



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

**Monday, November 26, 2018
10:00 AM
3040 Williams Drive, Suite 200
Fairfax, VA 22031**

AGENDA

- I. Call to Order** Chair Randall
- II. Approval of the Meeting Summary of the October 11, 2018 Meeting**
(With abstentions those who were not present.)

Discussion/Information

- III. Review of Executive Director 2018 Performance Goals (Handout at meeting)** Chair Randall
- IV. Preparation for the 2019 General Assembly Session**
Ms. Backmon, Executive Director
Ms. Baynard, Legislative Liaison

Closed Session

(If Required)

Adjournment

- V. Adjournment**

Next Meeting: TBD

NVTA Offices



Northern Virginia Transportation Authority *The Authority for Transportation in Northern Virginia*

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, October 11, 2018

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 5:45PM.
- Attendees:
 - ✓ Members: Chair Randall; Councilmember Snyder (via conference call, connected at 5:52PM); Chair Cristol; Mr. Minchew; Mayor Meyer.
 - ✓ Authority Member: Chairman Nohe; Ms. Hynes (arrived 6:08PM).
 - ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Richard Stavros (Investment & Debt Manager); Peggy Teal (Assistant Finance Officer); Erica Hawksworth (Communication & Public Affairs Manager); Sree Nampoothiri (Transportation Planner).
 - ✓ Other Attendees: Tracy Baynard (McGuire Woods Consulting LLC); Noelle Dominguez (Fairfax County); Bob Brown (Loudoun County); Paolo Belita (Prince William County); Rich Roisman (Arlington County); Dan Goldfarb (NVTC); Rob Dickerson (Council of Counsel – Prince William County).

Non-Agenda Item

- Chairman Nohe requested Chair Randall's approval to interject an agenda item related to Committee Appointments. Chair Randall agreed.
- Chairman Nohe stated that after discussion with the involved individuals the following Committee changes were effective.
 - Chairman Nohe will leave GPC, to make room for;
 - Mr. Minchew joining GPC where his NVTa and General Assembly experience will be of great value.
 - Chair Randall will leave the Finance Committee.
 - Chairman Nohe will join the Finance Committee
- There was general discussion of the benefits of these changes, which are the Authority Chair's prerogative.

II. Approval of Meeting Summary

- Motion to approve the minutes of the October 11, 2018 meeting of the GPC was made by Mr. Minchew, seconded by Chair Cristol.

Discussion/Information

III. Preparation for the 2019 General Assembly Session(Verbal Report)

Ms. Backmon, Executive Director

Ms. Baynard, Legislative Liaison

- Ms. Baynard gave current report of 2019 General Assembly Session updates.
 - ✓ She has done due diligence in talking with both the business community and elected officials about the Regional Authority. Ms. Baynard confirmed that Fredericksburg business community is still very interested. The Richmond Business Community has become more active in beginning work with their delegation to get support to create a Regional Authority that would include funding. Ms. Baynard added, she does not expect any activity on those Bills in the 2019 General Assembly Session.
 - ✓ Chairman Nohe suggested that other regions should not create an authority, but instead create a commission. He added it would be difficult legislatively to add an Authority in regions that don't have the ability to support the administrative overhead that comes with running an Authority.
 - ✓ Ms. Baynard added Hampton Roads, Richmond and Fredericksburg already have formal transportation planning organizations. She mentioned they are likely to add a funding function to their current transportation planning organizations.
 - ✓ Chair Randall questioned if the stakeholders were the same as those who voted in favor of the Metro funding bill (HB1539). Ms. Baynard responded affirmatively stating that due the House using a caucus vote, where deviations were not allowed.
 - ✓ Chair Randall reminded the Committee of its stance on HB1539 is to get money back to the NVTA without opening up a conversation about Metro.
 - ✓ Chair Cristol mentioned NVTC has furthered its legislative agenda since the September GPC meeting.
 - ✓ Chair Cristol added that the position of NVTC is to spend the year demonstrating how rapidly the commission has put into place various accountability measures related to WMATA and is supporting NVTA in seeking the restoration of revenues.
 - ✓ Ms. Baynard mentioned the Chambers of Commerce are in the process of updating their legislative programs for 2019, which will include statements that call for making the Authority 'whole' again. She added the Chambers are composing a supporting letter with various statements of NVTA funding restoration in accord with language the GPC has agreed upon.

