

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF FAIRFAX

.....
NORTHERN VIRGINIA TRANSPORTATION)
AUTHORITY,)

Plaintiff,)
v. ROBERT G. MARSHALL)

Case No. 2013 11988

)
STATUTORY DEFENDANT PURSUANT TO)
VIRGINIA CODE § 15.2-2650 ET. SEQ.,)
TO WIT, TAXPAYERS, PROPERTY OWNERS)
AND CITIZENS, OF THE COUNTIES OF)
ARLINGTON, FAIRFAX, LOUDOUN, AND)
PRINCE WILLIAM, AND THE CITIES OF)
ALEXANDRIA, FAIRFAX, FALLS CHURCH,)
MANASSAS, AND MANASSAS PARK,)
VIRGINIA, INCLUDING NONRESIDENTS)
OWNING PROPERTY OR SUBJECT TO)
TAXATION THEREIN, AND ALL OTHER)
PERSONS INTERESTED IN OR AFFECTED)
IN ANY WAY BY THE PROPOSED ISSUANCE)
BY THE NORTHERN VIRGINIA)
TRANSPORTATION AUTHORITY OF ITS)
NORTHERN VIRGINIA TRANSPORTATION)
AUTHORITY TRANSPORTATION FACILITIES)
REVENUE BONDS IN AN AMOUNT NOT TO)
EXCEED \$105,000,000,)

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FILED
CIVIL DIVISION
2013 AUG 15 AM 10:59
JOHN T. FREY
CLERK, CIRCUIT COURT
FAIRFAX, VA

Honorable Robert G. Marshall

Pro se Defendant
delbmarshall@house.virginia.gov
7930 Willow Pond Court
Manassas, VA 20111
(703) 853-4213
(703) 361-5416 FAX

Defendant)

ANSWER

In Answer to the Motion for Judgment (Complaint) filed herein, Defendant, Robert G. Marshall, states the following:

1. Defendant admits the allegation in Paragraph 1 of the Motion for Judgment (Complaint) that NVTa is a duly created and validly existing political subdivision of the Commonwealth of Virginia exercising public and essential government functions pursuant to the NVTa Act.
2. Defendant admits the allegations in Paragraph 2 of the Motion for Judgment.
3. The allegation contained in Paragraph 3 of the Motion for Judgment states a legal conclusion, to which no response is required.
4. The allegation contained in Paragraph 4 of the Motion for Judgment states a legal conclusion, to which no response is required.

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5. The allegation contained in Paragraph 5 of the Motion for Judgment states a legal conclusion, to which no response is required.
6. The allegation contained in Paragraph 6 of the Motion for Judgment states a legal conclusion, to which no response is required.
7. Defendant admits the allegations in Paragraph 7 of the Motion for Judgment.
8. The allegation contained in Paragraph 8 of the Motion for Judgment states a legal conclusion, to which no response is required.
9. Defendant denies that NVTAs bonds may be payable from and secured by a pledge of revenues derived from taxes and fees that it imposes as specified in a resolution adopted or indenture entered into by NVTAs.
10. The allegation contained in Paragraph 10 of the Motion for Judgment states a legal conclusion, to which no response is required.
11. The allegation contained in Paragraph 11 of the Motion for Judgment states a legal conclusion, to which no response is required.
12. Defendant admits the allegation contained in Paragraph 12 of the Motion for Judgment. Defendant lacks sufficient information to admit or deny the allegations in the second sentence of Paragraph 12.

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13. Defendant admits the allegation contained in Paragraph 13 of the Motion for Judgment.
14. Defendant admits the allegations contained in Paragraph 14 of the Motion for Judgment.
15. Defendant admits the allegations contained in Paragraph 15 of the Motion for Judgment.
16. Defendant admits the allegations contained in Paragraph 16 of the Motion for Judgment.
17. The Indenture referred to in Paragraph 17 of the Motion for Judgment speaks for itself.
18. The Defendant denies the allegations in Paragraph 18 of the Motion for Judgment.
19. The Defendant is a Statutory Defendant for purposes of the action, and was previously granted status as a defendant and recognized as a proper defendant in the case of: Robert G. Marshall, et al. v. Northern Virginia Transportation Authority, Record No. 071959 opinion, decided 2008, by Justice S. Bernard Goodwyn.

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20. The Defendant denies each and every allegation of the Motion for Judgment not expressly admitted herein.

WHEREFORE, Defendant requests that the Court enter an Order declaring that the bonds for which NVTa seeks judicial validation violate the Constitution of Virginia and the Code of Virginia, and may not be issued; awarding the Defendant his costs incurred herein; and granting such other relief as the Court deems proper.

COUNTERCLAIM

Defendant Robert G. Marshall, states the following in support of his Counterclaim:

PARTIES

1. The Defendant is a taxpayer, residing in a jurisdiction embraced by NVTa.
2. Defendant, Robert G. Marshall is a resident of Prince William County, Virginia.

Statement of Facts

3. When selecting the projects at issue in this case, Plaintiff, NVTa, violated Va. Code sec. 15.2-4838.1 C.1, which states: "The Authority shall give priority to selecting projects that are expected to provide the greatest congestion reduction relative to the cost of the project and shall document this information for each project selected."
4. On July 25, 2013, statutory Defendant ROBERT G. MARSHALL requested of the Honorable Supervisor Marty Nohe, also Chairman, Northern Virginia

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Transportation Authority pursuant to Virginia's Freedom of Information Act, via electronic communication, that he provide me with: "the appropriate documentation for each project selected, and why the projects selected met the requirement of providing the 'greatest congestion reduction relative to the cost of the project' over those projects considered by the NVTa but not approved."

