



Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, December 15, 2016

6:00pm

3040 Williams Drive, Suite 200

Fairfax, VA 22031

MEETING SUMMARY

I. **Call to Order** Chair Hynes

II. **Approval of Meeting Summary for the May 15, 2016 and November 2, 2016 meetings.**

Action

III. **Policy 19 – Political Activity by Staff Members** Chair Hynes

Recommended Action: Recommend Authority Approval of Draft Policy

19 – Political Activity by Staff Members

IV. **Policy 20 – Responses to Information Requests from Candidates for Political Office** Chair Hynes

Recommended Action: Recommend Authority Approval of Draft Policy

20 – Responses to Information Requests from Candidates for Political Office

Discussion/Information

V. **Executive Director Performance Evaluation** Chair Hynes

VI. **2017 General Assembly Session – Early Action**

Ms. Backmon, Executive Director

VII. **Discussion of Electronic Meeting Participation for Committees (No Written Report)** Chair Hynes

VIII. **NVTA Update** Ms. Backmon, Executive Director

Next Meeting

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

Closed Session

IX. Potential Closed Session to Discuss a Personnel Issue

Chair Hynes

Adjournment

X. Adjournment



Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Thursday, May 12, 2016

6:00 pm

3040 Williams Drive, Suite 200

Fairfax, Virginia 22031

MEETING SUMMARY

I. Call to Order/Welcome

Miss Bushue

- Miss Bushue called the meeting to order at 6:23pm.
- Attendees:
 - ✓ Members: Chairman Silverthorne (arrived 6:25pm); Supervisor Nohe; Council Member Snyder (arrived 6:28pm); Delegate Minchew; Miss Bushue.
 - ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO); Tom Biesiadny (Fairfax County); Ellen Posner (Fairfax County); Steve MacIsaac (Arlington County); Wendy Sanford-Block (City of Fairfax).

Discussion/Information

II. Electronic Meeting Participation

Ms. Backmon, Executive Director

- Mr. MacIsaac briefed the Committee on the draft policy for electronic participation in meetings. He noted that the draft policy tracks the statute, § 2.2-3708.1 Va. Code Ann., which allows for the provision of electronic participation in the meetings of state governing bodies under the Freedom of Information Act, permitting such participation. The statute requires that a policy addressing electronic participation in meetings be adopted prior to electronic meetings taking place.
- It was noted that a physical quorum must be present at the meeting location and that once the quorum is met, members participating electronically are able to vote on issues.
- Delegate Minchew moved that the Governance and Personnel Committee recommend the Electronic Participation Policy to the Authority for approval; seconded by Council Member Snyder. Motion carried unanimously.

III. Draft Revision to FY2017 Program Drawdown Policy

Mr. Longhi, CFO

- Mr. Longhi briefed the Committee on the draft revisions to Policy 17–FY 2017 Program Drawdown Policy. He noted the following:
 - ✓ Policy 17 requires that the first drawdown for a project approved as part of the FY2017 Program must be made by June 30, 2019; attempts to measure project progress based on the first request for expense reimbursement.
 - ✓ This policy works in conjunction with Policy 16 – Standard Project Agreement Activation within six months of project/program approval in ensuring projects move forward.
 - ✓ Policy 17, in conjunction with Policy 16, currently results in progress milestones at 6 months and 3 years.
 - ✓ The goal of the revisions to Policy 17 is to provide an opportunity for progress to be recognized and documented between these two milestones and to ensure that projects are indeed active and progressing.
- Miss Bushue moved that the Governance and Personnel Committee recommend the Revised FY2017 Program Drawdown Policy to the Authority for approval; seconded by Delegate Minchew. Motion carried unanimously.

IV. NVT A Update

Ms. Backmon, Executive Director

- Ms. Backmon provided an update on the status of the FY2017 Program. She noted the following:
 - ✓ The Authority will be asked to release the candidate list of 24 projects for public comment.
 - ✓ The public comment period is from May 13, 2016-June 17, 2016 with the Public Hearing on June 9, 2016.
 - ✓ The Finance Committee will meet on May 19, 2016 and receive a revised briefing from PFM on potential scenarios regarding debt issuance. At the June 16, 2016, Finance Committee meeting, the Committee will be asked to make a recommendation to the Planning and Programming Committee and the Authority on the total programming amount for the FY2017 Program. The Planning and Programming Committee will meet on July 1, 2016, to review public comments and the revised NVT A staff recommendations. The Committee will then be asked to make a recommendation to the Authority on which projects should be funded in the FY2017 Program.
 - ✓ The Authority is scheduled to adopt the FY2017 Program on July 14, 2016.

Adjournment

V. Adjournment

- Meeting adjourned at 6:50pm.



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

GOVERNANCE AND PERSONNEL COMMITTEE

Wednesday, November 2, 2016

7:00pm

3040 Williams Drive, Suite 200

Fairfax, VA 22031

MEETING SUMMARY

I. Call to Order

Chair Hynes

- Chair Hynes called the meeting to order at 7:13pm.
- Attendees:
 - ✓ Members: Chair Hynes; Supervisor Nohe; Council Member Snyder.
 - ✓ Staff: Monica Backmon (Executive Director); Michael Longhi (CFO).
 - ✓ Other Attendees: Noelle Dominguez (Fairfax County); Tracy Baynard (McGuire Woods, LLC).