- ✓ Chair Randall stated that another term should be used instead of “making the Authority whole”, as it relates to petitioning for repealed monies to be returned. Ms. Baynard responded the verbiage will not be specific about funding revenue sources. Ms. Baynard shared the term ‘restore’ or ‘restoring’ would be used instead.
- ✓ Mr. Minchew suggested that talking points be developed for projects that could be funded if money was returned to the NVTA. Chair Cristol added that the unfunded projects (from the FY2018-2023 Six Year Program) as a result of the repeal, should also be included. Ms. Baynard mentioned adding the economic impact study results that NVTA staff is working on, will show the importance of having a strong multimodal transportation system.
- ✓ Chair Nohe distributed a handout reflecting the revenue projections and net losses due to HB 1539. He stated that the Authority may want to seek the provision to use regional revenues for the operating budget.
- ✓ Chair Cristol responded she would not be opposed to the idea since Arlington lost \$12 million of its 30% funds and appreciates the opportunity to save \$200,000 a year.
- ✓ Chair Randall mentioned she made the case that NVTA’s is a regional body, if one jurisdiction is impacted it effects the Authority. She added that the GPC has worked hard to not make this not about one jurisdiction versus another.
- ✓ Chair Nohe also stated that an additional legislative initiative if the Authority should be the pursuit of a legislative change that allows the NVTA to self-certify HB599.
- ✓ Ms. Hynes responded that in part the HB599 was for check and balance accountability that is no longer needed due to the transparency of the NVTA processes.
- ✓ Chair Randall noted that the Dulles Corridor Advisory Committee (DCAC) met and discussed the toll increases expected by the end of the year. She stated that there is a concern that if tolls increase to \$4.75, people will get off the toll road and use side streets. DCAC has a proposed action plan to identify and evaluate the strategies for handling mobility in the Dulles Corridor. She requested the DCAC include the NVTA in the mobility/congestion discussion due to its regional transportation planning responsibilities and multi modal perspective. The motion passed unanimously. She added someone from DCAC will be contact with the Authority in October.
- ✓ Chair Cristol recommended for consideration the sourcing of NVTC for they have engaged work previously around the administration of I-66 tolls, and how to spend the monies on multimodal, intelligent transportation.
- ✓ Ms. Backmon added the 2018 Annual Report will include an economic assessment of the FY20108-2023 Six Year Program, and what the projects mean to Northern Virginia and Commonwealth of Virginia as a whole.

IV. Annual Executive Director Performance Evaluation Process

Chair Randall

- Chair Randall discussed the upcoming performance evaluation for the Executive Director.
 - ✓ Confirmed target for completing evaluation is January 2019.
 - ✓ Agreed to evaluation process steps presented.
 - ✓ Chair Randall directed the NVTAs CFO to undertake a regional salary survey and other administrative preparations as noted in the process outline.
 - ✓ Distributed Executive Director's 2018 performance goals for reference.

V. Adjourned 6:34PM

Next Meeting: November 26, 2018 at 10:00AM



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

2019 State and Federal Legislative Program

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (New Section and Positions)

The Northern Virginia Transportation Authority (Authority) is a regional body that focused on delivering real transportation solutions and value for Northern Virginia's transportation dollars by bringing Northern Virginia jurisdictions and agencies together to prioritize projects and implement solutions. In 2002 the Authority was created by an act of the Virginia General Assembly to develop a regional plan of prioritized multimodal transportation projects to address the mobility needs of Planning District 8. Via HB 599 (2012) and HB 1470 (2015) the Authority began using performance criteria to analyze the benefits relative to costs of projects that would reduce congestion and improve emergency evacuation.

The landmark HB 2313 (2013) statewide transportation funding legislation also provided new, sustained regional funding for the Authority and its member jurisdictions. Revenues from a two percent Transient Occupancy Tax, (TOT) a fifteen cents per \$100 Grantor's Tax and \$.07 Sales and Use Tax were divided with thirty percent flowing to the individual jurisdiction members for use on transportation improvements and the Authority retaining seventy percent to add new capacity to multimodal facilities across the region.

