



**Northern Virginia Transportation Authority**  
*The Authority for Transportation in Northern Virginia*

**GOVERNANCE AND PERSONNEL COMMITTEE**

**Thursday, September 14, 2017**

**6:00pm**

**3040 Williams Drive, Suite 200**

**Fairfax, VA 22031**

**AGENDA**

- I. Call to Order** Chair Hynes
- II. Approval of the Meeting Summary of the May 11, 2017 meeting.**

**Discussion/Information**

- III. 2018 Legislative Program Development** Chair Hynes
- IV. Revisit Draft Project Advancement Policy** Chair Hynes

**Next Meeting**

The next meeting of the Governance and Personnel Committee will be determined during the meeting.

**Adjournment**

- V. Adjournment**



# **Northern Virginia Transportation Authority**

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## **GOVERNANCE AND PERSONNEL COMMITTEE**

**Thursday, May 11, 2017**

**6:00pm**

**3040 Williams Drive, Suite 200**

**Fairfax, VA 22031**

### **MEETING SUMMARY**

#### **I. Call to Order**

Chair Hynes

- Chair Hynes called the meeting to order at 6:13pm.
- Attendees:
  - ✓ Members: Chair Hynes; Supervisor Nohe; Mayor Meyer; Council Member Snyder; Delegate Minchew (arrived 6:28pm).
  - ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Carl Hampton (Investment & Debt Manager).
  - ✓ Other Attendees: Ellen Posner (Fairfax County); Noelle Dominguez (Fairfax County); Bob Schneider (PRTC).

#### **II. Approval of Meeting Summary of the December 15, 2016 meeting**

- Supervisor Nohe moved approval of the December 15, 2016 meeting summary; seconded by Council Member Snyder. Motion carried with three (3) yeas and one (1) abstention [with Mayor Meyer abstaining as he was not at the December 15, 2016 meeting].

### **Action**

#### **III. Policy 28 – Responses to Information Requests from Candidates for Political Office**

Chair Hynes

- Chair Hynes introduced draft Policy 28 – Responses to Information Requests from Candidates for Political Office, noting that this policy had previously been recommended to the Authority for approval. She added that questions had been raised at the Authority meeting and that NVTA staff had been requested to make clarifying revisions.
- Mr. Longhi stated that two changes were requested at the January Authority meeting.
  1. There was a request for a definition of candidate.

2. There was a consensus opinion to use the NVTa website to distribute information provided in responses to information requests.
- Mr. Longhi stated that a candidate definition had been added, noting a candidate is anyone who has filed with their local Board of Elections and is inclusive of candidates' representatives, associations and political organizations. He stated that wording had also been added regarding the dissemination of information that is provided to a candidate, so that everyone has access to the information. He noted this will be done by posting all information requests and responses to the NVTa website.
  - Mr. Longhi stated that, due to subsequent conversation, an additional change had been. He noted that a statement had been added clarifying that an Authority member's legal questions of the Council of Counsels are exempt from the policy, in order to preserve the attorney client privilege.
  - Supervisor Nohe moved the Governance and Personnel Committee recommend Authority approval of draft Policy 28 – Responses to Information Requests from Candidates for Political Office; seconded by Chair Hynes.
  - A question was raised as to whether these updates to the policy address the concerns that were raised at the January Authority meeting. Ms. Backmon responded that the Authority meeting minutes had been reviewed in an effort to address all concerns.
  - It was asked how substantial inquiries from political candidates have been. Ms. Backmon responded they are not very substantial, adding that to date there have been more questions from Authority members than other candidates.
  - It was noted that an Authority member asking questions regarding the due course of business of the Authority does not trigger this policy. Ms. Backmon responded affirmatively, adding that generally all questions from Authority members are about Authority business.
  - It was stated that transportation may be a key issue in upcoming elections, therefore there may be more requests in the future.
  - Chair Hynes added that the main purpose of Policy 28 is to establish guidance as to how NVTa staff will handle information requests from political candidates to prevent accusations of favoritism. She noted the policy is not intended to create extra work for NVTa staff, but to drive people to the NVTa website for information.
  - It was noted that NVTa staff is just answering questions that could be subject to Freedom of Information Act Requests (FOIA).
  - Chair Hynes added that if a meeting was requested by a candidate, all candidates would be notified and invited to attend that meeting. She stated that this policy is about protecting the NVTa staff.