Action

II. Approval of Meeting Summary for the October 13, 2016 meeting

- Council Member Snyder moved approval of the minutes of October 13, 2016; seconded by Supervisor Nohe. Motion carried unanimously.

Discussion/Information

III. Review of Draft 2017 Legislative Program

Chair Hynes

- Chair Hynes introduced the updated draft FY2017 Legislative Program, noting that the format had been changed from previous years to call out the Authority's position on each item. Ms. Backmon noted that the highlighted sections indicate updates from the 2016 Legislative Program. The following updates were noted:
 - ✓ Washington Metropolitan Area Transit Authority (WMATA) - Language was added regarding support of the Metro Safety Commission.
 - ✓ Land Use Planning – Language was added regarding the 2016 General Assembly proffer bill. The added language was based on verbiage that member jurisdictions included in their legislative programs.
 - ✓ Surface Transportation Program Reauthorization - Language was updated to state it is essential that programs receive the funding amount authorized

- in the FAST Act. Additional language was added based on the Transportation Planning Board (TPB) implementing the FAST Act.
 - ✓ Marketplace Fairness Act – Based on current legislation, if the Marketplace Fairness Act were passed, transit might receive less funding than it does currently.
- The following revisions were suggested by the Committee:
 - ✓ D on page two should not be bold.
 - ✓ Land Use Planning – Revise to: “The Authority supports land use and zoning as fundamental local responsibilities and objects to certain land use provisions in state law which could override the work done collaboratively by local governments, residents, property owners and business communities on land use and transportation plans.” The Committee recommended “further” be deleted from the position on the proffer legislation.
 - ✓ Surface Transportation Program Reauthorization – The Authority’s position should be bolded.
 - ✓ WMATA Enhanced Capacity – Revise Federal position wording to be more federal government specific and to include the federal government as a funding partner. The Committee also suggested using terms such as the National Capital Region to help federalize the conversation. Ms. Baynard presented a revised draft of the language in this section. There was general agreement with the proposed revised language. It was requested that “evacuation concerns” be removed from the revised language. The Committee recommended that language be added stating that the federal government needs to contribute significant long-term Operating and Capital funds to WMATA as many of WMATA’s riders are part of the federal workforce.
 - ✓ Virginia Railway Express – The Committee recommended that a position on positive train control be added to the Federal position, requesting the federal government continue to require the railroads meet the deadline for this technology. The Committee also recommended that we thank the federal government for the Atlantic Gateway funding, and add that additional funding is needed for the Long Bridge and DC to RVA projects. It was agreed to add a DC corridor position to this section.
 - ✓ Marketplace Fairness Act – The Committee recommended removing this section from the Program.
 - ✓ Maximizing Use of Facilities and Operations – The Committee recommended this section be strengthened. Suggestion was to move the position statement to the beginning of the paragraph and revise to add: “A vital component of our transportation network is transportation demand management, such as high occupancy vehicle use and teleworking, safe pedestrian and bicycle movement. The Authority supports ...” It was also suggested that the additional sentences in this section could be eliminated.

IV. Review of Draft Policy on Responses to Information Requests from Candidates for Political Office

Mr. Longhi, CFO

- Ms. Backmon noted that these two drafts provide policies for NVTa staff, as there have been requests from candidates for political office for meetings regarding transportation in Northern Virginia. She noted that one question that arose was whether meeting with one candidate requires meeting with all. She stated that these are first drafts at addressing these issues. Ms. Backmon added that the policies were modelled after Prince William County's policies on these topics.
- The Committee stated that these policies made sense and would be good to have.
- Ms. Backmon stated that the NVTa Council of Counsels had not yet had a chance to review the drafts. There was consensus that the draft policies are reasonable and that NVTa staff should communicate with any political candidate that requests information. It was agreed that the provision stating no new research, therefore requests must rely on existing, public documents, was good.
- The Committee recommended that if candidates raised questions during an election cycle, the NVTa staff could post all questions and responses to the website, as opposed to reaching out to each candidate to set up a meeting. It was noted that Prince William's policy is to treat each candidate request like a FOIA request and when the reply is made to that candidate, it is copied to all candidates.

V. Review of Draft Policy on Political Activity by Staff Members

Mr. Longhi, CFO

- Included in previous discussion.

Next Meeting

- The next meeting of the Governance and Personnel Committee is TBD.

Adjournment

VI. Adjournment

- Meeting adjourned at 8:02pm.



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Members of the NVTa Governance and Personnel Committee

FROM: Mary Hynes, Chairman, Governance and Personnel Committee

DATE: December 15, 2016

SUBJECT: Draft Policy 19 - Political Activity by Staff Members

- I. **Purpose.** To discuss proposed draft policies that are intended to provide guidance to NVTa staff, and senior management, in addressing issues and concerns related to political activities.
- II. ***Suggested Motion.*** *I move the Governance and Personnel Committee recommend Authority approval of draft Policy 19 – Political Activity by Staff Members.*
- III. **Background.** Employees may express their opinions and join political organizations provided such activity does not interfere with job duties, requirements and NVTa policies. This draft policy is intended to provide guidance for staff regarding political activity.
- IV. **Next Steps.** With committee approval the draft policy will be presented to the Authority at the January 2017 meeting for consideration and approval.

