

MINUTES
NVTC COMMISSION MEETING – MARCH 4, 2021
Via Electronic Participation
Public Streaming via YouTube

The meeting of the Northern Virginia Transportation Commission was called to order by Chair Cristol at 7:03 p.m.

Members Present via Electronic Participation

Canek Aguirre
Walter Alcorn
Katie Cristol
Adam Ebbin
Matt de Ferranti
Eileen Filler-Corn
John Foust
Libby Garvey
Paul Krizek
Jeff McKay
David Meyer
Jennifer Mitchell (Alternate, Commonwealth of Virginia)
Dalia Palchik
David Reid
Paul Smedberg
David Snyder
Dan Storck (Alternate, Fairfax County)
Richard Sullivan
James Walkinshaw

Members Not Present

John J. Bell
Elizabeth Bennett-Parker
Matt Letourneau
Mike Turner

Staff Present via Electronic Participation

Kate Mattice, Executive Director	Aimee Perron Siebert
Andrew D’huyvetter	Steve MacIsaac (legal counsel)
Allan Fye	Rich Dalton (VRE)
Rhonda Gilchrest	Paul Wiedefeld (WMATA)
Scott Kalkwarf	Regina Sullivan (WMATA)
Ben Owen	Greg Potts (WMATA)
Zachary Smith	David Caudill (VDOT)
Melissa Walker	John Mason, Jr. (VDOT)

Opening Remarks

Chair Cristol welcomed everyone to the March 4, 2021 NVTC meeting. She stated that given the ongoing COVID-19 public health emergency, the 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.

Chair Cristol reviewed the procedures and instructions for the electronic meeting, including that all votes will be conducted by roll call vote. The only visual component of the meeting is the presentation slides which are being shown on Webex for Commissioners and on YouTube livestream for the public.

Commission Secretary Rhonda Gilchrest then called the roll and confirmed a quorum was present.

Chair Cristol welcomed WMATA General Manager Paul Wiedefeld, who is present to discuss Metro-related issues, and Virginia Department of Transportation Division Administrator for Tolling Operations David Caudill, who will give a presentation on I-66 Inside the Beltway toll revenues and projections. Chair Cristol also reviewed the rest of the Agenda and action items.

Consent Agenda

Chair Cristol stated that there are two resolutions on the Consent Agenda, including Resolution #2440: Finding Need to Conduct the March 4, 2021 Meeting Electronically and Resolution #2441: Authorize the Delay in Approving the NVTC FY 2022 General and Administrative Budget. (Copies of the resolutions are attached.)

Before the vote, Ms. Mattice reported that no public comments were received prior to the meeting.

Mr. McKay moved, with a second by Mr. Smedberg, to approve the Consent Agenda. The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Filler-Corn, Foust, Garvey, Krizek, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Storck and Sullivan. (Mr. Storck voted as an alternate until Mr. Walkinshaw joined the meeting.)

Minutes of the February 4, 2021 NVTC Commission Meeting

Mr. Aguirre moved, with a second by Mr. Reid, to approve the minutes of the February 4, 2021 meeting. The vote was conducted by a roll call vote and the motion passed. The vote in favor was

cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Filler-Corn, Foust, Garvey, Krizek, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Storck and Sullivan. Mr. Ebbin abstained.
Washington Metropolitan Area Transit Authority

Chair Cristol welcomed WMATA General Manager/CEO Paul Wiedefeld, who is present to provide an update on the challenges facing WMATA and other Metro-relate issues.

Presentation by WMATA General Manager. Mr. Wiedefeld thanked the Commission, local governments, DRPT, the Commonwealth and the federal government for their support of Metro during the COVID-19 pandemic. He gave an overview of the operating budget, capital program, safety update, and legislative outlook and future challenges. Fortunately, the federal relief bill in December took care of the major budget concerns for FY 2021 and a good portion of the FY 2022 budget. For the FY 2022 operating budget, it will be important to remain flexible, anticipate change, and continue with strategy of “to know what we know” and bring things back into the budget if funding is identified in the future. For the FY 2022 operating budget, the original \$742 million gap is partially covered by federal relief funds, which results in a projected remaining funding gap of \$209.8 million. He explained that the recommendation is to retain FY 2021 service levels as long as possible to support regional FY 2021 service levels to support the regional economy and ridership rebound. The FY 2022 budget recommendations include:

- Forgoes 3% subsidy growth in FY2022, only \$42M of above base for exclusions
- Assumes Silver Line Phase 2 revenue service begins July 2021
- Seeks Collective Bargaining Agreement (CBA) Wage and Pay for Performance Deferral for unionized employees
- No shifts of operating costs to capital program for preventive maintenance
- Includes an estimated \$20M for Silver Line Phase 2 equity adjustments

Mr. Wiedefeld stated that after management actions, the remaining budget gap will require additional funding or service cuts and layoffs estimated beginning in January 2022 (FY 2022 Quarter 3 and Quarter 4).