- Motion carried unanimously.

#### **IV. Policy 29 – Project Activation and Progress**

Chair Hynes

- Mr. Longhi briefed the Committee on draft Policy 29 – Project Activation and Progress. He stated that this policy is a combination of the two prior policies, Policies 24 and 25, designed to ensure that the Standard Project Agreements, project reimbursements and notification of project progress move forward smoothly. He noted that the prior policies were only effective for projects approved through FY2017. Mr. Longhi stated that for FY2018 and future programming, NVTa staff incorporated the two previous policies into Policy 29. He noted that this draft policy has been reviewed by the Regional Jurisdiction and Agency Coordinating Committee (RJACC). Mr. Longhi stated that there is one difference in this policy that adds a fiscal impact section. He noted that currently there are \$118 million of spending schedule items that have not occurred in the time they were originally projected to occur. He noted this is causing the NVTa to hold more money from our investment program in a highly liquid state, because without updates to projected reimbursements (Appendix B) we do not know when the money will be needed. Mr. Longhi stated that NVTa staff has made the process to update Appendix B's as simple as possible to encourage jurisdictions to update them regularly. He noted that the policy now allows the NVTa to add 45 days to the reimbursement cycle for projects for which project sponsors have not provided up-to-date Appendix B's. Mr. Longhi stated that if the \$118 million in unreimbursed expenses currently being held could be moved from liquid to even a 90 day investment, the Authority could be receiving \$150,000 more per quarter or \$600,000 per year in interest earnings.
- Ms. Backmon noted that these interest earnings would be added to the Regional Revenue Fund.
- Mr. Longhi stated that reimbursements are made as quickly as possible and this is a long-term policy issue. He added that the purpose of these policies is to encourage a dialogue between project sponsors and the NVTa Executive Director as to project status.
- It was clarified that currently there is a 20 day reimbursement cycle. It was also noted that the Authority will remain in a highly liquid investment state for a while. The purpose of adding 45 days to the reimbursement cycle allows the NVTa to keep more money in investments and allows extra time to gain liquidity if it is not available when an unexpected reimbursement is requested. The goal is to prevent the need to liquidate an investment prior to maturity.
- Chair Hynes clarified that the purpose of the Appendix B's is for the project sponsors to let NVTa know when they anticipate submitting project reimbursements. She noted that NVTa finance staff make investment decisions based on the information contained in the

Appendix B's. Mr. Longhi added that the Appendix B's are used to determine investment maturation dates.

- Ms. Hynes noted that requests made based on accurate Appendix B's will take priority over reimbursement requests made by project sponsors with out-of-date Appendix B's. Mr. Longhi added that the Appendix B updates are critical to the Executive Director's report and project monitoring.
- It was clarified that the existing Policies 24 and 25 are still active, as the projects they pertain to are still active. Policy 29 will be an additional policy.
- It was noted that all interest on investments made with 70% Regional Revenues is applied to the Regional Revenue Fund.
- There was a brief discussion regarding the requirement that submittal of the first drawdown request for projects under Policy 29 must be made within two years of initial appropriation. It was noted that this is similar to previous policy guidance.

*(Delegate Minchew arrived.)*

- A brief recap of the Policy 29 discussion was provided for Delegate Minchew's benefit.
- Delegate Minchew moved the Governance and Personnel Committee recommend Authority approval of draft Policy 29 – Project Activation, Progress and Monitoring; seconded by Council Member Snyder. Motion carried unanimously.

