



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

The Authority for Transportation in Northern Virginia

MEETING MINUTES

Thursday, October 24, 2013

5:30 pm

3060 Williams Drive (Ste 510), Fairfax, VA 22031

I. Call to Order Chairman Nohe

- Chairman Nohe called the meeting to order at 5:42pm.

II. Roll Call Ms. Speer, Clerk

- Voting Members: Chairman Nohe; Board Member Zimmerman (arrived 5:47pm); Chairman York; Chairman Bulova; Mayor Parrish; Mayor Silverthorne; Council Member Rishell; Council Member Snyder; Senator Ebbin; Delegate Rust; Delegate May (arrived 5:52pm); Ms. Bushue.
- Non-Voting Members: Mayor Foreman; Mrs. Cuervo; Mr. Swartz.
- Staff: John Mason (Interim Executive Director); Camela Speer (Clerk); Various jurisdictional staff.
- Guest: Ms. Fisher.

III. Minutes of the September 26, 2013 Meeting

- Chairman York moved to approve the minutes of September 26, 2013; seconded by Mayor Parrish. Motion carried with eight (8) yeas [with Delegate May and Mayor Foreman abstaining as they were not at the September meeting].

Presentations

IV. WMATA – Momentum Strategic Plan Richard Sarles, GM & CEO

- Richard Sarles presented the WMATA – Momentum Strategic Plan.

(Board Member Zimmerman arrived at 5:47pm.)

(Delegate May arrived at 5:52pm.)

Reports/Recommendations from Working Groups

V. Organizational Working Group Chair York

- Chairman York moved to request Mr. Mason work with NVRC and any other regional organization with respect to potential office space consolidation; seconded by Chairman Bulova.

- Delegate Rust asked if coordination with NVTC was included in the motion. Chairman York responded that he is at NVRC tonight and that he will also instruct NVTC to look into consolidation. He suggested the intent is to include any regional organizations in consolidation to save tax payer dollars.
- Chairman Bulova mentioned that the Authority should take into consideration that NVTC has an existing lease that doesn't expire for a few years and has a policy to be located on a transit line. There is an opportunity that if location chosen for co-locating has the correct criteria, NVTC can be added at a later date. Location also needs to be central and easy to get to.
- Mr. Zimmerman agreed that NVTA should look into the possibility of co-locating, because of the potential benefits. He suggested the Authority needs to establish an internal process to determine proper criteria to evaluate sites when determining location. He suggested that important location criteria include:
 - ✓ Must be a public space, ideally a public building.
 - ✓ Must be very accessible.
 - ✓ Ideally meetings and public hearings held in same space. "Public meetings must be very public."
- Mr. Snyder offered a friendly amendment that site also be well served by regional transit. Chairman York and Chairman Bulova agreed.
- Chairman Nohe stated goal of NVTA is to co-locate with regional organizations so as to not spend tax payers' money on office space, but on transportation solutions.
- With "friendly amendment" agreed by the maker and the seconder, the motion was "to request that Mr. Mason work with NVRC and other regional organizations with respect to potential office space consolidation [through co-location], to include a consideration that site be served by regional transit."
Motion carried unanimously.

VI. Financial Working Group

- Mr. Biesiadny reported that the FWG has met twice since last Authority meeting. He highlighted:
 - ✓ FWG worked on the Procurement Policy included in Authority packet, however received additional comments on policy after memo was presented. Therefore FWG recommended that Authority defer action on Procurement Policy. [Note: No objection was stated, implying general agreement.]
 - ✓ Commonwealth Treasury Board has yet to act on NVTA's request to be exempted from the rules of the Treasury Board as they relate to issuance of bonds. Board is scheduled to consider this at its November meeting. FWG is not aware of particular problem; Board is just going through review process.

