



Approved October 13, 2016

Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

Thursday, September 8, 2016
7:00pm
3040 Williams Drive, Suite 200
Fairfax, VA 22031

MEETING MINUTES

I. Call to Order Chairman Nohe

- Chairman Nohe called the meeting to order at 7:09pm.

II. Roll Call Ms. Speer, Clerk

- Voting Members: Chairman Nohe; Chairman Bulova; Chair Randall; Mayor Silberberg; Mayor Stombres; Council Member Snyder (arrived 7:38pm); Council Member Rishell; Delegate Hugo; Delegate Minchew; Ms. Hynes; Mr. Kolb.
- Non-Voting Members: Ms. Cuervo; Mr. Horsley.
- Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Keith Jasper (Program Coordinator); Sree Nampoothiri (Program Coordinator); Carl Hampton (Investment & Debt Manager); Peggy Teal (Assistant Finance Officer); Camela Speer (Clerk); various jurisdictional staff.

III. Minutes of the July 14, 2016 Meeting

- Chairman Nohe stated that Council Member Snyder had requested a change to the meeting minutes by email, as he would arrive late to the meeting. Ms. Backmon shared Council Member Snyder's email request, noting that at the previous meeting Council Member Snyder had changed his abstention vote to a yeas vote in support of the adoption of the FY2017 Program. She stated that in his email he had requested the addition of "in order to provide a united front for Northern Virginia in dealing with Richmond", to his statement in the draft minutes regarding his vote change. It was agreed that he had said this and there were no objections to adding this statement.
- Delegate Minchew questioned the meaning of this statement. Chairman Nohe suggested he ask Council Member Snyder for clarification.
- Delegate Hugo requested the statement be reread. Ms. Backmon reread the statement.
- Chairman Bulova moved approval of the July 14, 2016 minutes, as amended; seconded by Chair Randall. Motion carried with eight (8) yeas and one (1)

abstention [with Mayor Stombres abstaining as he was not at the July 14, 2016 meeting].

Presentation

IV. Overview of NVTA Regional Investments

Ms. Backmon, Executive Director

- Ms. Backmon presented the overview of the NVTA regional investments presentation to be given to the Joint Commission on Transportation Accountability (JCTA) in October. Regarding the request by the JCTA for this presentation, she noted:
 - ✓ The Authority is required to report annually to the JCTA, by November 15th of each year, on how revenues were spent in accordance with the provisions of HB 2313. The November 2016 report will be filed for FY2016 and the Authority will receive a copy. This is different than the NVTA Annual Report, which is a calendar year annual report.
 - ✓ Authority Member Delegate Hugo is the Chair of the JCTA.
 - ✓ The Authority has been asked to present to the JCTA in October, during the Governor's Transportation Conference, regarding the roles, responsibilities, revenues and expenditures, and future outlook for the Authority.
 - ✓ Authority members will receive the final presentation as part of the October Authority meeting packet.
- Ms. Backmon reviewed the responsibilities of the Authority.
 - ✓ Develop and update the long range transportation plan for the region.
 - ✓ Allocate funds made possible through HB 2313.
 - ✓ Make CMAQ/RSTP fund programming recommendations.
 - ✓ Serve as an advocate for transportation needs in Northern Virginia.
 - ✓ Develop, in coordination with localities, regional priorities and policies to improve air quality.
 - ✓ General oversight on regional transportation issues.
- Ms. Backmon noted that the Authority has statutory authority for other activities that it is not currently utilizing.
- Ms. Backmon highlighted additional items in the presentation:
 - ✓ Governing legislation.
 - ✓ Regional revenues allocated to projects.
 - ✓ Local revenues distributed to member localities.
 - ✓ Regional investments made to date - 79 projects for a total of \$990 million.
 - ✓ Congestion reduction impacts made by the 33 projects that have been evaluated through the HB 599 rating and evaluation process.
 - ✓ NVTA's current activities focusing on updating TransAction and developing the first Six Year Program FY2018-2023.
 - ✓ Estimated \$1.7 billion in revenues to fund the Six Year Program.
 - ✓ Debt capacity over the next 20 years of \$1.6 billion.
 - ✓ Estimate that from FY2018-2023 \$721 million will be transferred to localities for 30% projects.