## **V. Draft Revisions to Employee Handbook**

Chair Hynes

- Mr. Longhi briefed the Committee on the draft revisions to the NVT A Employee Handbook. He noted this is the first update since the handbook was adopted in December 2014. Mr. Longhi stated that the purpose of the handbook is to provide information regarding how the NVT A is managed and to provide a reference for NVT A staff as to how to conduct business both inside and outside the organization. Mr. Longhi reviewed the draft changes:
  - ✓ Employee benefits (eligibility and benefit) established after December 2014, such as:
    - Pre-Tax Benefit Plan
    - Healthcare (Dental, Vision, Behavioral Health and Wellness Services)
    - Retirement (referencing all available Virginia Retirement System Plans)
    - Health Insurance Credit
    - 457 Deferred Compensation
    - Short and Long Term Disability
    - Flexible Spending for Medical and Dependent Care

- ✓ Employee Performance Review with further development of the processes, responsibilities, action plans and appeals.
- ✓ Employee Leave and Holidays with clarifications and provision for permanent part time employees.
- ✓ Establishment of an administrative hierarchy under the general direction and guidance of the Executive Director, placing the day to day administration on the Chief Financial Officer.
- ✓ Editorial corrections, updates and clarifications.
- It was noted that the NVTa Council of Counsels has reviewed the draft revisions.
- In response to an inquiry, it was stated that there are annual carry-over limits to annual leave and sick leave. It was noted that annual leave balances are paid out upon employee termination, but not sick leave.
- A brief discussion followed noting the Executive Director has the ability to make staffing adjustments, as long as they remain within the realm of the approved operating budget.
- Supervisor Nohe moved the Governance and Personnel Committee recommend Authority approval of the draft revisions to the NVTa Employee Handbook; seconded by Delegate Minchew. Motion carried unanimously.
- Upon a brief review of the Policy 28 - Responses to Information Requests from Candidates for Political Office – action item discussion, Delegate Minchew stated he supported Policy 28.

### **Discussion/Information**

#### **VI. Potential Legislative Topics (No Written Report)**

Ms. Backmon, Executive Director

- Ms. Backmon reviewed the requirements of HB 599, adding that the HB 599 process has been incorporated into the TransAction update. She noted that HB 599 requires that the Virginia Department of Transportation (VDOT) certify the HB 599 findings.
- Ms. Backmon stated that the NVTa would like to have more autonomy over the HB 599 process. She noted that during the programming of the last Authority funding program, it was confusing to have an HB 599 score, an NVTa quantitative score and the congestion reduction relative to cost score. She added that questions were raised as to why we did not focus on a specific score. Ms. Backmon stated that there is a desire to streamline this process, adding that, to date, VDOT is responsible for the HB 599 process, but it is an unfunded mandate. She noted that in this incorporation of HB 599 into TransAction, residual funds from the original VDOT grant were used to fund this round of analysis. She stated that VDOT has expressed concern that there is not a source of revenue to fund future HB 599 processes, adding that the

process is currently required to be done every four years when TransAction is updated every five years. Ms. Backmon suggested that if the HB 599 process remains incorporated in TransAction, we would like it to synchronize with the TransAction process. She added that the Authority does not want to pay for additional HB 599 analysis outside of TransAction. She suggested changes could be made to the HB 599 legislation and asked the Committee members for their thoughts.

