



NVTC LEGISLATIVE & POLICY COMMITTEE MEETING
THURSDAY, OCTOBER 15, 2020
Via Electronic Participation
Public Streaming via YouTube

10:00 A.M.

AGENDA

NVTC is receiving public comment during the declared state of emergency. Persons wishing to provide written public comment should submit comments by 5:00 p.m. on October 14 via [NVTC's website](#). Comments will be provided to committee members prior to the October 15 meeting.

1. Welcome and Introductions
2. Summary of the September 10, 2020 Legislative and Policy Committee Meeting
3. Update on the General Assembly Special Session
4. Discussion of the 2021 Legislative and Policy Agenda
5. Update on the December 7 NVTC-PRTC Legislative Briefing
6. Next Steps

Members

David Meyer, Chair
Canek Aguirre
Adam Ebbin
Libby Garvey
Matt Letourneau
Dave Snyder
James Walkinshaw



**NVTC LEGISLATIVE AND POLICY COMMITTEE
MEETING SUMMARY
Via Electronic Participation
Public Streaming via YouTube
September 10, 2020**

NVTC Legislative and Policy Committee Members Present:

David Meyer, Chair
Canek Aguirre
Adam Ebbin
James Walkinshaw

NVTC Legislative and Policy Committee Members Absent:

Libby Garvey
Matt Letourneau
David Snyder

Other Commissioners Present:

Michael Turner

Staff and Other Present:

Kate Mattice, Executive Director
Zachary Smith
Allan Fye
Aimee Perron Seibert

Gwen Kennedy
Penny Newquist
Chloe Ritter
Alex Thorup

Chairman Meyer called the meeting to order at 4:11 p.m. He explained that given the ongoing COVID-19 public health emergency, the Legislative and Policy Committee meeting is being conducted electronically. This is possible because the governor signed into law on April 22, 2020 a legislative amendment to the budget bill to allow public bodies to meet electronically without a physical quorum present to discuss or transact the business statutorily required or necessary to continue operations of that public body. NVTC staff followed the procedures and guidelines in the legislation to give notice to the Commission, staff and the public. The only visual component of the meeting is the presentation slides which are being shown on Webex for committee members and on YouTube livestream for the public.

Ms. Mattice then called the roll and confirmed a quorum was present.

Ms. Perron Seibert reported on actions within the General Assembly during the Special Session. NVTC is monitoring the transient occupancy tax (TOT) issue dealing with evictions and budget items that provide flexibility for DRPT and the Secretary of Transportation to move funds. The House and Senate budget is anticipated early next week. She also reported that Delegate Sullivan added a budget amendment that would provide flexibility for NVTC, NVTA, CTB and VRE to hold a joint meeting electronically during a declared emergency.

Senator Ebbin asked for clarification on the TOT issue. Ms. Perron Siebert responded that the Virginia Poverty Law Center sought a way to permit individuals using hotels or motels as permanent housing to receive rental assistance from local, state or federal sources. The proposal created doubt on whether the TOT would still be imposed and collected, which affects revenues for WMATA. However, Senator Locke withdrew the bill.

Senator Ebbin provided an update on Senate activities. He stated that all of the bills aside from the budget have moved through the committees on the Senate side.

Mr. Smith briefed committee members on the proposed 2021 NVTC Legislative and Policy Agenda divided into two sections: state legislative and federal legislative priorities. The state priorities are as follows:

- 1) Connect People to Opportunity through Transit
- 2) Protect Transit Funding
- 3) Protect Regional Stewardship of Regional Programs
- 4) Restore Funding for NVT
- 5) Update Remote Public Meeting Requirements

Senator Ebbin asked, given the fiscal climate, if there is any expectation that the state would go further on restoring NVT funding. Ms. Perron Seibert responded that they are awaiting the outcome of the Special Session to gauge the Commonwealth's funding situation. She stated that restoring NVT's funding continues to be an issue, but it is important to be thoughtful and mindful about the current fiscal situation. Mr. Walkinshaw added that the funding from I-81 to NVT has not generated the revenues that were initially projected. Mr. Turner added that he noticed a discrepancy in a VDOT presentation about the amount of funding that NVT was supposed to receive.

Mr. Smith then detailed the federal legislative priorities:

- 1) Reauthorize Dedicated Federal Funding for WMATA
- 2) Reauthorize the FAST ACT and Fix the Highway Trust Fund
- 3) Identify Federal Funding for Long Bridge
- 4) Support Transit in any COVID-19 Relief Package

Senator Ebbin asked how the NVTC Legislative and Policy Committee should engage federal lawmakers on issues in Northern Virginia and throughout the Commonwealth. Mr. Walkinshaw responded that it makes sense to make the appeal to the federal delegation on NVTC issues. Ms. Mattice added that the Commission has been actively sending letters to push for additional funding from Congress, and NVTC has a good relationship with its Congressional delegation who are receptive to dedicated funding for WMATA as well as additional COVID-19 relief funding. Chairman Meyer stated that NVTC staff could begin initial conversations with Congressional staff and members on Capitol Hill.

Ms. Mattice stated that the annual NVTC-PRTC Legislative Briefing on December 7 will be virtual. She also acknowledged the legislative liaisons from NVTC jurisdictions that joined the committee meeting and asked them to send their legislative priorities to NVTC staff.

Chairman Meyer asked if there were any other comments on the legislative agenda from the committee. He also stated that the legislative agenda should include the important link that transit has to jobs, food security and health care.

The committee meeting adjourned at 4:53 p.m.