5. On July 25, 2013, statutory Defendant ROBERT G. MARSHALL requested of the Honorable Supervisor Marty Nohe, also Chairman, Northern Virginia Transportation Authority, pursuant to Virginia's Freedom of Information Act, that he provide me with: "congestion reduction evaluation documentation for projects requested by public bodies and submitted to the NVTa, but not considered or placed on a tentative project selection list."
6. On August 1, 2013, Angela Lemmon Horan, NVTa Counsel of Counsels, provided statutory defendant ROBERT G. MARSHALL with the formal response of the NORTHERN VIRGINIA TRANSPORTATION AUTHORITY to the July 25, 2013 FOI request made by statutory defendant, which response is attached hereto.
7. Plaintiff, NVTa, in its multi-page response to statutory defendant ROBERT G. MARSHALL, failed to document that each project selected provided "greatest congestion reduction relative to the cost of the project."

Honorable Robert G. Marshall

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8. WHEREFORE, THE PREMISES CONSIDERED, Defendant moves this Honorable Court for an Order declaring that the Bonds are invalid for failure to properly and adequately document that the projects covered would provide the greatest congestion reduction relative to the costs of the projects.

Respectfully submitted,
ROBERT G. MARSHALL



ROBERT G. MARSHALL
Pro-Se Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this pleading was:

- ☐ Sent by regular U.S. Mail, postage prepaid
- ☒ Hand Carried
- ☐ Faxed to:

HONORABLE ROBERT G. MARSHALL,
Pro Se Defendant

Honorable Robert G. Marshall

Pro se Defendant
delbmarshall@house.virginia.gov
7930 Willow Pond Court
Manassas, VA 20111
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this 15th day of AUGUST, 2013.



Robert G. Marshall

Honorable Robert G. Marshall

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Angela Lemmon Horan
County Attorney

COUNTY OF PRINCE WILLIAM

1 County Complex Court, Prince William, Virginia 22192-9201
(703) 792-6620 Metro 631-1703 FAX: (703) 792-6633

COUNTY ATTORNEY

Michelle R. Robl
Robert B. Dickerson
Bernadette S. Peele
Megan E. Kelly
M. Alice Rowan
Robert P. Skoff
Jeffrey R. Notz
Curt G. Spear

Cheryl A. Walton
Jacqueline W. Lucas
Deborah K. Siegel
Noah B. Klein
Kevin P. Black
Bobbi Jo Alexis
Carolyn Pruitt Desai
Wahaj Memon

August 1, 2013

Sent via electronic mail: DelBMarshall@house.virginia.gov;

The Honorable Robert G. Marshall
P.O. Box 421
Manassas, Virginia 20108

Re: Response to Your Freedom of Information Act Request of July 25, 2013

Dear Delegate Marshall:

I serve as one of the counsel for the Northern Virginia Transportation Authority ("NVTA"), and in that capacity, have been asked to respond to the Freedom of Information Act requests that you posed to individual members of NVTA on July 25, 2013. Therefore, please consider this letter and its attachments as the response to those requests, required by §2.2-3704(B), VA Code Ann.

A. FOIA Requests to Chairman Nohe

You made a request to NVTA Chairman Marty Nohe for 1) "a list of projects approved [for funding in FY 2014 by vote of the NVTA at its meeting on July 24, 2013]" and 2) "the appropriate documentation required by law for each project and why the projects selected met the requirement of providing the 'greatest congestion reduction relative to the cost of the project' over those projects considered by the NVTA but not approved." In a follow-up communication, also on July 25, 2013, you requested 3) "documentation relating to the request from Manassas Park regarding their Rt. 28 improvement request."

The following response is provided:

- 1) *The list of projects approved for funding in FY 2014 by NVTa is available on the NVTa website, at the following link:*

<http://www.thenovaauthority.org/>

I believe you will find most of the documents meeting this description at the links for "Recommended FY 2014 Program (July)," "Proposed July 2014 Bond List, (July, updated)," and "Pay as You Go Projects," but all responsive documents are posted to the NVTa website. They can be found in the sections containing the meeting materials and in the sections containing the minutes and other documentation of the various workgroups. In particular, the Project Implementation Work Group section (which you will find under the "Meetings" tab) contains responsive documents relating to the projects considered by NVTa and those selected for FY 2014 funding by NVTa.

The minutes of the July 24, 2013, NVTa meeting have not yet been prepared, so a final certified version of the resolutions by which NVTa adopted these various project lists is not yet available. However, a video recording of the July 24, meeting, which includes a recording of the roll call votes on these resolutions is available on the NVTa website at the "Watch it here" link.

- 2) *The appropriate documentation required by law for each project and why the projects selected met the requirement of providing the 'greatest congestion reduction relative to the cost of the project' over those projects considered by the NVTa but not approved is available on the NVTa website, at the following link:*

<http://www.thenovaauthority.org/>

I believe you will find the most of the documents meeting this description at the "Projects and Reports Page" and "Project Selection Process (Step II)" links, as well as in the Project Implementation Working Group section of the website. In addition to the documents that are posted on the NVTa website, I attach a copy of a Power Point presentation prepared by NVTa which was presented at an open house meeting held in Fairfax on June 26. This presentation differs slightly from the one available on the NVTa website in that two slides were prepared specifically for the Fairfax presentation.

- 3) *Documentation relating to the request from Manassas Park regarding their Rt. 28 improvement request is attached.*

B. FOIA Requests to Other NVTAs Members.

You posed separate Freedom of Information Act requests to eight other individual members of NVTAs; these are the representatives of Fairfax, Loudoun and Arlington Counties, and the Cities of Fairfax, Falls Church, Alexandria, Manassas, and Manassas Park. Those requests were identical and called for 1) "the appropriate documentation for each project selected, and why the projects selected met the requirement of providing the 'greatest congestion relative to the cost of the project' over those projects considered by NVTAs but not approved and 2) "congestion reduction evaluation documentation for projects requested by public bodies and submitted to the NVTAs, but not considered or placed on a tentative project selection list." Your request also went on to say "if any of the documents I have requested are considered the property of your locality my request extends to your locality as well."

