Date of Council Work Session: November 25, 2012

TOWN OF LEESBURG
TOWN COUNCIL WORK SESSION

Subject: Request by Loudoun County for FY2015 Transportation Capital Projects NVTA/HB2313 Revenue

Staff contact: Thomas A. Mason, P.E., Director of Public Works
Renee LaFollette, P.E., Director of Capital Projects Management

Recommendation: Staff recommends that this information be forwarded to the Town Council.

Fiscal Analysis: This item does not impact the Department of Public Works or the Department of Capital Project Managements operating budget. Money requested will go to fund existing and proposed transportation projects within the Capital Improvements Program.

Background: At the October 16, 2013 Board of Supervisor's Meeting the Board of Supervisors requested Loudoun County Government Budget to establish the budget for the period from July 1, 2014 through June 30, 2015. The County is inviting Towns within the County to submit a detailed letter of request for FY2015 capital funding. The following information is to be included with our letter of request.

1. State that you are requesting FY2015 funding for a capital project.
2. Project name and a detailed description of the project.
3. The FY2015 amount requested from the County for each project/facility. Identify projects utilizing HB2313 funding.
4. Specifically how the County contribution will be used.
5. Possible future phases of the project planned beyond FY2015.

Town staff has provided the attached list of projects. Loudoun County requires that the projects submitted are endorsed by Town Council.

Attachment(s):
1. Letter to Mayor Kristen Umstattd
2. Loudoun County HB2313 Local and Regional Funding Projections (TY2014-2018)

Town of Leesburg

FY 2015 NVTA Budget Request

PROJECT NO.	NAME		BUDGET FY 14	FY15	FY 16	FY 17	FY 18	FY 19	TOTAL	COMMENTS
						STREETS				
New	*Route 7 (East Market Street) / Battlefield Parkway Interchange*	*Proposed NVTA 70% money*	$ 1,000,000	$ 1,000,000	$ 1,000,000	$ 5,000,000			$ 8,000,000	*Request $50,000,000 in 2020 NVTA funding for land acquisition and construction*
09307	*Route 15 Bypass / Edwards Ferry Road Interchange*	*VDOT*						$ 5,000,000	$ 5,000,000	*Request $1,000,000 in FY 2020 towards design, $50,000,000 towards land acquisition and construction in FY 2022*
		Proposed NVTA 70% money			$ 1,000,000	$ 1,000,000	$ 1,000,000		$ 3,000,000	
	Bus Transit	*Proposed NVTA 30% money*		$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 2,500,000	
New	*Evergreen Mill Road Widening*	*VDOT*				$ 351,000	$ 438,000	$ 530,000	$ 1,319,000	
		Proposed NVTA 30% money		$ 750,000	$ 1,500,000	$ 1,500,000	$ 1,500,000	$ 1,500,000	$ 6,750,000	
	Sycolin Phase IV	*VDOT*		$ 500,000	$ 500,000	$ 4,000,000	$ 5,500,000		$ 10,500,000	
		Gas Tax		$ 500,000	$ 500,000				$ 1,000,000	
		Proposed NVTA 30% money	$ 500,000	$ 750,000					$ 750,000	

Loudoun County, Virginia
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Department of Management and Financial Services
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October 31, 2013

Mayor Kristen C. Umstattd, Town of Leesburg
25 West Market Street
P.O. Box 88
Leesburg, VA 20178

Dear Mayor Umstattd:

I am writing to inform you that for the FY 2015 Loudoun County Government Budget Development Process, which will establish the budget for the period from July 1, 2014 through June 30, 2015, the County is inviting Towns within the County to submit a detailed letter of request for FY 2015 capital funding. If your jurisdiction decides to submit a request, please include the following information in your letter:

- State that you are requesting FY 2015 funding for a capital project.
- Project name and a detailed description of the project.
- The FY 2015 amount requested from the County for each project/facility. Identify projects utilizing HB2313 funding.
- Specifically how the County contribution will be used.
- Possible future phases of the project planned beyond FY 2015.

