

Governance And Personnel Committee Meeting

Thursday, October 9, 2025

6:15 p.m. EST

2600 Park Tower Drive, Suite 601

Vienna, VA 22180

This meeting will be held in person and accessible via YouTube.

AGENDA

1. Call to Order

Phyllis Randall, Chair

Action Items

2. Approval of September 11, 2025, Meeting Summary

Phyllis Randall, Chair

Recommended Action: Approval of September 11, 2025, Meeting Summary

Discussion/Information Items

3. 2026 Legislative Priorities & Revised SB896 (Ebbin)

Ms. Backmon, Chief Executive Officer

Ms. Tracy Baynard, Senior Vice President, McGuireWoods Consulting, LLC

Closed Session

(If necessary)

4. Adjournment

Phyllis Randall, Chair

Correspondence

(Presented as needed)

Next Meeting:

Thursday, November 13, 2025

6:15 p.m. EST

2600 Park Tower Drive, Suite 601

Vienna, VA 22180



GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, September 11, 2025

5:30 p.m. EST

2600 Park Tower Drive, Suite 601

Vienna, VA 22180

This meeting will be held in person and livestreamed via YouTube.

2.

SUMMARY OF MINUTES

1. Call to Order

- ✓ Chair Randall called the Governance and Personnel Committee (GPC) meeting to order at 5:34 p.m.
- ✓ Attendees:
 - Members: Chair Randall, Mayor Davis-Younger, and Chair Jefferson
 - Staff: Monica Backmon (CEO), Michael Longhi (CFO), Lu Han (Comptroller)
 - Other Attendees: Daniel Robinson (Fairfax County); Christina Zechman Brown (City of Alexandria); Tracy Baynard (McGuire Woods, LLC)

Action Items

2. Approval of February 13, 2025, Meeting Summary Minutes

Chair Randall

- ✓ Chair Randall moved approval of February 13, 2025, GPC Meeting Summary Minutes seconded by Mayor Davis-Younger. Motion passed unanimously with Mayor Davis-Younger abstaining.

Discussion Items

3. 2026 Legislative Priorities

Ms. Baynard

- ✓ Ms. Baynard presented 2026 General Assembly Calendar and Special Dates. (*Pending Adoption of Organizing Resolution)
 - November 17, 2025: Prefiling for 2026 Session begins
 - December 1, 2025, 5:00 pm: Last day to request draft for a prefile bill or joint resolution
 - December 4, 2025: Last day for any interim committee, subcommittee, commission, etc. to finish their work
 - December 17, 2025: Governor Youngkin releases proposed budgets
 - December 31, 2025: Last day for DLS to make draft of prefile bill or joint resolution available
 - January 14, 2026, 10:00 am: Last day to prefile bills or joint resolutions
 - January 14, 2026, 12:00 pm: Virginia General Assembly convenes

- January 16 5:00 pm: Likely deadline for member budget amendments*
- January 17, 2026: Inauguration
- February 17: Crossover - last day for each body to act on their bills*
- February 22: House and Senate report out their budgets*
- March 14, 2026: Sine Die*
- April 13, 2026: Governor has to offer any vetoes or amendments*
- April 22, 2026: Veto Session*
- May (TBD), 2026: Last day governor can veto a bill*
- ✓ Ms. Baynard presented NVTa related Legislation
 - Bike-Ped Study: NVTa is complementing study on Bike-Ped funding options.
 - Senator Ebbin's FOIA Bill: Revised draft includes exemptions for time-sensitive items and non-final actions.
 - Hampton Roads Transportation: Two failed bills from last session - requesting to increase regional sales tax by 0.3% and Hampton Roads Transit seeking dedicated funding similar to WMATA/VRE,
- ✓ Ms. Baynard presented upcoming transportation topics
 - Northern Virginia DMV Moves and SJ28 Working Group
 - Transportation Funding Challenges
 - Photo Speed Enforcement
- ✓ Ms. Baynard presented committee structure changes. The Senate and House can rearrange committee chairs and members when the new session begins.
- ✓ Chair Randall questioned what happens to the outgoing Governor's budget if a new Governor takes office? Ms. Baynard answered, the outgoing Governor submits the budget on December 17. The incoming Governor takes office on January 17 and can revise or deconstruct the proposed budget.
- ✓ Chair Randall, Chair Jefferson and Ms. Baynard discussed ongoing WMATA and metro funding.