Coordination: NVTa - Council of Counsel

Attachments: Policy 19 - Political Activity by Staff Members

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

Policy Number 19 - Political Activity by Staff Members

- I. **Purpose.** The Northern Virginia Transportation Authority (NVTa), through this policy, allows employees to express their opinions, join political organizations, and engage in political activity provided the foregoing does not interfere with the employee's NVTa job requirements, duties or performance.
- II. **General.** Nothing in this policy is intended to limit the political activity in which an NVTa employee may participate, on his/her own time, and otherwise in accordance with law. However, if an employee wishes to engage in political activity, the activity must not be within the hours of work for NVTa job responsibilities.
 - A. Any questions regarding possibly prohibited political activity should be immediately directed to the Authority's Chief Financial Officer. This policy will be conveyed directly to each employee.
 - B. These provisions are not intended to prohibit political activity by staff members, but rather to ensure that political expressions are kept clearly separate from their NVTa job duties.
- III. **Specific Provisions.** No employee of the Northern Virginia Transportation Authority shall be deprived of his/her right to vote, to express opinions, to join any political organization, or to engage in political activity; provided, however, that nothing in this section shall prohibit the NVTa from determining whether any employee's participation in the foregoing interferes with such employee's job performance.
 - A. It shall be a violation of this policy for any person employed by the NVTa to reward or discriminate against any applicant or employee because of any political affiliation or activities permitted by this policy; provided, however, that no person may be employed by the NVTa if such person is disqualified by law, by reason of such affiliation or activity, from such employment.
 - B. The NVTa shall not consider any endorsement or recommendation from any national, state or local political party, or officer thereof, in making appointments, promotions or discharges in the NVTa's service; provided that, such recommendations may only be considered, if limited to an applicant's or employee's job performance while employed by or on behalf of such political party or officer thereof.
 - C. No person employed by the NVTa shall be required, for any reason, to make a contribution of money, time or any other valuable asset to any political party, candidate or other political organization. Nothing in this policy shall be construed to limit the right of any employee, privately or voluntarily, to take part in the management of any political party or organization or to assist in the campaign of any candidate for public office or, as a private citizen, to express opinions and cast votes; provided such activity does not conflict with or violate NVTa duties or policies.

- D. No officer or employee of the Authority shall solicit, or attempt to solicit, or induce another to solicit, any contribution or donation of anything of value, or to give any endorsement by any other NVTa employee, in connection with any political campaign or political organization.
- E. No employee of the NVTa shall use, or permit to be used, any asset owned, leased or controlled by the NVTa, on behalf of or for the benefit of any political organization or candidate for public office, including but not limited to NVTa owned, leased, rented or controlled telephone, computer, copier, paper supplies, office supplies, printers, email service and office space.
- F. Any NVTa employee who willfully or knowingly violates, or acts in concert with others to violate, any provision of this policy, or any personnel regulation relating thereto, shall have given prima facie cause for immediate dismissal from employment. Any employee terminated under the provisions of this policy may file a grievance if the employee is permitted to do so for other alleged policy violations.

Approved by the Governance and Personnel Committee:
Approved by Northern Virginia Transportation Authority:

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Members of the NVTa Governance and Personnel Committee

FROM: Mary Hynes, Chairman, Governance and Personnel Committee

DATE: December 15, 2016

SUBJECT: Draft Policy 20 - Responses to Information Requests from Candidates for Political Office

- I. **Purpose.** To discuss a draft policy intended to provide guidance to NVTa staff, and senior management, in addressing requests for information from candidates for political office.
- II. ***Suggested Motion.*** *I move the Governance and Personnel Committee recommend Authority approval of draft Policy 20 – Responses to Information Requests from Candidates for Political Office.*
- III. **Responses to Information Requests from Candidates for Political Office.** During any given election year, the Executive Director and NVTa staff may be asked to provide information to candidates running for public office regarding NVTa policies, programs, funding, activities, actions and positions on various transportation issues. This draft policy is intended to provide guidance in responding to political candidates' requests for meetings and information.
- IV. **Next Steps.** With committee approval the draft policy will be presented to the Authority at the January 2017 meeting for consideration and approval.