These capital contributions are not guaranteed but will be considered as part of the FY 2015 budget discussions based on funding available through HB2313 and/or the County's regional organization contributions process.

Please see Attachment 1 for information on HB2313 funding eligibility and project selection criteria.

To be eligible for consideration for the FY 2015 Budget Process, **the letter of request must be submitted prior to 5:00 p.m. on Friday, November 22nd, 2013 to**:

Mr. Falayi Adu, Interim Budget Manager
Loudoun County Department of Management and Financial Services
1 Harrison Street, S.E., 4th Floor, MS #41
P.O. Box 7000
Leesburg, VA 20177-7000
Email Address: **Falayi.Adu@loudoun.gov**

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Eligible requests received by the deadline will be reviewed and recommendations prepared for the Board of Supervisors consideration as part of the FY 2015 Proposed Fiscal Plan. The Fiscal Plan will be presented by the County Administrator to the Board of Supervisors in February 2014. The Board of Supervisors will make the final decision regarding these requests and will adopt the FY 2015 budget in April 2014.

Please let me know if you have any questions.

Sincerely,

Erin McLellan
Budget Officer

cc: John Wells, Manager, Town of Leesburg
Tim Hemstreet, County Administrator
Joe Kroboth, Director, Department of Transportation and Capital Infrastructure
Paul Brown, Assistant Director, Department of Transportation and Capital Infrastructure
Dan Csizmar, Capital Budget Manager, Department of Transportation and Capital Infrastructure
Ben Mays, Director/CFO, Management and Financial Services
Penny Newquist, DCFO, Management and Financial Services

Attachments:

- 1. NVTA Project Eligibility and Project Selection Criteria
- 2. Board of Supervisors of Loudoun County – October 16, 2013 Business Meeting: Copy Teste - HB2313 Implementation Update and Proposed MOA with the Towns of Purcellville and Leesburg.

Attachment #1 – NVTA Project Eligibility

HB2313 requires NVTA to distribute 30% of the proportional revenue collected to each of the jurisdictions on a periodic basis. The revenue can only be spent on urban or secondary road construction, capital improvements that reduce congestion, other projects that have been approved in the regional transportation plan, or for public transportation. The remaining 70% of the proportional revenue collected in each jurisdiction is retained by NVTA for regional transportation projects that are included within the TransAction 2040 regional transportation plan or mass transit capital projects that increase capacity. The regional transportation projects are prioritized and adopted by the NVTA on an annual basis.

Eligible Projects: HB2313 requires that the regional revenues be used for: a) transportation projects in the regional plan (TransAction 2040) or the C.O.G. Constrained Long Range Transportation Plan (CLRP) that have been vetted through the NVTA three-tier review process; and b) mass transit capital projects that increase capacity. Tier 1 of the review process establishes project eligibility by being identified in either TransAction 2040 Plan or the CLRP. Tier 2 assigns points for ranking the projects by the NVTA Project Implementation Working Group and Tier 3 includes a rating by the Commonwealth based on a project's ability to reduce congestion and facilitate emergency evacuation. The Commonwealth rating shall be conducted by VDOT in accordance with Virginia Code 33.1-13.03:1 providing an objective, quantitative system based on modeling and computer simulations; however, the process remains under development and may not be available for the FY 2015 project selection cycle. The towns are not partner jurisdictions of NVTA and therefore cannot submit projects directly to NVTA. All projects submitted to NVTA for regional funding, regardless if within the Towns limits of Leesburg or Purcellville, must meet the selection criteria adopted by NVTA in order to receive regional funding.

Please see next page for NVTA Regional Project Selection Criteria.