The following response is provided:

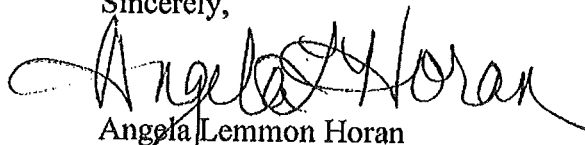
- 1) *See response to Item A(1), above.*
- 2) *See response to Item A(2), above.*

All documentation relating to the evaluation of projects submitted to NVTAs, whether those projects were selected for FY 2014 funding, is available on the NVTAs website. The locations where most of these documents can be found have been highlighted.

NVTAs considers all documents relating to its evaluation of projects submitted to it for funding approval by the member jurisdictions to be the property of NVTAs. These documents are available on the NVTAs website, as described in this response. While localities may retain duplicates of these documents in their files, the documents submitted to NVTAs are in the custody of NVTAs. We do not understand your FOIA request to be for documents that were not created by NVTAs or submitted to NVTAs for consideration.

Thank you for your inquiry. Please let me know if we can provide further assistance.

Sincerely,


Angela Lemmon Horan
Member, NVTAs Council of Counsels

Attachments: as stated



Kick Starting Transportation Improvements and Implementing HB 2313 in Northern Virginia

Fairfax County

June 26, 2013

Hon. Marty Nohe, Chairman
Northern Virginia Transportation Authority



The Authority
for Transportation in Northern Virginia

What is the NVTA?

The Northern Virginia Transportation Authority (NVTA) was created in 2002 (SB 576) to provide Northern Virginia communities with a regional organization responsible for:

- 1) developing a long range transportation plan,
- 2) supporting initiatives and TDM programs aimed at improving air quality and relieving congestion, and
- 3) advocating for transportation needs before state and federal governments.

NVTA has remained active in Northern Virginia transportation matters by:

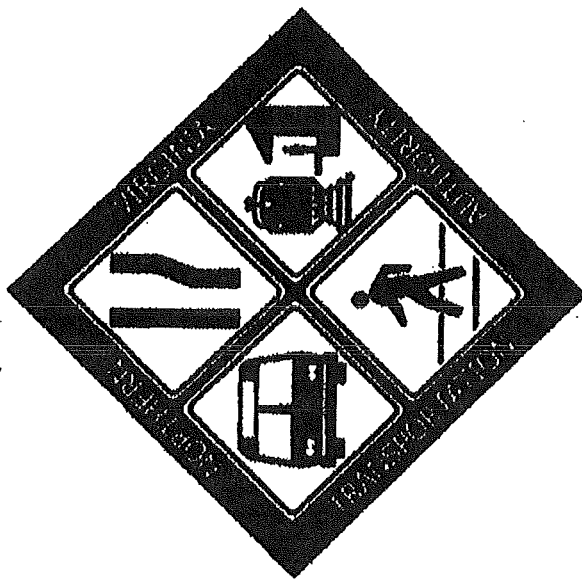
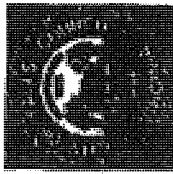
- completing its regional long range plan,
- advocating for additional transportation funding,
- supporting efforts to improve pedestrian safety,
- encouraging growth near transit, and
- providing jurisdictions with a streamlined process for allocating federal transportation funds to the region.



NVTA Background

- The counties of Arlington, Fairfax, Loudoun, and Prince William.
- The cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.
- Membership
 - One elected official from each of those jurisdictions
 - Two members of the House of Delegates
 - One State Senator
 - Two citizen members appointed by the Governor including one member of the Commonwealth Transportation Board
 - One non-voting member rotated among several towns in Planning District 8
 - The Commonwealth Transportation Commissioner's designee (ex-officio)
 - The Director of the Department of Rail and Public Transportation (DRPT) (ex-officio)

Working With Our Partners



The Authority
for Transportation in Northern Virginia





The Authority
for Transportation in Northern Virginia

NVTA Decisions

- A quorum requires a majority of the Authority, including at least a majority of the representatives of the counties and cities embraced by the Authority.
- NVTA typically reaches decisions via consensus.
- Decisions of the Authority shall require the affirmative vote of:
 - Two-thirds of the members of the Authority present and voting; and
 - Two-thirds of the representatives of the counties and cities embraced by the Authority who are present and voting and whose counties and cities include at least
 - Two-thirds of the population embraced by the Authority.
 - Any project approval must receive an affirmative vote in which the project is located

Summary of HB 2313



In April 2013, the General Assembly approved a new transportation funding bill with all the taxes and fees imposed by the General Assembly.

- Statewide Component
 - Eliminates the 17.5 cents per gallon gas tax.
 - Imposes a 3.5% wholesale gas tax and a 6% wholesale diesel tax.
 - Increases automobile sales tax from 3% to 4.15%, over three years.
 - Increases state sales tax from 5% to 5.3%.
 - Transfers an additional .175% (from .5% to .675%) of the state's portion of existing sales tax from the General Fund to transportation, phased in over five years.
 - Increases the fee for alternative fuel vehicles to \$64, including electric and hybrid vehicles, but excluding natural gas-powered vehicles.