4. Adjournment

- ✓ There being no further business for the Committee, Chair Randall adjourned the meeting at 6:11 p.m.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**MEMORANDUM**

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

FROM: Monica Backmon, Chief Executive Officer

DATE: October 2, 2025

SUBJECT: Proposed First Draft of 2026 Legislative Priorities and Update on SB 867 (Ebbin)

-
1. **Purpose:** To start Governance and Personnel Committee (GPC) discussions of the 2026 legislative priorities.
 2. **Background:** The GPC annually discusses and develops a statement of legislative priorities for the upcoming General Assembly session. Proposals are summarized below:
 - A. Attached is a first draft updating the Authority's legislative priorities. The draft should reflect our priorities for the 2026 Virginia General Assembly session which starts January 14, 2026. Staff proposes that our top two priorities continue to be (1) protecting current dedicated funding and powers of the Authority and (2) restoration of the annual long-term funding to the Authority to pre-2018 levels.
 - B. Staff also proposes a new priority given the efforts of the DMVMoves initiative and SJR28--working with stakeholders to secure dedicated regional and state revenues to fund priority operation and capital needs for local bus systems, Virginia Railway Express and the Washington Metropolitan Area Transit Authority. These new revenues should grow over time and can support bonds.
 - C. Specific proposals regarding transit funding are being developed by stakeholders involved with the Northern Virginia Transportation Commission, the Joint Subcommittee Studying Northern Virginia Transit Needs and the DMVMoves. Details on a final set of goals/initiatives for the upcoming legislative session will be finalized by end of year. Staff proposes adding a new section on transit funding with some broad principles and needs which can be amended as the regional consensus is finalized.
 3. **Virginia FOIA Council Adopted a Revised Version of SB 896 (Ebbin):** On September 22, 2025, the Virginia FOIA Council voted 10-2 to approve a revised draft of SB 867 (Ebbin) which prohibits a public body from taking final action on any item added to a meeting agenda after the meeting has started. This was the final meeting of the Council for 2025. The approved draft will be converted to formal legislation, and a legislator(s) will submit for the 2026 Virginia General Assembly session.

The approved draft is attached. The legislation would amend §2.2-3707 G by adding the following mandates and restrictions for all public bodies (see lines 40-51):

- A.** The agenda must be posted on the public body's official website prior to the meeting.
- B.** No final action may be taken on an item added to the agenda after the meeting starts unless it is time-sensitive or subject of a closed meeting. Time-sensitive is purposely not defined.
- C.** Defines final action to mean any formal action or decision that is final consideration of an agenda item. The language then defines what is NOT final action (lines 48-51)
 - i. Referral to another committee or advisory body
 - ii. Referral to another meeting
 - iii. Direction to staff for more information
 - iv. Issuing a commending or memorial resolution

Attachment: 3a. Proposed Draft 2025 NVT Legislative Priorities
3b. Redraft of SB876 (2024) Ebbin

2026 NVT A Legislative Priorities

PROTECT DEDICATED REVENUE SOURCES AND POWERS OF THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

The Northern Virginia region has significant transportation needs requiring sustainable dedicated funding for multimodal solutions. The Authority and member localities need stable and predictable revenue sources and powers to make decisions that reduce traffic congestion for residents and businesses of the region. Through the passage of HB2313 (2013) - using dedicated revenues to fill regional capital funding needs the Commonwealth is unable to meet - to date the Authority and its member localities have invested ~~approximately \$4.8~~almost \$5 billion in multimodal and technology transportation solutions that ensure the state and regional economy remain robust and support a high quality of life.

The Authority will continue to work with the General Assembly and the Administration to ensure the region is not deprived of essential, dedicated revenue to meet the multimodal capital transportation needs of our community. The Authority funds regionally significant capital multimodal transportation projects that reduce congestion, using a prioritization process as required by law. We oppose any action that bypasses legally required project selection ~~this~~ process by mandating the use of dedicated regional revenues outside of the prioritization framework or dedicated locally controlled revenues via ~~by requiring~~ set asides or any other action. ~~Given our~~Our region still requires a significant number of critical multimodal transportation capital projects to reduce traffic congestion and support economic develop. ~~w~~We oppose any effort to divert or set aside or use Authority regional or local capital funding resources for transportation operations and maintenance activities.