Attachment #1 – NVTA Project Selection Criteria:

Tier I Screening Criteria[1]	Assigned Value
Contained in the regional transportation plan (TransAction 2040/CLRP/TIP)	"Y/N" given for each category
Mass transit project that increases capacity	"Y/N"
Reduces congestion	"Y/N"
Within locality embraced by the Authority or in adjacent localities but only to the extent that such extension is an insubstantial part of the project and is essential to the viability of the project within the localities embraced by the Authority.	"Y/N" if project or service is contained within the geographic boundaries of the NVTA. "TBD" if type of project request requires additional guidance.

Tier II Screening Criteria[2]	Assigned Value
Improve auto and pedestrian safety	1 pt – Yes, 0 pts - No
Project Readiness a. Project is included in TIP/CLRP or is air quality neutral. b. Have completed (or will complete prior to project selection) major regulatory reviews and/or public input processes. c. Resources available to move forward with project when funding becomes available. d. Funding will provide expedition of project phase. e. Projects will begin or complete next phase with requested funding.	Maximum Points: 6 1 pt – Included in CLRP/AQ Neutral 1 pt – Included in TIP 1 pt – Completed major regulatory reviews and/or public input processes 1 pt – Resources available to move forward 1 pt – Funding will expedite project/phase 1 pt – Projects will begin or complete next phase in FY14
Mode Balance (Transit, Road, Multimodal)	R – Road, T – Transit, M - Multimodal
Short-term priorities of the jurisdictions that are partially funded in Commonwealth's SYIP or by individual jurisdictions or agencies. (Leverages External Funding)	1 pt – Yes, 0 pt – No

Tier III Screening (Criteria Overlay)[3]
Priority given to greatest congestion reduction relative to cost.
Locality's total long-term benefit shall be approximately equal to the proportion of revenues attributable to the locality.*(use for 6-year plan, but not for FY14)
Counties and cities embraced by Authority must work cooperatively with towns and populations greater than 3,500 located within such counties to ensure that the towns receive their respective share of the revenues. (Pending additional guidance on collection/distribution process)

Bond Project Screening
Projects with 20 year lifespans (previously approved by PIWG 5/10/13)
Project funding request
Mode Balance
Geographic Balance
Leverages External Funds
High Rating (if on list of projects for consideration of future Six-Year Program)

[1] Tier 1 determines project eligibility for NVTA funding.
[2] Tier 2 assigns points to establish a priority listing or ranking.
[3] Tier 3 review by VDOT to evaluate effectiveness for congestion relief and/or emergency evacuation.

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At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Wednesday, October 16, 2013 at 4:00 p.m.

IN RE: HB2313 IMPLEMENTATION UPDATE AND PROPOSED MOA WITH THE TOWNS OF PURCELLVILLE AND LEESBURG

Mr. York moved that the Board of Supervisors direct staff to draft Memorandums of Agreement with the Towns of Leesburg and Purcellville to include the NVTA Board adopted revenue distribution policy as well as address the administrative and procedural aspects included in this action item as necessary.

Mr. York further moved that the Board of Supervisors direct the County Administrator to issue a letter to the Towns of Leesburg and Purcellville to submit requested projects eligible for HB2313 funding and endorsed by their respective Town Councils to the Department of Transportation and Capital Infrastructure staff as part of the FY2015 Capital Improvement Plan development process.

Seconded by Mr. Reid.

Mr. York did not accept Mr. Reid's friendly amendment that after the NVTA Board's distribution policy to add "unless the Commonwealth of Virginia can compute an exact amount of sales taxes and real estate transfer taxes raised within the Towns," as the Board requested.

Mr. Reid moved an amendment to the main motion that after the Board's distribution policy to add after the NVTA Board's distribution policy "unless the Commonwealth of Virginia can compute an exact amount of sales taxes and real estate transfer taxes raised within the Towns," as the Board requested.

Seconded by Mr. Higgins.

Voting on Mr. Reid's FAILED Amendment: Supervisors Clarke, Higgins and Reid – Yes; Supervisors Buona, Delgaudio, Letourneau, Volpe, Williams and York - No.

Voting on Mr. York's Original Motion: Supervisors Buona, Clarke, Delgaudio, Higgins, Letourneau, Reid, Volpe, Williams and York – Yes; None – No.