Summary of HB 2313



The Authority
for Transportation in Northern Virginia

Statewide Component (continued)

- Dedicates potential federal revenues that would become available if Congress enacts the Marketplace Equity Act, which grants states legal authority to collect out-of-state sales taxes. If Congress does not pass the Act by January 1, 2015, the wholesale gas tax (not diesel) would increase to 5.1%.
- Prohibits tolling on I-95 south of Fredericksburg without prior General Assembly approval.
- Allocates \$300 million from the state maintenance funding, or other available revenue sources, to Dulles Rail Phase II over three years.

Summary of HB 2313



The Authority
for Cooperation in Northern Virginia

Northern Virginia Regional Component

- Imposes a 7% sales tax, to a total of 6% for Northern Virginia.
- Imposes a 2% Transient Occupancy Tax (hotel tax).
- Imposing a regional congestion fee (grantors tax) of \$0.15 per \$100 valuation.
- 70% will be provided to NVTA for:
 - regional projects included TransAction 2040 or future updates that have also been evaluated by VDOT for reducing congestion, or
 - mass transit capital projects that increase capacity.
 - The VDOT evaluation is not required for funds received in FY 2014.
- 30% of funds will be distributed to localities to spend on urban or secondary road construction, capital improvements that reduce congestion, projects included in TransAction 2040 or its future updates, or for public transportation purposes.

Summary of HB 2313



The Authority
for Transportation of Northern Virginia

Northern Virginia Regional Component (Continued)

- Localities must enact a Commercial and Industrial Property (C&I) at \$.125 per \$100 valuation or dedicate an equivalent amount for transportation. Localities that do not or do so at a lower rate will have these revenues reduced by a corresponding amount.
- Requires NVTA and its member jurisdictions to work with the towns when implementing these provisions to ensure that towns receive their respective share of transportation project revenues.
- Repeals the local option to enact a 1% income tax by referendum.
- Estimate annual revenues = ~\$300 million.
- FY 2014 Revenues = ~\$290 million.
 - \$190 million (regional)
 - \$ 85 million (local)

DRAFT Revenue Projections



The Authority
for Transportation in Northern Virginia

- Estimate Revenue Projections (FY 2014) – in millions

	<u>Regional</u>	<u>Fairfax County</u>	
		<u>70%</u>	<u>30%</u>
Sales Tax	\$ 232.5	\$ 73.5	\$ 31.5
Transient Occupancy	\$ 24.3	\$ 7.0	\$ 3.0
Grantor's Tax	\$ <u>34.7</u>	\$ <u>10.6</u>	\$ <u>4.6</u>
Total	\$291.5	\$ 91.1	\$ 39.0
			\$ 130.1

Summary of HB 2313



The Authority
for Transportation in Northern Virginia

Northern Virginia Regional Component (Continued)

- Includes language stating that the regional funds will expire if the General Assembly appropriates or transfers any of the additional revenues for any non-transportation-related purpose. Localities that use the funds for non-transportation purposes would not receive any of the regional transportation funding in the following year.
- Requires localities receiving these funds to maintain the current level of local transportation funding in the future. If a locality does not contribute this minimum level of local funding, they would not receive any of the regional transportation funding in the following year.
- Requires that the locality generally benefit from the revenues raised in the locality.

Implementation of HB 2313



The Authority
for Transportation to Northern Virginia

- NVTA has established five working groups (Financial, Legal, Project Implementation, Public Outreach and Organizational) to assist it in implementing HB 3202.
- Working groups are composed of NVTA members, local government representatives and transportation and planning agency representatives.
- Working groups are evaluating various tasks that will be needed for NVTA to become fully functional again.
- NVTA held a public meeting and hearing on projects on June 20 at Fairfax City Hall. A second public hearing will be held in July.
- NVTA will also consider other decisions about bonding, a bond validation suit, staffing, revenue distribution, project selection beyond FY 2014 during the next several months.
- Project implementation will largely be undertaken by NVTA's member jurisdictions and agencies.

Qualifying for Local Portion



The Authority
for Transportation to Northern Virginia

- Localities must enact a Commercial and Industrial (C&I) Property Tax at \$.125 per \$100 valuation or dedicate an equivalent amount for transportation.
- Options:
 - Implement C&I Tax at \$.125 per \$100 valuation
 - Set aside an equivalent amount of money for other local source(s)
 - Implement C&I Tax at a lower amount and supplement with other local revenues
 - Implement C&I Tax at a lower amount and don't supplement
 - Do not implement the C&I Tax or set aside other revenues
- Place revenues in a separate fund for these revenues.
- If total amount set aside is not = to 100% of C&I Tax (at \$.125) share of 30% funding must be adjusted proportionally.
- Revenues not claimed will be redistributed with regional funds.

Initial Project Selection



The Authority
for Transportation in Northern Virginia

NVTA has also begun discussing the implementation of projects with FY 2014 funding.

- NVTA forwarded about 50 projects to the Project Implementation and Legal Working Groups to evaluate and ensure compliance with HB 2313 requirements.
- The working groups evaluated the submissions and provided two draft project lists at the May NVTA meeting.
 - FY 2014 Proposed Project List
 - Projects for consideration of future Six-Year Program
- The NVTA is seeking public comment on both lists and held an Open House/Public Hearing on the projects on June 20. The public comment period runs through June 27.
- Other local meetings will also be held throughout the region.
- NVTA may amend the lists and will have another public hearing on July 24, 2013, at Fairfax City Hall.