Any action to divert or remove dedicated revenue sources that generate revenue through state taxes or fees deposited into the Northern Virginia Transportation Authority Fund shall contain a method to restore or replace revenue sources to provide for similar revenue collections as of fiscal year ending June 30, 2018.

RESTORE ANNUAL LONG- TERM FUNDING TO THE AUTHORITY TO PRE-2018 LEVEL

An additional \$38.5 million in annual revenues is still needed to restore dedicated regional revenues to pre- 2018 levels. ~~The passage of HB2313 was clear that dedicated regional revenues be used for regionally significant, multimodal transportation projects that reduce congestion. As such, the Authority and the region strongly support statewide revenue as the first source of funding to replace diverted regional revenues.~~ Previously diverted dedicated regional revenue sources could be returned to the Authority and its member localities if the Commonwealth were to take on a larger role in providing funding to the Metro Capital Fund. Efforts to restore previously diverted regional revenue sources should not come from additional taxes imposed on Northern Virginia.

With the 2018 action to create dedicated revenue for the Metro Capital Fund, the Northern Virginia region has absorbed an increase of twenty cents per \$100 in the Grantor's Tax and a three percent increase in the Transient Occupancy Tax to produce revenue to complete critical multimodal transportation infrastructure, and with local funds, provides 2/3 of the dedicated revenues to the Metro

Capital Fund which supports State of Good Repair projects of the Washington Metropolitan Area Transit Authority (WMATA/Metro) to improve safety and reliability. ~~Efforts to restore previously diverted regional revenue sources should not come from additional taxes imposed on Northern Virginia.~~

SECURE ADDITIONAL DEDICATED REGIONAL AND STATE FUNDING TO MEET LOCAL AND REGIONAL TRANSIT OPERATION AND CAPITAL NEEDS -- NEW

The Northern Virginia region relies on local and regional transit agencies to provide services that connect residents to jobs, education, healthcare and recreation and staying away from single-occupancy vehicles. Safe, reliable and sustainable transit services is critical to Northern Virginia continuing to pace the Commonwealth's economy. But the ability of local government to sustain transit services beyond the current level is reaching a tipping point.

The Northern Virginia Transportation Commission, the Joint Subcommittee Studying Northern Virginia Transit Needs and the DMVMoves initiative have labored to identify the operations and capital needs of our local bus systems, the Virginia Railway Express and the Washington Metropolitan Transit Authority. These initiatives also include developing recommendations for cost-efficient services, sustainable capital improvements and state of good repair and greater regional collaborations among systems.

We support regional priorities to secure dedicated regional and state funding for transit operations and capital needs that grows over time and implementation of policies and collaboration actions that increase operational sustainability and efficiencies.

SECURE SHORT AND LONG TERM FINANCIAL AND OPERATIONAL STABILITY FOR THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (METRO) NEW

For over forty years Metro has served as an integral part of the Commonwealth's and Northern Virginia's multimodal transportation system. Along with local bus and bus rapid transit systems, Metro provides much needed capacity for non-Single Occupancy Vehicle (SOV) trips and is a focal point for market driven mixed use transit-oriented development. As such, Metro is an investment that now requires critical resetting to ensure it can evolve to meet the Commonwealth's short, mid and long-term transportation needs.

As Metro faces a financial crisis, it is essential that stakeholders—local, regional, state and federal, and the public and private sector—work together to ensure that Metro continues to meet transportation and economic development needs and operates with dedicated operating and capital funding and in a more predictable structure. Metro leadership should continue its work to create one-time and ongoing operating efficiencies and make use of interested stakeholders to help think through elements needed to create long-term stability.

The Metro bus and rail system must continue during this time to provide safe and reliable service during the development of long-range solutions. A well-functioning Metro supports the region's transportation infrastructure and billions in corporate and public sector investment made into the system. Sufficient state, federal and regional funding and changes in operations must be found and implemented.

