



Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, January 10, 2019

5:30PM

3040 Williams Drive, Suite 200

Fairfax, VA 22031

MEETING SUMMARY

I. Call to Order

Chair Randall

- Chair Randall called the meeting to order at 5:44PM.
- Attendees:
 - ✓ Members: Chair Randall; Board Member Cristol; Mr. Minchew; Councilmember Snyder (Arrived 6:20PM).
 - ✓ Authority Members: Chairman Nohe; Mary Hynes.
 - ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Richard Stavros (Investment & Debt Manager); Peggy Teal (Assistant Finance Officer).
 - ✓ Other Attendees: Tracy Baynard (McGuireWoods Consulting LLC); Bob Brown (Loudoun County); Dan Goldfarb (Northern Virginia Transportation Commission); Paolo Belita (Prince William County); Rich Roisman (Arlington County); Ellen Posner (Council of Counsels – Fairfax County Department of Transportation); Rob Dickerson (Council of Counsels – Prince William County); Steve MacIsaac (Council of Counsels-Arlington County); Jason Stanford (Northern Virginia Transportation Alliance).

II. Approval of Meeting Summary

- Motion to approve the minutes of the December 13, 2018 meeting of the GPC was made by Mr. Minchew, seconded by Chair Randall. Board Member Cristol abstained, Motion passed.

Action Item

III. General Assembly Session Update (Verbal Report)

Ms. Backmon, Executive Director
Ms. Baynard, Legislative Liaison

- Ms. Baynard gave a verbal General Assembly session update, noting:
 - ✓ Deadline for submitting bills was Friday, January 6.
 - ✓ The Wayfair decision was handed down, Virginia can now legally require the collection and remitting of remote sales tax. Ms. Baynard mentioned there are currently seven bills that support this change. She assured the Committee the General Assembly will pass legislation to make it happen.
 - ✓ Board Member Cristol confirmed the bills, referenced by Ms. Baynard, are to enact that a discussion needs to be had about allocation. Ms. Baynard responded; the remote sales tax has not changed how the sales tax money is allocated.
 - ✓ Ms. Baynard added, all the bills have a minimum threshold for a remote seller by which collection would have to begin.
 - ✓ When HB2313 was adopted, there was a trigger related to the Fair Market Act. There is some concern about getting rid of the language. Senator Peterson has introduced a bill that would modify some of the language.
 - ✓ Ms. Baynard noted there are a number of requests to study Route 28 and I-95 being directed to Virginia Department of Transportation (VDOT).
 - ✓ Delegate Watts has put in bill HB2090, which is implementing what Governor Northam proposed for funding for Metro and restoring funding to the Authority. Delegate Watts is using a five-cent increase in the Grantor's Tax and one percent increase in Transient Occupancy Tax. Ms. Baynard added Mr. Longhi is completing an analysis.
 - ✓ Ms. Baynard explained there was joint meeting of House and Senate Transportation Committees to obtain updates.
 - Secretary Valentine was questioned about the 2018 legislation and how it's impacting Northern Virginia. She responded it is something she plans to address in 2020.
 - Board Member Cristol wanted to confirm if Delegate Watts was going to introduce the bill but the Governor won't be backing it.
 - Ms. Baynard responded she doesn't believe that will be happening.
 - Chair Randall questioned why Delegate Watts is introducing a bill she knows will go flat. Ms. Baynard responded, the next update point will connect why Delegate Watts would introduce this bill.
 - Ms. Baynard described the broad consensus that I-81 is important and needs dedicated funding to move improvements forward. She discussed broad consensus about the projects and how they've been prioritized, with less consensus on how to pay for it. Secretary Valentine admitted that legislation is still being drafted amidst ongoing discussions.
 - The trucking industry is opposed to tolling. Ms. Baynard added, within the corridor there continues to be some back and forth on how to fund projects. Outside the I-81 Corridor there are concerns being expressed about whether there is enough time to figure out how to address the dedicated funding question.