Initial Project Selection



Selection Criteria – First Tier

- Congestion reduction
- Contained in regional transportation plan (TransAction 2040)
- Mass transit project that increases capacity
- Within locality embraced by Authority or in adjacent locality to extent that it is an insubstantial part of the project and necessary for the viability of the project

Initial Project Selection



The Authority
for Transportation in Southern Virginia

Selection Criteria – Second Tier

- Improve auto and pedestrian safety
- Project readiness
 - In CLRP/TIP or air quality neutral
 - Have completed (or will complete prior to project selection) major regulatory reviews and/or public input processes
 - Resources available to move project forward
 - Funding will expedite completion
 - Begin or complete next phase
- Balance transit, highways, and multimodal projects
- Short-term priorities; partially funded from other sources

Initial Project Selection



Selection Criteria – Third Tier

- Provide the greatest congestion reduction relative to cost
- Locality's long-term benefits approximately equal to revenues raised
- Towns over 3,500 must receive respective shares

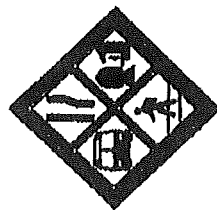


Initial FY 2014 Project Suggestions

The Authority
for Transportation in Northern Virginia

- \$500+ million in requests were provide for \$190 million in FY 14 funding
 - Total of 32 projects were recommended for approval for FY 2014 funding (12 roadway + 20 transit/multimodal)
- Projects not identified for Initial FY 2014 Project List will be included on list for consideration for future Six-Year Program
 - Total of 16 projects (7 roadway, 9 transit/multimodal)

Project Selection Beyond FY 2014



- VDOT Project Prioritization based on congestion relief and emergency evacuation.
- NVTA to consider ways to develop a Six-Year Program.
- NVTA to consider an initial bond issuance.
- Significant coordination with state agencies and local governments will be required to ensure that projects are funded from the optimal source.
- Many projects may be funded from multiple sources.
- Joint public hearings with the Commonwealth Transportation Board have been suggested.

Next Steps

- Consider all comments from public hearing, community meetings and from website
- Refine proposed list and make available for public review
- Hold public hearing July 24 to hear comments on refined list and take action

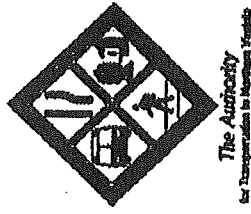


The Authority
for Transportation in Northern Virginia

Proposed Projects

Fairfax County Proposed Projects for Initial Funding

(in millions, not in priority order)



Transit Projects	Implementing Agency	Allocation
Western Phase II Extension	Fairfax County	\$17
Innovation Center Metrorail Station parking garage - Design	Fairfax County	\$10
Herndon Metrorail Station parking garage - Design	Fairfax County	\$10
Innovation Center Metrorail Station - All Phases	MWAA	\$89/\$41*
Fairfax County Parkway Bus Service (Herndon to Reston Bypass Capital Bunches 1 & 2 buses)	Fairfax County	\$6
Lorton VRE Second Platform Extension - Design/Const	VRE	\$7.9*
Herndon Metrorail Intermodal Access Improvements	Herndon	\$11
Total		\$141

*Indicates projects that were forwarded to NVTa by the Project Implementation Working Group on May 23 for FY2014 funding consideration.

Fairfax County Proposed Projects for Initial Funding



The Authority
for Transportation in Northern Virginia

(in millions, not in priority order)

Roadway Projects	Implementing Agency	Allocation
Route 28 Widening 6 to 8 Lanes (NB from the Dulles Toll Road to Route 28) - Const	VDOT	
Route 28 Widening 6 to 8 lanes (NB from McLearen Road to Dulles Toll Road) - Const	VDOT	\$11.1*
Route 28 Widening (Fairfax County to Leppan Road) - Const	Fairfax County	\$7.5
Braddock Road HOV Widening: 6 to 8 Lanes (Burke Lake Road to Fairfax County I-495) - Design	Fairfax County	\$10
Route 28 Widening 4 to 6 lanes (Prince William County line to Route 28) - PR/Design	Fairfax County/VDOT	\$10
Herndon Parkway Intersection Improvements at Van Buren St	Herndon	\$0.5*
Herndon Parkway Intersection Improvements at Stepling Rd	Herndon	\$0.5
Franconia/S. Van Dorn Interchange - Design	Fairfax County	\$20
Total		\$79.6



Initial FY 2014 Project Suggestions

- Roadway Projects (12 projects)
 - Route 28 Hot Spot Improvements – Loudoun Segment
 - Columbia Pike Multimodal Improvement Project
 - Chain Bridge Road Widening/Improvements (Route 29/50 to Eaton Place)
 - Boundary Channel Drive Interchange
 - Route 28 (Linton Hall Road to Fitzwater Drive) - 2 to 4 lanes
 - Herndon Parkway Intersection Improvements at Van Buren Street
 - Herndon Parkway Intersection Improvements at Sterling Road
 - Route 1 (Feathersone Road to Mary's Way) – 4 to 6 lanes
 - Belmont Ridge Road (Portsmouth Blvd. to Hay Road)
 - Route 15/Edwards Ferry Interchange
 - Route 28 (SB Sterling Boulevard to Dulles Toll Road) – 6 to 8 lanes
 - Route 28 (NB McLearen Road to Dulles Toll Road) – 6 to 8 lanes



Initial FY 2014 Project Suggestions

- Transit/Multimodal Projects (20 projects)
 - Shelters and Real-Time Information for DASH/WMATA
 - DASH Bus Expansion - 5 new buses
 - Blue/Silver Line Mitigation (ART fleet expansion) - 4 new buses
 - Loudoun Transit Buses - 2 new buses
 - Traction Power Upgrades on the Orange Line in Virginia Associated with the Eight Car Train Project
 - Leesburg Park and Ride Land Acquisition
 - Crystal City Multimodal Center
 - Herndon Metrorail Intermodal Access Improvements
 - VRE Gainesville-Haymarket Extension Project Development
 - VRE Lorton Station Second Platform
 - Ten New Buses on Virginia Metrobus Routes