Mr. Wiedefeld stated that the capital program, which is \$2.6 billion for FY 2022, will include addressing overdue capital needs and ongoing programs to sustain safety and state of good repair. He updated the Commission on some of the work being done and future work, including platform improvement projects, a new escalator replacement contract, and Alexandria Rail Yard signal modernization project.

Mr. Wiedefeld then gave a safety update and the impact of the COVID-19 pandemic to the system. WMATA has a workforce of 12,300 employees and WMATA has had a total COVID-19 related reports from 4,614 employees, with unfortunately four deaths. As of February 26, 2021, there have been 1,161 confirmed cases with two current hospitalizations. WMATA’s recovery activities include air filtration pilot projects for bus and rail, proactive and responsive cleaning protocols, face covering/hand sanitizer distribution, touchless fare collection, and real-time crowding information. He also reviewed protocols to protection the WMATA workforce,

including vaccinations, mobile testing, safety kit distribution, office re-entry guidelines and a visitor screening portal.

Mr. Wiedefeld reported that WMATA continues to monitor federal legislation that impacts the system. There is House legislation that would provide an additional \$30.5 billion for pandemic relief for transit agencies, which would continue to help WMATA with the FY 2022 budget gap. Legislation to continue federal dedicated funding for WMATA's state of good repair needs has been introduced in both the Senate and the House. Senator Warner and Congressman Connolly are sponsoring this legislation.

[Mr. Walkinshaw joined the meeting at 7:35 p.m.]

Mr. Wiedefeld stated that as the region comes out of the pandemic, it will be important to rethink transit as travel patterns may change. It will be important to monitor this and be ready to adapt. WMATA is committed to continue coordination with its regional partners to help meet these challenges.

Multiple Commissioners thanked Mr. Wiedefeld for WMATA's efforts during the pandemic. Ms. Palchik commended WMATA for its targeted Spanish-speaking marketing. She asked as the region's employers and educational institutions develop plans to re-open, how is WMATA working with employers and other regional stakeholders to get riders back on transit. Mr. Wiedefeld responded that WMATA is developing a whole marketing campaign, but the first phase will continue to focus on showing that the system is safe to use. WMATA staff have been in contact with business leaders and chambers of commerce about potential joint future campaigns.

Mr. McKay commended WMATA for forgoing a subsidy increase in light of the challenges facing local governments as well as protecting the capital program by not recommending shifting funds. He believes WMATA will need to heavily market to get people back to transit and asked if WMATA is starting early enough now that President Biden has moved up the date when every adult can be vaccinated. Mr. McKay stated that he is also hearing conflicting information about when the Silver Line Phase 2 will be completed. In his opinion the Silver Line Phase 2 is an important part of rebuilding Metrorail ridership and delays will adversely impact ridership. He asked if it's possible to compress the testing period.

Mr. Wiedefeld stated that WMATA will need to recalibrate the marketing campaign in light of President Biden's announcement. Regarding the Silver Line Phase 2, WMATA is continuing to work with the Metropolitan Washington Airports Authority (MWAA) but there are still outstanding issues that need to be resolved. WMATA is committed to making sure there is nothing holding up the project on WMATA's end. Mr. McKay expressed his appreciation for all WMATA's work during this difficult time. He also noted that the region and NVTC are willing to help WMATA in any way.

Mr. de Ferranti asked about WMATA's plans for vaccinations for its frontline employees. Mr. Wiedefeld stated that WMATA has the capability to administer the vaccines when they become

available, so WMATA is working to procure vaccines. WMATA's highest priority is to vaccinate the Rail Operations Control Center (ROCC) employees, as those are highly specialized jobs that cannot be replaced.