Jeanette Seibert
DEPUTY CLERK FOR THE LOUDOUN
COUNTY BOARD OF SUPERVISORS

(2-HB2313 IMPLEMENTATION UPDATE AND PROPOSED MOA WITH THE TOWNS OF PURCELLVILLE AND LEESBURG)

HB 2313 Local and Regional Funding Projections (FY 2014-2018)

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	5-year Average	5-year Totals
HB2313 Revenue (30%)	13,003,868	14,380,781	14,752,480	15,135,280	15,529,515	14,560,385	72,801,924
Loudoun	11,197,696	12,386,537	12,707,373	13,037,792	13,378,079	12,541,495	62,707,477
Leesburg	1,759,807	1,947,202	1,997,991	2,050,299	2,104,172	1,971,894	9,859,470
Purcellville	46,365	47,042	47,116	47,190	47,264	46,995	234,977
HB2313 Regional (70%)	30,342,358	33,555,156	34,422,453	35,315,654	36,235,536	33,974,231	169,871,157
Loudoun	25,376,689	28,057,429	28,780,371	29,524,897	30,291,653	28,406,208	142,031,040
Leesburg	4,106,217	4,543,472	4,661,978	4,784,030	4,909,734	4,601,086	23,005,431
Purcellville	859,452	954,255	980,103	1,006,726	1,034,148	966,937	4,834,686
Total	**43,346,226**	**47,935,938**	**49,174,932**	**50,450,934**	**51,765,051**	**48,534,616**	**242,673,081**
Loudoun	36,574,385	40,443,965	41,487,745	42,562,689	43,669,733	40,947,704	204,738,518
Leesburg	5,866,024	6,490,675	6,659,969	6,834,329	7,013,906	6,572,980	32,864,901
Purcellville	905,817	1,001,298	1,027,219	1,053,916	1,081,413	1,013,932	5,069,662

NVTA annual appropriation of HB2313 regional funding may not reflect this proportional share on an annual basis, but over time each of the partner jurisdictions is to receive their share. For example, the FY 2014 NVTA adopted regional projects for Loudoun County includes two projects within the Town limits of Leesburg (Edwards Ferry/ 15 Bypass improvements and the Leesburg Park and Ride) for a total of $2,000,000 or approximately 6.90 percent of the total regional funding for the County; however, the towns' portion based on projected revenue collected is estimated at $4,106,217 or 13.53 percent. As reflected in the previous table, Leesburg is projected to receive an average of $4,601,086 and Purcellville is to receive an average of $966,937 of annual HB2313 regional funding over the next five years. NVTA has begun receiving FY 2014 revenues. The year-to-date report (July 1 through September 30) that was provided at the Financial Working Group meeting on October 7, 2013 is included as Attachment 6. To date, NVTA has received approximately $25.2 million of which, $4.42 million is attributable to Loudoun County.

Staff suggests that the Towns submit their projects that are eligible for HB2313 regional funding as well as the local share for the Board's consideration as part of their annual County Capital Improvement Program process. The towns are not partner jurisdictions of NVTA and therefore cannot submit projects directly to NVTA. There are several future planned projects within the Towns' limits that will be eligible for HB2313 regional funding including the Battlefield/ Route 7 intersection improvements for example. This project will be eligible for HB2313 regional funding and is large in scale and cost. Based on the projected regional funding for Leesburg, this project would account for years of HB2313 regional funding appropriation and could impact the County's overall portion of regional funding in future years. This is one example of how the suggested process would allow the Board to consider all the implications surrounding the County's submission of projects for HB2313 regional funding. Further examples exhibiting potential funding implications are included in Attachment 7.

The legislation does not delineate between the local and regional HB2313 revenues in terms of jurisdictions receiving their proportional share. The NVTA appropriates regional HB2313 revenues annually by project and the local revenue is distributed to the partner jurisdictions periodically. This allows the County as the partner jurisdiction to manage the proportional share