- It was noted that HB 599 was enacted a year prior to HB 2313, therefore the Authority is working to implement HB 2313 with one of the primary guiding rules having been written prior to the enactment of HB 2313. It was suggested that there has not been a review of these pieces of legislation to ensure they can work together. It was noted that the Authority has made them work together.
- A discussion regarding changes to the HB 599 legislation followed with the following points being made.
  - ✓ It was stated that with the Authority's first Six Year Program, it makes sense to make these two pieces of legislation work more closely together. It was suggested that Delegate LeMunyon would be acceptable to this change in legislation and has indicated previously that he is pleased with the current process and the integration of HB 599 into TransAction.
  - ✓ It was suggested that a technical adjustment should be made to the HB 599 legislation and that a budget enhancement should be pursued, adding that Secretary Layne should include this in his budget proposal to the Governor. It was stated that text and/or funding should be included in the Governor's proposed budget and it was suggested that Delegate LeMunyon be the patron of the legislation.
  - ✓ Ms. Backmon added that there is also the issue of VDOT needing to certify the HB 599 results. She stated that the NVTA has enough experience regarding the project evaluation process to do this, adding that VDOT is involved in the NVTA process at a staff committee level. She suggested that VDOT certification is no longer necessary.
  - ✓ Chair Hynes suggested this oversight was established based on the NVTA being a new entity and was intended to provide a check and balance as the NVTA began receiving \$300 million a year. She further suggested this oversight may no longer be necessary. Chair Hynes stated that the NVTA produces an annual report to the General Assembly, so there is a chance for members to have oversight on the NVTA.
  - ✓ It was noted that when HB 599 and HB 2313 were enacted, the Authority had no staff so it was unknown who would be performing this work, resulting in VDOT being given this oversight.
  - ✓ It was added that HB 599 also predates HB 2. It was suggested that HB 599 is no longer necessary.
  - ✓ It was noted that the Authority is made up of elected officials who review the NVTA process, and VDOT is not.
  - ✓ Chair Hynes stated that the landscape of transportation has changed greatly in the last several years.

- ✓ Concern was expressed that including all three of these changes in the same legislative process may present an impression that the NVTA is attempting to get too independent of the General Assembly.
- ✓ It was stated that the NVTA is highly respected in both the Senate and House Transportation Committees, adding that transportation progress is being made, there is good accountability and the Authority is functioning smoothly as a group.
- There was consensus that this would be a good year to pursue legislative changes and that Ms. Baynard should be engaged in this effort.
- A question was raised as to whether this would change the evaluation the criteria. Ms. Backmon responded that the biggest and most expensive criteria difference is the computer simulated model run required by HB 599, adding that this is not required for Smart Scale. She stated that the HB 599 process is run by TransSims and suggested the Authority might want to change this evaluation method, but added that if so we need to be sure it does not look like we moved from a very robust process to a less robust process. Ms. Backmon stated that there is flexibility regarding the performance measures and other elements.
- Chair Hynes stated that her understanding is that VDOT owns the HB 599 process and it would be within the purview of NVTA or VDOT to procure a new vendor for future HB 599 analysis. She suggested having the capability to run the analysis in-house would also be beneficial.
- In response to a question regarding whether a change in process would change the project evaluation outcomes, Ms. Backmon clarified that prior to recommending any process changes NVTA staff would run internal testing to ensure outcomes are comparable for both highway and transit projects. She stated this had been done previously for the FY2017 Program.
- It was noted that by running the HB 599 analysis as part of TransAction, projects scores will remain the same until the next TransAction update, unlike previous funding cycles where projects were evaluated for each funding cycle.
- It was clarified that the cost benefit analysis will continue to be part of the evaluation criteria for TransAction and the congestion reduction relative to cost will be part of the Six Year Program evaluation.

### **Next Meeting**

- There was Committee agreement to hold the next meeting of the Governance and Personnel Committee on September 14, 2017, at 6pm.

### **Adjournment**

## **VII. Adjournment**

- Meeting adjourned at 7:00pm.





## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

### MEMORANDUM

**TO:** Members of the NVTa Governance and Personnel Committee

**FROM:** Mary Hynes, Chairman, Governance and Personnel Committee

**DATE:** September 8, 2017

**SUBJECT:** 2018 Legislative Program Development

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- I. **Purpose.** To discuss potential legislative program items for the upcoming 2018 Legislative program.
- II. **Background.** Each year the Authority prepares for the upcoming General Assembly Session by reviewing prospective changes at the General assembly as an organization and assessing the prior year program for possible updates and revisions. Two attachments are provided to initiate these committee discussions:
  - i. Attachment 1 - Possible Issues/Initiative for the 2018 General Assembly Session.
  - ii. Attachment 2 – 2018 Legislative Program First Look At Potential Changes

