



Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

AGENDA

Thursday, September 10, 2020

7:00pm

3040 Williams Drive, Suite 200

Fairfax, VA 22031

1. 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; Delegate Roem; Delegate Watts; Ms. Hynes; Mr. Kolb
- ✓ Non-Voting Members; Mayor Wood, Ms. Cuervo, Ms. Mitchell.
- ✓ 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); 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.
- ✓ Other: Senator Boysko joined the meeting by phone at 7:53pm.

3. Adoption of Resolution 20-04 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 20-04 for Electronic Meetings During COVID-19 Pandemic

- ✓ Mayor Parrish made the motion to adopt Resolution 20-04 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 Board Member Cristol. Motion passed unanimously (14-0 vote).

4. Minutes of the July 9, 2020 Meeting

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

- ✓ Mayor Rishell moved approval of the July 9, 2020 minutes; seconded by Chairman McKay. Motion passed unanimously (14-0 vote).

Presentation

5. NVTA's Project Management and Monitoring System Dashboard

Mr. Nampoothiri, Transportation Planner

- ✓ NVTA Executive Director, Ms. Backmon announced the launch of additional phases of the Project Management Monitoring System, noting that this was initially approved by the Authority in the FY2019/20 Budgets with additional funding added in FY21.
- ✓ She noted that this current phase moves project information online for greater accessibility and transparency.
- ✓ Ms. Backmon added that with the public-facing part complete, the system is now ready to access current information regarding the status of NVTA funded projects.
- ✓ Mr. Sree Nampoothiri, Senior Transportation Planner with NVTA, continued the presentation noting that the system was first used for the recently adopted Six Year Program, where jurisdictions filled applications online and NVTA Staff were able to review and manage the overall process until it was adopted last July.
- ✓ Mr. Nampoothiri noted that this second stage involves moving all Standard Project Agreements (SPA), project Appendices updates and all other paper documentation into the system.
- ✓ It will also house project updates like the monthly project status updates and reimbursement requests.
- ✓ He added that just as the name 'NoVA Gateway' denotes, this is the gateway for Northern Virginian's investment in Transportation as it gives first hand updates on these projects and enables the public to see the results which NVTA is delivering.
- ✓ The map on the dashboard shows the distribution of all the projects across the jurisdictions in Northern Virginia.
- ✓ Currently, it shows 87 projects have been approved with \$1.6 billion NVTA funds allocated to them.
- ✓ Mr. Nampoothiri pointed out that although the system is showing this amount, \$2.4 billion has actually been approved for projects through the FY2023-2025 Six Year Program.
- ✓ He added that the current numbers show projects which have executed SPA. Which means that projects approved through FY2023-2025 Six Year Program with no executed SPA yet, will not have their information captured on the Dashboard for the public.
- ✓ He pointed that without a SPA on file for a project, NVTA cannot display details of funding, reimbursement and so forth as those details are finalized on the SPA before they can be captured on the Dashboard.

- ✓ He went on to add that the Dashboard shows the different funding sources for projects. As the chart shows, about one third of project funding comes from NVTA. Another one third from Non-NVTA sources such as state, local and other sources.
- ✓ The last one-third shows a funding gap and that means there is still additional funding needed to move the region's projects through to completion.
- ✓ Another chart which is the Transportation Mode, shows that NVTA funded projects are geographically and modally distributed.
- ✓ Mr. Nampoothiri further added that the top of the Dashboard shows different filters which a public citizen can use to obtain more information regarding funded projects.
- ✓ The first is the Project Sponsor filter which enables one to find out which projects are being sponsored by a specific jurisdiction.
- ✓ The second filter which is the 'Project Location' enables a citizen to further obtain details of projects which are located in a specific jurisdiction.
- ✓ The third and fourth filters shows the specific corridor segment (for instance I-66 corridor, I-95 etc.) and transportation mode of projects respectively.
- ✓ Following the presentation, Mayor Parrish commented that this Dashboard will be very helpful to not only members of the Authority but also their citizens.
- ✓ Mayor Meyer noted that this is an excellent way to tell the story of the NVTA, stating that the system will promote transparency and enable citizens to track project funding, expenditures, know which projects are completed and those yet to be completed.
- ✓ Delegate Watts also expressed her appreciation for the system adding that she hopes it will be regularly updated to promote transparency. She also pointed that she will be very interested to see more details of where the other Non-NVTA funding sources are coming from for General Assembly purposes.
- ✓ Mr. Nampoothiri responded that as project progresses, the Dashboard is updated on a monthly basis with the project status updates received from the jurisdictions. However, project schedule changes do not happen and changes are updated in the system as and when they are received from the jurisdictions. He noted that reimbursement requests will be constantly updated in the system.
- ✓ With regards to showing other Non-NVTA funding sources, Mr. Nampoothiri noted that is something the team can look into it.
- ✓ Delegate Roem also noted that it is a great interactive tool and will be sharing it on her social media platforms.
- ✓ All other Members of the Authority took turns expressing their appreciation for the Dashboard and thanked NVTA for getting this in place.
- ✓ Chair Randall also recommended linking the 'NoVA Gateway' site to that of the jurisdictions. She explained that most people first go to their jurisdiction's websites when looking for project information so will be helpful if they can access the Dashboard as a link off their websites.
- ✓ Mr. Nampoothiri responded that NVTA Staff is already working with the jurisdictions, agencies and members of the RJACC to have this implemented on their websites.

