

Region 10 Transit Governance Study

Final Report

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Prepared for:

Thomas Jefferson Planning District Commission
401 East Water St.
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Through Virginia Department of Rail and Public Transportation (DRPT), Albemarle County, and the City of Charlottesville.

Prepared by:

Stephanie Amoaning-Yankson

AECOM Technical Services, Inc.
4840 Cox Road
Glen Allen, VA 23060
aecom.com

in partnership with

Jarrett Walker + Associates

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Executive Summary

Overview

Over the past several years, the Thomas Jefferson Planning District Commission (TJPDC) has worked collaboratively with its member jurisdictions to improve transit service in the region. In the past year, the region undertook a collaborative effort to develop a [Transit Vision Plan](#) to establish a clear, long-term vision for efficient, equitable and effective transit service for the region. Led by the TJPDC and supported by the City of Charlottesville, Albemarle County, and the Virginia Department of Rail and Public Transportation (DRPT), the Transit Vision Plan established a unified vision for transit service in Region 10, which is made up of the counties of Albemarle, Fluvanna, Greene, Louisa, Nelson, and the City of Charlottesville.

This Transit Governance Study builds from the Transit Vision Plan. It seeks to identify governance options for regional transit and increased transportation investments in the region. The study focuses on identifying options for a governance body that can steward any additional transit revenues generated; the scope does not include strategies or approaches for consolidating current transit operations.

Study Goals and Approach

This study has two main goals:

1. Review existing transit governance in the region and identify a structure for regional transit governance.
2. Identify potential revenue streams for dedicated transit funding to augment current jurisdictional costs for transit.

The additional funds will support the implementation of the services in the Transit Vision Plan and increase transit service across the region.

To achieve these goals, the study team adopted a five-phase approach shown in Figure E-1.



Figure E- 1 Study Approach

A steering committee was formed to guide the study and provide feedback. It was comprised of representatives from Albemarle, Fluvanna, Louisa, Nelson, and Greene counties, the City of Charlottesville, TJPDC, DRPT, and the University of Virginia (UVA). Additionally, stakeholder engagement was also conducted with the transit providers, Regional Transit Partnership (RTP), the TJPDC Commission, boards of supervisors of member counties, Charlottesville City Council, the Metropolitan Planning Organization Policy Board, and the Virginia Department of Transportation (VDOT).

Existing Legislation for a Regional Transit Authority

The legislature provided for the Charlottesville-Albemarle Regional Transit Authority (CARTA) as early as 2009 with subsequent amendments. The authority was established as a service delivery organization, with the contracting, financial (including bonding), and acquisition and operating powers necessary. Its authority is for transit. Charlottesville and “all or portions of Albemarle County” are the essential boundaries, but additional portions of Albemarle, Fluvanna, Greene, Louisa, and Nelson counties as well as tourist-driven and public transit agencies, and higher education agencies may join as members. There is no provision in the current CARTA legislation for dedicated funding.

Frameworks for Regional Transit Governance

Other frameworks exist for regional transit governance. A peer review of six agencies with similar demographic, geographic, and operating characteristics to the Charlottesville Region showed various governance structures including transit service provided by:

- a **town department** with funding from a university (Blacksburg Transit);
- a **public transportation corporation** funded through local property and income taxes (Bloomington Transit);
- a **joint municipal authority** funded by member municipalities (CATA, State College);
- a **501 (c)(3) nonprofit** funded through general fund contributions from a city, county, and university (TCAT, Ithaca); and
- a **transportation authority** (TheRide, Ann Arbor) and city department (ICT, Iowa City) both funded through local property taxes.

Recommended Governance Structure

With the exception of funding authority, the existing CARTA legislation possesses the fundamental structure and make-up of a regional transit authority that could serve Region 10. It is recommended for regional stakeholders to adopt the existing structure in the interim while an *ideal* transit authority that has potential to accomplish regional goals is pursued.

The following describes the ideal transit authority for the region. These characteristics were derived from a comparative review of other Virginia Regional Transportation Authorities (RTAs) that fund transit service¹ and regional peers, and consensus building discussions with regional stakeholders.

- **Creation:** The authority may be created by issuing new state legislation or modifying existing² legislation to form a transit authority that meets the characteristics described. Existing legislation for the Charlottesville-Albemarle Regional Transit Authority (CARTA) may be amended to include funding and align with other sections described in this section.
- **Purpose:** The authority would, at least initially, serve as a regional decision-making body for transit matters. Its purpose would be to plan for regional transit service and to manage transit funding in the region.
- **Authority participation:** The authority may be created with the City of Charlottesville and Albemarle County as initial members, and an option for the counties of Fluvanna, Greene, Louisa, and Nelson to join as participating members as well.
- **Other Entities as Participants:** Other entities such as higher education institutions, public transportation agencies, or private nonprofit entities may also join the authority upon agreement, concurrent resolution, or ordinance of the existing members of the authority.
- **Board Composition:** The board composition will be:

¹ Hampton Roads Transportation Accountability Commission (HRATC), Central Virginia Transportation Authority (CVTA), and Northern Virginia Transportation Authority (NVTA).

² Charlottesville-Albemarle Regional Transit Authority <https://law.lis.virginia.gov/vacode/title33.2/chapter28/>

- Two directors representing the County of Albemarle, each of whom shall be a member of the governing body of the county.
- Two directors representing the City of Charlottesville, each of whom shall be a member of the governing body of the city.
- One director representing each county that joins the Authority, each of whom shall be a member of the governing body of each respective county.

The Board may also include gubernatorial appointees and representatives from state or regional bodies such as DRPT, the House of Delegates, the Senate, or any other body deemed appropriate by the state legislature. Additional directors may also be added to represent the interests of any agencies or institutions that join the authority.

Most authorities have the option for the board structure to change as needed to reflect changes in the region that occur over time. Rules for change may include transit service-based methods or population-based methods. Boards should ideally represent all taxpayers (including non-transit riding taxpayers), therefore, a combination of the two approaches could be considered if modifications are required.

Potential Transit Funding Options

Two transit network alternatives were developed as part of the Transit Vision Study. Operating costs for the two alternatives were estimated at roughly \$35.5 million and \$85 million per year³ for the “constrained” and “unconstrained” networks, respectively. The constrained vision network was developed under the premise of a future regional transit authority with the ability to generate sufficient revenue for the vision, while the unconstrained vision is more aspirational. Both options provide a drastic improvement to current transit service across the region including increased routes, frequencies, and days of service for the urban areas, plus microtransit options and all-day / seven days a week regional express service between rural and urban areas. Detailed descriptions of the transit service improvements can be found in the Vision Study [report](#).⁴

Public transportation is funded through a combination of federal, state, local, and internally generated sources (e.g., fares, advertising, etc.). Average operating costs per year for current transit service in the region (not including University Transit System) is approximately \$18 million per year with the local component making up about a third (~\$5 million⁵ in 2021) of the total amount. A substantial increase in local funding is required to meet the funding gap between current transit funding and the future funding needed for increased transit service across the region.

After extensive research of potential revenue sources and stakeholder engagement, the following options were determined to be most feasible⁶ under the Virginia context:

- **Sales tax:** A tax on the sale of goods or services purchased (not including tax for non-prepared foods). This is the most common source for funding local and regional transit services. Being relatively stable and having moderate public acceptance, an additional 0.7% increase in sales tax across the region could generate an approximate five-year average of \$37 million per year.
- **Transient occupancy tax/lodging tax:** A tax on lodging establishments and does not directly impact residents. This has a minimal revenue yield in some areas. An additional 0.5% could generate an approximate five-year average of \$1 million per year.
- **Personal property tax:** A tax on the value of all motor vehicles, trailers, mobile homes, boats, and aircrafts. This is a relatively stable source but has potential for public resistance if the rate of increase is significant. An additional 0.5% could generate an approximate five-year average of \$13 million per year.

³ When anticipated state and federal funding are accounted for, the local component of these amounts are estimated to be between 54 percent and 65 percent of the total respective amounts. Total cost estimates do not include costs associated with capital investments and ADA paratransit service requirements for fixed route expansions.

⁴ Transit Vision Study StoryMap at <https://storymaps.arcgis.com/stories/eba42b02fcf44a46a18d0d824b3ef911>.

⁵ National Transit Database (2021).

⁶ Analysis was conducted assuming a uniform levy across all Region 10 localities.

- **Real estate tax:** A tax on the assessed value of land and buildings. This is widely used to finance transit and typically considered a default funding source. An additional 0.1% could generate an approximate five-year average of \$52 million per year.

Although funding estimates were developed for the four revenue sources above, representatives from member localities expressed flexibility in pursuing funding sources. As efforts are made toward implementation, member localities are open to adopting one sole source, a combination of sources, or alternative options not identified in this study. Detailed estimates may be found in Section 4: Revenue Generation.

Recommended Next Steps

The following next steps are recommended as a result of feedback from this study.

- Enact the existing CARTA legislation to serve as an interim entity for regional transit governance and decision making (while legislative action is being pursued) with authority to plan for transit service and with the ability to expand its role over time.
- Conduct a transit needs assessment that clearly analyzes rural transit service needs and the associated costs.
- Ensure continued rural engagement in development of legislative packet for a regional transit authority. Include protective mechanisms in the use of transit revenue generated to lead to equitable investments across the region. Continue educational efforts on the potential benefits of a regional authority and its impact on different types of residents.
- Engage UVA leadership at a level where there is decision-making authority in subsequent efforts toward establishing a transit authority.

The scope of this study does not cover identification of transit service improvements, consolidation of existing transit operations, and administration/governance of school bus operations.

Recommendations presented at the conclusion of this study do not require any immediate action beyond consensus and good faith efforts to participate and support the groundwork needed for implementation.

1 Introduction

1.1 Background

The Thomas Jefferson Planning District (Region 10) is reaching critical characteristics of maturity in the general pattern of development of urban areas and their transportation systems. Major urban areas reach a point where the cross-boundary travel needs of the residents exceed the capacity of municipal transit systems to provide efficient public transportation. Well over twice as many workers commute into Charlottesville from the neighboring jurisdictions compared to residences within the city boundaries. In addition, there are growing needs for reverse-commutes to employment locations outside the city boundaries.

The Thomas Jefferson Planning District Commission (TJPDC) was established by the General Assembly in 1972 to manage planning in Region 10. Over the past several years, the TJPDC has worked collaboratively with its member jurisdictions to improve transit service in the region. In the past year, the region undertook a collaborative effort to develop a Transit Vision Plan⁷ to establish a clear, long-term vision for efficient, equitable and effective transit service for the region. Led by the TJPDC and supported by the City of Charlottesville, Albemarle County, and the Virginia Department of Rail and Public Transportation (DRPT), the Transit Vision Plan established a unified vision for transit service in Region 10, which is made up of the counties of Albemarle, Fluvanna, Greene, Louisa, Nelson, and the City of Charlottesville.

One outcome of the Transit Vision Study was the development of two redefined transit networks aligned with the new vision for both urban and rural needs. The two vision networks were developed based on unified shared regional goals, transit provider guidance, and public feedback. They are:

1. Unconstrained vision network: shows a future transit network that fully implements the vision statement and goals, without considering any financial constraints.
2. Constrained vision network: shows a future transit network that implements the vision statement and goals within the constraints of an assumed potential regional transit funding measure.

The benefits of each of the two networks and of regional transit service are discussed in the vision plan report, however, a few benefits of funding improved service are listed below⁸ for various groups:

- Transit users – benefits include those derived from convenience and comfort, financial savings from lower cost of transit use compared to personal vehicles, increased safety, and improved fitness and health;
- Drivers/motorists- benefits include reduced traffic and parking congestion, improved traffic safety, and emissions reductions;
- Taxpayers – benefits accrued from costs savings related to road and parking facility construction and maintenance, improved safety, and increased public health (and consequent reductions on public healthcare costs);
- Businesses – benefits from reductions in congestion, parking cost savings, improved mobility for employees, and support to regional economic development; and
- Residents – benefits from parking cost savings, improved mobility for non-divers (and chauffeuring burdens), increased safety, reduced pollution, improved public fitness.

This study assumes the “constrained network” as the base network for seeking additional regional transit funding and establishing a governing structure to oversee that funding.

Exploring a unified structure for governing regional transit has been contemplated by area stakeholders at various times. In the late 2000s, an attempt to form a transit authority was unsuccessful at the Virginia General Assembly, which declined to pass legislation allowing dedicated regional transit taxation. In subsequent years, the General Assembly passed new legislation to allow the creation of the Charlottesville-Albemarle Regional Transit Authority (CARTA) under Title 33.2, Subtitle IV, Chapter 28, but again without dedicated funding. In 2017, the Regional Transit Coordination Study recommended forming the Regional Transit Partnership (RTP) as an interim step towards establishing a regional transit authority. Currently, the RTP serves as an official advisory board, created by the City of Charlottesville, Albemarle County, UVA, and JAUNT, in partnership with the

⁷ Details of the Transit Vision Plan may be found at this [link](#)

⁸ Litman, T. (2014). “Evaluating Public Transportation Local Funding Options.” Victoria Transport Policy Institute.

Virginia Department of Rail and Public Transportation to provide recommendations to decision-makers on transit-related matters.

1.2 Purpose and Approach

The objective of this Regional Transit Governance Study is to (1) identify governance options for regional transit and (2) identify potential funding mechanisms to increase transit investments in Region 10. The guiding principle is to determine how transit service should be structured and coordinated to result in the highest quality and efficiency of service. To achieve these goals, the study team adopted a five-phase approach shown in Figure 1-1.



Figure 1-1 Study Approach

The study was designed to maximize stakeholder feedback through a series of in-person and virtual meetings with the localities, transit providers, regional and state entities, and peer transit authorities in Virginia and the rest of the country. A list of stakeholders interviewed may be found in the appendix. A steering committee was formed to guide the study and provide feedback. It was comprised of representatives from Albemarle, Fluvanna, Louisa, Nelson, and Greene counties, the City of Charlottesville, TJPDC, the Virginia Department of Rail and Public Transportation, and the University of Virginia. Additionally, stakeholder engagement was conducted with the transit providers, the Regional Transit Partnership, the TJPDC Commission, boards of supervisors of member counties, Charlottesville City Council, the Metropolitan Planning Organization Policy Board, and the Virginia Department of Transportation. Figure 1-2 shows a map of the stakeholder engagement process.

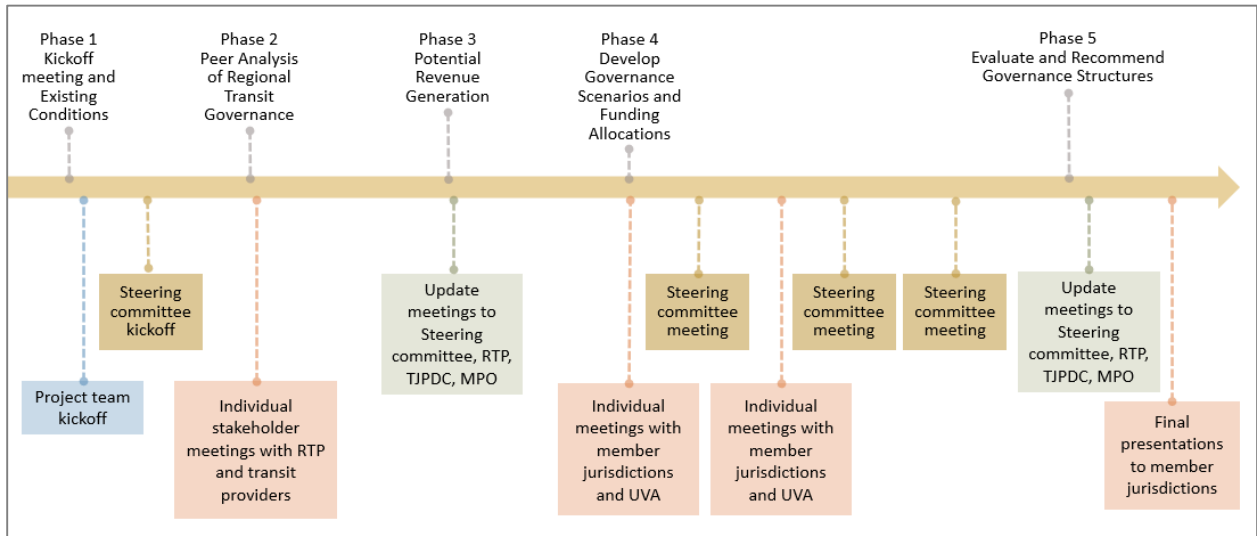


Figure 1-2 Stakeholder Engagement Map

This report is divided into seven sections: Section 1 is the introduction to the study and provides an overview of the background and objectives of the study. Section 2 reviews the existing conditions for transit in the region focusing on service providers and current governance. Section 3 summarizes the results of a peer study and lessons learned from transit authorities with characteristics similar to Region 10. Section 4 explores potential sources of revenue for transit investments. Section 5 discusses potential governance options for regional transit; this section outlines a potential governing body structure and details for formation. Section 6 synthesizes feedback and results of the study to provide a list of findings and recommendations. Finally, Section 7 concludes the report with next steps for Region 10.

2 Existing Conditions

2.1 Overview of Regional Transit Operators

Region 10 is served by three transit operators: Charlottesville Area Transit (CAT), Jaunt, and the University of Virginia’s University Transit Service (UTS). CAT provides fixed-route service in the City of Charlottesville and some urbanized parts of Albemarle County; Jaunt provides ADA paratransit for CAT service as well as commuter route and demand response service to the rural portions of the region; UTS serves the University of Virginia Grounds and neighboring commercial and residential areas. Other passenger transportation services connect to Charlottesville and Region 10, which are not the focus of this governance analysis. These services include but are not limited to long-distance transportation operators (such as Amtrak, Greyhound and Megabus), interregional services (such as Afton Express with connections to Staunton and Waynesboro, state-supported Virginia Breeze motorcoach connections), and airporter services (such as Airbus, a UVA service connecting the Grounds to Washington Dulles and Richmond International airports).

2.1.1 Charlottesville Area Transit (CAT)

2.1.1.1 Operator Overview

CAT was founded in 1975 as Charlottesville Transit Service (CTS) by the City of Charlottesville after acquiring a then privately-owned transit company. CTS served the city exclusively until 1978, when Albemarle County entered into its first agreement with the city to provide contracted fixed-route service in parts of the county. In 1985, the city began operation of the school bus transportation system in addition to running CTS. Two decades later, the service expanded by entering into a reciprocal ridership agreement with the University of Virginia’s UTS in 2008 (Figure 2-1).

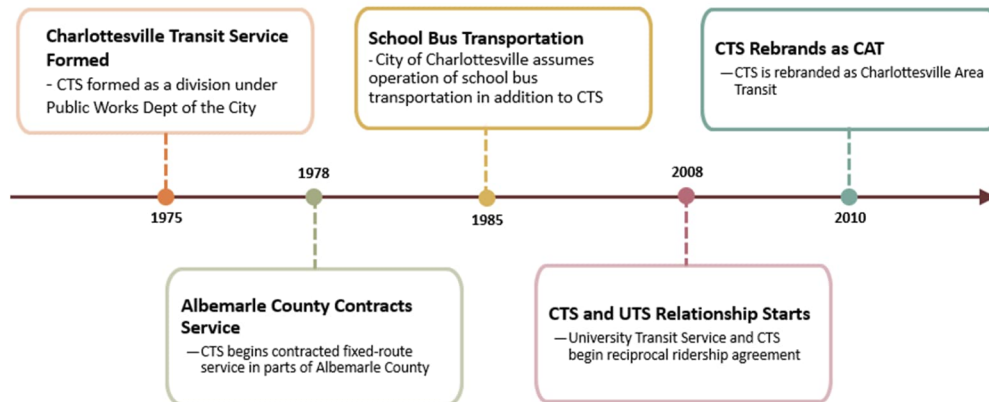


Figure 2-1 CAT Historical Timeline (1975-2010)

CTS now operates as Charlottesville Area Transit following a rebranding effort in 2010. The agency currently serves an area of about 38 square miles and a service area population of approximately 85,755⁹, which includes the City of Charlottesville, parts of Albemarle County, and the UVA Grounds. CAT also contracts with Jaunt to provide the federally required paratransit services. CAT service is Monday through Saturday on varying routes from 6:00am to 10:30pm using 11 fixed routes and a free trolley service.

Table 2-1 CAT Service Characteristics

Measure (2021) ¹⁰	Description
Service Area	~38 square miles
Service Area Population	~85,755
Annual Passenger Miles Estimate	~2.1 million ¹¹
Annual Unlinked Trips	617,010
Annual Vehicle Revenue Miles	730,629

⁹ National Transit Database 2021 Annual Agency Profile. City of Charlottesville dba Charlottesville Area Transit

¹⁰ Ridership levels in 2021 were approximately one-third of the ridership in 2019, largely due to the COVID-19 pandemic.

¹¹ CAT is not a full reporter to FTA, so self-reported annual passenger miles in 2021 was not available. The estimate shown was calculated using the average CAT trip length in 2018 of 3.44 miles (VTA data) multiplied by the number of unlinked passenger trips in 2021.

Measure (2021) ¹⁰	Description
Annual Vehicle Revenue Hours	74,987
Vehicles Operated in Max Service	19
Operating Funds Expended	\$9,211,327
Capital Funds Expended	NA

2.1.1.2 Organizational Structure

As a division of the City of Charlottesville, all CAT employees are city employees. CAT is headed by a Transit Director who manages approximately 142 employees to provide service (Figure 2). Three Assistant Directors (operations, maintenance and facilities, and finance and grant management) and seven other administrative positions support CAT operations. CAT has 59 full-time and 11 part-time bus operators in addition to 26 relief bus operators with many vacancies yet to be filled. These operators serve both the CAT transit and Charlottesville school bus services.

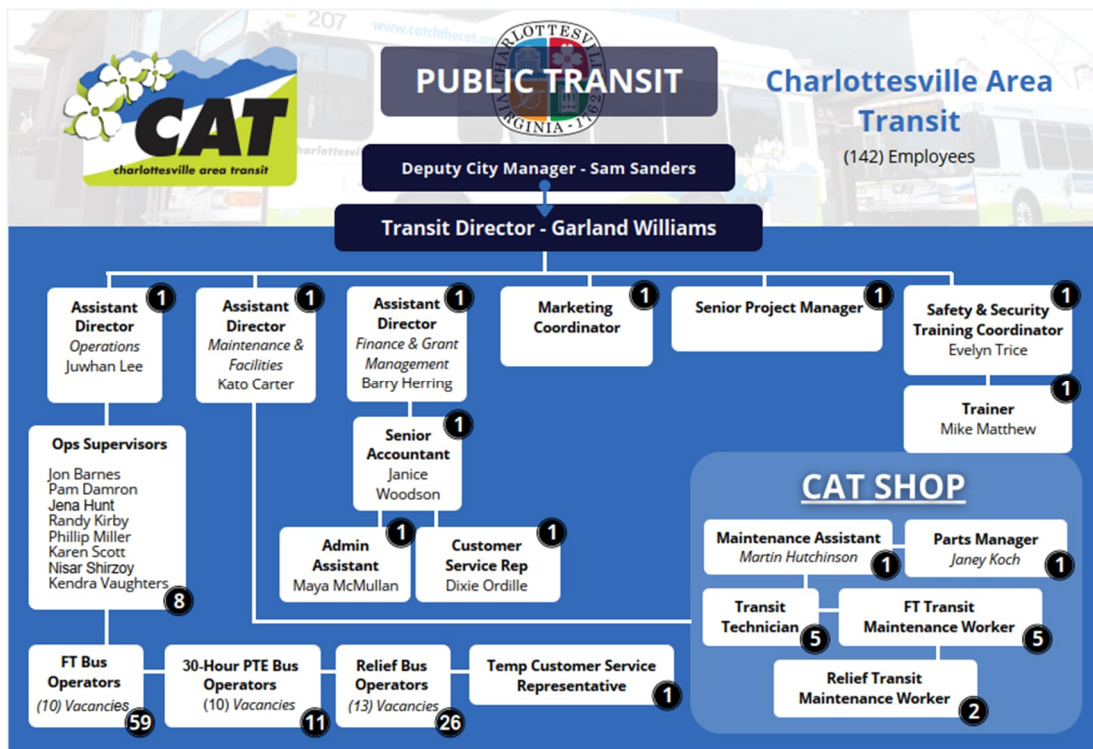


Figure 2-2 Charlottesville Area Transit Organizational Structure (2022)

2.1.1.3 Governance Structure

The city operates under a Council-Manager form of government with a City Council serving as the ultimate decision-making body. Residents elect a five-member City Council who serve four-year staggered terms. The City Council, in turn, selects the Mayor and Vice Mayor who serve two-year terms each. The City Council also appoints the City Manager who serves as the chief executive officer of the city and manages all departments including transit. Transit-related decisions are ultimately determined by the City Council; however, daily transit operations are run by the Transit Director who reports to the City Manager.

The CAT Advisory Board was a citizen advisory board set up by the City Council to provide input to CAT service improvements. This includes service changes such as routing, schedules, budget changes, or personnel needs. The CAT Advisory board has been inactive since the 2020 pandemic, but discussions are ongoing about re-establishing the board.

2.1.1.4 Funding Sources

Transit funding can generally be divided into operating sources of assistance and capital sources of assistance. These sources include federal, state, local, and internal agency-generated funds.

Federal Sources

Federal grant programs require a minimum local match of four percent for all eligible projects. The primary source of federal operating assistance for urbanized areas such as Charlottesville comes from the Section 5307 Urbanized Area Formula Grants program, a formula-based program that offers transit capital and operations assistance to service providers in urbanized areas. For urbanized areas greater than 200,000 people, funds are apportioned directly to the service providers; for urbanized areas under 200,000 people, funds are apportioned to the state for distribution. According to the 2021 National Transit Database statistics, the Charlottesville urbanized area has a population of approximately 92,359¹². In addition to capital costs, eligible uses of the proceeds from the grants include preventative maintenance activities and rebuilding of vehicles, track, signals, and communications equipment.

Another primary source of federal funding made available beginning in 2020 was the Coronavirus Aid, Relief, and Economic Security (CARES) Act which provided \$25 billion to transit agencies nationwide.

State Sources

State funding consists of operating and capital assistance provided by the Virginia Department of Rail and Public Transportation (DRPT). Operating assistance follows a performance-based methodology to determine funds allocation for each agency. Operating assistance funds a maximum of 30 percent of agency operating expenses. For capital assistance, DRPT employs a prioritization process to allocate capital funds. Projects are scored under the following three categories:

- o State of good repair: Up to 68 percent matching funds for projects focused on replacements or rehabilitation of existing transit assets.
- o Minor enhancements: Up to 68 percent matching funds for projects to add capacity, new technology, and customer facilities with costs under \$3 million. This may also include some vehicle expansion projects.
- o Major expansion: Up to 50 percent matching funds for expansion or improvements that exceed \$3 million or for purchases of more than five vehicles or five percent of fleet size.

Other state funding for CAT in fiscal year 2023 includes the Transit Ridership Incentive Program (TRIP). This grant program is available for urban areas that exceed a population of 100,000 to improve regional connectivity by supporting low-income and zero-fare programming. Following receipt of these TRIP funds, CAT has stopped collecting fares and does not anticipate using fares as a revenue source for the foreseeable future. In addition to these sources, other competitive grants are available to agencies including Technical Assistance grants, Public Transportation Workforce Development Program, and Demonstration Project Assistance grants.

Local Sources and Directly Generated Funds

Funding from local and directly-generated sources include City of Charlottesville general revenues, contract funds from Albemarle County and UVA, advertising, and other sources¹³. Figure 2-3 shows sources of operating funds for CAT as reported to the National Transit Database (NTD) for 2021.

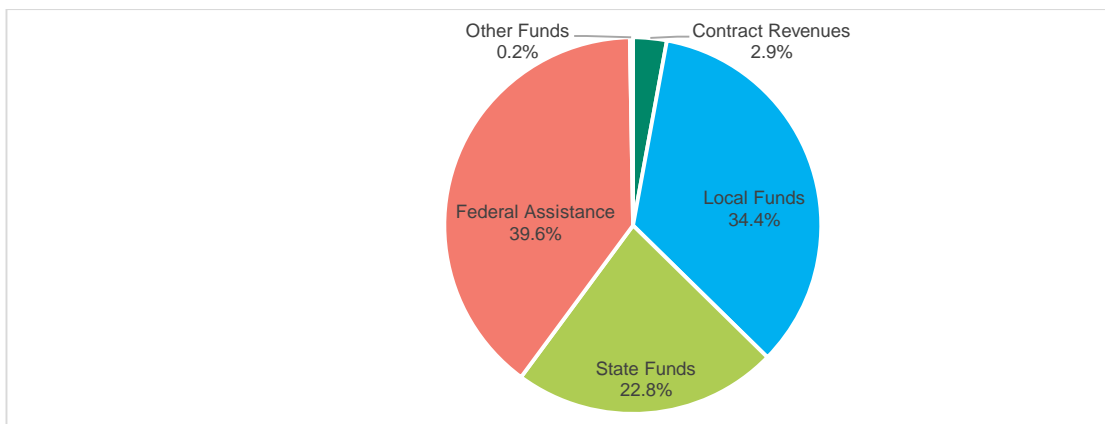


Figure 2-3 2021 CAT Operating Funding Sources (NTD)¹⁴

¹² 2021 Annual Agency Profile. City of Charlottesville dba Charlottesville Area Transit.

¹³ Generally, transit fare revenues are relatively small when compared with the total cost of operating the system.

¹⁴ Revenues related to the UVA Trolley Service and UVA Fixed Route Service

Figures 2-4 and 2-5 show the historical trends for CAT’s operating and capital funds from 2016 to 2021. Figure 2-6 shows the trend of CAT’s operating funds per vehicle revenue hour from 2016 to 2021.

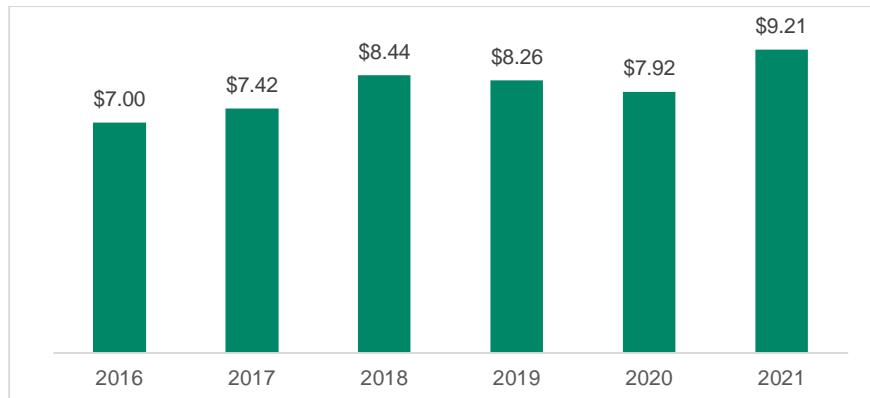


Figure 2-4 CAT Operating Funds in Millions of Dollars (NTD 2016 to 2021)

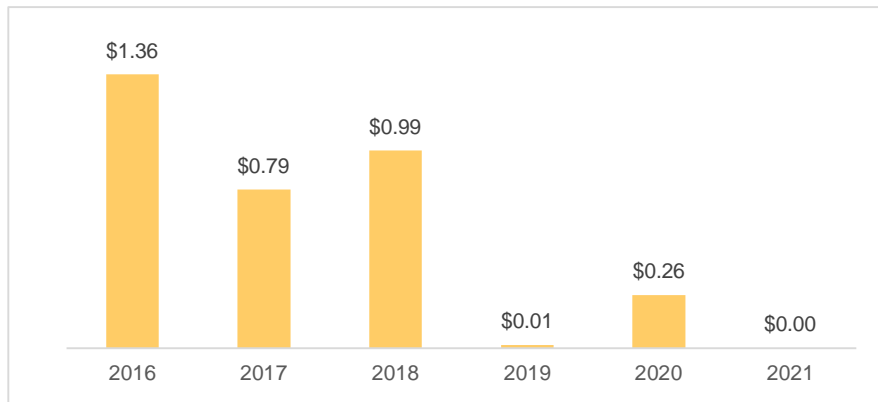


Figure 2-5 CAT Capital Funds in Millions of Dollars (NTD 2016 to 2021)¹⁵

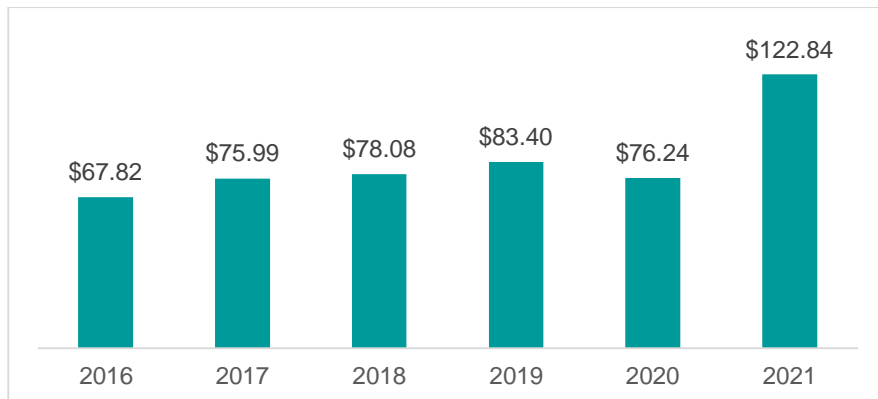


Figure 2-6 CAT Operating Funds Per Vehicle Revenue Hour (NTD 2016 to 2021)¹⁶

2.1.2 Jaunt Inc.

2.1.2.1 Agency Overview

Originally known as Jefferson Area United Transportation (JAUNT), Jaunt was formed in 1975 to provide transit for human service agencies (senior agencies, family assistance agencies, etc.). In 1983, the agency became incorporated as Jaunt, Inc. with ownership transferred to local governments.

¹⁵ 2021 NTD reports \$0 in capital funding for CAT.

¹⁶ 2021 NTD reports \$0 in capital funding for CAT.

Today, Jaunt provides regional transit service to customers in the counties of Albemarle, Buckingham, Fluvanna, Greene, Louisa, and Nelson, and the City of Charlottesville. It was formed to provide for the maintenance, development, improvement and use of public transit in the rural and urbanized areas of the localities served. Jaunt provides the following services:

- Demand Response - Demand response service for Buckingham, Fluvanna, Louisa, Nelson, Greene and rural parts of Albemarle County. Residents can travel by making advanced reservations.
- American with Disabilities Act (ADA) Paratransit - Complementary paratransit service for CAT to fulfil ADA requirements. Under this arrangement, eligible riders can travel within a three-quarter mile radius of CAT's fixed route service (the service "complements" fixed routes; customers pay a fee to ride).
- Commuter Service – This is a fixed route commuter service that operates from park-and-ride lots in parts of Albemarle, Buckingham, and Nelson counties to destinations at UVA and downtown Charlottesville.

Table 2-2 Jaunt Service Characteristics

Measure (2021)	Description
Service area	~2,719 square miles
Service area population	~273, 354
Annual Pax miles	1,463,189
Annual Unlinked Trips	147,968
Annual Vehicle Revenue Miles	1,101,240
Annual Vehicle Revenue Hours	66,668
Vehicles Operated in Max Service	55
Operating Budget	\$9,410,333
Capital Budget	\$955,762

2.1.2.2 Organizational Structure

Jaunt is headed by a Chief Executive Officer (CEO) and reports to a Board of Directors. The CEO is supported by a Chief Operations Officer (COO) and Chief Financial Officer (CFO) and together manage about 125 employees to provide its service. Key staff roles include Road Supervisors, Director of Procurement, Chief Mechanic, Safety Manager, Call Center Supervisor, Marketing and Communications Coordinator, and about 86 drivers. The full organizational structure is shown in Figure 2-7.

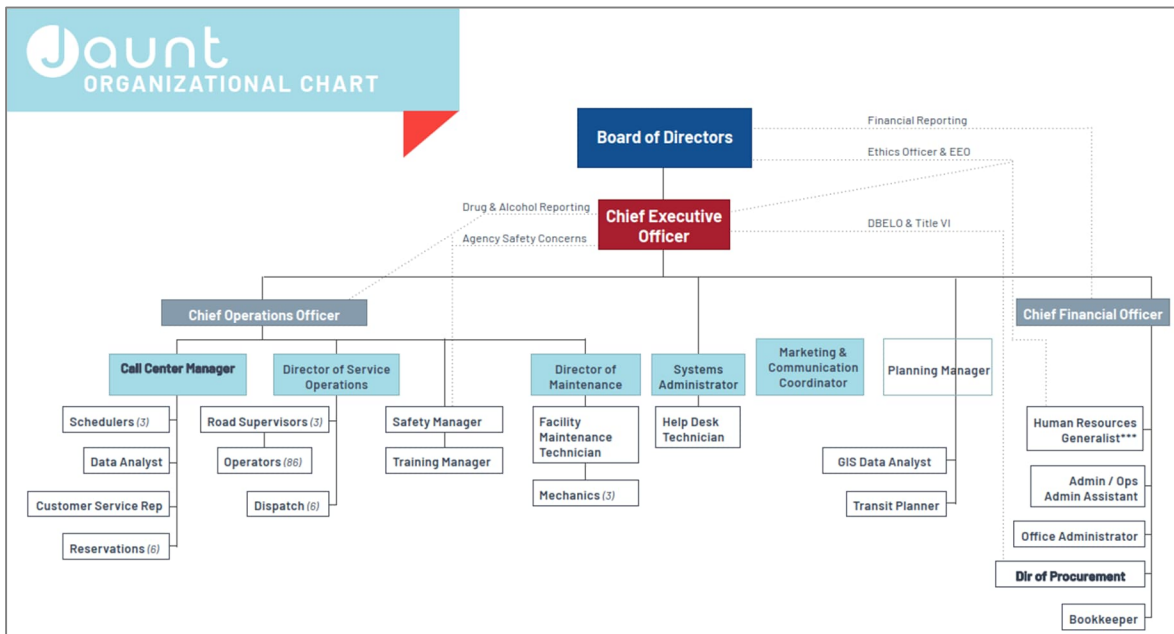


Figure 2-7 Jaunt Organizational Structure

2.1.2.3 Governance Structure

Jaunt was incorporated in 1983 as a public service corporation by the City of Charlottesville and the Counties of Albemarle and Nelson. However, ownership of Jaunt also includes Fluvanna and Louisa Counties, making a total of five stock owners. Stockholder shares are divided as follows:

- City of Charlottesville 5 shares
- Albemarle County 5 shares
- Nelson County 2 shares
- Fluvanna County 2 shares
- Louisa County 2 shares

Board Characteristics

Jaunt is governed by a Board of Directors elected by the five Stockholders. Directors elected by Stockholders can in turn appoint Directors at large to serve on the Board in a non-voting capacity (ex-officio). Stockholders are entitled to nominate two (2) Directors for every two shares held. In cases where an odd number of shares are held, the number of Directors nominated will be rounded down. The breakdown of Director nominations is as follows:

- City of Charlottesville 4 Directors
- Albemarle County 4 Directors
- Nelson County 2 Directors
- Fluvanna County 2 Directors
- Louisa County 2 Directors

The Board is currently composed of 14 voting members who serve three-year terms. The City of Charlottesville and Albemarle County have four members each, while Louisa, Fluvanna, and Nelson Counties have two members each. Non-voting members are appointed by the Board are Buckingham County, TJPDC, and DRPT. According to the agency bylaws, the Board may have no more than 20 and no less than 12 voting members at any time. Directors serve a three-year term each that may be extended, decreased, or modified by the Stockholders.