RESTORE LONG TERM FUNDING

In 2018, deliberations on how the Commonwealth of Virginia should provide \$154 million annually to address long neglected capital maintenance at the Washington Metropolitan Area Transit Authority (WMATA) resulted in the loss of two of the Authority's revenue sources. The TOT and the Grantor's Tax are now assigned to Virginia's newly created WMATA Capital Fund. The initial impact is a loss of \$102 million in Authority revenues for regional and local use. The adopted FY 2018-2023 Six Year Program was reduced by \$289 million from initial projections resulting in partial funding for multiple projects with high analysis of reducing congestion.

ALLOW THE AUTHORITY TO PERFORM HB 599 PRIORITIZATION ANALYSIS

When the General Assembly created a prioritization analysis requirement via HB 599 the legislation called on the Virginia Department of Transportation (VDOT) to undertake creating the methodology and capped the number of projects for analysis at twenty-five. VDOT was not given any new revenues for this work. Today the Authority believes regional plans would benefit from increasing the number of projects submitted via the HB 599 process. The Authority believes it can more efficiently perform the analysis on a larger group of projects and seeks authorization to move responsibility for the HB 599 analysis from VDOT to the Authority.

STATE

STATE FUNDING

Allocation of Statewide Revenues: It is important that Northern Virginia continues to receive its fair share of statewide revenues, as required in HB 2313. This is especially important as various formulas and processes for transportation funding are being created and/or modified.

A. **State of Good Repair: The Authority recommends an increase in the percentage of State of Good Repair revenues that come to Northern Virginia.**

- The Authority is concerned that Northern Virginia is currently expected to receive 10.6 percent of State of Good Repair funds, while as of May 2017 only 39.4 percent of all secondary roads in Northern Virginia are in Fair or Better Condition, far less than the Commonwealth's average of 60 percent. With statewide funding for State of Good Repair increasing from \$80 million to over \$300 million in FY 2021, the Authority hopes that some of this increased funding can be dedicated to repairing critical secondary road pavement in our region. As millions of people drive on our roads every day, these deteriorated pavements will only get worse until something is done to address them.

Revenue Sharing: The Authority recommends that funding of the Revenue Sharing Program not be decreased below its current level of \$100 million.

- The Authority is concerned about efforts to decrease funding for the Revenue Sharing Program over the next several years. By design, the Revenue Sharing Program has allowed more projects throughout the Commonwealth to move forward through the leveraging of funds with local sources. Reducing the funding in this program will slow efforts to improve our transportation system.

B. **Transit Capital Funding: The Authority supports efforts to fully address this anticipated state funding reduction with statewide resources to ensure that all the Commonwealth's transit systems continue to receive appropriate state resources to provide critical transit services.** Accessible and affordable transit services are an integral component to resolving Northern Virginia's traffic congestion challenges. Revised

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)

WMATA bus and rail services continue to support job and population growth in the Commonwealth of Virginia and Northern Virginia. WMATA's Virginia jurisdictional partners are on track to enhance the system through significant investments, e.g. Silver Line completion, new Potomac Yards station and numerous park and ride garages along I-66. WMATA, its funding partners, stakeholders and users are at a critical crossroads as we collectively try to determine the future of this important transportation infrastructure and also protect the cumulative billions of dollars already invested by local, state and federal government, by this Authority and by the private sector.

Metrorail in particular is a significant driver of the Commonwealth's and Northern Virginia's economy. The transit system station locations are the focus of some \$25 billion in residential and commercial development and economic activity around rail facilities generates \$600 million a year in state tax revenues.

- A. **Safety:** The Authority supports adequate funding for and oversight of WMATA as it enhances the safety and security of the system and its riders. The Authority applauds work being done to stand up the Metro Safety Commission to ensure adequate oversight of WMATA’s efforts.
- The Commonwealth is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system, and must work with the Federal Government to ensure that it, too, provides sufficient resources.
- B. **Sustainable Governance, Operating and Funding Reforms:** The Authority supports appropriate changes in governance structures and policies, operational practices, and funding sources to address WMATA’s current and long term challenges.
- Extending the \$300 million annually provided by the federal government, the Commonwealth, Maryland, and the District of Columbia, as provided in Passenger Rail Investment and Improvement Act of 2008 (PRIIA) beyond 2019 is critical. This funding addresses urgent capital needs and is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system.
 - The system staff, board and stakeholders must identify, adopt and implement reforms in all three areas in order to provide the Commonwealth, Northern Virginia and the National Capital Region with a transit system capable of supporting continued economic and population growth and national security response.
 - WMATA Board governance reforms should recognize that those jurisdictions that fund Metro have a role in decision-making.
 - Capital and operating funding agreements among all Metro stakeholders is essential to ensuring sustainable funding for maintenance and enhancements.
- C. **Maximize Metrorail’s Existing Infrastructure:** The Authority supports continued local, regional, state and federal investment in Metro that helps accommodate additional passenger growth in Northern Virginia, which is important for the entire Commonwealth and serves federal facilities in the National Capital Region.
- While focusing on safety and state of good repair, the region must also work to address the WMATA capacity needs that serve Northern Virginia residents and businesses and federal facilities. The region is projected to continue to grow over the coming decades, placing more pressure on a Metro system that is already nearing capacity.
 - Improvements to the system’s core capacity are needed to attract and accommodate additional riders. Capital and operating resources and efficiencies are critical to ensuring that these needs are addressed. (Reaffirms Previous Position)