- ✓ Chairman McKay expressed his support of Delegate Watt’s recommendation to also include details of Non-NVTA funding sources as this will be informative and help the General Assembly and the public to know the level of funding committed to these projects from other government sources.

Consent Items

- 6. Approval of Standard Project Agreement for Fairfax County—Regional Funding 2018-016-3 (Fairfax County Parkway Widening Ox Road to Lee Highway, includes a grade separated interchange at the intersection of Popes Head Road)**
- 7. Approval of Standard Project Agreement for Fairfax County—Regional Funding 2018-010-3 (Route 28 Widening: Route 29 to Prince William County Line)**
- 8. Approval of Standard Project Agreement for the Virginia Railway Express—Regional Funding 2018-058-2 (Crystal City Station Improvements)**

Chairman McKay moved for joint Authority approval of the Standard Project Agreements for Fairfax County’s Regional Funding 2018-016-3 (Fairfax County Parkway Widening Ox Road to Lee Highway), Regional Funding 2018-010-3 (Route 28 Widening: Route 29 to Prince William County Line) and Virginia Railway Express Regional Funding 2018-058-2 (Crystal City Station Improvements); seconded by Board Member Cristol. Motion passed unanimously (14-0 vote).

Action Items

- 9. Approval of Joanna Anderson to the Council of Counsels**

Ms. Backmon, Executive Director

Recommended action: Approval of Ms. Anderson to the Council of Counsels

- ✓ Mayor Wilson informed the Authority Ms. Anderson is the City Attorney for Alexandria who is looking forward to joining with other colleagues around the region to work on important transportation issues.
- ✓ He added that Ms. Anderson has excellent local government and private practice experience to bring to the Authority.
- ✓ Chair Randall noting how hard the Council of Counsels works on behalf of the Authority.
- ✓ Mayor Wilson moved Authority approval of the appointment of Joanna Anderson to the Council of Counsels; seconded by Chairman McKay. Motion passed unanimously (14-0 vote).

- 10. Approval of the Transform 66 Outside the Beltway Concessionaire Funds Transfer Request for Fairfax County**

Ms. Backmon, Executive Director

Recommended action: Approval of Transfer Request

- ✓ Chairman McKay moved Authority recommendation to transfer \$510,746 in I-66 Concession Funds from Route 29 Widening Phase I (UPC 110330) to Route 50 at Waples Mill Intersection Improvement (UPC 113517); seconded by Board Member Cristol. Motion passed unanimously (14-0 vote).

11. Approval of the De-appropriation for the City of Alexandria’s West End Transitway Project

Mr. Longhi, CFO

Recommended action: Approval of De-appropriation

- ✓ Mayor Wilson moved Authority cancellation of the FY2021 \$2.2 million appropriation for the City of Alexandria West End Transitway: Northern segment (Phase I) Project, reclassifying the funds in the Regional Revenue Fund from appropriated to restricted. Motion passed unanimously (14-0 vote).