- ✓ FWG has been working with the Legal Working Group on four agreements that Authority will be asked to consider at December meeting:
 1. Agreement between Authority and its nine member jurisdictions for the 30% funding that is going back to these local governments.
 2. Agreement between the counties and the towns that will mirror the first agreement, but will incorporate provisions so that there is essentially a fairly standard agreement between the counties and the five towns.
 3. Agreement between NVTA and agencies implementing projects and services funded with the 70% money.
 4. Agreement between NVTA and VDOT and DRPT related to the roles and responsibilities of each agency.
- ✓ FWG has worked to revise the proposed debt policy for Authority. It will probably come to Authority in December or January timeframe. Will need to be acted upon before bonds can be sold. Legal process is being worked out now.
- ✓ FWG is starting to pull together cash flow information for projects approved in July so that when the Authority is in the position to move forward, it will have a cash flow of how all projects are funded to make sure the projects have the money they need at the time they need it.
- ✓ FWG set up a subcommittee to assist Mr. Mason on hiring process for a Chief Financial Officer.
- ✓ Authority so far has collected \$46.5 million from taxes and fees. Are in the LGIP on NVTA's behalf and once legal process has been resolved can be allocated.
- Chairman York asked if revenues are coming in as anticipated. Mr. Biesiadny responded that they are essentially where they were anticipated, but not as uniform as expected. He mentioned the payments are broken down in the report.
- Mayor Parrish noted that the report indicates a net of over \$200 thousand for the Department of Taxation and asked for clarification. Mr. Biesiadny answered that FWG is looking into that to find out why and may have some recommendations for the Authority at next meeting.
- Mr. Biesiadny reminded the members that the FWG was recommending that Resolution 14-06: Procurement Policy be deferred to the next meeting. He added that, in the meantime, the Procurement Policy that the Authority approved in 2008 is in force, so Mr. Mason and his staff can continue to do the work of the Authority.

VII. Project Implementation Working Group

Chair Zimmerman

- Chairman Zimmerman reported that the next PIWG meeting is scheduled for November 8, 2013. Focus for meeting will be next steps for next year's call for development of a Six Year Plan. Will be figuring out exactly how the Six Year Plan will evolve: will not have six year plan literally. Will discuss implementation of HB599 and how that interacts with the selection process. It

will also involve the schedule, not only the VDOT schedule but also the schedule at the regional level for TPB.

A. JACC Comments on the Next Steps for Implementation of HB599

Ms. Backmon

- Ms. Backmon introduced item VII.A, referencing the information received from VDOT at the October JACC meeting. As directed by Chairman Nohe, JACC developed feedback on proposed priorities that were going to the CTB for approval. Moving forward the JACC did identify some additional areas that it would like to be considered as this process continues:
 - ✓ How does VDOT intend to structure the coordination with the Authority and the PIWG? Work done by PIWG will be fed to Authority and want to understand how that structure will work.
 - ✓ How will VDOT gather input from the NVTA? VDOT did inform the JACC that they will have input sessions with the localities and the transit agencies, and that they will come to the Authority for a work session to get feedback on information gathered to date. Authority does only have one more meeting for this year, on December 12, 2013.
 - ✓ How does the process for the development of HB599 coincide with the development of the CLRP and VDOT's Six Year Program?
 - ✓ JACC emphasized that there is a need to identify or evaluate more than 25-30 projects so that the Authority can take them into consideration when developing NVTA six-year plan.
- Ms. Backmon referenced the staff developed timeline that includes milestones for VDOT in the development of the study, milestones TPB has in the development of the constrained long range plan and milestones for the six-year program.
- Ms. Fioretti further addressed the timeline, stated it begins to sketch out the critical decision points for development of the Authority's Six Year Plan. She highlighted:
 - ✓ Timeline includes Authority's critical decision points, including PIWG scheduled meeting, the JACC meetings, as well as the schedule provided by VDOT on how they plan to progress with VDOT rating process, and TPB, CLRP and TIP critical milestones. As stated in the July memo from PIWG to the Authority, it is important that we coordinate all these various levels of information, the Authority's critical milestones, the TPB's decision points and VDOT.
 - ✓ Timeline is fairly tight with a lot of decision points for the next year-and-a-half that are critical to meeting in order for us to coordinate effectively as an Authority.
 - ✓ Timeline was developed to facilitate discussion on how to move forward in a coordinated fashion.
- Chairman Zimmerman asked about the line that states "CTB approved 25-30 projects," does that mean they are approving the projects or the screening of the projects. Ms. Fioretti responded that they are approving the set of projects that will be screened. Date is just a point in time; it has not been established

by VDOT, but based on its schedule, we identified this as the most likely time that they would request CTB approval.