- Ms. Backmon noted that the budget shortfall that is impacting the State has not impacted the Authority's budget as we do not use the State revenue estimates, we use estimates provided by the localities. She added that the tax revenues the Authority has received to date are currently higher than budgeted.
- Ms. Backmon concluded that the NVTA will continue to focus on regional projects and priorities, not just local interests. She added that the Authority will continue to practice transparency and collaboration.
- Chairman Nohe asked for clarification that the congestion reduction data in the presentation is cumulative. Ms. Backmon responded that it is.
- Delegate Hugo expressed appreciation for the presentation and suggested that the question that will be raised by the JCTA will be in regard to the overlapping jurisdiction of the NVTA and the Northern Virginia Transportation Commission (NVTC). He noted that there has been past legislation to bring NVTC under NVTA and that this will likely continue to be a discussion item, suggesting the NVTA should be prepared for that discussion. Delegate Hugo added that another meeting agenda item is with regard to Metro and the need for more funding for operations and capital expenditures. He noted many of the jurisdictions share this concern and stated that Council Member Evans will be presenting to the JCTA on this matter.
- Chairman Bulova thanked Delegate Hugo for being forthcoming and giving the Authority a heads up regarding the issue of the NVTA and NVTC consolidation. She noted this has been examined previously and there are reasons for not doing this. Delegate Hugo stated that there are good reasons for and against the consolidation. Chairman Bulova suggested we look at this again and thanked Delegate Hugo.

Action

V. Appointment of NVTA Vice-Chairman Chairman Nohe

- Chairman Nohe introduced and welcomed Mayor Stombres to the Authority as the new Mayor of the City of Fairfax.
- Chairman Nohe noted that with the resignation of Mayor Silverthorne, the Authority is absent a Vice-Chairman. He stated that he had appointed Chairman Bulova and Mayor Parrish to serve as the Nominating Committee to bring forth a recommendation for Vice-Chairman.
- Chairman Bulova stated that she and Mayor Parrish have collaborated on a number of occasions and are in agreement in nominating Chair Randall to serve out the remaining portion of the Vice-Chairman's term. She added that the nominating process and elections will be held again at the end of this year to elect new officers at the beginning of 2017.
- Chairman Bulova added that she is aware that there is interest in Delegate Minchew serving on the Planning and Programming Committee. She noted there will be an opportunity to review what committees individual members are interested in serving on.

- Chairman Bulova moved the election of Phyllis Randall as NVTA Vice-Chairman for the remainder of calendar year 2016.
- Delegate Minchew requested that since Senator Black was not present at the meeting, this be matter be passed by until next month.
- Delegate Minchew moved to defer this matter until the October Authority meeting; seconded by Delegate Hugo. Motion carried unanimously.

VI. Approval of Vision and Goals for Five-Year Strategic Plan

Ms. Backmon, Executive Director

- Ms. Backmon briefed the Authority on the proposed vision statement and goals for the Authority’s Five-Year Strategic Plan. She stated that the Authority has undertaken many of the roles and responsibilities enabled by State, but has not undertaken all. Ms. Backmon added that the Five-Year Strategic Plan is intended to guide the Authority as it figures out “what it wants to be when it grows up.” She reviewed the plan development process to date.
 - ✓ On April 11, 2016, a work session was held for Authority members to begin developing a vision statement and goals. Work session was well attended.
 - ✓ On May 26, 2016, a work session was held with NVTA staff and the Regional Jurisdiction and Agency Coordinating Committee (RJACC) to provide feedback on the input received from members at the April work session.
 - ✓ On July 7, 2016, a work session was held with NVTA staff and the RJACC to further refine the draft vision statement and goals.
- Ms. Backmon reviewed the draft vision statement and goals as presented. She added that the goals support and enable the Authority to fulfill the vision statement.
- Ms. Backmon noted the next steps in the process. She stated that based upon Authority approval of the vision and goals this evening, additional work sessions with the NVTA staff and the RJACC will be held on September 29, 2016, and November 3, 2016, to develop strategies, objectives and performance measures for each goal.
- Council Member Rishell questioned the appropriateness of using the phrase “economic prosperity” in the draft vision. She noted that economic prosperity is a by-product of a robust and strong transportation system, but it is not the prime purpose of the NVTA. She added that HB 599 and HB 2313 both reference congestion reduction and HB 599 references regional mobility. Council Member Rishell suggested that a locality could not advance a project even partially based on economic prosperity. Ms. Backmon responded that she believes the legislation speaks to the economic development of the region. She added that the TransAction Update vision statement states that “in the 21st century, Northern Virginia will develop and sustain a multimodal

transportation system that enhances quality of life and supports economic growth,” and that this is consistent with the previous transportation plan.

