



## MINUTES

Thursday, November 12, 2020

7:00pm

3040 Williams Drive, Suite 200

Fairfax, VA 22031

Meeting conducted on WebEx and Live Streamed via YouTube

### **Call to Order**

Chair Randall

- ✓ Chair Randall called the meeting to order at 7:02pm.

### **2. Roll Call**

Ms. Sen, Interim Clerk

- ✓ Voting Members: Chair Randall; Mayor Parrish; Chairman McKay; Chair Wheeler; Board Member Cristol; Mayor Meyer; Mayor Wilson; Mayor Rishell; Council Member Snyder; Senator Boysko; Delegate Roem; Delegate Watts; Ms. Hynes; Mr. Kolb.
- ✓ Non-Voting Members; Mayor Wood (joined 7:05pm); Ms. Mitchell; Ms. Cuervo.
- ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Keith Jasper (Principal, Planning and Programming); Sree Nampoothiri (Senior Transportation Planner); Harun Rashid (Transportation Planner); Ria Kulkarni (Transportation Planner); Mackenzie Jarvis (Transportation Planner); Peggy Teal (Assistant Finance Officer); Erica Hawksworth (Communication and Public Affairs Manager); Dev Sen (Financial Analyst); Margaret Duker (Board Clerk) and various jurisdictional and agency staff.
- ✓ Other Attendees: Rob Dickerson (Council of Counsels); Steven MacIsaac (Council of Counsels); Joanna Anderson (Council of Counsels); Daniel Robinson (Council of Counsels); Tracy Baynard (McGuire Woods Consulting LLC); Michael Garber (PB Mares LLP); Tyler Farnsworth (PM Mares LLP); Rob Cary (VDOT); Susan Shaw (VDOT); Abraham Lerner (VDOT); Ciara Williams (DRPT); Jennifer DeBruhl (DRPT); Mr. Jitender Ramchandani (OPI).

### **3. Adoption of Resolution 20-06 to Find Need to Conduct Meeting by Electronic Communication Means during Governor's declared State of Emergency during COVID-19 Pandemic**

NVTA Council of Counsels

*Recommended action: Adoption of Resolution 20-06 for Electronic Meetings During COVID-19 Pandemic*

- ✓ Senator Boysko made the motion to adopt Resolution 20-06 to Find the Need to Conduct Meeting by Electronic Communication Means during the Governor's declared State of Emergency during COVID-19 Pandemic; seconded by Delegate Roem. Motion passed unanimously (14-0) vote.

### **4. Minutes of the November 12, 2020 Meeting**

*Recommended action: Approval [with abstentions from those not present]*

- ✓ Mayor Parrish moved for acceptance of the November 12, 2020 Meeting Minutes; seconded by Chairman McKay. Motion passed unanimously (14-0).

## Presentations

### **5. FY2020 Audit Presentation**

Mr. Michael Garber, PBMares, LLP

Mayor Parrish, Chair – Finance Committee

- ✓ Mr. Michael Garber of PB Mares, presented the results of the financial audit to the Authority, noting this was an unmodified or clean opinion.
- ✓ He added that the audit went very smoothly with no audit adjustments nor internal control issues.
- ✓ Also mentioned that no accounting (GASB) standards required adoption this year.
- ✓ Mayor Parrish noted how hard Staff worked to make this possible and commended their efforts.

### **6. I-495 NEXT Project Briefing**

Ms. Susan Shaw, Mega-Projects Manager, VDOT

- ✓ Rob Cary, Deputy Commissioner of VDOT, and Ms. Susan Shaw, presented an overview of the Project's plan and benefits.
- ✓ The Project extends existing Express lanes by three miles from I-495 and Dulles Toll Road Interchange to the George Washington Memorial Parkway close to the American Legion Bridge.
- ✓ It will replace existing bridges, add bike and pedestrian trails, provide storm water management as well as replace existing noise walls where needed.
- ✓ Some of Ms. Shaw's highlights of the benefits included:
  - Reducing congestion, improving reliability and safety as well as decreasing travel time.
  - Currently conducting public outreach (through virtual meetings) to address neighborhood concerns.
  - Some benefits include adding new capacity, new travel choices, reducing travel time during peak hours and cut-through traffic on local roads.
- ✓ Ms. Shaw noted that they have partnered with Transurban to provide engineering design support, procure a design-builder, construct, operate and maintain the project and are coordinating with Maryland to conduct an environmental impact study.
- ✓ Currently finalizing the NEPA documents and noted potential for the project to be completed in 2024 if all goes according to schedule.
- ✓ Ms. Shaw pointed out that the impact to trees (with 35 acres to be affected), noise walls, impact of COVID-19 and privacy and security arising from the bicycle trail, are some of the major concerns expressed during their meetings with the public.
- ✓ Chairman McKay reiterated that the storm water management remains an outstanding concern, adding that he would like to see an improvement in travel time for all lanes including the general-purpose lanes.
- ✓ He further noted that he hopes the data from the transit study will not preclude any future transit enhancements planned for the area.