Mr. Aguirre agreed with the comments that outreach is important to get people back to using transit. He also suggested WMATA marketing also target other languages and to keep the message simple using infographics. Mr. Aguirre also stated that it is his understanding that WMATA is doing a low-income fare pass with the District of Columbia and noted that Alexandria is doing a study on low income fare passes for DASH. He asked how local jurisdictions and the Commonwealth can work with WMATA on ways to reduce barriers to reduced transit fares and promote transit equity. Mr. Wiedefeld responded that he expects the WMATA Board to discuss these issues in the context of transit in the future since the Board is focused on equity issues, especially fares and hours of service.

Mr. Snyder expressed several concerns about the proposed FY 2022 budget. He stated that the notion of spending funds in the first half of the year at a level not justified by ridership and then having virtually no funds left for the second half of the fiscal year, is not a good way to manage a budget. The proposal for Q3 and Q4 is irrational and unsupportable and he cannot encourage taxpaying citizens to support Metro with 30-minute headways and 20+ closed stations. He reemphasized that he cannot support the current budget proposal. Mr. Snyder also asked about WMATA's plans to remap the bus system.

Mr. Wiedefeld explained that to spread out the relief funding for the entire year would result in laying off workers since 70% of the budget is labor costs. The intent of the federal relief funding is to keep people employed; WMATA cannot assume there will be additional federal relief, although there is hope. He appreciates Mr. Snyder's comments and agrees that WMATA does not want to be in that situation for Q3 and Q4. Regarding bus, Mr. Wiedefeld stated that the Bus Transformation initiative, which started pre-COVID, is moving into the next phase of looking at the entire bus system. With the changing travel patterns and behaviors, as well as a greater focus on equity, this work is even more important.

Mr. Alcorn asked about the Title VI analysis being done for the Silver Line Phase 2. It is his understanding that WMATA is using demographic data from Wiehle Station riders. He is not sure this makes the most sense since the demographics are different for the communities in Fairfax County around the new stations. For example, Hutchinson Elementary School is a Title 1 school with a 94% minority population and Dogwood Elementary School is a Title 1 school with a 74% minority population. He also stated that regarding the future of transit, it is important not to give up on transit-oriented development. He asked if WMATA has looked at revenue models not dependent on rush hour fare collection. He also asked how much time is needed in advance for the WMATA Board to discuss and make changes to fare and revenue strategies.

Mr. Wiedefeld responded that WMATA is trying to understand the demographic issues for the Silver Line Phase 2. WMATA is also using ridership data from Reagan National Airport for comparison with Dulles Airport. Regarding fare and revenue strategies, he predicts it's a year-

long discussion because factors will continue to change post-pandemic. He stated that equity issues need to be central to the discussion, as well as financial and environmental issues.

Ms. Garvey agreed with Mr. McKay's comments. Given all the factors, she believes the proposed budget is reasonable in these tough times. She asked for more information about Mr. Wiedefeld's plans for the Rail Operations Control Center (ROCC). Mr. Wiedefeld stated that the ROCC leadership now reports directly to him. He also put together a leadership team that has full access to any part of the WMATA organization. Staff from different departments, such as training, communications, human resources, IT, etc., are now working in-person at the ROCC. The focus is on creating a "just" culture as the whole ROCC is reframed, including training, such as where WMATA recruits, what WMATA pays, work hours, etc.

Chair Cristol observed that local governments are also grappling with budget challenges and they are hearing from constituents about their concerns with the potential drastic Metro service changes coming in Q3 and Q4. While she understands WMATA needs to approve a budget, there is a credibility issue with the public if the drastic measures aren't realized.

Mr. Wiedefeld explained that the WMATA budget process does not allow for service cuts without going out for public comment period and therefore, WMATA would have to start the budget process all over again. The WMATA Board's philosophy is to plan for the worst-case scenario and hope federal funds are provided and cuts won't be needed. It is hoped by April WMATA will have a better sense if there will be additional federal relief for transit agencies, as well as seeing the impact of vaccine availability. The WMATA Board will have the ability to adjust the budget accordingly.

Chair Cristol stated that NVTC may be able to help with educating the public on how the WMATA budget has been developed and why it is structured the way it is. On behalf of the entire Commission, she thanked Mr. Wiedefeld for his participation in this meeting and for all his hard work during the pandemic.

