



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, January 14, 2021

5:30 PM

NVTA Offices

Meeting to be conducted on WebEx and Live Streamed via YouTube

AGENDA

1. **Call to Order** Chair Randall

2. **Resolution Finding the Need to Conduct the January 14, 2021, Governance and Personnel Committee Meeting Electronically** Chair Randall
Recommended Action: Adoption of Resolution

3. **Approval of the Meeting Summary of the December 17, 2020 Meeting**
Recommended Action: Approval of Meeting Summary, with abstentions from those who were not present.

Discussion/Information

4. **2021 General Assembly Update**
Ms. Backmon, Executive Director
Ms. Baynard, MWC, LLC

Closed Session

(If required.)

5. **Adjournment**

Next Meeting: February 11, 2021 at 5:30 PM

NVTA Offices

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY
GOVERNANCE AND PERSONNEL COMMITTEE
RESOLUTION FINDING NEED TO CONDUCT
JANUARY 14, 2021 MEETING ELECTRONICALLY

January 14, 2021

WHEREAS, on March 12, 2020, the Governor of Virginia declared a state of emergency in Virginia in response to the spread of novel coronavirus, or COVID-19, a communicable disease of public health threat as so declared by the State Health Commissioner on February 7, 2020 (“COVID-19”); and

WHEREAS, in subsequent Executive Orders, particularly Executive Order Nos. 53 and 55, as amended, the Governor of Virginia, among other measures designed to ensure safe physical distancing between individuals, prohibited public and private in person gatherings of 10 or more individuals and ordered all individuals in Virginia to remain at their place of residence, with limited exceptions, to mitigate the impacts of COVID-19 and prevent its spread; and

WHEREAS, the Northern Virginia Transportation Authority (Authority) – Governance and Personnel Committee (Committee) finds that it has a responsibility to demonstrate to the public, through the Committee’s conduct, the importance of maintaining proper physical distance from others and to avoid gathering in public where the risks of infection are highest, and to take measures that promote physical distancing in order to protect the public health and mitigate the impacts and spread of COVID-19, including, among others, conducting meetings electronically whenever possible; and

WHEREAS, on April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB 29 that expressly authorize “any public body, including any state, local, [or] regional body” to “meet by electronic communication means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . . , provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities” among other provisions; and

WHEREAS, member jurisdictions of the Northern Virginia Transportation Authority have adopted continuity of government ordinances pursuant to Va. Code Ann. § 15.2-1413 which ordinances, among other provisions, contemplate regional bodies of which the locality is a member meeting electronically to transact business to assure the continuity of government; and

NOW, THEREFORE, BE IT RESOLVED, that the Northern Virginia Transportation Authority Governance and Personnel Committee hereby finds that meeting by electronic means is authorized because the nature of the declared emergency makes it both impracticable and unsafe for the Committee to assemble in a single location on January 14, 2021, to discuss and transact the business of the Committee listed on the January 14, 2021, Governance and Personnel Committee Agenda; and

BE IT FURTHER RESOLVED, that the Committee hereby finds that meeting by electronic means is authorized because the items on the January 14, 2021, Governance and Personnel Committee Meeting Agenda are statutorily required or necessary to continue operations of the Authority and the discharge of the Authority's lawful purposes, duties, and responsibilities; and

BE IT FURTHER RESOLVED, that the items on the January 14, 2021, Governance and Personnel Committee Meeting Agenda are encompassed within the continuity of operations ordinances adopted by member localities of the Northern Virginia Transportation Authority to assure the continued operation of the government during the disaster posed by the public health emergency resulting from COVID-19.

Adopted on the 14th day of January, 2021.



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, December 17, 2020

5:00 PM

NVTA Offices

Meeting Held via WebEx and Live Streamed on YouTube

SUMMARY MINUTES

1. **Call to Order** Chair Randall
 - ✓ Chair Randall called the meeting to order at 5:04 PM.
 - ✓ Attendees:
 - Members: Chair Randall; Chair Wheeler, Mayor Wilson,
 - Other Elected Officials: Supervisor Walter Alcorn (Fairfax County)
 - Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Peggy Teal (Assistant Finance Officer), Dev Priya Sen (Financial Analyst);
 - Other Attendees: Tracy Baynard (McGuireWoods Consulting LLC); Daniel Robinson (Council of Counsels – Fairfax County); Rob Dickerson (Council of Counsels – Prince William County); Steve Maclsaac (Council of Counsels – Arlington County)
 - Other Attendees: Jurisdictional and agency staff attended the meeting via the Authority's YouTube channel

2. **Resolution Finding the Need to Conduct the December 17, 2020 Governance and Personnel Committee Meeting Electronically NVTA Council of Counsels** Chair Randall

Recommended Action: Adoption of Resolution

Mayor Wilson made the motion to adopt Resolution 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 Chair Wheeler. Motion carried unanimously.

3. **Approval of Meeting Summary**

Mayor Wilson moved approval of the minutes of the November 12, 2020 meeting; seconded by Chair Wheeler. Motion carried unanimously.

Action Item

4. Adoption of the 2021 Legislative Program

Ms. Backmon, Executive Director
Ms. Baynard, MWC, LLC

Recommended Action: Recommend Authority adoption of the 2021 Legislative Program

- ✓ Chair Randall requested Ms. Baynard highlight any information for the upcoming 2021 General Assembly Session.
- ✓ Ms. Baynard briefed that on December 16, 2020, the Governor presented revenue reforecasts and additional budget amendments for FY 2021-2022.
- ✓ On January 13, 2021, General Assembly convenes a short session, where the Senate has set a 12 bill limit, and the House has set a 7 bill limit. The House likely will take 5 days to approve a procedural resolution.
- ✓ She noted that the Governor's budget included \$50 million to support extending intercity passenger rail service from Roanoke to the Blacksburg-Christiansburg area, and to increase intercity passenger rail service on the I-81/Route 29 Corridor from Washington, DC.
- ✓ VDOT is given \$5 million to create a new multi-use trail initiative and Commonwealth Transportation Board has to set guidelines.
- ✓ Ms. Baynard concluded by noting that there were no major bills for transportation in the Governor's introduced budget.
- ✓ Ms. Backmon added that the Authority does not anticipate any major transportation initiatives in the upcoming General Assembly Session and noted that a \$32 million balance remains as part of Authority's full restoration.

