

**SUMMARY MINUTES
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

February 7, 2008

**General Assembly Building – Richmond, Virginia
February 7, 2008**

NVTA MEMBERS PRESENT (Voting):

Christopher Zimmerman, Chairman	Arlington County
Martin Nohe, Vice Chairman	Prince William County
Judy Connally	Governor's Appointee (CTB)
Gerald Connolly	Fairfax County
William Euille	City of Alexandria
Jeffrey Frederick	House of Delegates
Sharon Pandak	Governor's Appointee
David Snyder	City of Falls Church
Scott York	Loudoun County

NVTA MEMBERS PRESENT (Non-voting):

Morteza Salehi	VDOT
Corey Hill	DRPT

STAFF PRESENT:

John Mason, Executive Director
Various jurisdictional, agency and state staffs

Item I. Call to Order

Chairman Zimmerman called the meeting to order at 5:50 P.M.

Item II. Roll Call

Roll call was taken. Members present were recorded as noted above.

Chairman Zimmerman acknowledged the presence of Secretary of Transportation Pierce Homer.

Item III. Minutes of January 10, 2008 Meeting

Chairman Zimmerman stated that, without objection, the minutes will be carried over to the next meeting. There were no objections.

[Note: Sequence of addressing items was altered to provide for discussion of General Assembly item at the end of meeting in conjunction with Northern Virginia Transportation Commission meeting. The numbering of items below continues with the numbering identified on agenda.]

Item V. **Allocation of RSTP Funds for Prince William County**

Ms. Pandak moved, with a second by Mr. York, to approve the reallocation of RSTP funds for Prince William County. The motion was approved unanimously.

Item VI. **Information Items**

Mr. Mason stated that NVTA is beginning to get “up and running” with its office operations.

Item IV. **Update on General Assembly Activities**

Chairman Zimmerman stated that there are a number of bills that have emerged during the General Assembly session that NVTA may want to take a position on. Mr. Mason reviewed Agenda Item IV that dealt with legislative items. He stated that Mr. Biesiadny recommends NVTA support of the pedestrian safety legislation.

In reviewing a list of bills staff prepared for NVTA to consider taking position on, Chairman Zimmerman stated that the first four bills are all, in the opinion of staff, consistent with NVTA legislative positions.

Mr. Connolly moved, with a second by Mr. York, to approve staff recommendations under bills specifically addressing items in NVTA’s legislative recommendations. The vote in favor was unanimous.

Mr. Mason stated that the bill dealing with vehicle towing and storage charges has a negative impact of \$600,0000 annually.

Mr. Connolly urged NVTA to oppose any legislation that starts to whittle away at its revenue sources. Such legislation will severely disrupt NVTA’s ability to get a bond rating if the revenue picture remains clouded, because it is continually being chipped away. This is not the only bill that is doing it. There is another bill that was introduced at the behest of towns that could eliminate their transient occupancy tax within the Town

of Herndon, resulting in lost NVTA revenue. It all begins to add up to larger amounts being taken away. There was general agreement with this concern.

Mr. Connolly moved, with a second by Mr. Snyder, that NVTA oppose any legislation that would divert or diminish NVTA's resources. Chairman Zimmerman clarified that this action refers to HB 361, 579 and 1120. The motion carried unanimously.

Mr. Connolly also recommended that NVTA oppose HB 451, which would give towns representation on NVTA. He stated that the issue of town participation was resolved when the Northern Virginia Regional Commission voted to recommend itself to be the NVTA's Planning Coordination Advisory Committee to include towns. The composition of NVTA was carefully worked through by the General Assembly and local elected officials. Chairman York and he already represent the towns since they are elected by the town voters. The towns have a voice on NVTA. This legislation would raise questions about quorum issues and continuity. Mr. Connolly stated that NVTA members were not consulted about this legislation before it was introduced.

Mr. Connolly moved that NVTA oppose HB 451, 957, and SB 453. Mr. York seconded. Mr. Frederick asked about the status of these bills. Mr. Connolly stated that the Petersen bill is before the [Senate] Transportation Committee right now. The Authority then voted and the motion passed. Mr. Frederick voted no.