- Chairman Zimmerman added this would be late March and that there is an evaluation and rating period stretched out over some time. He stated that does not get us to February deadline to submit projects to TPB. Ms. Fioretti answered that that is the latest possible date that we could provide information into the Air Quality Conformity Analysis. However, the deadline for project submission is in December, then there is a public comment period, then final February date.
- Chairman Zimmerman asked Chairman Nohe if we skip a year; commented “Not sure what to do with this schedule, unless we just don’t do any such projects.”
- Chairman Nohe stated that he is concerned as well.
- Mrs. Cuervo asked if air quality studies are ever done out of sequence. Ms. Fioretti answered they can be. Mr. Biesiadny answered that there have been examples where air quality analysis has been done out of sequence. Frederick County had such an instance a couple of years ago. The issue then is that they [requestor] pay for that whole analysis independently because it’s not part of the regional analysis. Chairman Zimmerman clarified that that was for one project, not a list of project. Mr. Biesiadny confirmed it was for one project.
- Chairman Nohe asked staff if it is possible to change the schedule for air quality with region. Mr. Biesiadny answered it would be difficult because the District [of Columbia] and Maryland have their project schedules wrapped around the TPB schedule. If we defer that, it does not only affect Virginia projects; there are other projects that are not funded with NVT A money, for example funded by CTB money that potentially could be delayed if the air quality analysis is not complete. It definitely affects Maryland and the District. In the past they [TPB] have resisted changing the schedule for that reason.
- Mrs. Cuervo asked Mr. Srikanth if we could do an additional air quality analysis and if Federal funds might be available to pay for that. Mr. Srikanth answered that the air quality control analysis can be updated, theoretically. The cost will be the same whether one project or fifteen projects. In past cost has been \$30,000 - \$50,000. There is Federal funding provided by Federal Highway and the FTA that is earmarked to be used by TBP only. If that situation becomes necessary, “my own sense is that there are dedicated funds that can be used.”
- Chairman Nohe summarized that NVT A is up against two situations that are crashing into each other.
 - ✓ There is a long list of rules, regulations, guidelines, standards, ordinances, policies, pieces of state code that we have to comply with and we have spent a lot of time being sure we are in compliance. Have done a good job of that. Now we have one more.
 - ✓ Spent a lot of time figuring out what to do with regional money when it became available and now that it is here we have had to unfold this very quickly. Our need to unfold it quickly is not up to a speed yet where we