VIRGINIA RAILWAY EXPRESS (VRE)

The Authority supports efforts to identify funding for operating and capital costs to sustain current service, as well as funding to address natural demand growth in the region.

- VRE’s 2040 System Plan identified capital and operating requirements needed for the system; and the associated Financial Plan found a clear need for increased funding even without any expansion of service. While some elements of the 2040 Plan have been funded through Smart Scale and the Atlantic Gateway projects, additional funding for capital and operating remains a critical need to sustain the current level of service and meet future demand.
- VRE currently provides approximately 20,000 rides a day. Most of those utilizing the system are transit choice riders who would otherwise be driving on Northern Virginia’s already congested roadways. VRE provides the equivalent of an additional lane on the I-95/I-395 and I-66 Corridors of Statewide Significance during peak periods, with less pollution, energy consumption and accident cost from highway operation.

PEDESTRIAN AND TRANSIT SAFETY

The Authority supports revisions to Virginia’s existing pedestrian legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less and at unsignalized crosswalks in front of schools.

Strong safety records depend on strong safety practices and training and **the Authority supports training programs for transit systems, pedestrians and bicyclists.** *(Revises and reaffirms previous position)*

LAND USE PLANNING

The Authority supports land use and zoning as fundamental local responsibilities and objects to certain land use provisions included in state law that could override the work done by our local governments and our residents, property owners, and the local business communities on land use and transportation plans.

Land use provisions included in legislation during the 2012 Session provide that VDOT and the Commonwealth Transportation Board (CTB) can decide whether local transportation plans are consistent with the Commonwealth’s current priorities. If they decide this is not the case, they are able to withhold funding for transportation projects in counties. While the Authority is appreciative of efforts to better coordinate local and state transportation planning, it is also concerned that these provisions essentially transfer the responsibility for land use planning from local governments to the Commonwealth. *(Reaffirms previous position)*

The Authority supports the ability of its member jurisdictions to collect both in-kind and cash proffers that assist with providing necessary transportation facilities and infrastructure to serve new development and help address transportation congestion and accessibility. Proffers have been a critical element in leveraging local, regional, state, and federal funds, which come together to fully fund necessary transportation projects in our region. Member jurisdictions and their landowner partners should have sufficient flexibility to explore all options to provide critical transportation facilities. *(Reaffirms previous position)*

SECONDARY ROAD DEVOLUTION/LOCAL MAINTENANCE PROGRAMS

The Authority opposes the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements. While there may be insufficient resources to adequately meet the maintenance and improvement needs of secondary roads within the Commonwealth, the

solution to this problem is not to simply transfer these responsibilities to local government that have neither the resources nor the expertise to fulfill them.

The Authority opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance.

The Authority opposes changes to maintenance allocation formulas detrimental to localities maintaining their own roads. Changing current formulas or requiring additional counties to maintain their roads could lead to a reduction in Urban Construction and Maintenance Funds, placing a huge extra burden on these localities. (Reaffirms previous position)

MAXIMIZING USE OF FACILITIES AND OPERATIONS

A vital component of our transportation network is transportation demand management, such as high occupancy vehicle use, and teleworking, safe pedestrian and bicyclist movement; and encourage user friendly access to transit. The Authority supports these efforts to help mitigate roadway congestion and provide benefits to employers and employees. (Reaffirms Previous Position)

FEDERAL

SURFACE TRANSPORTATION PROGRAM REAUTHORIZATION

The level of Federal investment in the nation's transportation infrastructure, including both maintenance of the existing system and expansion, must increase significantly

USDOT must coordinate with regional agencies, including the Northern Virginia Transportation Authority and the Transportation Planning Board, and local governments as it works to rules to establish performance measures and standards for numerous programs;

The Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) are essential to the region. These two programs are presently overextended and additional funding for both is crucial to address needs throughout the Country.