- Council Member Rishell suggested revising the vision statement to “Advance the overall quality of life and economic prosperity for the region through . . .”. She suggested this would take the emphasis off economic prosperity and make it a by-product of the actual purpose of the NVT A.
- Chair Randall suggested that economic prosperity and transportation are linked and asked Council Member Rishell for clarification on her suggested revision language. Council Member Rishell clarified the language as “Economic prosperity through congestion reduction”, or however one would want to work that. Council Member Rishell acknowledged that economic prosperity is linked to a robust infrastructure, but that she sees it as a byproduct rather than an equal. Chair Randall suggested that the statement says “to advance quality of life,” therefore, to promote it and transportation infrastructure does promote economic prosperity. She suggested that the vision statement as written does get to the point.
- Chairman Nohe stated that there is a lot of enabling legislation that defines what the Authority is and does. He noted that there is no question that HB 2313, which created the Authority’s funding, is entirely structured around congestion relief. He added that while congestion relief is reflected in the draft vision and goals, implementing HB 2313 is not the only thing the Authority is responsible for. Chairman Nohe stated that there are other funding streams that we currently administer and there are other things we could do in the future, but do not do at this time. He noted that the efforts that led to the passage of HB 2313 were justified by the notion of quality of life and economic prosperity. As a region, the consensus was that we need dedicated transportation funding for Northern Virginia so that we can maintain a high quality of life and continue to prosper economically. He suggested that the core mission of government generally in Northern Virginia, of which we are only one small part, is to advance quality of life and economic prosperity. The NVT A does that by improving multimodal transportation options for the community, etc. Chairman Nohe summarized that the value of this vision statement is what the NVT A does vis-a-vis what the community needs government generally to do. He then discussed how we do that under the laws that control NVT A funding. He noted it is the big picture and narrower picture in the same sentence. Council Member Rishell agreed that this makes sense and suggested that Chair Randall’s comment regarding the phrase “that advance” is pertinent.
- Ms. Hynes raised a question regarding the funding goal and asked what “maximizing opportunities from existing sources” means. Ms. Backmon responded that the intent was to acknowledge that there are funds other than regional revenues to fund projects, like state, federal, local or grant funds, and maximizing all the opportunities available to advance projects. Ms. Hynes suggested this is more like “leveraging multiple sources” to make best use, but if the intent is as Ms. Backmon stated, she is OK with the draft as written. She added that we want project sponsors to have “skin in the game” and we are not

the whole game. Ms. Hynes asked if “existing sources” is in reference to our sources or multiple sources. Ms. Backmon responded that it is in reference to multiple sources, whatever is available. Ms. Hynes suggested the colon is not necessary after “through” in the sentence.

- Chairman Bulova suggested maximizing and leveraging have different meanings. Maximizing means getting the most out of existing sources. Leveraging means taking existing sources and finding additional sources to add to them. She suggested you could say both “maximizing and leveraging opportunities”.
- Delegate Minchew stated that there are three sources of law that provide good authority as to who we are, what we are about, what we do and what our authorities are. He noted that the *Code of Virginia* §33.2-2500, §33.2-2508 and §33.2-2512 clearly provide the Authority’s goals, missions and authorities.

(Council Member Snyder arrived.)

- Delegate Minchew wondered whether the State code sections need to be rewritten because they are unclear. He suggested we do not need to rewrite the code and commended the three statutes as clearly laying out what the Authority does. He added that Ms. Backmon noted that the NVTA has authority that we do not exercise and we have chosen not to use this authority. Delegate Minchew concluded that these three statutes are clear in what the NVTA’s goals and missions are supposed to be by law. Ms. Backmon responded that this is a Five-Year Strategic Plan to address the question of “what the Authority wants to be when it grows up.” She added that this is not intended to rewrite the State code and we acknowledge what the NVTA’s roles and responsibilities are per code. The question is what does the Authority want to do over the next five years as far as the autonomies granted to the Authority per the code. Ms. Backmon stated that in order to be able to measure this, we wanted to start with a vision statement. She noted that there were good visions that came from the work session and that commentary was used to create the vision statement and then to develop the goals. Ms. Backmon added that the next step is to develop performance measures to allow tracking to ensure the Authority stays on track to address the goals. She concluded that we are definitely not planning to exceed the confines of the law.
- Chairman Bulova suggested the vision statement is more aspirational, while the law tells us what we can do. The vision statement states what we wish to accomplish with the legislation that gives us our abilities. Ms. Backmon added that the enabling legislation includes some performance measures like air quality and environment. She stated that this exercise is to set a framework for the Authority. She noted that the TransAction 2040 performance measures were pulled exactly from the State code and the enabling legislation, in regards to the elements to be considered when evaluating projects. Ms. Backmon added that this is just one step and the NVTA also has CMAQ/RSTP programming autonomy, tolling authority, and construction authority, among others. She stated that the goal is to determine how we get from where we are

to where we want to be. Ms. Backmon clarified that these are the Authority's vision and goals, therefore, if members decide not to proceed with this process, NVTA staff will regroup and come back to the Authority with a plan B. She add that this is the Authority's direction to NVTA staff on how to proceed.