Coordination: NVTa - Council of Counsel

Attachments: Policy 20 - Responses to Information Requests from Candidates for Political Office

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

Policy Number 20 - Responses to Information Requests from Candidates for Political Office

- I. **Purpose.** During the periods of time leading up to the primary election and to the general elections, the Executive Director and other NVTA staff may be asked to provide information to candidates running for public office regarding NVTA policies, programs, funding, activities, actions and positions on various transportation issues. This policy is intended to provide general guidance for use in responding to such questions and requests.
- II. **General.** Under direction of the Executive Director, the NVTA staff will respond to directives and other inquiries from Authority members including questions and inquiries requiring research on issues coming before the Authority.
- III. **Special Provisions.** The following will guide responses to requests from candidates for political office, and for non-candidate inquiries from political organizations. Under direction of the Executive Director, NVTA staff will respond to requests for information from political candidates or their representatives by complying with the following provisions:
 - A. **Format of Request.** For clarity, requests from candidates, their representatives or political organizations must be in writing.
 - B. **No New Research.** Responses to requests for information must rely on existing, public documents. NVTA staff will not devote time to developing new information or doing research for candidates, their representatives or political organizations.
 - C. **Freedom of Information Act (FOIA).** FOIA requests shall be processed as required by NVTA Policy 5 – Freedom of Information Act Requests.
 - D. **Responses Returned in Writing.** All NVTA responses will be provided in writing.
 - E. **All Responses Shared with Every Candidate.** All NVTA responses must be forwarded to every candidate for the office which the inquirer is seeking. NVTA member jurisdictions may be enlisted to help with these distributions. Central copies of all responses shall be retained by the NVTA.
 - F. **Use of E-Mail.** The above guidelines also apply to e-mail correspondence between candidates and NVTA staff.
 - G. **Meetings with Candidates for Office.** Because of the importance of clarity of communications and the need to share information among all candidates, meetings between individual candidates and staff are discouraged. However, should such meetings be necessary, staff is encouraged to get questions in writing in advance of the meeting. Such meetings should be opened to, or made available, to all candidates. Staff shall produce a brief written summary of the meeting. Which shall be provided to all candidates for the office

sought by the candidate(s) who attended the meeting. Such meetings will be held at the NVTa office or at another suitable government location.

- H. NVTa Website. Whenever possible, candidates should be directed to the NVTa's website (or that of member jurisdictions) for information. NVTa's website is an effective tool in making information equally accessible to all.

Approved by the Governance and Personnel Committee:
Approved by Northern Virginia Transportation Authority:

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Members of the NVTa Governance and Personnel Committee

FROM: Mary Hynes, Chairman, Governance and Personnel Committee

DATE: December 15, 2016

SUBJECT: Executive Director Performance Evaluation

- I. **Purpose.** To discuss the December 2015 to December 2016 performance of the Executive Director, examine goals and objectives and review compensation.
- II. **Background.** The Governance and Personnel Committee is charged with conducting the annual performance review of the NVTa Executive Director and making recommendations to the Authority.
- III. **Information Provided to the Committee.** For the Committee's review and consideration I have requested the following documents and information be compiled and presented. The Committee may make requests for additional information as it deems appropriate.
 - a. Executive Director Work Plan for 2016
 - b. Self-Evaluation
 - c. Employment Agreement with Amendments
 - d. Executive Director / Transportation Director Compensation Survey
- IV. **Process Documentation.** The process as undertaken by the Committee this year will be documented such that it is available as guidance for the future.

Attachments: As stated above.

A. Executive Director Work Plan for 2016



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

Executive Director 2016 Goals/Work Plan

- Develop 5 Year Strategic Plan addressing “What Does the Authority Want to As It Grows Up”—this plan will initiate a collaborative process to define the response to this question
- Groundbreaking for the PRTC Western Maintenance Facility
- Develop FY2017 Program (first program in which transit and highway will undergo HB 599 process)
- Organize Transportation Funding Seminar describing how NVTA project approvals fit into the established state and federal regulatory environment
- Establish quality project groundbreakings and ribbon cuttings as appropriate
- Revamp and improve NVTA website
- Review and Update NVTA Bylaws working through the Bylaws Committee and the Council of Counsels for NVTA consideration
- Develop Regional Map of all NVTA Funded Projects (70% and 30%)
- Expand and enhance the FY15/16 Communications Plan
 - Address signage of NVTA funded projects
- Staff Development
 - Continuing Education
 - Professional Certifications
- Authority Staffing for Growth
 - FY16—One additional Program Coordinator
 - FY17-Fiscal Management Support Position



Northern Virginia Transportation Authority Performance Evaluation Form

Position: Executive Director

Review Period: December 2015 to December 2016

Goals for FY2016

- **Develop 5 Year Strategic Plan** – While still coming to fruition as a document, the development process has thus far included a visioning and goals work session (resulting in adopted Vision and Goals Statement at the September 2016 Authority meeting), for Authority members and multiple coordination work sessions, planning meetings and brainstorming sessions with key jurisdictional and agency staff. Additionally, the services of a regionally recognized thought and strategic planning leader have been obtained to assist with this process which is expected to conclude in early spring. The substantial progress made thus far has proven to firmly establish the collaborative, well-coordinated and consensus based approach the NVTA brings to its planning decisions. When adopted, the Authority will have a 5 Year Strategic Planning document which primarily addresses “What Does the Authority Want to Be When It Grows Up.”
- **Groundbreaking for the PRTC Western Maintenance Facility** – The NVTA staff in consultation with Authority Members have been working with PRTC to ensure this project can move forward within the provisions of HB2313. While the groundbreaking has not occurred yet, NVTA activity with PRTC demonstrates the seriousness, forward thinking and diligence staff bring to their duties. The ability of staff to address difficult issues, professionally and smoothly is becoming a reputational hallmark of the Authority. It is expected this project will be able to move forward in calendar 2017.
- **Develop FY2017 Program (first program in which transit and highway will undergo the HB 599 process)** – The incorporation of transit projects into and through the HB599 process was undertaken with collaboration and coordination among a significant number of competing interests and organizational groups. With strong leadership, detailed communication and coordination using the Authority’s committee structures and one on one meetings with various interested entities, the FY2017 program (which contained several large and complicated projects) proceeded smoothly, including the

incorporation of HB599 and the introduction and utilization of the new Congestion Reduction Relative to Cost (CRRC) methodology.