Each Board member is entitled to one vote with no allowance for proxy votes.

Officers and Committees

The Board elects Officers to serve as President, Vice President, Treasurer, and Secretary at their annual meeting. Select Board members also serve on three committees (Executive, Finance, and Jaunt Friends) and represent Jaunt at the Regional Transit Partnership.

- *Executive Committee:* This committee includes the President, Vice-President, Secretary, Treasurer, Immediate Past President, and Executive Director (CEO). According to the Bylaws, the committee may also include chairs of various subcommittees, other Board directors, or Jaunt employees appointed by the President. The Immediate Past President, Executive Director and employees appointed to the committee serve as non-voting members.

The committee may exercise all the routine and ordinary powers of the Board to discuss issues related to urgent business matters, organizational and operating procedures of the Board, legal issues, compliance with requirements, and supporting the Executive Director. Business transacted by the committee must be reported to the Board for ratification.

- *Finance Committee:* This committee includes the Treasurer and at least two other Directors chosen by the Board for the purpose of providing financial oversight and management of Jaunt.
- *Jaunt Friends:* This is a 501(c)3 organization with a mission to support Jaunt services. It awards scholarships to the financially disadvantaged, so they remain active in society and as independent as possible.

2.1.2.4 Funding Sources

Similar to CAT, Jaunt’s funding comes from a combination of federal, state, local, and directly-generated funds (farebox).

Federal Sources

As CAT’s provider of ADA paratransit services, Jaunt receives a portion of CAT’s annual Section 5307 operating funds allocation. Jaunt has been eligible for other federal grants in the past, including the Rural Area Formula Program Grant (Section 5311), Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program (Section 5310), Bus and Bus Facilities (Section 5339), and New Freedom Program¹⁷ (Section 5317). Since DRPT is the designated recipient of federal transit funding in rural areas, Jaunt must apply to DRPT for their federal funds.

Oftentimes, federal sources of assistance also have minimum requirements for matching funds, which varies for capital grants and operating grants. Generally, the Section 5311 program may provide up to 50% of the net deficit for rural operating needs, with the remaining balance split evenly between state and local assistance (25% each). Capital costs on the other hand, are typically funded at an 80%, federal; 16% state, and 4% local match.

State Sources

Jaunt is eligible for the same state transit funding programs as previously described for CAT in *Section 2.1.1.4*.

Local Sources and Directly-Generated Funds

Local funding for Jaunt comes from the jurisdictions within its service area based on an agreed-upon formula. Directly-generated funds include revenue from contracted service, advertising, and other sources.

Figures 2-8 and 2-9 show the sources of operating and capital funds for Jaunt in 2021 as reported to the NTD.

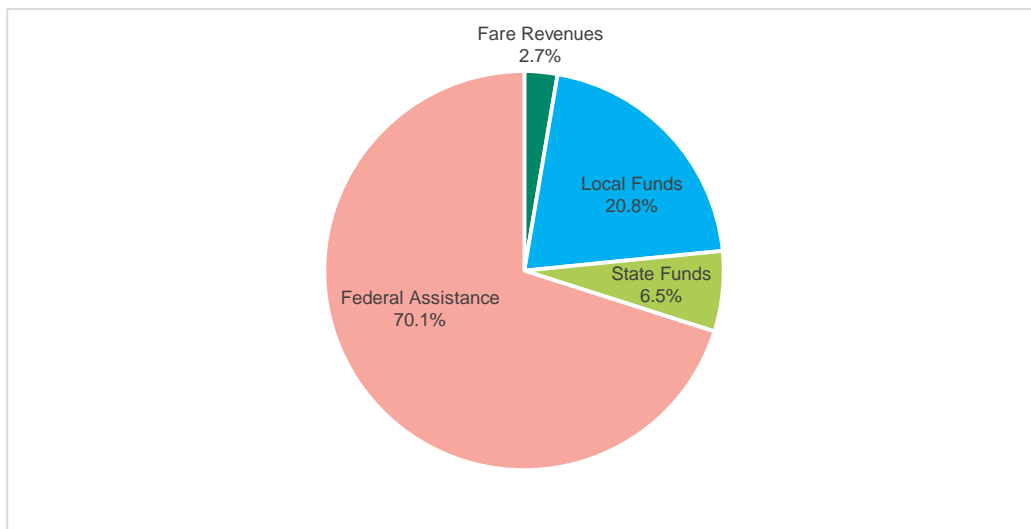


Figure 2-8 2021 Jaunt Operating Funding Sources (NTD)¹⁸

¹⁷ Grants for both capital and operating aimed reducing transportation barriers faced by individuals with disabilities to expand mobility through transportation, beyond the requirements of the ADA Act of 1990.

¹⁸ The 2021 federal funding portion shown is much higher than in previous years because it includes CARES funding which was eligible at a 100 percent federal share.

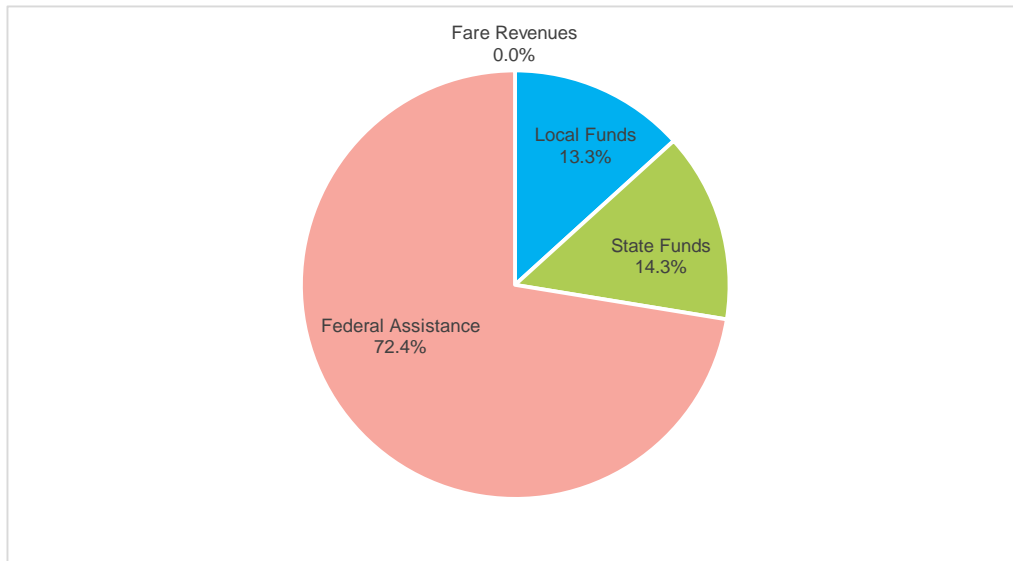


Figure 2-9 2021 Jaunt Capital Funding Sources (NTD)

Figures 2-10 and 2-11 show the historical trend of operating and capital funding for Jaunt from 2016 to 2021. Figure 2-12 shows the trend of Jaunt’s operating funds per vehicle revenue hour from 2016 to 2021.

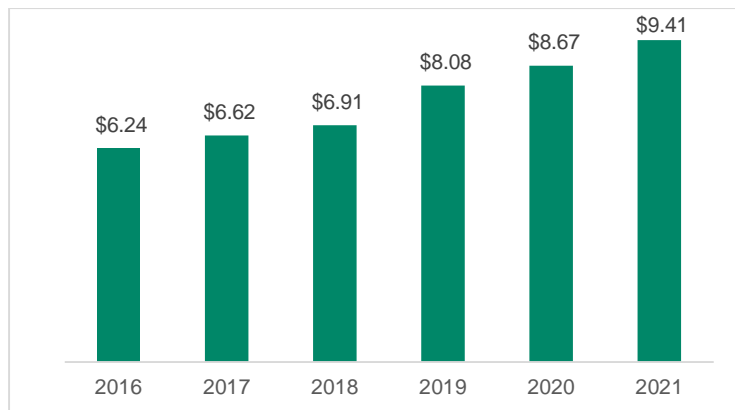


Figure 2-10 Jaunt Operating Funds in Millions of Dollars (NTD 2016 to 2021)

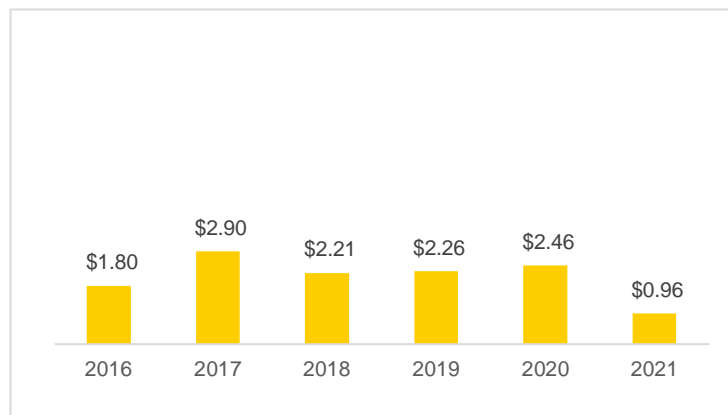


Figure 2-11 Jaunt Capital Funds in Millions of Dollars (NTD 2016 to 2021)

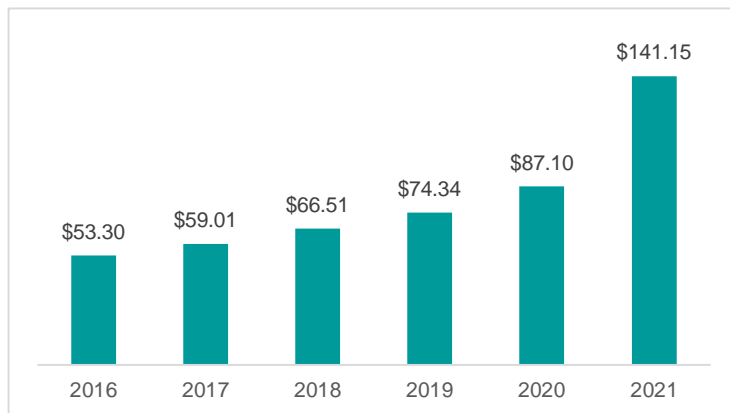


Figure 2-12 Jaunt Operating Funds Per Vehicle Revenue Hour (NTD 2016 to 2021)

2.1.3 University of Virginia University Transit Service (UTS)

2.1.3.1 Operator Overview

The University Transit Service provides transportation services to UVA students, faculty, and staff on and around UVA Grounds and UVA’s hospital. The service started in the 1970s as a way to influence parking demand on UVA Grounds. As a major employer and trip generator in the region, the service started by providing circulator and parking lot shuttle services. As demand grew, UTS added more services and currently serves about 1.5 square miles.

UTS service levels vary throughout the year, depending on the university’s academic calendar, holidays, and events. Service is divided between the parking lot shuttles and transit routes on the Grounds. The service area is bounded by Arlington Boulevard, Alderman Road, Jefferson Park Avenue, 14th Street, Grady Avenue, and Rugby Road. It also goes off-Grounds along the Jefferson Park Avenue (JPA) Corridor.

2.1.3.2 Organizational and Governance Structure

UTS is an operational unit at UVA housed under the Department of Parking and Transportation. Other units in the department include parking and administration; however, UTS relies on other University resources for various services, including professional planners, architects, facilities management, human resource management, and procurement. UTS has an alternative transportation team, a safety training team, and operations teams.

UTS is headed by the Director of Parking and Transportation who reports to the Associate Vice-President for Operations who is ultimately accountable to the University Board of Visitors. The service is very staff-driven and approvals to the Board of Visitors is only needed for the comprehensive student fee.

2.1.3.3 Funding Sources

The Department for Parking and Transportation has a budget of about \$20 million per year, with between \$8 million to \$9 million allocated to transit. Service is funded through student fees and parking fees from the health system. The system also generates some funds through event contracts such as football games and graduations. Beginning in 2008, UTS entered into a reciprocal agreement with CAT by paying a modest fee for rides to be free to the public. However, this payment and a similar arrangement with Jaunt were both paused during the pandemic as a result of declining transit ridership. The three agencies are currently working to resume this collaborative arrangement.

Although the UTS service is open to the public, it differs from CAT and Jaunt by not being a publicly funded agency. It therefore does not receive any federal, state or local funds. It also does not report to the Federal Transit Administration.

UTS, CAT and Jaunt continue to collaborate by sharing bus transfer stops and hosting coordination meetings with directors to discuss challenges and possible solutions in addition to the ongoing coordination undertaken through the RTP.

2.1.4 Summary

The three operators in the region differ widely in their core services, governance, and accountability characteristics. Together, they each support a critical part of the transit landscape in the region; however, more transit investments and coordination are needed to support each jurisdiction's needs. Connectivity between these services, and to longer-distance services travelling beyond Region 10, are essential for seamless regional transportation.

3 Peer Study of Transit Authorities

Following the review of existing conditions in Region 10, a peer analysis of transit authorities was conducted to review successful cases of regionalized transit and identify lessons to apply to Region 10. Figure 3-1 summarizes the three-step process adopted for this phase of the governance study.



Figure 3-1 Peer Study Process

3.1 Peer Selection Criteria

To create a list of potential peer operators and regions to the Charlottesville Region, data was queried from the Federal Transit Administration's (FTA) National Transit Database. This data was used to find similarities between the Charlottesville Region and its operators (CAT, Jaunt, and UTS). Filters were applied to each NTD data category to ensure the chosen candidates were similar to the Charlottesville region. The following data categories were queried from the NTD (with the data filters applied shown next to each category):

- Area Population (50,000 – 200,000)
- Operator revenue miles (500,000 – 3,000,000)
- Operator number of annual unlinked passenger trips (500,000 – 2,000,000)
- Operator operating budget (\$4,000,000 - \$20,000,000)

The NTD data was also used to calculate the Operator's operating budget per capita.

In addition to quantitative data obtained from the NTD, the peer regions were checked for:

- the presence of a major university;
- the presence of a separate university bus system; and
- if the region had transit service to multiple jurisdictions, both urban and rural.

Applying these quantitative and qualitative filters and holding discussions with the Thomas Jefferson Planning District Commission project team, the list of peer regions was narrowed down to six regions, shown in Figure 3-2.

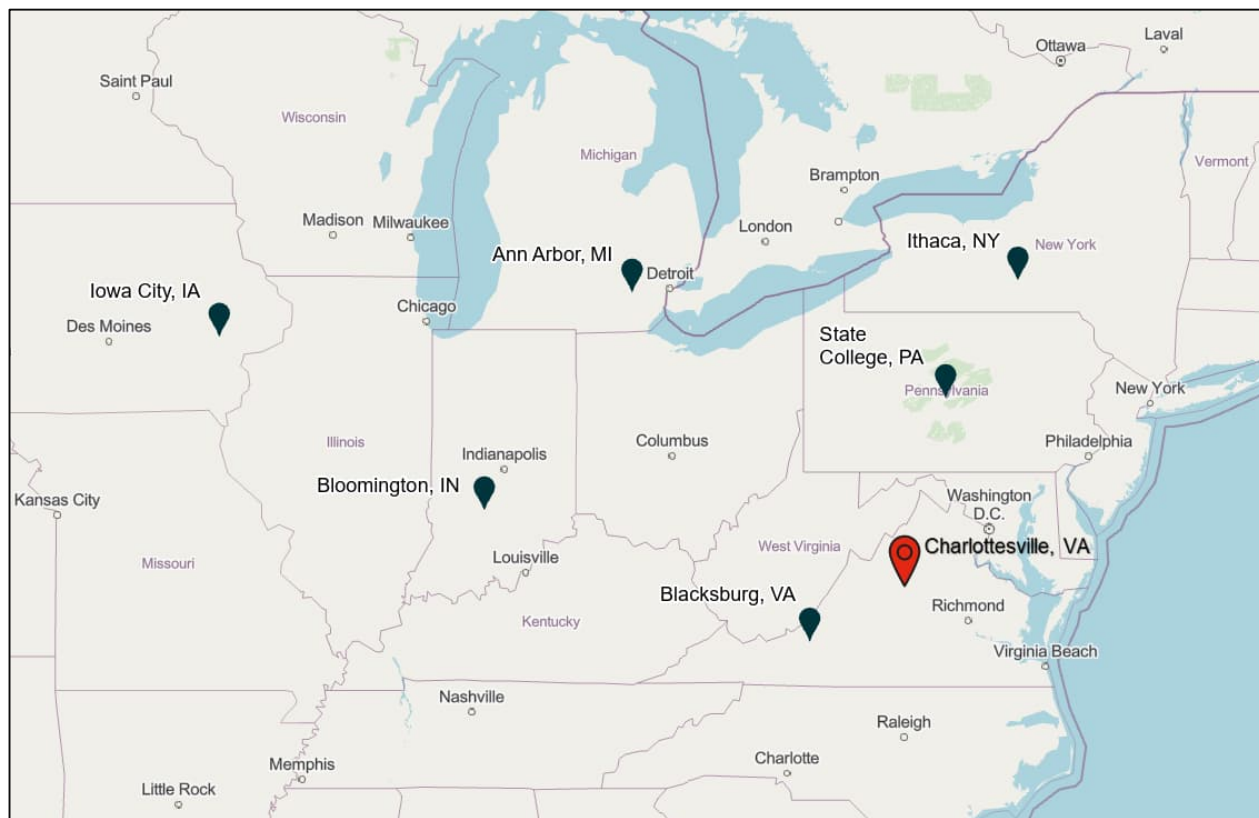


Figure 3-2 Map of Peer Operators

3.2 Desktop Analysis and Operator Interviews

A desktop analysis was performed before interviewing executives at each of the peer operators. This desktop analysis investigated each operator’s governance type and board, the operator’s funding methods, and the presence of/relationship with other operators in the region.

Research on governance type was to determine if each operator was a city department, an independent authority, or something else. The presence of a board, the board’s size, and qualifications for board members were noted where appropriate. For operators that served multiple jurisdictions, the number of board members representing each jurisdiction was investigated as well.

Funding methods for each operator were divided into Federal, State and Local sources. Typically, these were obtained from each agency’s budget for 2021. Any unique sources of funding were called out for further investigation in the operator interviews, as well as the presence of a separate funding organization.

Other operators in the region were investigated to look for overlap in service or funding, as well as to understand the relationship and collaboration between the focus operator and additional operators in the region.

Once the desktop analysis for each peer was complete, interviews were scheduled with a knowledgeable staff member at each peer operator, which are listed in Table 3-1 below. The interviews were held between January 27, 2023, and March 3, 2023.

Table 3-1 Staff Interviewed at Each Agency

Operator	Region	Name	Role/Title
Blacksburg Transit	Blacksburg, VA	Brian Booth	Director
Bloomington Transit	Bloomington, IN	John Connell	General Manager

Operator	Region	Name	Role/Title
Centre Area Transportation Authority (CATA)	State College, PA	Louwana Oliva	Executive Director
Tompkins Consolidated Area Transit (TCAT)	Ithaca, NY	Scot Vanderpool	General Manager
TheRide	Ann Arbor, MI	Matt Carpenter	CEO
Iowa City Transit	Iowa City, IA	Darian Nagle-Gamm	Transportation Director

3.3 Peer Analysis Framework

Following the desktop study and interviews with each peer agency, the information was assessed using the framework described below in Figure 3-3. Understanding the service provided by the operator is important for comparison with Charlottesville’s current and future service states. The governance structure and relations with funding entities (local or otherwise) were also scrutinized.

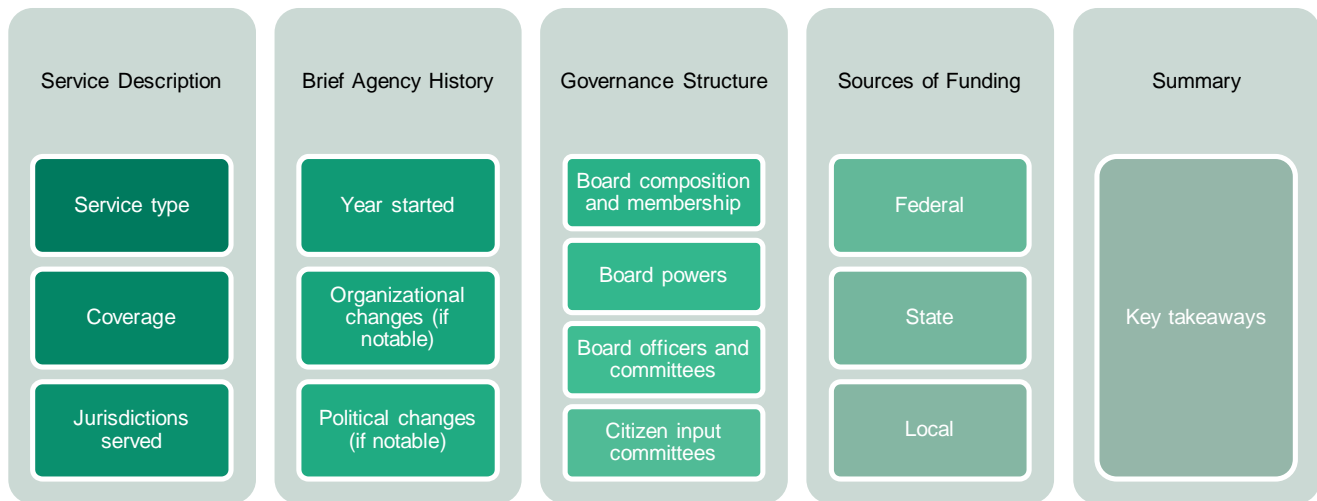


Figure 3-3 Peer Study Framework

3.4 Review of Peers

Section 3 provides summaries of each Peer that was included in this study, formatted to include an operator history, a key characteristics graphic, and the operator’s governance and funding.

3.4.1 Blacksburg, VA

Blacksburg Transit (BT) is a department of the Town of Blacksburg. The need for an area transit system was raised by Virginia Tech in the early 1980s, and the process for creating the system was driven by the university and its students. In 1980, the Town of Blacksburg ran a ballot measure to local residents to start a town bus system. This measure failed, and in response, Virginia Tech ran a survey to its students about levying a student transportation fee to start its own transit system. This survey showed that 80% of students supported the transportation fee for a bus service around campus and Blacksburg. The bus service started in 1983 following this measure. Since the university was involved as a funding partner from the start, the service is particularly focused around campus and supporting the movement of students, faculty and staff.

Around 2010, service was expanded to the neighboring town of Christiansburg, whose contract payments make up the remaining portion of local funding. Figure 3-4 below summarizes the key characteristics of Blacksburg Transit.

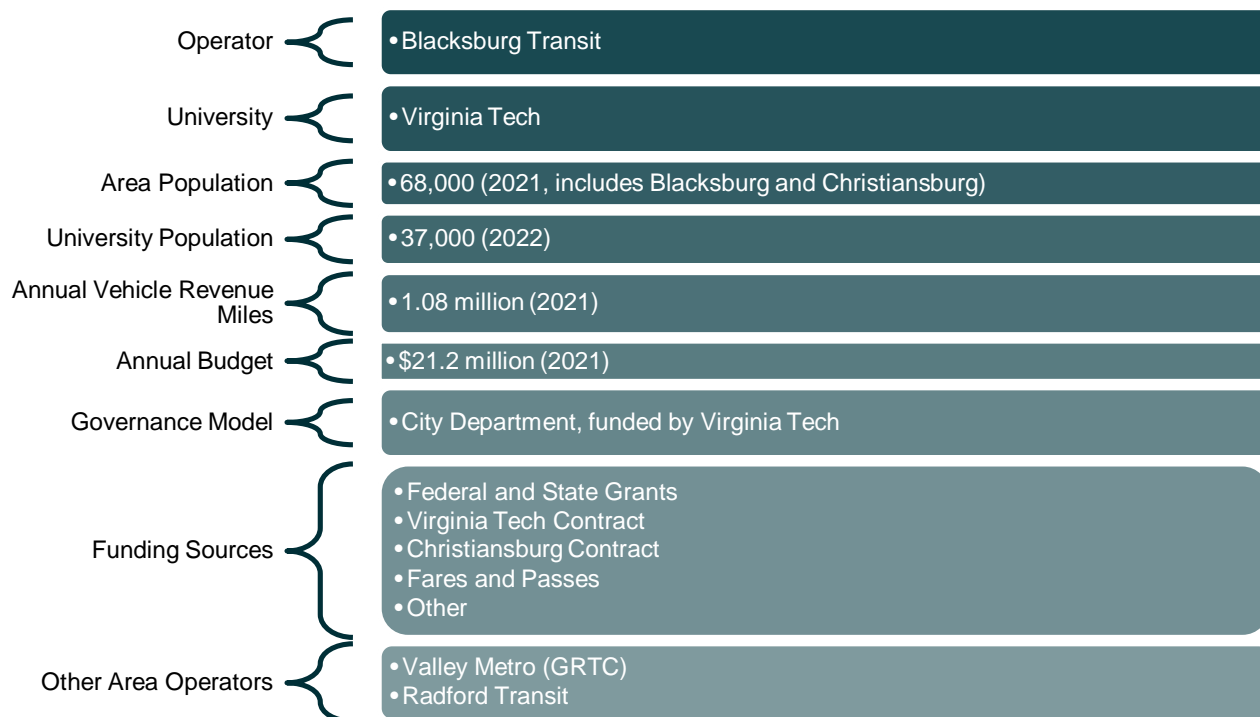


Figure 3-4 Blacksburg Transit Key Characteristics¹⁹

3.4.1.1 Governance Structure

BT operates as a department of the Blacksburg Town government headed by a Town Manager. The transit department reports directly to the Deputy Town Manager for Operations who is one of two deputies. The Town Manager in turn reports to a seven member elected Town Council. As the elected body directly accountable to the residents of Blacksburg, the Town Council is the ultimate approval body for decisions. The Town Council approves the agency’s final budget. However, based on trust built over time between the town and BT, the agency has been allowed much autonomy to coordinate service and financial decisions with its two main stakeholders, Virginia Tech and Christiansburg.



Virginia Tech is a primary stakeholder in BT’s service and participates in decision-making through the university’s Transportation Services Department. BT’s staff works collaboratively with the university to incorporate identified priorities into the agency’s plans. The two collaborate closely during the annual budgeting process as well as the 5-year capital planning process. Operational recommendations such as those related to service, funding, and technology are provided by BT staff. With about 90% of the agency’s ridership being students, BT and the university have a close symbiotic relationship to serve their customers. The Town of Christiansburg is a secondary stakeholder as it receives contracted service from BT through a route deviation service.

BT coordinates with Radford Transit and Pulaski Area Transit for the Transportation Improvement Program (TIP). They also share bus stops at key locations in Blacksburg and Christianburg. BT also participates on some town committees that advise on issues such as traffic, pedestrian safety and cyclist safety.

3.4.1.2 Sources of Funding

Funding for BT is divided in typical proportions between Federal, State, and Local funding. Virginia Tech provides the required local match funding to any funds received by State and Federal governments, in addition to capital funding to support university goals (fleet electrification, in particular). These contributions are funded in part by a student transportation fee. In 2010, the Town of Christiansburg entered into a contract agreement for two route-deviated services within Christiansburg, in addition to one route between Blacksburg and Christiansburg. Christiansburg contributes approximately \$30,000 per year for capital items dedicated to Christiansburg including buses and shelters. Blacksburg Transit is currently

¹⁹ Sources: FTA National Transit Database for [Blacksburg Transit](#), [Valley Metro](#), [Radford Transit](#), US Census Bureau, [Virginia Tech](#)

fare-free, following the receipt of a federal grant for fare-free transit. Blacksburg Transit's 2021 sources of funding are shown in Table 3-2 and Table 3-2 below.

Table 3-2 Blacksburg Transit Funding Sources, 2021²⁰

Source	Amount
Federal/State Grants	\$14.4 million
Virginia Tech Contract	\$6.0 million
Christiansburg Reimbursement	\$0.4 million
Fares and passes	\$0.2 million
Other	\$0.2 million
Total	\$21.2 million

3.4.2 Bloomington, IN

In 1982, the Bloomington Public Transportation Corporation (BPTC) was created by the City of Bloomington by passing an ordinance. The ordinance allowed the new municipal corporation to operate transit service in the city. Subsequently, Bloomington Transit (BT) operations started two years later. BT operates fixed-route, paratransit and microtransit within the City of Bloomington. BT and the Indiana University (IU) campus bus system have a close relationship and collaborate extensively. With about 70% of BT's riders being IU students, collaboration between the two systems led to them sharing a combined maintenance and administration facility. The shared facility with IU is unique in that the university owns the land beneath the shared facility, while BT owns the building that sits on the university land.

Through the years, BT has continued to increase services tailored to IU students and currently operates three routes specifically for the university population. The university makes annual payments to BT to allow students, faculty and staff to ride BT buses at no cost.

Approximately 10 years ago, IU campus bus operations were nearly absorbed into BT's operation, but was derailed due to lobbying of state legislature by other transit operators in the state. Indiana's state funding formula at the time allocated funds based on transit operator performance statistics. Following unification with IU, BT's performance statistics would skyrocket, entitling them to more funds and reducing funding availability to other transit operators in the state. Since then, the state funding formula has changed, and the unification of BT and the IU campus bus system is again a possibility.

Figure 3-5 summarizes the key characteristics of Bloomington Transit.

²⁰ Town of Blacksburg 2021 Budget

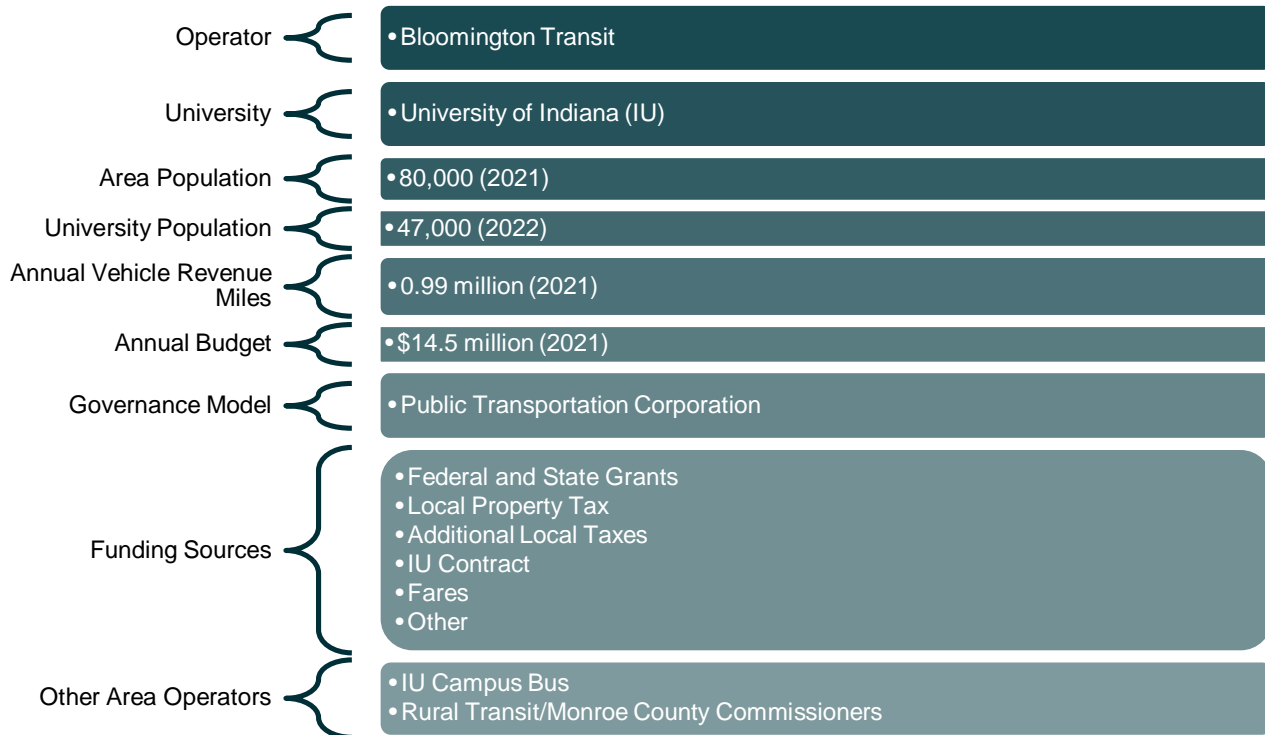


Figure 3-5 Bloomington Transit Key Characteristics²¹

3.4.2.1 Governance Structure

Bloomington Public Transportation Corporation is set up as a municipal corporation. This occurred in 1982 after the City of Bloomington decided it was in the public interest to create such an entity. An ordinance was passed to dissolve the City’s Department of Public Transit and create the municipal corporation (under I.C.36-9-4). Two years later, Bloomington Transit was launched to provide fixed route service.

Among the authority and powers granted as a municipal corporation are the ability to:

- Purchase property from a system
- Operate a system, contract and lease for the system
- Expand services outside of operational boundaries
- Acquire, hold, and dispose property
- Eminent domain
- Issue bonds, borrow money, accept grants or contributions, levy tax, recommend election to use revenue from local income tax



The agency is governed by a five-member board. Two members are appointed by the mayor of Bloomington, with the remaining three appointed by city council. The Board elects one chair and one secretary from within their ranks to serve as officers of the board.

A majority of the board constitutes a quorum for a meeting. Voting decisions are made by a simple majority of those present at the meeting at which the action is taken.

The board has a healthy level of involvement with both city council and BT staff. The current city council is supportive of transit evidenced by a recent ballot measure to raise the local income tax, in large part to support improvements to transit service.

²¹ Sources: FTA National Transit Database for [Bloomington Transit](#), [Rural Transit](#), US Census Bureau, [Indiana University](#) and [Indiana University Campus Bus](#)

3.4.2.2 Sources of Funding

Funding for BT for FY22 came mostly from federal grants, with state funding providing about a 30% match to the federal funds. Local funding totaled less than \$1 million in FY22, although this is expected to increase for FY23 and beyond following a citywide vote to increase local income tax in 2022. The increase will provide an additional \$4 million per year to support BT capital and operating expenses. This additional funding will be used to increase frequencies, provide service on Sundays, and fund a feasibility study into bus signal prioritization and bus lanes along a main corridor (incorporating elements of bus rapid transit). IU's annual payment to allow free rides for students, staff and faculty is also a significant source of funding at \$1.2 million. BT's funding sources are shown in Table 3-3 below.

Table 3-3 Bloomington Transit Funding Sources, FY2022²²

Source	Amount (Millions)
Federal Grants	\$8.5
State Grants	\$2.6
Local Property Tax	\$1.5
Local Income Tax ²³	\$0.5
IU Contract	\$1.2
Fares	\$0.5
Other	\$0.3
Total	\$15.1

3.4.3 State College, PA

The Centre Area Transportation Authority (CATA) is nearly 50 years old. First incorporated in 1974, the agency was reorganized in 1982 into its current structure comprising five local municipalities (Borough of State College, and four townships: Patton, Ferguson, Harris, and College). CATA also provides contract service to three other jurisdictions (Borough of Bellefonte, Spring Township and Benner Township). CATA serves these areas with fixed-route service, ADA paratransit service, shared-ride services, a vanpool program, and microtransit. It also contracts with Penn State to provide three routes specifically to serve the campus. Figure 3-6 below summarizes the key characteristics of CATA.

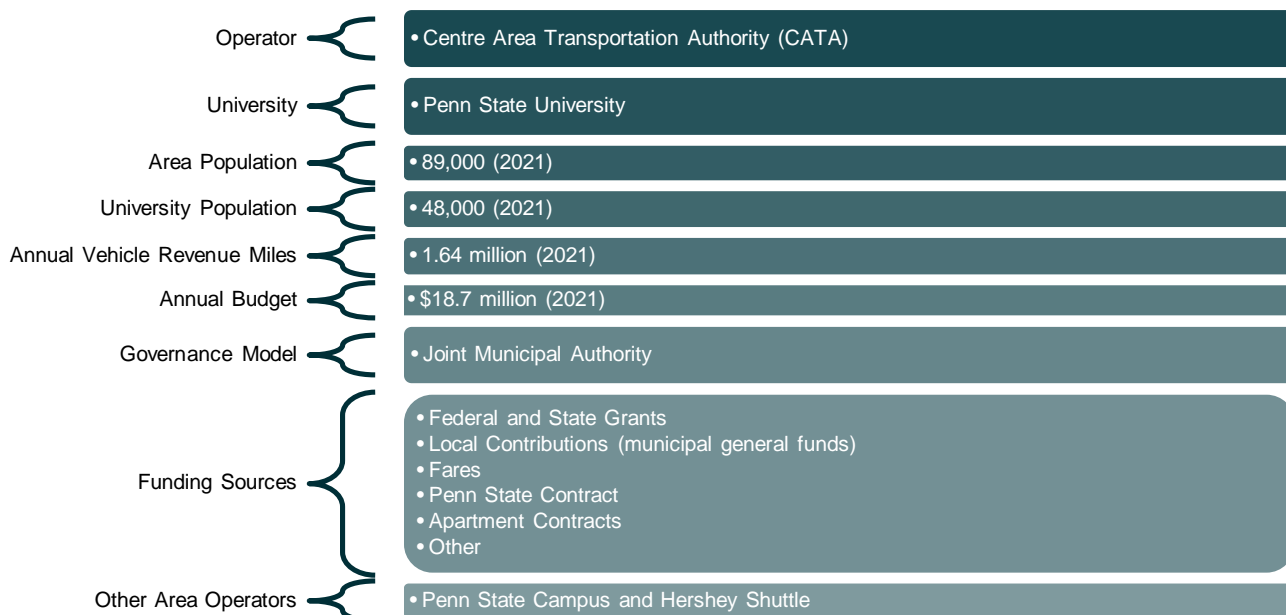


Figure 3-6 CATA Key Characteristics²⁴

²² Bloomington Transit 2023 Budget

²³ The newly increased Local Income Tax was not in effect for FY2022 yet.