- ✓ Board Member Cristol also inquired why there is no transit component for this project as it was for the I-95 and 395 Express Lanes.
- ✓ Mr. Cary responded assuring that Secretary Valentine is committed to ensuring that this study does not preclude any future transit enhancements for the region as transit is a key component in the long-term solution for the region.
- ✓ Additionally, he explained that the project team are constantly exploring other innovative and technology-based solutions to see how it can improve travel time for the general-purpose lanes.
- ✓ Board Member Cristol further commented that there have been similar widenings in the area like I-66 and I-95 and these projects all had a transit component as a commitment to the revenues. She noted that it will be quite disappointing if years down the road, congestion still remains an issue in the area despite all the measures being put in place. As a result, she would like to see a stronger commitment to transit alternatives as that is key to getting more cars off the road.
- ✓ Delegate Roem shared similar views, adding that she is in support of multimodal transportation solutions, but there needs to be a commitment to having transit as an integral part in the design phase.
- ✓ Delegate Watts noted that transit systems have enabled people to ride freely on highways like HOVs, express lanes etc.
- ✓ Mr. Cary responded that he shares these concerns and will be providing feedback to Secretary Valentine.

## **7. I-495 American Legion Bridge Transit/TDM Study Update**

Ms. Ciara Williams

DRPT

- ✓ Ms. Williams informed the Authority that this project was as a result of a joint agreement between Governors Northam and Hogan, to rebuild the American Legion Bridge and to connect the Interstate Highway System.
- ✓ The Project complements the I-495 NEXT Project and Maryland's Managed Lanes Study to enable a seamless network of travel options within the region.
- ✓ The Project is funded and jointly managed by DRPT and MDOT-MTA.
- ✓ She noted that the goal of the Transportation Demand management (TDM) Study is to identify potential current and future multimodal travel solutions which could be implemented to reduce congestion, improve travel reliability and regional connections and enhance existing and planned multimodal connections.
- ✓ Council Member Snyder asked how these two projects could achieve a reduction in greenhouse gases and what level of collaboration has transpired with Maryland with regards to the Study.
- ✓ Ms. Williams answered that they have been coordinating closely with MTA but are yet to secure providers since they are currently working on the modeling aspect to come up with the final recommendations.
- ✓ She also noted that the issue of greenhouse gases has come up before and they are looking into it.
- ✓ Delegate Watts also inquired why Dulles Airport was not considered as a destination in the TDM Study.

- ✓ Ms. Williams responded that the initial modeling showed that there was not enough demand for that route at that time, nonetheless, they could go back and have that discussion with their consultants.
- ✓ Chairman McKay commented that there is a lack of public engagement in this study as most people, including elected officials, were not engaged in this conversation early on in this Study.
- ✓ Ms. Mitchell replied explaining that more efforts will be made to involve the greater public and create more awareness throughout the TDM Study.

## **8. VTrans Update**

Mr. Jitender Ramchandani  
Office of Intermodal Planning and Investment

- ✓ To kick off his presentation, Mr. Ramchandani explained that VTRANs stands for Virginia's Multimodal Transportation Plan, which seeks to identify critical transportation needs within the State, prioritizes those needs (either as Mid-Term or Long-Term Needs) and make recommendations to the CTB regarding those needs through policy or capital investment.
- ✓ He noted that based on the CTB's guidance, the policy for this prioritization will form the basis for screening funding requests received via Smart Scale and VDOT's Revenue-Sharing funding programs, allocating limited State resources and planning and programming.
- ✓ Ms. Hynes informed Authority Members that whenever there are policy changes regarding the allocation of funding, it has been her practice to collaborate with VDOT to educate staff and jurisdictions of these changes. In this vein, she noted that CTB is planning a series of meetings with VDOT and jurisdictional Staff to update them on the draft policy for the prioritization of Mid-Term Needs as well as gain firsthand feedback regarding these policy changes.
- ✓ Additionally, she pointed out that this policy provides an opportunity to line up projects which could potentially be considered for Smart Scale and other funding to enable them move forward.
- ✓ Chairman McKay remarked that he appreciates the CTB's efforts to reach out to staff to educate them regarding these funding programs, but noted that these policy changes and funding procedures may not be very understandable to the general public with regards to how they relate to each other or the differences involved.
- ✓ Ms. Hynes explained that in such an instance, it would be very helpful to have a diagram which explains some of these changes to people.
- ✓ Mayor Wood also questioned how this policy ties in with the funding for different projects.
- ✓ In response, Mr. Ramchandani explained that this policy does not tie in with any project as this policy is about prioritizing mid term needs.