The FY 2017 Program was adopted unanimously by the Authority on July 14, 2016. Two of the Authority's three funding programs (FY 2015-2016 Program adopted on April 23, 2015) have been adopted unanimously. The two unanimously adopted programs were developed and ultimately adopted during my tenure as the Executive Director.

- **Organize Transportation Funding Seminar describing how NVTA project approvals fit into the established state and federal regulatory environment** ---- The development of this seminar is underway. The seminar is tentatively scheduled to take place during late spring/early summer of 2017. In addition to representation from the NVTA, other entities expected to participate include NVTC, TPB, VDOT, WMATA, PRTC and VRE.
- **Establish quality project groundbreakings and ribbon cuttings as appropriate** – While there is a desire for more groundbreaking and ribbon cuttings, NVTA took advantage of each opportunity in 2016 to shape our message and maximize positive exposure to citizens, media, political, jurisdictional and advocacy groups. These opportunities are building positive regional knowledge and recognition of the Authority's role as the region's preeminent regional transportation planning organization as well as the foremost champion for regionally significant capital projects. The Authority hosted four groundbreakings/ribbon-cutting ceremonies in 2016 as identified below:
 - **Loudoun County Transit Buses**--June 2, 2016, the NVTA hosted a Ribbon-Cutting Ceremony for the purchase of two new buses for Loudoun County Transit. The new buses will provide for additional capacity for Loudoun County Transit. The buses were funded as part of the Authority's FY 2014 Program.
 - **Jermantown Road**- On June 7, 2016, Ribbon Cutting – the NVTA held a Ribbon-Cutting ceremony for the completion of Jermantown Road in Fairfax City which was funded as part of the Authority's FY 2014 Program.
 - **West Ox-Bus Maintenance Facility Expansion**---On September 22, 2016, the NVTA, in collaboration with Fairfax County and in conjunction with Try Transit Week, hosted a groundbreaking ceremony for the West Ox-Maintenance Facility in Fairfax County. The Authority funded the construction of this facility (\$20 million) as part of its FY2015-16 Program.
 - **Belmont Ridge Road**---On September 27, 2016, the NVTA hosted a groundbreaking ceremony, in collaboration with Loudoun County, for the Belmont Ridge Road Project. This ceremony was for the Belmont Ridge Road Project from Gloucester Parkway to Hay Road funded in the Authority's FY2014 Program.

- **Revamp and Improve NVTA Website** – Within the parameters of existing staffing and resource levels, several improvements have been implemented including:
 - Incorporation of the TransAction update and multiple public outreach and comment opportunities.
 - Enhanced social media connectivity with the main website as well as the TransAction website.
 - Detailed meeting packages, agenda and meeting summaries which provide maximum transparency to the regional community.
 - Increased use of photographs and graphics for improved presentation and project visualization
 - Implemented and improved E-Newsletter and E-blast outreach mechanisms

- **Review and Update NVTA Bylaws working through the Bylaws Committee and the Council of Counsels for NVTA consideration** – This process concluded early in the year with:
 - Restructuring of Bylaws to clearly separate procedures from appropriate bylaw items.
 - Reviewed, changed/clarified committee voting requirements including crucial changes for the PCAC and TAC committees to increase their effectiveness.
 - Incorporated the potential for future remote participation in meetings.
 - Established secondary designee provisions – to ensure each member’s jurisdictional voice can continue to be present.
 - Established the PPC to replace the PIWG and formed the Governance and Personnel Committee.
 - Streamlined the process for future changes allowing the Bylaws to becoming a living document.

- **Develop Regional Map of all NVTA Funded Projects (70% and 30%)** – Maps were developed and are available on the NVTA website and will be incorporated into the Authority’s 2016 Annual Report.

- **Expand and enhance the FY15/16 Communications Plan** – The communication plan’s implementation and execution has been enhanced by assigning additional staff resources with a focus on creating ‘fresh’ statements for virtually every communication and outreach opportunity. Additionally, because of the fresh messaging we have garnered success in getting positive editorial attention and speaking opportunities to further the Authority’s message and solidify the public’s understanding of NVTA’s critical responsibility as the region’s transportation planning organization.