²⁴ Sources: FTA National Transit Database for [CATA](#), US Census Bureau, and [Penn State University](#)

3.4.3.1 Governance Structure

CATA is organized as a joint municipal authority under the Municipal Authorities Act of 1945 and authorized to provide transportation service within the boundaries of the member municipalities. CATA may also extend services outside the municipalities on a contract basis and the contract must provide for full cost recovery of both capital and operating expenses less any applicable user revenue, state and federal assistance.

CATA's board is comprised of five members, with each member being appointed by one of CATA's five member municipalities (Borough of State College, Patton Township, Ferguson Township, Harris Township, and College Township). PennDOT requires that all potential transportation authority board members receive some training before being appointed to a board. Although there are no term limits of board members, terms of office are staggered and overlapping. Until recently, the board was mostly comprised of transportation professionals or professors. A culture exists on the board to look out for CATA, rather than the jurisdictions they represent. Their relationship with their respective communities is focused on bringing feedback from their community to CATA.

The board elects officers at the first regular meeting in January every year to serve for one year. Officers of the board are the Chairman, Vice-Chairman, Secretary and Treasurer. The Chairman and Vice-Chairman are elected from existing members of the board while the Secretary and Treasurer may be appointed from the managerial staff of CATA. The latter serve as non-voting members.

At all board meetings, a simple majority in attendance constitutes a quorum. Voting is also determined by a simple majority. All meetings are governed by Robert's Rules of Order.

3.4.3.2 Funding Structure

CATA is supported by a robust state funding mechanism, although one that is less predictable than more local sources might be. Local contributions to CATA are determined as a percentage of the state funds allocated. Currently, the local member municipalities are funding CATA below their required state match of 15% and are therefore in a "catch up" group to slowly increase their contributions up to the 15% required state match.



In addition to contributions from member municipalities, CATA receives funding from contracts with Penn State and private student apartment complexes. The Penn State services are contracted below the cost of operation, as this service is open-door, and in theory anyone from the community could be riding these services. Penn State subsidizes rides taken by faculty, staff and graduate students on a per-ride basis. Besides the contracted open-door campus routes, Penn State does not subsidize CATA rides taken by undergraduates, as the University is averse to charging students a transportation fee. Additionally, parking passes on Penn State's campus are often cheaper than monthly transit passes, which discourages students from using CATA routes outside of the contracted campus routes.

The apartment contracts are fulfilled on a per-ride basis, meaning that CATA invoices each apartment complex for rides their residents take on the route that serves that apartment complex. This revenue has fluctuated rapidly (particularly during the pandemic when students were not required to be on campus), so CATA is exploring a switch from per-ride fees to a fee per bed in each apartment complex.

Like other transit authorities in the state, CATA has no taxing authority as such levies must be approved at the state level. There's an indication that some major transit systems in Pennsylvania such as the Southeastern Pennsylvania Transportation Authority (SEPTA) and Pittsburgh Regional Transit (PRT) are currently working on approval from the state legislature for the ability to tax their service areas. CATA supports this movement and is interested in doing studies to identify taxing options they could present for a referendum.

CATA's funding sources are shown in Table 3-4 below.

Table 3-4 CATA Funding Sources, FY2021²⁵

Source	Amount (Millions)
Federal Grants	\$6.7
State Grants	\$5.0
Local Contributions	\$0.6
Fares and Contracts	\$5.9
• Apartments:	\$1.8
• Penn State	\$2.7
• Other (fares, advertising, tax credits)	\$1.4
Other	\$0.4
Total	\$18.6

3.4.4 Ithaca, NY

Tompkins Consolidated Area Transit (TCAT) was created in the early 1990s by consolidating three existing transit operators that served the City of Ithaca (Ithaca Transit, started in 1962), Cornell University’s campus (CU Transit, started in 1966), and Tompkins County (TOMTRAN, started in 1981 as a rural system). The three entities sought to address financial and operational inefficiencies of having three entities serve the same county. An Operating Committee was therefore set up in 1991 to work on the consolidation process with personnel, operations, bargaining units, and fares.

Full consolidation still took some years to be realized. After moving into a single transit facility in 1992, the three agencies still operated separately but shared administrative staff, cost of utilities and maintenance. By 1996, the state legislature had adopted a law authorizing the creation of TCAT, the name and logo were then adopted. In 1998, the city, County and Cornell entered into a joint venture agreement. What followed were unified routes and fare structure. Finally in 2005, TCAT was incorporated as a private, not-for-profit corporation with three entities as underwriters.

TCAT provides fixed-route service within Tompkins County, and contracts ADA paratransit and microtransit through another provider. Figure 3-7 below summarizes the key characteristics of TCAT.

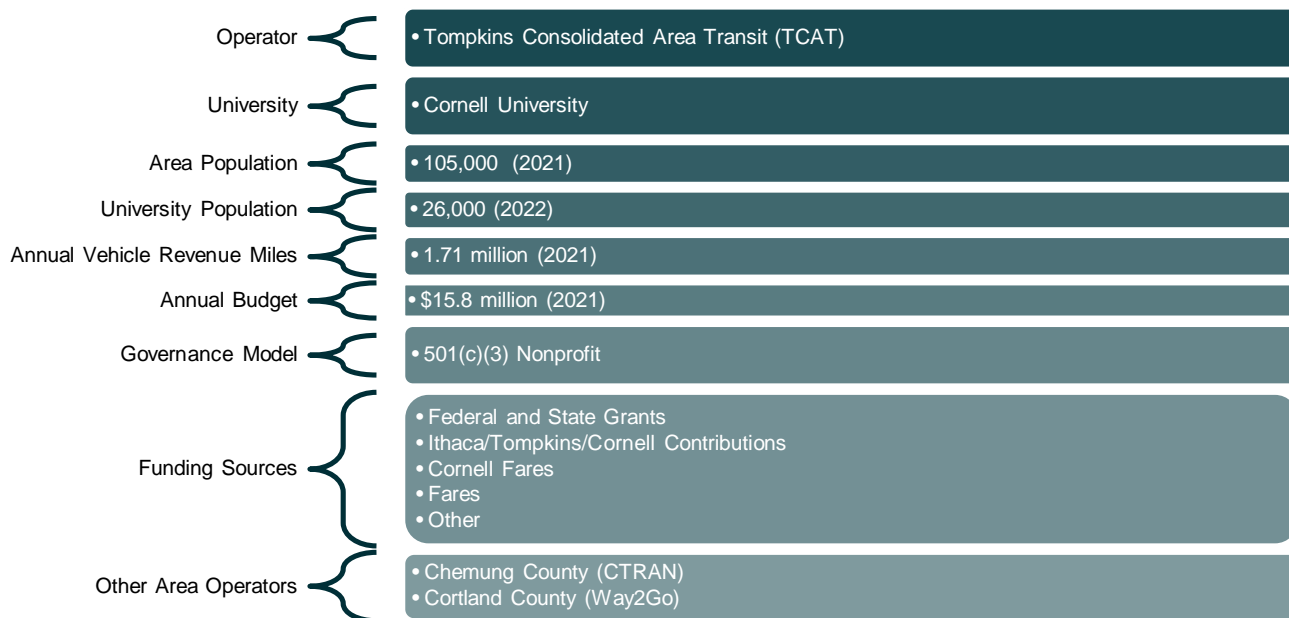


Figure 3-7 TCAT Key Characteristics²⁶

²⁵ CATA FY22-23 Budget

²⁶ Sources: FTA National Transit Database for [TCAT](#), [CTRAN](#), [Way2Go](#), US Census Bureau, [Cornell University](#)

3.4.4.1 Governance Structure

TCAT is governed by a nine-member Board, comprised of three members each from Cornell, the City of Ithaca, and Tompkins County. Board members serve TCAT solely and have a fiduciary duty to act in the best interest of the agency, independent of their respective recommending bodies.

The board meets monthly to approve spending, service plans, and budgets. Board member terms are three years with no term limits, and no qualifications are required of board members.



3.4.4.2 Funding Structure

State Operating Assistance (STOA) forms TCAT’s largest source of revenue. Local funding is required to match a percentage of the of state funding. Each of the three underwriters is required to provide equal amount of funds (out of general funds and not reliant on one specific taxing source) to TCAT each year, and so negotiation typically takes place between the three underwriters to agree on increases in their contributions. All three must agree on the same amount for increases to be implemented.

In addition to the three underwriters, TCAT has access to a mortgage recording tax, as well as Cornell’s additional payments to cover the rides taken by their staff, faculty and students. The Cornell community makes up approximately 70% of rides on TCAT. The breakdown of funding sources for TCAT is shown in Table 3-5 below.

Table 3-5 TCAT Funding Sources, FY2022²⁷

Source	Amount (Millions)
Federal Grants	\$5.0
State Grants	\$5.9
Mortgage Recording Tax	\$0.9
City/Cornell/Tompkins Contributions	\$2.8
Cornell Fare Payments	\$3.3
Passenger Revenues	\$0.9
Other	\$0.2
Total	\$19.1

3.4.5 Ann Arbor, MI

Established in 1963, the Ann Arbor Area Transportation Authority (TheRide) operates service within Ann Arbor, the City of Ypsilanti, and Ypsilanti Township. The University of Michigan (UM) has three major campuses within the city which are split by a river and a rail line. Partially due to this dispersed geography, the university operates its own free, open-door bus system (Campus Transit), which reports to FTA and predates TheRide. A Campus Transit fixed route between the major UM campuses carries approximately 30,000 daily riders, which is far higher than any TheRide route and the busiest transit corridor in the state of Michigan. TheRide operates diverse service types, including fixed-route service, Ann Arbor commuter vanpools, a public-private, long-distance Detroit Metro Airport shuttle²⁸, and a microtransit service in areas where fixed-route service is not offered. TheRide provides transfers to the suburban Detroit transit operator, the Suburban Mobility Authority for Regional Transportation (SMART) and interacts with the relatively-new Regional Transit Authority for Southeast Michigan (RTA). RTA coordinates regional transit planning and is a distributor of federal and state funding in the region.

Figure 3-8 summarizes the key characteristics of TheRide.

²⁷ TCAT 2023 Budget

²⁸ TheRide airport service is provided in conjunction with the private operator MichiganFlyer in a 90-mile corridor linking East Lansing (Michigan State University), Ann Arbor and the Detroit Metropolitan Wayne County International Airport. The MichiganFlyer operates over a similar distance to those between Charlottesville and either Washington Dulles International Airport or Richmond International Airport. The service operates bi-directionally on intervals of about one hour. More information is available at <https://www.michiganflyer.com/schedule-route> and <https://www.theride.org/services/airport-service>.

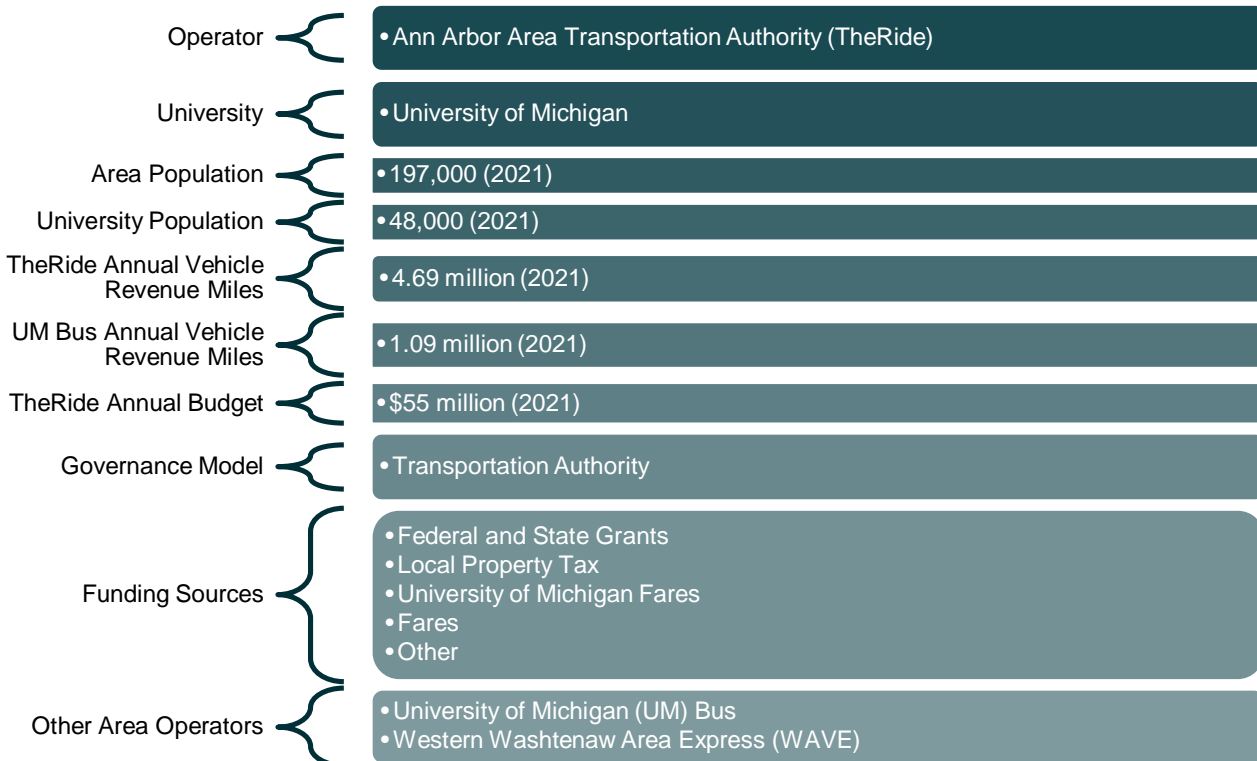


Figure 3-8 TheRide Key Characteristics²⁹

3.4.5.1 Governance Structure

TheRide is incorporated as an authority under Act 55 of the Public Acts of Michigan of 1963. The legislation provides for authorities to acquire, own, and operate or cause to be operated mass transit. Under this act, the authority may levy a property tax millage within its jurisdiction up to 5 mills (\$0.005) of the state-equalized valuation on each dollar of assessed property valuation. Such a tax requires a referendum. Additional powers granted by the statute include: to sue and be sued in the State of Michigan; to employ, by contract, a management firm to operate transit under supervision of the authority; to acquire property and condemn real property; to issue bonds, and to charge fares.



TheRide is governed by a 10-member board:

- Eight appointed by the Mayor of the City of Ann Arbor (with concurrence of the Ann Arbor City Council)
- One appointed by the Mayor of the City of Ypsilanti (with concurrence of the Ypsilanti City Council)
- One appointed by the supervisor of the Charter Township of Ypsilanti (with concurrence of the Township Board)

Most of the population within TheRide’s service area lives in Ann Arbor, and this is represented in its Board. Board members serve a term of five years with no limit to the number of consecutive terms to be served. Additionally, no specific qualifications are required to be appointed to the board.

A simple majority of board members is required to form a quorum to conduct meetings. Actions of the board also require a majority vote of members present. Board actions to adopt or amend the annual budget, hire or terminate the CEO, or adopt a labor contract requires at least 60% affirmative votes to pass.

The board selects officers from within its ranks to serve one-year terms as Chair, Secretary (also serves as Vice Chair), and Treasurer. Furthermore, the board may establish committees it deems necessary to carry out its duties in addition to the

²⁹ Sources: FTA National Transit Database for [TheRide](#), [UM Bus](#), and [WAVE](#), US Census Bureau, [University of Michigan](#).

Governance Committee outlined in the agency bylaws. The Governance Committee consists of the Board Chair, Treasurer, Secretary, and any other chairs of other committees selected by the board Chair. This committee coordinates the work of the board and any other established committee.

TheRide and UM Campus Transit run largely separate operations, with little overall coordination, though they do coordinate on bus stop locations and share curb space at the city’s transit centers.

3.4.5.2 Funding Structure

TheRide has property taxing authority, and successfully increased the local property millage from 0.7 mills to 2.38 mills (1 mill = \$0.001) by referendum in 2022. This millage must be renewed by referendum every five years and applies to TheRide’s entire service area. Additionally, the City of Ann Arbor dedicates a 2.5 mill property millage to TheRide, which runs in perpetuity. This means that Ann Arbor pays more per capita for service than the rest of TheRide’s service area, and Ann Arbor receives more service because of it. University students, staff and faculty have their rides paid for by the university; TheRide invoices the university each month for rides taken by the university population. In addition to local funding, TheRide receives typical federal and state grants. The specific funding breakdown is shown below in Table 3-6.

Table 3-6 TheRide Funding Sources, FY2022³⁰

Source	Amount (millions)
Federal Grants	\$25.5
State Grants	\$16.9
Local Property Tax	\$19.2
Purchase-of-service Agreements	\$1.7
Passenger Revenues	\$4.1
Other	\$0.4
Total	\$67.9

3.4.6 Iowa City, IA

Iowa City Transit (ICT) provides service within Iowa City limits, with contracted service to University Heights (a separate city enclave inside of Iowa City). ICT operates routes in areas that overlap with two other transit providers, University of Iowa’s CAMBUS, and the neighboring city of Coralville’s bus system, Coralville Transit. ICT’s service is entirely fixed route, with paratransit being contracted out via Johnson County.

ICT was established in 1971 as a department of Iowa City, with CAMBUS being established a few years later. ICT works collaboratively with other area operators on certain items such as shared bus stops, fare policy, free transfers between systems, and long-term planning. Discussions have been held regarding the consolidation of ICT, CAMBUS, and Coralville Transit into one regional system, but that was not politically feasible. In 2022, a county-wide 2030 strategic plan was completed that identified investment in a reliable, regional transit system as one of the five focus areas, which may make consolidation of the various transit operations more politically viable.

Figure 3-9 summarizes the key characteristics of Iowa City Transit.

³⁰ TheRide 2023 Budget

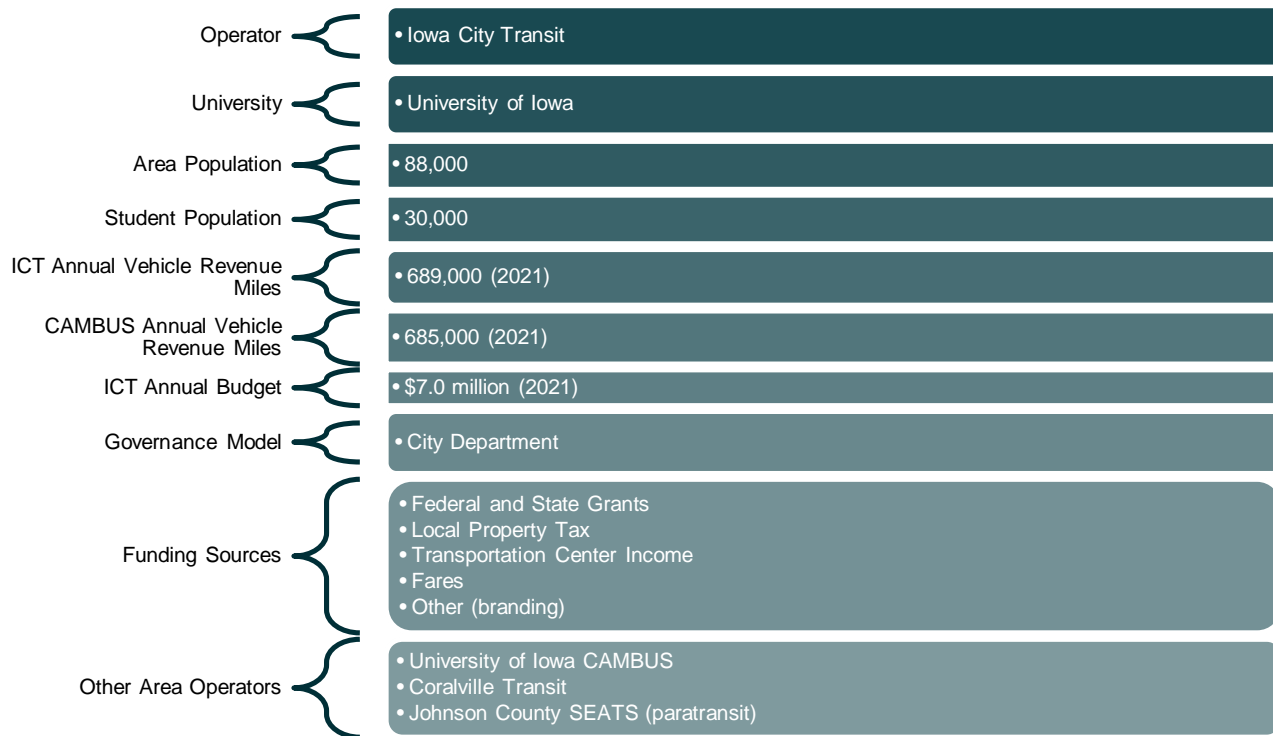


Figure 3-9 Iowa City Transit Key Characteristics³¹

3.4.6.1 Governance Structure

ICT is organized as a city department and is accountable to Iowa City council. The council makes governance and funding decisions for transit operations. With a transit supportive city council, the council is responsive to ICT projects and service requirements.

ICT has casual relationships with CAMBUS and Coralville Transit, coordinating fare policy and transfer points. Besides coordination with CAMBUS and a student annual pass program, ICT doesn't have a formal relationship with the university.

There are no wage agreements between ICT and Coralville Transit, and they have separate unions. CAMBUS is operated by students at the university, and therefore is not in competition with ICT and Coralville for staffing.

3.4.6.2 Funding Structure

In addition to federal and state grants, ICT receives a local property tax that is earmarked for transit (\$0.95 per \$1000 of real estate value). ICT also owns a transportation center, which is a mixed-use parking structure that has a daycare, a restaurant, and intercity bus bays. The agency receives parking and rental revenue from this facility. ICT has a contract with a private student housing development to provide frequent service between the development and campus. The contracted service with University Heights is indexed to an inflation index, and ICT and University Heights re-sign a new contract annually.

The university offers students an annual pass to use ICT at a reduced rate. ICT has an MOU with the university for the university to cover the subsidy offered to students on these annual passes. Most of ICT's ridership comes from these student annual passes.

ICT's specific funding breakdown is shown in Table 3-7.

³¹ Sources: FTA National Transit Database for [Iowa City Transit](#), [CAMBUS](#), and [Coralville Transit](#), US Census Bureau, [University of Iowa](#).

Table 3-7 Iowa City Transit Funding Sources, FY2021³²

Source	Amount (Millions)
Federal Grants	\$2.6
State Grants	\$0.6
Local Funds	\$2.3
Fares/Directly Generated Funds	\$1.5
Total	\$7.0

3.5 Governance and Funding Themes Observed

Table 3-8 provides a summary of the main governance and funding characteristics observed from the peer agencies. Agencies selected were diverse in governance types and funding sources. Among the six agencies selected, two were city departments, two transit authorities, one public transportation corporation, and one 501(c)(3) nonprofit. In most cases, the governance structure present influenced the types of local funding available. For example, both Bloomington and Ann Arbor have taxing authority and therefore levy a local property tax for substantial support for transit. However, CATA, a municipal joint authority, is not afforded taxing authority due to existing state laws. We therefore see the importance of not only identifying a type of governance model but ensuring that the state and local laws can enable the outcomes sought.

Additionally, we see a unique arrangement in Blacksburg, where although a department of town government, a sizable portion of the transit agency's funding is received from Virginia Tech. This is largely due to its student ridership population and historical context of the agency's formation. All six peer agencies provided some form of contract service to their respective universities.

A distinctive funding source identified in Iowa City Transit and CATA were contract arrangements with student housing/apartment complexes to provide transit service from their properties to the main network. The public-private partnership between Ann Arbor's TheRide and a private motorcoach operator for long-distance airport service is also unique among the peers.

With regard to interagency collaboration or consolidation considerations among peers, both TCAT (Ithaca) and Bloomington Transit provided good examples. TCAT's consolidation process was systematic and took over a decade to complete. Beginning with the formation of an operations committee in 1991, the three agencies moved into one facility and began sharing administrative staff, utilities costs, and other costs. It wasn't until 1996 that state legislation was passed and 1998 for the joint venture agreement to be finalized. The incorporation as a nonprofit entity was finally completed in 2005. In the case of Bloomington Transit, although both the university system and city transit supported consolidation, external influences within the state prevented the merger from occurring. However, recent changes in the state funding formula (no longer ridership dependent) have restarted conversations once more about the two agencies merging. Discussions have been positive and agency officials are considering initiating the consolidation process within the next three years. Outside these two examples, coordination and collaboration among agencies in peer regions appeared minimal and casual, with more interactions between agencies and the university than among one another.

Lastly, innovative transit projects have long been a means of increasing public interest in transit. In Bloomington, a 2022 ballot measure from the city government passed to introduce a new tax with a transit component passed and will provide an additional \$4 million per year towards capital and operating expenses. The success of the ballot was partly due to the city communicating the potential for a new bus rapid transit route.

³² Iowa City Transit 2021 FTA NTD Profile

Table 3-8 Governance and Funding Summary Table

Agency	Blacksburg Transit (BT)	Bloomington Transit (BT)	CATA	TCAT	TheRide	Iowa City Transit (ICT)
Year started	1983	1982	1974	1998 (incorporated), became a nonprofit in 2005	1969	1971
Annual Budget (2021)	\$21.2 million	\$14.5 million	\$18.7 million	\$15.8 million	\$55.0 million	\$7.0 million
Division of service between university and operator	BT provides university transit	BT does not provide university transit	CATA provides university transit	TCAT provides university transit	TheRide does not provide university transit	ICT does not provide university transit
Coverage	Within town limits, contracted service to nearby town	Within city limits	Between 5 member municipalities and 3 contracted municipalities	Within the county	Within 3 member municipalities	Within city limits, contracted service to a nearby town
Jurisdictions served	Blacksburg, Christiansburg (contracted), and Virginia Tech	Bloomington	Borough of State College, Patton Township, Ferguson Township, Harris Township, College Township. Contracts for Borough of Bellefonte, Pleasant Gap, and Boalsburg	Tompkins County, City of Ithaca, Cornell University	Ann Arbor, City of Ypsilanti, and Ypsilanti Township	Iowa City and University Heights
Governance Type	Town Department, funded by VT	Public Transportation Corporation	Joint Municipal Authority	501(c)(3) nonprofit	Transportation Authority	City Department
Organizational Changes	None	Attempted consolidation with university around 2010, likely to attempt again by 2026	None	Consolidated 3 agencies in 1998	When Ypsilanti township was added, Board restructured to give Ann Arbor a supermajority	None, likely going to attempt consolidation with university transit and neighboring transit by 2030
Board Composition/Membership	No board. Reports to Deputy Town Manager. Coordinates with Virginia Tech for service decision making. Accountable to Town Council.	5 members, 3 appointed by city council and 2 appointed by mayor	5 members, 1 appointed by each of the 5 member municipalities ³³	8 members, 2 members from Cornell, 3 from county, and 3 from city	10 members, 8 members from Ann Arbor, 1 from Ypsilanti and 1 from Ypsilanti Township	No board, governed by Iowa City Council
Board Powers	NA	Taxing, eminent domain, grants, and operate transit	No taxing authority but has eminent domain. Can operate transit.	No taxing, eminent domain, or other governmental powers, as it is a nonprofit, but can operate transit.	Taxing, eminent domain, grants, to sue, to operate transit	NA
Board Officers and Committees	No board	Chair, Vice Chair, Treasurer, Secretary	Chair, Vice Chair, Secretary, and Treasurer	Chair, with committees for Audit, Budget, HR, Planning, and Transit Service	Chair, Secretary, and Treasurer	No board
Local Funding Sources	Virginia Tech contract, Christiansburg contract	Local property tax, Local income tax	Member municipality general funds, apartment contracts, contracted service	City, county, and university general funds	Local property tax (levied by both TheRide and by the City of Ann Arbor)	Local property tax, student housing contract, transport center revenue

³³ CATA requires that board members receive training from PennDOT.

4 Revenue Generation

4.1 Analysis Approach

Two transit network alternatives were developed as part of TJPDC's Transit Vision Study for the region. Operating costs for the two alternatives were estimated at roughly \$35.5 million and \$85 million per year for the constrained network and unconstrained network respectively³⁴. The constrained vision network was developed under the premise of a future regional transit authority with the ability to generate additional revenue. Both options provide a drastic improvement to current transit service across the region including increased routes, frequencies, and days of service for the urban areas; and micro transit options and all-day regional service, seven days a week into the city from the lower density areas. Detailed descriptions of the transit service improvements can be found in the study [report](#).

This section presents a revenue analysis that first identifies a list of potential transit funding mechanisms, estimates the associated funding yields for a subsection of feasible sources, and develops revenue models with five year projections based on the estimated [Transit Vision Study](#) costs.

As shown in Figure 4-1, a broad range of funding sources were assembled to start the discussion for the region. A shortlist of feasible revenue sources was then developed and analyzed.

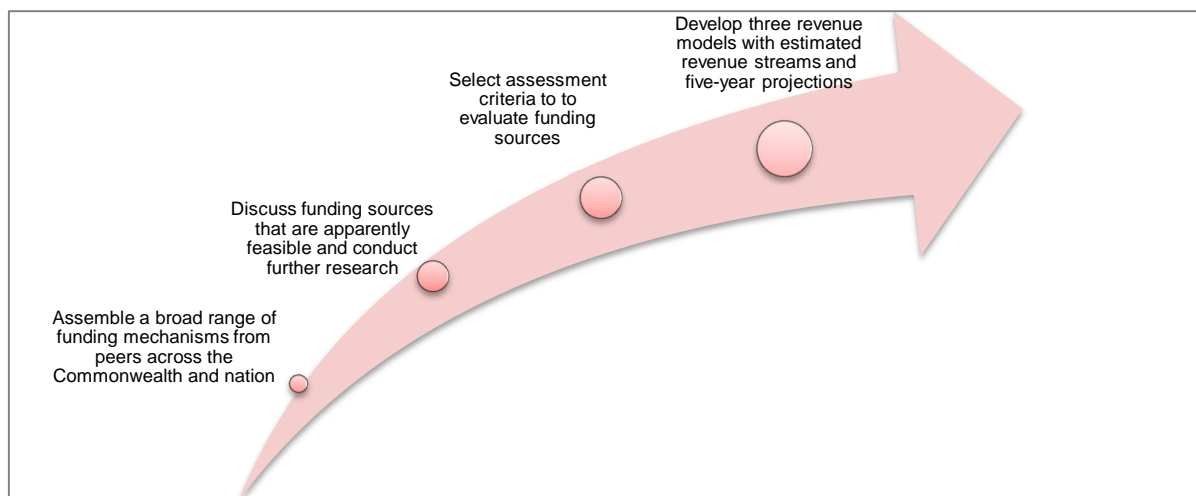


Figure 4-1 Revenue Analysis Approach

The shortlisted revenue sources were analyzed using the following evaluation criteria:

- **Feasibility and Ease of implementation:** This refers to the amount of effort required for initial implementation to ongoing collection of the revenues.
- **Potential public acceptability:** Public consultations through stakeholder engagement were carried out to determine potential public acceptability. Engaging local elected officials was used as a means to gauge public preferences.
- **Potential revenue yield:** This refers to the amount of money that an option could be expected to reasonably generate based on a set of assumptions.
- **Predictability and stability:** The level of predictability and stability of the source would determine the extent of short- and long-term planning that can be carried out.
- **Equity considerations:** This entails considering the impact of the funding source on different groups of people in various ways.
- **Strategic development objectives:** The impact of an option on the locality or region's strategic planning and developmental objectives. For example, increased access to jobs, creating a healthy environment for residents, improving accessible public transportation options.

³⁴ Total cost estimates do not include costs associated with capital investments and ADA paratransit service requirements for fixed route expansions.

4.2 Potential Funding Sources

4.2.1 Overview of Transit Funding Sources

Generally, public transportation is funded through a combination of federal, state, local and internally generated sources (e.g., fares, advertising, etc.) (Figure 4-2). Federal funds consist of grant programs for urban and rural areas that agencies can receive directly or through a pass-through recipient. These funds are typically formula based and used for capital or operating assistance. State funds in the Commonwealth consists of operating and capital assistance provided by the Virginia Department of Rail and Public Transportation. The operating assistance follows a performance-based methodology for agency allocations. State funding for capital investments is based on a transparent prioritization process which scores applications under the categories: state of good repair, minor enhancement, and major enhancements.

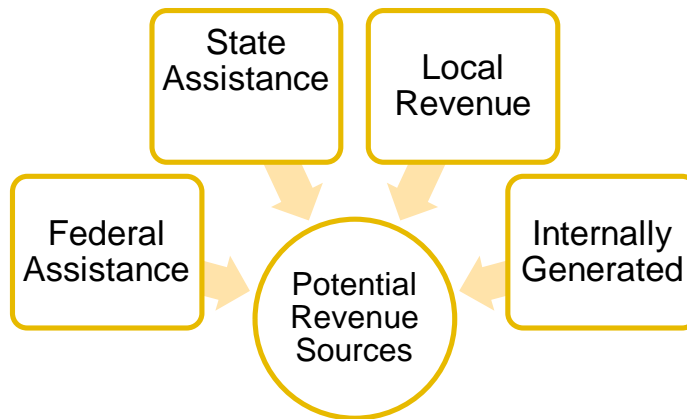


Figure 4-2 General Sources of Transit Revenue

Local revenue refers to funding from sources such as municipalities or local jurisdictions. In the case of Region 10, local revenue is made up of funds from the city and counties served by the public transit agencies. Internally generated funds are directly generated by the transit agencies and include contract revenues, advertising, or any fares collected. Average operating costs per year for current transit service in the region (not including UTS) is approximately \$18 million per year with the local component making up about a third (~\$5 million³⁵ in 2021) of the total amount. A substantial increase in local funding is required to meet the funding gap between current transit funding and the future funding needed to maintain or increase transit service across the region.

Table 4-1 shows a broad range of funding sources typically used to fund public transportation across the nation. These sources produce varying levels of yields but served as a discussion point with stakeholders.

³⁵ National Transit Database (2021).

Table 4-1 US Regional and Local Transit Funding Options

Traditional Tax- and Fee-Based Transit Sources	Common Business, Activity, and Related Funding Sources	Revenue Streams from Projects (Transportation and Others)	New “User” or “Market-Based” Funding Sources
<ul style="list-style-type: none"> - General revenues - Sales taxes - Property taxes - Contract or purchase-of-service revenues (school/universities, private organizations, etc.) - Lease revenues - Vehicle fees (title, registration, tags, inspection) - Advertising revenues - Concessions revenues 	<ul style="list-style-type: none"> - Employer/payroll taxes - Vehicle rental and lease fees - Parking fees - Realty transfer tax - Corporate franchise taxes - Occupancy/lodging taxes - Hotel/motel taxes - Business license fees - Utility fees/taxes - Lottery and/or casino revenues - Corporate franchise taxes - Income taxes - Cigarette Tax - Realty transfer taxes/mortgage recording fees - Donations - Other business taxes 	<ul style="list-style-type: none"> - Transit-oriented development (TOD)/joint development - Value capture/beneficiary charges - Public Private Partnerships (PPP) - Special assessment districts - Community improvement districts/community facilities districts - Impact fees - Tax-increment financing districts - Transportation Development Districts - Right-of-way leasing 	<ul style="list-style-type: none"> - Tolling (fixed, variable, dynamic; bridge/roadway) - Congestion pricing - Emissions fees - Vehicle Miles Travelled (VMT) fees

Source: Transit Cooperative Research Program TCRP 2009

Comparing the universe of funding sources (Table 4-1) to transit revenue sources from the peer study cases³⁶ evaluated, the common sources identified were sales tax, local property tax, local income tax, mortgage recording tax, value capture from transit facilities, and various service contracts to apartment complexes and universities. These sources were reviewed again under the Virginia state context to evaluate feasibility.



4.2.2 Transportation Funding in the Commonwealth

In 2020, the transportation funding in the Commonwealth was revised by the General Assembly through the enactment of the Omnibus Transportation Bill, Chapter 1230 (House Bill 1414). The new legislation channelled all transportation revenues to the Commonwealth Transportation Fund (CTF) before distribution to various funds and programs. Revenue sources for the CTF include:

- Motor vehicles fuel taxes and road fuels for diesel fuel
- Vehicle registration fees
- Highway use fee
- 0.5% statewide sales and use tax
- 0.3% statewide sale and use tax for transportation
- 4.15% motor vehicles sales and use tax
- Motor vehicle rental tax
- 0.03 of the \$0.25 of the \$100 of assessed value of the statewide recordation tax

³⁶ The peer study cases include Blacksburg, VA; Bloomington, IN; State College, PA; Ithaca, NY; Ann Arbor, MI; and Iowa City, IA.

- Tax on liquid alternative fuel
- International registration plan feeds
- 33% of the revenue from insurance premium taxes

In addition to these sources, the CTF receives dedicated federal funding from the Federal Highway Administration (FHWA) and the Federal Transit Administration. Revenues are also received from funds dedicated for regional transportation improvements in Northern Virginia, Hampton Roads, and Central Virginia. These revenues become pass through revenues for the Washington Metropolitan Area Transit Authority (WMATA) Capital Fund, Central Virginia Transportation Fund, Northern Virginia Transportation Authority Fund, Hampton Roads Transportation fund and Hampton Roads Regional Transit Fund.

For the three Virginia regional transportation authorities, Central Virginia Transportation Authority (CVTA), Hampton Roads Transportation Accountability Commission (HRTAC), and Northern Virginia Transportation Authority (NVTA), the main sources of revenue include the following:

- Sales tax
- Grantors tax
- Fuel tax
- Transient Occupancy Tax/lodging tax
- Recordation tax
- Toll revenues
- Interstate Operations Enhancement Program
- Truck registration fees

Table 4-2 summarizes the funding sources.