- can be in compliance with some of those many rules, guidelines, policies, etc. In this case air quality, and there are probably some others, too.
- Chairman Nohe stated that what we have to do is figure out a way to continue unfolding HB2313 and our role in it, as quickly as we can and figure out how to make it fit these rules that really can't be changed to meet our unique circumstances. Added this is not a problem in FY2016, will have plenty of time to plan for it. But, without something changing, we are going to have this problem that FY2015 and FY2016 will have to be concurrent process. The tax payers are now paying more sales tax and they want to see something. If we have to delay process 18 months, it will be much harder to justify revenues. That said, what is the process we use to figure out what which piece of this can move?
 - Mr. Zimmerman stated need to formally engage TPB and staff to figure out flexibility to resolve this. Given that TPB/CLRP adoption is in July, can we fit in that schedule, or how much flexibility do we have and what are our options.
 - Mr. Srikanth presented several considerations and possible solutions.
 - ✓ He stated that from his experience with the Federal process, this particular CLRP update is critical because Federal laws require that once every 4 years the financial plan of the CLRP be updated. This was last done in 2010. The next update is 2014.
 - ✓ If MPO does not have the CLRP approved by Feds by a certain date, the CLRP will lapse. That date is around October 2014.
 - ✓ If the TPB is done with the analysis and the CLRP in July, that gives the Federal Highway Administration and the Federal Transit Administration, who have to approve it, the months of August and September to take action.
 - ✓ The schedule the TPB adopted is tight. If we were to ask them to delay that, the TPB does not meet in August. They would have to hold a special meeting. We would be running against that potential CLRP lapse in October. One option is that they could adopt the CLRP without the updates, recognizing that there will be an update coming a couple months later.
 - ✓ Another way of assessing how big an impact would be is the FY14 allocations of the NVTA, most of them are already in the CLRP. Doesn't know what the Board considerations are FY2015 and FY2016 and beyond. The NVTA FY14 project selection process indicated that projects will get extra credits if project is already in CLRP.
 - ✓ The magnitude of the problem that we are talking about is at this point not known. Will get a better picture as the year progresses.
 - Chairman Nohe instructed Mr. Mason to coordinate with appropriate parties to figure this out. Mr. Mason pointed out the need to also touch base with the staff at TPB. Chairman Nohe agreed.
 - Chairman York asked how many of projects that were submitted and were adopted for this first round of funding, projects that were held over, how many are already on CLRP. Need to know how critical this is. A lot of these

projects are probably already on that list. Mr. Mason responded that staff will sort that out.

- Mr. Zimmerman asked if there are projects that were held over for funding in FY2015 that are in the CLRP, but have not been through VDOT's rating process. Chairman Nohe responded because they have to go through the HB599 evaluation, then they have to go through air quality evaluation and those lists may not match up.
- Ms. Fioretti stated that of the 43 projects that we evaluated, a majority of the projects that were identified for FY2014 funding were in the CLRP. Those that were not considered for funding in this round, a majority of them were not in the CLRP, did weigh into decision not to fund.

(Delegate Rust departed 6:25pm.)

- Chairman Nohe raised the issue of the HB599 schedule. He summarized:
 - ✓ Last Thursday [October 17] the CTB approved VDOT's list of priorities that shall be used for evaluations. Because CTB only meets once a month, and doesn't meet in November, VDOT had to turn around priorities very quickly. NVTA comments were developed quickly.
 - ✓ There has been much discussion about high level coordination between VDOT, CTB and NVTA. The process over the last week is a great example of that. CTB approved priorities that VDOT and NVTA are satisfied with.
 - ✓ Expressed appreciation to staff and Chairs for making this happen.
 - ✓ VDOT needs to keep moving quickly. NVTA does not meet again until December. VDOT needs feedback before that.
- Chairman Nohe agreed with staff recommendation that a work session should take place between VDOT and NVTA on or around Nov 21. Asked for feedback as to daytime or evening session.
- Chairman York suggested that, if a meeting of full body, must have significant commitment to ensure quorum.
- Mr. Zimmerman asked if there will be actionable items.
- Mr. Srikanth stated that it is up to the Authority what form this will take. VDOT would be much obliged if Authority would meet in November. How or what action taken will also be up to Authority. Will need two key inputs.
 - ✓ How to select the projects.
 - ✓ What measures to use to evaluate projects. VDOT will be holding sessions with staffs, as described in September NVTA meeting, in first or second week in November. Will bring to NVTA. If NVTA endorses, will become process. Project evaluation framework may not be ready by November 21, but VDOT will try.
- Chairman Nohe asked what date is best for VDOT. Mr. Srikanth suggested that a few days before November 21 would help, but that puts pressure on getting staff session completed in time
- There was general agreement that a daytime meeting on Friday, November 22 would work for an Authority outreach session.