Report from Virginia WMATA Board Members. Mr. Smedberg observed that Mr. Wiedefeld and his team have been working extremely hard to manage all the challenges of the COVID-19 pandemic. Mr. Smedberg reminded Commissioners that the public comment period for WMATA's FY 2022 budget is currently open and closes on March 16, 2021. There is also a Virginia-focused public hearing on the budget on March 10 at 6:00 p.m. He and Mr. Alcorn will be co-chairing the virtual hearing.

Mr. Smedberg also reported that WMATA and its jurisdictional partners have been working on a new six-year Capital Funding Agreement (CFA). The last agreement was from FY 2010 to FY 2015 with either one-year agreements or extensions since that time. This new agreement brings all parties of up to speed to reflect improvements to the capital program and dedicated funding. The WMATA Board anticipates approving it in April for signature by the jurisdictions.

Mr. Smedberg also announced that the WMATA Board is embarking on a whole strategic planning process, which will address the future of transit.

Report from the Chair of the NVTC WMATA Committee. Chair Cristol noted that Mr. Aguirre was having technical issues and she asked Mr. D’huyvetter to present the requested action. Mr. D’huyvetter reported that staff incorporated Commissioner’s comments regarding the themes for a budget letter from last month’s meeting. As staff continues to monitor federal legislation, WMATA Committee Chair Aguirre will work with Chair Cristol to draft the letter of comments incorporating those themes. The Commission is being asked to authorize Chair Cristol to submit the letter of comments to WMATA on the FY 2022 Operating and Capital Budget and the FY 2022 - FY 2027 Capital Improvement Program.

Mr. Aguirre returned to the meeting and noted that Commissioners are always welcome to participate in the WMATA Committee meetings.

Mr. Snyder stated that the themes capture the discussion of the WMATA Committee. He would like to see theme #3 (maintain a dependable and sufficient level of service throughout FY 2022) strengthened to include examples (don’t support station closures and 30-minute headways).

Mr. Ebbin moved, with a second by Mr. Alcorn, to authorize the NVTC chair to send comments to WMATA on the FY 2022 Operating and Capital Budget and FY 2022 – FY 2027 Capital Improvement Program. The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Filler-Corn, Foust, Garvey, Krizek, McKay, Meyer, Reid, Smedberg, Snyder, Sullivan and Walkinshaw. (Ms. Palchik did not participate in the roll call vote.)

Legislative Update

Chair Cristol announced that the General Assembly concluded its Special Session on Monday. She acknowledged the hard work of NVTC’s Zach Smith and Tenley O’Hara who both did an amazing job keeping the Commission updated on legislative and budget developments. Chair Cristol asked NVTC’s Legislative Liaison Aimee Perron Seibert to give a wrap-up on the General Assembly Session and Executive Director Kate Mattice to follow with a brief federal update.

General Assembly Update. Ms. Perron Seibert reviewed several legislative initiatives NVTC was monitoring during the General Assembly Session. SB 1271 (Senator Pike/Delegate Sullivan), which provides public bodies to meet electronically during a public emergency, passed and is awaiting the governor’s signature. HB 1931 (Delegate Levine) allows for greater flexibility for elected officials to participate electronically in meetings. The governor has already signed this legislation, which will go into effect July 1, 2021. HJ 542 (Delegate McQuinn) calls for a DRPT to conduct a transit equity study. Ms. Perron Seibert also reviewed the budget amendments that provided significant COVID-19 funding for transportation projects. NVTC should receive close to \$10 million for its jurisdictions to help pay their Metro bill. She especially thanked Speaker Filler-Corn, Delegate Krizek and Senator Ebbin, as well as other NVTC legislators, for their help in getting this passed. Other notable allocations include \$83.5 million for the VRE Manassas Line and \$10.9 for a fare free transit pilot program.

On behalf of the Commission, Chair Cristol thanked NVTC's General Assembly members for their advocacy for the funding issue and other NVTC priorities during the Session. Speaker Filler-Corn, Delegate Krizek and Delegate Sullivan all commended Aimee Perron Seibert for her invaluable advocacy for NVTC and the amazing job she did during this Session. Speaker Filler-Corn also gave a special thanks to Delegate Krizek for his leadership as chair of the Appropriations – Transportation and Public Safety Subcommittee.