Table 4-2 Summary of Main Funding Sources for three Virginia Regional Transportation Authorities

Funding Source	Entity	Description
Sales Tax	CVTA	0.7% regional sales tax.
	HRTAC	0.7% sales tax, funding the HRTF. Can only fund road projects. \$146.2 million (2020)
	NVTA	0.7% special district sales tax. \$197.04 million (FY2022). Can fund transit.
Grantor's Tax	HRTAC	Additional six cents per \$100. Can be used for transit projects.
	NVTA	Part of the "Regional Congestion Mitigation Tax", which as a whole raised ~\$17.85 M in FY2022.
		\$0.10 (formerly \$0.15) congestion relief fee (renamed the regional transportation improvement fee) within the nine jurisdictions. Can be spent only on road construction, capital improvements that reduce congestions, other projects approved in the regional transport plan or for transit.
Fuel Tax	CVTA	7.6 cents/gallon on gasoline/gasohol
		7.7 cents/gallon on diesel
		Indexed to inflation.
		35% - CVTA use on transportation-related purposes for Planning District 15
		15% to GRTC or successor for transit and mobility services within Planning District 15
		50% returned, proportionally to each locality to improve local mobility through construction, maintenance, or expansion of roads, sidewalks, trails, mobility services, or transit located in the locality.
	HRTAC	7.6 cents/gallon on gasoline/gasohol
		7.7 cents/gallon on diesel, subject to annual adjustment.
		Can only fund road projects.
NVTA	3.5% for gasoline 6% for diesel fuel	
Transient Occupancy Tax	HRTAC	1% local hotel tax. Can be used for transit projects.
		Only collected in six localities with HRT service
	NVTA	3% tax on transient occupancy (hotels). Can be spent only on road construction, capital improvements that reduce congestion, other projects approved in the regional transport plan or for transit.
Truck Registration Fees	NVTA	Portion of increased truck registration fee as part of I-81 Corridor Improvement Fund distributed to NVTA

Funding Source	Entity	Description
Interstate Operations Enhancement Program	NVTA	To improve the safety, reliability, and travel flow along interstate highway corridors in the commonwealth through the development and funding of operational and capital improvements.
		Preceded by I81 Corridor Improvement Plan (completed)
		43.7% - I81 corridor Improvement
		8.4% to NVTA Remaining allocated by CTB
Toll Revenues	HRTAC	Authorized to use tolls for new construction or existing highways, bridges, tunnels.
		Has state guidance on tolling (\$345M) anticipated toll revenue for HRBT financing (FY20-FY26)
Recordation Tax	HRTAC	Taxes paid during the sale of property which can be used for transit projects. Estimated at \$20 million for 2020.
Northern Virginia Transportation District Fund Transfer	NVTA	The district is a subset of NVTA members. The District Fund receives transfers from the Transportation Trust Fund.
		70% regional needs and 30% local disbursement for transportation needs.
		Can be used for transit
		FY22 proposed budget had \$20M. ~\$6M (30%) for local jurisdictions and \$14M (70%) for regional transit

4.2.3 Shortlist of Potential Funding Sources for Region 10

Among all the sources explored, sales tax, lodging tax, fuel tax, recordation tax, property tax, and real estate tax were selected for further investigation. Below is more information about these funding sources and the pros and cons of them for the region.

Sales Tax

A sales tax refers to a tax on the sale of goods or services purchased³⁷. It is the most common source for local and regional transit services as it is moderately predictable and stable, although it fluctuates more than property taxes. Sales taxes are considered as a regressive tax because it taxes consumers at the same rate regardless of socioeconomic levels. However, this can be made less regressive by exempting items that lower-income individuals spend a sizable portion of their incomes on³⁸.

Public acceptance of the sales tax in the Commonwealth and in the U.S. is moderate as this is among the most common funding source for transportation and transit programs. It is more popular than income or business taxes. Due to its simplicity, citizens often feel confident in the fairness and allocation of the taxes. The sales tax would require an Act of the General Assembly to implement. Considering the success of this revenue source with other regional authorities in the Commonwealth, it can be considered moderately feasible. Furthermore, whether implemented regionally or only within the City of Charlottesville and all or parts of Albemarle County, a sales tax would produce a substantial amount of revenue that could be used to invest in transit.

Transient Occupancy/Lodging Tax

This is a tax levied on lodging establishments that receive compensation. It includes hotels and short-term rentals (e.g., Airbnb). The potential yield of this source is relatively lower compared to a sales tax or real estate tax; but can be moderately predictable in areas with an established level of tourism or out-of-town visitors. A lesson from the 2020 pandemic, although atypical, can be an indication of potential invariability with source. Additionally, in localities with few hotels or lodging establishments, the potential yield could be low. However, residents do not have to directly bear the cost of the additional tax but can receive the benefit of generating additional funds for transit.

Recordation Tax

This is a tax on the privilege of utilizing the registration laws of the state and is imposed on deeds, deeds of trust, mortgages, leases, contracts and agreements. As of 2022, the state recordation tax was levied at a rate of \$0.25 per \$100 of value recorded. Of the total revenue collected each year, \$20 million is currently allotted to the Hampton Roads Regional Transit Fund (HRRTF) as a result of the 2020 law change. Prior to the 2020 General Assembly Act,

³⁷ Not including a tax for non-prepared foods for this context

³⁸ The revenue analysis for sales tax in this memo excludes Virginia taxes for non-prepared foods.

quarterly distributions were made to localities in \$10 million installments based on each locality's proportional share of the total state recordation tax revenue. These distributions were made from \$40 million of the total revenue.

In 2022, a bill was presented which proposed to restore the quarterly distributions to localities but with a total distribution limit of \$20 million instead of \$40 million. Localities were required to use the funds for either transportation (including construction, administration, operation, improvement, maintenance, and financing of transportation facilities) or public education purposes. The bill also proposed to consequently end the annual \$20 million distribution to HRRTF beginning Fiscal Year 2023. Similar legislations are Senate Bills 363 and 512 (identical). This legislation failed. Considering the uniqueness of this source for funding transit, pursuing this source may be challenging, making feasibility lower than the other likely sources.

Regional or Supplemental Fuels Tax

Fuel taxes are a common source of revenue for transportation and transit funding. While costs of fuels could potentially increase over time, the move towards more fuel efficient and electric vehicles presents a challenge for the stability of this source.

In the Commonwealth, the 2020 Omnibus Bill changed the treatment of fuel taxes. Previously approved additional regional fuel taxes were made state-wide with regional authorities such as NVTC, PRTC, HRTAC, and CVTA receiving funds levied in the respective regions, while all other funds not specifically allocated to a jurisdiction was channelled to the District Grant Program. The excerpt below from "Virginia Code § 58.1-2295. Levy; payment of tax" shows an example of legislative language drafted for the CVTA in Planning District 15.

"5. (For contingent expiration, see Acts 2020, cc. 1235) In addition to all other taxes now imposed by law, there is hereby imposed a tax upon every distributor who engages in the business of selling fuels at wholesale to retail dealers for retail sale in any county or city located in Planning District 15, as established pursuant to Chapter 42 (§ 15.2-4200) of Title 15.2, in which a tax is not otherwise imposed pursuant to this section."

Since the additional/supplemental fuels tax is already being levied in the Charlottesville region for the District Grant Program, an act of the General Assembly would be needed to redirect this funding to a new regional authority. Considering the consequent impact on the statewide pool for the grant program, strong support would be needed to pursue this revenue source.

Personal Property Tax

Personal property taxes are administered by the localities and vary based on jurisdiction. The tax typically includes all motor vehicles, trailers, mobile homes, boats, and aircrafts. The potential yield from this source is moderately higher than a lodging tax of the same percentage. During the pandemic, some jurisdictions lowered the personal property tax rate as a result of the increased valuation of vehicles. Consequently, the timing of a potential increase to fund transit would be crucial and would require good engagement of residents to support the initiative.

Real Estate Tax

Real estate taxes are relatively stable and have the potential to yield a large amount of revenue. This could also be considered relatively progressive with income as property ownership tends to increase with income. Additionally, public transit improvements have the potential to either increase nearby property values or provide other benefits to residents and businesses in the form of reductions in congestion, emissions, and parking costs, among others.

An additional option under the real estate tax is land value capture or a transit benefit district tax. It is a special property tax imposed in areas with high-quality public transit, intended to recover a portion of the increased land values provided by transit and support the transit service improvements. Depending on the areas implemented, the potential yield could be moderate to large. This could also support developmental objectives by encouraging more concentrated development around transit hubs. This may however require special analysis and legislation to determine the appropriate tax structure.

Table 4-3 shows a summary of funding sources considered along with the respective advantages and potential challenges. The table also includes "general fund expenditures" as this is the current funding mechanism.

Table 4-3 Summary of Funding Sources

Type	Description	Advantage	Potential Challenge
General Fund Expenditures	Contributions from the general funds of localities to fund service	<ul style="list-style-type: none"> Localities can decide on amount of service to purchase annually based on local priorities 	<ul style="list-style-type: none"> Varies from budget cycle to budget cycle depending on local priorities making it less predictable and reliable Amount and type of service can change by budget cycle making it less reliable for customers Limited general fund revenues may put a strain on local resources Variability in transit funding makes long term transit planning difficult
Sales Tax*	A tax on the sale of goods or services purchased. (Not including tax for non-prepared foods)	<ul style="list-style-type: none"> Most common source for local and regional transit services Moderate public acceptance Potential to produce high yields relative to other funding sources. Relatively stable and predictable Minimal cost for implementation as sales taxes are already collected 	<ul style="list-style-type: none"> Potential to impact lower income individuals than other socioeconomic levels.
Transient Occupancy /Lodging Tax	A tax on lodging establishments	<ul style="list-style-type: none"> Does not directly impact residents Moderate public acceptance as a transit funding source in Virginia due to implementation in other regions 	<ul style="list-style-type: none"> Revenue yield may be minimal in some areas Potential implementation challenge with rural areas with no established lodging tax
Personal Property Tax	In Virginia, a tax on the value of all motor vehicles, trailers, mobile homes, boats, and aircrafts	<ul style="list-style-type: none"> Relatively stable source Ease of implementation as property taxes are already collected in most jurisdictions 	<ul style="list-style-type: none"> Potential public resistance to increase if rate is significant
Regional/Supplemental Fuels Tax	A tax on distributors who sell fuels at wholesale to retail dealers for retail sale	<ul style="list-style-type: none"> Relatively accepted user fee to related to the social cost of driving Potential to reduces instability of source by including different types of fuel 	<ul style="list-style-type: none"> If increasing fuel taxes increase demand for transit, it simultaneously reduces the source of revenue More fuel-efficient cars could decrease this revenue source Value could erode over time if not indexed to inflation
Real Estate Tax	A tax on the assessed on the value of land and buildings	<ul style="list-style-type: none"> Widely used to finance transit and typically considered a default funding source Relatively stable source Ease of implementation as property taxes are already collected in most jurisdictions 	<ul style="list-style-type: none"> Minimal potential to shift development between jurisdictions

4.3 Analysis Results

This section presents an analysis of four potential public transit funding options for discussion and further evaluation. They are (i) sales tax, (ii) lodging tax, (iii) personal property tax, and (iv) real estate tax. Estimates were derived from

local government financial reports³⁹ with either projected or adopted budget estimates between fiscal years 2022 and 2024. Estimates are in constant dollars with annual growth standardized at 1% for sales tax estimates and 2% for all other taxes following City of Charlottesville projections.

The analysis assumes that the habits of residents in the region remain unchanged with the estimated increases in taxes (inelastic demand). It is worth noting that demand can be inelastic only to a point. If additional increases were significantly higher, residents could be incentivized to live or do business elsewhere, therefore such increases should be within reason and follow regional trends.

Table 4-4 shows the estimated added revenue from an additional 0.7% increase⁴⁰ in sales tax. The current sales tax rate across the region is 5.3%. This does not affect the 2.5% tax on non-prepared foods.

Table 4-4 Estimated revenues from additional 0.7% sales tax in millions of dollars

Added Revenue from 0.7%	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	Total
Albemarle	\$16.3	\$16.4	\$16.6	\$16.8	\$16.9	\$83.0
Charlottesville	\$10.2	\$10.3	\$10.4	\$10.5	\$10.6	\$51.9
Fluvanna	\$1.9	\$1.9	\$1.9	\$1.9	\$1.9	\$9.5
Greene	\$2.2	\$2.3	\$2.3	\$2.3	\$2.3	\$11.4
Louisa	\$5.0	\$5.0	\$5.1	\$5.1	\$5.2	\$25.3
Nelson	\$1.1	\$1.1	\$1.2	\$1.2	\$1.2	\$5.8
Total	\$36.6	\$37.0	\$37.4	\$37.7	\$38.1	\$186.8

Table 4-5 shows the estimated added revenue from an additional 0.5% increase in the lodging tax. In the City of Charlottesville and Albemarle County, the lodging tax rate is currently at 8%. Nelson and Greene Counties are both at 5%, Louisa County at 2%, and Fluvanna 0%. Since Fluvanna County currently has no transient occupancy tax, there are no current revenues to determine future projections. Louisa County was therefore used as a proxy in the analysis. It should also be noted that Albemarle County recently increased their lodging and personal property taxes so consideration should be given to the timing for implementation.

Table 4-5 Estimated revenues from additional 0.5% lodging tax in millions of dollars

Added Revenue from 0.5%	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	Total
Albemarle	\$0.2	\$0.2	\$0.2	\$0.2	\$0.2	\$1.0
Charlottesville	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$2.5
Fluvanna	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.5
Greene	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.3
Louisa	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.5
Nelson	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.6
Total	\$1.0	\$1.1	\$1.1	\$1.1	\$1.1	\$5.4

Table 4-6 shows the estimated added revenue from an additional 0.5% increase in personal property tax. Louisa County’s analysis follows a 2.43% residential personal property tax, but there is a 1.90% personal property tax applicable to businesses. The City of Charlottesville has a 4.2% tax rate. Albemarle, Greene, Fluvanna, and Nelson counties have a 3.4%, 5.0%, 3.7%, and 2.8% rate respectively. It should also be noted that Fluvanna County’s personal property tax was lowered in 2022.

³⁹ City of Charlottesville Long Term Revenue & Expenditure Planning & Forecasts, Fiscal Year 2024 Budget
 Albemarle County Fiscal Year 2023 Adopted Budget
 County of Louisa, Virginia Adopted Annual Fiscal Plan Fiscal Year 2023
 County of Fluvanna, Virginia Annual Comprehensive Financial Report Fiscal Year Ended June 30, 2022
 County of Fluvanna, Virginia Annual Comprehensive Financial Report Fiscal Year Ended June 30, 2022
 County of Greene, Virginia Financial Report Year Ended June 30, 2022
 Nelson County FY24 Proposed Budget (May 9, 2023)

⁴⁰ 0.7% is consistent with sales tax rates used to support HRTAC, CVTA, and NVTA.

Table 4-6 Estimated revenues from additional 0.5% personal property tax in millions of dollars

Added Revenue from 0.5%	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	Total
Albemarle	\$5.5	\$5.6	\$5.7	\$5.8	\$5.9	\$28.5
Charlottesville	\$1.5	\$1.5	\$1.6	\$1.6	\$1.6	\$7.9
Fluvanna	\$1.2	\$1.3	\$1.3	\$1.3	\$1.3	\$6.4
Greene	\$0.7	\$0.7	\$0.8	\$0.8	\$0.8	\$3.8
Louisa	\$2.4	\$2.4	\$2.5	\$2.5	\$2.6	\$12.5
Nelson	\$1.2	\$1.2	\$1.2	\$1.2	\$1.3	\$6.0
Total	\$12.5	\$12.7	\$13.0	\$13.3	\$13.5	\$65.0

Table 4-7 shows the estimated added revenue from an additional 0.1% increase in real estate taxes based on the yield from current tax rates. Current real estate tax for the City of Charlottesville is 0.96%, 0.85% for Albemarle County, 0.73% for Greene County, 0.72% for Louisa County, 0.87% for Fluvanna County and 0.65% for Nelson County.

Table 4-7 Estimated revenues from additional 0.1% real estate tax in millions of dollars

Added Revenue from 0.1%	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	Total
Albemarle	\$24.1	\$24.6	\$25.1	\$25.6	\$26.1	\$125.3
Charlottesville	\$10.6	\$10.8	\$11.0	\$11.2	\$11.4	\$55.0
Fluvanna	\$3.1	\$3.2	\$3.2	\$3.3	\$3.3	\$16.1
Greene	\$2.7	\$2.7	\$2.8	\$2.8	\$2.9	\$13.9
Louisa	\$6.5	\$6.6	\$6.8	\$6.9	\$7.0	\$33.8
Nelson	\$3.2	\$3.3	\$3.4	\$3.4	\$3.5	\$16.8
Total	\$50.1	\$51.1	\$52.2	\$53.2	\$54.3	\$260.9

These estimates serve as discussion starters on appropriate rates for each funding type.

5 Governance Options

This section summarizes the steps taken to identify potential governance options for regional transit developed through a consensus building process with regional stakeholders. The process objectively prioritized options based on analysis, experience, and alignment with the Regional Transit Vision. The section includes examples of governance structures that support transit and a list of preferred characteristics to guide the development of a governance structure for regional transit.

The Vision Study question, “*What is feasible in the Charlottesville region and what will policy makers advocate?*”, guided the final governance recommendations.

5.1 Legislative Review

5.1.1 Charlottesville-Albemarle Regional Transit Authority

The legislature provided for the Charlottesville-Albemarle Regional Transit Authority (CARTA) as early as 2009 with subsequent amendments. The authority is initially established as a service delivery organization, with the contracting, financial (including bonding), and acquisition and operating powers necessary. Its authority is for transit. Charlottesville and “all or portions of Albemarle County” are the essential boundaries, but additional portions of Albemarle, Fluvanna, Greene, Louisa, and Nelson counties, tourist-driven and public transit agencies, and higher education agencies may join as members.

The governing board is comprised of two Charlottesville Council members, two Albemarle County Commissioners, and one commissioner from each other county; other members are represented by non-voting members. There is no provision in the current CARTA legislation for funding; public funding would need to come from federal, commonwealth, and local funds.

5.1.2 Northern Virginia Transportation Authority

The Northern Virginia Transportation Authority (NVTA) is established as a multimodal planning and funding agency. It is funded with a variety of taxes including sales tax, grantors tax on real property, and other transfers provided for in tax revenue laws. It is comprised of Arlington, Fairfax, Loudoun, and Prince William Counties, as well as nearby independent cities. The governing board is comprised of elected officials from counties and cities, as well as state legislators from relevant committees, a gubernatorial appointee, the DRPT director, the Commissioner of Highways, and the chief elected official of one town. While the authority has some powers to contract for and deliver services, it operates primarily through grants to service delivery agencies for roads and transit.

5.1.3 Hampton Roads Transportation Accountability Commission

The Hampton Roads Accountability Commission (HRTAC) is established primarily as a planning and funding authority like the NVTA. It funds both transit and road projects. The boundaries of the authority are those of Planning District 23, which includes four counties and ten cities. The authority was originally established to fund transportation (excluding transit) with specific taxes. In addition to the sales tax and fuel taxes provided for in the tax revenue statutes, HRTAC has access to a portion of the tolls on the I-64 / I-264 / Jefferson Avenue interchange. Subsequent amendments added additional funding sources dedicated *exclusively to transit*, and specifically to a regional transit program. This service is distinguished from the existing service that continues to be funded from the historical federal, state, and municipal funds and requires the municipalities to *maintain their prior transit funding levels*. The composition of the governing board is similar to NVTA's: the chief elected official of the counties and cities, together with state legislators, a gubernatorial appointee, the Director of DRPT and the Commissioner of Highways. The Executive Director of the Virginia Port Authority is included as well.

5.1.4 Central Virginia Transportation Authority

The newest of these agencies is the Central Virginia Transportation Authority (CVTA) in the greater Richmond region, whose boundaries are those of Planning District 15. Like NVTA, CVTA has some service delivery authority, but it has established itself as a planning and funding authority. Furthermore, it is required to pass through substantial funding to the Greater Richmond Transit Company (GRTC) or its successor. CVTA is funded primarily by a sales tax, but with some fuel tax and provision for future toll revenue. It also has a *maintenance-of-effort* requirement requiring continuation of 50% of the pre-existing local public transit funding, plus escalation. While most of CVTA's revenue is available for roads or other transportation, 15% is designated for use by GRTC or its successor.

5.1.5 Williamsburg Area Transit Authority

In addition to these transportation authorities, the Williamsburg Area Transit Authority (WATA) is the only example of a regional transit authority in the Commonwealth. Granted enabling legislation in 2006 by the Virginia General Assembly, the local governments of James City County, York County, and City of Williamsburg, as well as the College of William and Mary and the Colonial Williamsburg Foundation formed the regional transit authority in 2007. WATA became the successor to James City County and Williamsburg Area Transport, providing a regional focus to its service. The governing board is comprised of staff members from the city and counties, as well as representatives appointed by the Foundation, College, and DRPT. Unlike the authorities previously discussed, the WATA legislation does not include funding.

5.1.6 Other Governance Frameworks

Other noteworthy frameworks in Virginia are the public service corporation and the transportation district commission. The Public Service Corporation (examples include GRTC and Jaunt) provides public ownership and control of the powers needed for transit service delivery and a governance mechanism. Like CARTA, there is no provision for new funding. The governance is based on a joint stock corporation concept which reflects the initial ownership and agreed changes.

The Transportation District Commission framework is available to all groups of counties or cities in Virginia. The Transportation District Commission of Hampton Roads (or doing business as Hampton Roads Transit) and the Northern Virginia Transportation Commission (NVTC) are examples. Governing boards for these agencies are made up of elected officials, and there is no new funding authority in the legislation. While Hampton Roads Transit⁴¹ is primarily a service delivery organization, NVTC (which has some unique legislative provisions) is primarily a service and funding coordinating agency, taking advantage of the multi-county, multi-city structure of the commissions.

5.2 Existing Transit Coordination in Charlottesville Region

The Charlottesville area does not currently have a regional body for transit service delivery decision making. However, the Regional Transit Partnership was created by the City of Charlottesville, Albemarle County, and Jaunt, in partnership with the Virginia Department of Rail and Public Transportation to provide recommendations to decision-makers on transit-related matters. The RTP was birthed out of a TJPDC Regional Transit Coordination Study conducted in response to the 2016 request by the Planning and Coordination Council (PACC) to review and recommend opportunities for improved communication, coordination, and collaboration on transit matters.

In 2017, the Charlottesville-Albemarle Metropolitan Planning Organization (MPO), the City of Charlottesville, Albemarle County, Jaunt Inc., and the TJPDC entered into a Memorandum of Understanding (MOU) defining the vision, roles, and responsibilities for the RTP. In 2021, the MOU was amended to include the University of Virginia.

The RTP is staffed by the MPO and supported with Section 5303 funding from the Federal Transit Administration and DRPT. The RTP's program area is limited to the Metropolitan Planning Area, which includes the City of Charlottesville and the urbanized portions of Albemarle County.

⁴¹ Hampton Roads Transit receives dedicated regional funding through HRTAC.

The RTP voting membership is as follows:

- Charlottesville City Council: Two representatives from and appointed by the Council
- Albemarle Board of Supervisors: Two representatives from and appointed by the Board of Supervisors
- Jaunt Board: One urban and one rural representative
- Virginia Department of Rail and Public Transportation: One DRPT representative
- University of Virginia: One UVA representative

The RTP non-voting membership is as follows:

- CAT staff
- Jaunt staff
- Albemarle County Student Transportation
- City of Charlottesville Student Transportation
- Charlottesville-Albemarle Metropolitan Planning Organization (CA-MPO)
- RideShare
- Charlottesville Transit Advisory Board
- UVA Hospital
- Charlottesville Area Alliance
- Piedmont Environmental Council
- Albemarle Executive Staff
- Charlottesville Executive Staff

The RTP elects a Chair and Vice-Chair as officers who serve one-year terms. Officers of the RTP are eligible for re-election after their term expires.

The goals of the RTP are to (1) establish strong communication, (2) ensure coordination between transit providers, (3) set a regional transit vision and goals, and (4) identify opportunities for improved transit services and administration. The RTP serves as an advisory board only. It does not have any inherent decision-making powers and does not supersede management over the public transit operators in the region.

5.3 Recommended Characteristics for Regional Transit Governance

A series of group and individual stakeholder meetings were conducted with county boards of supervisors, the Charlottesville City Council, staff members, and other state, regional, and local stakeholders. The purpose of the meetings was to determine each locality's core interests and transit priorities, and to identify areas of possible compromise in developing final governance options. Discussions centered around political feasibility, equity impacts, establishing accountability for transit funding, maximizing financial investments, service outcomes, long-range outcomes, and administrative feasibility.

The discussions included a review of governance options under current legislation, legislative options for changes, and the extent to which the region's transit needs are already met. Governance discussions covered the following:

- Authority establishment and participating localities
- Board membership
- Role of the authority in decision making and transit planning
- Performance indicators and accountability
- Role of transit providers
- Participation opportunities for rural localities, and
- Administrative cost burden

The subsequent sections describe the characteristics for a regional transit authority in Region 10.

5.3.1 Establishment and Membership

With the exception of funding authority, the existing CARTA legislation possesses the fundamental structure and make-up of a regional transit authority that could serve Region 10. It is recommended for regional stakeholders to adopt the existing structure in the interim while an *ideal* transit authority that has potential to accomplish regional goals is pursued. The *ideal* transit authority would have the primary function of regional transit planning and funding. Its responsibility would be to manage transit funding in the region to support the sustainable growth of reliable and efficient transit service in compliance with all local, state, and federal requirements.

The following describes the *ideal* transit authority for the region. These characteristics were derived from a comparative review of other Virginia RTAs⁴² and regional peers, and consensus building discussions with regional stakeholders.

- **Creation:** The authority may be created by issuing new state legislation or modifying existing⁴³ legislation to form a transit authority that meets the characteristics described. Existing legislation for the Charlottesville-Albemarle Regional Transit Authority (CARTA) may be amended to include funding and align with other sections described in this section.
- **Authority participation:** The authority may be created with the City of Charlottesville and Albemarle County as initial members, and an option for the counties of Fluvanna, Greene, Louisa, and Nelson to join as participating members as well.
- **Other Entities as Participants:** Other entities such as higher education institutions, public transportation agencies, or private nonprofit entities may also join the authority upon agreement, concurrent resolution, or ordinance of the existing members of the authority.

Existing CARTA legislation allows adoption of the legislation by the localities after an approving ordinance or resolution is passed by the respective governing bodies.

To accommodate potential changes in population, population density, or transit need/usage across the region over time, flexibility may be provided to allow for changes in the participating localities/entities while ensuring consistency in a shared transit vision for the types and feasibility of transit options.

5.3.2 Board Composition

The existing Virginia authorities have a mixture of state, regional, and local representation on their governance boards. Details on board composition for NVTA, CVTA, WATA and HRTAC are provided in the Appendix for reference.

For the authorities with funding, representation is mostly elected officials (or their designees) from the governing bodies of the respective localities. An advantage to having elected officials on the board is that it provides direct accountability to taxpayers. WATA is the only example for which the board is comprised of staff members from the localities. WATA does not currently have dedicated funding enabled by the legislature. Table 5-1 summarizes other advantages and disadvantages of having elected officials or non-elected officials on governance boards.

⁴² Hampton Roads Transportation Accountability Commission (HRTAC), Central Virginia Transportation Authority (CVTA), and Northern Virginia Transportation Authority (NVTA).

⁴³ Charlottesville-Albemarle Regional Transit Authority <https://law.lis.virginia.gov/vacode/title33.2/chapter28/>

Table 5-1 Advantages and Disadvantages of Types of Board Composition

	Advantages	Disadvantages
Elected Officials	<ul style="list-style-type: none"> • Credibility of being elected by the people • Possess power within jurisdiction to effect changes • Opinions are potentially more in line with direction of the jurisdiction 	<ul style="list-style-type: none"> • Potential for having competing interests with non-transit-related issues • May be less motivated to be engaged on the board/attend meetings due to schedule demands • Additional structure needed to authorize delegation of alternates • Election cycles may create high turnover
Staff/ Citizen Appointees	<ul style="list-style-type: none"> • Insulated and free from the non-transit related issues • Can have fiduciary responsibility to transit and benefit to the people • Appointees with transit experience or specialized expertise provide added value • Close communication with appointing body can ensure transit needs and direction of jurisdiction are aligned 	<ul style="list-style-type: none"> • Do not possess the same power to effect changes within jurisdictions as elected officials

5.3.2.1 Authority Board

A governing board with terms closely aligning with the CARTA legislation may be adopted for the new authority. The board of directors will be comprised of elected officials from each locality embraced by the authority and representatives from any other entities that join the authority (e.g., higher education institutions). The board composition will be:

- Two directors representing the County of Albemarle, each of whom shall be a member of the governing body of the county.
- Two directors representing the City of Charlottesville, each of whom shall be a member of the governing body of the city.
- One director representing each county that joins the Authority, each of whom shall be a member of the governing body of each respective county.

The Board may also include gubernatorial appointees and representatives from state or regional bodies such as DRPT, the House of Delegates, the Senate, or any other body deemed appropriate by the state legislature. Additional directors may also be added to represent the interests of any agencies or institutions that join the authority.

Most authorities have the option for the board structure to change as needed to reflect changes in the region that occur over time. Rules for change may include transit service-based methods or population-based methods. Boards should ideally represent all taxpayers (including non-transit riding taxpayers), therefore, a combination of the two approaches could be considered if modifications are required.

5.3.3 Voting

Voting procedures will be established by the authority. Table 2 summarizes four examples of voting procedures from some authorities. The table includes the primary funding methods to show the correlation with the board make-up and voting procedures.

Table 5-2 Examples of Board Composition for Virginia Authorities

	CVTA	NVTA	HRTAC	WATA
Primary Funding	Tax revenues	Tax revenues, interest, bonds	Tax revenues, tolls, interest, bonds	None (costs allocated among members)
Total Members	18 (12 voting members and 6 non-voting)	17 (14 voting and 3 non-voting)	23 (19 voting and 4 non-voting)	7 (5 voting and 2 non-voting)
Voting	<ul style="list-style-type: none"> Elected officials from jurisdictions 1 member each from House of Delegates, Senate, Commonwealth Transportation Board (CTB) 	<ul style="list-style-type: none"> Elected officials from jurisdictions 2 House of Delegates 1 Senator 2 governor-appointed (1 CTB) 	<ul style="list-style-type: none"> Elected officials from jurisdictions 3 House of Delegates 2 Senators 	<ul style="list-style-type: none"> Staff from jurisdictions 1 Foundation
Non-Voting⁴⁴	DRPT, GRTC, RMTA, VDOT, Port, CRAC	DRPT, VDOT, annual rotating town	DRPT, VDOT, CTB, Port	College of William and Mary, DRPT
Voting Process	<ul style="list-style-type: none"> Weighted votes based on population in jurisdiction: Most populous each have 4 votes (Chesterfield, Henrico, Richmond) Least populous each have 1 vote (Ashland, Charles City) Delegate, Senator, and CTB member each have 1 vote 	<ul style="list-style-type: none"> Approval of an NVTA Action requires three tests: 2/3 of voting members present 2/3 of local government members present; and Local government members voting in favor must represent 2/3 of population of jurisdictions in NVTA 	<ul style="list-style-type: none"> 2/3 majority vote of elected officials on Commission, and Representing at least 2/3 of region's population. 	<ul style="list-style-type: none"> One vote per voting member (2 from James City and 1 each from remaining members) Quorum formed by majority of the board Vote of simple majority for decisions

5.3.4 Role in Decision Making and Transit Planning

The transit authority may have the following responsibilities for transit planning in the region:

- Prepare a regional transit plan for all or a portion of the areas located within boundaries of each member locality (long-range transit planning in area);
- Provide general oversight of area programs involving transit or congestion mitigation;
- Recommend regional transit priorities (including projects and funding allocations) to federal, state, and regional agencies;
- Advocate for transit needs in the area before federal and state governments;
- Apply for grants and any other funds from the federal or state government or any agency; and
- Ensure compliance with state and federal transit planning requirements.

Existing transit providers in the region may be contracted with for the provision of specific regional services the authority deems align with its objectives. Furthermore, as the transit operators in the region maintain core service functions (e.g., operations, route planning, maintenance, etc.), they may participate in the authority in a technical advisory capacity for a coordinated approach for regional transit planning.

⁴⁴ GRTC – Greater Richmond Transit Company; RMTA- Richmond Metropolitan Transportation Authority; VDOT – Virginia Department of Transportation; CRAC – Capital Region Airport Commission; Port – Virginia Port Authority

5.3.5 Powers

The powers granted to CARTA are similar to those of other Virginia authorities. However, each authority also has additional powers specific to its needs, e.g., ability to levy taxes or fees for transportation purposes. The exception to this is WATA, which does not have the ability to sell bonds or condemn property. WATA members are able to create an agreement to enable WATA to sell bonds backed by member jurisdictions.

An important power not currently granted to CARTA is the ability to levy taxes or fees for transit purposes and to determine the use of the new revenues collected. A detailed list of the powers granted to CARTA may be found in the appendix. Some powers granted to the authority include those listed below.

- Power to construct or acquire, by purchase, lease, contract, or otherwise, the transit facilities specified in the plan.
- Power to make, assume, and enter into contracts, agreements, arrangements, and leases with public or private entities as the Authority may determine.
- Enter contracts or arrangements with its members, or other transit commissions of transportation districts adjoining any member, any authority, or state, local, or private entity.
- Power to acquire land.
- Power to sue and be sued.
- Power to determine and set fees, rates, and charges for transit services for any services which it directly operates⁴⁵.
- Ability to issue revenue bonds for the purpose of paying the cost of operating transit, directly or indirectly.
- Adopt, amend, or repeal bylaws, rules, and regulations not inconsistent with general laws of the Commonwealth.
- Adopt an official seal and alter it.
- Maintain an office at such a place or places as it designates.
- Ability to appoint, employ or engage officers and employees.
- Contract with any participating locality to provide legal services; engineering services; depository and accounting services; including an annual independent audit; and procurement of goods and services and act as a fiscal agent for the authority.

5.3.6 Withdrawal

Enabling legislations for the four authorities previously reviewed do not include provisions for withdrawal. However, the CARTA legislation does include this provision. It allows a member to withdraw from authority by resolution or an ordinance of its governing body, pursuant to the conditions and procedures adopted by the authority. A member may not withdraw if there are any outstanding bonds or other debt, unless there is unanimous consent of all the holders of the bonds. A member may also withdraw if such bonds have been paid, cashed, or United States government obligations have been deposited for their payment.

5.4 Other Characteristics

5.4.1 Indicators of Accountability

The authority may establish any procedures it deems necessary to ensure accountability of any revenue generated through a levy of taxes or fees. Examples of measures generally adopted by authorities include:

- **Board representation**
 - Board membership from localities and entities that embrace authority.
 - Elected officials serving on the board to represent citizens/taxpayers.
 - Representation from the state to ensure accountability (e.g., DRPT, House, Senate, CTB, and others).

⁴⁵ For Jaunt and CAT services, whether they are grant recipients of the authority or contractors, if they take the operating cost risk (i.e., for any unexpected deficiency in fare revenues relative to operating expense, they bear the risk), they will normally control fares.

- **Financial reporting**
 - Creation of separate fund for new revenue.
 - Development of a plan to prioritize transit projects of regional significance – in collaboration and approved by board members.
 - Requirement of annual documentation if funds are disbursed to another entity.
- **Funding oversight**
 - Creation of a finance committee to oversee financial activities made up of elected officials and/ or state representatives (e.g., CTB member).
- **Decision-making criteria**
 - Identify a set of criteria or guiding principles for regional transit investments (e.g., equity, economic impact, multimodality, etc.).
- **Technical advisory**
 - Creation of a committee comprising staff members from localities, transit operators, state level representatives (e.g., DRPT), regional stakeholders (e.g., MPO, TJPDC), and citizens.
 - Committee may support the development of decision-making criteria; project planning to identify projects of regional importance; project prioritization and selection; and review, comment on, and recommend an annual plan for expenditure of regional funds.

5.4.2 Administrative Costs, Cost Allocations, and Maintenance of Effort

Initial administrative efforts to set up the authority may be supported by the localities, DRPT, MPO, or TJPDC. The administrative host may be reimbursed for its administration cost from revenues of the authority.

In many cases across the country where transit authorities have dedicated funding sources that cover all the local costs of service provision, cost allocation between members may not be necessary. Among the Virginia authorities, some continued responsibility for local transit funding exists. For example, in the Richmond region, the CVTA legislation prevents members from reducing local transit funding by more than 50 percent of what was appropriated for public transit as of July 1, 2019 (a year before the authority was created). The legislation also includes provisions for adjusting the local amounts annually based on factors including the average consumer price index (CPI) starting in 2023.

Similarly, the HRTAC enabling legislation prevents member localities from reducing local funding for public transportation to an amount less than what was appropriated on July 1, 2019, for such purposes. This example shows a 100-percent maintenance of effort by the localities. However, amounts paid from the regional transit fund are considered to be local funds when used to make a required match for state or federal transportation grant funds.

In cases where cost allocations exist among members of a transit authority, different approaches are adopted in the development of a cost-sharing formula. Examples of different measures used formula development include population, ridership, service hours, service miles, or route-specific assignments to localities. In some cases, a combination of measures is used as a means of reaching an equitable formula. It is also common for formulae to be revised with changes in the authority or region.

For the new transit authority, a number of steps need to be taken before a cost allocation formula is developed if found to be needed. Once the authority is activated, the actual service to be delivered across the region will need to be determined—regional routes or jurisdiction specific routes to be funded. Once determined, ridership projections and overall costs for the service will become some factors to be considered to identify the most effective and equitable method for cost allocation.

5.5 Benefits of Adopting a Regional Transit Authority

The Charlottesville region is made up of a range of urban and rural areas, each with unique transit challenges. Furthermore, the region is served by multiple transit providers supplying the localities with much needed service. More investments in transit across the region are warranted as localities seek continuous improvements and quality of life for residents. Some benefits of adopting a regional authority are listed below:

- **Improved efficiency** – potential to reduce duplication and waste of resources, more efficient operations, cost savings, better use of taxpayer funds. (Although efficiencies can be achieved in some administrative functions such as procurement and IT, experience and data show that labor costs can increase when operations are completely consolidated).
- **Seamless connectivity** – improved coordination of services across localities for more integrated network
- **Expanded coverage** – potential additional service to underserved areas, increase mobility, and reduce disparities in transit access.
- **Economic development** – robust regional network can improve access to job centers, education, healthcare, and cultural attractions. Also attract businesses and residents to region
- **Attract investment** – a region with a well-integrated system may be more attractive to federal funding opportunities for transportation infrastructure improvements.
- **Social equity** – can help to ensure accessible and affordable transit to residents regardless of income or location.
- **Environmental benefits** – congestion reduction as an alternative to driving. Improve air quality and promote a more sustainable environment.
- **Data and planning** – better-informed planning and decision-making through pooled resources for data collection and analysis
- **Innovation and technology** – regionalism can facilitate adoption of new technologies, e.g., smart transit systems, mobile apps, real-time tracking and new operating structures – to enhance overall passenger experience.