Mr. Mason asked for clarification of the previous motions. Mr. Connolly stated that his intention for the original motion was to act and approve the staff legislative recommendation in its entirety. The second motion was to oppose HB 361, 579 and 1120. The third motion was to oppose the second bullet of the agenda item. (Not sure what this sentence means). The Authority has not yet addressed SB 728.

Mr. Snyder stated that HB 649 was a recommended discussion item and not an action item. Chairman Zimmerman clarified that staff did not make a recommendation on this legislation, so by implication NVTA did not take a position on it.

Mr. Snyder moved to affirm NVTA's opposition to HB 649, 1524 and SB 728 [actually 729]. Mr. Connolly asked that SB 728 [actually 729] be taken out of the motion. Mr. Snyder agreed and changed his motion to oppose HB 649 and 1524. Mr. Connolly seconded the revised motion. The vote passed, with Mr. Frederick voting in opposition.

Mr. Connolly stated that it was his understanding that SB 728 [actually 729] is permissive and does not violate NVTA's principles. It does not take away anything NVTA currently has now. It provides for a substitute source of revenue. If NVTA chooses to use this source of revenue, the other sources would go away. Chairman Zimmerman stated that this is his understanding of the bill as well. He stated that it is permissive, but in order to do something, the Authority might have a bond validation issue.

Secretary Homer observed that there may be a mistake on the agenda which lists two SB 728 bills. There is legislation introduced by Senator Saslaw that would restrict the collection of initial vehicle registration fees, while the other bill which is permissive would allow alternative sources of funding. Mr. Biesiadny clarified that SB 729 has the sales tax option and SB 728 deals with the registration fee restriction. Mr. Connolly stated that SB 729 should be monitored. Mr. Biesiadny reported that Delegate Rust has proposed an amendment to HB 761 that would exempt NVTA, but leave Fairfax County in the bill. No change was made to NVTA's earlier position.

Mr. Connolly asked for a report on what just happened at the Senate Transportation Committee meeting. Mr. Noye stated that SB 453 failed in committee. It would have opened the door to other changes to NVTA. Mr. Biesiadny stated that HB 957 was not heard by the committee, which will not meet again, so the legislation is basically dead. Delegate Rust's bill HB 451 will be heard in the Counties and Cities Committee on February 8. Delegate Rust has acknowledged that NVTA opposes this legislation. Mr. Connolly reported that he just heard that the Homestead Amendment bill failed by a tie vote of 8-8 in the Senate Finance Committee.

Chairman Zimmerman noted that information items have been distributed to members.

Chairman Zimmerman thanked Secretary Homer for attending the meeting and also for the Commonwealth's tremendous assistance in helping NVTA get started. Secretary Homer stated that there are still some battles ahead to keep what NVTA has. NVTA has a very strong partner in Governor Kaine. The next 45-60 days will be a challenge.

Mr. Frederick asked about the movement by homebuilders to get rid of proffers and replace them with impact fees. This would drop the local ability to collect on new homes by significant amounts. It would also raise the grantor tax, which would make it more difficult for people to purchase a home. Chairman Zimmerman stated that he generally agrees with Mr. Frederick's statement regarding the effects of this legislation. Mr. Frederick moved, with a second by Mr. Connolly, to have NVTA oppose this legislation (SB 768).

Mr. Euille stated that the Virginia Municipal League (VML) Executive Committee discussed this legislation. Although it didn't necessarily like it, VML could support it if there was a higher cap. VML suggested language for an amendment. Mr. Connolly stated that this legislation could be disastrous for the region's communities. Chairman Zimmerman agreed and stated that this type of legislation is pernicious. It does not directly affect his jurisdiction, but it is bad.

The Authority then voted on the motion and it passed unanimously.

Approved April 10, 2008

Chairman Zimmerman turned the gavel over the NVTC Chairman Euille at 6:15 pm, in effect adjourning the formal meeting of NVTA.