#### **Attachments:**

1. Possible Issues/Initiative for the 2018 General assembly Session
2. 2018 Legislative Program First Look At Potential Changes

# Attachment 1

## Possible Issues/Initiatives for the 2018 General Assembly Session

- **Leadership Changes**
  - Results of 2017 election of statewide officers
  - New heads of state agencies and new secretaries
  - New Speaker in House of Delegates
  - Shifting committee assignments and leadership in House of Delegates
- **Adopting 2018-2020 Budget**
  - Healthcare costs
  - Mental Health
  - Economic Development
  - Resolving the Transit Fiscal Cliff/Metro/VRE
- **Transportation Issues**
  - Resolving the Transit Fiscal Cliff/Metro/VRE
  - Reaction to changes to SMART SCALE guidelines
- **Miscellaneous**
  - Amending 2016 Proffer Legislation



## 2018 Legislative Program First Look At Potential Changes As of 9-1-17

### STATE

#### **TRANSPORTATION FUNDING**

The passage of HB 2313 (2013) was the result of bipartisan cooperation throughout the Commonwealth. The regional funding provided through HB 2313 is a significant step towards addressing the transportation needs of Northern Virginia. The Authority will continue to work with the Commonwealth to ensure that we are all fully utilizing the resources provided by HB 2313 to implement the necessary improvements to Northern Virginia's transportation infrastructure.

#### **STATE FUNDING**

**Allocation of Statewide Revenues:** It is important that Northern Virginia continues to receive its fair share of statewide revenues, as required in HB 2313. This is especially important as various formulas and processes for transportation funding are being created and/or modified.

- A. **State of Good Repair:** The Authority recommends an increase in the percentage of State of Good Repair revenues that come to Northern Virginia.
  - The Authority is concerned that Northern Virginia is currently expected to receive only 10.6 percent of State of Good Repair funds, while only 31 percent of all secondary roads in Northern Virginia are in Fair or Better Condition, far less than the Commonwealth's average of 60 percent. As millions of people drive on our roads every day, these deteriorated pavements will only get worse until something is done to address them.
- B. **Revenue Sharing:** The Authority recommends that funding of the Revenue Sharing Program remain the same or is increased.
  - The Authority is concerned about efforts to decrease funding for the Revenue Sharing Program over the next several years. By design, the Revenue Sharing Program has allowed more projects throughout the Commonwealth to move forward through the leveraging of funds with local sources as reducing the funding in this program will only slow the efforts to improve our transportation system.
  - July 2017 CTB adopted changes to the guidelines for the Revenue Sharing Program

- Limits localities to \$5 million in allocation per year
- Limits projects to \$10 million of program funding
- Tightened ability to transfer funds from one project to another
- Clarified when funds can be deallocated from a project
- While no funding cap was set, it is clear Secretary Layne wants more discretionary funding to go into the SMART SCALE program

C. **Transit Capital Funding:** The Authority supports efforts to fully address this anticipated funding reduction to ensure that transit systems continue to receive the state resources needed to provide critical transit services. While the General Assembly has helped address the significant decline in state transit funding expected to occur in 2018, the Commonwealth's projected available funds for transit capital projects are still expected to drop significantly unless another source of revenue is identified.

- Revenue Advisory Board released recommendations August 2017
- Expected that Governor McAuliffe will include actions to implement the recommendations in his FY 18-20 budget presented December 2017
  - **The Authority remains opposed to the Department of Rail and Public Transportation's decision to change the allocation of state funds for transit capital costs from the non-federal cost of a project to the total project cost.** As several Northern Virginia transit systems do not receive federal funds, this change increases the local share our localities must pay while reducing the share for those other systems in the Commonwealth that provide far less local funding.

D. **Regional Gas Tax Floor:** The Authority supports establishing a floor on the regional gas tax that would put it on par with the floor for the statewide gas tax established in HB 2313. A 2.1 percent motor vehicle fuels tax is levied on fuels sold/delivered in bulk in Northern Virginia. The revenues from these taxes, which must be spent on transportation purposes, have fallen significantly due the reduction in the price of gas.