Federal Legislative Update. Ms. Mattice reported that on February 27, 2021, the U.S. House of Representatives passed H.R. 1319, the “American Rescue Plan Act of 2021,” which provides \$30.5 billion in critical COVID-19 emergency funding to help public transit agencies across the country to rebuild our nation's economy – including potential support for WMATA, VRE, and OmniRide. During consideration of the bill, the Senate is expected to consider amendments, including possible amendments to cut or eliminate the public transit emergency funding. In addition, Senator Warner recently announced his Metro Safety, Accountability and Investment Act of 2021 – which would provide dedicated state of good repair funding to WMATA as well as reforms to the Office of Inspector General. There is also a companion bill on the House, which is a little different in scope, that was announced earlier last month.

Ms. Mattice also provided information on USDOT's latest INFRA Multimodal grant application process and the Federal Transit Administration's annual call for projects under Low or No Emission Transit Vehicles & Facilities where \$180 million will be available for bus and bus facilities that use advanced technologies to provide cleaner, more energy efficient transit operations. Regarding an infrastructure bill, key players on Capitol Hill and the Administration met today at the White House to begin discussions of the approach and scope of a major infrastructure package.

Commuter Choice Update

Chair Cristol introduced Virginia Department of Transportation (VDOT) Division Administrator for Tolling Operations David Caudill, who is present to give a brief update to the Commission on the traffic performance of the I-66 Inside the Beltway facility and its anticipated revenue and expenses over the FY 2021 - FY 2022 period.

VDOT Presentation. Mr. Caudill also introduced VDOT's ITB Manager John Mason, Jr., who will be available to also answer questions. Mr. Caudill stated that for FY 2019 budget, toll revenue from I-66 Inside the Beltway was \$23.7 million, but with the COVID-19 pandemic toll revenue for FY 2021 is \$6.06 million and projected at \$8.075 million for FY 2022. In each of the first two quarters of FY 2021, gross toll revenue was flat at 28% of pre-COVID projections, which required VDOT to use reserve funds to cover its tolling-related expenses. VDOT does not expect to collect enough toll revenue to be able to make any payments to NVTC through the end of FY 2022.

Mr. Caudill explained that revenue does not have a linear relationship to volume. Currently, for I-66 Inside the Beltway volume is running 60% pre-COVID number of trips, but only 22% of pre-

COVID revenue. The widening project has added capacity, which is good for operations, but it does impact revenues. Lower demand with increased teleworking has also impacted usage. VDOT is watching future improvements planned for the Theodore Roosevelt Bridge and any impacts of traffic flow, lane reductions, etc. Mr. Caudill explained that VDOT finds it prudent to project revenue very conservatively since the timing and extent of the expected rebound in toll-paying commute traffic following widespread COVID-19 vaccinations cannot reasonably be predicted at this time, nor the impact of people continuing to telework.

Mr. Snyder asked what happens if revenues rise above projections. Mr. Caudill replied that the intent would be to adjust the revenue projections and funds could transfer to NVTC. VDOT provides quarterly projections to NVTC, so the Commission will be kept up to date. Mr. Snyder stated that he understands that VDOT needs to be conservative in its projections, but he hopes that VDOT isn't locked into these numbers because NVTC has projects that need funding. Mr. Caudill stated that there is a potential for NVTC to receive funding if revenue is higher than projected.

Chair Cristol thanked Mr. Caudill for his presentation as NVTC is very interested in funding its Commuter Choice program and it is helpful for the Commission to understand the revenue impacts of the pandemic.

Commuter Choice on the I-395/95 Corridor Round Two Project Eligibility. Mr. Owen reported that the call for projects for Commuter Choice on the I-395/95 Corridor Round Two (FY 2022 - FY 2023) closed on January 29, 2021 resulting in 18 proposed projects to expand transportation capacity in the I-395/95 corridor between Spotsylvania County and the Virginia-D.C. line. A total of eight eligible applicants submitted applications with a total funding request of \$26.2 million. Staff anticipate a total of about \$30 million to be available to fund the two-year program. Revenues from the 95 and 395 Express Lanes have been less affected by the COVID-19 public health emergency than I-66 Inside the Beltway given that the revenue is collected along a much longer facility that is tolled at all times rather than at peak periods only. Funding requests may change as NVTC staff confirm details of the proposed projects with applicants.

Mr. Owen explained that staff reviewed the applications for eligibility in collaboration with the Virginia Department of Rail and Public Transportation (DRPT) staff. To be eligible, a proposed project must benefit the corridor's toll payers by moving more people and expanding transportation options, among other requirements. Thirteen of the 18 projects were deemed eligible total \$21.9 million, which include nine enhanced bus services, including renewals of service improvements funded in prior rounds; two park-and-ride projects; one TDM strategy; and one new bus service.

