestreamed via [NVTA's YouTube Channel](#).

CLOSED SESSION

3. CEO's Annual Review

Chair Randall

- ✓ Chair Randall made the following motion:
I move NVTA convene a closed meeting, as authorized by Virginia Code section 2.2-3711.A(1) for the purpose of discussing a personnel matter involving the CEO's annual performance review.
- ✓ The motion was seconded by Mayor Wilson and approved unanimously.
- ✓ The Authority Board went into a closed meeting at 7:10 p.m.
- ✓ At 7:50 p.m. the Authority Board concluded the closed meeting.
- ✓ Chair Randall made the following motion:

I 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 the closed meeting was convened were heard, discussed, or considered.

- ✓ The motion was seconded by Council Member Snyder and approved unanimously.

ACTION ITEMS

4. Approval of October 17, 2024, Summary Meeting Minutes Chair Randall

- ✓ On a motion by Chair Randall, seconded by Board Member de Ferranti, the Summary Minutes of the October 17, 2024, Meeting were approved with Ms. Robinson abstaining.

5. Acceptance of the FY2024 Audited Financial Statements and Compliance Audit Reports

Mayor Rishell, Finance Committee Chair

- ✓ Mayor Rishell introduced Mr. Michael Garber from PB Mares, the Authority's independent auditor.
- ✓ Mr. Longhi, Chief Financial Officer, briefly presented the audited financial statements.
- ✓ He stated that an effort was made to increase the narrative aspect of the financial statements.
- ✓ He noted that the Authority ended the Fiscal Year with a positive revenue variance, and any revenue not allocated to a project will carry over into the next funding cycle.
- ✓ Mr. Garber stated that the audited financial statements received an unmodified opinion from the auditors.
- ✓ Mayor Rishell made a motion to accept the FY2024 Audited Financial Statements and Compliance Audit Report. The motion was seconded by Chair Randall and approved unanimously.

6. Approval of Revised Allocations for Additional FY2025-2030 Congestion Mitigation Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) Funds

Ms. Backmon, Chief Executive Officer

- ✓ Ms. Backmon noted that earlier this year the Authority approved the CMAQ and RSTP allocations; however, errors were identified in the state system and in subsequent allocations. She confirmed that these errors have now been corrected and the RJACC has reviewed and approved the revised numbers.
- ✓ Chairman McKay requested that the change in the Richmond Highway Bus Rapid Transit (BRT) project be highlighted. Ms. Backmon stated that due to the limited application period for the initial roll out of the Carbon Reduction Program, some of the funding for the first few years was allocated to the Richmond Highway BRT project in Fairfax County as the project was ready to qualify for and receive carbon reduction funds; and an equal amount of CMAQ/RSTP funds was released and reprogrammed for other projects.

- ✓ Ms. Backmon stated that upon approval, it will be sent to the Commonwealth Transportation Board through VDOT for approval.
- ✓ Chair Randall asked for a recap of the amounts. Ms. Backmon stated that a total of \$49.7 million, which included an additional \$16.3 million in CMAQ funds and \$33.3 million in RSTP funds.
- ✓ Chair Randall made a motion to approve the revised CMAQ/RSTP funding allocations, seconded by Chairman McKay and approved unanimously.

7. Approval of Recommendation to Reallocate Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds for the City of Alexandria

Dr. Sree Nampoothiri, Senior Manager, Transportation Planning & Programming

- ✓ Mayor Wilson made a motion to approve the reallocation of \$1,030,442 from UPC T19651 (FY24 WET Operations), \$17,558 from UPC T19651 (FY25 WET Operations), and \$500,600 from UPC T21536 (FY24 Transportation Demand Management) for a total of \$1,694,975 – to UPC 114864 (Mt. Vernon Avenue) in CMAQ funds for City of Alexandria.
- ✓ The motion was seconded by Board Member de Ferranti and approved unanimously.

DISCUSSION/INFORMATION ITEMS

8. Transform 66 Outside the Beltway Concession Fee Projects Update

Michelle Shropshire, VDOT Mega Projects Director

- ✓ VDOT Mega Projects Director, Ms. Shropshire, reviewed the Concession fee (\$500 million upfront from I-66 EMP to Commonwealth to fund additional multi-modal transportation improvements benefiting the I-66 Corridor) projects in which the Authority made funding recommendations on.
 - Project Requirements:
 - Benefit the toll facility user (Virginia Code)
 - Be federally eligible
 - Meet one of the project improvement goals
 - Move more people
 - Enhance transportation connectivity
 - Improve transit service
 - Reduce roadway congestion
 - Increase travel options
 - Be selected and recommended by the Northern Virginia Transportation Authority
 - Be approved by Virginia's Commonwealth Transportation Board
- ✓ Ms. Shropshire also discussed the current status of the concession fee projects, noting that a few ongoing projects remain in progress.