- Chairman Nohe directed staff to poll Authority members as to availability, offering 2 or 3 time options.
- Ms. Fioretti asked for clarification about the input sessions that VDOT would like to have with technical staff. She asked in what format they would occur, through PIWG, the JACC or both. Ms. Fioretti stated that she asked because as we progress through the schedule, we can use that similar format over and over again and that will help inform the schedule. Mr. Srikanth responded that the study framework calls for a separate, independent session of invitees with at least one representative from the jurisdiction. It could be a separate meeting. It could be a moderated meeting where there will be computers and people will be asked to register preferences with handheld devices. It will have to be a special meeting, but we will work with schedule and send out invites.
- Chairman Nohe commented that from NVTAs perspective, the lead committee on HB599 coordination and litigation is PIWG. JACC plays a very key role in providing technical support, but given that HB599 is a legislative mandate, there is an expectation that the Authority members be formally and robustly involved in this process.
- Delegate May suggested that HB599 strongly suggests there be a numerical analysis performed in determining the ability of an individual project to reduce congestion. We have some such methodology in place right now. Is VDOT or third party under contract to VDOT that is developing or enhancing the existing analysis tools for determining the congestion relief that will come from any given project? Mr. Srikanth answered yes, VDOT has hired a team of consultants to set in place enhanced analytical methodology and the process with which the projects will be rated in their ability to reduce congestion. It is a process that we could use repeatedly as the law calls for updating this study every four years if not sooner.
- Delegate May added that he has no desire to stand in the way of any of the projects moving forward, however, if we have better tools, for “getting more mileage” out of our transportation funding, he very much in favor of it. He asked if it would be possible to have a preliminary report on how that effort is going, because sooner or later we are going to have to improve the tools we have right now. Mr. Srikanth responded that [VDOT] is legally obliged to provide a progress report on the study every 6 months. Report is on entire study and will have all milestones and accomplishments. The tools themselves, upon the request and guidance VDOT received when they were developing the study schedule, the full ratings are expected to become available in December 2014, but VDOT was encouraged to provide an interim set of results by June 2014 to coincide with the start of the fiscal year and have committed to do that.
- Delegate May stated that he would ask the consultants VDOT has working on this to appear before the Joint Commission on Transportation and Accountability to bring them up to date to make sure all are in ranging agreement. He stated he is very much in agreement, but eventually we are going to have to show some progress in that area. Chairman Nohe responded

that was a great idea. Delegate May stated that it involves some mathematical modeling and it is necessary to consider the topic.

- Ms. Cuervo acknowledged that Delegate May also asked if there are any ratings on projects today. Mr. Srikanth responded that there are different studies that have been done, that have used different approaches. The most recent one was the Transaction 2040. It does have a rating, but it has a different focus and a different criteria. The one we are obliged to use for this legislative study is a slightly different and laterally focused set of criteria. Delegate May responded that he would have them come speak to the Joint Commission.
- Chairman Nohe suggested that it would be valuable not just to the Joint Commission, but for the Authority because if the question ever comes up as to whether we are meeting legislative expectations, we can say the Joint Commission thought we were.
- Mayor Foreman asked about HB2313, stating that this issue relates to all the working groups. The town mayors realize that the working groups are working to finalize the agreements between towns and the counties for the 30% projects and distribution of funds. He asked that as we move into the December timeline, and that as the working groups are working on finalizing these agreements, he be kept in the loop. He stated that the [town] mayors and elected officials need to understand what they are agreeing to. He proposed that if there is anything he can send to the mayors, please send it to him and keep him apprised. In return, he offered to share information with mayors and will make sure the mayors are on board. The mayors would like to know when to get involved.
- Ms. Rishell asked that an electronic copy of the JACC report be sent out. Mr. Mason committed to sending.