PROTECT VIRGINIA'S DEDICATED TRANSPORTATION FUNDING

The Commonwealth of Virginia has primary responsibility for the region's transportation network. An efficient transportation system is critical to Virginia's ability to attract and retain jobs. Resources that keep transportation projects moving forward need to continue and grow to ensure the Commonwealth can support the infrastructure that moves the goods and people that support the region's businesses, residents, and visitors. A replacement vehicle should be adopted to restore loss of state transportation funding resulting from the elimination of the state sales and use tax on food and personal hygiene products

SUPPORT USE OF EFFECTIVE TRANSPORTATION TECHNOLOGY

The Northern Virginia Transportation Authority Transportation Technology Strategic Plan (TTSP) was developed as a tool for establishing a proactive approach to innovation, which keeps congestion reduction top of mind. It is comprised of an Action Plan and nine strategies that address congestion reduction, accessibility, cybersecurity/privacy, autonomous vehicles (especially zero-occupancy passenger vehicles), pricing mechanisms, communications infrastructure, regional interoperability, enhanced mobility through technologies in transit, and advanced decarbonization of the transportation system.

Strategies		Intent of Strategy (long term)
1	Reduce congestion and increase throughput	Support deployment of transportation technologies that improve performance and optimize efficiency of the regional multimodal transportation system
2	Maximize access to jobs, employees and housing	Support deployment of transportation technologies that increase travel options and awareness of them
3	Maximize cybersecurity and privacy for members of the public	Monitor concerns on behalf of Northern Virginians, and leverage NVTa processes where appropriate and feasible
4	Enhance operations of the multimodal transportation system through connectivity and automation	To maximize the potential benefits of Connected and Automated Vehicles, while addressing avoidable increases in passenger vehicle miles traveled.
5	Develop pricing mechanisms that manage travel demand and provide sustainable travel options	Identify technology-related measures at a regional scale to dynamically address congestion, including incentives; revenues will be re-invested in equitable solutions
6	Maximize the potential of physical and communication infrastructure to serve existing and emerging modes	Support adaptation of existing resources to support desirable technologies such as CASE vehicles, travel apps, micro modes and robust data collection
7	Enhance regional coordination and encourage interoperability in the transportation system	Leverage regional synergies in the deployment of transportation technologies
8	Advance decarbonization of the transportation system	Support deployment of transportation technologies that reduce greenhouse gas emissions and synergistic technologies that improve resiliency.
9	Enhance mobility in the region through innovation and emerging technologies in transit	Support an array of transit innovations, in a manner that is flexible enough to adapt to future innovation.

TTSP activity will be grounded in the Authority’s vision and core values including Equity, Safety, and Sustainability. The Authority’s TTSP provides a foundation for the organization and its members to participate in implementing federal and state plans and funding to advance use of low or zero emission vehicles for personal and commercial use in Virginia and expanding local authority to take advantage of Automated Traffic Enforcement technologies to enhance traffic operations and safety.

BACKGROUND ON DEDICATED REGIONAL TRANSPORTATION FUNDING SOURCES

~~The Northern Virginia Transportation Authority (Authority) is a regional body focused on delivering real transportation solutions and value for Northern Virginia’s transportation dollars by bringing regional jurisdictions and agencies together to plan and program regional multimodal transportation projects focused on relieving congestion.~~

NVTa Vision Statement:

~~“Northern Virginia will plan for, and invest in, a safe, equitable, sustainable, and integrated multimodal transportation system that enhances quality of life, strengthens the economy, and builds resilience.”~~