Mr. Owen reviewed next steps. Staff will continue evaluating the applications with the new scoring process, which was approved by the Commissions last November. The technical evaluation results will be presented to the NVTC-PRTC Joint Commission Working Group at its April 22 meeting. The public comment period will run from April 16 through May 17. Staff intend to advance a Program of Projects for approval by both Commissions (NVTC and PRTC) and the Commonwealth Transportation Board (CTB) in June.

Virginia Railway Express

Chair Cristol stated that there are no VRE action items this month. She asked Mr. Dalton to give his CEO Report.

Mr. Dalton reported that VRE continues to operate at reduced service levels. VRE staff have been in discussions with other transit leaders to discuss COVID-19 related topics with the Biden Administration, including Secretary of Transportation Pete Buttigieg, Acting Administrator for the Federal Transit Administration Maria Fernandez and Acting Administrator for the Federal Railroad Administration Amit Bose, to make sure transit operators are doing well to ensure a safe return to transit for riders. Mr. Dalton also reported that on-time performance for the month of February was 93% systemwide with average daily ridership of approximately 1,000; however, VRE saw an increase to 1,500 average daily riders the first week of March.

DRPT Report

DRPT Director Mitchell encouraged Commissioners to read the written DRPT Report. She reported that the statewide capital funding application process closed on February 1, 2021 and DRPT is currently evaluating grant applications. DRPT received over \$220 million in funding requests, but only have about \$69 million in capital funding is available. Ms. Mitchell also reported that DRPT began work on the Springfield to Quantico Transit Study, which is a directive from last year's General Assembly Session. DRPT plans a briefing for elected officials on March 11 at 1:30 p.m. DRPT is also looking forward to working on a Transit Modernization Study sponsored by Delegate McQuinn, which will look at transit needs across the Commonwealth.

Ms. Mitchell also reviewed transit funding resulting from the recently concluded General Assembly Session, including funding for the VRE Manassas Line, WMATA dedicated funding, and funding for a rail extension from Roanoke to New River Valley. There is also a \$10 million allocation for the Transit Equity Program, which can be used to support low-fare or no-fare programs. In conclusion, she reported that the Notice to Proceed was issued last week for the preliminary engineering for the Long Bridge project.

Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter. She reviewed several upcoming meetings, included a joint meeting of the NVTC Program Advisory Committee and the NVTC-PRTC Joint Commission Working Group on April 22. She reminded Commissioners that NVTC's April meeting is canceled to allow the jurisdictions to hold their budget work sessions and hearings; the next Commission meeting will be May 6.

Ms. Mattice also gave an update on the transit marketing campaign, which is continuing with local radio, streaming services, and online. This effort was made possible by a grant from DRPT and is being done in cooperation with our regional transit providers. The message – public transit

is here to take you where you need to go – is now playing around the region. The campaign is in week six (of 12) of Phase 1 of the campaign, which is radio/streaming, online and social media ads. Staff is working with the creative design contractor to finalize the 15 and 30 second video ads for Phase 2 of the campaign, which will be shown on YouTube and video streaming services.

Ms. Mattice noted that the Financial Report for January 2021 was provided to Commissioners in their meeting materials. There were no questions from Commissioners.

Adjournment

Without objection, Chair Cristol adjourned the meeting at 9:16 p.m.

Approved this 6th day of May 2021.

Katie Cristol
Chair

Dalia Palchik
Secretary-Treasurer



RESOLUTION #2440

SUBJECT: Finding Need to Conduct the March 4, 2021 Meeting Electronically

WHEREAS: On March 12, 2020, the Governor of Virginia declared a state of emergency in Virginia in response to the spread of novel coronavirus, or COVID-19, a communicable disease of public health threat as so declared by the State Health Commissioner on February 7, 2020 ("COVID-19");

WHEREAS: In subsequent Executive Orders, particularly Executive Order Nos. 53 and 55, as amended, the Governor of Virginia, among other measures designed to ensure safe physical distancing between individuals, prohibited public and private in person gatherings of 10 or more individuals and ordered all individuals in Virginia to remain at their place of residence, with limited exceptions, to mitigate the impacts of COVID-19 and prevent its spread;