Draft 2021 NVTC Legislative and Policy Agenda

State Priorities:

- 1) Protect Existing Transit Programs and Funding
- 2) Connect Riders to Opportunity through Transit
- 3) Continue Support for the Transforming Rail in Virginia Program
- 4) Restore Funding to the Northern Virginia Transportation Authority
- 5) Preserve NVTC Stewardship of NVTC Programs
- 6) Update Remote Public Meetings Language

1. *Protect Existing Transit Programs and Funding*

The 2020 General Assembly adopted an historic Transportation Omnibus Bill last spring that streamlined Virginia's transportation funding allocation model and secured sustainable revenues for local transit operators, WMATA and VRE. However, ridership revenue and other transportation revenue sources have been severely impacted by the COVID-19 virus, and the Commonwealth anticipates a shortfall of \$750 million in transportation revenues over the next two fiscal years. NVTC supports protecting existing transit program and revenue sources and supports protecting dedicated funding for WMATA and VRE.

2. *Connect Riders to Opportunity through Transit*

Accessible, affordable transportation is critical to helping people reach jobs, education and health care. In addition to transit's well-documented environmental and economic benefits, public transportation can be a powerful tool to advance racial equity and social justice. NVTC supports programs and initiatives that reduce barriers to transit.

3. *Continue Support for the Transforming Rail in Virginia Program*

Across Virginia, drivers experience 230 million hours of delay resulting in \$6.5 billion in annual congestion costs, and the Long Bridge is at 98% capacity during peak periods. The Long Bridge project along with some of Governor Northam's other rail expansion initiatives are projected to generate nearly \$370 million in annual economic benefits and remove an additional 165 million passenger miles from the state's roadways. NVTC encourages continued support for the Transforming Rail in Virginia program.

4. *Restore Funding to the Northern Virginia Transportation Authority*

Two of the Northern Virginia Transportation Authority's (NVTA) three revenue streams were redirected due to the implementation of the WMATA Capital Fund in 2018. The General Assembly passed legislation to secure additional revenue for NVTA, but prior funding levels have not been restored. In addition, the COVID-19 virus has lowered revenue projections for NVTA. The loss of these revenues directly affects funding available for transit capital, as well as the local revenues to support transit operations. NVTC proposes restoring funding for NVTA.

5. *Preserve NVTC Stewardship of NVTC Programs*

NVTC provides a venue and a model of policy coordination and program implementation that works in Northern Virginia and has the participation of its component jurisdictions and their elected leaders. As an experienced transit steward and regional partner to the Commonwealth, the General Assembly should continue to support NVTC's role in administering programs that promote transit and multimodal options that serve Northern Virginia. NVTC supports preserving its programs and interests in Northern Virginia.

6. *Update Remote Public Meetings Language*

NVTC is required to hold an annual joint in-person meeting with CTB, NVTA and VRE. During the April 2020 reconvened General Assembly session, language was added to the Commonwealth's 2020 - 2022 budget to allow virtual meetings by public bodies during a declared state of emergency when meeting in person is unsafe. We will need to make that a permanent statutory change in 2021, as well as ensure that joint meetings are included in the provision. In addition, NVTC will monitor any proposals to provide public bodies with the flexibility to hold open and transparent meetings electronically outside of a declared state of emergency.

Federal Priorities

- 1) Reauthorize Dedicated Federal Funding for WMATA
- 2) Continue Support for Federal COVID-19 Relief for Transit Agencies
- 3) Reauthorize the FAST Act and Fix the Highway Trust Fund
- 4) Identify Federal Funding and Financing for Long Bridge

1. Reauthorize Dedicated Federal Funding for WMATA

In 2008, Congress passed the Passenger Rail Investment and Improvement Act, which authorized dedicated funding of \$1.5 billion over 10 years to WMATA for needed capital and safety improvements. With these important federal funds, WMATA has been able to address key state of good repair needs such as replacement railcars, IT upgrades, and station platform rehabilitation. These federal funds continue to be an important investment in sustaining and improving WMATA's regional transit network. NVTC proposes reauthorizing dedicated federal funding for operating expenses and state of good repair needs for WMATA of at least \$150 million per year.

2. Continue Support for Federal COVID-19 Relief for Transit Agencies

Thanks to the passage of the CARES Act, WMATA saw short-term financial relief due to this infusion of federal aid. Due to the prolonged recovery from the pandemic and subsequent shortfalls in ridership and fare revenue, WMATA anticipates additional financial and operating challenges without more federal support. NVTC urges Congress to support additional COVID-19 relief funding for transit agencies increased costs and revenue losses.

3. Reauthorize the FAST Act and Fix the Highway Trust Fund

The Fixing America's Surface Transportation (FAST) Act of 2015 provided \$61.1 billion over five fiscal years for programs administered by the Federal Transit Administration (FTA). The next surface transportation bill should support major transit state of good repair investments, transit innovations and technologies, as well as expansion projects (i.e. Long Bridge, Rosslyn Tunnel Improvements, and roadway upgrades to support Bus Rapid Transit routes). NVTC proposes reauthorizing the surface transportation bill funded by dedicated, sustainable revenues to ensure major transit investment programs are adequately funded. Further, NVTC supports Congressional efforts to fix structural issues and address the long-term sustainability of the Mass Transit Account of the Highway Trust Fund (HTF). The HTF shortfall must be addressed to meet the needs of transit today and in the future.

4. Identify Federal Funding and Financing for Long Bridge

The Long Bridge Corridor plays an essential role in the Washington metropolitan region, the east coast transportation network, and the national railroad network. An expanded Long Bridge is projected to achieve \$17 million in time savings for rail users and between \$24 - 59 million for road users per year by 2040. As the only rail crossing between Virginia and cities along the Northeast Corridor, Long Bridge is vital to the future of mobility and economic growth in Northern Virginia and communities along the East Coast. NVTC proposes federal funding and financing for the Long Bridge expansion project.