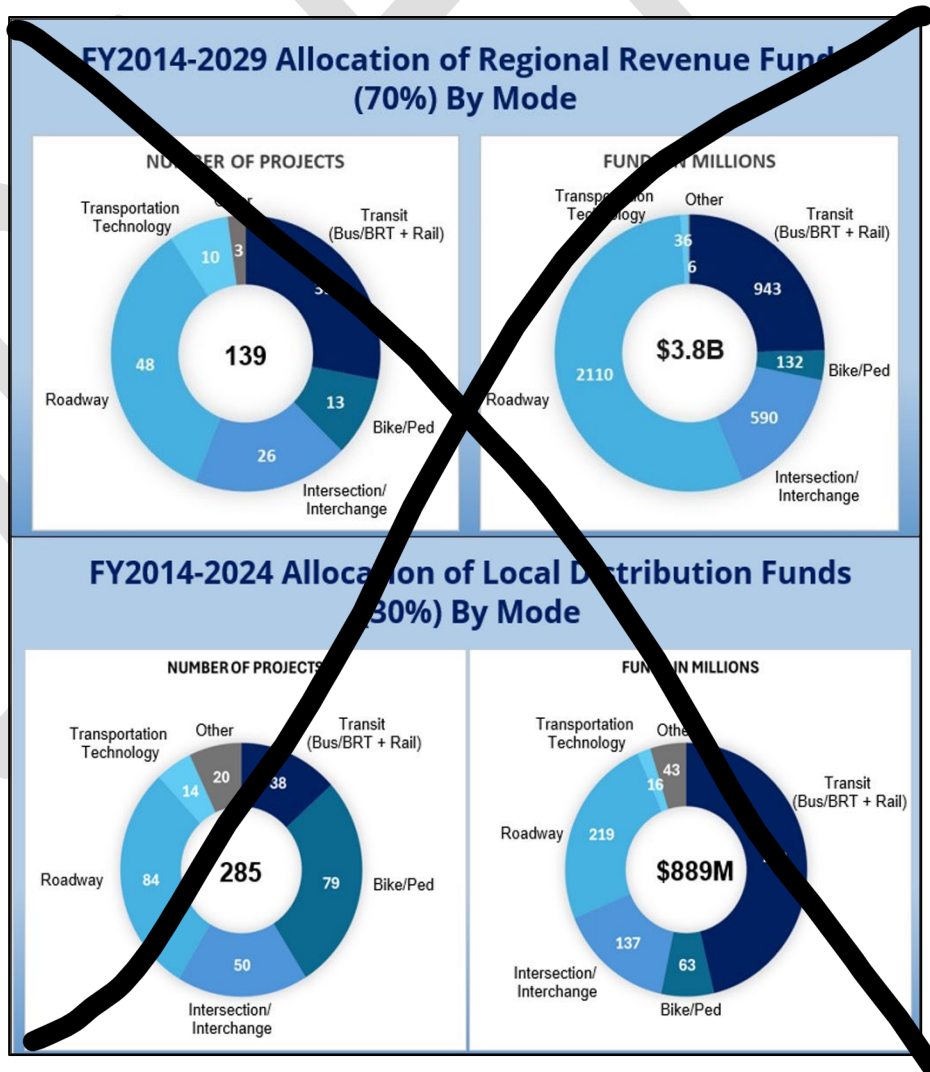
~~The landmark HB 2313 (2013) statewide transportation funding legislation also provided new, sustained regional funding for the Authority and its member jurisdictions.~~

~~In 2018, deliberations on how the Commonwealth of Virginia should provide \$154 million annually to address long neglected capital maintenance at the Washington Metropolitan Area Transit Authority (WMATA) resulted in the diversion of two of the Authority’s three revenue sources. The two percent Transient Occupancy Tax and the fifteen cents per \$100 Grantor’s Tax are now assigned to the WMATA Capital Fund.~~

The annual impact was a loss of \$102 million in Authority revenues for regional and local use. The adopted FY 2018–2023 Six Year Program was reduced by \$275 million from initial projections, resulting in partial funding for multiple projects with high scores of reducing congestion.

In 2019 and 2020, actions were taken to increase taxes in Northern Virginia and dedicate state transportation funding to partially restore funding diverted from the Authority and local governments.

To date, the Authority is advancing **139 regional multimodal transportation projects, totaling \$3.8 billion**, aimed at reducing congestion across the region. Additionally, the Authority has allocated \$1.12 billion to member localities for transportation needs within their jurisdiction. By June 30, 2024, \$889 million of this distribution had been allocated to 285 projects by various jurisdictions.



SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact § 2.2-3707 of the Code of Virginia, relating to Virginia Freedom of
2 Information Act; public bodies to post meeting agendas.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That § 2.2-3707 of the Code of Virginia is amended and reenacted as follows:**

5 **§ 2.2-3707. Meetings to be public; notice of meetings; recordings; minutes.**

6 A. All meetings of public bodies shall be open, except as provided in §§ 2.2-3707.01 and 2.2-3711.

7 B. All state public bodies subject to the provisions of this chapter:

8 1. May allow public access to their meetings through electronic communication means, including
9 telephone or videoconferencing, if already used by the state public body;

10 2. May provide the public with the opportunity to comment through the use of such electronic
11 communication means at such meetings at the point when public comment is customarily received; and

12 3. Shall otherwise comply with the provisions of this chapter.