- Chairman Nohe stated that an important question has been raised as to staying in compliance with the State code. He suggested that nothing in the draft vision and goals language is in conflict with or deviates from what the code requires of the Authority. He stated that the Authority members do need to provide feedback on the proposed language in the mobility goal as to the choice of manage, reduce or mitigate in the phrase "increase available transportation options, manage/reduce/mitigate congestion." He suggested that of the three choices, "reduce" is the word referenced in the State code, therefore, should be the word reflected in this goal. He acknowledged that there will be projects that get funded, but only reduce congestion relative to what would have happened had we not funded the project, suggesting congestion might get worse either way and it is just a question of how fast it will happen. Chairman Nohe reaffirmed that the State code mandates that the Authority must reduce congestion. He suggested that nothing in the draft language for the vision and goals calls on the Authority to do anything that it is not already tasked with doing.
- Council Member Snyder suggested there needs to be a reference in the vision or goals as to benefits and jurisdictional equity, due to this being in HB 2313. He stated that the NVTA exists under both state and federal law, and federal law has much to say about air quality in connection with transportation. He suggested environmental issues are something that both the State and this body are consistent with. He agreed that the vision and goals should stay within the confines of the law, but the law is both state and federal.
- Delegate Hugo concurred with Chairman Bulova and suggested that the vision and goals are aspirational. He added that they do not supersede the law and they do not limit the law. Delegate Hugo stated that he is fine with the draft language for the vision and goals as proposed, because the NVTA is limited by the law, there is nothing that supersedes the law and the vision and goals are totally aspirational. He acknowledged that the Committee did a great job.
- Delegate Hugo moved approval of the vision and goals for the Authority's Five-Year Strategic Plan; seconded by Delegate Minchew.
- Mayor Silberberg requested information on when and how public input would be requested on the vision and goals. Chairman Nohe suggested that these are the vision and goals for this body and public input is not required.
- Chairman Nohe noted the following suggested edits to the goal statements:
 - ✓ Strike colon in the funding goal.
 - ✓ Agreement to use the word "reduce" in the mobility goal.
- Council Member Snyder asked how the NVTA should address air quality and jurisdictional benefits in the vision and goals. Ms. Backmon responded that these elements, in coordination with the NVTA staff and the RJACC, can be

addressed under the objectives and performance measures that have not been developed. She noted that the projects being funded are regional and by being regional projects, they are evaluated by the Transportation Planning Board for air quality conformity determination, per federal requirements.

- Council Member Snyder suggested that air quality needs to be referenced in the vision and goals. He added that air quality is fundamental to the world we live in and if we do not meet air quality requirements, the federal funds will not be available. Chairman Bulova suggested that quality of life captures the air quality concerns, adding that quality of life is clean air, clean water, attractive and clean environment. Council Member Snyder suggested stating “quality of live and the environment” in the vision. Chairman Bulova stated that she does not have a problem with “quality of life and a clean environment and economic prosperity”. Council Member Rishell suggested, “quality of life, the environment and economic prosperity for the region.” Chairman Nohe asked if this is a proposed amendment to the motion. Council Member Snyder confirmed it was. Delegate Hugo accepted the proposed amendments to the motion.
- The motion was amended to include those amendments stated by Chairman Nohe and Council Member Snyder.
- Mr. Kolb noted that “safety” is not mentioned in the vision and goals. He suggested that safety is a concern and will be part of the performance measures required on a federal level and will feed into state plans. Chairman Nohe suggested that safety is a performance measure, as it should be imbedded in everything the NVTA does. Ms. Hynes suggested that a “sustainable transportation network” is by its definition safe.
- Motion carried unanimously.

Discussion/Information

VII. Technical Advisory Committee Report Mr. Boice, Chairman

- No verbal report.

VIII. Executive Director’s Report Ms. Backmon, Executive Director

A. Approval of CMAQ Transfer Requests for the City of Alexandria and the Town of Herndon, RSTP Transfer Requests for Fairfax and Prince William Counties

- Ms. Backmon noted that the NVTA has two upcoming groundbreakings:
 - ✓ West Ox Maintenance Facility on September 22, 2016 at 11am.
 - ✓ Belmont Ridge Road Project on September 27, 2016 at 1pm.

IX. Chairman's Comments

- Chairman Nohe stated that Mayor Silverthorne's resignation has left a vacancy for the Chairman of the Governance and Personnel Committee (GPC).
- Chairman Nohe appointed Ms. Hynes as Chairman of the Governance and Personnel Committee.

X. Adjournment

- Meeting adjourned at 7:48pm.