A regional authority would ultimately serve as the collaborative, multijurisdictional entity for identifying and solving regional transit issues. The existing avenue for discussing regional transit issues, the RTP, needs to evolve into this authority. At present, the RTP's authority is not sufficient to enact change or make the required decisions regarding regional transit service. Over time, the full benefits of governing transit using a regional authority can be realized.

5.6 Legislative Process and Objectives

When new legislation is enacted, the possible combinations and variations are infinite. However, the effort and time required to enact legislation with the required number of approvals and votes makes each additional change in any proposal progressively more difficult, with completely new institutions generally being the most difficult of all. Region 10 can formulate its objectives for legislation and compare those to the legislative possibilities. These objectives may include:

- Potential level of new funding
- Side-effects of any funding generated (such as economic impact, equity, competitiveness of region's economy, revenue administration efficiency)
- Boundaries of the district affecting taxes paid or tax revenue no longer available for other uses, and affecting people served; the ability to change those boundaries in the future.
- Composition of the governing board
- Coordination and effectiveness of the institutions, including duplication of functions, operational planning effectiveness, efficiencies and economies of scale, ability to finance projects with debt, eminent domain power, intergovernmental coordination of regulatory, public works, and interfacing transportation functions.

The possible ways to achieve these objectives through a new entity or the modification of one of the frameworks described previously are numerous, but can be grouped, sorted, and assessed. From the perspective of the frameworks and the objectives, it seems that the possibilities can be grouped into two courses to obtain properly governed transit resources: (1) establish a new authority similar to CVTA or HRTAC or (2) modify the CARTA legislation to provide the additional authority needed (Figure 5-1).

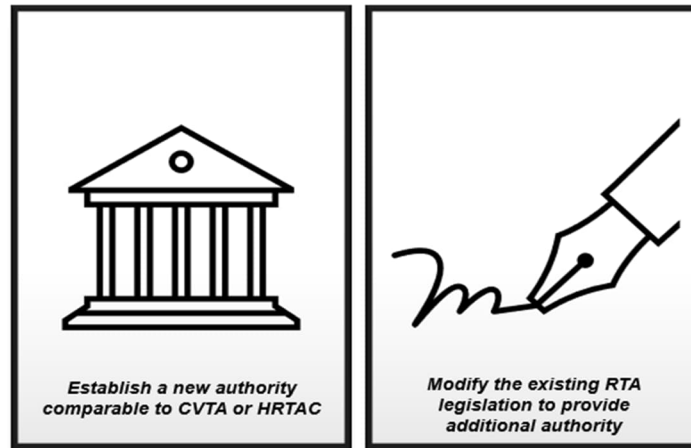


Figure 5-1 Courses of Action for Legislative Process

The first option will allow material changes to transit governance and funding in the region but will require substantial new legislation. The second option offers a framework already tailored for Region 10, with flexibility as to boundaries, but requires integrating this with the requirements for public funding in Virginia.

6 Study Findings and Recommendations

A successful component of the Region 10 Governance Study is the extensive stakeholder engagement carried out with staff and elected officials of localities, and representatives of regional and state bodies. Consequently, some transit needs and concerns across the region regarding a regional transit authority were made known. Below is a summary of the main findings from the study.

6.1 Desire for Regional Transit Governance

Throughout the study, the desire to invest more funding into transit and take a regional approach to governance was supported by a majority of the representatives from the localities of Region 10. Currently, there is general consensus among the urban localities on taking the next steps on establishing an authority and pursuing legislative action for dedicated transit funding. There is also increased interest in pursuing an interim regional entity to serve as a precursor to a regional transit “funding” authority. While legislative action is being pursued, a volunteer agreement between interested localities can be enacted to keep the momentum of current efforts, demonstrate regional management of transit toward a shared vision, and show benefits of additional funding.

Recommendation: Activate CARTA to serve as an interim entity for regional transit governance and decision making with the ability to expand its role over time.

It is recommended for the City of Charlottesville and Albemarle County to initiate preliminary discussions and enter into an agreement that allows for joint regional transit planning. Preliminary discussions can begin with drafting a set of bylaws designed to allow enough authority for short-term decision making and flexibility to allow more powers in the long-term. The interim entity may begin planning by working on the following:

- Set up a small committee consisting of stakeholder representatives to discuss steps towards implementing the interim agreement;
- Develop draft bylaws and engage rural localities;
- Engage UVA in preliminary discussions on their potential role in regional transit governance;
- Confirm agreement between participating stakeholders;
- Develop/finalize bylaws and other articles of the organization; and
- Initiate discussion on administrative functions for regional transit including cost allocations.

6.2 Rural Transit Needs Assessment

Throughout the study, rural localities (staff and elected officials) reiterated the importance of better understanding rural transit needs. The desire to know where transit dependent populations are located, proportions of county residents that are transit dependent, and how satisfied transit users in their respective counties are with the service currently received are among the emphasized requests.

In some interviews, anecdotal accounts of residents not receiving the needed service were shared. In one instance, it was mentioned that only about 40% of residents that need transit service receive it. Although these issues were raised, some of the interviewees expressed a general understanding that the service received likely corresponded to the amount of county funding provided. However, the transit service issues have led to these localities requiring more analysis and data on any service changes associated with establishing a regional authority.

Furthermore, discussions revealed that interjurisdictional travel with localities outside Region 10 is an added priority for some counties. This includes connections to neighboring counties outside the region. Further study is needed to determine the exact travel needs and the associated service levels needed. At present, the rural transit provider,

Jaunt, is undertaking a needs assessment, however, localities would have to coordinate with Jaunt to determine if the assessment's goals and objectives are aligned with those of their localities.

Recommendation: Conduct a transit needs assessment that clearly analyzes rural transit needs

6.3 Perceived Value and Loss of Control in a Regional Governance Arrangement

The perception that the urbanized areas of the region would receive more value from regional transit funding than the rural localities presented a challenge. There is a concern of being overshadowed by regional or urban needs that may be better understood and organized than rural needs. Another concern present throughout the study is that of rural residents being taxed for the benefit of the urban areas. This is exacerbated by the fear of not receiving enough control on a regional governance body and therefore not having their voices heard.

Some of these concerns may be alleviated once a rural transit needs assessment is completed and the needs clearly articulated. Additionally, various mechanisms (e.g., performance standards and transit investment criteria) to ensure an equitable distribution of transit investments across the region may be adopted as described in earlier sections. Continuous engagement by rural localities in the development of a transit authority and final legislative packet will enable these concerns to be addressed. One example discussed with the rural localities is the option to have a CVTA-style legislation that allows portion of transit revenue collected from the region to be allocated proportionally in support of county-specific transit/transit-related needs (e.g., interjurisdictional travel outside of Region 10).

Recommendation: Ensure continued rural engagement in development of legislative packet for a regional transit authority. Include protective mechanisms in the use of transit revenue generated to lead to equitable investments across the region. Continue educational efforts on the potential benefits of a regional authority and its impact on different types of residents.

6.4 Collaboration with UVA

UVA involvement in regional transit extends beyond that of a transit service provider (through UTS). The university is also a major stakeholder in the region and could serve as a crucial partner in the pursuit of regionalized transit service. Although representatives from the UTS were engaged throughout the study, further engagement with the university is needed to discuss potential mutual benefits in collaborating in regional transit service. Additional discussion with UVA stakeholders would lead to a clearer role for the university in a future authority.

Recommendation: Engage UVA leadership at a level where there is decision-making authority in subsequent efforts toward establishing a transit authority.

7 Conclusion and Next Steps

The Charlottesville region has long prioritized transit as an important trait of a healthy and thriving community. Since 2008, localities within the region have made persistent efforts to better coordinate and collaborate on transit issues starting with the first push for creating a transit authority. Though unsuccessful in securing the needed legislative approval for funding, the region's consistent efforts led to the creation of the Regional Transit Partnership and subsequent development of the Regional Transit Vision Plan. As a continuation of the effort, the Regional Transit Governance Study was undertaken.

The objective of this study was to identify effective options for governing regional transit and identifying potential funding mechanisms as a means of increasing transit investments. Through a phased approach of (1) reviewing existing conditions, (2) analyzing peer transit governance structures, (3) conducting a revenue generation analysis, and (4) reviewing potential governance options, an extensive list of stakeholders in Region 10 were engaged to build consensus toward creating a regional transit authority.

The interviews and workshops conducted provided the needed context and nuance with respect to individual localities. As efforts to pursue a regional authority continue, the following implementation actions can serve as a guide:

- Form working committee (composed of staff and elected officials, and/or volunteers)
- Define authority organizational functions such as methods for determining services to be provided, personnel policies, and methods for cost sharing
- Re-assess funding needs by reviewing alternative funding sources, and identify preferred funding
- Continue coordination with regional stakeholders
- Appoint Board Members
- Coordinate with Virginia state legislature
- Define powers and revenues to be requested
- Draft memoranda for inclusion in packages for the legislature
- Establish informal service planning
- Action by General Assembly
- Collect revenues
- Hire General Manager/Director
- Prepare and adopt regional transit plan
- Begin authority operations
- Hire and train staff as needed
- Undertake service design and planning, financial planning, cost sharing, and other administrative functions

The timeline to implement these actions will vary based on several factors including the political/legislative climate, support and drive from localities, and available resources to implement recommendations.

Appendices

Appendix A Stakeholder Engagement

Study Phase	Stakeholder
Phase I	Garland Williams, CAT Ted Rieck, Jaunt Diantha McKeel, Reginal Transit Partnership Rebecca White, UVA Matt Lawless, Scottsville Ray Amoruso, Hampton Roads Transit Brian Smith, Deputy CEO Hampton Roads Transit
Phase II	Brian Booth, Director, Blacksburg Transit John Connell, General Manager, Bloomington Transit Louwana Oliva, Executive Director, Centre Area Transportation Authority (CATA) Scot Vanderpool, General Manager, Tompkins Consolidated Area Transit (TCAT) Matt Carpenter, CEO, TheRide Darian Nagle-Gamm, Transportation Director, Iowa City Transit Danny Plougher, Virginia Transit Authority Lisa Guthrie, Virginia Transit Authority
Phase III	<u>Albemarle County</u> Diantha McKeel, Board member Jacob Sumner, Interim CFO Trevor Henry, Assistant County Executive Greene County Catherine Schafrik, County Administrator Dale Herring, Board Chair Jim Frydl, Planning Director <u>Nelson County</u> Ernie Reed, Central District Supervisor Dillan Bishop, Planning and Zoning Director <u>Fluvanna County</u> Patricia Eager, Board Vice Chair Kelly Belanger Harris, Assistant County Administrator <u>Louisa County</u> Christopher Coon, Deputy County Administrator Kevin Page, Executive Director HRTAC Laura Farmer, CFO VDOT Ted Rieck, CEO, Jaunt Garland Williams, Director, CAT Sean Nelson, District Engineer, VDOT Stacy Londrey, Assistant District Administrator, VDOT City of Charlottesville City Council
Phase IV	Albemarle County Board of Supervisors <u>City of Charlottesville</u> Llyod Snook, Mayor of Charlottesville Brian Pinkston, City Council Steven Hicks, Interim Deputy City Manager of Operations Ben Chambers, Transportation Planning Manager

Study Phase

Stakeholder

	<u>Greene County</u> Cathy Schafrik, County Administrator
	<u>Fluvanna County</u> Kelly Harris, Assistant County Administrator
	<u>Nelson County</u> Ernie Reed, Board of Supervisors Dylan Bishop, Director of Planning & Zoning
	<u>Louisa County</u> Chris Coon, Assistant County Administrator
	<u>University of Virginia (UVA)</u> Scott Silsdorf, Parking and Transportation Julia Montieth, UVA Office of the Architect

Appendix B Peer Study Summary

Agency	Blacksburg Transit (BT)	Bloomington Transit (BT)	CATA	TCAT	TheRide	Iowa City Transit (ICT)
Year started	1983	1982	1974	1998 (incorporated), became a nonprofit in 2005	1969	1971
Annual Budget (2021)	\$21.2 million	\$14.5 million	\$18.7 million	\$15.8 million	\$55.0 million	\$7.0 million
Division of service between university and operator	BT provides university transit	BT does not provide university transit	CATA provides university transit	TCAT provides university transit	TheRide does not provide university transit	ICT does not provide university transit
Coverage	Within town limits, contracted service to nearby town	Within city limits	Between 5 member municipalities and 3 contracted municipalities	Within the county	Within 3 member municipalities	Within city limits, contracted service to a nearby town
Jurisdictions served	Blacksburg, Christiansburg (contracted), and Virginia Tech	Bloomington	Borough of State College, Patton Township, Ferguson Township, Harris Township, College Township. Contracts for Borough of Bellefonte, Pleasant Gap, and Boalsburg	Tompkins County, City of Ithaca, Cornell University	Ann Arbor, City of Ypsilanti, and Ypsilanti Township	Iowa City and University Heights
Governance Type	Town Department, funded by VT	Public Transportation Corporation	Joint Municipal Authority	501(c)(3) nonprofit	Transportation Authority	City Department
Organizational Changes	None	Attempted consolidation with university around 2010, likely to attempt again by 2026	None	Consolidated 3 agencies in 1998	When Ypsilanti township was added, Board restructured to give Ann Arbor a supermajority	None, likely going to attempt consolidation with university transit and neighboring transit by 2030
Board Composition/Membership	No board. Reports to Deputy Town Manager. Coordinates with Virginia Tech for service decision making. Accountable to Town Council.	5 members, 3 appointed by city council and 2 appointed by mayor	5 members, 1 appointed by each of the 5 member municipalities ¹	8 members, 2 members from Cornell, 3 from county, and 3 from city	10 members, 8 members from Ann Arbor, 1 from Ypsilanti and 1 from Ypsilanti Township	No board, governed by Iowa City Council
Board Powers	NA	Taxing, eminent domain, grants, and operate transit	No taxing authority but has eminent domain. Can operate transit.	No taxing, eminent domain, or other governmental powers, as	Taxing, eminent domain, grants, to sue, to operate transit	NA

¹ CATA requires that board members receive training from PennDOT.

Agency	Blacksburg Transit (BT)	Bloomington Transit (BT)	CATA	TCAT	TheRide	Iowa City Transit (ICT)
				it is a nonprofit, but can operate transit.		
Board Officers and Committees	No board	Chair, Vice Chair, Treasurer, Secretary	Chair, Vice Chair, Secretary, and Treasurer	Chair, with committees for Audit, Budget, HR, Planning, and Transit Service	Chair, Secretary, and Treasurer	No board
Local Funding Sources	Virginia Tech contract, Christiansburg contract	Local property tax, Local income tax	Member municipality general funds, apartment contracts, contracted service	City, county, and university general funds	Local property tax (levied by both TheRide and by the City of Ann Arbor)	Local property tax, student housing contract, transport center revenue

Appendix C List of Common Transit Funding Sources

Funding Type	Description
General sales taxes	<ul style="list-style-type: none"> • Most common source of funding for local and regional transit services. • Generally, provides the greatest revenue yield and stability and are broadly accepted as a source of revenue for public transportation
General fund expenditures	<ul style="list-style-type: none"> • Revenues from a number of sources including state sales taxes, property taxes and income taxes. • Varies from budget cycle to budget cycle, depending on local priorities and are thus less predictable and reliable than revenues from other, more specific sources.
Vehicle registration fees	<ul style="list-style-type: none"> • Annual vehicle registration fees or other related fees. • Vehicle registration fees are the second most common source of transportation program related revenues at the state level, as more than half of states raise more than a quarter of their dedicated transportation revenues with these mechanisms. • Sound Transit, Seattle, WA • BART, San Francisco, CA
Employer/payroll taxes	<ul style="list-style-type: none"> • Levied on the amount of gross payroll for an employer, may be levied within transit districts for the generation of revenue but are usually administered by a state revenue agency on behalf of the transit district. • City of Portland • Transit Authority of River City, Louisville, KY
Concessions	<ul style="list-style-type: none"> • Leasing of transportation facilities to private entities for a large, upfront payment
Lottery and/or casino revenues	<ul style="list-style-type: none"> • States (and municipalities within states) with a statewide lottery or legalized gambling may designate revenues generated through these activities for the provision of public transportation services. • The State of New Jersey taxes 8 percent of casino gross revenues, roughly \$30M per month in 2007, and places these funds into the Casino Revenue Fund. A portion of this fund is dedicated to supporting a Senior Citizens and Disabled Residents Transportation Assistance Program. • The state of Pennsylvania dedicates a percentage of lottery revenues to a free transit program for persons over 65 years old traveling in off-peak hours.
Vehicle leasing and rental fees	<ul style="list-style-type: none"> • Municipal and regional authorities may opt to use revenues from locally imposed taxes on the rental of vehicles to fund transit services. • Allegheny County in Pennsylvania has enacted a \$2 rental car fee to help support transit services provided by Port Authority Transit Services in the Pittsburgh metropolitan region. • Vehicle rental companies are typically responsible for reporting and remitting these taxes to the regional authority. Similar taxes may also be levied on the leasing of vehicles, which generally take the form of a sales tax on the monthly lease payment.
Tollway revenues	<ul style="list-style-type: none"> • Revenues from toll facilities are often dedicated to providing for enhanced transit services within the tolled corridor.
Cigarette Tax	<ul style="list-style-type: none"> • Taxes levied on the sale of cigarettes are a common state revenue generating mechanisms and may also be employed by municipalities.
Parking fees and Fines	<ul style="list-style-type: none"> • Local transit agencies may receive significant levels of funding for operations from the parking fees and parking fines levied by the city or other regional government or they may receive parking related revenues generated at facilities owned by the transit authority.
Property taxes	<ul style="list-style-type: none"> • Assessed on the value of land and buildings and are the principal source of revenue for local governments. • The Ride, Ann Arbor, MI • Portions of local property tax revenues may be authorized for use by special districts and authorities such as transit authorities.

Funding Type	Description
Contracts or Purchase of service	<ul style="list-style-type: none"> Transit systems often receive revenues by providing additional transit related services to various entities outside of normal regularly scheduled services. Municipal governments, private businesses, health and social service agencies and educational intuitions often contract with transit agencies to provide specialized service
Lease revenues	<ul style="list-style-type: none"> Transit service providers often generate revenue by leasing various portions of their operations, such as parking facilities and terminal stations, for use by private enterprises.
Advertising	<ul style="list-style-type: none"> Advertisements placed on vehicles, facilities, and transit related materials such as schedules and maps. These revenues; however, are generally modest, accounting for anywhere between 0.1 and 3 percent of total operating income.
Realty transfer taxes/mortgage recording fees	<ul style="list-style-type: none"> Generally levied on the sale of residential, commercial, and industrial property. These fees may be levied at the state and local level and revenues are used for a variety of purposes, including transit services.
Corporate franchise taxes	<ul style="list-style-type: none"> Franchise taxes are generally levied on the profits and other taxable assets of a corporation. Considered a tax on business operations and is often based on the par value of the corporation's outstanding shares and surplus. Franchise taxes are often targeted at specific types of industries and economic activity.
Hotel/motel taxes	<ul style="list-style-type: none"> Common revenue generating mechanism employed by municipal and county governments. They are often only applied on certain days of the week, month or year and revenues are often used in the development and operation of tourism related facilities.
Utility fees	<ul style="list-style-type: none"> Common source of income for municipalities and county governments. They may be applied to a wide range of service such as water, electricity, waste collection and disposal, and sewage services. Revenues are typically deposited into general revenue and from there may be used to fund transit activities.
Public Private Partnerships (PPP)	<ul style="list-style-type: none"> The US DOT has prepared model legislation. Metro Transit Hiawatha Line, Minneapolis, MN The model provides states with examples of the basic elements to consider in authorizing PPP legislation. AirTrain JFK, NY Portland Metropolitan Area Express (MAX) Airport Extension, OR BART Oakland Airport Connector, CA California High Speed Rail Authority
Tax-increment Financing District (TIF)	<ul style="list-style-type: none"> Focused on capturing the added increment of a future stream of increased taxes that result from an increase in property values due to public investments. The excess tax increment is used to repay the public improvement bonds used to fund the improvements that led to the increase in value and tax returns. The revenues derived from these districts may be used for a number of purposes, including transit development.
Transportation Development Districts	<ul style="list-style-type: none"> A form of community improvement or community facilities district that is intended to provide a means of raising funds specifically for transportation improvements. Generally aimed at financing the cost of a specific project and may be applied to developing or improving transit services. Typically raise funds through the issuance of bonds, which are generally supported by tax increment procedures or dedicated sales taxes. Tax increment procedures are established by various state and local entities as a process for determining the value of land prior to development so that the incremental increase in value due to development can be appropriately credited to the desired programs. Bonds are issued based on the expected incremental increase and the revenues directed to the project.

Transit Funding Sources for Peer Study Agencies

Peer	Funding Source	Description	Jurisdiction/Entity
Blacksburg, VA	Virginia Tech Contract	Funding provided by Virginia Tech to Blacksburg Transit for bus routes that serve campus and the town. \$7.0 million annually (2021).	Virginia Tech
Bloomington, IN	Local Property Tax	A portion of Bloomington's property tax provides \$1.5 million annually to Bloomington Transit. (2022).	City of Bloomington
Bloomington, IN	Local Income Tax	Newly introduced in 2022. 1.345% tax providing an estimated \$4 million annually to Bloomington Transit (beginning 2023). Funds transit.	City of Bloomington
Bloomington, IN	IU Contract	Annual payments made by the university to cover student, faculty and staff rides on Bloomington Transit. \$1.2 million (2022). Funds transit.	Indiana University
State College, PA	Apartment Contracts	Contracts with student apartment buildings to provide their residents with free rides on CATA. Payments currently made on a per-ride basis. \$1.8 million annually (2021). Funds transit.	Student apartment buildings within CATA's jurisdiction
State College, PA	Penn State Contract	Contracts to CATA for three routes run on Penn State's campus. \$2.7 million annually (2021). Funds transit.	Penn State University
Ithaca, NY	Cornell Fare Payments	Annual payments made by the university to cover student, faculty and staff rides on TCAT. \$3.3 million (2022).	Cornell University
Ithaca, NY	Mortgage Recording Tax	Mortgage recording tax that provides \$0.9 million annually for TCAT (2022).	Tompkins County
Ann Arbor, MI	Ann Arbor Property Tax	Property tax of 2.5 mills within Ann Arbor dedicated to TheRide in perpetuity.	City of Ann Arbor
Ann Arbor, MI	Authority Area Property Tax	Property tax of 2.38 mills within TheRide's service area, which must be renewed in perpetuity. \$19.2 million annually along with the Ann Arbor tax (2022).	City of Ann Arbor, City of Ypsilanti, Ypsilanti Township
Iowa City, IA	Multi-modal transportation center income	Revenues from building rents (café, daycare, and restaurant) and parking fees make up approximately 6.8% of Iowa City Transit annual revenue (2021).	Iowa City Transit Center.

Appendix D Governance Summary for Virginia Authorities

	Charlottesville-Albemarle Regional Transit Authority (Existing Legislation)	Northern Virginia Transportation Authority	Hampton Roads Accountability Commission	Central Virginia Transportation Authority
Boundaries and membership	Charlottesville and all or portions of Albemarle County. All or portions of counties of Fluvanna, Greene, Louisa, and Nelson; private nonprofit tourist-driven agencies, higher education facilities of the Charlottesville-Albemarle area, and public transportation agencies serving such counties. Each other city, town or portion of county that opts in and is approved by existing members.	Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park	Each county [four] and city [ten] located in Planning District 23.	Each county, city, and town located in Planning District 15
Board Composition	Two commissioners from Albemarle County, two council members from Charlottesville, one member of each other member county, up to four non-voting members representing the interests of other members	Chief elected officer of the governing body of each county and city embraced by the Authority or their designated elected officer; two from the membership of the House Committee on Appropriations, the House Committee on Finance, or the House Committee on Transportation; one from the membership of the Senate Committee on Finance and Appropriations and the Senate Committee on Transportation; one gubernatorial appointment shall be a member of the Commonwealth Transportation Board and one shall be a person who has significant experience in transportation planning, finance, engineering, construction, or	Chief elected officer of each of the 10 cities; a current elected official of each of the four counties; three members of the House of Delegates and two members of the Senate; a member of Commonwealth Transportation Board appointed by the Governor; the Director of the Department of Rail and Public Transportation, or designee; the Commissioner of Highways, or designee; and Executive Director of the Virginia Port Authority, or designee	Chief elected officer, or designee, of each of the counties; chief elected officer, or his designee, of the City of Richmond and the Town of Ashland; One member of the House of Delegates and one member of the Senate

	Charlottesville-Albemarle Regional Transit Authority (Existing Legislation)	Northern Virginia Transportation Authority	Hampton Roads Accountability Commission	Central Virginia Transportation Authority
		management; ex officio: the Director of the Department of Rail and Public Transportation, or his designee; the Commissioner of Highways, or his designee; and the chief elected officer of one town in a county embraced by the Authority to be chosen by the Authority.		
Candidate Revenue Sources	No dedicated revenue authorized - but administrative expenses not otherwise funded will be allocated to the members by formula.	Sales Tax, Grantors Tax, Northern Virginia Transportation District Fund Transfer, Interstate Operations & Enhancement Program Transfer - restructured as transfers from Commonwealth Transportation Fund	Excluding Transit: an additional 0.7% retail sales and use tax and an additional wholesale motor vehicle fuels tax currently set at a rate of 7.7 cents per gallon for gas and 7.8 cents per gallon for diesel; HOV tolls on I64 / I264 / Jefferson Ave. interchange. Dedicated to transit: regional grantor's tax at a rate of \$0.06 per \$100, a regional hotel tax at one percent, and \$20 million annually from State recordation taxes.	Regional 0.7 percent of sales and use tax, and wholesale gas tax of 7.6 cents per gallon for gasoline and 7.7 cents per gallon for diesel fuel; specific future tolls; No locality embraced by the Authority shall reduce its local funding for public transit by more than 50 percent of what it appropriated for public transit as of July 1, 2019 with escalation
Authorized Uses	Transit planning and service delivery.	Transportation	Transportation excluding transit for the initial taxes, and a regional transit program only for the added taxes.	35 percent be used for transportation-related purposes benefiting the localities; 15 percent to the Greater Richmond Transit Company (GRTC), or its successor, to provide transit and mobility services; Fifty percent, proportionally, to each locality to improve local mobility,
Acquisition /Operating Authority	May acquire assets and deliver services; may contract for service delivery.	Distributes funds to delivery agencies	Distributes funds to delivery agencies.	Distributes funds to delivery agencies.

Appendix E Bylaws of Transportation Authorities in Virginia

BYLAWS
OF
THE CENTRAL VIRGINIA TRANSPORTATION AUTHORITY

Approved:
August 27, 2020
Amended and Readopted:
June 25, 2021
Amended and Readopted:
September 23, 2022

ARTICLE I

POWERS AND DUTIES

The Central Virginia Transportation Authority (the “Authority”) shall have all of the authority, powers and duties, and shall be subject to the limitations and restrictions, set forth in Chapter 37 of Title 33.2 of the Code of Virginia of 1950, as amended (the “Virginia Code”), as such may be amended from time to time (the “Act”).

ARTICLE II

MEMBERSHIP

A. Authority Members. The Authority consists of seventeen (18) members (“Members” or “Member”) as follows:

1. The chief elected officer, or his/her designee, of the governing body of each of the seven (7) counties embraced by the Authority.
2. The chief elected officer, or his/her designee, of the City of Richmond and the Town of Ashland.
3. One member of the House of Delegates who resides in a county or city embraced by the Authority and appointed by the Speaker of the House.
4. One member of the Senate who resides in a county or city embraced by the Authority and appointed by the Senate Committee on Rules.
5. One member of the Commonwealth Transportation Board who resides in a locality embraced by the Authority and is appointed by the Governor.

6. The following shall serve as nonvoting *ex officio* members of the Authority:
 - a. The Director of the Virginia Department of Rail and Public Transportation, or his/her designee,
 - b. The Commissioner of Highways, or his/her designee,
 - c. The Executive Director of the Virginia Port Authority, or his/her designee,
 - d. The Chief Executive Officer of the Greater Richmond Transit Company (GRTC), and
 - e. The Chief Executive Officer of the Richmond Metropolitan Transportation Authority (RMTA).
 - f. The Chief Executive Officer of the Capital Region Airport Commission.

B. Designees. If a Member of the Authority described in Article II, section A, subsection (1) or (2) is unable to attend a meeting of the Authority, the Member may designate another current elected official of such governing body to attend the meeting of the Authority. Such designation shall be for the purposes of the one meeting that the Member is unable to attend and shall be submitted in writing or electronically to the Chair of the Authority at least forty-eight (48) hours prior to the affected meeting.

C. Terms of Membership. All Members of the Authority shall serve terms coincident with their terms of office.

ARTICLE III

OFFICERS AND DUTIES

A. Officers. The Authority shall annually elect from its voting Members a Chair and Vice Chair. The Authority may further elect such other subordinate officers from among its Members as it may from time to time deem appropriate. The election of officers shall be conducted in accordance with the voting procedures set forth in Article IV, section K.

B. Terms of Office. Officers of the Authority shall be elected at the annual organizational meeting of the Authority, to serve for a term of one (1) year or until a successor is elected, unless sooner removed by the Authority or the person ceases to be a Member of the Authority. All officers shall be eligible for reelection; provided, however, no officer may serve more than two (2) consecutive one (1) year terms. Any officer who serves a partial term shall not be considered as serving a full term for purposes of this limitation. Any vacancy occurring in an office will be filled for the unexpired term by the Authority at the next regular meeting (or at an earlier special meeting called for that purpose) following the occurrence of such vacancy.

C. Nominating Committee. At a regular meeting held preceding the annual organizational meeting at which the election of officers will be held, the Chair shall appoint a nominating committee, subject to the approval of the Authority. At the annual organizational meeting, the nominating committee shall submit the name or names of one or more persons for the offices of Chair and Vice Chair and for the two (2) Finance Committee members appointed by the Authority. Additional nominations may be made by any Member at the annual meeting.

D. Chair. The Chair shall preside over all meetings of the Authority at which he or she is present and shall vote and make motions as any other Member. The Chair shall be responsible for the implementation of the actions taken, and policies established by the Authority, shall have all of the powers and duties customarily pertaining to the office of Chair, and shall perform such other duties as may from time to time be established by the Authority.

E. Vice Chair. In the event of the absence of the Chair, or the inability of the Chair to perform any of the duties of the office or to exercise any of the powers thereof, the Vice Chair shall perform such duties and possess such powers as are conferred on the Chair, and shall perform such other duties as may from time to time be assigned to the Vice Chair by the Chair or be established by the Authority.

ARTICLE IV

MEETINGS

A. Annual Organizational Meeting. The regular meeting for the month of July shall serve as the annual organizational meeting for the purpose of electing officers and transacting such other business as may come before the meeting.

B. Regular Meetings. Regular meetings of the Authority shall be held on a periodic basis as determined by resolution of the Authority, but not less frequently than once per quarter, at a place to be determined by the Chair, or at such time and place as the Authority may determine.

C. Special Meetings. Special meetings shall be held when requested by two (2) or more Authority Members. Such request shall be in writing, addressed to the Chair, and shall specify the matter(s) to be considered at the meeting. Upon receipt of such request, the Chair shall immediately ensure the necessary coordination for a meeting site and time and cause notice to be provided to each Member of the Authority to attend the special meeting at the time and place specified. Such notice shall specify the matter(s) to be considered at the meeting, and shall be sent by electronic (e.g., email) or telephonic means. No matter not specified in the notice shall be considered at such special meeting unless all Members of the Authority are present.

D. Adjourned Meetings. Any regular or special meeting may be adjourned to a date and time certain.

E. Public Notice. All meetings of the Authority shall be preceded by public notice given in accordance with the provisions of the Virginia Freedom of Information Act, Section 2.2-3707, et seq. of the Virginia Code. Notice of all meetings shall be published on the Authority's website and available in the offices of the Authority.

F. Public Hearing. Public hearings may be held at the direction of the Authority and shall, unless otherwise specified by the Authority or these Bylaws, be upon notice published on the Authority's website and in a newspaper or newspapers having general circulation in the geographic area encompassed by the Authority, if required by applicable law.

G. Open Meetings. All Authority meetings shall be open to the public in accordance with the Virginia Freedom of Information Act (Virginia Code §2.2-3700 et seq.), provided that the Authority may meet in closed session for those purposes authorized by, and held in accordance with the requirements of the Virginia Freedom of Information Act.

H. Quorum. A majority of voting Members of the Authority, or their designees pursuant to Article II, section B, shall constitute a quorum. Vacancies shall not be considered in the establishment of a quorum.

I. Temporary Absence. No action shall be voted upon by the Authority unless a quorum is present or achieved by members participating by electronic communication means; provided, however, that the temporary absence from the meeting room of Members (or designees attending pursuant to Article II, section B) required to constitute a quorum shall not be deemed to prevent presentations or deliberations regarding any matter that may be submitted to a vote. The Chair or any other Member may note the absence of a quorum during presentations or deliberations, but a failure to note the absence of a quorum during that period shall not affect the requirement that a quorum exist when any vote is taken.

J. Decisions of the Authority. The Authority shall act in one of the following ways:

1. Resolution – The Authority may act upon adoption of a resolution. Resolutions shall be in writing and a copy of any proposed resolution shall be provided to all Members of the Authority before the resolution is proposed for adoption.
2. Motion – The Authority may act on oral motion made by any voting Member of the Authority (or a designee attending pursuant to Article II, section B).

K. Voting. Votes shall be taken only upon motions made and seconded. All voting shall be taken by voice or by roll call if requested by any voting Member (or any designee attending pursuant to Article II, section B).

1. Votes – Votes of the chief elected officers of localities or their designees, appointed to the Authority shall be weighed, based upon the population of the locality, as follows:
 - a. A vote cast by each member representing the Counties of Chesterfield and Henrico and the City of Richmond shall each constitute four (4) votes.
 - b. A vote cast by the member representing the County of Hanover shall constitute three (3) votes.
 - c. A vote cast by each member representing the Counties of Goochland, New Kent and Powhatan shall each constitute two (2) votes.
 - d. A vote cast by each member representing the Town of Ashland and the County of Charles City shall each constitute one (1) vote.
2. The Delegate, the Senator, and the member of the Commonwealth Transportation Board appointed to the Authority shall each receive one (1) vote.

3. For the purposes of this section, each voting Member of the Authority refers to the Member or if a Member has a designee attending pursuant to Article II, section B, then that Member's designee. Each voting Member of the Authority shall be entitled to one (1) vote in all matters requiring action by the Authority and those votes shall be weighted as described in K.1. Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion. The population of the counties and cities embraced by the Authority shall be the population as determined by the most recently preceding decennial census, except that on July 1 of the fifth year following such census, the population of each county and city shall be adjusted, based on population estimates made by the Weldon Cooper Center for Public Service of the University of Virginia, and such adjusted population shall be utilized for the following years until the next decennial census.

L. Commencement of Meetings. At the times specified for the commencement of regular meetings, and at the hour specified for adjourned or special meetings, the Chair shall call the meeting to order, and shall ensure that the presence of Members (or their designees) or absence is noted. A quorum shall be required for the commencement of any meeting.

M. Agenda. The Chair shall prepare an agenda for each meeting. Any Member having matters to be considered by the Authority shall submit them to the Chair for inclusion on an appropriate agenda. The agenda for an upcoming meeting shall be sent to the Members prior to the meeting date (for regular meetings, the Chair should endeavor to provide the agenda at least ten (10) days in advance).

N. Minutes. Minutes of the meetings of the Authority, except closed sessions, shall be kept and be a public record. Copies of the minutes shall be provided to each Member prior to the meeting at which the minutes are to be presented for approval by the Authority.

O. Closed Sessions. If a closed session is required at a meeting, consistent with purposes permitted by Virginia law, the agenda shall specify a time or position on the agenda, generally after all public business has concluded, for such a closed session properly called and conducted in accordance with Virginia law. When so requested, the Chair may permit a closed session at any other time prior to consideration of any agenda item provided that the purpose of the closed session and the procedure used to go into closed session are in accordance with Virginia law.

P. Member participation and meetings conducted by electronic communication means.

1. The Authority may authorize members to participate in a meeting by electronic communication means pursuant to policies adopted by the Authority in compliance with the Virginia Freedom of Information Act and other applicable laws.

2. The Authority may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency and in compliance with applicable law, or when otherwise authorized by applicable law. Meetings conducted by electronic communication means shall comply with the Virginia Freedom of Information Act, other applicable laws, and Authority policies.

Q. Order in Conduct of Business.

1. Persons Addressing the Authority. Prior to public comment and public hearings, the Authority will provide guidelines for length of presentation by individuals and group representatives. Persons speaking at a meeting or public hearing shall confine their remarks to the subject of the meeting or public hearing. Persons addressing the Authority may furnish the Chair and Members with a written copy of their remarks, at or before the meeting.
2. Reorder by Chair. At the discretion of the Chair, the conduct of business by the Authority may be reordered to allow earlier consideration of matters about which a substantial number of persons desire to address the Authority or for any other legitimate reason.
3. Recognition. Recognition shall be given only by the Chair. No person shall address the Authority without first having been recognized.
4. Questions. Questions by Members (or their designees) shall be reserved insofar as possible for the end of a presentation to avoid interrupting the speaker, disrupting the time-keeping process, and duplicating ground the speaker may cover.
5. Authority Discussion. – Discussion and debate by the Authority shall be conducted following the presentation of the item of business pending. No Member (or designee) shall speak to the item until recognized by the Chair.

R. Decorum.

1. Authority Members. Decorum of Members (and designees) shall be maintained in order to expedite disposition of the business before the Authority. Questions and remarks shall be limited to those relevant to the pending business. Members (and designees) shall address all remarks to the Chair.
2. Others. Decorum of persons other than Members shall be maintained by the Chair. Persons addressing the Authority shall first be recognized by the Chair and shall audibly state their name and address, and, if applicable, who they represent. Speakers shall limit their remarks to those relevant to the pending items and to answering questions. They shall address the Authority as a whole unless answering a question of an individual Member (or designee). Persons whose allotted time to

speaker has expired shall be advised by the Chair to conclude after which such person shall leave, unless he or she is asked to remain to answer questions from the Authority. The Chair shall call the speaker to order if out-of-order remarks are made or other indecorous conduct occurs. If such persists, the Chair shall rule the speaker out-of-order and direct the speaker to leave. Groups or a person in the audience creating an atmosphere detrimental or disturbing to the conduct of the meeting will be asked to leave by the Chair.