9. Projects with Cost Underestimates/Overruns – Policy Development Update

Mr. Longhi, Chief Financial Officer

- ✓ Mr. Longhi stated that this is a continuation of the October discussion and provided an overview of the issue.
- ✓ He noted that this has been presented to the Technical Advisory Committee and the Planning Coordination Advisory Committee, which did not have a quorum, but indicated that the consensus leaned towards not funding cost underestimates/overruns.
- ✓ He also stated that the Planning and Programming Committee did not support funding cost underestimates/overruns.
- ✓ He stated that implementation of a policy to fund cost underestimates/overruns would result in the need for an increase in staff and consulting services to handle additional processing demands
- ✓ Mr. Longhi outlined the components of a policy to deny cost underestimates/overruns, with an option to petition the Authority in cases of extraordinary and unforeseen circumstances, which could also include a prohibition on future funding transfers between projects.
- ✓ Chairman McKay questioned why staff would need additional support to process requests that are infrequent. Ms. Backmon stated that, currently, most requests are handled by staff and never need to be addressed by the Authority. However, with the implementation of a policy to formally fund underestimates/overruns, a formal process would be required.
- ✓ Chair Randall questioned whether projects regularly include an adequate contingency. Ms. Backmon noted that since NVTA, by law, must rank projects on Congestion Reduction Relative to Cost, localities may be hesitant to include adequate contingency amounts because that may preclude them from receiving funding.
- ✓ Mr. Gribbin questioned how often projects have been stalled due to the loss of federal funding. Mr. Longhi noted that this would be a rare and extraordinary circumstance.
- ✓ Mayor Rishell questioned whether evaluating extraordinary circumstances will require additional staffing. Mr. Longhi stated that if the bar for extraordinary circumstances is set high enough, no additional staffing should be required.
- ✓ Authority members directed Mr. Longhi to return with a policy that does not fund cost underestimates/overruns/transfers but includes a provision allowing project sponsors to petition the Authority for funding in cases of unique, extraordinary circumstances that could not have been anticipated.

10. Draft Legislative Priorities Discussion

Chair Randall

Ms. Baynard, Sr. Vice President, McGuireWoods Consulting, LLC

- ✓ Ms. Baynard stated that not much has changed since last year. She noted that the GPC had a good discussion on the priorities the Authority should emphasize, with the top priority being the need for NVTA to retain its funds.
- ✓ She stated that the GPC requested an emphasis on keeping NVTA as a capital projects funding source. Chair Randall added that not opening the legislation to changes is very important.

- ✓ Board Member de Ferranti questioned whether the strong condition of the state's financial picture could be useful in discussions about replacing the funds from the 2018 diversion. Ms. Baynard stated that NVTa is not actively looking for a specific tool to replace the \$28.5 million that was diverted, but consistently takes opportunities to remind the state that NVTa is still owed the replacement of those funds.

11. Website Modernization and Brand Refresh

Ms. Hillerich, Communications and Public Affairs Manager

- ✓ Ms. Hillerich and Ms. Faisal discussed the website modernization project. She noted that part of the project is a refreshed logo for NVTa. She stated that the current logo becomes illegible when scaled down, but they wanted to preserve the brand identity that NVTa has worked so hard to build.
- ✓ Ms. Hillerich stated that the staff proposed logo is easily recognizable even when made smaller to fit on smaller materials. She stated that the proposed logo is visually modern and not overly complicated.
- ✓ Chair Randall expressed concern that the displayed webpage example does not show that NVTa provides funds for multimodal transportation options. Ms. Hillerich stated this is just one example of what it could look like on the website, but they will be using lots of photos to paint the full story of what NVTa does.

12. 2024 Annual Report to the Joint Commission on Transportation Accountability

Ms. Backmon, Chief Executive Officer

- ✓ Ms. Backmon stated that the Joint Commission on Transportation Accountability (JCTA) report is a state requirement and this year's report will be submitted before the November 15 deadline and posted to the NVTa website.
- ✓ She briefly reviewed the JCTA report that shows all 139 projects being fully or partially funded through NVTa and breaks them down by locality.

13. Annual HB1915 Report

Ms. Backmon, Chief Executive Officer

- ✓ Ms. Backmon stated that this is a state requirement to have localities report any changes to the locality comprehensive plan that are not in conformance with TransAction. She confirmed that all localities have submitted their reports, and none have identified any discrepancies between their comprehensive plans and TransAction.

14. Finance Committee Report

Mayor Rishell, Finance Chair

A. Investment Portfolio Report

Ms. Sen, Investment & Debt Manager

B. Monthly Revenue Report

Mr. Longhi, Chief Financial Officer

C. Monthly Operating Budget Report

Mr. Longhi, Chief Financial Officer

- ✓ Mayor Rishell reviewed the Finance Committee activities from the October 17, 2024, meeting. She noted that the committee has begun working on the next budget.
- ✓ Mr. Longhi stated that portfolio performance is doing well, revenue is off by less than 1%, but since it is early in the fiscal year he has no concerns.
- ✓ Mr. Longhi recognized the work that Ms. Peggy Teal did to coordinate the audit.

15. Technical Advisory Committee Report

Mr. Ciccarelli, TAC Substitute Chair

- ✓ Ms. Backmon noted that this report is in the Authority packet.

16. Planning Coordination Advisory Committee Report Council Member Miles, PCAC Vice Chair

- ✓ Ms. Backmon noted that this report is in the Authority packet.

17. Draft Meeting Schedule for Calendar Year 2025

Ms. Backmon, Chief Executive Officer

- ✓ Ms. Backmon stated that because of the bylaws, which will be reviewed at the December Authority meeting, the calendar cannot be reviewed until the January Annual Organizational 2025 meeting.

18. Chief Executive Officer's Report

Ms. Backmon, Chief Executive Officer

- ✓ Ms. Backmon stated that Dr. Nampoothiri gave a presentation to the TPB Technical Committee regarding the Bus Rapid Transit project.

19. Chair's Comments

- ✓ Chair Randall noted that regardless of what happens in Washington, NVRTA has work to do to make improvements for people who live and work in Northern Virginia.
- ✓ Vice Chair Snyder expressed his appreciation to Representative Gerry Connolly, who presented the 11th Congressional District in the House of Representatives.
- ✓ Mr. Cuttler reminded everyone of the event that the Virginia Department of Transportation is hosting with NVRTA, NVTC and the TPB on December 2, 2024, at 6:30 p.m. at VDOT's offices.

20. Adjournment

- ✓ There being no further business before the Authority, Chair Randall adjourned the meeting at 9:51 PM.