WHEREAS: The Northern Virginia Transportation Commission finds that it has a responsibility to demonstrate to the public, through the Commission's conduct, the importance of maintaining proper physical distance from others and to avoid gathering in public where the risks of infection are highest, and to take measures that promote physical distancing in order to protect the public health and mitigate the impacts and spread of COVID-19, including, among others, conducting meetings electronically whenever possible;

WHEREAS: On April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB 29 that expressly authorize "any public body, including any state, local, [or] regional body" to "meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . . , provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities" among other provisions; and

WHEREAS: Several member jurisdictions of the Northern Virginia Transportation Commission have adopted continuity of government ordinances pursuant to Va. Code Ann. § 15.2-1413 which ordinances, among other provisions, authorize regional bodies of which the locality is a member may meet electronically to transact business essential to the continuity of government.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby finds that meeting by electronic means is authorized because the nature of the declared emergency makes it both impracticable and unsafe for the Commission to assemble in a single location on March 4, 2021, to discuss and transact the

business of the Commission listed on the March 4, 2021 Commission Meeting Agenda.

BE IT FURTHER RESOLVED that NVTC that hereby finds that meeting by electronic means is authorized because the items on the March 4, 2021 Commission Meeting Agenda are statutorily required or necessary to continue operations of the Commission and the discharge of the Commission's lawful purposes, duties, and responsibilities.

BE IT FURTHER RESOLVED that NVTC hereby finds that the items on the March 4, 201 Commission Meeting Agenda are encompassed within the continuity of operations ordinances adopted by several member localities of the Northern Virginia Transportation Commission as essential to the continued operation of the government during the disaster posed by the public health emergency resulting from COVID-19.

Approved this 4th day of March 2021.



Katie Cristol
Chair



Dalia Palchik
Secretary-Treasurer



RESOLUTION #2441

- SUBJECT:** Authorize the Delay in Approving the NVTC FY 2022 General and Administrative Budget
- WHEREAS:** According to the NVTC By-Laws, the executive director is to submit a proposed budget for the succeeding fiscal year to the Executive Committee for approval prior to January, which is then submitted to the Commission for action by its January meeting;
- WHEREAS:** Revenues to support NVTC's general and administration budget come from direct contributions from the member jurisdictions, an amount taken off the top of state aid received by NVTC on behalf of its member jurisdictions, and from toll revenues from the Commuter Choice program;
- WHEREAS:** At its October 1, 2020 meeting, the Commission approved the notice of direct contributions for FY 2022 from its member jurisdictions;
- WHEREAS:** NVTC and the Commonwealth Transportation Board approve the administrative expenses associated with the Commuter Choice program on a schedule that aligns with the project selection process;
- WHEREAS:** State aid received by NVTC comes from a portion of the Department of Rail and Public Transportation (DRPT) operating and capital assistance for its WMATA compact members' annual commitments to WMATA and those jurisdictions' local transit systems;
- WHEREAS:** At its November 5, 2020 meeting, the Commission approved Resolution #2423 to delay the budget approval process while waiting for DRPT to provide updated FY 2022 statewide revenue projections for operating and capital assistance for its WMATA compact members' annual commitments to WMATA and those jurisdictions' local transit systems as a result of the COVID-19 pandemic, which limited NVTC in its ability to prepare an informed FY 2022 General and Administrative Budget;
- WHEREAS:** The NVTC Executive Committee recommends a further delay in the budget approval process until after the jurisdictions approve their FY 2022 budgets in the spring of 2021, to allow Commissioners to have more insights into the unique budget challenges the jurisdictions are facing due to impacts of the COVID-19 pandemic; and
- WHEREAS:** A delay in approving NVTC's FY 2022 General and Administrative Budget until June 2021 will not impact NVTC operations as FY 2022 does not commence until July 1, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission, for the purposes of the Commission's FY 2022 General and Administrative Budget, hereby suspends the requirement in the NVTC By-Laws regarding the January deadline for submitting the proposed annual budget for Executive Committee and Commission action to allow for a delay in the budget approval process.

BE IT FURTHER RESOLVED that NVTC authorizes the executive director to submit the proposed FY 2022 General and Administrative Budget to the Executive Committee and the Commission to be submitted for action by the full Commission no later than the June 2021 Commission meeting.

Approved this 4th day of March 2021.



Katie Cristol
Chair



Dalia Palchik
Secretary-Treasurer