## **Action Items**

## **9. Acceptance of FY2020 Annual Audit**

Mayor Parrish, Chair – Finance Committee

*Recommended action: Acceptance of Audit Report*

Mayor Parrish moved Authority acceptance of the Northern Virginia Transportation Authority Financial and Compliance Audit Report for the fiscal year ended June 30, 2020; seconded by Board Member Cristol. Motion passed unanimously (14-0).

(Ed. Note. During the meeting Chair Randall advanced this Action Item to follow Mr. Garber's presentation of the FY2020 Audited Financial Statements.)

## **10. Approval of RSTP Transfer from Route 15 to Neabsco/Potomac Commuter Garage Prince William County**

Ms. Backmon, Executive Director

*Recommended action: Approval of Transfer*

- ✓ Chair Wheeler moved approval of the Prince William County request to reallocate \$11,129,041 in RSTP funds from the Route 15 Improvements Railroad Overpass to the Neabsco/Potomac Commuter Garage; seconded by Mayor Parrish. Motion passed by 13-0-1, with Delegate Roem abstaining.

### **Discussion/Information Items**

## **11. 2020/2021 General Assembly**

- i. **Draft 2021 Legislative Program**
- ii. **2020 General Assembly Special Session Update (Verbal)**

Ms. Baynard, McGuire Woods Consulting, LLC

Ms. Monica Backmon, Executive Director

- ✓ Ms. Baynard updated Authority Members noting that two major initiatives in the Draft 2021 Legislative Program are to continue work on protective language regarding restoring long-term funding to the Authority/protecting NFTA's dedicated revenues and flexibility for continued virtual meetings.
- ✓ She noted that it was brought to her attention during the GPC meeting that current language requires virtual meetings to have a public comment period and that is something she will be looking into further.

## **12. 2020 Annual Report to the Joint Commission on Transportation Accountability**

Ms. Backmon, Executive Director

- ✓ Ms. Backmon stated that the Authority is required to submit an Annual Report to the Joint Commission on Transportation Accountability (JCTA) regarding the usage of funding generated pursuant to the provisions of HB2313.
- ✓ The deadline for submission is November 15<sup>th</sup> of each year.

## **13. Finance Committee Report**

Mayor Parrish, Chair

- i. **Investment Portfolio Report**

Mr. Longhi, CFO

No verbal report given.

- ii. **Monthly Revenue Report**

Mr. Longhi, CFO

No verbal report given.

- iii. **Operating Budget Report**

Mr. Longhi, CFO

No verbal report given.

- 14. Planning and Programming Committee Report** Mayor Wilson, Chair  
✓ No verbal report given.
- 15. Planning Coordination Advisory Committee Report** Mayor Colbert, Chair  
✓ No verbal report given.
- 16. Technical Advisory Committee Report** Mr. Boice, Chair  
✓ No verbal report given.
- 17. Executive Director's Report** Ms. Backmon, Executive Director  
✓ Ms. Backmon updated the Authority that the Request for Proposal (RFP) to update TransAction has been released.
- 18. Chair's Comments**  
✓ Chair Randall informed Members that she has appointed Chair Wheeler and Mayor Wood to serve on the Nominating Committee.

### **Closed Session**

#### **Motion for a Closed Session**

Chair Randall moved that the Northern Virginia Transportation Authority convene a closed meeting, as authorized by Virginia Code sections 2.2-3711.A.7 and 8, for the purpose of consultation with legal counsel concerning potential litigation concerning the terms and conditions of Standard Project Agreements (SPA) 996-14-034-109 and (SPA) 996-80821 with WMATA for 8 Car Train Traction Power Upgrades, and the statutory requirements of Chapter 25 of Title 33.2 of the Code of Virginia governing the NVTA's legal authority to provide NVTA funding for capital projects; seconded by Mayor Parrish.

- Motion passed unanimously by (14-0) vote.
- Closed session convened at 8:58 pm.

#### **Motion to Reconvene in an Open Meeting**

Chair Randall moved that the members of the Northern Virginia Transportation Authority certify that at the just concluded closed meeting: (1) 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 Authority; seconded by Mayor Parrish.

- Motion passed unanimously by (14-0) vote.
- Open meeting reconvened at 9:57 pm.

#### **19. Adjournment**

**Correspondence**

**Next Meeting: December 17, 2020 at 6:00pm (Please note time)**  
**NVTA Offices**