A modern, efficient, multimodal transportation system is essential to the Commonwealth, and is intrinsically tied to continued economic development and the ability to compete in a global economy. We must all work together to maintain and build the multimodal infrastructure that Virginia needs to remain an active and dynamic participant in a 21st Century economy. (Revises and reaffirms previous positions)

#### ***WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)***

Insert here item related to addressing the current Metro funding crisis and setting a path forward to address long term reforms to improve management, governance, operations and funding.

A. **Safety:** The Authority supports adequate funding and oversight of WMATA's efforts to enhance the safety and security of the system and its riders. The Authority is also supportive of the Metro Safety Commission being created to ensure adequate oversight of WMATA's efforts.

- The Commonwealth is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system, and must work with the Federal Government to ensure that it, too, provides sufficient resources.
- The \$300 million annually provided by the federal government, the Commonwealth, Maryland, and the District of Columbia, as provided in Passenger Rail Investment and Improvement Act of 2008 (PRIIA) addresses urgent capital needs and is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system.

**B. Enhanced Capacity: The Authority supports continued state and federal support of Metro that helps accommodate additional passenger growth in Northern Virginia, which is important for the entire Commonwealth and serves federal facilities in the National Capital Region.**

- While focusing on safety and state of good repair, the region must also work to address the WMATA capacity needs that serve Northern Virginia residents and businesses and federal facilities. The region is projected to continue to grow over the coming decades, placing more pressure on a Metro system that is already nearing capacity.
- Improvements to the system's core capacity are needed as well as future extensions. Capital and operating resources are critical to ensuring that these needs are addressed. (Revises and Reaffirms Previous Position)

***VIRGINIA RAILWAY EXPRESS (VRE)***

**The Authority supports efforts to identify funding for operating and capital costs to sustain current service, as well as funding to address natural demand growth in the region.**

- VRE's 2040 System Plan identified capital and operating requirements needed for the system; and the associated Financial Plan found a clear need for increased funding for the system, even without any proposed expansion of service. VRE currently provides approximately 18,000 rides a day. Many of those utilizing the system are transit choice riders who would otherwise be driving on Northern Virginia's already congested roadways. Here in Northern Virginia, making smart choices between modes is what NVRTA is trying to do (Revises and reaffirms position).

***PEDESTRIAN AND TRANSIT SAFETY***

**The Authority supports revisions to Virginia's existing pedestrian legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year.** In particular, we support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less and at unsignalized crosswalks in front of schools.

- Strong safety records depend on strong safety practices and training and **the Authority supports training programs for transit systems, pedestrians and bicyclists.** (Revises and reaffirms previous position)

***LAND USE PLANNING***

**The Authority supports land use and zoning as fundamental local responsibilities and objects to certain land use provisions included in state law that could override the work done by our local governments and our residents, property owners, and the local business communities on land use and transportation plans.**

- Land use provisions included in legislation during the 2012 Session provide that VDOT and the Commonwealth Transportation Board (CTB) can decide whether local transportation plans are consistent with the Commonwealth's current priorities. If they decide this is not the case, they are able to withhold funding for transportation projects in counties. While the Authority is appreciative of efforts to better coordinate local and state transportation planning, it is also concerned that these provisions essentially transfer the responsibility for land use planning from local governments to the Commonwealth. (Reaffirms previous position)
- **The Authority supports the ability of its member jurisdictions to collect both in-kind and cash proffers that assist with providing necessary transportation facilities and infrastructure to serve new development and help address transportation congestion and accessibility.** Proffers have been a critical element in leveraging local, regional, state, and federal funds, which come together to fully fund necessary transportation projects in our region. Member jurisdictions and their landowner partners should have sufficient flexibility to explore all options to provide critical transportation facilities.

