

MOTION:

**July 10, 2007
Regular Meeting
Res. No. 07-**

SECOND:

**RE: PRINCIPLES FOR THE PRINCE WILLIAM COUNTY
REPRESENTATIVE TO THE NORTHERN VIRGINIA
TRANSPORTATION AUTHORITY TO CONSIDER WHEN VOTING
ON THE REGIONAL IMPLEMENTATION OF SUBSTITUTE HB 3202**

ACTION:

WHEREAS, transportation is a longstanding strategic priority of the Prince William County Board of Supervisors; and

WHEREAS, Prince William County voters have approved six successive referenda totaling \$550 million for local transportation improvements; and

WHEREAS, the Northern Virginia Transportation Authority (NVTA) was established by the General Assembly in 2002 pursuant to §15.2-4829, et seq. Virginia Code Ann. and charged with developing a regional transportation plan; working with Northern Virginia's communities to develop regional priorities and policies to improve air quality; and serving as an advocate for the transportation needs of Northern Virginia before the state and federal governments; and

WHEREAS, Supervisor Martin E. Nohe is the Prince William County representative to the Northern Virginia Transportation Authority; and

WHEREAS, on April 4, 2007, the General Assembly approved the Governor's substitute for HB3202 which requires the NVTA to assume a significant role in the planning, funding and implementation of transportation infrastructure and facilities in Northern Virginia, including the County of Prince William and the Cities of Manassas and Manassas Park; and

WHEREAS, Substitute HB 3202 provides the authority for the NVTA Board of Directors to impose funding measures totaling approximately \$325 million per year to finance transportation improvements throughout Northern Virginia, including Prince William County; and

WHEREAS, the funding measures have the capability to broaden the base of revenues available to address local and regional transportation needs thereby reducing the County's reliance upon local general revenues, including the real estate tax for transportation; and

WHEREAS, all of the revenues would be remitted to the NVTA for its use on behalf of Northern Virginia localities and its transportation needs, not programmed by the Commonwealth of Virginia for transportation projects in other regions of the State;

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NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors directs the County's representative to the NVRTA to consider the following principles when voting on the regional implementation of Substitute HB 3202 in Northern Virginia:

1. That the NVRTA allocates to Prince William County a share of funding for projects that is proportionate to the revenues from the regional funding measures attributable to Prince William County; and
2. That the NVRTA allocates all of the funds raised in the region for projects in the region, with the exception of administrative and overhead costs of the Authority, and that any regional transportation entities receiving NVRTA funding resulting from Substitute HB 3202 agree to use the proceeds solely for the benefit of NVRTA members belonging to that regional entity; and
3. That the NVRTA to the maximum extent feasible implements the funding measures using existing collection mechanisms utilized by the State and local governments; and
4. That the NVRTA issues debt that will not negatively impact the County's AAA credit rating; and
5. That the debt service resulting from debt issued by the NVRTA will not be counted toward Prince William County's direct debt capacity; and
6. That the NVRTA continues to observe local government decision making authority regarding the location of projects as stated in §15.2-4834.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

CERTIFIED COPY

Clerk to the Board



Craig S. Gerhart
County Executive

COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT

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July 5, 2007

BOARD OF COUNTY SUPERVISORS

Corey A. Stewart, Chairman
Martin E. Nohe, Vice-Chairman
Hilda M. Barg
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W.S. Wally Covington, III
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TO: Board of County Supervisors

FROM: Dana Fenton *DF*
Director of Legislative Affairs

THRU: Craig S. Gerhart
County Executive

RE: Principles for the Prince William County Representative to the Northern Virginia Transportation Authority to Consider when Voting on the Regional Implementation of Substitute HB 3202