12. Approval of the De-appropriation for Prince William County’s Route 28 Project

Mr. Longhi, CFO

Recommended action: Approval of De-appropriation

- ✓ Chair Wheeler informed the Authority that, the Prince William County Board of Supervisors took several actions related to this project recently.
- ✓ The County intends to request appropriation in a future fiscal year.
- ✓ The project will remain an adopted project in the Authority’s FY2018-2023 Six Year Program with secure funding pending a future appropriation or further action by the Authority.
- ✓ Mayor Rishell thanked the Prince William County Board of Supervisors for revisiting Route 28 and reconsidering alternative 2B.
- ✓ She noted this was the most cost-effective option, was previously evaluated and rated and would benefit all three localities including Fauquier County.
- ✓ Mayor Parrish also expressed his appreciation for the action taken by the Prince William County Board, stating that as a Member of the Authority, he is very mindful and appreciative of the regional nature and importance of the NVTA and its impact/accomplishments in the region.
- ✓ Delegate Roem asked why option 2B was evaluated by the NVTA without a comprehensive plan amendment from Fairfax County.
- ✓ Ms. Backmon responded that although the project is multijurisdictional its primary location is Prince William County as it directly impacts the City of Manassas and Manassas Park. She also added that Comprehensive Plan amendments are required to be sent to all neighboring localities for review.
- ✓ She further added that NVTA staff in addition to other project stakeholders, participated in the executive committee in regards to the project of which Fairfax County was represented.

- ✓ Ms. Backmon explained that when Prince William Board of Supervisors endorsed the Widening project and not the Bypass, that changed the scope previously approved by the Authority.
- ✓ She noted that there were three decisions the Authority could take on the project; either to keep funds on the project, leave some funding on the project or cancel the project altogether.
- ✓ The project funding was on the Agenda because Policy 29 requires an executed SPA on file within three months of project funding appropriation.
- ✓ Prince William received funding appropriation for the \$89 million at the May Authority meeting and had two options; to either have the funding deappropriated or have an SPA on the agenda for execution.
- ✓ She continued that since the Widening project was not modeled by NVTA, the funding decision by the Authority would potentially have to be re-examined.
- ✓ If Prince William wishes to proceed with the Widening, they would have to amend their Comprehensive Plan.
- ✓ Upon adoption of the Comp Plan Amendment, the Authority would be required to rerun the model against the other 59 projects in the FY2018-2023 Six Year Program and post revised Congestion Reduction Relative to Cost and TransAction ratings.
- ✓ Concerns were raised regarding project cost and project-readiness (as the Widening is projected to cost \$100 million more than the Bypass.
- ✓ Delegate Roam inquired that assuming NVTA completed re-modeling and re-scoring of the Widening concept in FY2021, would the Authority have been able to take the \$89 million deallocated from Godwin Drive and apply that (upon evaluation of the modeling and scoring) to the Widening Project.
- ✓ Chair Randall responded that this would have depended on how the Widening scored. Since it was going to offer less lanes, that would have meant a reduction in congestion reduction relief. Also, since the cost of the Widening is \$100 million more than the Bypass, that means a reduction in project readiness, so very unlikely to get the \$89 million.
- ✓ Chair Randall further elaborated that with the Call for Projects coming up in June, it is important for the Authority to know how much money is available for funding projects. Since she did not wish to have the funding deallocated for months to come, she informed the County Board what could happen in the coming months.
- ✓ She added that Prince William Board made their decision once they came understood that the project would need scope changes and might come in at a higher cost.
- ✓ Delegate Roem informed Members of the Authority that from her interactions with her constituents and messages received, most of her constituents would have preferred the Widening project, despite the fact that it would have presented less lanes and be more costly.
- ✓ Chair Randall responded that she did make the Prince William County Board aware that this was completely their decision but was there to explain how the NVTA process worked.

