

**SUMMARY MINUTES
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

June 20, 2013

City of Fairfax City Hall, 10455 Armstrong Street
Fairfax, VA 22031

NVTA Members Present:

Voting Members:

Martin Nohe, Chairman	Prince William County
William Euille, Vice Chairman	City of Alexandria
Board Member Chris Zimmerman	Arlington County
Chairman Sharon Bulova	Fairfax County
Chairman Scott York	Loudoun County
Council Member Rishell	City of Manassas Park
Mayor Parrish	City of Manassas
Council Member Snyder	City of Falls Church
Mayor Scott Silverthorne	City of Fairfax
Senator Ebbin	Virginia General Assembly
Delegate Rust	Virginia General Assembly
Delegate May	Virginia General Assembly
Ms. Bushue	Governor's Appointee
Mr. Garczynski	Governor's Appointee

Non-voting Members:

Helen Cuervo	VDOT
Joe Swartz	DRPT
Jerry Foreman	Town Representative

Staff:

Pam Martin	Clerk
Monica Backmon	Chair, Jurisdictional and Agency Coordinating Committee
Various jurisdictional staff	

Item I: Call to Order

Chairman Nohe called the meeting to order at 8:13 p.m.

Item II: Roll Call

The roll was called and members present are noted above.

Item III: Approval of the Minutes of May 23, 2013

Item IV: Discussion/Action Items

A. HB 2313 – Working Group Reports

i. Project Implementation

Board Member Zimmerman briefed the committee on the progress of the Project Implementation Working Group. He provided the detail of the three tiers and project selection process. He indicated that not all projects are recommended and the need to have a small list of projects. Mr. Garczynski stated the CTB adopted the Six-Year Plan and has funding for Route 28. Senator Ebbin asked about an inquiry regarding the expense of projects. Mr. Biesiadny, Director of Fairfax County Department of Transportation, stated that the projects met with the NVTA criteria and the significant costs of the right-of-way acquisition contribute to the overall cost of the projects. Chairman Nohe stated that there is a need for the analysis and proposed solutions to address the problem.

The Board Members discussed the next meeting, which was expected to be scheduled for July 24, 2013 at 6:00 p.m., in Fairfax City. Ms. Quintana confirmed that date and time. Mayor Parrish moved and Board Member Zimmerman seconded and the motion carried.

Chairman Nohe stated that the public hearing is closed, and the public comment will be closed on Thursday, June 27, 2013. The comments will be shared with other committee members.

Senator Ebbin asked about the public comments. Board Member Zimmerman explained the matrix and staff will compare the comments against the matrix in the spreadsheet. Chairman Nohe suggested advertising a longer list for the July 24 meeting, but the committee can adopt the shorter list. Board Member Zimmerman and Chairman York agreed with the recommendation. Delegate Rust asked if the Committee would be given the reason a project which is recommended. Board Member Zimmerman explained the criteria, and will give explanations to the Committee. Mr. Garczynski asked for the inputs and comments from other committee members.

Mayor Foreman asked about the next round of project selection. Board Member Zimmerman stated the next step will be the Six-Year plan will be developed in the next few months. Chairman Nohe stated that the Committee can always open a public hearing to include additional projects. Delegate Rust asked about the status of the ROW, design, and readiness. Mr. Board

Member Zimmerman replied that those projects are on the CLRP and have most of the work done.

Chairman Nohe asked staff to prepare project list for the July 24 meeting, and include a public comment process, as the Authority discussed. Board Member Zimmerman moved and Senator Ebbin seconded and the motion carried.

ii. Organizational

Chairman York provided the status report of the Organizational Working Group. The group received proposals from NVRC and GMU. They group will exam the proposals at the June 27 meeting. On the issue of the interim executive director, there are three people who have expressed interest to serve. Staff was asked to research way to pay for the full-time director. The financial group was asked to look at the issue with the CFO position.

iii. Public Outreach

Chairman Nohe provided the status report of the Public Outreach Working Group. He commended staff work their excellent work for preparing these meetings. He stated that there is a need to establish a better website, communication plan, and budget. A key to keeping the public informed is a better website for NVTa which would require additional funds.

iv. Financial

Mayor Euille provided the status report of the Financial Working Group. He also commended staff for their good work. The group discussed about the revenue for FY 2014, the Commercial and Industrial Property Tax (C&I), and how to distribute the 30%, bond sale and bond validation, etc. There is also a need to update the Memorandum of Understanding for 2013, the banking process to pay bills, and transfer the 30% to local governments.

Chairman Nohe stated that he received an email from VA Department of Taxation. Mr. Biesiadny responded that the document was referred to the Legal Working Group and they had no comment at this time

v. Legal

Mr. Snyder thanked the staff for their hard work and his appreciation for their generous time and effort in the working group. He introduced the Council of Counsels and also recommended other jurisdictions to engage in participation with the legal working group. Mr. Snyder briefed the Authority on several items: (a) the project list must meet the requirement of the law of HB 2313; payment of any administration expenses must meet certain criteria; bond validation must be considered; risk analysis to be considered if money is spent before bond validation.

Mr. Snyder requested that the Authority have a closed session to discussion personnel and legal matters.

B. Approval of I-66 TIER 1 EIS Comment Letter

Ms. Backmon discussed the I-66 Tier I EIS process and the recently action by the Commonwealth Transportation Board regarding concepts that would be forwarded for additional study. The concepts proposed for further study did not include Metrorail, VRE, or light rail. The proposed letter would share the concerns of the Authority on the exclusion of those transit options. Chairman Bulova moved and Mayor Parrish seconded and motion carried.

Mr. Snyder moved that the Authority convene a closed meeting, as authorized by Virginia Code sections 2.2-3711.A.1 and 7, for the purpose of discussing two personnel matters concerning candidates for employment by the Authority, and for consultation with the Authority's legal counsel concerning the meaning and application of House Bill 2313 as enacted this past session of the General Assembly, the potential for challenges to its legality and strategies to respond to such potential challenges, and the process for approval and funding of eligible projects under the legislation using cash and bond funding.

Senator Ebbin seconded the motion, the question was called on the motion and it carried by a unanimous vote.

At 10:39 p.m. the Authority reconvened their meeting.

Chairman Bulova moved that the members of the Northern Virginia Transportation Authority certify: (1) that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Working Group. Chairman York seconded the motion and it carried by unanimous vote.

Mayor Euille moved and Chairman Bulova seconded to approve the initial phase of work for NVTAs financial advisor (PFM) to analyze the financial implications of an initial bond issuance and authorizes Chairman Nohe to sign a contract with PFM. The motion carried with Chairman York voting "nay."

Mayor Euille moved and Chairman moved to direct staff to prepare letter to the Chief Administrative Officers of the nine NVTAs jurisdictions seeking information about each jurisdiction's intention related to adoption of the C&I property tax. The motion carried.

Item VII: Adjournment

The NVTAs meeting was adjourned at 10:41 p.m.