#### ***SECONDARY ROAD DEVOLUTION/LOCAL MAINTENANCE PROGRAMS***

- **The Authority opposes the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements.** While there may be insufficient resources to adequately meet the maintenance and improvement needs of secondary roads within the Commonwealth, the solution to this problem is not to simply transfer these responsibilities to local government that have neither the resources nor the expertise to fulfill them.
- **The Authority opposes the legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance.**
- **The Authority opposes changes to maintenance allocation formulas detrimental to localities maintaining their own roads.** Changing current formulas or requiring additional counties to maintain their roads could lead to a reduction in Urban Construction and Maintenance Funds, placing a huge extra burden on these localities. (*Revises and reaffirms previous position*)

#### ***MAXIMIZING USE OF FACILITIES AND OPERATIONS***

A vital component of our transportation network is transportation demand management, such as high occupancy vehicle use, and teleworking, safe pedestrian and bicyclist movement; and encouraging user friendly access to transit. The Authority supports these efforts to help mitigate roadway congestion and provide benefits to employers and employees. (*Revises and Reaffirms Previous Position*)

## ***IMPLEMENTING SMART SCALE***

The Authority may want to have some specific SMART SCALE policy statement that would address a few topics:

Support for using a data-driven criteria analysis to prioritize transportation spending

Continued focus on congestion mitigation, economic development and safety as key criteria for Northern Virginia

Making sure the Authority has access to SMART SCALE funding in keeping with the provisions of HB 2313 which mandates no reduction in state spending for localities and regions able to raise dedicated transportation funding

## **FEDERAL**

### ***SURFACE TRANSPORTATION PROGRAM REAUTHORIZATION***

In December 2015, Congress passed the Fixing America's Surface Transportation Act (FAST Act), a five-year package that provides \$305 billion in new spending obligations from the Highway Trust Fund spanning fiscal years 2016 through 2020: \$225.2 billion for highways, \$48.7 billion for mass transit, and \$7 billion for highway and motor carrier safety. The U.S. Department of Transportation (USDOT) is currently implementing the FAST Act. As the implementation of the FAST Act occurs, **the Authority believes that a number of significant issues should be considered, including:**

- The level of Federal investment in the nation's transportation infrastructure, including both maintenance of the existing system and expansion, must increase significantly; it is essential **that programs receive the funding amount authorized in the FAST Act.**
- **USDOT must coordinate with regional agencies, including the Northern Virginia Transportation Authority and the Transportation Planning Board, and local governments as it works to implement the FAST Act,** specifically, during the development of rules to establish performance measures and standards for numerous programs;
- **The Congestion Mitigation and Air Quality Improvement Program (CMAQ) and Regional Surface Transportation Program (RSTP) are essential to the region.** These two programs are presently overextended and additional funding for both is crucial to address needs throughout the Country.
- To recognize the uniqueness of metropolitan areas, **greater decision-making authority for determining how transportation funding is spent should be given to local governments and regional agencies, such as the Northern Virginia Transportation Authority; and**

- **Safety and security must continue to be an important focus of transportation projects.**

*(Revises and reaffirms previous position)*

#### **WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FUNDING**

- A. Extending **Passenger Rail Investment and Improvement Act of 2008 (PRIIA)**  
**Funding and Safety:** The Authority supports WMATA's efforts to enhance the safety and security of the system and its riders, through adequate funding and oversight. The federal government is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system. The \$300 million annually provided by the federal government, the Commonwealth, Maryland, and the District of Columbia, as provided in Passenger Rail Investment and Improvement Act of 2008 (PRIIA) addresses urgent capital needs and is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system.
  - This authorization, which must continue to be accompanied by annual appropriations, is especially important as WMATA works with the federal government and its state and local jurisdictions to improve safety and state of good repair issues throughout its system. (Revises and Reaffirms Previous Position)
- B. **Enhanced Capacity:** The Authority supports federal and state support of Metro to help accommodate additional passenger growth, given the system's role in transporting employees and customers to federal facilities throughout the National Capital Region.
  - While focusing on safety and state of good repair, the funding partners – including the Federal government -- must work to address WMATA's capacity needs. The National Capital Region is projected to continue to grow over the coming decades, placing more pressure on a Metro system that is already nearing capacity. Improvements to the system's core capacity are needed, as well as future extensions. Resources are critical to ensuring that these needs are addressed. (Revises and Reaffirms Previous Position)