I. Background in chronological order is as follows:

- A. Strategic Priority – Transportation has been a longstanding strategic priority of the Board of County Supervisors. The Transportation Goal Statement of the Strategic Plan reads as follows: The County will encourage and facilitate multi-modal transportation that gets people to jobs, improves safety, alleviates congestion, reduces travel time, supports and encourages economic development and is environmentally sensitive and pedestrian-friendly.
- B. County Support for Transportation Projects – Prince William County voters have approved six successive referenda in 1988, 1992, 1994, 1998, 2002 and 2006 for over \$550 million in local transportation projects to be funded through the issuance of general obligation bonds. These projects further the Transportation Goal statement in the Strategic Plan. In FY 2008, Prince William County will expend approximately \$30.6 million in general revenues for transportation needs, including debt service, cash to capital construction, and general fund contribution to VRE/PRTC. This amount equates to approximately 5.29 cents per \$100 of value on the real estate tax rate.
- C. Northern Virginia Transportation Authority (NVTA) – The NVTA was established by the General Assembly in 2002 pursuant to §15.2-4829, et seq. Virginia Code Ann. and charged with developing a regional transportation plan; working with Northern Virginia's communities to develop regional priorities and policies to improve air quality; and serving as an advocate for the transportation needs of Northern Virginia before the state and federal governments. Prince William County has been a leader in the NVTA since its inception.

- D. Substitute HB 3202 – The 2007 General Assembly approved changes made by the Governor to HB 3202 which requires the NVTA to assume a significant role in the planning, funding and implementation of transportation infrastructure and facilities in Northern Virginia, including the County of Prince William and the Cities of Manassas and Manassas Park. Substitute HB 3202 provides the authority for the NVTA Board of Directors to impose funding measures totaling approximately \$325 million per year to finance transportation improvements throughout Northern Virginia, including Prince William County. All of the revenues would be remitted to the NVTA for its use on behalf of Northern Virginia localities and its transportation needs, not programmed by the Commonwealth of Virginia for transportation projects in other regions of the State. The Director of Legislative Affairs briefed the Board on the contents of the measure on April 4, 2007.

II. Current Situation is as follows:

- A. NVTA – The NVTA Board of Directors will be deliberating on the imposition of the funding measures at its July 12, 2007 meeting. These funding measures will generate approximately \$325 million for local and regional transportation projects. Approximately 40% of the revenues will be remitted to localities for their use in local transportation projects, while the remaining 60% will be expended for regional priorities including the Virginia Railway Express.
- B. Board of County Supervisors Directive – The Board directed at its June 26, 2007 meeting the preparation of a resolution outlining the breadth and scope of guidance to be provided for the County's representative to the NVTA to consider in the implementation of the new funding measures. The resolution is attached.

III. Issues in order of importance are:

- A. Timing – The NVTA will be considering the funding measures at its July 12, 2007 meeting.
- B. Fiscal Impact – What are the fiscal impacts upon the Prince William County government?
- C. Service Level / Policy Issues – What are the service level / policy issues?
- D. Legal – Is this action legal?

IV. Alternatives in order of feasibility are:

A. Approve Principles for the Prince William County Representative to the Northern Virginia Transportation Authority to Consider when Voting on the Regional Implementation of Substitute HB 3202:

1. Timing – In order for the Board to provide guidance to its representative to the NVTA, the resolution must be approved at the July 10, 2007 BOCS meeting since the NVTA will be considering the funding measures on July 12, 2007.
2. Fiscal Impact – Since 40% of the revenues collected attributable to any one locality will be returned to that locality for transportation projects, Prince William County will receive approximately \$20 million in the first full year of collections for local transportation projects. The remaining 60% (approximately \$30 million) collected from the County will be used for regional transportation projects located in the County, including the Virginia Railway Express.
3. Service Level / Policy Issues – The initial list of projects proposed to be funded by the NVTA includes the Prince William Parkway expansion between Hoadly Road and Minnieville Road and the acquisition of locomotives for the Virginia Railway Express (VRE). The Prince William Parkway expansion is a longstanding goal of the Board of County Supervisors, which was included in the 2006 Transportation Referendum that is not included in the County's Capital Improvement Program due to financial limitations. The acquisition of locomotives for the VRE is needed to replace locomotives that have exceeded their useful lives, which funding does not currently exist to accomplish. The implementation of the funding measures will be accomplished using existing revenue collection methods utilized by the State and local governments.
4. Legal – Among the reasons the NVTA will be deliberating the funding measures on July 12, 2007 is to allow the NVTA to file a bond validation suit on July 13, 2007 so that the judicial system may consider the constitutionality of the underlying bill Substitute HB 3202.

B. Take No Action:

1. Timing – If the resolution is not adopted, then the County's representative to the NVTA will not be provided guidance in the implementation of the new funding measures.

2. Fiscal Impact – Does not apply.
3. Service Level / Policy Issues – Does not apply.
4. Legal – Does not apply.

V. **Recommendation** – is that the Board of County Supervisors adopts the attached resolution.

Attachment - Resolution