ARTICLE V

COMMITTEES

A. Open Meeting Requirement. Authority appointed committees and subcommittees shall comply with the open meeting requirements of the Virginia Freedom of Information Act.

B. Finance Committee.

1. Charge. This committee shall be responsible for advising the Authority on all financial matters and overseeing financial activities undertaken by the Authority, including:
 - a. Reviewing, commenting on, and recommending the annual budget and adjustments to the budget,
 - b. Reviewing annual revenue estimates,
 - c. Recommending the Authority's financial policies (e.g., bond, investment, procurement, risk management and small purchases) and making recommendations,
 - d. Monitoring the Authority's compliance with fiscal policies and procedures,
 - e. Reviewing GRTC's, or its successor's, expenditure of funds received through the Authority on a quarterly basis,
 - f. Reviewing each locality's expenditure of funds received through the Authority on a quarterly basis,
 - g. Reviewing financial statements, and
 - h. Working with the Auditor of Public Accounts or its legally authorized representatives in performing the annual audit of financial accounts of the Authority.
2. Membership. The Committee shall consist of five (5) Members of the Authority; three (3) shall be from the jurisdictions with the highest populations and two (2)

shall be appointed by the Authority.

3. Chair. The Chair and the Vice Chair of the Committee shall be elected by the Committee.
4. Staff Support. Staff support may be requested by the Committee Chair from CVTA personnel, jurisdictional or other agency staff.
5. Quorum and Voting. A quorum shall consist of a majority (3) of the Committee members. Approval of recommendations shall require an affirmative vote of a majority of the Members present.

C. Technical Advisory Committee.

1. Charge. This committee shall be responsible for advising the Authority on all planning, project and program prioritization, selection, and programming matters, including:
 - a. Developing and recommending adjustments to the project and program eligibility, prioritization, and selection process for the regional allocations of funds received through the Authority,
 - b. Reviewing recommended projects and programs for funding identified through the prioritization process,
 - c. Reviewing, commenting on, and recommending GRTC's, or its successor's, annual plan for expenditure of regional public transportation funds received through the Authority, and
 - d. Reviewing to confirm project and program eligibility and recommending each locality's plan for expenditure of funds received through the Authority.
2. Membership. The Committee shall consist of fifteen (15) members. Each of the nine (9) localities embraced by the Authority shall appoint one (1) technical representative employed by the locality to the Committee. The Virginia Department of Rail and Public Transportation (VDRPT); the Virginia Department of Transportation (VDOT); the Greater Richmond Transit Company (GRTC); the Richmond Metropolitan Transportation Authority (RMTA), the Virginia Port Authority (VPA); and, the Richmond Regional Transportation Planning Organization (RRTPO) shall each appoint one (1) representative to serve as a nonvoting member of the Committee. Each member locality, agency, and organization may appoint an alternate to the Committee.
3. Chair. The Chair and the Vice Chair of the Committee shall be elected by the Committee.

4. Staff Support. Staff support may be requested by the Committee Chair from CVTA personnel.
5. Quorum and Voting. A quorum shall consist of five (5) of the voting Committee members. Approval of recommendations or actions shall require an affirmative vote of a majority of the Members present. Either Committee members or alternates will be considered in determining meeting quorums and voting on actions of the Committee.
6. The Committee shall meet as required in the performance of its duties.

D. Additional Committees. The Authority may, in its discretion, form such additional advisory committees as it may deem appropriate.

E. Ad Hoc Committees. As needed, the Chair of the Authority may appoint ad hoc committees to pursue specific tasks (e.g., nominating committee; personnel committee, transit committee). In the absence of an appointed personnel committee, the Finance Committee shall be responsible for conducting the Executive Director's annual review, reviewing employee compensation and recommending adjustments thereto.

ARTICLE VI

ADMINISTRATION

A. Executive Director. The Authority shall employ or contract with an Executive Director who shall have direct authority for the employment, retention and supervision of all other employees of the Authority. The Executive Director shall have direct control, subject to the oversight and authority of the Authority, of the management of the day-to-day administrative affairs of the Authority. The Executive Director shall propose activities to the Authority and shall carry out policies, programs and projects approved by the Authority, and shall be responsible for preparing and presenting the annual budget. The Executive Director may not contemporaneously serve as a Member of the Authority.

B. Staff. The Authority may employ or contract for such staff of qualified professional and other persons as the Authority determines to be necessary to carry out its duties and responsibilities. Staff of the Authority may not contemporaneously serve as a Member of Authority.

C. Execution of Instruments. The Executive Director, on specific authorization by the Authority, shall have the power to sign or countersign in its behalf any agreement or other instrument to be executed by the Authority including checks and vouchers in payment of obligations of the Authority.

ARTICLE VII

FINANCES

A. Allocation of Funds. The funds received through the Authority shall be allocated as follows: 35% shall be retained by the Authority to be used for transportation-related purposes benefitting the localities comprising Planning District 15; 15% shall be distributed to GRTC or its successor, to provide transit and mobility services in Planning District 15; and 50% shall be distributed, proportionally, to each locality located in Planning District 15 to be used to improve local mobility, which may include construction, maintenance, or expansion of roads, sidewalks, trails, mobility services, or transit located in the locality.

B. Finances and Payments. The monies of the Authority shall be deposited in a separate bank account or accounts in such banks or trust companies as the Authority designates, and all payments (with the exception of those from petty cash) shall be made in the most practicable manner as determined by the Authority. Checks and drafts shall be signed and countersigned by the Chair (or, in the Chair's absence, the Vice Chair), and the Executive Director (or, in the Executive Director's absence, those authorized from time-to-time by vote of the Authority or, where the Vice Chair is acting solely as a countersigning party, the Vice Chair).

C. Audits. The Commonwealth's Auditor of Public Accounts, or his legally authorized representatives, shall annually audit the financial accounts of the Authority, and the cost of such audit shall be borne by the Authority.

D. Budget and Fiscal Year. After a duly convened public hearing held in accordance with the requirements of Virginia Code § 33.2-3706(A), the Authority shall adopt an annual budget for each fiscal year, which budget shall provide for all of the revenues and the operating, capital, and administrative expenses of the Authority for the fiscal year. The fiscal year of the Authority will commence on July 1st each year and will terminate on the following June 30th. The annual budget for a fiscal year shall, except in the case of the Authority's first fiscal year, be adopted before such fiscal year begins. The Executive Director is authorized to administer the administrative budget approved by the Authority and may, in the exercise of that authority, but subject to the advice and consent of the chair of the Finance Committee, implement adjustments to the amounts allocated to line items within the administrative budget, provided that, after giving effect to those adjustments, the aggregate amount of the administrative budget is equal to or less than the then applicable Authority-approved administrative budget.

E. Per Diem Payments. The Authority may pay its Members for their services to the Authority a per diem in either: (1) the amount provided in the general appropriations act for members of the General Assembly engaged in legislative business between sessions, or (2) a lesser amount determined by the Authority.

F. Bond of Officers and Others. The officers of the Authority and such employees as the Authority so designates, may, prior to taking office or starting contract or employment, respectively, be required by the Authority to give bond payable to the Authority conditioned upon the faithful discharge of that officer's, contract employee's, or employee's duties, in such amount as the Authority may require. The premium for each such bond shall be paid by the Authority and the bond(s) shall be filed with the Authority.

ARTICLE VIII

ADOPTION AND AMENDMENTS

These Bylaws may be adopted upon presentation at the inaugural organizational meeting or any subsequent meeting of the Authority. After initial adoption, any proposed amendment, repeal or alteration, in whole or in part, of these Bylaws shall be presented in writing and read for a first time at a regular meeting of the Authority. Such proposal may be considered and amended at such meeting, but shall not be acted on by the Authority until a subsequent regular meeting or a special meeting called for the purpose. At such subsequent meeting, such proposal shall be read a second time, shall be subject to further consideration and amendment germane to the section or sections affected by such proposal, and shall thereafter be acted on in accordance with the voting requirements of these Bylaws.

ARTICLE IX

PROCEDURES

Parliamentary Procedure. In all matters of parliamentary procedure not specifically governed by these Bylaws or otherwise required by law, the current edition of *Robert's Rules of Order, newly revised*, shall apply.

THIRD AMENDED AND RESTATED BYLAWS
OF
HAMPTON ROADS
TRANSPORTATION ACCOUNTABILITY COMMISSION

Approved: July 16, 2020

ARTICLE I

POWERS AND DUTIES

The Hampton Roads Transportation Accountability Commission (the “Commission”) shall have all of the rights, powers and duties, and shall be subject to the limitations and restrictions, set forth in Chapter 26 of Title 33.2 of the Code of Virginia of 1950, as amended (the “Virginia Code”), as such may be amended from time to time (the “Act”).

ARTICLE II

MEMBERSHIP

A. Commission Members. The Commission consists of twenty-three (23) members (“Members” or “Member”) as follows:

1. The chief elected officer of the governing body of each of the ten (10) cities embraced by the Commission.
2. A current elected official of each of the four (4) counties embraced by the Commission, provided that such official (a) serves on the governing body of the county and (b) has been appointed by resolution of such governing body to serve as the county’s member on the Commission.
3. Three members of the House of Delegates who reside in different counties or cities embraced by the Commission. The House members shall be appointed to the Commission by the Speaker of the House.
4. Two members of the Senate who reside in different counties or cities embraced by the Commission. The Senate members shall be appointed to the Commission by the Senate Committee on Rules.
5. A member of the Commonwealth Transportation Board who resides in a locality embraced by the Commission and appointed by the Governor, who shall serve as a nonvoting ex officio member of the Commission.

6. The Director of the Virginia Department of Rail and Public Transportation, or his or her designee, who shall serve as a nonvoting ex officio member of the Commission.
7. The Commonwealth Transportation Commissioner of Highways, or his or her designee, who shall be a nonvoting ex officio member of the Commission.
8. The Executive Director of the Virginia Port Authority, or his or her designee, who shall serve as a nonvoting ex officio member of the Commission.

B. Designees. If a Member of the Commission described in Article II, section A, subsection (1) or (2) is unable to attend a meeting of the Commission, the Member may designate another current elected official of such governing body to attend the meeting of the Commission. Such designation shall be for the purposes of the one meeting that the Member will be unable to attend and shall be submitted in writing or electronically to the Chair of the Commission at least forty-eight (48) hours prior to the affected meeting.

ARTICLE III

OFFICERS AND DUTIES

A. Officers. The Commission shall annually elect from its voting Members a Chair and a Vice-Chair. The Commission may further elect such other subordinate officers from among its Members as it may from time to time deem appropriate. The election of officers shall be conducted in accordance with the voting procedures set forth in Article IV, section K.

B. Terms of Office. Officers of the Commission shall be elected at the annual organizational meeting of the Commission, to serve for a term of one (1) year or until a successor is elected, unless sooner removed by the Commission or the person ceases to be a Member of the Commission. All officers shall be eligible for reelection; provided, however, no officer may serve more than two (2) consecutive one (1) year terms in succession. Any officer who serves a partial term shall not be considered as serving a full term for purposes of this limitation. Any vacancy occurring in an office will be filled for the unexpired term by the Commission at the next regular meeting (or at an earlier special meeting called for that purpose) following the occurrence of such vacancy.

C. Appointment. At a regular meeting held preceding the annual organizational meeting at which the election of officers will be held, the Chair shall appoint a nominating committee. At the annual organizational meeting, the nominating committee shall submit the name or names of one or more persons for each office to be filled. Further nominations may be made by any Member at the annual meeting.

D. Chair. The Chair shall preside over all meetings of the Commission at which he or she is present, and shall vote as any other Member. The Chair shall be responsible for the implementation of the actions taken and policies established by the Commission, shall have all of the powers and duties customarily pertaining to the office of Chair, and shall perform such other duties as may from time to time be established by the Commission.

E. Vice Chair. In the event of the absence of the Chair, or the inability of the Chair to perform any of the duties of the office or to exercise any of the powers thereof, the Vice Chair shall perform such duties and possess such powers as are conferred on the Chair, and shall perform such other duties as may from time to time be assigned to the Vice Chair by the Chair or be established by the Commission.

ARTICLE IV

MEETINGS

A. Annual Organizational Meeting. The annual organizational meeting of the Commission shall be held by the Commission in the month of June for the purpose of electing officers and transacting such other business as may come before the meeting.

B. Regular Meetings. Regular meetings of the Commission shall be held on a periodic basis as determined by resolution of the Commission, but not less frequently than once per quarter, on the third Thursday of the scheduled month at a place to be determined by the Chair, or at such time and place as the Commission may determine. If no meeting is held in January, February or March of a year, then, for purposes of the quarterly meeting requirement in the preceding sentence, a meeting held in April of that year shall be deemed held during the first quarter. The regular meeting for the month of June shall serve as the annual organizational meeting.

C. Special Meetings. Special meetings may be called by the Chair, in his or her discretion, or by request in writing of at least seven voting Members. Any request in writing by seven or more voting Members shall be addressed to the Chair and shall specify the time and place of meeting and the matters to be considered at the meeting, which time shall not be earlier than the third business day after the day that the Chair receives the request. If the Chair elects to call a special meeting or receives a request in writing from the requisite number of Members, the Chair shall take appropriate action to coordinate the meeting site and time and shall cause notice to be provided to each Member of the Commission to attend the special meeting at the applicable time and place. Such notice shall specify the matters to be considered at the meeting, and shall be sent by electronic (e.g. email) or telephonic means at least forty-eight [48] hours (twenty-four [24] hours if the meeting is called by the Chair in exigent circumstances) in advance of the date of the meeting. Formal notice to any person is not required provided all Members are present or those not present have waived notice in writing, filed with the records of the meeting, either before or after the meeting.

D. Adjourned Meetings. Any regular or special meeting may be adjourned to a date and time certain.

E. Public Notice. All meetings of the Commission shall be preceded by public notice given in accordance with the provisions of Section 2.2-3707 of the Virginia Code. Notice of all meetings shall be published on the Commission's website and available in the offices of the Commission.

F. Public Hearing. Public hearings may be held at the direction of the Commission and shall, unless otherwise specified by the Commission or these Bylaws, be upon notice published on the

Commission's website and in a newspaper or newspapers having general circulation in the geographic area encompassed by the Commission.

G. Open Meetings. All Commission meetings shall be open to the public in accordance with the Virginia Freedom of Information Act (Virginia Code §2.2-3700 et seq.), provided that the Commission may meet in closed session for those purposes authorized by, and held in accordance with the requirements of the Virginia Freedom of Information Act, to include requirements for public notice.

H. Quorum. A majority of the Commission (both voting and nonvoting), which shall include at least a majority of the total of chief elected officers and elected officials who represent the counties and cities embraced by the Commission, or their designees pursuant to Article II, section B, shall constitute a quorum.

I. Temporary Absence. No action shall be voted upon by the Commission unless a quorum is present; provided, however, that the temporary absence from the meeting room of Members (or designees attending pursuant to Article II, section B) required to constitute a quorum shall not be deemed to prevent presentations or deliberations regarding any matter that may be submitted to a vote. The Chair or any other Member may note the absence of a quorum during presentations or deliberations, but a failure to note the absence of a quorum during that period shall not affect the requirement that a quorum exist when any vote is taken.

J. Decisions of the Commission. The Commission shall act in one of the following ways:

1. Resolution – The Commission may act upon adoption of a resolution. Resolutions shall be in writing and a copy of any proposed resolution shall be provided to all Members of the Commission before the resolution is proposed for adoption. To the extent possible, such copy shall be provided twenty-four (24) hours in advance.
2. Motion – The Commission may act on oral motion made by a voting Member of the Commission (or a designee attending pursuant to Article II, section B).

K. Voting.

1. Votes – Votes shall be taken only upon motions made and seconded. Each voting Member of the Commission (or if a Member has a designee attending pursuant to Article II, section B, then that Member's designee) shall be entitled to one (1) vote in all matters requiring action by the Commission, except the disbursement of funds pursuant to Section 33.2-2600.1 of the Virginia Code. Decisions of the Commission, except those regarding the disbursement of funds pursuant to Section 33.2-2600.1 of the Virginia Code, shall require the affirmative vote of two-thirds of the voting Members, or their designees attending pursuant to Article II, section B, present and voting, and two-thirds of the total of chief elected officers and elected officials who represent the counties and cities embraced by Planning District 23, or their designees pursuant to Article II, section B, who are present and voting and whose counties and cities include at least two-thirds of the population embraced by the Commission. However, no vote to fund a specific facility or service shall fail because of the aforesaid population criterion if such facility or service is not located

or to be located, or provided or to be provided, within the county or city whose representative (or its respective designee attending pursuant to Article II, section B) cast the sole negative vote that caused the facility or service to fail to meet the population criterion. For purposes of the foregoing, the population of the counties and cities embraced by the Commission shall be determined in accordance with the Act. Decisions of the Commission regarding the disbursement of funds pursuant to Section 33.2-2600.1 of the Virginia Code shall require the affirmative vote of two-thirds of the Members of the Commission subject to the taxes imposed pursuant to Section 58.1-802.4 of the Virginia Code and Section 58.1-1743 of the Virginia Code, and the Commission shall not establish provisions that require the affirmative vote of any Members of the Commission not subject to such taxes for the disbursement of funds pursuant to Section 33.2-2600.1 of the Virginia Code.

2. Methods of Voting – All voting shall be taken by voice or by roll call if requested by any voting Member (or any designee attending pursuant to Article II, section B).
3. Restating the Question – The Chair shall restate the question prior to the taking of a vote, provided, however, that at the request of the Chair, a Member (or a designee attending pursuant to Article II, section B) may restate the question if it is the opinion of the Chair that such procedure will expedite the decision of the question.
4. Reconsideration – Action on a resolution or motion that has been approved may be reconsidered only upon motion of a Member (or a designee attending pursuant to Article II, section B) voting with the prevailing side on the original vote, which motion must be made at the same regular meeting. A motion to reconsider may be seconded by any Member (or a designee attending pursuant to Article II, section B). Any resolution or motion that failed as a result of a tie vote may be reconsidered upon motion by any Member (or a designee attending pursuant to Article II, section B) who voted against it, which motion must be made at the same meeting or the next regularly scheduled meeting.

L. Commencement of Meetings. At the times specified for the commencement of regular meetings, and at the hour specified for adjourned or special meetings, the Chair shall call the meeting to order, and shall ensure that the presence of Members (or their designees) or absence is noted. A quorum shall be required for the commencement of any meeting.

M. Agenda. The Chair shall prepare an agenda for each meeting. Any Member having matters to be considered by the Commission shall submit them to the Chair for inclusion on an appropriate agenda. The agenda for an upcoming meeting shall be sent to the Members prior to the meeting date (for regular meetings, the Chair should endeavor to provide the agenda at least seven (7) days in advance).

N. Minutes. Minutes of the meetings of the Commission, except closed sessions, shall be kept and be a public record. Copies of the minutes shall be provided to each Member prior to the meeting at which the minutes are to be presented for approval by the Commission.

O. Closed Sessions. If a closed session is required at a meeting, consistent with purposes permitted by Virginia law, the agenda shall specify a time or position on the agenda, generally after all public business has concluded, for such a closed session properly called and conducted in accordance with Virginia law. When so requested, the Chair may permit a closed session at any other time prior to consideration of any agenda item provided that the purpose of the closed session and the procedure used to go into closed session are in accordance with Virginia law.

P. Order in Conduct of Business.

1. Persons Addressing the Commission – Prior to public comment and public hearings, the Commission will provide guidelines for length of presentation by individuals and group representatives. Persons speaking at a meeting or public hearing shall confine their remarks to the subject of the meeting or public hearing. At the discretion of the Chair, the conduct of business by the Commission may be reordered to allow earlier consideration of matters about which a substantial number of persons desire to address the Commission. Persons addressing the Commission may furnish the Chair and Members with a written copy of their remarks, at or before the meeting.
2. Recognition – Recognition shall be given only by the Chair. No person shall address the Commission without first having been recognized.
3. Questions – Questions by Members (or their designees) shall be reserved insofar as possible for the end of a presentation to avoid interrupting the speaker, disrupting the time-keeping process, and duplicating ground the speaker may cover.
4. Commission Discussion – Discussion and debate by the Commission shall be conducted following the presentation of the item of business pending. No Member (or designee) shall speak to the item until recognized by the Chair.

Q. Decorum.

1. Commission Members – Decorum of Members (and designees) shall be maintained in order to expedite disposition of the business before the Commission. Questions and remarks shall be limited to those relevant to the pending business. Members (and designees) shall address all remarks to the Chair.
2. Others – Decorum of persons other than Members shall be maintained by the Chair, who may request such assistance as may appear necessary. Persons addressing the Commission shall first be recognized by the Chair and shall audibly state their name and address, and, if applicable, who they represent. Speakers shall limit their remarks to those relevant to the pending items and to answering questions. They shall address the Commission as a whole unless answering a question of an individual Member (or designee). Persons whose allotted time to speak has expired shall be warned by the Chair to conclude after which such person shall leave, unless he or she is asked to remain to answer questions from the Commission. The Chair shall call the speaker to order if out-of-order remarks are made or other indecorous conduct occurs. If such persists, the Chair shall rule the speaker out-of-order and

direct the speaker to leave. Groups or a person in the audience creating an atmosphere detrimental or disturbing to the conduct of the meeting will be asked to leave by the Chair.

ARTICLE V

COMMITTEES

A. Open Meeting Requirement. Commission appointed committees and subcommittees shall comply with the open meeting requirements of the Virginia Freedom of Information Act.

B. Finance Committee.

1. **Charge.** This committee shall be responsible for advising the Commission on all financial matters and overseeing financial activities undertaken by the Commission, including:
 - a. Reviewing, commenting on, and recommending the annual budget and adjustments to the budget,
 - b. Recommending the Commission's financial policies (e.g., bond, investment, procurement, risk management, debit and credit card, direct debit, and small purchases) and making recommendations,
 - c. Monitoring the Commission's compliance with policies and procedures,
 - d. Reviewing financial statements, and
 - e. Working with the Auditor of Public Accounts in performing the annual audit.
2. **Membership.** The Committee shall consist of five (5) Members of the Commission appointed by the Chair for staggered two year terms.
3. **Chair.** The chair and the vice chair of the Committee shall be appointed by the Chair of the Commission.
4. **Staff Support.** Staff support may be requested by the committee chair from HRTAC personnel or VDOT, HRTPO, jurisdictional or other agency staff.
5. **Quorum and Voting.** A quorum shall consist of a majority (3) of the committee members. Approval of recommendations shall require an affirmative vote of a majority of the members present.

C. Funding Strategies Advisory Committee.

1. Charge. This committee of individuals shall be responsible for recommending funding strategies to build a program of projects identified by the HRTPO and the Commission.
2. Membership. The Committee shall consist of nine (9) individuals. The Chair shall appoint six (6) members who reside or are employed in counties and cities embraced by the Commission and who have experience in transportation planning, finance, engineering, construction, or management. Initially, half the members appointed by the Chair will serve a one year term. The other half will serve two year terms. Subsequently, members will serve three year terms. The Chair of the Commonwealth Transportation Board will appoint three (3) members of the funding strategies advisory committee and each of them will serve a three year term. Committee members appointed by the Chair may be removed by the Chair if the member fails to attend three consecutive meetings or no longer resides or is employed in a jurisdiction embraced by the Commission, or if the Chair receives a request for removal from the chief elected officer of the jurisdiction embraced by the Commission in which the member resides or is employed. Except for an employee who is also a Member of the Commission, no employee of any county or city embraced by the Commission shall be eligible to serve on this Committee.
3. Chair. The chair and the vice chair of the Committee shall be appointed by the Chair of the Commission.
4. Staff Support. Staff support may be requested by the committee chair from HRTAC personnel or VDOT, HRTPO, jurisdictional or other agency staff.
5. Quorum and Voting. A quorum shall consist of a majority (5) of the committee members. Approval of recommendations or actions shall require an affirmative vote of a majority of the members present, which shall include at least three of the members appointed by the Chair.

D. Regional Transit Committee.

1. Charge – This committee of individuals shall be responsible for advising the Commission on all matters regarding the management and disbursement of funds from the Regional Transit Fund.
2. Membership – The Committee shall consist of the Members of the Commission, subject to the taxes imposed pursuant to Section 58.1-802.4 of the Virginia Code and Section 58.1-1743 of the Virginia Code.
3. Chair – The chair and vice chair of the Committee shall be appointed by the Chair of the Commission.

4. Staff Support – Staff support may be requested by the committee chair from HRTAC personnel or Hampton Roads Transit, VDOT, DRPT, HRTPO, jurisdictional or other agency staff.
5. Quorum and Voting – A quorum shall consist of a majority of the committee members. Approval of recommendations shall require an affirmative vote of a majority of the members present.

F. Additional Committees. The Commission may, in its discretion, form such additional advisory committees as it may deem appropriate.

G. Ad Hoc Committees. As needed, the Chair of the Commission may appoint ad hoc committees to pursue specific tasks (e.g., nominating committee; personnel committee). In the absence of an appointed personnel committee, the Finance Committee shall be responsible for conducting the Executive Director’s annual review, reviewing employee compensation and recommending adjustments thereto.

ARTICLE VI

ADMINISTRATION

A. Executive Director. The Commission shall employ or contract with an Executive Director who shall have direct authority for the employment, retention, and supervision of all of the other employees of the Commission. The Executive Director shall have direct control, subject to the oversight and authority of the Commission, of the management of the day-to-day administrative affairs of the Commission. The Executive Director shall propose activities to the Commission and shall carry out policies, programs and projects approved by the Commission, and shall be responsible for preparing and presenting the annual budget. The Executive Director may not contemporaneously serve as a member of the Commission.

B. Staff. The Commission may employ or contract for such staff of qualified professional and other persons as the Commission determines to be necessary to carry out its duties and responsibilities. Staff of the Commission may not contemporaneously serve as a member of the Commission.

C. Execution of Instruments. The Executive Director, on specific authorization by the Commission, shall have the power to sign or countersign in its behalf any agreement or other instrument to be executed by the Commission including checks and vouchers in payment of obligations of the Commission.

ARTICLE VII

FINANCES

A. Finances and Payments. The monies of the Commission shall be deposited in a separate bank account or accounts in such banks or trust companies as the Commission designates, and all payments (with the exception of those from petty cash) shall be made in the most practicable manner as determined by the Commission. Checks and drafts shall be signed and countersigned

by the Chair (or, in the Chair's absence, the Vice Chair), and the Executive Director (or, in the Executive Director's absence, those authorized from time to time by vote of the Commission or, where the Vice Chair is acting solely as a countersigning party, the Vice Chair).

B. Audits. At least once each year, the Commission shall work with the Auditor of Public Accounts (APA) to have an audit to be made by an independent certified public accountant or by APA of all funds of the Commission.

C. Budget and Fiscal Year. After a duly convened public hearing held in accordance with the requirements of Virginia Code § 33.2-2605, the Commission shall adopt an annual budget for each fiscal year which budget shall provide for all of the revenues and the operating, capital, and administrative expenses of the Commission for the fiscal year. The fiscal year of the Commission will commence on July 1st each year and will terminate on the following June 30th. The annual budget for a fiscal year shall, except in the case of the Commission's first fiscal year, be adopted before such fiscal year begins. The Executive Director is authorized to administer the administrative budget approved by the Commission and may in the exercise of that authority, but subject to the advice and consent of the chair of the Finance Committee, implement adjustments to the amounts allocated to line items within the administrative budget, provided that, after giving effect to those adjustments, the aggregate amount of the administrative budget is equal to or less than the then applicable Commission-approved administrative budget.

D. Per Diem Payments. The Commission may pay its Members for their services to the Commission a per diem in either: (1) the amount provided in the general appropriations act for members of the General Assembly engaged in legislative business between sessions, or (2) a lesser amount determined by the Commission.

E. Bond of Officers and Others. The officers of the Commission and such employees as the Commission so designates, may, prior to taking office or starting contract or employment, respectively, be required by the Commission to give bond payable to the Commission conditioned upon the faithful discharge of that officer, contract employee or employee's duties, in such amount as the Commission may require. The premium for each such bond shall be paid by the Commission and the bond(s) shall be filed with the Commission.

ARTICLE VIII

AMENDMENTS

Any proposed amendment, repeal or alteration, in whole or in part, of these Bylaws shall be presented in writing and read for a first time at a regular meeting of the Commission. Such proposal may be considered and amended at such meeting, but shall not be acted on by the Commission until a subsequent regular meeting or a special meeting called for the purpose. At such subsequent meeting, such proposal shall be read a second time, shall be subject to further consideration and amendment germane to the section or sections affected by such proposal, and shall thereafter be acted on in accordance with the voting requirements of these Bylaws.

ARTICLE IX

PROCEDURES

Parliamentary Procedure. In all matters of parliamentary procedure not specifically governed by these Bylaws or otherwise required by law, the current edition of *Robert's Rules of Order, newly revised*, shall apply.

BYLAWS
OF
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

ARTICLE I

POWERS AND DUTIES

The Northern Virginia Transportation Authority, (the “Authority or NVTA”) shall have all of the rights, powers and duties, and shall be subject to the limitations and restrictions, set forth in Chapter 25 of Title 33.2 of the Code of Virginia, the Northern Virginia Transportation Authority Act, §§ 3.2-2500 *et seq. Va. Code Ann.*, as such may be amended from time to time.

ARTICLE II

MEMBERSHIP

A. **Jurisdictions Embraced by Authority.** The Authority shall embrace the counties of Arlington, Fairfax, Loudoun, and Prince William, and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

B. **Authority Members.** The Authority shall consist of seventeen (17) members as follows:

- (1) The chief elected officer of the governing body of each of the counties and cities embraced by the Authority. The chief elected officer may, in his or her discretion, appoint a designee upon written notice signed by the chief elected officer provided to the Chairman, which designee shall be a current elected officer of the same governing body as the chief elected officer, to serve as a member of the Authority in the place and stead of the chief elected officer and who shall serve until the designee resigns as the designee or ceases to be an elected officer of the governing body, the chief elected officer making the appointment leaves office, the chief elected officer replaces the designee, or the duration of the designation expires.

The chief elected officer may, in his or her discretion, appoint one secondary designee in accordance with procedures established by the Authority.

Two members of the House of Delegates who reside in different counties or cities embraced by the Authority. The House members shall be appointed to the Authority by the Speaker of the House and shall be, to the extent practicable, from

the membership of the House Committee on Appropriations, the House Committee on Finance, or the House Committee on Transportation.

- (2) One member of the Senate who resides in a county or city embraced by the Authority. The Senate member shall be appointed by the Senate Committee on Rules and shall be, to the extent practicable, from the membership of the Senate Committee on Finance and the Senate Committee on Transportation.
- (3) Two citizens appointed by the Governor. One of the citizens shall be a member of the Commonwealth Transportation Board who resides in a county or city embraced by the Authority. The other citizen appointed by the Governor shall be a person who has significant experience in transportation planning, finance, engineering, construction, or management who resides in a county or city embraced by the Authority but who is not a resident of the same county or city as the other citizen appointed by the Governor to the Authority. The gubernatorial appointee who is not a member of the Commonwealth Transportation Board shall serve for a term of four years.
- (4) The Director of the Virginia Department of Rail and Public Transportation, or his or her designee, shall be a non-voting member of the Authority.
- (5) The Commonwealth Commissioner of Highways, or his or her designee, shall be a non-voting member of the Authority.
- (6) The chief elected officer of one town in a county which the Authority embraces to be chosen by the Authority shall be a non-voting member of the Authority. The Town member shall be selected at the annual meeting and shall be rotated on an annual basis.

ARTICLE III

OFFICERS AND DUTIES

- A. **Officers.** The Authority shall annually elect from its voting members a Chairman and a Vice Chairman. The Authority may further elect such other subordinate officers from among its voting members as it may from time to time deem appropriate. The election of officers shall be conducted in accordance with the voting procedures set forth in Article IV, section L.
- B. **Terms of Office.** Officers of the Authority shall be elected at the annual organizational meeting of the Authority to serve for a term of one (1) year, unless sooner removed by the Authority, the officer ceases to be a member of the Authority, or until a successor is elected. All officers shall be eligible for re-election. Any

vacancy occurring in an office will be filled for the unexpired term by the Authority at the next regular meeting following the occurrence of such vacancy.

- C. **Nominating Committee.** At a regular meeting held preceding the annual organizational meeting at which the election of officers will be held, the Chairman shall appoint a nominating committee. At the annual organizational meeting, the nominating committee shall submit the name or names of one or more persons for each office to be filled. Further nominations may be made by any voting member at the annual meeting.
- D. **Chairman.** The Chairman shall preside over all meetings of the Authority at which he or she is present, and shall vote as any other member. The Chairman shall be responsible for the implementation of the actions taken and policies established by the Authority, shall have all of the powers and duties customarily pertaining to the office of Chairman, including the appointment of committee chairs, and shall perform such other duties as may from time to time be established by the Authority.
- E. **Vice Chairman.** In the event of the absence of the Chairman, or the inability of the Chairman to perform any of the duties of the office or to exercise any of the powers thereof, the Vice Chairman shall perform such duties and possess such powers as are conferred on the Chairman, and shall perform such other duties as may from time to time be assigned to the Vice Chairman by the Chairman or be established by the Authority.

ARTICLE IV

MEETINGS

- A. **Annual Organizational Meeting.** The Authority hereby establishes as its annual organizational meeting the first meeting held by the Authority in the month of January.
- B. **Public Notice.** All meetings of the NVTA, other than special meetings, shall be preceded by public notice of at least three (3) business days. Public notice shall include, as a minimum, providing the date, time and place, as well as the agenda, for all meetings on the NVTA website and available in the office of the Chief Executive Officer.
- C. **Regular Meetings.** At its annual organizational meeting, the Authority shall adopt a schedule of times, dates, and places of its regular meetings for the relevant calendar year, and shall assess the need for adoption of, or revisions to, meeting procedure rules for the Authority.
- D. **Changing Meetings.** The Authority may change the date, time, or place of any regular meeting to another, when such change is deemed necessary by the Authority,

or it may establish additional regular meetings in any month. The Authority may eliminate any regular meetings shown on its annual schedule of meeting dates in the event that it determines that it can successfully complete its work in fewer meetings.

- E. **Special Meetings.** Special meetings shall be held when requested by two or more Authority members. Such request shall be in writing, addressed to the Chairman, and shall specify the matter(s) to be considered at the meeting. Upon receipt of such request, the Chairman shall immediately ensure the necessary coordination for a meeting site and time and cause notice to be provided to each member of the Authority to attend the special meeting at the time and place specified. Such notice shall specify the matter(s) to be considered at the meeting, and shall be sent by electronic (e.g., email) or telephonic means. No matter not specified in the notice shall be considered at such meeting unless all of the members of the Authority are present.
- F. **Adjourned Meetings.** Any regular or special meeting may be adjourned to a date and time certain.
- G. **Public Hearing.** Public hearings may be held at the direction of the Authority and shall, unless otherwise required by law or specified by the Authority or these Bylaws, be upon notice provided on the NVTVA website and in a newspaper or newspapers having general circulation in the geographic area encompassed by the Authority.
- H. **Open Meetings.** All Authority meetings shall be open to the public in accordance with The Virginia Freedom of Information Act (§§ 2.2-3700 *et seq.* Va. Code Ann.), provided that the Authority may meet in closed session for those purposes authorized by, and held in accordance with, the requirements of The Virginia Freedom of Information Act, to include requirements for public notice.
- I. **Quorum.** A majority of the Authority, which majority shall include at least a majority of the representatives of the counties and cities embraced by the Authority and a majority of the members of the Authority, shall constitute a quorum. The three nonvoting members of the Authority shall be included for purposes of constituting a quorum. In the event the Authority adopts a written policy permitting a member to participate in meetings through electronic means in accordance with § 2.2-3708.1 Va. Code Ann., members may be allowed to participate in meetings through electronic means from remote locations in accordance with the Authority's policy and all applicable laws.
- J. **Temporary Absence.** No decision shall be made by the Authority unless a quorum is present; provided, however, that the temporary absence from the meeting room of members sufficient to constitute a quorum shall not be deemed to prevent the hearing of presentations or the discussion of matters submitted to the Authority. The Chairman or any other Authority member may suggest the absence of a quorum prior to the taking of any action by the Authority, but a failure to suggest the absence of a

quorum shall not be deemed to alter the effect of this rule requiring a quorum as a prerequisite to any decision.

K. Decisions of the Authority. The Authority shall act in one of the following ways:

- (1) Resolution - The Authority may act upon adoption of a resolution.
- (2) Motion - The Authority may act on an oral motion made by a voting member of the Authority.

L. Voting.

- (1) Votes - Votes shall be taken only upon motions made and seconded. Each member of the Authority, with the exception of the Director of the Virginia Department of Rail and Public Transportation, or his designee, the Commonwealth Commissioner of Highways, or his designee, and the town representative, shall be entitled to one (1) vote in all matters requiring action by the Authority. Decisions of the Authority shall require the affirmative vote of two-thirds of the Authority members present and voting, and two-thirds of the representatives of the counties and cities embraced by the Authority who are present and voting and whose counties and cities include at least two-thirds of the population embraced by the Authority. However, no vote to fund a specific facility or service shall fail because of the aforesaid population criterion if such facility or service is not located or to be located, or provided or to be provided within the county or city whose representative's sole negative vote caused the facility or service to fail to meet the population criterion. For purposes of the foregoing, the population of the counties and cities embraced by the Authority shall be determined in accordance with Article VIII, section D of these Bylaws.
- (2) Methods of Voting - All voting shall be taken by voice or by roll call if requested by any voting member of the Authority.
- (3) Restating the Question - The Chairman, as needed, may restate the question prior to the taking of a vote, provided, however, that at the request of the Chairman, an Authority member may restate the question if it is the opinion of the Chairman that such procedure will expedite the decision of the question.
- (4) Reconsideration - Action on a resolution or motion may be reconsidered only upon motion of a member voting with the prevailing side on the original vote, which motion must be made at the same or immediately subsequent regular meeting. A motion to reconsider may be seconded by any voting member. Any such matter defeated by a tie vote may be reconsidered upon motion by any Authority member having voted to defeat the matter at the same or the next regularly scheduled meeting.

