



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, June 10, 2021

6:00 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 June 10, 2021 Governance and Personnel Committee Meeting Electronically** Chair Randall
Recommended Action: Adoption of Resolution
3. **Approval of the May 13, 2021 Meeting Summary**
Recommended Action: Approval of Meeting Summary, (with abstentions from those who were not present).

Discussion/Information

4. **Position Description / Compensation Consulting Update** Mr. Longhi, CFO

Closed Session

(If Required)

5. **Adjournment**

Next Meeting: July 8, 2021 at 5:30 PM
NVTA Offices

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY
GOVERNANCE AND PERSONNEL COMMITTEE
RESOLUTION FINDING NEED TO CONDUCT
JUNE 10, 2021 MEETING ELECTRONICALLY

June 10, 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 June 10, 2021, to discuss and transact the business of the Committee listed on the June 10, 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 June 10, 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 June 10, 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 10th day of June, 2021.



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, May 13, 2021

5:30 PM

NVTA Offices

Meeting conducted on WebEx and Live Streamed via YouTube

SUMMARY MINUTES

1. **Call to Order** Chair Randall
 - ✓ Chair Randall called the meeting to order at 5:33pm.
 - ✓ Attendees:
 - Members: Chair Randall; Chair Wheeler, Mayor Davis-Younger, Board Member Cristol.
 - Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Dev Priya Sen (Financial Analyst); Margaret Duker (Executive Asst/Clerk).
 - Other Attendees: Daniel Robinson (Council of Counsels – Fairfax County); Rob Dickerson (Council of Counsels – Prince William County); Joanna Anderson (Council of Counsels – City of Alexandria).
 - Other Attendees: Jurisdictional and agency staff attended the meeting via the Authority's YouTube channel.

2. **Resolution Finding the Need to Conduct the May 13, 2021 Governance and Personnel Committee Meeting Electronically** Chair Randall

Recommended Action: Adoption of Resolution

 - ✓ Chair Randall moved for the adoption of Resolution Finding the Need to Conduct the May 13, 2021, Governance and Personnel Committee Meeting Electronically; seconded by Chair Wheeler. Motion passed by 4-0-1 as one Committee Member was absent.

3. **Approval of the April 8, 2021 Meeting Summary**

Recommended Action: Approval of Meeting Summary, (with abstentions from those who were not present).

 - ✓ Chair Randall moved for the acceptance of the April 8, 2021 Meeting Minutes with an amendment to change the Minutes Header date from April 11, 2021 to April 8, 2021; seconded by Mayor Davis-Younger. Motion passed by 3-1-1 as one member was absent. Board Member Cristol abstained as she was not present at the last meeting.

- Discussion/Information**

4. **Executive Director Annual Review Process** Mr. Longhi, CFO

- ✓ Chair Randall commented that today's discussion will be focused on the process for the Executive Director's annual review. She noted there will not be a closed session during the meeting as she would like to have that done at the next in-person Authority meeting.
- ✓ Mr. Longhi referred to the process outlined in Attachment A to the staff report, noting it is based on prior annual reviews, presented to give the GPC a starting point and can be modified at the committee's discretion.
- ✓ Mr. Longhi noted that as part of the annual review process, Ms. Backmon will be sending out her self-evaluation of the 16 goals set in 2020 to all Authority Members for consideration.
- ✓ The Committee discussed the timing and process to consolidate Member comments, agreeing that Chair Randall will inform Authority Members of the start of the process, noting Ms. Backmon will email her self-assessment to the Members.
- ✓ Chair Randall recommended having the review discussion with the full Authority in order to avoid duplication and invited Board Member Cristol to weigh in as well since she has been part of previous reviews.
- ✓ Board Member Cristol agreed, noting that having served on the Authority during previous review cycles, as well as on other Advisory Boards, she recommends that the discussion be done at the Authority meeting to avoid duplication.
- ✓ The Committee discussed the options to obtain independent consultation and data on the Executive Director position description and compensation.
- ✓ With the Committee in agreement, Chair Randall commented that she will notify Authority Members as part of her 'Chair's Comments' during the Authority meeting later in the evening, and will request that all evaluation comments be sent to Mr. Longhi for consolidation and presentment to the GPC, for review.

