



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, January 13, 2022

5:30 PM

NVTA Offices

Meeting to be conducted in person and live streamed via YouTube

AGENDA

1. **Call to Order** Chair Randall

2. **Approval of the December 9, 2021 Meeting Summary**
Recommended Action: Approval of Meeting Summary, (with abstentions from those who were not present).

Discussion/Information

3. **2022 General Assembly Session Update** Ms. Backmon, CEO
Ms. Baynard, McGuire Woods Consulting, LLC

Closed Session

4. **Adjournment**

Next Meeting: February 10, 2022, at 5:30 PM
NVTA Offices



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GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, December 9, 2021

5:00 PM

NVTA Offices

Meeting conducted in person and Live Streamed via YouTube

SUMMARY MINUTES

1. **Call to Order** Chair Randall
 - ✓ Chair Randall called the meeting to order at 5:12pm.
 - ✓ Attendees:
 - Members: Chair Randall; Chair Wheeler; Chairman McKay (joined 5:20pm); Mayor Davis-Younger.
 - Other Authority Members: Mayor Rishell; Councilmember Snyder (joined 5:25pm).
 - Staff: Monica Backmon (CEO); Michael Longhi (CFO); Keith Jasper (Principal, Transportation Planning and Programming); Erica Hawksworth (Communications and Public Affairs Manager); Margaret Duker (Executive Asst/Clerk).
 - Other Attendees: Rob Dickerson (Prince William County); MinChau Corr (Arlington County); Tracy Baynard (McGuire Woods Consulting LLC.).
 - ✓ Jurisdictional and agency staff as well as the public were able to view the meeting via the Authority's YouTube channel.
2. **Approval of the November 18, 2021 Meeting Summary**

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

 - ✓ Chair Randall moved approval of the November 18, 2021, GPC meeting minutes, seconded by Chair Wheeler. Motion passed unanimously.

Discussion/Information

3. **Draft 2022 Legislative Program, Report and Discussion** Ms. Backmon, CEO
Ms. Baynard, McGuire Woods Consulting, LLC
 - ✓ Ms. Baynard informed the Governance and Personnel Committee Members that the number one priority in the legislative program is protecting the Authority's dedicated revenues.
 - ✓ She informed Committee members that a member of the Virginia Senate is looking for a dedicated revenue source for bicycle/pedestrian trail projects and considering a Bill to set aside some of the Authority's revenues for that purpose.
 - ✓ Chair Randall noted that it would be helpful to meet with this Senator to educate him on what NVTA does with its regional revenue, funding multimodal projects with the 70%

revenues, as well as 30% funds which localities are able to use towards various transportation projects. She added that she believes educating him might really help in making him aware that NVTA has already been funding pedestrian and bicycle projects in the region.

- ✓ Chair Randall pointed that she's forceful on this issue because she had been sounding the bell on this for a couple of years and then it did happen in 2018.
- ✓ She noted that she does not want NVTA's legislation to be brought up in this issue. Rather, she would prefer a meeting where the Senator, and essentially new members of the General Assembly, are educated on what NVTA does with its revenues and those meetings should include longer serving GA (General Assembly) Members who may also need to be informed/reminded.
- ✓ Ms. Baynard noted that she will coordinate the scheduling of these meetings with the General Assembly Members.
- ✓ Chair Randall inquired whether a Bill has been pre-filed yet.
- ✓ Ms. Baynard responded that it is not known whether the Senator is going to proceed with this Bill as nothing has been pre-filed yet.
- ✓ Ms. Backmon mentioned that she spoke with this Senator and informed him about some of the projects that the Authority has funded, like the W&OD Trail in Arlington and Falls Church and the Route 9 Traffic Calming Projects.
- ✓ She noted that she explained to him that earmarking NVTA's revenues will complicate things for the Authority due to long term benefit. She added that it would be complicated if funding is set aside, and certain parts of the region can access it whilst others cannot.
- ✓ Ms. Baynard noted that Governor Northam has announced funding for outdoor recreation in his proposed budget. She added that that funding may be available for local governments to apply for pedestrian and bicycle trails.
- ✓ Chair Randall asked for more details regarding how the Governor's budget work.
- ✓ Ms. Baynard responded that the Governor's proposed budget becomes the base budget for the incoming Governor who may add his amendments to it and send it to the General Assembly. She confirmed that items in the proposed budget may not remain following amendments by the incoming Governor.
- ✓ Additionally, Ms. Baynard noted that there are other options like the Infrastructure Bill which has funding which local governments can apply for towards pedestrian and bicycle trail projects.
- ✓ She added that the incoming Governor is proposing a temporary suspension of the State gas tax for 12 months. However, this would have to go before the General Assembly before passing into law.
- ✓ Ms. Baynard went on to note that the Transportation Technology Strategic Plan (TTSP) has also been incorporated into the discussion with the Electronic Vehicle (EV) program, but she is not sure how the incoming administration feels about these plans.
- ✓ Ms. Baynard continued to add that there will likely be a re-forecasting of the transportation revenues as part of the December revenue review and so far, since things have been looking up, the CTB plans to re-dedicate \$258.6 million to re-schedule the revenue sharing program. This means that projects which were pushed out to FY2025 and 2026, will be brought back on schedule and programmed in FY2024.