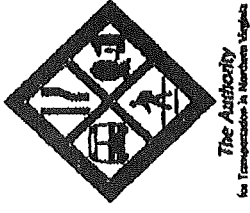


The Authority
for Transportation in Northern Virginia

Initial FY 2014 Project Suggestions

- Transit Projects (Continued)
 - Pedestrian Bridge on Van Buren Street
 - Alexandria Traffic Signal Upgrades/Transit Signal Priority
 - Bus Shelters and Wayfinding Information on Regional Bus Routes
 - Pedestrian Access to Transit to future Intermodal Plaza (S. Washington St. and Hillwood Avenue)
 - Innovation Center Metrorail Station
 - VRE Alexandria Station tunnel and platform improvements
 - Potomac Yard Environmental Impact Statement
 - Phase II of the AA for the Route 7 High Capacity Transit Project
 - PRTC's new Gainesville Service – 1 Commuter Bus

Initial Project Selection for Six-Year Plan



The Authority
for Transportation in Northern Virginia

- Transit/Multimodal Projects (9 projects)
 - Fairfax Connector West Ox Phase II Garage
 - Fairfax County Parkway Bus Service (Herndon to Fort Belvoir) - 10 Buses
 - Innovation Center Metrorail Station Parking
 - Herndon Monroe Metrorail Station Parking Garage
 - VRE Rolling Stock Purchase (9 additional coaches)
 - VRE Rippon Station Second Platform
 - Pedestrian Signal Improvements (Intersection E. Columbia St. and N. Washington St.)
 - VRE Crystal City Platform Expansion
 - Upgrade of Interlocking and Platform/girder Repairs at National Airport Metrorail Station



CITY OF MANASSAS PARK
Proudly Serving the Community for 50 Years

City Hall • One Park Center Court • Manassas Park, Virginia 20111-2395
(703) 335-8800 • Fax (703) 335-0053
www.cityofmanassaspark.us

City Manager:
James Zumwalt

Mayor:
Frank Jones

Vice Mayor:
Bryan E. Polk

Council Members:
Preston Banks
Brian Leeper
Kelth D. Miller
Suhas Naddoni
Jeanette Rishell

April 16, 2013

Honorable Martin E. Nohe, Chairman
Northern Virginia Transportation Authority
4031 University Drive,
Suite 200
Fairfax, Virginia 22030

Dear Chairman Nohe and Colleagues,

The Mayor and members of the Manassas Park City Council are pleased that Governor McDonnell and the Virginia Legislature have taken steps to begin to address the traffic challenges facing Northern Virginia. The passage of HB 2313 offers hope that the projects most critical to Northern Virginia's transportation requirements will soon be underway.

As NVTA develops its list of recommended projects targeted for completion, the City of Manassas Park is anxious to see forward momentum on all projects, and is particularly interested in those projects that will improve the level of service along the Route 28 corridor. Of particular importance is the widening of Route 28 from 4 to 6 lanes. The initial list for consideration includes item number 8 labeled, "Route 28 Widening; 4 to 6 lanes". While not explicitly stated, we suggest that this item represents the widening of Route 28 from the Prince William County line at Old Centreville Road to U.S. Route 29 in Centreville as identified in the *TransAction 2040 Plan*. This segment should be one of the highest prioritized projects on all NVTA's subsequent project lists.

This nearly 5 mile long segment of the Route 28 corridor continues to be one of Northern Virginia's worst bottlenecks. Travelled by 54,000 to 63,000 vehicles per day, this segment is well over capacity and offers travelers extremely poor levels of service. New housing developments along the corridor, including Orchard Bridge Apartments, a 772-unit apartment complex that is less than ¼ mile from the Fairfax County line, is under construction and will come online soon. Orchard Bridge is expected to bring nearly 5,000 additional vehicles per day to Route 28 at build-out. Serving four of NVTA's 9 member jurisdictions (Manassas Park, Manassas, Prince William County, and Fairfax County), this particular segment of Route 28 offers one of the greatest opportunities to improve the quality of life for residents of these localities.

We urge NVTA to ensure this segment of the Route 28 widening project is a firm component of its project list, and to rank it among the highest priorities.

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Sincerely,



Francis C. Jones, Mayor

CC: NVTB Members
David F. Snyder, City of Falls Church
William D. Buile, Vice Chairman, City of Alexandria
Christopher Zimmerman, Arlington County
R. Scott Silverthorne, City of Fairfax
Sharon Bulova, Fairfax County
Scott K. York, Loudoun County
Harry J. Parrish, II, City of Manassas
Bryan Polk, City of Manassas Park
Marty Nohe, Vice Chairman, Prince William County
Adam Ebbin, Virginia Senate
Joe T. May, Virginia House of Delegates
Thomas Davis Rust, Virginia House of Delegates
Sandy Bushue, Governor's Appointee
Gary Garczynski, CTB Member, Governor's Appointee
Manassas Park City Council Members

NVTA Project Implementation Working Group
Projects for Consideration for the NVTA 6 Year Plan