- M. **Commencement of Meetings.** At the times specified for the commencement of regular meetings, and at the hour specified for adjourned or special meetings, the Chairman shall call the meeting to order, and shall ensure that the presence or absence of Authority members is noted. A quorum shall be required for the commencement of any meeting. In the absence of a quorum, the Authority members present may receive informational presentations and discuss Authority business; however, no action may be taken.
- N. **Agenda.** The Chairman shall cause to have prepared an agenda for each meeting. Any member having matters to be considered by the Authority shall submit them to the Chairman for inclusion on an appropriate agenda. The agenda for an upcoming meeting and related materials prepared by the Chief Executive Officer and staff with any recommendations, to the extent available, shall be sent to the Authority members at least one (1) week prior to the meeting date. Members that wish to propose an alternative to a staff recommendation should whenever possible, give three (3) business days written notice to the Chairman of such prior to the meeting and provide the details of such alternative. This requirement shall not limit the Authority's ability to act in the manner it deems appropriate after consideration of a matter at the Authority's meeting.
- O. **Minutes.** Minutes of the meetings of the Authority shall be kept, which minutes shall be a public record, except closed sessions. Copies of the minutes shall be provided to each member of the Authority prior to the meeting at which the minutes are to be presented for approval by the Authority.
- P. **Closed Sessions.** If a closed session is required at a meeting, consistent with the purposes permitted by § 2.2-3711 Va. Code Ann., the agenda shall specify a time or position on the agenda, generally after all public business has concluded, for such a closed session properly called and conducted in accordance with the *Virginia Freedom of Information Act* § 2.2-3712 Va. Code Ann. When so requested, the Chairman may permit a closed session at any other time prior to consideration of any agenda item.

ARTICLE V

COMMITTEES

- A. **Open Meeting Requirement.** Consistent with § 2.2-3701 and § 2.2-3707 Va. Code Ann., all Authority-appointed committees and subcommittees of the Authority shall comply with the open meeting requirements of the Virginia Freedom of Information Act.
- (1) The Authority is required to have two Advisory Committees by statute:
- (a) Technical Advisory Committee

- (b) Planning Coordination Advisory Committee
- (2) The Authority shall have three standing committees:
 - (a) Finance Committee
 - (b) Planning and Programming Committee
 - (c) Governance and Personnel Committee
- (3) The Authority may appoint additional committees and subcommittees as necessary.
- (4) Unless otherwise specified in these Bylaws, all committees shall adhere to meeting procedures that are the same or similar to those used by the Authority as set forth in these Bylaws and comply with the Virginia Freedom of Information Act.
- (5) In no event shall review and recommendation by a committee or subcommittee be required before the Authority may act on a matter except as may be provided by law.
- (6) The Authority will strive in the appointment of members to committees that represent various perspectives.

B. Finance Committee.

- (1) Charge. This committee shall be responsible for advising the Authority on all financial matters and overseeing financial activities undertaken by the NVTA professional staff, including:
 - (a) Reviewing, commenting on, and recommending the annual budget presented by the Chief Executive Officer
 - (b) Reviewing, commenting on, and recommending any budget amendments presented by the Chief Executive Officer
 - (c) Overseeing the NVTA's financial policies (e.g., bond, investment, procurement, risk management) and making appropriate recommendations
 - (d) Monitoring contracts for incidental services, including incidental financial services, and recommending task orders
 - (e) Monitoring NVTA's expenditures for compliance with policies and guidance of the NVTA
 - (f) Reviewing annual revenue estimates

- (g) Approving the selection of an audit firm and audit work plan supporting the annual preparation of financial statements
- (h) Assisting with other financial activities as may be directed by the NVTA.
- (2) Membership. The Committee shall consist of five (5) members of the NVTA appointed by the Chairman for staggered two year terms.
- (3) Chairman. The chairman and the vice chairman of the Committee shall be appointed by the Chairman of the NVTA.
- (4) Staff Support. Staff support will be provided by the NVTA staff. As requested by the committee chairman, additional support may be provided by jurisdictional or agency staffs.
- (5) Quorum and Voting. A quorum shall consist of a majority (3) of the committee members. The committee shall strive for consensus when developing recommendations. Approval of recommendations or actions shall require an affirmative vote of a majority of the members present, which shall include at least three jurisdictional representatives in the affirmative.

C. Governance and Personnel Committee (GPC).

- (1) Charge. This committee shall be responsible for the following:
 - (a) Periodic review and procedural amendments to the Bylaws.
 - (b) Personnel issues including the review and recommendation of staff that report to the Authority.
 - (c) Review of the Authority's Legislative Program.
 - (d) Development of policies and procedures related to governance and personnel of the Authority such as a policy for participation by members of the Authority in meetings by electronic communication means "in accordance with the statute."
 - (e) Other special assignments as directed by the Chairman of the Authority.
- (2) Membership. The Committee shall consist of five (5) members of the NVTA appointed by the Chairman for staggered two year terms.
- (3) Chairman. The chairman and the vice chairman of the Committee shall be appointed by the Chairman of the NVTA.

- (4) Staff Support. Staff support will be provided by the NVTA staff. As requested by the committee chairman, additional support may be provided by jurisdictional or agency staffs.
- (5) Quorum and Voting. A quorum shall consist of a majority (3) of the committee members. The committee shall strive for consensus when developing recommendations. Approval of recommendations or actions shall require an affirmative vote of a majority of the members present, which shall include at least three jurisdictional representatives in the affirmative.

D. Planning and Programming Committee (PPC).

- (1) Charge. This committee shall be responsible for advising the Authority of planning and programming recommendations including TransAction, the Six Year Program, the Project Selection Process on projects within the Authority's adopted revenues.
- (2) Membership. The Committee shall consist of five (5) members of the NVTA appointed by the Chairman for staggered two year terms.
- (3) Chairman. The chairman and the vice chairman of the Committee shall be appointed by the Chairman of the NVTA.
- (4) Staff Support. Staff support will be provided by the NVTA staff. As requested by the committee chairman, additional support and participation may be provided by jurisdictional or agency staffs.
- (5) Quorum and Voting. A quorum shall consist of a majority (3) of the committee members. The committee shall strive for consensus when developing recommendations. Approval of recommendations or actions shall require an affirmative vote of a majority of the members present, which shall include at least three jurisdictional representatives in the affirmative.

E. Technical Advisory Committee (TAC).

- (1) Charge. This committee of individuals with multi-modal expertise and regional focus shall be responsible for reviewing the development of major projects and potential funding strategies and providing recommendations to the NVTA. "Development of projects" means the identification of projects for the NVTA Long Range Transportation Plan and the NVTA Six Year Program, and the application of performance-based criteria to the projects identified.
- (2) Membership. The committee shall consist of nine (9) individuals who reside or are employed in counties and cities embraced by the Authority and have experience in transportation planning, finance, engineering, construction, or

management. An effort shall be made to have multi-modal representation, to include highway, transit, pedestrian, and bicycle expertise as well as being balanced regionally. The NVTA will recommend a list of members each year and request that the chief elected officer from relevant jurisdictions appoint selected persons to the committee. Initially, half the locally appointed members will serve a one (1) year term. The other half will serve two (2) year terms. Subsequently, members will serve three (3) year terms. The chairman of the Commonwealth Transportation Board (CTB) will appoint three members to three (3) year terms. Locally appointed members may be removed by the Chairman of the NVTA for failure to attend three consecutive meetings or if the member no longer resides or is employed in an NVTA jurisdiction.

- (3) Chairman. The chairman and vice chairman shall be appointed by the Chairman of the NVTA.
- (4) Staff Support. Staff support shall be provided by NVTA professional staff.
- (5) Quorum and Voting. A quorum shall consist of a majority (5) of members. The committee shall strive for consensus when developing recommendations. If consensus cannot be achieved, majority and minority reports that identify issues that need to be addressed shall be presented to the NVTA.

F. Planning Coordination Advisory Committee (PCAC).

- (1) Charge. This committee shall provide recommendations to the NVTA on broad policy issues related to the periodic update of the NVTA's Long Range Transportation Plan (e.g., TransAction) and the rolling extension of the NVTA's Six Year Program. It may, from time to time, offer the NVTA advice on regional transportation issues and advise on the NVTA's annual legislative program.
- (2) Membership. Membership of the committee consists of 14 members representing the nine member localities and towns with populations of at least 3,500. All members shall be elected officials from jurisdictions embraced by the NVTA. Such membership shall include, as a minimum, one elected official from each town that is located in any county embraced by the NVTA and receives street maintenance payments.
- (3) Chairman. The chairman and vice chairman shall be appointed by the Chairman of the NVTA.
- (4) Staff Support. Staff support shall be provided by the NVTA staff. The chairman may request additional support from jurisdictional and agency staffs as needed.

Quorum and Voting. A quorum shall consist of five (5) committee members. The committee shall strive for consensus when developing recommendations. In the event that consensus cannot be attained, approval of an advisory

recommendation or other actions shall require the presence of a quorum and an affirmative vote by roll call of a majority of the members present. Recommendations made by the committee must be on the agenda and discussed at not less than two meetings.

- G. **Ad Hoc Committees.** As needed, the Chairman of the NVTA may appoint ad hoc committees to pursue specific tasks.

ARTICLE VI

NVTA TRANSPORTATION PLAN

- A. **NVTA Regional Transportation Plan.** The Authority shall adopt and periodically update the NVTA Regional Transportation Plan for Northern Virginia. The Plan shall consist of the NVTA Long Range Transportation Plan and the NVTA Six Year Program.
- (1) NVTA Long Range Transportation Plan. The Authority shall adopt an unconstrained NVTA Long Range Transportation Plan (*TransAction 2030* or its successor) for Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of regional consensus, set regional transportation policies and priorities for regional transportation projects. In support of regional consensus, it is desirable that NVTA secure the formal approval of each of its member jurisdictions before adoption of the plan. The policies and priorities shall be guided by performance-based criteria such as the ability to improve travel times, reduce delays, connect regional activity centers, improve safety, improve air quality, and move the most people in the most cost-effective manner.
- (2) NVTA Six Year Program. The Authority shall adopt a NVTA Six Year Program for Northern Virginia that includes, but not necessarily be limited to, transportation improvements of regional significance and those improvements necessary or incidental thereto. The NVTA Six Year Program shall include all transportation improvements to be funded from NVTA-generated funding over a six (6) year period. The Authority shall from time to time, not less than annually, review and, as necessary, revise and amend the Six Year Program. The provisions of § 33.2-1928 Va. Code Ann. shall apply to preparation and adoption of the Six Year Program.
- B. **Procedure for Adoption and Amendment of Long Range Transportation Plan and Six Year Program.** The Long Range Transportation Plan and the Six Year Program, separately or at the same time, shall be adopted, altered, revised or amended only after a public hearing held upon thirty (30) days' notice consistent with the Act and the Authority's public notice procedures.

ARTICLE VII

ADMINISTRATION

- A. **Chief Executive Officer.** The Authority shall employ an Chief Executive Officer who shall have direct authority for the employment, retention, and supervision of all of the other employees of the Authority. The Chief Executive Officer shall have direct control, subject to the Authority, of the management of the day-to-day administrative affairs of the Authority. The Chief Executive Officer shall propose activities to the Authority and shall carry out policies, programs and projects approved by the Authority, and shall be responsible for preparing and presenting the annual budget. The Chief Executive Officer may not contemporaneously serve as a member of the Authority.
- B. **Staff.** The Authority may employ such staff of qualified professional and other persons as the Authority determines to be necessary to carry out its duties and responsibilities. Staff of the Authority may not contemporaneously serve as a member of the Authority.
- C. **Execution of Instruments.** The Chief Executive Officer, on specific authorization by the Authority, shall have the power to sign or countersign in its behalf any agreement or other instrument to be executed by the Authority including checks and vouchers in payment of obligations of the Authority.

ARTICLE VIII

FINANCES

- A. **Finances and Payments.** The monies of the Authority shall be deposited in a separate bank account or accounts in such banks or trust companies as the Authority designates, and all payments (with the exception of those from petty cash) shall be made in the most practicable manner as determined by the Authority. Checks and drafts shall be signed in the name of the Authority by the Chief Executive Officer or, in the Chief Executive Officer's absence, those authorized from time to time by vote of the Authority. An Authority financial policy shall be developed that prescribes threshold requiring any countersignatures.
- B. **Audits.** At least once each year, the Authority shall cause an audit to be made by an independent certified public accountant of all funds of the Authority. Such audits will, at a minimum, obtain an opinion as to the accuracy of the annual financial statements from a certified public accounting firm. Additional audit activity may be obtained by the Finance Committee as it deems prudent.
- C. **Budget and Fiscal Year.** The Authority shall adopt an annual budget prior to the start of its fiscal year which budget shall provide for all of the revenues and the

operating, capital, and administrative expenses of the Authority for the fiscal year. The fiscal year of the Authority will commence on July 1st each year and will terminate on the following June 30th.

- D. **Administrative Expenses.** The administrative expenses of the Authority, as provided for in the Authority's annual budget, and which shall not include funds for construction or acquisition of transportation facilities and/or the performance of any transportation service, shall be allocated, to the extent funds for such expenses are not provided for from other sources, among the component counties and cities on the basis of relative population as determined by the most recently preceding decennial census, except that on July 1 of the fifth (5th) year following such census, the population of each county and city shall be adjusted based on population projections made by the Weldon Cooper Center for Public Service of the University of Virginia.
- E. **Per Diem Payments.** The Authority may pay its members for their services to the Authority a per diem in either: (1) the amount provided in the general appropriations act for members of the General Assembly engaged in legislative business between sessions, or (2) a lesser amount determined by the Authority.
- F. **Bond of Officers and Others.** The officers of the Authority and such employees as the Authority so designates, may, prior to taking office or starting employment, respectively, be required by the Authority to give bond payable to the Authority conditioned upon the faithful discharge of that officer or employee's duties, in such amount as the Authority may require. The premium for each such bond shall be paid by the Authority and the bond(s) shall be filed with the Authority. The Authority may fulfill this bonding requirement through plans or agreements offered by the Commonwealth of Virginia.

ARTICLE IX

AMENDMENTS

Any amendment, repeal, or alteration of the Bylaws must be considered at two (2) Authority meetings prior to action.

Any proposed amendment, repeal or alteration, in whole or in part, of these Bylaws shall be on a meeting agenda and presented in writing for a first time at a regular meeting of the Authority. The section or sections proposed for amendment may be considered and further amended at such meeting, and shall then be scheduled for consideration and action at a subsequent regular meeting. At such subsequent meeting, the section or sections proposed for amendment, as further amended, shall be subject to further consideration and amendment, and shall thereafter be acted on in accordance with the voting requirements of these Bylaws. Additional amendments to a section or sections of the Bylaws, other than those previously proposed and considered at the first regular meeting, and those further amendments that arose out of the Authority's discussion at the

first regular meeting, must be considered for the first time at a separately noticed meeting and thereafter acted upon in accordance with this section.

ARTICLE X

PROCEDURES

Parliamentary Procedure. In all matters of parliamentary procedure not specifically governed by these Bylaws or otherwise required by law, the current edition of *Robert's Rules of Order*, newly revised, shall apply.

Adopted by Northern Virginia Transportation Authority: June 12, 2008

Revised: January 8, 2010; January 14, 2016; September 9, 2021

**BYLAWS OF
THE WILLIAMSBURG AREA TRANSIT AUTHORITY**

Article I. Authority

Section 1. The Williamsburg Area Transit Authority was organized and exists pursuant to ordinances adopted in 2007, by and between the County of James City, the County of York and the City of Williamsburg, all political subdivisions of the Commonwealth of Virginia, which ordinances implement and confer all the rights, privileges and obligations granted in Chapter 33 of Title 33.2 of the Code of Virginia.

Section 2. The Williamsburg Area Transit Authority shall provide services to the County of James City, the County of York, the City of Williamsburg, the College of William & Mary (“College”) and The Colonial Williamsburg Foundation (“Foundation”) as set forth in the Cooperative Service Agreement dated **August 28, 2008** (“Agreement”), as amended from time to time. In the event there is a conflict between the Bylaws and the Agreement, any governance issues shall be governed by the Bylaws.

Article II. Name, Purpose and Powers

Section 1. **Name.** The name of this organization shall be Williamsburg Area Transit Authority (“Authority”) and the Authority shall operate the Williamsburg Area Transport System (“System”).

Section 2. **Purpose.** The purpose of the Authority is to provide safe, reliable, efficient and affordable public transportation services to the residents, students, visitors, and employees of the County of James City, the County of York, and the City of Williamsburg, as set forth in the Agreement.

Section 3. **Powers.** The Authority shall be governed by a Board of Directors (“Board”) and shall have the powers as granted in Chapter 33 of Title 33.2 of the Code of Virginia, as amended from time to time.

Article III. Membership

Section 1. **Directors.** The Authority shall be governed by a Board consisting of representatives of the member organizations. Specifically, there shall be two (2) Directors appointed by the County of James City, one (1) Director appointed by the County of York, one (1) Director appointed by the City of Williamsburg, one (1) Director appointed by the Board to represent the Foundation, and one (1) Director appointed by the Board to represent the College and one (1) Director appointed by the Board to represent the

Virginia Department of Rail and Public Transportation (“DRPT”). The Foundation, the College, and the Director of DRPT shall provide a recommendation to the Board regarding their representative. The Directors representing the College and DRPT shall be a non-voting Directors.

Section 2. **Terms.** The initial terms of the Directors shall be staggered accordingly: the County of James City shall have one Director serve for a term of three (3) years and one Director shall serve for a term of two (2) years; the County of York shall have one Director serve for a term of three (3) years; the City of Williamsburg shall have one Director serve for a term of four (4) years; the Foundation shall have one Director serve for a term of four (4) years; the College shall have one Director serve for a term of two (2) years; and DRPT shall have one Director serve for a term of two (2) years. As the terms of the initial Directors expire, their successors shall be appointed for terms of four (4) years. Directors shall serve at the pleasure of their member organization.

Section 3. **Alternates.** Each member organization shall appoint alternate Directors who shall be able to exercise all of the powers and duties of a Director when a regular Director is absent from Authority meetings. Alternate Directors serve at the pleasure of their respective organization.

Article IV. Officers and Duties

Section 1. **Officers.** The Officers of the Authority shall be a Chair, a Vice Chair, a Secretary, a Treasurer, and such subordinate officers as may from time to time be elected or appointed by the Board. The offices of the Chair and Vice Chair shall be held only by voting Directors.

Section 2. **Election and Terms.** Nominations and elections shall be held at the annual meeting of Board. Officers shall be elected by a quorum and shall serve for a term of one (1) year, unless sooner removed by the Board, or until a successor is elected and qualifies. Vacancies in office shall be filled by normal election procedure at the next meeting. Officers may succeed themselves, however, persons elected as Chair may not serve more than two (2) consecutive one-year terms as Chair.

Section 3. **Chair.** The Chair shall preside at all meetings of the Authority at which the Chair is present and shall vote as any other Director. The Chair shall be responsible for the implementation of the policies established and the action taken by the Board; shall have all of the powers and duties customarily pertaining to the office of Chair of the Board, and shall perform such other duties as may from time to time be assigned to the Chair by the Board. The Chair may sign or countersign checks and vouchers in payment of obligations of the Authority. The Chair is required to be a Director.

Section 4. **Vice Chair.** In the event of the absence of the Chair, or of the Chair's inability to perform any of the duties of the Chair's office or to exercise any of the Chair's powers, the Vice Chair will perform such duties and possess such powers as are conferred on the Chair, and shall perform such other duties as may from time to time be assigned to the Vice Chair by the Chair or the Board. The Vice Chair is required to be a Director.

Section 5. **Secretary.** The Secretary, or its designee, shall give appropriate notice of all meetings of the Board and shall keep the minutes of all such meetings, which minutes shall be a public record. The Secretary shall provide copies of the minutes to each Director prior to the next succeeding meeting. The Secretary shall be the custodian of the records and the seal of the Authority and shall affix the seal to official documents when it is required. The Secretary shall keep a book or record containing the names and places of residence of all Directors, as well as their dates of appointment and qualifications as Directors. The Secretary shall perform all of the duties generally incident to the Office of Secretary, and such other duties as may from time to time be assigned to the Secretary by the Chair or by the Board or by the Executive Director. The Secretary is not required to be a Director.

Section 6. **Treasurer.** The Treasurer, or its designee, shall have the care and custody of and be responsible for all funds of the Authority, and shall deposit such funds in the name of the Authority in such financial institutions as the Board may designate. The Treasurer, or its designee, shall sign or countersign in the name of the Authority all checks and drafts. The Treasurer shall render a report of the condition of the finances of the Authority at each regular meeting of the Board and at such other times as may be required, and the Treasurer shall make a full financial report at the annual meeting of the Authority. The Treasurer shall perform all duties generally incident to the Office of Treasurer, including coordinating and working with the Fiscal Agent, and such other duties as may from time to time be assigned to the Treasurer by the Chair or by the Board or by the Executive Director. The Treasurer is not required to be a Board Director.

Section 7. **Indemnification.** The Authority will insure, indemnify, and hold the Directors, Officers, and Executive Director harmless from all reasonable costs and expenses arising from civil actions, suits or judgements against them arising out of acts performed within the scope of their duties and employment, to the maximum extent allowed by law.

Article V. Meetings

The Authority is an organization subject to the requirements of Chapter 37, Virginia Freedom of Information Act of Title 2.2, Administration of Government, of the Code of Virginia (FOIA), and all meetings of the Authority and its Committees shall be open to the public, and notice of

such meetings shall be in accordance with FOIA.

- Section 1.** **Meeting Schedule.** Other than the initial meeting of the Board, the July meeting of each year shall be the annual meeting at which the nomination and election of officers shall be held and at which a calendar of meeting dates will be adopted. The Board shall meet as often as necessary to conduct its business pursuant to its adopted calendar, as it may be amended from time to time, and/or by any duly called special or emergency meeting.
- Section 2.** **Special Meetings.** Special meetings may be called by the Chair at its discretion, or by any two (2) member organizations, as long as proper notice of any such special meeting has been given in accordance with FOIA.
- Section 3.** **Quorum.** A majority of the Board will constitute a quorum, provided that at least one representative from each voting member organization is present, except when a Director is participating in a meeting under the provisions of the Authority's "Policy on Participation in Board Meetings by Electronic Means" (Resolution #R20-42, adopted April 2, 2020) and any subsequent revisions or applicable policies duly adopted under open meetings laws.
- Section 4.** **Voting.** Each Director, excluding the Director representing the College and the Director representing DRPT, shall be entitled to one vote on matters before the Board. The presence of a quorum and vote of the majority of the Directors present shall be necessary to take any action. Voting on all questions coming before the Board shall be by voice vote and shall be recorded in the minutes. There shall be no proxy voting. Each Director, or the Director's alternate, must be physically present to cast a vote, except when a Director is participating in a meeting under the provisions of the Authority's "Policy on Participation in Board Meetings by Electronic Means" (Resolution #R20-42, adopted April 2, 2020) and any subsequent revisions or applicable policies duly adopted under open meetings laws.
- Section 5.** **Minutes.** The Secretary of the Authority shall prepare minutes of each Board meeting and record them in a book of minutes kept in the office of the Authority. Minutes shall not be kept of proceedings in a closed session.
- Section 6.** **Meeting Cancellation.** Should it be necessary to cancel an advertised Board meeting due to weather or other conditions, the meeting shall be continued at a date, time, and place certain and duly advertised in accordance with FOIA.

Article VI. Committees

Section 1. Formation. The Board may establish such special and standing committees, financial, technical or otherwise as it deems desirable for the transaction of its affairs, and ad hoc committees may be established from time to time. Such committees, their purposes and terms, shall be established by majority vote of the Board.

Section 2. Officers. Committees shall appoint from its membership a chair of the Committee, and the Secretary of the Authority shall act as secretary of the Committee. If the chair or secretary of the Committee is absent from any Committee meeting, the Committee shall appoint a chair or secretary of the meeting, as the case may be. All Committees shall maintain a record of all its acts and proceedings and shall report thereon to the Board at the next meeting. Meetings of Committees may be called and held subject to the same requirements with respect to time, place, and notice as are specified in these Bylaws for meetings of the Board.

Any member of a Committee, other than the Chair of the Board and the Executive Director, may resign at any time by giving written notice of his intention to do so to the Chair of the Board, to the Executive Director, or to the Secretary of the Authority, or may be removed, with or without cause, at any time by such vote of the Board as would suffice for his election to a Committee.

Any vacancy occurring in a Committee resulting from any cause whatsoever may be filled by the Board at any meeting thereof.

Section 3. Quorum. A majority of the members of a Committee shall constitute a quorum.

Section 4. Advisory Committee. The Board may establish, by majority vote, an advisory committee of citizens consisting of an amount determined by the Board, with minimum representation being no less than five (5) citizens. The Advisory Committee shall make recommendations to the Board, but action may only be taken by the Board itself. Representatives from the private sector, the disabled community, a student from the College, and a person 19 years old or younger shall be among those persons appointed. At least one person living or working in each of the localities which are member organizations shall be appointed. A representative of the National Park Service and one at-large representative may also be appointed. The Committee shall meet no less than four times per year, elect its own officers, and be supported by the Authority staff. The chair of the Advisory Committee or his/her representative shall serve as a liaison to the Board.

Article VII. Administration

Section 1. **Staff.** The Authority shall employ a staff of qualified professional and other persons and pay them such compensation as it deems necessary and advisable to carry out its duties and implement its projects, programs and other functions.

Section 2. **Executive Director.** The Executive Director shall have direct supervision of all of the employees of the Authority. The Executive Director shall also have direct control of the management of the affairs of the Authority on a day to day basis. The Executive Director shall have the authority to hire and fire all employees of the Authority. The Executive Director shall propose activities to the Board and shall carry out the policies, programs, and projects approved by the Board. The Executive Director shall act as a liaison between the Authority and federal, state, local and regional organizations. The Executive Director shall have the ability to enter into contracts with authorization from the Board. The Executive Director shall be responsible for preparing and presenting the annual budget. The Executive Director shall report to the Board and shall serve at the pleasure of the Board.

Section 3. **Attorneys and Auditors.** Attorneys and auditors for the Authority shall be selected by and report directly to the Board. The Authority shall maintain proper books of record and account in which proper entries shall be made in accordance with generally accepted accounting principles for Virginia governmental bodies, consistently applied, of all of its business and affairs.

Section 4. **Execution of Instruments.** The Executive Director, on specific authorization of the Board, shall have the power to sign in its behalf any agreement or other instrument to be executed by the Board. The Executive Director may sign or countersign checks and vouchers in payment of obligations of the Authority.

Article VIII. Finances

Section 1. **Finances and Payments.** The monies of the Authority shall be deposited in such financial institutions as the Board so designates and all payments (with the exception of those from petty cash) shall, so far as practicable, be made by checks. Checks and drafts will be signed in the name of the Authority by the Executive Director and/or the Treasurer and/or the Chair as authorized from time to time by the Board.

Section 2. **Audits.** The books and records of account of the Authority shall be audited annually by a firm of independent public accountant selected by the Authority. At least once each year, the Board shall cause an audit to be made by an independent certified public accountant of the general funds of the Authority and any special project funds that are not audited

by the federal or state government or by other independent accountants. A report shall be made at such time to the Board of the findings, if any, of the audit.

Section 3. **Bonds.** The Board shall cause fidelity bonds, in such amounts as it deems adequate, to be secured covering each of its officers/employees who receives or disburses its funds.

Section 4. **Fiscal Year.** The fiscal year of the Authority will commence on July 1 of each year and shall terminate on the following June 30.

Article IX. Authority Seal

Section 1. **Seal.** The seal of the Authority shall be an impression in the form of a circle and shall contain the words "WILLIAMSBURG AREA TRANSIT AUTHORITY."

Article X. Amendment to Bylaws


Section 1. **Amendments.** Any proposed amendment, repeal or alteration, in whole or in part, of these Bylaws, or any proposal to accept a new member into the Authority shall be presented in writing and read for the first time at a regular meeting of the Board. Such proposal may be considered and amended at such meeting but shall not be acted on by the Board until a subsequent regular meeting or a special meeting called for the purpose. At such subsequent meeting, such proposal shall be read a second time, shall be subject to further consideration and amendment germane to the section or sections affected by such proposal and shall thereafter be acted on. Any amendment, repeal or alteration, in whole or in part, of these Bylaws shall require the affirmative vote of one hundred percent (100%) of the voting Directors present, at a duly constituted meeting, entitled to vote on such amendment, repeal or alteration.

Article XI. Procedures

Section 1. **Parliamentary Procedure.** The Board shall for parliamentary purposes follow Robert's Rule of Order Newly Revised, 10th Edition, 2000; provided, however, the Board may amend the Rules by resolution as it deems appropriate. The following rules shall apply:

- a. Members are not required to obtain floor before making motions or speaking, which they can do while seated.
- b. Motions need not be seconded.

- c. There is no limit to the number of times a Director can speak to a question, and motions to close or limit debate generally should not be entertained.
- d. Informal discussion of a subject is permitted while no motion is pending.
- e. The Chair may speak in discussion without leaving the chair; and may make motions and votes on all questions.



Mark Bellamy
Chair, Board of Directors
Williamsburg Area Transit Authority

Adopted: September 30, 2008
Amended: May 20, 2010
Amended: September 16, 2015
Amended: October 21, 2020

Appendix F Virginia Transportation/Transit Authority Legislations

Chapter 28. Charlottesville-Albemarle Regional Transit Authority

§ 33.2-2800. Charlottesville-Albemarle Regional Transit Authority created

There is hereby created a political subdivision of the Commonwealth known as the Charlottesville-Albemarle Regional Transit Authority, for purposes of this chapter referred to as "the Authority."

2009, c. 645, § 15.2-7023; 2014, c. 805.

§ 33.2-2801. Powers of the Charlottesville-Albemarle Regional Transit Authority

The Authority is hereby granted all powers necessary or appropriate to carry out the purposes of this chapter, including the power and authority to:

1. Prepare a regional transit plan for all or a portion of the areas located within the boundaries of each member locality. The regional transit plan may include all or portions of those areas within the City of Charlottesville and the County of Albemarle, shall include transit improvements of regional significance and those improvements necessary or incidental thereto, and shall be revised and amended;
2. When a transit plan is adopted according to subdivision 1, construct or acquire, by purchase, lease, contract, or otherwise, the transit facilities specified in such transit plan;
3. Make, assume, and enter into all contracts, agreements, arrangements, and leases with public or private entities as the Authority may determine are necessary or incidental to the operation of its facilities or to the execution of the powers granted by this chapter or may operate such facilities itself;
4. Enter into contracts or agreements with the counties and cities embraced by the Authority, with other transit commissions of transportation districts adjoining any county or city embraced by the Authority, with any transportation authority, or with any federal, state, local, or private entity to provide, or cause to be provided, transit facilities and services to the area embraced by the Authority. Such contracts or agreements, together with any agreements or leases for the operation of such facilities, may be used by the Authority to finance the construction and operation of transit facilities, and such contracts, agreements, or leases shall inure to the benefit of any creditor of the Authority;
5. Notwithstanding any other provision of law to the contrary:
 - a. Acquire land or any interest therein by purchase, lease, or gift and provide transit facilities thereon for use in connection with any transit service; and
 - b. Prepare a plan for mass transit services with persons, counties, cities, agencies, authorities, or transportation commissions and contract with any such person or other entity to provide necessary facilities, equipment, operations and maintenance, access, and insurance pursuant to such plan;
6. Adopt, amend, or repeal bylaws, rules, and regulations not inconsistent with this chapter or the general laws of the Commonwealth for the regulation of its affairs and the conduct of its

business and carry into effect its powers and purposes;

7. Adopt an official seal and alter it;

8. Maintain an office at such place or places as it designates;

9. Sue and be sued;

10. Determine and set fees, rates, and charges for transit services;

11. Establish retirement, group life insurance, and group accident and sickness insurance plans or systems for its employees in the same manner as localities are permitted under §§ [51.1-801](#) and [51.1-802](#);

12. Provide by resolution for the issuance of revenue bonds of the Authority for the purpose of paying the whole or any part of the cost of operating any transit system. Revenue bonds issued under the provisions of this chapter shall not constitute a pledge of the faith and credit of the Commonwealth or of any political subdivision. All bonds shall contain a statement on their face substantially to the effect that neither the faith and credit of the Commonwealth nor the faith and credit of any political subdivision are pledged to the payment of the principal of or the interest on the bonds. The issuance of revenue bonds under the provisions of this chapter shall neither directly nor indirectly nor contingently obligate the Commonwealth or any political subdivision to levy any taxes or to make any appropriation for their payment except from the funds pledged under the provisions of this chapter;

13. Appoint, employ, or engage such officers, employees, architects, engineers, attorneys, accountants, financial advisors, investment bankers, and other advisors, consultants, and agents as may be necessary or appropriate and pay compensation and fix their duties; and

14. Contract with any participating political subdivision for such subdivision to provide legal services; engineering services; depository and accounting services, including an annual independent audit; and procurement of goods and services and act as fiscal agent for the Authority.

2009, c. [645](#), § 15.2-7024; 2014, c. [805](#).

§ 33.2-2802. Counties and cities initially embraced by the Authority

The Authority shall initially embrace the City of Charlottesville and all or such portions of the County of Albemarle as its governing body desires to have included. The City of Charlottesville and the County of Albemarle shall be the initial members of the Authority upon adoption of an approving ordinance or resolution by each of their respective governing bodies.

2009, c. [645](#), § 15.2-7025; 2014, c. [805](#).

§ 33.2-2803. Joinder of other counties, agencies, institutions, and facilities

The Counties of Fluvanna, Greene, Louisa, and Nelson may join the Authority, and the Authority shall embrace all or such portions as the governing body of each county desires to have covered. Additionally, private nonprofit tourist-driven agencies, higher education facilities of the Charlottesville-Albemarle area, and public transportation agencies serving such counties may join the Authority. The governing body of any county, agency, institution, or facility wishing to join the Authority and the governing bodies of the localities, agencies, institutions, and facilities then members of the Authority shall by concurrent resolution or ordinance or by agreement

provide for the joinder of such county, agency, institution, or facility.

2009, c. 645, § 15.2-7026; 2014, c. 805.

§ 33.2-2804. Governance of Authority; composition; terms

The Authority shall be governed by a board of directors, for purposes of this chapter referred to as the "Authority Board," which shall consist of the following:

1. Two directors representing the County of Albemarle, each of whom shall be a member of the governing body of the county;
2. Two directors representing the City of Charlottesville, each of whom shall be a member of the governing body of the city;
3. One director representing each county that joins the Authority pursuant to § 33.2-2803, each of whom shall be a member of the governing body of each respective county; and
4. Up to four additional directors, who shall be nonvoting, representing the interests of such agencies, institutions, and facilities described in § 33.2-2803 that join the Authority.

All members of the Authority Board shall serve terms coincident with their terms of office. Vacancies shall be filled in the same manner as the original appointments.

The Authority Board shall appoint a chair and vice-chair from among its members.

2009, c. 645, § 15.2-7027; 2014, c. 805.

§ 33.2-2805. Staff

The Authority shall employ an executive director and such staff as it shall determine to be necessary to carry out its duties and responsibilities under this chapter. No such person shall contemporaneously serve as a director of the Authority Board. The Department of Transportation and the Department of Rail and Public Transportation shall make their employees available to assist the Authority, upon request.

2009, c. 645, § 15.2-7028; 2014, c. 805.

§ 33.2-2806. Decisions of Authority

A majority of the Authority Board shall constitute a quorum. Decisions of the Authority Board shall require a quorum and shall be in accordance with voting procedures established by the Authority.

2009, c. 645, § 15.2-7029; 2014, c. 805.

§ 33.2-2807. Allocation of certain Authority expenses

The administrative expenses of the Authority, as provided in an annual budget adopted by the Authority, to the extent funds for such expenses are not provided from other sources, shall be allocated among the participating counties, city, agencies, institutions, and facilities pursuant to a funding formula as duly adopted by the Authority.

2009, c. 645, § 15.2-7030; 2014, c. 805.

§ 33.2-2808. Payment to directors of the Authority Board

The directors of the Authority Board may be paid for their services in either (i) the amount

provided in the general appropriation act for members of the General Assembly engaged in legislative business between sessions or (ii) a lesser amount as determined by the Authority. Directors of the Authority Board may be reimbursed for all reasonable and necessary expenses as provided in §§ 2.2-2813 and 2.2-2825, if approved by the Authority. Funding for the costs of compensation and expenses of the directors of the Authority Board shall be provided by the Authority.

2009, c. 645, § 15.2-7031; 2014, c. 805.

§ 33.2-2809. Formation of advisory committees

The Authority may form advisory committees to assist the Authority.

2009, c. 645, § 15.2-7032; 2014, c. 805.

§ 33.2-2810. Other duties and responsibilities of Authority

In addition to other powers granted in this chapter, the Authority shall have the following duties and responsibilities:

1. Providing general oversight of Charlottesville-Albemarle area programs involving mass transit or congestion mitigation;
2. Providing long-range transit planning in the Charlottesville-Albemarle area, both financially constrained and unconstrained;
3. Recommending to federal, state, and regional agencies regional transit priorities, including public-private transit projects and funding allocations;
4. Allocating to priority regional transit projects any funds made available to the Authority and, at the discretion of the Authority, directly overseeing such projects;
5. Recommending to the Commonwealth Transportation Board priority regional transit projects for receipt of federal and state funds;
6. Serving as an advocate for the transit needs of the Charlottesville-Albemarle area before the federal and state governments; and
7. Applying to and negotiating with the government of the United States, the Commonwealth, or any agency or instrumentality thereof for grants and any other funds available to carry out the purposes of this chapter and receiving, holding, accepting, and administering from any source gifts, bequests, grants, aid, or contributions of money, property, labor, or other things of value to be held, used, and applied to carry out the purposes of this chapter subject, however, to any condition upon which gifts, bequests, grants, aid, or contributions are made. Unless otherwise restricted by the terms of the gift, bequest, or grant, the Authority may sell, exchange, or otherwise dispose of such money, securities, or other property given or bequeathed to it in furtherance of its purposes.

2009, c. 645, § 15.2-7033; 2014, c. 805.

§ 33.2-2811. Withdrawal from the Authority

A member of the Authority may withdraw from the participation in and the obligations of the Authority by a resolution or an ordinance of its governing body, and pursuant to such conditions and procedures adopted by the Authority. However, if the Authority has any outstanding bonds

or other debt, no member may withdraw from the Authority without the unanimous consent of all the holders of such bonds unless such bonds have been paid or cashed or United States government obligations have been deposited for their payment.