13 No cause of action shall arise against a state public body for accidental or involuntary loss of audio
14 or video signal or inability of the public to comment through the electronic communications means
15 described in this subsection.

16 C. No meeting shall be conducted through telephonic, video, electronic, or other electronic
17 communication means where the members are not physically assembled to discuss or transact public
18 business, except as provided in §§ 2.2-3708.2 and 2.2-3708.3 or as may be specifically provided in Title
19 54.1 for the summary suspension of professional licenses.

20 D. Every public body shall give notice of the date, time, location, and remote location, if required,
21 of its meetings by:

22 1. Posting such notice on its official public government website, if any;

23 2. Placing such notice in a prominent public location at which notices are regularly posted; and

24 3. Placing such notice at the office of the clerk of the public body or, in the case of a public body
25 that has no clerk, at the office of the chief administrator.

All state public bodies subject to the provisions of this chapter shall also post notice of their meetings on a central, publicly available electronic calendar maintained by the Commonwealth. Publication of meeting notices by electronic means by other public bodies shall be encouraged.

The notice shall be posted at least three working days prior to the meeting.

E. Notice, reasonable under the circumstance, of special, emergency, or continued meetings shall be given contemporaneously with the notice provided to the members of the public body conducting the meeting.

F. Any person may annually file a written request for notification with a public body. The request shall include the requester's name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. The public body receiving such request shall provide notice of all meetings directly to each such person. Without objection by the person, the public body may provide electronic notice of all meetings in response to such requests.

G. At least one copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body. The public body shall also post the proposed agenda on the public body's official government website, if any, prior to the meeting. No final action may be taken on items added to the agenda after the meeting commences unless they are time-sensitive or are the subject of a closed meeting properly identified in a motion in accordance with § 2.2-3711.

For purposes of this subsection, "final action" means a vote, adjudication, or other formal action taken by a public body that completes a matter or acts as final consideration of an item. "Final action" does not include:

1. Referral to a committee or advisory body;
2. Referral to a future meeting for action;
3. Direction to staff to provide further information; or
4. Issuance of a commending or memorial proclamation.

52 The proposed agendas for meetings of state public bodies where at least one member has been
53 appointed by the Governor shall state whether or not public comment will be received at the meeting and,
54 if so, the approximate point during the meeting when public comment will be received.

55 H. Any person may photograph, film, record, or otherwise reproduce any portion of a meeting
56 required to be open. The public body conducting the meeting may adopt rules governing the placement
57 and use of equipment necessary for broadcasting, photographing, filming, or recording a meeting to
58 prevent interference with the proceedings, but shall not prohibit or otherwise prevent any person from
59 photographing, filming, recording, or otherwise reproducing any portion of a meeting required to be open.
60 No public body shall conduct a meeting required to be open in any building or facility where such
61 recording devices are prohibited.

62 I. Minutes shall be taken at all open meetings. However, minutes shall not be required to be taken
63 at deliberations of (i) standing and other committees of the General Assembly; (ii) legislative interim study
64 commissions and committees, including the Virginia Code Commission; (iii) study committees or
65 commissions appointed by the Governor; or (iv) study commissions or study committees, or any other
66 committees or subcommittees appointed by the governing bodies or school boards of counties, cities, and
67 towns, except where the membership of any such commission, committee, or subcommittee includes a
68 majority of the governing body of the county, city, or town or school board.

69 Minutes, including draft minutes, and all other records of open meetings, including audio or
70 audio/visual records, shall be deemed public records and subject to the provisions of this chapter.

71 Minutes shall be in writing and shall include (a) the date, time, and location of the meeting; (b) the
72 members of the public body recorded as present and absent; and (c) a summary of the discussion on matters
73 proposed, deliberated, or decided, and a record of any votes taken. In addition, for electronic
74 communication meetings conducted in accordance with § 2.2-3708.2 or 2.2-3708.3, minutes shall include
75 (1) the identity of the members of the public body who participated in the meeting through electronic
76 communication means, (2) the identity of the members of the public body who were physically assembled
77 at one physical location, and (3) the identity of the members of the public body who were not present at

78 the location identified in clause (2) but who monitored such meeting through electronic communication
79 means.

80 #