To recognize the uniqueness of metropolitan areas, **greater decision-making authority for determining how transportation funding is spent should be given to local governments and regional agencies, such as the Northern Virginia Transportation Authority; and**

Safety and security must continue to be an important focus of transportation projects.

(Revises and reaffirms previous position)

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FUNDING

A. Extending Passenger Rail Investment and Improvement Act of 2008 (PRIIA) Funding and Safety: The Authority supports WMATA’s efforts to enhance the safety and security of the system and its riders, through adequate funding and oversight.

- The federal government is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system. The \$300 million annually provided by the federal government, the Commonwealth, Maryland, and the District of Columbia, as provided in Passenger Rail Investment and Improvement Act of 2008 (PRIIA) addresses urgent capital needs and is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system.
- This authorization, which must continue to be accompanied by annual appropriations, is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system. (Reaffirms Previous Position)

B. Maximize Metrorail’s Existing Infrastructure: The Authority supports continued local, regional, state and federal investment in Metro that helps accommodate additional passenger growth in Northern Virginia, which is important for the entire Commonwealth and serves federal facilities in the National Capital Region.

- While focusing on safety and state of good repair, the region must also work to address the WMATA capacity needs that serve Northern Virginia residents and businesses and federal facilities. The region is projected to continue to grow over the coming decades, placing more pressure on a Metro system that is already nearing capacity.
- Improvements to the system’s core capacity are needed to attract and accommodate additional riders. Capital and operating resources and efficiencies are critical to ensuring that these needs are addressed. (Reaffirms Previous Position)

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both capital and operating remains a critical need to sustain the current level of service and meet future demand.

- VRE currently provides approximately 20,000 rides a day. Most of those utilizing the system are transit choice riders who would otherwise be driving on Northern Virginia's already congested roadways. VRE provides the equivalent of an additional lane on the I-95/I-395 and I-66 Corridors of Statewide Significance during peak periods with less pollution, energy consumption and accident cost from highway operation.
- Federal funding and cooperation is critical to the expansion of the Long Bridge, currently a significant impediment to enhancing passenger and freight rail service in the Northeast Corridor. Expanding the Long Bridge is identified in VRE's 2040 Plan.
- The Authority urges the Federal government to complete implementation of the Positive Train Control initiative in order to improve employee and passenger safety in rail corridors used by VRE.

FEDERAL GOVERNMENT RELOCATION AND CONSOLIDATION

The Authority supports greater coordination and sufficient funding to address the planning and transportation issues associated with any future Base Realignment and Closure Commission recommendations or other federal Government Relocations and Consolidations. (Reaffirms previous position)

FUNDING FOR TRANSPORTATION EMERGENCY PREPAREDNESS

The Authority calls upon Congress to provide increased emergency preparedness and security funding to local and regional transportation agencies in the metropolitan Washington area. (Reaffirms previous position)

FUNDING FOR THE METROPOLITAN AREA TRANSPORTATION OPERATIONS COORDINATION (MATOC) PROGRAM

The Authority calls upon Congress to provide increased funding to transportation agencies in the metropolitan Washington area to continue funding for MATOC's operations. The MATOC program is a coordinated partnership between transportation agencies in D.C., Maryland, and Virginia that aims to improve safety and mobility in the region through information sharing, planning, and coordination. (Reaffirms previous position)

FLIGHT OPERATIONS AT REAGAN WASHINGTON NATIONAL AIRPORT

The Authority supports, along with other localities and regional bodies, efforts to maintain the slot rule (limiting the takeoffs and landing) and the perimeter rule at Reagan Washington National Airport. Increasing the number of slots and changing the perimeter rules would have substantial negative impacts on congestion, efficiency, service and the surrounding community. The region has encouraged air expansion at Dulles International Airport and Northern Virginia continues to significantly invest in transportation projects, such as the Metrorail Silver Line extension, that will provide greater accessibility to Dulles International Airport. (Reaffirms previous position)