- ✓ To do this however, the CTB will have to waive the Revenue-Sharing Program spending cap of \$100 million.
- ✓ Ms. Backmon added that there are NVTA funded projects which localities match with revenue-sharing funds and when these were pushed back, NVTA had discussions with the various localities about project schedules. However, with the CTB's initiative to get revenue-sharing projects back on schedule, NVTA-funded projects will also be able to go back to their initial schedules.
- ✓ Chair Randall further asked what NVTA plans to do if the incoming Secretary of Transportation is not familiar with the work of NVTA.
- ✓ Ms. Baynard responded that there are plans to meet with these incoming officials and educate them about the work of the NVTA, adding that Ms. Backmon has met with some and will continue to hold one-on-one meetings with them to educate them about why it is essential to safeguard the Authority's funding.
- ✓ Ms. Backmon noted that she has provided information to the transition team regarding the work of the NVTA, TransAction, Six Year Programs and more and explained why it is important to protect and restore the Authority's funding.
- ✓ Ms. Baynard noted that there are plans to also sit down with the Secretary of Transportation once announced.
- ✓ Chair Randall also asked when new General Assembly members will be appointed to the Authority.
- ✓ Ms. Baynard responded that the Speaker of the House will likely make the appointment following the General Assembly Session.
- ✓ Chairman McKay inquired whether there would be any changes to the language in the legislative packet.
- ✓ He added that he is not comfortable with the move by the Senator to set aside the Authority's funding as this could decrease the already reduced funding available for the regional body to fund projects. He noted that there needs to be language which specifically opposes any efforts to set aside earmarks from the Authority's funding for any purpose.
- ✓ Ms. Baynard responded that she will work on adding language which clearly states that the Authority opposes any action to set aside dedicated revenue.
- ✓ Chair Randall agreed, noting that these amendments will have to go before the Authority.
- ✓ Councilmember Snyder proposed that the language changes be voted on separately as an amendment by the Authority.
- ✓ Ms. Backmon noted due to long term benefits, the Authority always ensures projects are multimodal when funding them without setting aside earmarks.
- ✓ Chair Randall thanked everyone for attending the meeting and their valuable input.

4. Adjournment: The meeting adjourned at 5:47pm.

Next Meeting: January 13, 2022, at 5:30 PM
NVTA Offices

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chair Phyllis J. Randall and Members
Governance and Personnel Committee

FROM: Monica Backmon, Chief Executive Officer
Tracy Baynard, McGuire Woods Consulting, LLC

DATE: January 6, 2022

SUBJECT: 2022 General Assembly Session Update

Purpose: To update the Northern Virginia Transportation Authority (NVTA) Governance and Personnel Committee of Proposed Budget and Legislative Activity from the 2022 General Assembly Session.

Discussion: As of the time of writing this memo, we have reviewed Governor Northam's proposed budget for FY2022, FY 2023 and FY 2024. We have fewer than usual introduced bills due to a ransomware attack and are waiting for Governor-elect Youngkin's inauguration before seeing his budget and policy initiatives. Below is an overview of proposals released so far.

Transportation Funding General

The December revenue reforecast shows increases in transportation revenue sources across the board. If these projections are realized, it means the Authority will benefit from an increase in funding from the Interstate Operations and Enhancement Program (IOEP). The Authority gets 8.4% of IOEP funding each year.

FY 2022 Initiatives in HB 29/SB29

As noted in December, the Northam administration is using the increased transportation revenues to replenish revenue sharing funding to make up money for FY 23 and FY 24. [Item 447 A-4](#) provides an additional \$40.480 million in FY 2022 for the Revenue Sharing Program. The FY 23-24 biennium budget also proposes increased funding for the Revenue Sharing Program to return funding once again to the previous schedule. Once again, the General Assembly is asked to allocate funding over the statutory \$100 million cap -- \$197.288 million for FY 23 and \$208.066 million in FY 24.

Governor Northam agrees that some of the FY21 general fund surplus should be allocated to the Commonwealth Transportation Fund - \$115.8 million for six new initiatives in [Item 447.10 B 8-13](#), ranging from multi-use trails, the regional Spaceport, the I-64 "gap" and an interchange project near the Norfolk Naval Base. This funding is allocated in FY 22. There is an additional \$207.204 million in general fund revenue allocated for multi-use trails in FY 2023 in HB30/SB30.

The Northam administration followed through on a recommendation of the Joint Legislative Audit and Review Commission related to whether localities responsible for maintaining pavements and bridges are receiving sufficient state funding. [Item 451 H](#) study language includes an assessment of current conditions of city streets. This evaluation will include a review of the current formula used for distributing city street payments and an assessment of possible partnerships with VDOT to provide services. Recommendations are due by December 1, 2023. You'll note at the top of the item a projected increased FY 2022 transfer of revenue to NVTA of \$58.492 million. This represents the revenue update.

Implementation of New Revenue from the Federal Infrastructure Investment and Jobs Act (IIJA)

The Northam administration's proposed budgets include numerous specific initiatives to implement some portion of the Federal IIJA. Specific timing of spending the money is dependent on when the federal funds are received and having federal guidance in hand.

- Allocates \$43.47 million in FY 2022, \$44.33 million in FY 2023 and \$45.22 million for FY 2024 from the new resiliency PROTECT Program
- Allocates \$34.08 million in FY 2022, \$34.768 million in FY 2023 and \$35.464 million in FY 2024 from the new Carbon Reduction Program
- FY 2023-2024 biennium budget includes language directing the Commonwealth Transportation Board to develop a strategy for using funding from two new programs:
 - Bridge replacement, rehabilitation or construction including both state and local maintained bridges. This work will build upon already completed work by VDOT to review recommendations related to bridge asset management. Virginia is projected to receive \$107 million a year for 5 years from this program.
 - National Electric Vehicle Formula Program. The plan shall consider national designated electric charging corridors, opportunities to partner with the private sector and to be in compliance with future federal guidance. Virginia is projected to receive \$21.3 million a year for 5 years for this program.