- **Staff Development through Continuing Education and Professional Certifications –**
Each staff member has an individual plan to maintain their career level tools. Where appropriate, this will include maintaining professional designations, certifications and licenses. When in the interest of the Authority, staff will also use these opportunities and events to convey the Authority's message as the regional transportation planning organization for Northern Virginia as well as present its fiscal stewardship, stability and planning strengths.
- **Authority Staffing for Growth through the FY2016 addition of a Transportation Planner and an Investment and Debt manager:**
 - The new Transportation Planner recruited and hired in 2016 has brought significant technical skills to the NVTa which provide the opportunity for increased GIS and project mapping as well as technical planning analysis functions (building on the data gathered as part of the current TransAction update activities).
 - The Investment and Debt Manager position when proposed to the Authority was estimated to increase interest revenue for the Regional Revenue Fund. The initial increase was estimated at \$1.5 million. We are now projecting interest earnings will increase by a total of \$2.5 million for FY2017. Additionally, this position was able to negotiate an approximately \$100,000 annual savings in the Operating Budget for Custody and Safekeeping Services.

ACCOMPLISHMENTS

- Budgets are often protracted and difficult subjects. The three FY2016 Authority Budgets (Local Distribution Fund, Regional Revenue Fund and Operating Budget) were transparently developed clearly presented and adopted by the Authority in February via consent agenda.
- The Authority approved the implementation of a Section 457 Deferred Compensation plan for staff that prevented a \$25,000 up front cost and approximately \$5,000 per year in annual costs while providing significant savings opportunities and options for employees.
- In April the Authority was presented with the methodology to smoothly prepare the FY2017 Program with the first time application of HB599 to both Transit and Highway projects. Significant coordination and consultation was required with VDOT, member localities, transit agencies and interest groups to build understanding and credibility, thus ensuring a smooth process. The FY 2017 Program also included a new methodology for calculating the Congestion Reduction Relative to Cost analysis.

- In May the draft FY 2017 Program was released for public comment and the project evaluation methods presented to the Authority. This process continued and reinforced the Authority's reputation for transparency in project evaluation and programming. The preparation process included multiple public comment opportunities including online receipt of comments, an official Public Hearing and several town hall meetings hosted on the draft program hosted by member jurisdictions in coordination with the NVTa members and staff.
- A Public Comment Hearing for the FY2017 Program was held in June prior to the start of the June Authority meeting. The Hearing was a very active and well organized event. Jurisdiction and agency staff were recruited and volunteered to help answer questions on projects being considered to the public and record comments. The Hearing was widely regarded as informative, open and transparent with accolades from the public and interest groups.
- Two significant policies were put in place during the summer of 2016; an Electronic Meeting Participation Policy and a FY2017 Program First Draw Down Policy. The first was to enable members to participate in Authority Meetings electronically under certain circumstances and the other encourages project implementation by the awardee.
- The FY2017 Program was adopted with 12 projects and the commitment of \$466.8 million in funding. This was a complex suite of projects which required a significant effort to ensure all parties understood the proposed projects and the commitments they represented. Included in the overall grouping were significant advances for transit and highways. Many of the projects were critical to seeing major initiatives such as the Commonwealth's I-66 Outside the Beltway project and a new Potomac Yard's Metro Station become realities. Unanimous adoption of the plan was indicative of the time invested to insure that in addition to major civil engineering projects like I-66 and the Potomac Yard's Metro Station, first and last mile projects were also able to advance with non HB2313 funding planned and programmed by the Authority.
- Within the financial arena, the Authority continued its strong compliance mandates within HB2313 while at the same time being recognized as a solution partner with member jurisdiction and agency staffs. The FY2016 audit was completed early with a clean opinion and no recommendations for improvement. These efforts are cementing the Authority's financial reputation with member localities and agencies as well as with the General Assembly and financial market members such as credit rating agencies and underwriter banks.
- Representative of the proactive fiscal management culture embedding at the NVTa was action taken to ensure compliance with IRS Tax Exempt Financing spend down requirements. Staff developed a plan working with project sponsors to ensure IRS compliance while also eliminating any negative project impacts.
- Recognizing the need for the Authority to be proactive in regards to any potential legislation that could impact the roles and responsibilities of the Authority, the adopted

FY2017 Budget included approval of funding (up to \$60,000) for Legislative Services. The Authority approved the contract with McGuire Woods, LLC, at its November 10, 2016 meeting. This contract award is essential in ensuring that the Authority is adequately represented in Richmond regarding any potential legislative action that affects the Authority's core responsibilities as outlined in the Virginia Code.

- TransAction, the Authority kicked off the update to TransAction 2040, the first since the adoption of HB 2313, in the fall of 2015 with a Benchmark Survey. Working with the TransAction Subcommittee, draft vision and goals for the TransAction update were developed for the Authority's consideration. The Authority adopted the Vision and Goals for TransAction at its meeting on December 10, 2015.
- The Authority held Spring and Fall Public Engagement Events for TransAction. The Spring event was designed to solicit input from citizens throughout the region asking "What's Your Transportation Problem?" The Authority gained insight from over 1,300 individuals on their transportation issues and what changes they would like to see in the future.