#### **VIRGINIA RAILWAY EXPRESS (VRE)**

**The Authority supports efforts to identify funding for operating and capital costs to sustain current service, as well as funding to address natural demand growth in the region.**

- VRE's 2040 System Plan identified capital and operating requirements needed for the system; and the associated Financial Plan found a clear need for increased funding for the system, even without any proposed expansion of service. VRE currently provides approximately 18,000 rides a day. Many of those utilizing the system are transit choice riders who would otherwise be driving on key segments of the National Highway System – I-95 and I-66. Both facilities are key to national commerce and military movement. Here in Northern Virginia, making smart choices between modes is what NVTA is trying to do (Revises and reaffirms position).



- Federal funding and cooperation is critical to the expansion of the Long Bridge, currently a significant impediment to enhancing passenger and freight rail service in the Northeast Corridor. Expanding the Long Bridge is identified in VRE's 2040 Plan.

The Authority urges the Federal government to complete implementation of the Positive Train Control initiative in order to improve employee and passenger safety in rail corridors used by VRE.

#### ***FEDERAL GOVERNMENT RELOCATION AND CONSOLIDATION***

**The Authority supports greater coordination and sufficient funding to address the planning and transportation issues associated with any future Base Realignment and Closure Commission recommendations or other federal Government Relocations and Consolidations.** *(Reaffirms previous position)*

#### ***FUNDING FOR TRANSPORTATION EMERGENCY PREPAREDNESS***

**The Authority calls upon Congress to provide increased emergency preparedness and security funding to local and regional transportation agencies in the metropolitan Washington area.** *(Reaffirms previous position)*

#### ***FUNDING FOR THE METROPOLITAN AREA TRANSPORTATION OPERATIONS COORDINATION (MATOC) PROGRAM***

**The Authority calls upon Congress to provide increased funding to transportation agencies in the metropolitan Washington area to continue funding for MATOC's operations.** The MATOC program is a coordinated partnership between transportation agencies in D.C., Maryland, and Virginia that aims to improve safety and mobility in the region through information sharing, planning, and coordination. *(Reaffirms previous position)*

#### ***FLIGHT OPERATIONS AT REAGAN WASHINGTON NATIONAL AIRPORT***

**The Authority agrees with other localities and regional bodies in supporting efforts to maintain the slot rule (limiting the takeoffs and landing) and the perimeter rule at Reagan Washington National Airport.** Increasing the number of slots and changing the perimeter rules would have substantial negative impacts on congestion, efficiency, service and the surrounding community. The region has encouraged air expansion at Washington-Dulles International Airport and Northern Virginia continues to significantly invest in transportation projects, such as the Metrorail Silver Line extension, that will provide greater accessibility to Dulles International Airport. *(Reaffirms previous position)*

## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

**TO:** Members of the NVTA Governance and Personnel Committee

**FROM:** Mary Hynes, Chair – Governance and Personnel Committee

**DATE:** September 8, 2017

**SUBJECT:** Revisit Draft Project Advancement Policy

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- I. **Purpose.** To discuss further refinements to a policy for project sponsors and NVTA staff related to project activation, progress and monitoring.
- II. **Discussion.**
  - a. NVTA staff project that with the current rate of expenditures for reimbursement on approved projects, and the timing of the six year plan, there is a significant probability that the Authority's cash position will approach \$1 billion by the end of FY2018.
  - b. The prior discussed draft policy permits six months to elapse between the adoption/appropriation of funds for a project by the Authority and the submission of a Standard Project Agreement (SPA) by the project sponsor.
  - c. The previously discussed draft policy permits two years between the appropriation of funds for a project and the receipt of the request for reimbursement.
  - d. The previously discussed draft policy is so closely related to the current policies that the positive impact on the rate of project expenditures and corresponding progress maybe limited.

**Coordination:** NVTA Finance Committee