VIII. Public Outreach Working Group

No report

IX. Legal Working Group

Chair Snyder

- Mr. Snyder responded to the three questions that were referred to the legal committee at the September Authority meeting.
 1. Who is responsible for NVTA debt in the event NVTA were to be dissolved by the General Assembly? Response: The nature of NVTA debt was addressed in detail by the Financial Working Group and its financial advisor. Briefly stated, NVTA is solely responsible for the debt it issues. The member jurisdictions of NVTA are not liable for NVTA debt. If NVTA were dissolved and provisions were not made for payment of outstanding debt, the potential for default on the bonds would arise. He stated that this is a fairly clear answer.
 2. Can VDOT credit financial contributions by NVTA towards Route 28 taxing district projects against the Commonwealth's 25% commitment? Response: We are still looking at that.

3. Would the VDOT project rating process under VA. Code § 33.1-13.03:1 "govern" NVTA's project selection? Response: This is actually very relevant to the conversation we just had. It is our view that The VDOT project rating process is independent of NVTA's project selection process, and uses different criteria. NVTA is authorized to select projects from two categories, subject to statutory criteria, (1) those contained within its regional plan that have been rated by VDOT, and (2) transit capital projects that increase capacity. As to the first category, VDOT's process for rating projects under Va. Code § 33.1-13.03:1 uses different criteria than those used by NVTA in selecting projects for funding. NVTA must adhere to all the relevant requirements set forth in the NVTA Act for regional plans, as well as all the relevant requirements of HB 2313 relating to use of NVTA funds. Because NVTA's selection criteria are different than VDOT's, NVTA is not obligated to give the same priority to projects as VDOT's ratings indicate. In effect, VDOT's rating process merely creates a universe of projects from which NVTA must select projects. This, of course, does not include mass transit capital projects which need not be rated before NVTA funds them. Because VDOT's rating process serves as a pre-qualifying condition that must be met before a project is selected, it is in the interest of NVTA and its member jurisdictions to maximize the utility of the rating process by having VDOT rate the greatest possible number of projects that are contained within NVTA's plan.

Under § 33.1-13.03:1, VDOT is required to coordinate with NVTA in the rating process. This coordination should include the number of projects VDOT rates, the frequency with which VDOT's ratings occur, and the extent to which projects contained within NVTA's plan are rated. It is recommended that NVTA advise VDOT at the earliest possible time of the need to coordinate closely in the project rating process to ensure the ratings are meaningful and enable NVTA to meet its statutory responsibilities. I think it says for non-transit projects, if we're going to continue it, it has to be rated. But, we are not bound by VDOT rating in terms of what priorities we set for those projects. And, it's within our interest to have the maximum number of projects rated. In other words, the VDOT rating process is a tool for us to use that is also a prequalifying event for the projects.

- Mayor Parrish asked for clarification about what happens to the debt if the revenue source goes away. The answer he heard presented was that if the revenue goes away and NVTA has no method of paying it, then NVTA is not responsible for it. Mr. Snyder responded that the jurisdictions will not have responsibility for it. Counsel stated the debt would go into default and the localities would have no responsibility. The State legally has no responsibility, but she believes the Authority's financial advisor told the Authority on July 24, 2013, that if it were as a result of an act of the General Assembly, Wall Street would not look favorably on Virginia for taking such a

draconian action. The debt would be in default and it is a risk to the bond holders.

- Mayor Parrish added that he is concerned that this will make the investment a bigger risk, impact the rating of the bond and the interest rate obtained by NVTAs as a result. Mr. Zimmerman replied that is correct and financial advisors have indicated that the bonds are likely to get an AA bond rating. This is the same risk that is associated with almost any kind of municipal debt and the risk varies. Any city could default and it is weighed against the sovereign power to tax. In this case, there will be some risk, but fairly low compared to a lot of other things.
- Chairman Nohe recalled that they [the financial advisors] explained that the AA rating is based on weighted risk, but also based on the legal and financial tools that can be put in place, involving debt insurance and such things that will bolster the confidence that investors would have, relative to someone who did not make the same policies. Counsel responded that that is correct, but also that the revenue stream is considered a very strong revenue stream by the financial markets. Chairman Nohe added that the gamble is, should HB599 be repealed, as opposed to NVTAs just deciding not to pay.
- Delegate May added that this has been explained in Appropriations Committee numerous times. That, no, it is not full faith and credit of Virginia behind the bonds, but because of Virginia's excellent financial record over many years, they pretty much treat it as though there were full faith and credit. Mayor Parrish stated that makes him more comfortable.
- Chairman York referenced the question about the Route 28 issue he raised at the September meeting. He stated this is an issue that needs to be resolved between Fairfax County and Loudoun County. He will take it back to the Route 28 tax district to resolve. Chairman Nohe added that he would like the NVTAs position on this to be, "We agree with Loudoun and Fairfax."