Mayor Wilson moved the recommendation of the approval of the 2021 Legislative Program subject to the amendment of page 3, Item 1C; seconded by Chair Randall. Motion carried unanimously.

Discussion/Information Item

5. Preparation for the 2021 General Assembly Session (PowerPoint)

Ms. Backmon, Executive Director
Ms. Baynard, MWC, LLC

- ✓ Ms. Baynard noted that the FY2021-2022 Budget Reforecast and Amendments will prioritize any new available funds, where one-time requests will get the priority.
- ✓ Ms. Baynard informed that COVID-19 will continue to dominate matters:
 - Revenue impact for state and local governments
 - Assistance needed for individuals and companies
 - Healthcare response – vaccination distribution
 - Distribution of any additional Federal relief funds

- ✓ The Governor has proposed funding for Criminal Justice Reforms (marijuana legalization and to fine tune matters from special session) as well as Racial and Economic Equality initiatives.
- ✓ Ms. Baynard noted that 2021 is an election year for the House of Delegates and statewide offices, and several legislative members are running for statewide office.
- ✓ The 2021 focus areas for the Authority:
 - Require any proposed change to Authority revenue sources include a repayment plan to restore lost funding.
 - Protect Authority's ability to meet its mission.
 - Support efforts to provide permanent flexibility to hold virtual business meetings when there are health and safety concerns.
 - Support quick and equitable distribution of any federal relief funds for transportation to transit operators.
- ✓ Chair Randall noted that the restoration of Authority funding should not be done with new taxes in Northern Virginia.
- ✓ Ms. Baynard concluded that once the NVTA 2021 State and Federal Legislative Program is adopted by the Authority, a one pager will be distributed to the General Assembly highlighting the work done by the Authority.

6. Adjournment: 5:22 PM

**Next Scheduled Meeting: January 14, 2021 at 5:30 PM
NVTA Offices**

***2021 General Assembly Session
Update for NVRTA Governance and
Personnel Committee***

January 14, 2021

Presented by:
Tracy Baynard
McGuireWoods Consulting, LLC





Schedule Highlights for the 2021 General Assembly Session



- **January 13, 2021**

- General Assembly convened for a 30 day session
 - Senate has a 12 bill limit
 - House has a 7 bill limit

- **January 22, 2021 Last Day to Introduce Bills**

- **Crossover February 5, 2021**

- **Sine Die February 11, 2021**

- **Special Session I**

- With an affirmative vote any bill or resolution introduced during the 2021 session may be carried into a subsequent first 2021 Special Session



2021 Focus Areas for the Authority As Approved December 2020



- Protect Authority's revenue and ability to meet its mission
- Support efforts to provide permanent flexibility to hold virtual business meetings in time of health and safety concerns
 - **SB 1271 (McPike) Codifies temporary flexibility**
- Support quick and equitable distribution of any federal relief funds for transportation to transit operators



Initiatives for Authority Consideration

- NVTC Budget amendment seeks one-time \$30 million in General Fund revenue to help WMATA Virginia compact members meet their FY 2022 operating obligations for Metro transit services
 - Budget amendments from Senators Bell/Ebbin and Delegate Krizek
- Will someone propose a further delay in implementing the TOT increase of 2020 which is needed for the Authority to achieve full \$.10/\$100 grantors tax. Current start date May 1, 2021
- HB 1903 (Carr) Permits localities to reduce speed limits on local roads to less than 25 mph but no less than 15 mph
- Several concepts for providing additional flexibility for public bodies to hold meetings via virtual means
 - HB 1931 (Levine) clarifies a member of a public body may attend a meeting remotely due to care of a family member for either 2 meetings a year or 25% of meetings held that year



Initiatives for Authority Consideration (Con't)

- Governor's proposed \$50 million one-time General Fund appropriation for capital rail improvements in the U.S 29/I-81 corridor for additional passenger rail service
 - Would add an additional roundtrip serving Burke, Manassas, Culpeper, Charlottesville, Lynchburg and Roanoke with goal to extend service to Christiansburg
- HJ 542 (McQuinn) Calls for DRPT to study transit equity and modernization needs over a two year period
- Programming \$252.7 million projected Virginia share of new transportation federal COVID-19 relief funds
 - Eligible uses include Surface Block Grant projects, preventive and routine maintenance, operations and personnel costs, debt service and recovery for revenue losses



Other Matters Of Note

- Various initiatives regarding use of/access to electric/low-emission/zero emission vehicles and the transportation sector's role in GHG
 - HB 1850 (Reid) Increase allowable weight limits for vehicles powered by electric battery power by up to 2,000 lbs. - cap for highways at no more than 82,000 lbs.
 - HB 1979 (Reid) Rebate for electric vehicle purchase or lease
 - HB 1965 (Bagby) Direct State Air Pollution Board to develop guidelines for low-emission or zero-emission vehicle standards starting with the 2025 model year
 - SB 1223 (Boysko-Howell) Amends Clean Energy Plan to require analysis and strategies/policies to support net-zero carbon emissions from the transportation sector
- HB 1910 (J. Cole) Creates an alternative process for creating regional transportation authorities. Bill does not provide new state dedicated revenue sources

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