5. Bylaws Title Correction

Mr. Longhi, CFO

- ✓ Mr. Longhi noted that while going over the review process, he noticed that the State Code refers to Ms. Backmon's position as 'Chief Executive Officer' while the By-Laws refers to the position as 'Executive Director'.
- ✓ He added that since the GPC is the Committee which reviews and makes amendments to bylaws, he wanted to bring this to the Committee's attention to consider whether or not to make that change.
- ✓ Chair Randall asked whether there are other issues in the Bylaws which will need to be addressed as well.
- ✓ Mr. Longhi responded that no other immediate changes are needed. He did note changes to the Bylaws require two readings by the Authority before action.
- ✓ The Committee directed that the first reading of the proposed changes be presented to the Authority at the June meeting.

6. Compensation Survey Update

Mr. Longhi, CFO

- ✓ Mr. Longhi informed Members that last year, the Committee had asked that independent compensation information be gathered for the 2021 annual review of the Executive Director.
- ✓ Mr. Longhi reviewed three options with the Committee, assessing the advantages and disadvantages of each.

- ✓ He continued that he had spoken with the Commonwealth Department of Human Resource (DHRM), who informed him that there is a tool which uses benchmark data to review the position description.
- ✓ Chair Wheeler remarked that from experience, sometimes when only numbers are used for such reviews instead of benchmarks, it can be quite a challenge.
- ✓ Board Member Cristol also noted that given the uniqueness of Ms. Backmon's position, inquired whether it would be possible to have a liaison from the DHRM work directly with the GPC, to which Mayor Davis- Younger was in agreement with.
- ✓ Mr. Longhi responded that this option could also be explored.
- ✓ Chair Randall noted that Ms. Backmon's position was created at a time when there were no other Authorities in Northern Virginia. As such, in addition to the compensation review, she would also like to have the position description reviewed to determine if any changes are needed.
- ✓ Mr. Longhi noted that he would pursue options for a position description review through the Department of Human Resource Management.

7. **Adjournment:** The meeting adjourned at 6:05pm.

Next Meeting: June 10, 2021 at 5:30 PM

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chair Randall and Members of the NVTA Governance and Personnel Committee

FROM: Michael Longhi, CFO

DATE: June 4, 2021

SUBJECT: Position Description / Compensation Consulting Update

1. Purpose: To provide an update to the Northern Virginia Transportation Authority (NVTA) Governance and Personnel Committee (GPC) regarding procuring consulting services for a position description review and compensation study of the NVTA Executive Director position.

2. Discussion:

- a. NVTA staff have examined several options to acquire the professional salary survey consultancy, to include consulting recommendations on the Executive Director position description these include:
 - i. Riding existing jurisdiction or state contracts for such services.
 - ii. Directly contracting with a consulting firm.
 - iii. Procuring independent benchmark compensation data.
- b. Options Assessment:
 - i. Riding existing jurisdiction or state contracts has proven difficult as the rider option is often not put into these types of contracts due to their specialized nature. Contract riders essentially allow the riding organization (NVTA) to use the existing contract as written. These contracts, as observed through reviewing published RFPs, are for large organization consulting work, covering hundreds to thousands of employees, by position classifications and pay bands over several years.
 - ii. Directly contracting with a consulting firm will entail the issuance of a Request for Proposal (RFP), competitive procurement and a resultant contract. Prospective out of pocket costs for this approach have ranged from \$10,000 to \$20,000+.

- iii. Independent benchmark data options have been examined, with the most important factor being to ensure the data is tightly correlated to the position as it functions.

3. Current Activity: As directed at last month's GPC meeting, NVTA staff continued discussions with the Virginia Department of Human Resource Management (DHRM) regarding assistance in the form of salary data and a position description review, as well as potential contract riders for those services.

- i. DHRM staff reported the data that they have available does not correlate to the NVTA position, because compensation for similar positions is either set by legislation or by the independent Authority making the appointment.
- ii. Since DHRM does not provide support services for these positions, it likewise does not have a contract vehicle available for riding purposes.
- iii. NVTA staff has made outreach efforts, without compromising a potential future competitive procurement to obtain firmer cost estimates, with an objective of having the more detailed estimates available by the June 10th GPC meeting.