- ✓ Chair Wheeler added that she and the Prince William board realized that their decision on the Widening project had initially been made in a vacuum, considering the fact that the project presented less lanes and was \$100 million more. They reconsidered that decision and endorsed the Bypass project based on new information received and considered.
- ✓ Ms. Backmon chimed in noting that the Bypass project has been under consideration for years and included other stakeholders such as Fairfax County, Northern Virginia Regional Park Authority as well as the cities of Manassas and Manassas Park in various coordination meetings.
- ✓ With regards to funding, Ms. Backmon explained that when an application is received by the NVTA and the Six Year Program is adopted and awarded, NVTA is obligated to adhere to the application in keeping with the full provisions of the law. With the magnitude of scope change involved, this would have warranted a complete rerun of the model per the law, after which the Authority would have to make a decision on the funding.
- ✓ Mayor Wood stated his appreciation for Chair Wheeler and the Prince William County Board for taking that bold step to reconsider their prior decision and reverse it in support for the better option.
- ✓ Mayor Rishell spoke from the perspective of a Route 28 user. She noted that it would have been a huge concern had the Widening continued to be the choice, noting the delay in traffic possibly lasting between a year and half to three years. This would have been difficult for users to accept.
- ✓ Chair Wheeler moved Authority cancellation of the FY2021 \$89 million appropriation for Prince William County's Construct Route 28 Roadway Improvements Project; reclassifying the funds in the Regional Revenue Fund from appropriated to restricted; seconded by Mayor Rishell. Motion passed with Delegate Roem opposed (13-1 vote).

13. Adoption of Resolution 20-05 –SMART SCALE Project Application Endorsements

Ms. Backmon, Executive Director

Recommended action: Adoption of Resolution

- ✓ Ms. Backmon requested Authority adoption of Resolution 20-25 SMART SCALE Project Application Endorsements.
- ✓ The Authority received requests to endorse 18 projects for round four of SMART SCALE.
- ✓ Ms. Backmon noted that the deadline for submission of applications for this the fourth round of funding was August 17th, 2020.
- ✓ The deadline for submitting resolutions of support is October 30th, 2020.
- ✓ NVTA Resolution of support is needed for applications from transit agencies, and localities that address an identified VTRANS need on a Corridor of Statewide Significance, noting that projects highlighted in yellow, are the ones which require NVTA endorsement.

- ✓ Chair Randall moved Authority adoption of Resolution 20-05, Endorsement of Northern Virginia localities SMART SCALE Project Applications, for funding consideration in the Commonwealth of Virginia’s SMART SCALE Prioritization Process; seconded by Board Member Cristol. Motion passed with abstention from Ms. Hynes (13-0-1 vote).

Discussion/Information Items

14. 2020 General Assembly Special Session Update

Ms. Baynard, McGuireWoods Consulting, LLC

- ✓ Ms. Baynard proceeded with the update of the General Assembly Special Session noting that there have not been any initiatives so far impacting funding or the operations of the Authority.
- ✓ Ms. Baynard stated that the Northern Virginia Transportation Commission (NVTC) is pursuing a budget language amendment that would allow the Authority, NVTC, CTB and VRE to hold annual joint public meetings (HB 1285 (2018) remotely, due to Governor Northam’s state of emergency declaration that makes it unsafe to meet in person.
- ✓ VDOT and DRPT are seeking cash management flexibility through the Governor’s amendments due to low transportation revenue and the current state of the economy.
- ✓ She noted that not all funds for Revenue-Sharing appropriations are scheduled to be spent in FY2022 or FY2023. That money would rather be used to maintain FY2020 funding levels to keep projects moving forward.
- ✓ The Administration also plans to keep the rail project moving forward.
- ✓ Chair Randall noted that with Metro operating significantly under capacity since the pandemic began and losing a little over \$2 million a day, she is concerned that the General Assembly may tap NVTA a second time, to use its funding to sustain Metro. She stated back in 2018 when this happened, she had pressed for the General Assembly to have some protective language to the effect that this would never happen again.
- ✓ She added that mass transit is suffering all over the country and will take some Congressional intervention to keep them afloat.
- ✓ Chair Randall cited that there has not been any report of such yet but concerned this could happen but NVTA cannot and should not be a funding source for Metro.
- ✓ Ms. Baynard responded that she has not heard of anything to that effect yet but will keep her ears on the ground.
- ✓ Chairman McKay noted similar concerns, adding that not only does the Authority’s money have to be protected, but local governments have to ensure that the pain of this pandemic is felt evenly across the region.