During the Fall round of TransAction Public Engagement activities which were focused on the ranking of prioritization factors, an online survey was developed which received 2,771 respondents representing all areas of Northern Virginia as well as other parts of Virginia, Maryland, DC and West Virginia. Conducted four, 2-hour focus groups November 9 & 10:

- 2 each for residents inside and outside the Beltway
- 40 participants total, representative of residents of all member jurisdictions, demographic segments and commuting preferences

Conducted two workshops on November 17 & 28, 2016 on George Mason University's Fairfax Campus (Engineering, Major) and Arlington Campus (Transportation Systems, Masters); with a workshop planned for the Prince William campus in January 2017.

The Authority unanimously adopted the recommended performance measures for the TransAction update at the December 8, 2016 meeting.

- TransAction Update Amendment- Understanding the importance of the Authority controlling its own message, particularly as it relates to long-range planning, programming and activities, coordination was done with the Secretary's office, the Authority's CTB member and VDOT NOVA Office, to incorporate the HB 599 analysis into the TransAction update. Since projects funded with 70% NVTA Regional Revenues are required to be in TransAction and evaluated as part of the HB 599 analysis, coordination and consultation was undertaken with General Assembly Members, the Secretary of Transportation's Office, NVTA's CTB member and VDOT NOVA District staff. These efforts concluded with the incorporation of HB 599 into TransAction which allowed for a more streamlined analysis and evaluation process for regional projects. These efforts

also resulted in obtaining up to \$600,000 in funding from the Commonwealth to cover the costs of incorporating HB599 into TransAction. These efforts received Authority approval at the December 2016, meeting. The benefit of these efforts to improve and streamline TransAction will guide the development of the Authority's first Six Year Program. As HB 599 is an unfunded mandate which is required every four years on only 25 projects, incorporating HB 599 into TransAction at no cost to the Authority, ensures that the Authority will have the quantitative evaluation needed to develop its Six Year Program representing \$1.5B in regional transportation investments as well as the use of approximately \$1.8 billion in debt capacity.

- ITS Roundtable on Innovative and Disruptive Technologies---- In May of 2016, the NVTa hosted an ITS Roundtable on Innovative and Disruptive Technologies and the impact that these technologies may have on the development of the update to TransAction 2040. In addition to panel discussions comprised of representatives from Audi, Uber, Lyft, GMU Economist and local jurisdictions DOTs, Max Smith from WTOP served as host for the roundtable. Due to the overwhelming response, a follow up event is in the works for Spring 2017.
- Governor's Transportation Conference---on October 20, 2016, for the first time since its inception, the NVTa hosted a breakout session during the Governor's Transportation Conference entitled "The Northern Virginia Transportation Authority: Investing Wisely - Delivering Results". The breakout session highlighted the Authority's accomplishments, planning and programming processes, funding programs, revenues and the TransAction update.

**FIRST AMENDMENT TO EMPLOYMENT AGREEMENT
WITH
EXECUTIVE DIRECTOR FOR NVT A**

This First Amendment to Employment Agreement with the Executive Director for the Northern Virginia Transportation Authority, effective the 10th day of December 2015 by and between the Northern Virginia Transportation Authority ("NVT A") and Monica Backmon, Executive Director for NVT A (the "Executive Director").

WITNESSETH:

WHEREAS, NVT A and the Executive Director entered into an Employment Agreement, effective May 14, 2014, (the "Agreement"), setting forth the terms and conditions of the Executive Director's employment by NVT A; and

WHEREAS, based upon an annual review of the Executive Director by NVT A, NVT A has decided to amend the terms and conditions of the Agreement;

NOW, THEREFORE, in consideration of the foregoing, NVT A and the Executive Director agree to amend the Agreement in accordance with the terms and conditions set forth below:

1. Section 1 – Term; is amended to reflect December 31, 2018 as the end date of the agreement unless sooner terminated in accordance with the terms hereof, or unless extended by mutual agreement of the parties in writing.
2. Section 3 – Compensation; is amended to provide that the annual salary of the Executive Director shall be increased to \$160,000 per year, effective with the pay period commencing on December 14, 2015.
3. Section 9 - Performance Evaluation; is amended to provide for annual evaluations in December of each year. The Authority shall consider whether adjustments, if any, should be made to the Executive Director compensation at the evaluation.
4. All other terms and conditions of the Employment Agreement not heretofore amended or modified by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment to Employment Agreement with the Executive Director of NVT A has been duly executed by the parties effective the 10th day of December, 2015.

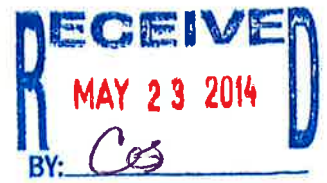
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

By: [Signature]
Martin E. Nohe, Chairman

By: [Signature]
Monica Backmon, Executive Director

Date: 12-10-15

Date: 12/10/15



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

Employment Agreement

THIS EMPLOYMENT AGREEMENT is made and entered into as of the 14th day of May, 2014, by and between the Northern Virginia Transportation Authority and Monica Backmon.

WITNESSETH:

WHEREAS, the Northern Virginia Transportation Authority (the "Authority") and Monica Backmon ("Backmon") have agreed upon the terms and conditions of her employment as the executive director of the Authority, which terms and conditions are hereafter set forth in this Employment Agreement ("Agreement").