2009, c. [645](#), § 15.2-7034; 2014, c. [805](#).

§ 33.2-2812. Dissolution of the Authority

Whenever the Authority Board by resolution determines that the purposes for which the Authority was formed have been substantially complied with and all bonds issued and all obligations incurred by the Authority have been fully paid or adequate provisions have been made for the payment, the Authority Board shall execute and file for record with the participating localities, agencies, institutions, and facilities a resolution declaring such facts and providing for the disposition of the Authority assets, consistent with applicable state and federal law. If the participating localities, agencies, institutions, and facilities are of the opinion that the facts stated in the Authority's resolution are true and the Authority should be dissolved, they shall so resolve and the Authority shall stand dissolved as of the date on which the last participating locality, agency, institution, or facility adopts such resolution.

2009, c. [645](#), § 15.2-7035; 2014, c. [805](#).

Code of Virginia

Title 33.2. Highways and Other Surface Transportation Systems

Subtitle IV. Local and Regional Transportation

Chapter 37. Central Virginia Transportation Authority

§ 33.2-3700. Definitions

As used in this chapter, unless the context requires a different meaning:

"Authority" means the Central Virginia Transportation Authority.

"Fund" means the Central Virginia Transportation Fund.

2020, c. 1235.

§ 33.2-3701. Central Virginia Transportation Fund

A. There is hereby created in the state treasury a special nonreverting fund for Planning District 15 to be known as the Central Virginia Transportation Fund. The Fund shall be established on the books of the Comptroller. All revenues dedicated to the Fund pursuant to § 58.1-638 and Chapter 22.1 (§ 58.1-2291 et seq.) of Title 58.1 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. The moneys deposited in the Fund shall be used solely for (i) transportation purposes benefiting the localities comprising Planning District 15 and (ii) administrative and operating expenses as specified in subsection B of § 33.2-3706.

B. The amounts dedicated to the Fund shall be deposited monthly by the Comptroller into the Fund and thereafter distributed to the Authority as soon as practicable for use in accordance with this chapter. If the Authority determines that such moneys distributed to it exceed the amount required to meet the current needs and demands to fund transportation purposes pursuant to this chapter, the Authority may invest such excess moneys to the same extent and in the same manner as provided in subsection A of § 33.2-1525 for excess funds in the Transportation Trust Fund.

C. The amounts deposited into the Fund and the distribution and expenditure of such amounts shall not be used to calculate or reduce the share of federal, state, or local revenues otherwise available to participating localities. Further, such revenues and moneys shall not be included in any computation of, or formula for, a locality's ability to pay for public education, upon which appropriations of state revenues to local governments for public education are determined.

D. After provision for the payment of administrative and operating expenses as specified in subsection B of § 33.2-3706, the revenues in the Fund shall be allocated as follows:

1. Thirty-five percent shall be retained by the Authority to be used for transportation-related purposes benefiting the localities comprising Planning District 15;
2. Fifteen percent shall be distributed to the Greater Richmond Transit Company (GRTC), or its successor, to provide transit and mobility services in Planning District 15; and
3. Fifty percent shall be returned, proportionally, to each locality located in Planning District 15 to be used to improve local mobility, which may include construction, maintenance, or expansion

of roads, sidewalks, trails, mobility services, or transit located in the locality.

E. Each locality's share of the revenues returned pursuant to subdivision D 3 shall be the total of the taxes dedicated to the Fund that are generated or attributable to the locality divided by the total of such taxes dedicated to the Fund. Each locality shall create a separate, special fund in which all revenues received pursuant to subdivision D 3 shall be deposited. Each locality shall annually provide to the Authority sufficient documentation, as required by the Authority, showing that the revenues distributed under subdivision D 3 were used for the purposes set forth therein.

F. The projects and other transportation purposes supported by the revenues allocated under subdivisions D 1 and 2 shall be approved by the Authority.

G. The GRTC shall create a separate, special fund in which all revenues received pursuant to subdivision D 2 shall be deposited. The GRTC shall develop a plan for regional public transportation within Planning District 15 in collaboration with the Richmond Regional Transportation Planning Organization in conformance with the guidelines required by § 33.2-286 . The GRTC shall annually provide to the Authority sufficient documentation, as required by the Authority, showing that the revenues distributed under subdivision D 2 were applied in accordance with Authority approval and the guidelines required by § 33.2-286.

H. The Authority shall develop a prioritization process based on an objective and quantifiable analysis that considers the benefits of projects relative to their cost. Only projects evaluated using such process may be funded pursuant to subdivision D 1.

2020, c. 1235.

§ 33.2-3702. Central Virginia Transportation Authority created

The Central Virginia Transportation Authority is hereby created as a body politic and as a political subdivision of the Commonwealth. The Authority shall embrace each county, city, and town located in Planning District 15, which is established pursuant to Chapter 42 (§ 15.2-4200 et seq.) of Title 15.2.

2020, c. 1235.

§ 33.2-3703. Composition of Authority

The Authority shall consist of 18 members as follows:

1. The chief elected officer, or his designee, of the governing body of each of the counties embraced by the Authority;
2. The chief elected officer, or his designee, of the City of Richmond and the Town of Ashland;
3. One member of the House of Delegates who resides in a county or city embraced by the Authority, appointed by the Speaker of the House, and one member of the Senate who resides in a county or city embraced by the Authority, appointed by the Senate Committee on Rules;
4. A member of the Commonwealth Transportation Board who resides in a locality embraced by the Authority and is appointed by the Governor; and
5. The following six persons serving ex officio as nonvoting members of the Authority: the Director of the Department of Rail and Public Transportation, or his designee; the Commissioner

of Highways, or his designee; the Executive Director of the Virginia Port Authority, or his designee; the Chief Executive Officer of the Greater Richmond Transit Company (GRTC); the Chief Executive Officer of the Richmond Metropolitan Transportation Authority; and the Chief Executive Officer of the Capital Region Airport Commission.

All members of the Authority shall serve terms coincident with their terms of office. Vacancies shall be filled in the same manner as the original appointment. If a member of the Authority who represents a locality as provided in subdivision 1 or 2 is unable to attend a meeting of the Authority, he may designate another current elected official of such governing body to attend such meeting of the Authority. Such designation shall be for the purposes of one meeting and shall be submitted in writing or electronically to the Chairman of the Authority at least 48 hours prior to the affected meeting.

The Authority shall elect a chairman and vice-chairman from among its voting membership.

The Auditor of Public Accounts, or his legally authorized representatives, shall annually audit the financial accounts of the Authority, and the cost of such audit shall be borne by the Authority.

2020, c. [1235](#);2021, Sp. Sess. I, c. [142](#);2022, cc. [189](#), [190](#).

§ 33.2-3704. Staff

The Authority may employ a chief executive officer and such staff as it shall determine to be necessary to carry out its duties and responsibilities under this chapter. No such person shall contemporaneously serve as a member of the Authority. The Department of Transportation and the Department of Rail and Public Transportation shall make their employees available to assist the Authority, upon request.

2020, c. [1235](#).

§ 33.2-3705. Decisions of the Authority

A majority of voting members of the Authority shall constitute a quorum. Vacancies shall not be considered in the establishment of a quorum. Votes of the chief elected officers of localities, or their designees, appointed to the Authority shall be weighted, based upon population of the locality, as follows: (i) the chief elected officers, or their designees, from the Counties of Chesterfield and Henrico and the City of Richmond shall each receive four votes; (ii) the chief elected officer, or his designee, from the County of Hanover shall receive three votes; (iii) the chief elected officers, or their designees, from the Counties of Goochland, New Kent, and Powhatan shall each receive two votes; and (iv) the chief elected officers, or their designees, from the Town of Ashland and the County of Charles City shall each receive one vote. The Delegate and Senator appointed to the Authority and the member of the Commonwealth Transportation Board appointed by the Governor shall each receive one vote. Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion. The population of counties and cities embraced by the Authority shall be the population as determined by the most recently preceding decennial census, except that on July 1 of the fifth year following such census, the population of each county and city shall be adjusted, based on population estimates made by the Weldon Cooper

Center for Public Service of the University of Virginia.

2020, c. 1235.

§ 33.2-3706. Annual budget and allocation of expenses

A. The Authority shall adopt an annual budget and develop a funding plan to be supported by the revenues allocated under subdivision D 1 of § 33.2-3701 and shall provide for such development and adoption in its bylaws. The funding plan shall provide for the expenditure of funds for transportation purposes over a four-to-six-year period and shall align with the Statewide Transportation Plan established pursuant to § 33.2-353, the long-range transportation plan of Planning District 15, or the long-range transportation plans of participating localities as much as possible. The Authority shall solicit public comment on its budget and funding plan by posting a summary of such budget and funding plan on its website and holding a public hearing. Such public hearing shall be advertised on the Authority's website and in a newspaper of general circulation in Planning District 15.

B. The administrative and operating expenses of the Authority shall be provided in an annual budget adopted by the Authority and to the extent funds for such expenses are not provided from other sources shall be paid from the Fund. Such budget shall be limited solely to the administrative and operating expenses of the Authority and shall not include any funds for construction or acquisition of transportation facilities or the maintenance or performance of any transportation service.

C. Members may be reimbursed for all reasonable and necessary expenses provided in §§ 2.2-2813 and 2.2-2825, if approved by the Authority. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.

2020, c. 1235.

§ 33.2-3707. Authority to issue bonds

The Authority may issue bonds and other evidences of debt as may be authorized by this section or other law. The provisions of Article 5 (§ 33.2-1920 et seq.) of Chapter 19 shall apply, mutatis mutandis, to the issuance of such bonds or other debt. The Authority may issue bonds or other debt in such amounts as it deems appropriate. The bonds may be supported by any funds available.

2020, c. 1235.

§ 33.2-3708. Powers of the Authority

A. The Authority shall have the following powers together with all powers incidental thereto or necessary for the performance of those hereinafter stated:

1. To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
2. To adopt and use a corporate seal and to alter the same at its pleasure;
3. To procure insurance, participate in insurance plans, and provide self-insurance; however, the purchase of insurance, participation in an insurance plan, or the creation of a self-insurance plan by the Authority shall not be deemed a waiver or relinquishment of any sovereign immunity to which the Authority or its officers, directors, employees, or agents are otherwise entitled;

4. To establish bylaws and make all rules and regulations, not inconsistent with the provisions of this chapter, deemed expedient for the management of the Authority's affairs;
 5. To apply for and accept money, materials, contributions, grants, or other financial assistance from the United States and agencies or instrumentalities thereof, the Commonwealth and any political subdivision, agency, or instrumentality of the Commonwealth, and any legitimate private source;
 6. To acquire real and personal property or any interest therein by purchase, lease, gift, or otherwise for purposes consistent with this chapter and to hold, encumber, sell, or otherwise dispose of such land or interest for purposes consistent with this chapter;
 7. To acquire by purchase, lease, contract, or otherwise, highways, bridges, or tunnels and to construct the same by purchase, lease, contract, or otherwise;
 8. In consultation with the Commonwealth Transportation Board for projects that encompass a state highway, and with each city or county in which the facility or any part thereof is or is to be located, to repair, expand, enlarge, construct, reconstruct, or renovate any or all highways, bridges, and tunnels within Planning District 15 and to acquire any real or personal property needed for any such purpose;
 9. To enter into agreements or leases with public or private entities for the operation and maintenance of bridges, transit and rail facilities, and highways;
 10. To make and execute contracts, deeds, mortgages, leases, and all other instruments and agreements necessary or convenient for the performance of its duties and the exercise of its powers and functions under this chapter;
 11. To the extent funds are made or become available to the Authority to do so, to employ employees, agents, advisors, and consultants, including without limitation attorneys, financial advisers, engineers, and other technical advisers and, the provisions of any other law to the contrary notwithstanding, to determine their duties and compensation;
 12. To exercise the powers of a locality pursuant to § 33.2-269;and
 13. To the extent not inconsistent with the other provisions of this chapter, and without limiting or restricting the powers otherwise given the Authority, to exercise all of the powers given to transportation district commissions by § 33.2-1919.
- B. The Authority shall comply with the provisions governing localities contained in § 15.2-2108.23.

2020, c. 1235.

§ 33.2-3709. Additional Powers of the Authority

Notwithstanding any contrary provision of this title and in accordance with all applicable federal statutes and requirements, the Authority shall control and operate and may impose and collect tolls in amounts established by the Authority for the use of any new or improved highway, bridge, or tunnel, to increase capacity on such facility or to address congestion within Planning District 15, constructed by the Commission (i) with federal, state, or local funds, (ii) solely with revenues of the Authority, or (iii) with revenues under the control of the Authority. The amount of any such toll may be varied from facility to facility, by lane, by congestion levels, by day of the

week, by time of day, by type or size of vehicle, by number of axles, or by any similar combination thereof or any other factor the Authority may deem proper, and a reduced rate may be established for commuters as defined by the Authority. All such tolls shall be used for programs and projects that are reasonably related to or benefit the users of the new or improved highway, bridge, or tunnel, including, but not limited to, for the debt service and other costs of bonds whose proceeds are used for construction or improvement of such highway, bridge, or tunnel.

Any tolls imposed by the Authority shall be collected by an electronic toll system that, to the extent possible, shall not impede the traffic flow of the facility or prohibit a toll facility from retaining means of nonautomated toll collection in some lanes of the facility. For all facilities tolled by the Authority, there shall be signs erected prior to the point of toll collection that clearly state how the majority of the toll revenue is being spent by the Authority to benefit the users of the facility.

2020, c. [1235](#).

§ 33.2-3710. Authority a responsible public entity under Public-Private Transportation Act of 1995

The Authority is a responsible public entity as defined in § [33.2-1800](#) and shall be regulated in accordance with the terms of the Public-Private Transportation Act of 1995 (§ [33.2-1800](#) et seq.) and regulations and guidelines adopted pursuant thereto.

2020, c. [1235](#).

§ 33.2-3711. Continuing responsibilities of the Commonwealth Transportation Board and the Department of Transportation

Except as otherwise explicitly provided in this chapter, until such time as the Authority and the Department of Transportation, or the Authority and the Commonwealth Transportation Board, agree otherwise in writing, the Commonwealth Transportation Board shall allocate funding to and the Department of Transportation shall perform or cause to be performed all maintenance and operation of the bridges and roadways and shall perform such other required services and activities with respect to such bridges and roadways as were being performed on July 1, 2020.

2020, c. [1235](#).

§ 33.2-3712. Continued responsibilities for local transit funding

No locality embraced by the Authority shall reduce its local funding for public transit by more than 50 percent of what it appropriated for public transit as of July 1, 2019. Starting in fiscal year 2023, the amount required to be provided by a locality pursuant to this section shall be adjusted annually based on the greater of (i) the change in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics for the U.S. Department of Labor for the previous year, or (ii) zero.

2020, c. [1235](#).

§ 33.2-3713. Use of revenues by the Authority

Notwithstanding any other provision of this chapter, all moneys received by the Authority shall be used by the Authority solely for the benefit of those counties, cities, and towns that are embraced by the Authority, and such moneys shall be used by the Authority in a manner that is consistent with the purposes stated in this chapter.

2020, c. [1235](#).

Chapter 26. Hampton Roads Transportation Accountability Commission

§ 33.2-2600. Hampton Roads Transportation Fund

There is hereby created in the state treasury a special nonreverting fund for Planning District 23 to be known as the Hampton Roads Transportation Fund, referred to in this chapter as "the Fund." The Fund shall be established on the books of the Comptroller. All revenues dedicated to the Fund pursuant to § 58.1-638 and Chapter 22.1 (§ 58.1-2291 et seq.) of Title 58.1 shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. The moneys deposited in the Fund shall be used solely for (i) new construction projects on new or existing highways, bridges, and tunnels in the localities comprising Planning District 23 as approved by the Hampton Roads Transportation Accountability Commission and (ii) administrative and operating expenses as specified in subsection B of § 33.2-2605. The Commission shall give priority to those projects that are expected to provide the greatest impact on reducing congestion for the greatest number of citizens residing within Planning District 23 and shall ensure that the moneys shall be used for such construction projects.

The amounts dedicated to the Fund shall be deposited monthly by the Comptroller into the Fund and thereafter distributed to the Commission as soon as practicable for use in accordance with this chapter. If the Commission determines that such moneys distributed to it exceed the amount required to meet the current needs and demands to fund transportation projects pursuant to this chapter, the Commission may invest such excess moneys to the same extent and in the same manner as provided in subsection A of § 33.2-1525 for excess funds in the Transportation Trust Fund.

The amounts deposited into the Fund and the distribution and expenditure of such amounts shall not be used to calculate or reduce the share of federal, state, or local revenues otherwise available to participating localities. Further, such revenues and moneys shall not be included in any computation of, or formula for, a locality's ability to pay for public education, upon which appropriations of state revenues to local governments for public education are determined.

2013, c. 766, § 33.1-23.5:4; 2014, cc. 545, 678, 805; 2016, cc. 603, 608.

§ 33.2-2600.1. Hampton Roads Regional Transit Program and Fund

A. The General Assembly declares it to be in the public interest that developing and continuing operations of reliable regional public transportation is important for a balanced and effective multimodal transportation system in the Hampton Roads region and is essential to the region's economic growth, vitality, and competitiveness. The General Assembly further declares that a special transportation program, to be known as the Hampton Roads Regional Transit Program (the Program), should provide for the costs of developing, maintaining, and improving a core regional network of transit routes and related infrastructure, rolling stock, and support facilities that have the greatest positive impacts on economic development potential, employment opportunities, mobility, environmental sustainability, and quality of life. The goal of the Program is to provide a modern, safe, and efficient core network of transit services across the Hampton

Roads region. The Program shall be incorporated into strategic plans developed pursuant to § 33.2-286 and adopted by the governing board of each transit entity and shall form the basis for the regional transit planning process coordinated by the federally designated Metropolitan Planning Organization.

B. There is hereby created in the state treasury a special nonreverting fund for Planning District 23 to be known as the Hampton Roads Regional Transit Fund, referred to in this chapter as "the Regional Transit Fund." The Regional Transit Fund shall be established on the books of the Comptroller. All revenues dedicated to the Regional Transit Fund pursuant to §§ 58.1-802.5, 58.1-816, and 58.1-1743 shall be paid into the state treasury and credited to the Regional Transit Fund. Interest earned on moneys in the Regional Transit Fund shall remain in the Regional Transit Fund and be credited to it. Any moneys remaining in the Regional Transit Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Regional Transit Fund.

C. The Regional Transit Fund shall be managed by the Commission, and disbursements from the Regional Transit Fund shall be approved by the Commission consistent with the regional transit planning process developed pursuant to subsection D of § 33.2-286. The moneys deposited in the Regional Transit Fund shall be used solely for (i) the development, maintenance, improvement, and operation of a core and connected regional network of transit routes and related infrastructure, rolling stock, and support facilities, to include the operation of a regional system of interjurisdictional, high-frequency bus service, in a transportation district in Hampton Roads created pursuant to § 33.2-1903 as included in the strategic plans and regional transit planning process developed pursuant to § 33.2-286 and (ii) administrative and operating expenses of the Commission as specified in subsection B of § 33.2-2605. In the allocation of funds, priority shall be given, when possible, to investments in the most sustainable and cost-effective operations, rolling stock, and facilities to reduce or eliminate reliance upon diesel fuels. Funds from the Regional Transit Fund shall not be used to support the expansion of light rail beyond the boundaries of a locality where light rail is operated on January 1, 2020. The amounts dedicated to the Regional Transit Fund shall be deposited monthly by the Comptroller into the Regional Transit Fund and thereafter distributed to the Commission as soon as practicable for use in accordance with this chapter. If the Commission determines that such moneys distributed to it exceed the amount required to meet the current needs and demands to fund transit projects pursuant to this chapter, the Commission may invest such excess moneys to the same extent and in the same manner as provided in subsection A of § 33.2-1525 for excess funds in the Transportation Trust Fund.

D. The amounts deposited into the Regional Transit Fund and the distribution and expenditure of such amounts shall not (i) be used to calculate or reduce the share of federal, state, or local revenues otherwise available to participating localities; (ii) allow a local government that is a member of the transportation district to reduce its local funding for public transportation purposes to an amount less than what was appropriated on July 1, 2019, for such purposes; or (iii) diminish or supplant allocations and appropriations from other sources or diminish allocations to which a transportation district, transit system, or locality would be entitled under any other provisions of law but shall supplement such funds to accelerate and augment transportation improvements in the Hampton Roads region. Further, such revenues and moneys shall not be included in any computation of, or formula for, a locality's ability to pay for public education, upon which appropriations of state revenues to local governments for public education are determined. Any amounts paid from the Regional Transit Fund shall be considered local funds

when used to make a required match for state or federal transportation grant funds.

2020, cc. [1241](#), [1281](#).

§ 33.2-2601. Commission created

The Hampton Roads Transportation Accountability Commission, referred to in this chapter as "the Commission," is hereby created as a body politic and as a political subdivision of the Commonwealth. The Commission shall embrace each county and city located in Planning District 23, which is established pursuant to Chapter 42 (§ [15.2-4200](#) et seq.) of Title 15.2.

2014, cc. [545](#), [678](#).

§ 33.2-2602. Composition of Commission

The Commission shall consist of 23 members as follows:

1. The chief elected officer of the governing body of each of the 10 cities embraced by the Commission;
2. A current elected official of each of the four counties embraced by the Commission, provided that such official (i) serves on the governing body of the county and (ii) has been appointed by resolution of such governing body to serve as the county's member on the Commission;
3. Three members of the House of Delegates who reside in different counties or cities embraced by the Commission, appointed by the Speaker of the House, and two members of the Senate who reside in different counties or cities embraced by the Commission, appointed by the Senate Committee on Rules; and
4. The following four persons serving as nonvoting ex officio members of the Commission: a member of the Commonwealth Transportation Board who resides in a locality embraced by the Commission and is appointed by the Governor; the Director of the Department of Rail and Public Transportation, or his designee; the Commissioner of Highways, or his designee; and the Executive Director of the Virginia Port Authority, or his designee.

All members of the Commission shall serve terms coincident with their terms of office. Vacancies shall be filled in the same manner as the original appointment. If a member of the Commission who represents a locality as provided in subdivision 1 or 2 is unable to attend a meeting of the Commission, he may designate another current elected official of such governing body to attend a meeting of the Commission. Such designation shall be for the purposes of one meeting and shall be submitted in writing or electronically to the Chairman of the Commission at least 48 hours prior to the affected meeting.

The Commission shall elect a chairman and vice-chairman from among its voting membership.

The Auditor of Public Accounts, or his legally authorized representatives, shall annually audit the financial accounts of the Commission, and the cost of such audit shall be borne by the Commission.

2014, cc. [545](#), [678](#); 2016, cc. [603](#), [608](#).

§ 33.2-2603. Staff

The Commission may employ a chief executive officer and such staff as it shall determine to be necessary to carry out its duties and responsibilities under this chapter. No such person shall

contemporaneously serve as a member of the Commission. The Department of Transportation and the Department of Rail and Public Transportation shall make their employees available to assist the Commission, upon request.

2014, cc. [545](#), [678](#).

§ 33.2-2604. Decisions of Commission

A majority of the Commission, which majority shall include at least a majority of the total of chief elected officers and elected officials who represent the counties and cities embraced by the Commission, or their designees pursuant to § [33.2-2602](#), shall constitute a quorum. Decisions of the Commission shall require a quorum and shall be in accordance with voting procedures established by the Commission. In all cases, decisions of the Commission shall require the affirmative vote of two-thirds of the members of the Commission, or their designees, present and voting, and two-thirds of the total of chief elected officers and elected officials who represent the counties and cities embraced by Planning District 23, or their designees, who are present and voting and whose counties and cities include at least two-thirds of the population embraced by the Commission; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion. The population of counties and cities embraced by the Commission shall be the population as determined by the most recently preceding decennial census, except that on July 1 of the fifth year following such census, the population of each county and city shall be adjusted, based on population estimates made by the Weldon Cooper Center for Public Service of the University of Virginia.

2014, cc. [545](#), [678](#);2015, c. [232](#);2016, cc. [603](#), [608](#).

§ 33.2-2605. Annual budget and allocation of expenses

A. The Commission shall adopt an annual budget and develop a funding plan and shall provide for such adoption in its bylaws. The funding plan shall provide for the expenditure of funds over a four- to six-year period and shall align with the Statewide Transportation Plan established pursuant to § [33.2-353](#) as much as possible. The Commission shall solicit public comment on its budget and funding plan by posting a summary of such budget and funding plan on its website and holding a public hearing. Such public hearing shall be advertised on the Commission's website and in a newspaper of general circulation in Planning District 23.

B. The administrative and operating expenses of the Commission shall be provided in an annual budget adopted by the Commission. To the extent that funds for such expenses are not provided from other sources, the expenses shall be paid from the Fund and the Regional Transit Fund on an approximately pro rata basis of the programs supported by the Fund and the Regional Transit Fund. Such budget shall be limited solely to the administrative and operating expenses of the Commission and shall not include any funds for construction or acquisition of transportation facilities or the performance of any transportation service.

C. Members may be reimbursed for all reasonable and necessary expenses provided in §§ [2.2-2813](#) and [2.2-2825](#), if approved by the Commission. Funding for the costs of compensation and expenses of the members shall be provided by the Commission.

2014, cc. [545](#), [678](#);2016, cc. [603](#), [608](#);2020, cc. [1241](#), [1281](#).

§ 33.2-2606. Authority to issue bonds

The Commission may issue bonds and other evidences of debt as may be authorized by this section or other law. The provisions of Article 5 (§ 33.2-1920 et seq.) of Chapter 19 shall apply, mutatis mutandis, to the issuance of such bonds or other debt. The Commission may issue bonds or other debt in such amounts as it deems appropriate. The bonds may be supported by any funds available, except that funds from tolls collected pursuant to § 33.2-2607 shall be used only as provided in that section.

2014, cc. 545, 678.

§ 33.2-2607. Powers of the Commission

Notwithstanding any contrary provision of this title and in accordance with all applicable federal statutes and requirements, the Commission shall control and operate and may impose and collect tolls in amounts established by the Commission for the use of any new or improved highway, bridge, or tunnel, to increase capacity on such facility or to address congestion within Planning District 23, constructed by the Commission (i) with federal, state, or local funds, (ii) solely with revenues of the Commission, or (iii) with revenues under the control of the Commission. The amount of any such toll may be varied from facility to facility, by lane, by congestion levels, by day of the week, by time of day, by type or size of vehicle, by number of axles, or by any similar combination thereof or any other factor the Commission may deem proper, and a reduced rate may be established for commuters as defined by the Commission. All such tolls shall be used for programs and projects that are reasonably related to or benefit the users of the new or improved highway, bridge, or tunnel, including, but not limited to, for the debt service and other costs of bonds whose proceeds are used for construction or improvement of such highway, bridge, or tunnel.

Any tolls imposed by the Commission shall be collected by an electronic toll system that, to the extent possible, shall not impede the traffic flow of the facility or prohibit a toll facility from retaining means of nonautomated toll collection in some lanes of the facility. For all facilities tolled by the Commission, there shall be signs erected prior to the point of toll collection that clearly state how the majority of the toll revenue is being spent by the Commission to benefit the users of the facility.

2014, cc. 545, 678.

§ 33.2-2608. Additional powers of the Commission

A. The Commission shall have the following powers together with all powers incidental thereto or necessary for the performance of those hereinafter stated:

1. To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
2. To adopt and use a corporate seal and to alter the same at its pleasure;
3. To procure insurance, participate in insurance plans, and provide self-insurance; however, the purchase of insurance, participation in an insurance plan, or the creation of a self-insurance plan by the Commission shall not be deemed a waiver or relinquishment of any sovereign immunity to which the Commission or its officers, directors, employees, or agents are otherwise entitled;
4. To establish bylaws and make all rules and regulations, not inconsistent with the provisions of

this chapter, deemed expedient for the management of the Commission's affairs;

5. To apply for and accept money, materials, contributions, grants, or other financial assistance from the United States and agencies or instrumentalities thereof; the Commonwealth; and any political subdivision, agency, or instrumentality of the Commonwealth; and from any legitimate private source;

6. To acquire real and personal property or any interest therein by purchase, lease, gift, or otherwise for purposes consistent with this chapter and to hold, encumber, sell, or otherwise dispose of such land or interest for purposes consistent with this chapter;

7. To acquire by purchase, lease, contract, or otherwise, highways, bridges, or tunnels and to construct the same by purchase, lease, contract, or otherwise;

8. In consultation with the Commonwealth Transportation Board and with each city or county in which the facility or any part thereof is or is to be located, to repair, expand, enlarge, construct, reconstruct, or renovate any or all highways, bridges, and tunnels within Planning District 23 and to acquire any real or personal property needed for any such purpose;

9. To enter into agreements or leases with public or private entities for the operation and maintenance of bridges, tunnels, transit and rail facilities, and highways;

10. To make and execute contracts, deeds, mortgages, leases, and all other instruments and agreements necessary or convenient for the performance of its duties and the exercise of its powers and functions under this chapter;

11. To the extent funds are made or become available to the Commission to do so, to employ employees, agents, advisors, and consultants, including without limitation attorneys, financial advisers, engineers, and other technical advisers and, the provisions of any other law to the contrary notwithstanding, to determine their duties and compensation; and

12. To the extent not inconsistent with the other provisions of this chapter, and without limiting or restricting the powers otherwise given the Commission, to exercise all of the powers given to transportation district commissions by § 33.2-1919.

B. The Commission shall comply with the provisions governing localities contained in § 15.2-2108.23.

2014, cc. 545, 678.

§ 33.2-2609. Commission a responsible public entity under Public-Private Transportation Act of 1995

The Commission is a responsible public entity as defined in § 33.2-1800 and shall be regulated in accordance with the terms of the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) and regulations and guidelines adopted pursuant thereto.

2014, cc. 545, 678.

§ 33.2-2610. Continuing responsibilities of the Commonwealth Transportation Board and the Department of Transportation

Except as otherwise explicitly provided in this chapter, until such time as the Commission and the Department of Transportation, or the Commission and the Commonwealth Transportation

Board, agree otherwise in writing, the Commonwealth Transportation Board shall allocate funding to and the Department of Transportation shall perform or cause to be performed all maintenance and operation of the bridges, tunnels, and roadways and shall perform such other required services and activities with respect to such bridges, tunnels, and roadways as were being performed on July 1, 2014.

2014, cc. [545](#), [678](#).

§ 33.2-2611. Use of revenues by the Commission

Notwithstanding any other provision of this chapter, all moneys received by the Commission shall be used by the Commission solely for the benefit of those counties and cities that are embraced by the Commission, and such moneys shall be used by the Commission in a manner that is consistent with the purposes stated in this chapter.

2014, cc. [545](#), [678](#).

§ 33.2-2612. Additional tolling authority of the Commission

A. For the purposes of this section, "the facility" means the vicinity of the interchange of Interstate 64 and Jefferson Avenue to the interchange of Interstate 64, Interstate 264, and Interstate 664.

B. The Commission shall, subject to the conditions provided in this section, have the authority to impose and collect tolls on high-occupancy toll lanes on Interstate 64 in the facility. The tolls shall be collected by an electronic toll system that, to the extent possible, shall not impede the traffic flow of the facility. The tolls authorized by this section may only be imposed on a portion of the facility that has been designated as high-occupancy toll lanes by the Board pursuant to [§ 33.2-502](#), and the amount of the tolls shall be varied by congestion level. All such tolls may be used for programs and projects that are reasonably related to or that benefit users of the facility and, without limiting the foregoing, may be used to pay the debt service on and related reserves and financing costs for, and pledged to support, bonds and other evidences of indebtedness the proceeds of which are or were used for construction or improvement of the facility.

C. Prior to the imposition of tolls pursuant to this section, the Commission shall enter into an agreement with the Board and the Department that (i) sets the standards for the operations of the facility, including the collection of tolls; (ii) addresses the use and application of toll revenues and toll-backed debt proceeds and the reimbursement of any funds expended by the Board or the Department to convert any portion of the facility from high-occupancy vehicle lanes to high-occupancy toll lanes, as these terms are defined in [§ 33.2-500](#); and (iii) contains such other provisions deemed appropriate and necessary to ensure the safe and efficient operations of the general purpose and high-occupancy toll lanes on any portion of the facility where the Commission intends to exercise the authority provided in subsection B.

2020, c. [703](#).

Chapter 33. Williamsburg Area Transit Authority

§ 33.2-3300. Authority created

There is hereby created a political subdivision of the Commonwealth known as the Williamsburg Area Transit Authority, hereinafter known as "the Authority."

In addition to such other powers vested in the Authority by this chapter, the Authority shall have the following powers and functions:

1. The Authority shall prepare a regional transit plan for all or a portion of the areas located within the jurisdictional boundaries of each member locality. The regional transit plan may include all or portions of those areas within the City of Williamsburg, the County of James City and such portions of York County as its governing body desires to have covered, and the areas owned or operated by the College of William and Mary in Virginia and the Colonial Williamsburg Foundation, including transit improvements of regional significance, and those improvements necessary or incidental thereto, and the Authority shall from time to time revise and amend the plan.
2. The Authority may, when a transit plan is adopted according to subdivision 1, construct or acquire, by purchase, lease, contract, or otherwise, the transit facilities specified in such transit plan.
3. The Authority may enter into agreements or leases with public or private entities for the operation of its facilities, or may operate such facilities itself.
4. The Authority may enter into contracts or agreements with the counties and cities embraced by the Authority, with other transit commissions of transportation districts adjoining any county or city embraced by the Authority, with any transportation authority, or with any state, local, private, or federal entity to provide, or cause to be provided, transit facilities and services to the area embraced by the Authority. Such contracts or agreements, together with any agreements or leases for the operation of such facilities, may be used by the Authority to finance the construction and operation of transit facilities, and such contracts, agreements, or leases shall inure to the benefit of any creditor of the Authority.
5. Notwithstanding any other provision of law to the contrary, the Authority may:
 - a. Acquire land or any interest therein by purchase, lease, or gift and provide transit facilities thereon for use in connection with any transit service;
 - b. Acquire land or any interest therein by purchase, lease, or gift in advance of the need for sale or contribution to an agency, for use by that agency in connection with an adopted transit plan; or
 - c. Prepare a plan for mass transit services with persons, cities, counties, agencies, authorities, or transportation commissions and may further contract with any such person or other entity to provide necessary facilities, equipment, operations and maintenance, access, and insurance pursuant to such plan.

2006, c. 179, § 15.2-6801; 2015, c. 256.

§ 33.2-3301. Counties and cities embraced by the Authority

Upon adoption of an approving ordinance by each of the respective governing bodies wishing to join the Authority, the Authority shall embrace the County of James City, such portions of York County as its governing body desires to have covered, and the City of Williamsburg.

2006, c. 179, § 15.2-6802; 2015, c. 256.

§ 33.2-3302. Composition of Authority; membership; terms

Upon adoption of an approving ordinance by each of the respective governing bodies wishing to join the Authority, the Authority may consist of up to seven members as follows:

Two members representing James City County;

One member representing York County; and

One member representing the City of Williamsburg.

In addition, the county and municipal corporation members may elect up to three additional members to represent the interests of higher-education facilities and private, nonprofit tourist-driven agencies in the Williamsburg area, provided that such member facilities and organizations contribute significant financial resources to the Authority.

The Authority shall appoint the chairman and vice-chairman.

2006, c. 179, § 15.2-6803; 2015, c. 256.

§ 33.2-3303. Staff

The Authority shall employ an executive director and such staff as it deems necessary to carry out its duties and responsibilities under this chapter. No such person shall contemporaneously serve as a member of the Authority. The Department of Transportation and the Department of Rail and Public Transportation shall make their employees available to assist the Authority, upon request.

2006, c. 179, § 15.2-6804; 2015, c. 256.

§ 33.2-3304. Decisions of Authority

A majority of the members of the Authority shall constitute a quorum. Decisions of the Authority shall require a quorum and shall be in accordance with voting procedures established by the Authority.

2006, c. 179, § 15.2-6805; 2015, c. 256.

§ 33.2-3305. Allocation of certain Authority expenses among component members

The administrative expenses of the Authority, as provided in an annual budget adopted by the Authority, to the extent funds for such expenses are not provided from other sources, shall be allocated among the component counties, city, and educational and nonprofit agencies pursuant to a funding formula as duly adopted by the Authority.

2006, c. 179, § 15.2-6806; 2015, c. 256.

§ 33.2-3306. Payment to members of Authority

The members of the Authority may be paid for their services compensation in either (i) the amount provided in the general appropriation act for members of the General Assembly engaged in legislative business between sessions or (ii) a lesser amount as determined by the Authority. Members may be reimbursed for all reasonable and necessary expenses provided in §§ 2.2-2813 and 2.2-2825, if approved by the Authority. Funding for the costs of compensation and expenses of the members shall be provided by the Authority.

2006, c. 179, § 15.2-6807; 2015, c. 256.

§ 33.2-3307. Formation of advisory committees

The Authority may, in its discretion, form advisory committees to assist the Authority.

2006, c. 179, § 15.2-6808; 2015, c. 256.

§ 33.2-3308. Other duties and responsibilities of Authority

In addition to other powers herein granted, the Authority shall have the following duties and responsibilities:

1. General oversight of Williamsburg area programs involving mass transit or congestion mitigation;
2. Long-range transit planning in the Williamsburg area, both financially constrained and financially unconstrained;
3. Recommending to state, regional, and federal agencies regional transit priorities, including public-private transit projects and funding allocations;
4. Allocating to priority regional transit projects any funds made available to the Authority and, at the discretion of the Authority, directly overseeing such projects;
5. Recommending to the Commonwealth Transportation Board priority regional transit projects for receipt of federal and state funds;
6. Serving as an advocate for the transit needs of the Williamsburg area before the state and federal governments;
7. Applying to and negotiating with the government of the United States, the Commonwealth, or any agency or instrumentality thereof, for grants and any other funds available to carry out the purposes of this chapter and receiving, holding, accepting, and administering from any source gifts, bequests, grants, aid, or contributions of money, property, labor, or other things of value to be held, used, and applied to carry out the purposes of this chapter subject, however, to any conditions upon which gifts, bequests, grants, aid, or contributions are made. Unless otherwise restricted by the terms of the gift, bequest, or grant, the Authority may sell, exchange, or otherwise dispose of such money, securities, or other property given or bequeathed to it in furtherance of its purposes.

2006, c. 179, § 15.2-6809; 2015, c. 256.

