

**SUMMARY MINUTES
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

**February 5, 2009
General Assembly Building
Richmond, Virginia**

NVTA Members Present:

Voting Members:

Marty Nohe, Chairman	Prince William County
Bill Euille, Vice Chairman	City of Alexandria
Christopher Zimmerman	Arlington County
Sharon Bulova	Fairfax County
Dan Maller	City of Falls Church
Senator Mary Margaret Whipple	Virginia Senate
Sharon Pandak	Governor's Appointee
Judy Connally	Governor's Appointee (CTB)

Non-voting Members:

Corey Hill	DRPT
Kristen Umstaddt	Town Representative

Staff:

Various jurisdictional staffs

Item 1: Call to Order

Chairman Nohe called the meeting to order at 5:35 p.m.

Item 2: Roll Call

The roll was called and members present were as noted above.

Item 3: Approval of the Minutes of December 11, 2008

The minutes of the December 11, 2008, meeting were approved unanimously with Chairman Nohe and Councilmember Maller abstaining.

Item 4A: Update on Six Year Program and Endorsement of CTB Testimony

Tom Biesiadny, Chairman of the Jurisdiction and Agency Coordinating Committee (JACC), briefed the Authority on the additional cuts that the Commonwealth Transportation Board (CTB)

is proposing to make to the Six Year Program to address significantly lower funding levels. He indicated that the CTB is proposing cuts beyond the level proposed in December 2008. He reviewed the proposed testimony for the CTB public hearing on February 5, 2009. Mayor Euille moved that the testimony be approved, and Board Member Zimmerman seconded the motion. The motioned was approved unanimously.

Item 4B: Approval of Virtual Office Extension

Tamara Ashby (Arlington County) reviewed the JACC recommendation that the virtual office arrangement with the Fairfax Innovation Center be extended until the end of the calendar year at a rate of \$150 per month. Board Member Zimmerman moved that the extension be approved and Ms. Pendak seconded the motion. The motioned was approved unanimously.

Item 5A: 2009 General Assembly Session and Specific Legislation

The Authority and the Northern Virginia Transportation Commission members held a joint discussion on three legislative items (Metro Compact legislation, budget amendments providing flexibility in the use of transit capital funds and changes to NVTC and PRTC's motor fuel tax collection).

Metro Compact Legislation

Delegate Ebbin explained that the compact amendments were necessary to qualify WMATA for \$1.5 billion in federal capital funding. He introduced HB 2596 to be identical to legislation adopted by the District of Columbia which sets conditions for adding federal members to the WMATA Board. The House Appropriations Transportation Subcommittee recommended that the bill be conformed to SB 1511 (Whipple) which adds the federal representatives without conditions. Delegate Ebbin indicated that his bill might be amended in the Senate to reinstate the conditions. If two different bills are passed, the Governor will have the flexibility to sign or amend either one of them, depending on discussions with Maryland and the District.

Budget Amendments

The Authority was briefed on budget amendments submitted by Senator Whipple and Delegate May (449 1s and 449 1h) regarding the flexibility for transit systems to use some of their FY 2010 state aid for capital to support operating expects. Rick Taube (NVTC) explained that as introduced, the amendments would have cost Northern Virginia \$2.1 million, using FY 2009 figures, because of Northern Virginia's proportional share of transit capital funds compared to the rest of the state. Mr. Taube indicated that Linda McMinimy of the Virginia Transit Association is working with the patrons to develop an alternative that provides the intended flexibility without hurting Northern Virginia.

Motor Fuels Tax

Mr. Taube reviewed a memo on SB 1532 (Saslaw) which changes the point of collection for Northern Virginia tax district from the retailer to the distributor. The legislation also increases the tax rate from 2 percent to 2.1 percent, because the retail mark up will no longer be included

in the calculations. Mr. Taube noted that in order for NVTC to raise the same amount of money under SB 1532 as it has under the existing law, the retail mark up work need to be 4 percent or less. He said that there is evidence that the retail mark up could be higher than 4 percent. Following discussing, Ms. Pendak moved that the Authority approve the staff recommendation to work with the patron of the bill to refine it to guarantee NVTC at least as much revenue using the new approach as it would receive under current law. Mr. Maller seconded the motion, and it passed unanimously.

Mr. Biesiadny reviewed other legislation of interest to Northern Virginia. The Authority members indicated that they has no objection to the positions that the JACC recommended on specific legislation.

Mr. Biesiadny also briefed the Authority on the status of the federal economic stimulus legislation. He noted concerns about language in the transportation portion of the bill that would give priority to “economically disadvantaged” areas of the country. He noted that Northern Virginia’s General Assembly delegation sent a letter to Northern Virginia’s Congressional delegation raising concerns about this language. Chairman Bulova moved that NVTA also send a letter to the Congressional delegation requesting that the overall funding for transportation within the bill be increased; that the “economically distressed” language be modified to ensure that it does not disadvantage Northern Virginia; and that maintenance of effort language be modified. Board Member Zimmerman seconded the motion. As part of the motion, staff was also directed to attach a copy of NVTA’s economic stimulus priorities approved on December 11, 2008, after reviewing the projects to make sure that they qualify for stimulus funding, based on the current version of the bill. The motion was approved unanimously.

Item 6A: JACC Action to Reallocate CMAQ Funds for Fairfax County

No comment.

Item 6B: Update on TIP/CLRP Development

No comment.

Item 6C: Update on TIP Amendments

No comment.

Item 6D: Update on Air Quality

No comment.

Item 6E: Update on VTrans 2035

No Comment.

Item 6F: Correspondence

No Comment.

Item 7: Adjournment

The meeting adjourned at 6:55 p.m.

Next Meeting: May 14, 2009 – 7:30 p.m.
Fairfax City Hall
10455 Armstrong Street; Rooms 111 A&B
Fairfax, Virginia 22030