NOW, THEREFORE, in consideration of the below stated terms, the parties agree as follows:

1. Term. This Agreement shall be effective May 14, 2014, and shall remain in full force and effect until May 11, 2016 unless sooner terminated in accordance with the terms hereof, or unless extended by mutual agreement of the parties in writing.
2. Position duties. Backmon shall perform the duties and assume the responsibilities of the executive director in accordance with position description established and advertised by the Authority, and shall perform other duties as may be assigned by the Authority and any other applicable duties as may be established by law.
3. Compensation. The Authority shall pay Backmon an annual salary of \$140,000, payable in equal bi-weekly installments.
4. Benefits. Backmon shall be eligible to participate in such benefit plans as may be established by the Authority under same terms as are offered to all Authority employees.
5. Automobile allowance. In addition to the foregoing base salary, the Authority shall pay Backmon an annual car allowance in the amount of six thousand dollars (\$6,000), payable in equal bi-weekly installments.
6. Leave.
 - a. Backmon shall earn fifteen (15) vacation days each year that may be used in advance and that may be carried over from year to year to the extent not used. Backmon shall be compensated for the value of any vacation days remaining at the end of term of the Agreement up to the limit established by Authority for all employees, upon termination of the Agreement by the Authority without cause, and upon Backmon's resignation.
 - b. Backmon shall earn sick leave at the rate of four (4) hours per bi-weekly pay period. Sick leave may be used once earned and any excess may be carried over from year to year. Any unused sick leave remaining at the time this Agreement ends shall be forfeited.
 - c. Backmon shall be entitled to the same holidays as other Authority employees.
7. Business expense reimbursement. Backmon shall be entitled to reimbursement of reasonable and necessary expenses incurred on Authority business in accordance with procedures

approved by the Authority. The Authority shall provide fees for professional memberships and conference registrations, and for travel related to Authority in accordance with approved policy and as otherwise specifically approved by the Authority.

8. Goals and professional education. Within the first 30 days of this Agreement, Backmon shall provide the Executive Director Search Committee a proposed first year plan that includes, among other things, goals for her professional development and suggested courses or consultations aimed at achieving stated goals.
9. Performance evaluation. Within the first 30 days of this Agreement, Backmon shall provide the Authority with a set of goals/performance objectives for the first year. The Authority, through its Executive Director Search Committee, shall conduct a review of Backmon's performance within approximately six months of having started employment. This review will focus on her progress in managerial considerations associated with item 8 and the goals/performance objectives provided as required by this section. Thereafter, performance evaluations will be conducted annually on or about the anniversary of the effective date of this Agreement. The Authority shall consider whether adjustments, if any, should be made to Backmon's salary at the twelve months evaluation and annually thereafter.
10. Outside employment. Backmon shall not engage in any employment activities other than those prescribed by this Agreement without the express approval of the Authority.
11. Disclosure of financial interests. Backmon shall file with the clerk of the Authority annually such disclosures of financial and other interests as may be required by law and prescribed by the Authority.
12. Termination. It is expressly understood and agreed that Backmon is an "at will" employee of the Authority and that Backmon may be terminated at any time by the Authority with or without cause. In the event the Authority terminates this Agreement without cause, Backmon shall be entitled to a minimum of sixty (60) days' notice prior to the effective date of the termination. In its sole discretion, the Authority will determine whether Backmon will continue to report to work and perform the duties of the executive director during some or all of the aforesaid notice period, or will be placed on paid administrative leave. In the event the Authority terminates this Agreement with cause, Backmon shall not be entitled to any notice, and the termination shall be effective as determined by the Authority. For purposes of this Agreement, cause shall include, but not be limited to, neglect of duty, malfeasance or misfeasance, and conviction of a felony or any crime involving moral turpitude
13. Resignation. Backmon may terminate this Agreement at any time upon thirty (30) days written notice to the Authority prior to the effective date of the termination.
14. Severance. Backmon shall not be entitled any severance.
15. Amendments. This Agreement may be amended, changed, modified, or altered only in a written document signed by both parties.

16. Incorporation. This Agreement incorporates all understandings and agreements between the parties and shall completely and fully supersede all other prior agreements, both written and oral, between the parties relating to the subject matter hereof.

17. Severability. If any provision of this Agreement would invalidate this Agreement in whole or in part, then such provision shall be void, as though not herein contained, and the remainder of the Agreement shall remain operative and in full force and effect.

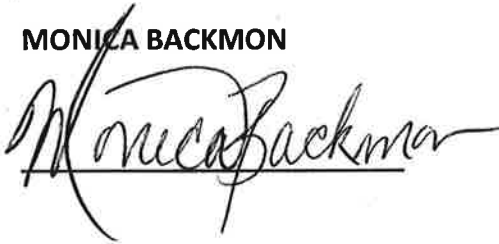
IN WITNESS WHEREOF, the parties hereto have executed this Agreement, intending to be bound thereby, effective the 14th day of May, 2014

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

A handwritten signature in black ink, appearing to be 'M. J. M.', written over a horizontal line.

Chairman

MONICA BACKMON

A handwritten signature in black ink, reading 'Monica Backmon', written over a horizontal line.