Item	Agency	Project Description	Funding Required
1	Herndon	Herndon - East Elden Street Improvement Project - East Elden Street Improvement Project is 0.9 miles in length and is located between Van Buren Street and the Fairfax County Parkway (Route 7100) in the Town of Herndon. Elden Street is a critical town arterial (36,000VPD to 40,000VPD) that transverses through the middle of Herndon. It serves as the town's commercial corridor and is a primary state route providing connectivity between the surrounding environs of Herndon and to / from Centreville Road (Route 228), Fairfax County Parkway (Route 7100), Barron Cameron (Route 606), Dulles Toll Road (Route 267) and Route 28.	\$2,600,000
2	Manassas Park	Route 28 Widening - 4 to 6 lanes from Old Centreville Road in PWC to Route 29 in Centreville. This nearly 5 mile long segment of the Route 28 Corridor continues to be one of Northern Virginia's worst bottlenecks. Travelled by 54,000 to 63,000 vehicles per day, this segment is well over capacity and offers travelers with extremely poor levels of service. New housing developments along the corridor, including Orchard Bridge Apartments, a 772-unit apartment complex that is less than 1/4 mile from the Fairfax County line, is under construction and will come online soon. Orchard Bridge is expected to bring nearly 5,000 additional vehicles per day to Route 28 at build-out. Serving four of NVTA's 9 member jurisdictions (Manassas Park, Manassas, Prince William County, and Fairfax County), this particular segment of Route 28 offers one of the greatest opportunities to improve the quality of life for residents of these localities.	
3	Fairfax	Braddock Road HOV Widening; 6 to 8 Lanes (Burke Lake Road to I-495) - Design \$10 M. 6 to 8 Lanes - Burke Lake Road to I-495 - Design - In accordance with the Fairfax County Comprehensive Plan, widen Braddock Road from 6 general purpose (GP) lanes to 6 GP lanes with 1-HOV lane in each direction. Funding is for preliminary design and environmental study.	\$10,000,000
4	Fairfax	Route 28 Widening; 4 to 6 lanes (Prince William County Line to Route 29) - Design \$10M. Widen Rte. 28 (NB and SB) from 4 to 6 lanes from the Bull Run Bridge/PW County Line to Machen Road/Old Centreville Road and Rte. 28/Rte. 29 Interchange - Funding for PE, Environmental Studies and Design.	\$10,000,000
5	Fairfax	Franconia/S. Van Dorn Interchange - Design \$20M. Design - Construct Interchange at S. Van Dorn St/Franconia Road. Funding for Design. Initial PE and Environmental complete however, needs to be updated/revised since completion of I-495/Rte. 1 and I-495/Telegraph Road Interchanges.	\$20,000,000
6	Fairfax	Route 29 Widening (Fairfax City to Legato Road) \$7.5M. Add third lane NB from Legato Road to Shirley Gate Road - already funded for design and partial RW acquisition. Funding requested to complete RW acquisition, utility relocation and Construction.	\$7,500,000

7	Loudoun	<p>Belmont Ridge Road (Route 659) (Gloucester Parkway to Hay Road). This project is a part of both the TransAction 2040 Plan and CLRP. The project is a regional north-south corridor connection and is significant as the ultimate connection to the State identified North/South Corridor of Statewide Significance. When, and if funding becomes available, VDOT estimates that the project can move forward with design/build procurement with a notice to proceed issued within six (6) months.</p> <p>• Segment 1A. - Belmont Ridge Road between Gloucester Parkway and Portsmouth Boulevard is approximately 4,400 linear feet in length and will include a grade separation of the W&OD Trail. The estimated stand alone cost is \$40,000,000.</p>	\$40,000,000
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Item	Agency	Project Description	Funding Required
1	Fairfax	West Ox Bus Garage Phase II - This project expands the capacity of the West Ox facility and allows for additional Fairfax Connector service. This funding would allow project to proceed to construct 9 maintenance bays and expand facilities for bus drivers and security	\$17,000,000
2	Fairfax	Fairfax County Parkway Bus Service (Herndon to Fort Belvoir) - Capital Purchases 12 Buses - The County is planning a new high-quality, limited-stop bus service between Herndon and Fort Belvoir. There is no existing Connector service linking these activity centers, so additional buses will be needed to operate the service. The \$6 million requested would cover the purchase of the 10 buses needed for peak period service, plus 2 additional buses for use as spares to cover down time for bus servicing and repairs.	\$6,000,000
3	Fairfax	Innovation Center Metrorail Station parking garage - Design \$10M. Design of the Silver Line Phase 2 Parking garage which will provide 2037 parking spaces in accordance with the approved project plans and environmental approvals.	\$10,000,000
4	Fairfax	Herndon Monroe Metrorail Station parking garage - Design \$10M. Design of the Silver Line Phase 2 Parking garage which will provide 1975 parking spaces in accordance with the approved project plans and environmental approvals.	\$10,000,000
5	VRE	VRE rolling stock purchase (9 additional coaches) at \$2.2M each/\$19.8 total request. This project is for the purchase of 9 VRE coaches to expand system capacity to accommodate existing and future passenger demand.	\$19,800,000

6	VRE	VRE Rippon station second platform This is a 650 foot second platform and extension of the existing platform at the VRE Rippon station in Prince William County to accommodate trains up to 8 cars in length.	
			\$10,900,000
7	Falls Church	Signal Improvements: \$300,000 Upgrade the traffic signal at Columbia Street and North Washington Street to include a bicycle detection system and pedestrian countdown timers and to connect to the City's coordinated traffic signal management system. This intersection is within 1 mile of the East Falls Church Metro Station, so the addition of pedestrian and bicycle infrastructure will increase accessibility and use of the Metro Rail system. Connecting this signal to the signal management system will ease traffic flow along South Washington Street for vehicles, pedestrians, and cyclists into and out of Arlington County, the I-66 corridor, East Falls Church Metro Station, and the W&OD multi-use trail. Design: \$45,000 Right of Way: \$20,000 Construction: \$235,000	
			\$300,000
8	VRE	VRE Crystal City platform expansion This project is a 400 foot extension of the existing platform at the VRE Crystal City station in Arlington County to accommodate trains up to 10 cars in length. It would alleviate existing crowding, expand VRE station capacity, and enhance operational flexibility and maintenance of VRE on-time performance.	
			\$4,000,000