- There are members of the I-81 Corridor that think the Authority is asking for too much and the scope should be smaller.
- Ms. Baynard is encouraged that there is a conversation about dedicated funding for I-81. However, she noted that consideration may not have been given regarding questions of equity and how to do regional funding. Ms. Baynard mentioned she is receiving questions about equity in regional funding.
- Ms. Baynard referenced a bill introduced by Senator Edwards that raises the state gas tax to five percent statewide except removing \$300 million off the top.
- Both Richmond and Fredericksburg regions are now considering if they want to come forth to be included. Ms. Baynard added it was still too soon in the process to make a determination.
- Ms. Hynes added, based on feedback, there is a strong consensus that sales tax should not be involved. She noted it was less concern about gas tax. Ms. Hynes mentioned everyone knows the gas tax has a diminishing return.
- Chair Randall reminded Ms. Baynard to tie the discussion back to Delegate Watts bill (HB2090) mentioned earlier.
- Ms. Baynard responded, Delegate Watts wanted to have a vehicle available for use if an opportunity became available.
- Chair Randall recapped it's a vehicle in case it's needed. Ms. Baynard confirmed.
- Board Member Cristol questioned the nexus potentially seen in addition to possible new sales tax funding with I-81, and would this create a regional authority.
- Ms. Baynard responded that Secretary Valentine didn't speak to the issue. She added that organization was not included in the study. Ms. Hynes stated, there was discussion about what is required. Ms. Baynard added, Secretary Valentine announced to the committees there will be an advisory board.
 - State-run toll facility.
 - The Commonwealth Transportation Board (CTB) will make decisions on the projects.
 - The advisory board would provide feedback, and comments.
 - Secretary Valentine likened it to the current state of Northern Virginia Transportation Commission (NVTC) playing an advisory role in revenues from I-66.
- ✓ Ms. Baynard noted her update included highlights, adding there will be a formal chart once the bills start to come in.
- ✓ Chair Randall asked if Delegate Watts was trying to get a companion bill in the Senate. Ms. Baynard responded, she didn't know, she hasn't had that conversation with Delegate Watts. Ms. Baynard added, she would contact Delegate Watts tomorrow.
- ✓ Mr. Minchew wanted to confirm if the version of Senator Black's Bill (SB1468) is the Bill the Authority supports. Ms. Baynard responded it

needs line amendment modifications. Ms. Baynard added there is an interesting ‘quirk’ in the code, the phrase ‘Northern Virginia Transportation District’ was put in the language in 2012, and is the incorrect reference. She mentioned she will talk to the attorneys about the line amendment.

- ✓ Ms. Baynard announced proposed budget amendments have to be submitted tomorrow by 3PM.
 - Chair Randall asked did Delegate LaRock file a bill on the Greenway. Ms. Baynard responded, not yet but it’s still very early.
- ✓ Ms. Backmon referred to letter from the Council of Governments and Senator Barker, included in meeting packet. She added Councilmember Snyder wanted to speak in support of this initiative, noting it’s late for the Legislative Program however the Authority can still support the initiative.
 - Chair Randall mentioned her familiarity with the initiative adding, the VDOT vehicle have sirens and lights to get to the scene. VDOT was supposed to put the bill in, but missed their deadline. Delegate LaRock and Senate Boysko to file the bill for us to get action on it. Delegate LaRock and Senator Boysko agreed. Chair Randall added, the bill has not caused much of a reaction and may not be picked up until 2020. The Loudoun County Board is supportive and pushing it.
 - Ms. Hynes asked if anyone has spoken with Secretary Valentine about the initiative. Chair Randall responded that she has not.
 - Ms. Hynes added, if someone could communicate the importance of this initiative to Secretary Valentine, she could possibly be in favor and support of the bill. Chair Randall agreed and responded that she would give Secretary Valentine a call.
 - Ms. Baynard mentioned there are elements of the existing policy that allows the Authority to support the initiative through regional cooperation, safety and management. It’s just a matter of when the bills will be introduced, then the Authority can add their support.

IV. Discussion of Executive Director 2018 Performance Evaluation

Chair Randall

Chair Randall presented a draft copy of a letter for the Committee’s review and discussion.

V. Adjournment: 6:29PM

Next Meeting: February 14, 2019 at 6:30PM