Additional Action Items

X. Ratification of NVRC Service Agreement Mr. Mason

- Mr. Mason stated that at that last meeting the Authority approved the NVRC service agreement. Now the agreement has been finalized and signed and is coming to the Authority to be ratified.
- Mayor Parrish moved to ratify the service agreement with the Northern Virginia Regional Commission; seconded by Chairman York. The motion carried unanimously.

XI. NVTAs Staff Benefits Guidelines Mr. Mason

- Mr. Mason stated the need to establish HR benefits for NVTAs staff. He added that the NVTAs needs to have reasonable benefits consistent with jurisdictions.

He presented a set of guidelines to be used to begin developing HR benefits and requested that Authority approve them.

- Chairman York moved to approve the benefits guidelines as a basis for the Executive Director arranging for NVTA benefits, with the understanding that final version of benefits package will be ratified by Authority; seconded by Ms. Rishell.
- Chairman Nohe suggested that if it is legal and desirable, the NVTA benefits might be included under one of the jurisdictions. Mr. Mason stated that was already being explored.
- The motion carried unanimously.

XII. Provision of Payroll Services

Mr. Mason

- Mr. Mason stated he had analyzed payroll services with both ADP and Paychex, and that ADP was the best deal. He recommended the Authority approve a contract with ADP to provide payroll services.
- Mr. Zimmerman moved to approve the contract with ADP to provide payroll services and authorization for Executive Director to sign on behalf of NVTA; seconded by Chairman Bulova. The motion carried unanimously.

XIII. Liability and Property Insurance

Mr. Mason

- Mr. Mason stated that it is important to put insurance in place for NVTA. He proposed that VML is the most cost effective approach. He noted one change from the memo presented to the Authority, that the annual costs are approximately \$3,000 per year, however fraud insurance will need to be added at a cost of \$600 per year. John Mason asked that the Authority approve the VML proposal for insurance.
- Chairman Nohe asked if the insurance includes director's insurance. Mr. Mason responded that it did.
- Chairman Bulova moved to approve the VML (Virginia Municipal League) proposal for general liability, public officials liability, property, automobile, fraud insurance and worker's compensation with authorization for Executive Director to sign contract; seconded by Mr. Zimmerman. The motion carried unanimously.

Information Items

XIV. Draft 2014 Legislative Program

Ms. Dominguez

- Ms. Dominguez introduced the draft 2014 Legislative Program. She mentioned that it is substantially different than program in years past and that she wanted to present it to the Authority with enough time for comments prior to the December 12, 2013 meeting. She briefly reviewed the new portions and noted that they were highlighted in the report in yellow.
- Mr. Zimmerman suggested Authority members think about the new red tape that the state has interjected into the process to deliver services that NVTA has been authorized to do by the State for more than a decade and have funding for. Suggested need to address the question of whether the decisions are going to be made through this regional authority as the General Assembly intended or to what degree are they now going to be funneled through another body, which is now VDOT they [General Assembly] could have given the money to in the first place. Need to think about how we address this question with the Commonwealth in coming months.

XV. CMAQ/RSTP Reallocation Requests Ms. Backmon

XVI. Final Testimony on Six-Year Program Fall Meeting Ms. Backmon

XVII. Executive Director's Report Mr. Mason

Adjournment

XVIII. Adjournment

- Meeting adjourned at 7:00pm.