9	WMATA	<p>Upgrade of interlocking and platform/girder repairs at National Airport (\$5M). This project will allow Metrorail trains to turn back just past the Ronald Reagan Washington National Airport station on the Yellow/Blue Line. The work will allow increased operational flexibility on the Yellow/Blue Line.</p>	<p>\$5,000,000</p>
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				Tier I Screen		
Total Project Cost	Route	Status	GLRP/TIP	Transaction 2040	Reduces Congestion	Increases Capacity
\$20,400,000	606	Concept design and NEPA completed. VDOT to begin PE in June 2013 estimated at \$2.2M; ROW estimated at \$400K	Y/Y	Y	Y	Y
			N	-	Y	Y
TBD	620	Planning to start FY 14	N	Y	Y	Y
TBD	28	Design to begin FY14	N	Y	Y	Y
\$84,000,000	644/613	Conceptual design and Environmental document completed, but need to be updated	N	Y	Y	Y
\$7,500,000	29	Utility relocation June 2014 to Sep 2015, Construction Sep 2015 to Sep 2016	Y	Y	Y	Y

\$40,000,000		The NEPA document is complete and the plans are ready for design/build procurement.	Y	Y	Y	Y
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				Tier I Screen		
Total Project Cost	Route	Status	GLRP/TIP	Transaction 2040	Reduces Congestion	Increases Capacity
\$20,000,000		Feasibility study complete. Negotiating contract for design; 18 month contract.	N	N	Y	Y
\$6,000,000		Buses could be purchased within 4-6 months of funding allocation; however the West Ox Bus Garage expansion must occur first. Anticipate revenue service in FY16	Y	Y	Y	Y
\$51,000,000		Fairfax County has committed to fund outside Dulles Rail Ph II	Y	Y	Y	Y
\$49,400,000		Fairfax County has committed to fund outside Dulles Rail Ph II	Y	Y	Y	Y
\$19,800,000		VRE has an open contract with the equipment manufacturer that includes options for the purchase of additional coaches. Option could be exercised within 2 months of NVT A selection of the project for funding.	Y/Y	Y	Y	Y

\$10,900,000		Requested funding includes NEPA, design and construction. NEPA/design would be initiated in FY14.	Y/Y	Y	Y	Y
\$300,000	Corridor 6	Design.	N	Y	Y	Y
\$4,000,000		Requested funding includes NEPA, design and construction. NEPA/design would be initiated in FY14.	N	Y	Y	Y

	N/A		N	N	Y	Y
\$10,000,000 to \$15,000,000		It is expected that this \$5 million project can be completed in FY 14.				

		Tier II Screen					
Within/adj. to NCTA Boundary	Meets All Requirements (Y/N)	Improves Safety	Project Readiness (max 6 pts)	Mode	Leverages External Funding	20 year lifespan (only for bond projects)	Tier II Total Points
Y		1	5	R	1	-	
Y		-	-	-	-	-	
Y		1	3	R	0	-	
Y		1	3	R	0	-	
Y		1	3	R	1	-	
Y		1	5	R	1	-	

Y		1	5	R	0	-	
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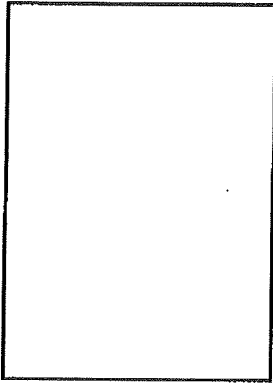
Tier II Screen							
Within/adj. to NVTA Boundary	Meets All Requirements (Y/N)	Improves Safety	Project Readiness (max 6 pts)	Mode	Leverages External Funding	20 year lifespan (only for bond projects)	Tier II Total Points
Y		1	3	T	1	-	
Y		1	4	T	0	-	
Y		1	4	T	0	-	
Y		1	4	T	0	-	
TBD		1	5	T	0	-	

Y		1	4	T	0	-
Y		1	3	M	0	-
Y		1	3	T	0	-

Y		1	4	T	0	-	
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5/8/2013

Comments	
On Fairfax County Comp Plan	
same request as #7, on Fairfax County Comp Plan	
On Fairfax County Comp Plan	
On Fairfax County Comp Plan	



Comments
TRANSIT project. Included In Fairfax County Transit Development Plan. Transaction 2040 and the CLRP include bus service Included in Fairfax County Transit Development Plan
On Fairfax County Comp Plan
On Fairfax County Comp Plan
The additional rolling stock will allow VRE to lengthen existing trains and/or add new trains that otherwise would not be possible without the purchase. The project expands VRE on-board carrying capacity by approx. 1,230 persons/day (approx. 2,460 trips/day removed from highways).

The requested funding expedites the delivery of the project.

The project will double VRE station capacity, alleviate existing crowding, and enhance operational flexibility and maintenance of VRE on-time performance for VRE, Amtrak and freight trains. The project will benefit Fredericksburg Line riders from Prince William County (including the Towns of Dumfries, Triangle and Quantico), and jurisdictions beyond the NVTB boundaries.

The requested funding expedites the delivery of the project.

The project will double VRE station capacity (from 10,000 trips/day to 20,000 trips/day), alleviate existing crowding, and enhance operational flexibility and maintenance of VRE on-time performance. As the station serves both the VRE Fredericksburg and Manassas Lines it will benefit riders from all VRE member jurisdictions, including jurisdictions beyond the NVTB boundaries.

This project would enable Metro to decrease headways in this section of the system in the event that single tracking is necessary. This is particularly important where a train or equipment/system malfunction occurs during normal service hours. Re-activating the switches will allow Metro to use the center track at Reagan as a pocket track to store disabled trains or to insert an extra train to relieve overcrowding and address special event needs. This project could allow for a shuttle between National and Rosslyn if a new Rosslyn station is built.