- ✓ He noted that the proposed delay in the Silver Line is a cost saver but other areas should be looked at to ensure this pain is felt evenly and Virginian's interests are represented well on the Metro board.
- ✓ Chairman McKay further added that our local governments should be weighing in with DRPT to get a sense of where our revenue situation is. He noted that with rail ridership at an all-time low, there will be the need to implement a long-term strategy to get transit ridership numbers up again.
- ✓ He also added that there is the need for the federal government to s transit services across jurisdictions in the country to offset this loss.
- ✓ Chair Wheeler noted that support of transit services at this point is more of a Federal issue.
- ✓ Board Member Cristol also added that she supports Chairman McKay's comments, noting that a raid on NVTA's funds would not be the solution for Metro, neither can the states of Maryland, D.C and Virginia afford to. This calls for a Federal relief bill.
- ✓ Mayor Wilson expressed that the local governments have to deal with these financial challenges so this is definitely a call for some Federal relief for WMATA/Metro.
- ✓ Council Member Snyder stated that WMATA has a lot of interest in maintaining Metro. In the first place, Metro would have to be right-sized for its current ridership. Secondly, there is the need to make a stronger case for safety for transit services and thirdly, Federal aid might not be available now but rather in the long-term. As a result, there is the need for some contingency plan for Metro but not one that takes from one organization to benefit another as once experienced by NVTA.
- ✓ Mayor Rishell expressed her concerns noting that once a precedent is set, it could happen.
- ✓ Mayor Meyer expressed support for all sentiments expressed, noting that the issue of Metro should be looked at from the angle of the decades-long investments. He added that this is the time to be making more investments into the capital side of Metro and improving safety since transportation plays a critical role in addressing the issues of equity, justice, housing and employment for people of lower income. He added that Metro plays a vital role in the economy and will continue to do so for generations to come so it is time to tell the story and put it in the proper context.
- ✓ Ms. Hynes commented that Metro is the backbone of this region and keeping it afloat is critical for the future of this region. As such, federal aid is needed to support it since, without it, transit systems across the country could be in jeopardy.
- ✓ Mayor Wood drew Authority members attention to the issue of more cars on the road due to the fear of public transportation. This calls for the need to keep our funding sources in place to be able to address these issues in the region.

- ✓ Ms. Cuervo added that it is important to remain a multi-modal region, because once federal and state workers (who are currently teleworking) get back on the roads, the level of congestion could be much worse.
- ✓ Ms. Mitchell stated the importance of the budget amendments discussed earlier by Ms. Baynard, noting that these are essential to enable the DRPT maintain key priorities, shift funds from statewide capital funds and ridership incentive program, in order to meet commitments to NVTC as well as maintain statewide transit operating funds.
- ✓ Delegate Roem stated that a number of House Bills (about 38) have been passed so far and believes that there is no chance the issue of taking away NVTA's funding for Metro would come up again. She expressed her strong disapproval of what happened in 2018 stating that should never have happened and if Metro needs money, that would have to come from a source, separate from the NVTA.
- ✓ Senator Boysko added that Metro is one of the economic drivers of Northern Virginia and will need some support to keep it in operation but surely not at the expense of the NVTA.
- ✓ Further, as a member of the Transportation Committee, she has not heard of anything to that effect but will be on the look out to defend NVTA should anything come up.
- ✓ Delegate Watts mentioned that with a major election coming up, funding transit or a special call for Metro was very slim. She added that if the nation does not turn a corner with regards to changing regulations and making the right judgment calls, the issue of transit might no longer be on the table.
- ✓ Chair Randall thanked everyone for their valuable comments citing this was something which could potentially happen thus brought it up for discussion.
- ✓ Delegate Watts proceeded to add that the Secretary of Transportation and Deputy Secretary currently have a better understanding now than they did back in 2018.

15. Executive Director's Report

Ms. Backmon, Executive Director

- ✓ Ms. Backmon informed Authority members about the very first socially distanced ground-breaking event held with the City of Falls Church and NoVA Parks, to celebrate the start of construction of a 1.5-mile-long segment of the W&OD Trail.
- ✓ She noted that all other updates can be found in her Executive Director's report.

16. Chair's Comments

- ✓ Chair Randall thanked everyone for their comments and informed members that the meeting would now go into a closed session.

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 Delegate Roem.

- Motion passed unanimously (14-0 vote).
- Closed session convened at 9:02pm.

Motion to Reconvene an Open Session

- ✓ 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 Delegate Roem.
 - Motion passed with a 14-0 vote.
 - Open Meeting reconvened at 9:45pm.

17. Adjournment: The meeting adjourned at 9:46pm.

Correspondence

Next Meeting: October 8, 2020 at 7:00pm
NVTA Offices